



An
Bord
Pleanála

S. 4(1) of Planning and Development (Housing) and Residential Tenancies Act 2016

Inspector's Report

ABP-306705-20

Strategic Housing Development

502 no. apartments with a creche and all associated site works.

Location

Former Gallaher's cigarette factory site at the junction of Airton Road & Greenhills Road, Tallaght, Dublin 24.(www.gallahersiteshd.ie)

Planning Authority

South Dublin County Council

Applicant

Greenleaf Homes Ltd.

Prescribed Bodies

1. Irish Water.
2. Transport Infrastructure Ireland.
3. Irish Aviation Authority.
4. Dublin Airport Authority.

Observer(s)

Tallaght Community Council.

Date of Site Inspection

25th April 2020.

Inspector

Karen Kenny

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1.0 Introduction

- 1.1. This is an assessment of a proposed strategic housing development submitted to the Board under section 4(1) of the Planning and Development (Housing) and Residential Tenancies Act 2016.

2.0 Site Location and Description

- 2.1. The site is a prominent corner site (2.48 ha) located at the junction of the Greenhills and Airton Roads in Tallaght, Dublin 24. It is located c. 0.75 km north of Tallaght Main Street and c. 1.6 km north east of The Square Shopping Centre.
- 2.2. The site is a former industrial site, which is now inactive. It is bound to the west by a vehicle compound that falls within the landholding; to the north by Airton Road; to the east by Greenhills Road and to the south by the River Tymon. There are a number of disused industrial buildings on the site, which are proposed for demolition as part of this current application. There is metal fencing around the perimeter of the site. Along the Greenhills road there is a low stone wall with hedge and trees that sits outside of the fencing. There is a gated vehicular access into the site on the Airton Road and a second vehicular access into the vehicle compound that falls within the landholding.
 - 2.2.1. The local context has a mixed and evolving character. The Airton Road and Broomhill areas are characterised by low rise (1-2 storey primarily) industrial, warehousing, office buildings and retail warehousing buildings. There is a recently constructed 5 storey primary care building on the north west corner of the Greenhills Road and Airton Road. This building is contemporary in character and presents an urban edge to the corner of the Greenhills Road and Airton Road. The TCU lands to the south are open in character with playing fields directly adjacent to the application site. Development on the eastern side of the Greenhills Road comprises two local sports / leisure facilities and the entrance to Bancroft Park. There are no residential properties within the vicinity of the site.

3.0 Proposed Strategic Housing Development

3.1. The development will consist of the demolition of existing factory and warehouse buildings; and the construction of 502 no. apartments, 3 no. retail units and a creche within 6 no. blocks.

3.2. Key Details:

No. Units	502
Height	4-8 storeys
Site Area	2.79 ha gross; 2.48 ha net
Density	202 units / ha
Plot Ratio	1.8
Site Coverage	40%
Other Uses	Creche (329 sq.m); 3 no. Retail Units (482 sq.m)
Communal Facilities	704 sq.m
Open Space	Public: 6,747 sq.m; Communal: 4,372 sq.m.
Car Parking	202 no. car parking spaces (at basement and undercroft levels).
Bike Parking	584 no. bicycle parking spaces.

3.3. Housing Mix

Beds	Apartments	%
1-bed	197	39
2-bed	257	51
3-bed	48	10
	502	100%

- 3.4. Vehicular / pedestrian / cyclist access is proposed from Greenhills Road and Airton Road.
- 3.5. Other proposed works include road improvements and pedestrian crossings and all associated site development works, open spaces, landscaping, boundary treatments, plant areas, PV panels (at roof level), waste management areas, and services provision (including ESB substations).
- 3.6. The application documents include a statement of consistency and a material contravention statement.
- 3.7. An environmental impact statement has been prepared in respect of the proposed development.

4.0 **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.

5.0 **Section 5 Pre-Application Consultation**

- 5.1. A Section 5 pre-application consultation took place at the office of An Bord Pleanála on the 7th 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. 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

A copy of the Inspector's report and Opinion is on the file for reference by the Board. A copy of the record of the meeting Ref. ABP-305291-19 is also available on the file.

5.2. Notification of Opinion

5.2.1. The An Bord Pleanála opinion stated that it is of the opinion that the documents submitted require further consideration and amendment to constitute a reasonable basis for an application for strategic housing development to An Bord Pleanála. The issues raised in the opinion can be summarised as follows:

- Further consideration and / or 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 applicant's ownership. The design strategy should provide the optimal outcome for the overall lands.
- Further consideration of the documents as they relate to the detailed design of the proposed development. The documentation should demonstrate that elevational treatments, external finishes, materials and detailing of buildings, together with landscaping and boundary treatments make a positive contribution to the character of the area.
- Further consideration and / or justification of the documents as they relate to the ground floor uses, in particular along Greenhills Road, Airton Road and surrounding the 'Courtyard Open Space'.
- The following further details were also sought: Daylight/Sunlight Analysis; contour/site level map showing levels across the site; additional details in relation to the layout and design of the proposed areas of open space (inc. a detailed landscaping plan and additional cross sections, CGIs and visualisations); Construction and Demolition Waste Management Plan; waste management details; Ecological Impact Assessment; Life Cycle Report; a Schedule of Floor Areas; additional details in relation to surface water management having regard to the issues raised by the SDCC Drainage Division (inc. surface water management and flood risk assessment); additional details in relation to transport and parking having regard to the issues raised by the SDCC Transportation Division.

5.3. Applicants Response

- In response to item no. 1 a masterplan document has been prepared and submitted for the overall landholding of 3.8 ha. The masterplan shows a vision for the sustainable development of the landholding, including public routes. Key amendments include; reduction in number of units from 544 no. units; replacing undercroft parking in Blocks E-F with basement parking to facilitate connectivity between proposed public open spaces; access to central open space improved with the access width from Airton Road and Greenhills Road widened; Block A – B reduced in length to create an additional area of open space to the south, which will be extended further to the edge of the River as part of the final phase of development; reconfiguration of the proposed buildings for the final phase to re-enforce key routes through the site and enhance the proposed public open spaces.
- In response to item no. 2 (i) the proposed elevations have been developed further. The approach seeks to create strong frontage along Greenhills Road and Airton Road with a simplified palate of materials. The approach creates a 6-storey brick edge with stone clad focal points at 7-8 storeys at the northern end of the proposed buildings to punctuate corners and add node points to the key access points to the site.
- In response to item no. 2 (ii) the location of the retail units and creche and how they interact with Greenhills Road, Airton Road and the main public open spaces and the key routes through the site have been re-examined, with the inclusion of own door units and the addition of communal facilities to Block D. The additional communal facilities within Block D are located at the southern end of the block next to the main pedestrian access from Greenhills Road and include a communal lounge and small office. The inclusion of own door units and commercial facilities has enhanced the active frontage throughout the proposed layout and has added an improved sense of scale to the proposed elevations.
- The specific information requested by the Board has been included with the application.

6.0 Relevant Planning Policy

6.1. National Planning Framework

6.2. The NPF includes Chapter 6 entitled 'People, Homes and Communities'. It sets out that place is intrinsic to achieving good quality of life. A number of key policy objectives are noted as follows:

- National Policy Objective 33 seeks to “prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location”.
- National Policy Objective 35 seeks “to increase residential density in settlements, through a range of measures including restrictions in vacancy, re-use of existing buildings, infill development schemes, area or site-based regeneration and increased building heights”.
- National Planning Objective 13 provides that “in urban areas, planning and related standards, including, in particular, height and car parking will be based on performance criteria that seek to achieve well-designed high-quality outcomes in order to achieve targeted growth. These standards will be subject to a range of tolerance that enables alternative solutions to be proposed to achieve stated outcomes, provided public safety is not compromised and the environment is suitably protected”.

6.3. Section 28 Ministerial Guidelines

The following is a list of section 28 Ministerial Guidelines considered of relevance to the proposed development. Specific policies and objectives are referenced within the assessment where appropriate.

- ‘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 – Guidelines for Planning Authorities’ as updated March 2018.
- ‘Design Manual for Urban Roads and Streets’ (DMURS).
- ‘The Planning System and Flood Risk Management’ including the associated ‘Technical Appendices’.

- ‘Childcare Facilities – Guidelines for Planning Authorities’.
- Urban Development and Building Height, Guidelines for Planning Authorities, 2018.
- Architectural Heritage Protection – Guidelines for Planning Authorities, 2011.

6.4. Development Plan and Local Area Plan

6.4.1. 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.

Zoning:

The site is zoned ‘REGEN’ with an objective to ‘facilitate enterprise and/or residential-led regeneration’

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.

6.4.2. Draft Tallaght Town Centre LAP 2020-2026

The Draft Tallaght Town Centre LAP 2020-2026 was published on 12th September 2019. Following public consultation, the Elected Members of South Dublin County Council, have resolved that the Draft Local Area Plan be made subject to alterations that were deemed to be material (either on their own or cumulatively). Following a

further period of consultation, the members are due to consider the material alterations in May 2020. However, in the context of extension orders made under Section 251A of the P&D Act (as amended) (Emergencies Measures Covid 19) the timeframe for consideration of the material amendments may be extended.

The Draft Local Area Plan includes the following provisions that are not subject to material alterations:

- Promotes consolidation for the Tallaght Town Centre lands. The plan sets out a vision, guidance and an urban structure for each neighbourhood.
- The site is located in neighbourhood no. 4 Broomhill. The objective for this neighbourhood 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 Road and Airton Road, subject to integrating effectively with existing surrounding uses
- The LAP indicates a long-term (20 year) capacity on the LAP lands of 9716 to 12789 residential units with a capacity of 1250 to 1667 residential units within the Broomhill neighbourhood.
- Plot ratio, as set out in section 3.5, is indicated as between 0.75:1 and 1:1.
- Section 2.6.2: In general terms, the height strategy provides for building heights of: 6-7 storeys residential + 1 recessed and 5-6 storeys non-residential + 1 recessed in the centre, in close proximity to Luas stops and along arterial and primary route frontages; 4-6 storeys residential and 3-5 storeys non-residential on secondary route frontages; and lower building heights along tertiary routes.
- Local Pocket Park along Airton Road or Linear Park along Airton Road and along southern boundary with TUD / TC with new building frontage overlooking.
- 10m riparian strip along watercourses with 'amenity frontage' along this to ensure passive surveillance and increased residential amenity (Figure 2.9 Public Realm).
- Section 5.2.1 of the Draft LAP states that "it is policy of the Council to ensure an appropriate housing mix is provided within the LAP lands, therefore a minimum of 30% of units within any new residential development (in the form

of either apartments or houses, but excluding student accommodation schemes) shall have a minimum of 3 bedrooms.”

A number of Material Alterations are proposed:

- Material Alterations 1 seeks to focus mixed use / residential uses to the southern side of Airton Road.
- Material Alteration 3 would allow for an increase in maximum plot ratio to 1.5 in the Broomhill neighbourhood where the site is within 500m walking distance of a high capacity public transport stop on a dedicated bus lane.
- Material Alteration 4 provides flexibility in relation to plot ratio and the potential for higher buildings (2-4 storey increase on typical levels) at locations considered to be key or landmark sites.
- Material Alteration 6 allows for landmark buildings and buildings that exceed the prescribed general buildings heights. A 2-4 storey increase on the typical levels may be considered for key or landmark sites exceeding 2 ha in area.
- Material Alteration 7 replaces a requirement for 30% owner occupied units to an ambition for 30% owner occupied.

7.0 Applicant’s Statement of Consistency

7.1. The applicant has submitted a Statement of Consistency as per Section 8(1)(iv) of the Act of 2016, which indicates how the proposal is consistent with the policies and objectives of Section 28 guidelines, the County Development Plan and regional and national planning policies. The following points are noted:

- Consistent with NPF and RSES consolidation and density policies.
- Consistent with GDA Transport Strategy due to location along a high frequency bus corridor and proposed Bus Connects Route 9 and to Luas.
- The Building Height Guidelines promote increased building heights. The site is a prominent corner site that is appropriate for taller development. Development Management criteria in Section 3.2 addressed. The height of 4-8 storeys will provide visual interest to the street scene and will also

provide a sense of enclosure to Airton Road and Greenhills Road and provide a strong urban edge.

- The development is consistent with guidance in the Sustainable Residential Development in Urban Areas guidelines and with the 12 criteria in the accompanying Urban Design Manual.
- Consistent with essential requirements in Quality Housing for Sustainable Communities Best Practice Guidelines.
- In relation to the Sustainable Urban Housing Design Standards for New Apartments 2018 the development is consistent with the SPPR's and the standards set out in Appendix 1. The site is considered to be in an Accessible Urban Location, as defined by the guidelines, due to its location directly adjoining a high frequency urban bus service (Route 27) and suitable for higher density apartment development.
- Complies with DMURS. Scheme accommodates different users whilst enhancing sense of place. Car parking is reduced and permeability prioritised.
- In terms of the Childcare Facilities Guidelines for Planning Authorities the scheme incorporates 44 no. childcare places to cater for demand arising from the development.
- The proposed development is in line with the overall vision of Smarter Travel – A Sustainable Transport Future.

SDCC Development Plan

- The site is zoned REGEN with an objective “to facilitate enterprise and / or residential led regeneration”. Childcare, Residential, Restaurant /Café and Shop Local uses are permitted in principle.
- The site has been vacant since 2003 and the proposed development meets the criteria for development in the REGEN zone set out in Section 11.2.1 of the CDP.
- In relation to Building Height policy (Policy & Objectives H9) the context consists of non-residential buildings of 3-5 storeys in height while the

proposed building height is 4-8 storeys. This takes account of the transitional nature of the area and recent permissions granted within the REGEN area for a 9 storey building, and a second 9 storey building currently under consideration, both at the western end of Airton Road. The site is a corner site fronting onto Airton Road and Greenhills Road (R819) a main arterial road with high frequency bus services. The additional height on this site will provide further legibility and wayfinding. The site is within a reasonable distance of Belgard and Tallaght Square LUAS stops. The site is next to the major employment centres of Tallaght University Hospital, Broomhill Industrial Estate, Hibernian Industrial Estate and the Dublin Technological University Tallaght. The proximity of the site to high frequency transport corridors and large employment centres makes the site an appropriate location for high density development.

- Other policies including policies in relation to open space, surveillance, childcare, green infrastructure / ecology, drainage, waste management, car and bicycle parking, retail, air and noise impacts, are met where not superseded by more recent national guidance.
- The site is located in the Broomhill neighbourhood in the Tallaght Town Centre LAP. The proposed development is consistent with the overall land use zoning and vision for the neighbourhood. The scheme may deviate from specific policies and standards contained in the LAP in relation to building height, plot ratio, unit mix / tenure and open space. The submission refers to conflicting objectives in relation to the height parameters along Airton Road / Greenhills Road, a material alteration that would provide greater flexibility in relation to plot ratio and changes in respect of unit mix.

7.2. **Material Contravention Statement**

The application is accompanied by a Material Contravention Statement that addresses the following matters:

- Building height in the context of the SDCC Development Plan and the Draft Tallaght Town Centre LAP.
- The plot ratio, residential mix, occupancy and open space standards and requirements set out in the Draft Tallaght Town Centre LAP.

8.0 Third Party Submissions

8.1.1. A third-party submission has been received from Tallaght Community Council. The main points made can be summarised as follows:

- Breach of EU Environmental Directives. Draft LAP proposes a six times population increase.
- SPPR1 of the Apartment Guidelines allows local development plans to specify housing mix. Housing mix standards in Draft LAP based on a 'de facto' Housing Need Demand Assessment. Evidence shows a need for larger family type housing.
- Excessive density.
- Need for increase setbacks on Airton Road and Greenhills Road.
- Reduction in green space and biodiversity not acceptable.
- Public feature and/or Greenspace at junction of Airton Road and Greenhills Road required.
- Fire safety.
- Protection of heronry at the Priory and TUD.
- Concerns regarding the ACA and existing stone walls.
- Public realm and neighbourhood requirements of the LAP not adhered to.
- Impact on River Poddle and requirement for Environmental Impact Analysis.
- The SHD planning process.

9.0 Planning Authority Submission

9.1. South Dublin County Council has made a submission in accordance with the requirements of section 8(5)(a) of the Act of 2016. It summarises observer comments as per section 8(5)(a)(i) and the views of the relevant elected members of the Tallaght Area Committee, as expressed during a conference call on March 30th, 2020. The

planning and technical analysis in accordance with the requirements of section 8(5)(a)(ii) and 8(5)(b)(i) may be summarised as follows. The submission summarises the technical assessments by relevant departments of SDCC, which are incorporated into the following summary.

9.1.1. PA Comment on Principle of Development

- Proposed development is acceptable in principle.

9.1.2. PA Comment on Design Strategy and Open Space

- Proposed development is an overdevelopment of the site and a new approach is needed for the overall landholding. Heights, density and plot ratio deviate from standards in Draft LAP and would materially contravene the LAP.
- The development does not provide linear park and route from Greenhills Road required under Draft LAP. Concern over functionality of open space and legibility of communal and public spaces. Legibility of finishes could be improved. Concerns in relation to active street frontage. Doors at ground level are not visually prominent. Pedestrian link along southern boundary is isolated.
- The Draft LAP provides for a linear amenity area along the River Poddle with 'amenity frontage' to ensure passive surveillance. The CDP requires a 10m riparian strip along all watercourses. The development does not provide these features.
- The open space should be consolidated, and block layout amended to reflect the LAP. It is suggested that the southern block fronting onto Greenhills Road should be moved to the southern boundary in accordance with the LAP.
- Detail of landscaping and play provision required.

9.1.3. PA Comment on Tenure and Mix

- Mix of private sale and private rental is not in accordance with Policy H10 of the CDP and Draft LAP policy in relation to tenure. A detailed socio economic and demographic rationale is needed.
- The proposed housing mix is weighted in favour of one and two bed units and is considered to be a material contravention of the Draft LAP, which required a minimum of 30% of units to have 3 or more bedrooms.

9.1.4. PA Comment on Residential Amenity and Servicing

- Development should meet standards set out in Sustainable Urban Housing Design Standards for New Apartments. Communal facilities welcomed. Question why gym is accessed from the street.
- Concern in relation to location of bin stores in undercroft. The Operational Waste Management Plan states that the bins would be collected from the waste storage areas by private contractors. Details of access routes not provided. Separate refuse lifts should be provided.

9.1.5. PA Comment on Roads, Access and Parking

- Existing pedestrian crossing on Airton Road needs to be moved further west for traffic safety reasons.
- No emergency access provisions to undercroft / basement car parking areas.
- Car parking at a ratio of 0.46 spaces per unit recommended (230 no. spaces in total). Recommend that 20 no. electric charging spaces are provided.
- Refer to NTA submission in respect of cycle parking.
- Refusal recommended for the lack of vehicular connectivity through the site, parking provision, lack of emergency exits car parks, lack of separation for pedestrian and bin access within the lifts; and fire tender routes.

9.1.6. PA Comment on Services and Drainage (inc. SUDS)

- No breakdown of surface types, surface areas and surface run off coefficients for each drainage catchment. This is required in order to assess the proposed attenuation storage provision for the development. Based on the information provided it is estimated that the 1 in 100 year rainfall event attenuation storage provided for in Catchment 1 is undersized by approximately 82% and in catchment 2 by 250%. This estimate excludes potential storage within the proposed SuDS features (detention basins, rain gardens, swales, green roofs and permeable / porous pavements). Clarity needed in relation to the storage capacity of these SuDS features for the 1 in 100-year rainfall event. It is not clear how the SuDS management train is interconnected. SuDS features are shown on the drawings, however, there is

no detail provided in terms of how surface water run-off would flow and make its way to the attenuation system prior to discharge from the site. Cross section for each SuDS features also is needed. There is a concern that SuDS strategy and Landscape plan do not appear to correlate in terms of surface types and locations.

- There are no Q_{bar}^1 calculations. Need to have breakdown of the Q_{bar} calculations, including the Standard Average Annual Rainfall (SAAR) and Soil Standard Percentage Ratio (SSPR) values used to calculate the Q_{bar} .
- The applicant has proposed a Geocellular stormwater attenuation system. Recommended that the proposed attention system be changed to an arched type system to allow for easier maintenance and cleaning. A cross section of the arch type system would be needed.
- The invert level of the proposed outfall is below the 1 in 10 year flood level on the River Poddle watercourse to which the applicant proposes to discharge surface water. The flood level is based on the OPW's CFRAMS flood map. A cross section of the proposed outfall to the Poddle River is needed. The drawing should show the invert of the proposed outfall in relation to the closest known river flood level for the 1 in 10, 1 in 100 and 1 in 1000 year storm event river flood levels.
- Overall it is considered that the applicant has provided insufficient information regarding surface water and refusal is recommended on this basis.
- Flood Risk Assessment noted and no objection subject to standard conditions.

9.1.7. PA Comment on Other Matters

- Childcare provision considered to be acceptable.
- Should have regard to 'HeatNet' project and scheme should be district heading enabled.
- Contents of the Bat Survey and Ecological Impact Assessment noted. Mitigation measures in both reports should be secured by condition.

¹ Peak rate of flow from a catchment for the mean annual flood.

- Recommend a condition requiring notification of the IAA of the intention to commence crane operations on site.
- Tallaght Area Committee raised concerns in relation to unit mix, building height and current housing model.

9.1.8. PA Recommendation

- Overall it is considered that the redevelopment of this brownfield site would not outweigh the material planning concerns raised in the PA's Report. Recommended reasons for refusal relate to contravention of Draft LAP, urban design approach, traffic and pedestrian conditions and water services.

10.0 Prescribed Bodies

10.1. National Transport Authority

- Proposed high density residential development represents an opportunity to consolidate development in an area where residents could avail of a range of services, without the use of private car.
- The NTA is not opposed to the development in principle but has the following concerns:
 - Bus Connects: The site is on Corridor 9 (Greenhills to City Centre). The preferred route option is the subject to public consultation. In the event of a grant of permission, the applicant should be required to liaise with the NTA and reach agreement on the design of the road layouts and access arrangements on Greenhills Road and Airton Road in order to support the implementation of the QBC. In particular agreement needed on: the exact location of boundaries and set back required; the design of access arrangements; the tie-in of the area reserved for the CBC to the existing layout; the provision of a proposed Pedestrian Crossing (controlled) on Greenhills Road.
 - Cycling and Walking: The level of cycle parking spaces does not represent an adequate level of provision. The quantum should be informed by the standards in the NTA Cycle Design Manual (Section 5.5.7) of 1 cycle parking space per bedroom and 1 visitor cycle parking space per 2

residential units, which are also included in the Apartment Guidelines (Section 4.17). The design of the cycle parking facilities should be informed by Section 5.5 of the Cycle Design Manual.

- The development provides 2 no. pedestrian links from the Greenhills Road and 2 no. from the Airton Road. 5 no. future connections are also proposed to link with undeveloped adjoining lands to the west. These are important in facilitating permeability in the area, consistent with Section 6.3.2 of the SDCC Development Plan. Any grant of permission should be contingent on the provision of these connections.

10.2. Irish Aviation Authority

- Applicant should engage with the Property Management Branch of the Department of Defence with regard to the potential impact on Casement Aerodrome.
- The applicant should engage with the HSE, Tallaght Hospital and aircraft operators utilising the helipad facility at Tallaght Hospital with regard to the potential impact on aircraft operations to and from the helipad.
- In the event of planning consent being granted, the applicant should be conditioned to notify the Irish Aviation Authority of intention to commence crane operations with a minimum of 30 days prior notification.

10.3. Transport Infrastructure Ireland

- Rely on PA to abide by official policy as outlined in the Spatial Planning and National Roads Guidelines for Planning Authorities (2012) issued by the DOECLG.
- The proposed development shall be undertaken in accordance with the recommendations of the Transport (Traffic Impact) Assessment and recommendations arising should be incorporated as conditions of permission. Any additional works required as a result of the assessment should be funded by the developer.

10.4. Irish Water

- Irish Water confirms that subject to a valid connection agreement being put in place the proposed connection (s) to the network (s) can be facilitated.
- IW requests that the board includes the following condition on any grant of permission: The applicant must sign a connection agreement with Irish Water prior to the commencement of the development and adhere to the standards and conditions set out in that agreement. All development is to be carried out in compliance with the Irish Water Standards codes and practices.

11.0 Assessment

11.1. Having considered all documentation on file from the applicant, the planning authority's Chief Executive's Report, the submissions from prescribed bodies and the observer submission, I consider that the main issues to be addressed are as follows:

- Principle of Development
- Quantum and Scale of Development
- Quality of Development
- Residential Amenity
- Water Services
- Traffic and Transport Matters
- Other Matters

These matters are considered separately below. Furthermore, I have carried out Environmental Impact Assessment and Stage 1 Appropriate Assessment in respect of the proposed development, as detailed in Sections 12.0 and 13.0 below.

11.2. Principle of Development

11.2.1. The South Dublin County Council Development Plan 2016-2022 is the relevant statutory plan. The site is zoned REGEN with an objective "to facilitate enterprise and/or residential led regeneration". The plan states that this zoning has been introduced to support and facilitate the regeneration of underutilised industrial lands

that are proximate to town centres and/or public transport nodes. It is an objective of the development plan to promote and support the regeneration of REGEN zoned lands (Objective CS2 4). In addition, the RSES for the Midlands and Eastern Regional Assembly Area (2019) identifies the potential of brownfield regeneration lands in Tallaght to contribute to compact growth targets for Dublin City and Suburbs (Section 4.4 refers).

- 11.2.2. The proposed residential and childcare uses are acceptable in principle. While retail units of up to 100sq.m are acceptable in principle, the proposed units exceed this threshold (c. 160 sq.m, 133.6 sq.m and 186.9 sq.m) and are open for consideration². I consider that units of the scale proposed would serve a local catchment and would not be likely to draw custom from any significant distance. The proposed units would not be in conflict with the retail hierarchy for the area or conflict with the zoning objective.
- 11.2.3. Within the REGEN zone there is a requirement to demonstrate that development would not give rise to an isolated pocket of residential development that is disconnected from shops, amenities and / or other residences (Section 11.2.4 refers). The application site is a natural transition from town centre uses given its proximity to the urban core, frontage onto two primary streets and proximity to community facilities. The proposed development, therefore, represents appropriate sequential development in my view.
- 11.2.4. The PA and third party have raised issues in relation to compliance with the Draft Tallaght Town Centre LAP 2020-2026. This LAP is at material alterations stage and is not yet in force. The Board is required, under Section 9 of the 2016 Planning Act, to have regard to the provisions of the development plan, including any local area plan if relevant for the area. The Board is not bound by the provisions of a Draft LAP. In terms of whether the application might be deemed to be premature pending the LAP coming into effect, the lands are zoned for development and represent appropriate sequential development as discussed in Section 11.2.3 above. Furthermore, I consider that the proposed development would not prejudice the delivery of a

² Schedule 5 of the CDP sets out Definitions of Use Classes. Shop Local refers to a shop of not more than 100 sq.m. and is permitted in principle under the REGEN zoning. Shop neighbourhood refers to smaller shops giving a localised service in a range of retail trades or businesses and designed to cater for normal neighbourhood requirements. It includes a small supermarket not exceeding 2,500 sq.m. net retail floorspace. Shop neighbourhood is open for consideration under the REGEN zoning.

comprehensive planning framework for the area in the future given its scale, and the proposed urban form. As such, it is considered reasonable to assess the application having regard to adopted national, regional and local policies, and I do not consider this current proposal premature pending adoption of the Draft Tallaght Town Centre LAP.

- 11.2.5. The applicant has submitted a Material Contravention Statement that addresses building height, plot ratio, unit mix, occupancy and open space. Building height, in the context of policies and objectives of the South Dublin County Development Plan, is discussed under Section 11.3 below. The other matters refer to standards set out in the Draft LAP. As this plan is not in effect at time of writing, the issue of material contravention does not arise. The Board may, however, wish to satisfy itself and time of decision that the South Dublin County Development Plan 2016-2026 remains the only statutory plan for the area.

11.3. Quantum, Scale and Design

11.3.1. Density and Plot Ratio

The proposed development has a stated density of 202 units per hectare (net) and a stated plot ratio of 1.8:1. The applicant makes a case for the scale and density proposed based on the sites central and accessible urban location. The third-party submission raises concerns in relation to density. The PA Report raises concerns in relation to the deviation from density and plot ratio standards set out in the Draft Tallaght Town Centre LAP indicating that the deviations are considered to be a material contravention.

The site is proximate to major employment, educational, community and retail facilities in Tallaght. The site is also within c. 1.5 km of the Red Line Luas terminus in Tallaght and is served by a high frequency bus services from an adjacent bus stop on the Greenhills Road (Route No. 27 – 10 min frequency). The development plan promotes higher residential densities at appropriate locations. Objective H8 1 is “to ensure that the density of residential development makes efficient use of zoned lands and maximises the value of existing and planned infrastructure and services, including public transport, physical and social infrastructure, in accordance with the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas,

DEHLG (2009). Objective H8 2 is “to consider higher residential densities at appropriate locations that are close to Town, District and Local Centres and high capacity public transport corridors in accordance with the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, DEHLG (2009). Objective H8 4 is “to support proposals for more intensive enterprise and/or residential led development within areas designated with Zoning Objective ‘REGEN’, subject to appropriate design safeguards and based on traditional urban forms that adhere to urban design criteria”.

In terms of national policy, the National Planning Framework, including objectives 3a, 3b, 11, 27 and 33, support increased densities within urban areas and the reuse of brownfield lands. The Sustainable Residential Development in Urban Areas Guidelines 2009 (Chapter 5) recommend minimum net densities of 50 dwellings per hectare within public transport corridors (inc. sites within 500m of a bus stop or within 1 km of a light rail stop or a rail station) with no stated upper limit. The Urban Development and Building Height Guidelines (2018) promote increased building height and density in urban areas having due regard to the locational context, availability of public transport services and other associated infrastructure. The Apartment Guidelines (Section 2.4) identify the suitability of central and / or accessible urban areas for large scale higher density apartment developments. This includes locations within 1500 m of a principal city or significant employment location and within 500 m of high frequency urban bus. The proposal for a high-density apartment scheme on the subject site is consistent with national and local policy.

In relation to the exceedance of the plot ratio standard in the Draft Tallaght Town Centre LAP, I refer to the discussion in Section 11.3.1 above. The Draft LAP has not come into effect at time of writing and as such the issue of material contravention does not arise.

11.3.2. Height and Visual Impact

The proposed development comprises 6 no. apartment blocks of 4 to 8 storeys in height. The blocks are predominant 6 storeys rising to 7 and 8 storeys. Blocks A, B and C comprise a connected perimeter block that fronts onto the Airtown Road. The blocks are 4–6 storeys for the most part rising to 7 storeys at the northern end of Block A and B and 8-storeys at the northern end of Block C. Block D (107 no. units) is an

'L' shaped block that is predominantly 6 no. storeys, stepping up to 8-storeys at the corner of Airton Road and Greenhills Road. Blocks E and F (120 no. units) comprise a connected linear block that runs along the Greenhills Road. The blocks are 5 to 6 storeys rising to 7 storeys at the northern end of each block.

The application is accompanied by a Landscape and Visual Assessment (EIAR Ch 10) and includes photomontages and contextual elevation drawings that illustrate the proposed development within its context. The development would be visible from the surrounding road network and local vantage points. The LVIA states that the impact of the proposed development will be positive as it will create an urban streetscape along the Airton Road and Greenhills Road and will reinforce the urban edge established by the primary care centre to the north. The primary care centre to the immediate north is a 5-storey commercial building extending to 106.8 m OD which is similar to the 6 storey parts of the proposed scheme. The Board recently granted permission under ABP-305763-19 for a residential scheme at the western (opposite) end of the Airton Road that extends to 9 storeys. The overall scale and mass of the proposed blocks, relative to existing development, is evident in the photomontages and contextual elevations. This change from low density industrial / commercial to more intense urban is envisaged under the development plan for the area. While the elevations to the Airton Road and Greenhills Road are of substantial length and scale, the architectural approach seeks to break up the visual massing of the blocks by using different materials and stepping up at the end of each block. I consider that the site is well positioned to accommodate the height and scale of development proposed given its prominent corner location.

In terms of development plan policy, objectives H9 1 and H9 4 are considered relevant. Objective H9 1 seeks "to encourage varied building heights in new residential developments to support compact urban form, sense of place, urban legibility and visual diversity", while Policy 9 Objective H9 4 seeks "to direct tall buildings that exceed five storeys in height to strategic and landmark locations in Town Centres, Mixed Use zones and Strategic Development Zones and subject to an approved Local Area Plan or Planning Scheme. While the site is in the area of the Tallaght Town Centre Local Area Plan there is no extant LAP for the area. The proposed building heights exceed the 5-storey limit set out under Objective H9 of the Development Plan. I consider the exceedance of up to 3 storeys to be material. The application includes a Material

Contravention Statement in respect of (inter alia) building height, and this statement is referenced in the public notices. The Board, therefore, has recourse to the provisions of Section 37 (2) (b) of the Planning and Development Act should it consider the exceedance to be material. The applicant's case for material contravention refers to national policy set out in the Urban Development and Building Height Guidelines. It is noted that SPPR1 supports increased building height in locations with good public transport accessibility. SPPR 3 provides that permission may be granted for taller buildings where the development management criteria in the guidelines are met, even where specific objectives of the relevant development plan or local area plan indicate otherwise. The Statement makes a case for the proposed development under each of the development management criteria.

Having regard to the provisions of Section 37 (2) (b) of the Planning and Development Act (as amended), I consider that a grant of permission, that may be considered to materially contravene the Development Plan, would be justified in this instance under sub sections (i), (ii) and (iii) on the basis of strategic or national importance, government policy and having regard to the pattern of existing and permitted development in the vicinity. I have incorporated specific reasoning and justification having regard to S.37(2)(b) of the 2000 Act (as amended) into the 'Conclusions on Proper Planning and Sustainable Development' in the 'Recommended Order' for the Board's consideration at the end of this report.

11.3.3. Block Structure and Public Realm

In terms of block structure, there is a clear relationship between the blocks, and the layout includes focal points, a hierarchy of open spaces and good permeability. The development does not adhere in full, to the framework set out under the Draft Tallaght LAP. Nonetheless, I am satisfied that the proposed development would not prejudice the development of adjoining lands or the delivery of a comprehensive framework for the area.

The development includes active uses and own door units at ground levels along the Airton Road and Greenhills Road and along the primary pedestrian / cycle routes and open spaces within the development.

The PA Report expresses concern in relation to the configuration and functionality of the proposed open spaces and the absence of clear distinction between communal and public open spaces. The PA Report and third party submission refers to the development plan requirement for a riparian strip / biodiversity protection zone along watercourses (G3 Objective 2 and IE2 Objective 9). I would note that open space standards are significantly exceeded and that the public spaces are connected and accessible from the public street. The communal spaces serving Blocks ABC are at podium level, the communal spaces serving Block D are primarily at roof level and the communal spaces serving Block EF are to the rear of the block. All spaces are segregated from public areas. In this case of Block EF the communal area is segregated through landscaping and boundary treatments. In relation to the riparian strip, development maintains a set back of over 10 metres from the watercourse as required under development plan IE2 Objective 9. I would recommend that the proposed fence detailed in the landscaping scheme along the riverbank be omitted by condition to avoid works / development in this area. The PA seek additional detail in relation to landscaping / play provision. These matters can be addressed by way of condition.

The overall approach in terms of urban structure and public realm is to an acceptable standard in my view.

11.3.4. Quantum and Scale Conclusion

Having regard to the above assessment, it is considered that the development will be satisfactory in terms of visual impacts, interaction with the public realm and the quality of amenity spaces provided. The overall quantum, scale and design of the development is therefore acceptable.

11.4. **Quality of Development**

11.4.1. The following assessment considers the quality of the proposed residential development by reference to quantitative standards. The assessment has regard to guidance set out in the 'Sustainable Urban Housing Design Standards for New Apartments Guidelines for Planning Authorities' 2018; and the South Dublin County Development Plan 2016-2022.

11.4.2. Housing Mix

The development provides the following housing mix:

Beds	Apartments	%
1-bed	197	39
2-bed	257	51
3-bed	48	10
	502	100%

The proposed development includes a combination of own door and standard apartment types. SPPR1 of the Apartment Guidelines states that apartment developments may include up to 50% one-bedroom or studio type units and that there shall be no minimum requirement for apartments with three or more bedrooms. The PA Report and third-party submissions raised concerns in relation to unit mix and the proportion of one and two bed units. The PA Report states that the development is considered to be a material contravention of the draft Tallaght Town Centre LAP. However, as discussed in Section 12.1 above, the LAP remains draft and as such the issue of material contravention does not arise. While I acknowledge concerns of the PA and third party, I would note that the proposed development meets the standards set out in national guidance with regard to housing mix. The proposed housing mix is, therefore, acceptable in my view.

11.4.3. Apartment Design and Layout

The schedule of floor areas set out in the Housing Quality Assessment indicates that floor areas for all apartment units meet or exceed the minimum specified in SPPR3 of the apartment guidelines.

Section 3.7 of the guidelines stipulate that no more than 10% of the total number of two bed units in any private residential development may comprise two-bedroom, three person apartments. There are no two-bedroom three person apartments in the scheme.

Section 3.8 of the guidelines 'Safeguarding Higher Standards' requires that the majority of all apartments in any scheme > 10 units shall exceed the minimum floor area standard for any combination of the relevant 1, 2 or 3 bed unit types by a minimum

of 10% (any studio apartments must be included in the total but are not calculable as units that exceed the minimum by at least 10%). This requirement is met with c. 60 percent of units exceeding the minimum floor areas by 10%.

SPPR 4 requires a minimum of 33% dual aspect units for developments in more central and accessible urban locations and a minimum of 50% dual aspect units for developments in suburban or intermediate locations. The housing quality assessment submitted with the application states that 43.8% of the units are dual aspect. I have reviewed the floorplans and accept this figure. Given the sites central and accessible urban location, the requirements of SPPR 4 of the Guidelines are met.

SPPR 5 requires a minimum of 2.7m ground level apartment floor to ceiling heights. This requirement is complied with.

SPPR 6 specifies a maximum of 12 apartments per floor per core. This requirement is generally complied with. I would note that in Block B at 1st to 5th floors the layout comprises 15 no. units served by 2 no. lift and stair cores.

Appendix 1 of the Guidelines set out minimum storage requirements, minimum aggregate floor areas for living / dining / kitchen rooms, minimum widths for living / dining rooms, minimum bedroom floor areas / widths and minimum aggregate bedroom floor areas. The units generally meet the minimum standards. Private open space is provided in the form of terraces and balconies. Minimum space and depth standards are generally met.

11.4.4. Communal and Public Open Space

Appendix 1 of the Apartment Guidelines sets out the following minimum area requirements for communal amenity space in new apartment developments:

Unit	No.	Per Unit (sq.m.)	Total Requirement (sq.m.)
1 bed	197	5 sq.m	985 sq.m
2 bed	257	7 sq.m	1,799 sq.m
3 bed	48	9 sq.m	432 sq.m
Total	502		3,216 sq.m.

A total of 4,372 sq.m of communal open space is provided. The communal spaces take the form of courtyards, roof terraces and ground level spaces (Architects Design Statement Section 4.0 refers). The requirement of the guidelines is met and exceeded within the scheme.

A total of 6,747 sq.m of public open space is provided. Public open space is provided between Blocks ABC and D, to the south of Block ABC and to the South of Block F. The development plan requirement is 10% of the site area, equating to an overall requirement of 2,480sq.m (Section 11.3 refers). This requirement is met and exceeded within the scheme.

11.4.5. Communal Facilities

The Apartment Guidelines (S4.5-4.7) encourage the provision of communal facilities in apartment schemes. The proposed development includes internal communal areas with a stated floor area of 704sq.m. The facilities include a reception, gym, lounge and shared workspace in Block C, a communal lounge and office in Block D and a shared workspace and meeting room in Block E. The communal spaces are well located at the ground floor and close to the retail and creche units. The submitted documents include an operational waste and recycling management plan. Segregated waste storage bins are provided within each block at basement and undercroft levels in Blocks ABC and EF and at ground level in Block D. I would note that the PA Report suggests that refuse should be conveyed from the basement via separate lift. I would consider this an onerous requirement.

11.4.6. Quality of Residential Development Conclusion

To conclude, I consider that the design and layout of the development is satisfactory with regard to national and development plan guidance for residential development and that there is a reasonable standard of residential accommodation for future residents of the scheme.

11.5. **Residential Amenity**

11.5.1. Internal Amenity

The issues of daylight and sunlight, wind and overlooking are important factors when considering the amenity of future residents.

Modelling of the public and communal open spaces concludes that 97% of the open spaces would receive over 2 hours of sunlight on 21st March, exceeding the BRE recommended minimum of 50%. In terms of the individual units, the majority have south, east or west aspects and there are no north facing single aspect units within the scheme. Internal daylighting for all internal spaces was assessed using lighting simulations. The modelling concludes that 98% of rooms within the apartment blocks would exceed minimum BRE requirements with the remaining living spaces all achieving in excess of 1% average daylight factor. The methodology used to model sunlight accords to BRE standards. The proposed development performs well in terms of daylight and sunlight access.

The blocks are laid out such that there are generally distances of greater than 22 metres between facades, and therefore there are no concerns regarding overlooking between blocks.

The proposed scheme has been subject to a wind assessment. The modelled outputs indicate that the micro-climate within open spaces and on balconies / terraces are within acceptable limits for wind.

Noise is addressed in detail in Section 12.3 of the EIAR. The EIAR concludes that, subject to mitigation of potential impacts from road traffic, mechanical ventilation, and deliveries to the commercial units, undue noise impacts are not likely to arise.

11.5.2. Receiving Environment

The issue of visual impact is considered above. In relation to the potential for overshadowing, overlooking or noise impacts, the site is surrounded by commercial, educational and healthcare uses. There are no residential properties in the immediate vicinity of the site. The blocks maintain an adequate level of separation from the adjoining commercial and community uses such that impacts from overlooking or overshadowing would not arise. The greatest potential for noise impacts would arise during the construction phase. Construction related mitigation measures are set out in the EIAR to address any potential impacts on the closest sensitive receptors. No significant noise emissions are anticipated during the operational phase.

11.5.3. Impacts on Residential Amenity Conclusion

To conclude, I consider that the proposed development would offer a reasonable level of amenity to future residents and that it would not impact unduly on the amenities of properties in the vicinity.

11.6. Water Services and Flood Risk

11.6.1. Surface Water

The existing surface water system allows for unattended outflow to the public drainage network on Airton Road and the river system to the south. The proposed surface water drainage system comprises two micro drainage catchments in the north west section of the site (11,655m²) and in the eastern and southern section of the site (13,345m²). The system would comprise SuDS features - green roofs, permeable / porous paving, detention basins, a bioretention system and swales – and attenuations tanks. It is proposed to discharge surface water directly to the River Tymon / Poddle through a single outfall along the southern site boundary. It is proposed to provide a hydrobreak at the end of both micro-catchments to restrict flow to Qbar. The Civil Engineering Infrastructure Report provides details of storage capacity and includes micro-drainage calculations in the appendices. Overall a storage capacity of 818.4 m³ is proposed within the site. Catchment 1 has a stated storage capacity of 494m³ (304m³ SuDS; 190m³ attenuation). Catchment 2 has a stated storage capacity of 334.4 m³ (172.4m³ SuDS; and 152m³ attenuation). Both catchments would discharge at a rate of 2.5 l/s equating to 5.0l/s overall. The Infrastructure Report states that the system is designed to cater for the 100-year storm + 20% for climate change. The PA Report raises concerns in relation to the submitted information. The Report states that the applicant has not provided a detailed breakdown of all surface types, surface areas and surface run off coefficients for each drainage catchment. Based on the information provided the PA estimate that attenuation storage for a 1 in 100-year rainfall event is undersized by c. 82% in Catchment 1; and by 250% in Catchment 2. However, this estimate excludes storage from proposed SuDS features. The PA state that clarity is needed in relation to the storage capacity of SuDS features for a 1 in 100 year rainfall event; and in relation to how surface water runoff is conveyed throughout the site (SuDS train). The Report notes that no Qbar calculation (average run off rate) has been provided, nor have details of the standard annual average rainfall and soil percentage ratios used in calculations. In relation to the outfall, the Report notes that the invert

level of the proposed outfall to the River Tymon / Poddle is below the 1 in 10-year flood level shown on the OPW's CFRAM flood maps and that there is no cross section for the outfall. The applicant has proposed a Geocellular stormwater attenuation system. The PA recommend that this system is changed to an arched type system to allow for easier maintenance and cleaning of debris and silt from same. On the basis of the concerns outlined, the PA recommend that permission is refused. I have considered the issues raised in the PA's Report. The proposed surface management system (including SuDS features) represents a suitable engineering solution for a brownfield site of this nature in my view and the PA has not indicated an objection to the type of system proposed. Issues raised in relation to storage capacity, conveyance, rate of discharge and outfall level are detailed design matters in my view. While it is important that these matters are clarified and addressed, the matters can be addressed generally within the parameters of the proposed drainage system. I consider that a refusal of permission is not warranted on the basis of this issue alone. In the event that the Board is minded to grant permission, I recommend that a condition is attached, requiring the developer to submit revised surface water drainage calculations and attenuation details (where required) to meet the surface water storage requirements of the development. In relation to the quality of surface water discharge, the Infrastructure Report states that the pollution hazard to surface water on site is low (most risk of hydrocarbons entering system at car park entrance and in the basement) and that the SuDS strategy will be effective in removing pollution from surface water. I accept this conclusion.

11.6.2. Foul Drainage and Water Supply

The proposed development will connect to Irish Water sewer and water networks on the Airton and Greenhills Roads. The submission received from Irish Water indicates no objection to the proposal.

11.6.3. Flood Risk

OPW CFAMS flood zones associated with the River Tymon / Poddle encroach onto a small area in the southern section of the site but would not impact the development. The proposed development would not, therefore, be at risk of fluvial flooding.

11.7. Transport

11.7.1. Traffic and Transport are addressed in Chapter 11 of the EIAR and in the Traffic and Transport Assessment submitted with the application.

11.7.2. Existing Network and Access Arrangements

The site is located at the corner of the Greenhills Road (R819) and the Airton Road in Tallaght. The Greenhills Road is an urban regional road (R819), while the Airton Road is a connecting route. Both roads have a two-way carriageway. The Airton Road has pedestrian footpaths on both sides, while the Greenhills Road has shared pedestrian and cycle facilities. There is a 3-arm signalised junction at the junction of the Greenhills Road and Airton Road with pedestrian priority on all arms. The site is within 1.5km of the Red Line Luas terminus in Tallaght and is served by bus routes no. 27, 54a and 76. Further enhancements are proposed under Bus Connects.

The proposed development includes a priority controlled vehicular access into the undercroft car park (Blocks ABC) from Airton Road and a priority-controlled access to the basement car park (Blocks EF) from the Greenhills Road. Emergency vehicles will be able to access the site between Blocks C and D and Blocks D and E (drop kerbs with padlocked bollards). A full toucan crossing with central island is proposed on the Greenhills at the southern end of the site. An uncontrolled crossing with central refuge island is proposed on the Airton Road. In terms of basement and undercroft access and circulation, I consider that the vehicular entrances, ramp and circulation areas are of an adequate width and scale to accommodate traffic movements associated with the proposed development, including emergency / service vehicles. The PA Report raises concerns in relation to emergency access. I am satisfied that such issues can be addressed within the parameters of the scheme.

11.8. Car Parking

A total of 202 no. car parking spaces are proposed (117 no. undercroft and 85 no. basement). 10 no. spaces are to be reserved for a car club and a lay-by is proposed along the Airton Road frontage to serve refuse collection, deliveries and taxi drop offs. The car parking ratio is 0.4 spaces per unit. The submitted documents (TTA and Mobility Management Plan) indicate that the car parking will serve the residential units for the most part and that the commercial facilities will not generate a parking

requirement. The PA's roads division suggests that 230 no. spaces or a ratio of 0.46 spaces per unit would be more acceptable. No clear rationale has been put forward for this number. The PA also recommend that the number of Electric Vehicle bays are increased to 20.

The submitted documents present a case for the level of car parking proposed based on the sites highly accessible urban location, referring to the guidance set out in the Apartment Guidelines 2018, whereby there is a default policy for car parking provision to be minimised, substantially reduced or wholly eliminated in more central locations that are well served by public transport. The site is in a highly accessible urban location, proximate to employment and higher order services and facilities within Tallaght. The site is also proximate to existing and proposed high frequency public transport services. I consider the location to be suitable for substantially reduced car parking provision based on the criteria set out in the Apartment Guidelines. Details of electric vehicle charging spaces and the proposed car share scheme can be agreed by condition.

11.8.1. Cycle Parking

The TTA states that a total of 584 no. cycle parking spaces are provided at a rate of 1 no. space per unit and additional visitor spaces. The Architects Design Statement (p18) provides a more detailed breakdown of the provision. There are 461 secure spaces provided for residents at undercroft and basement levels in Blocks ABC and Blocks EF and a further 5 no. secure spaces for the creche. A further 74 no. visitor bicycle parking spaces are proposed.

The Apartment Guidelines, 2018 and the NTA Cycle Design Manual, recommend a general minimum standard of 1 cycle storage space per bedroom and visitor parking at a rate of 1 space per 2 residential units. This would equate to a requirement for 1,106 cycle parking spaces to serve the residential units, 855 no. resident spaces and 251 no. visitor spaces. The NTA submission recommends provision informed by the standards set out in the NTA's Cycle Design Manual and the Apartment Guidelines. The submission also states that the design of the cycle parking facilities should be informed by the Cycle Design Manual. Cycling is a viable alternative to car-based travel at this location given the sites accessible urban context and proximity to services and employment destinations in the wider city. I consider that the proposed level of

cycle parking is deficient. I recommend that a condition requiring details of secure resident cycle parking at a minimum rate of 1 no. space per unit and visitor parking at a rate of 0.5 spaces per unit. Furthermore, the design of both the secure and visitor parking spaces should be submitted to the PA for agreement.

11.8.2. Traffic Impact Assessment

Permission is sought for 502 no. residential units, a creche and 3 no. retail units with a total of 202 no. car parking spaces. The TTA assesses the impact of proposed future development in the area (proposed and recently permitted schemes) on traffic volumes at the junctions of the Greenhills Road / Airton Road, Belgard Road / Airton Road and Belgard Road / Belgard Square North. The junctions were surveyed in May 2019 to establish baseline traffic conditions and the TRICS database was used to forecast increased traffic flows through these junctions. The impact on all but the Greenhills Road / Airton Road junction would be negligible (below 5% of existing traffic flow). An increase of 10.7% is forecast on the Greenhills Road / Airton Road junction in the opening year increasing to 12.4% in the future year of 2038 (opening year +15). The Greenhills Road / Airton Road and Belgard Road / Airton Road junctions were then modelled using OSCADY software. The modelling indicates that the Greenhills Road / Airton Road junction would be busy and congested in the future year scenarios but would continue to operate within capacity. The Belgard / Airton Road junction would remain within capacity until 2038, when the junction will be marginally over capacity on one approach, with all other approaches operating within capacity.

I consider that the impact on established traffic conditions at this urban location are acceptable, given the sites urban context and proximity to public high capacity transport services.

11.8.3. Construction Traffic

The application is accompanied by a Construction Traffic Management Plan. I am satisfied that traffic impacts arising during the construction phase will be short-term in nature and can be managed in accordance with the agreed plan.

11.8.4. Traffic and Transportation Impacts Conclusion

Having regard to the above assessment, I am satisfied that the development will not result in undue adverse traffic impacts and that any outstanding issues may be dealt with by condition.

11.9. Other Matters

11.9.1. Childcare Facilities

The 'Childcare Facilities Guidelines for Planning Authorities' (2001) recommend minimum childcare provision of 20 childcare places per 75 no. dwellings in new developments. The Apartment Guidelines (2018) provide updated guidance for apartment schemes, stating that the threshold for the provision of childcare facilities should be established having regard to the scale and unit mix of the scheme, the existing geographical distribution of childcare facilities in the area and the emerging demographic profile of the area. 1 bed or studio units should generally not be considered when calculating childcare provision and, subject to location, this may also apply in part or whole to units with 2 or more bedrooms. The proposed development includes a childcare facility (329 sq.m) with a stated capacity of 44 no. childcare spaces. This would provide adequate childcare provision for half of the 2-bed units and all of the 3-bed units using the standards set out in the Childcare Facilities Guidelines. I consider this to be a reasonable level of provision having regard to the guidance set out in the Apartment Guidelines.

11.9.2. Archaeology and Cultural Heritage

Archaeology and cultural heritage are addressed in Chapter 14 of the EIAR. There are no recorded monuments within the site and field inspection did not identify any features of archaeological potential within the site. Nonetheless, in view of the number of recorded monuments within a 500 m radius of the site and previous archaeological finds in the area, the EIAR recommended that all ground disturbance be monitored by a suitably qualified archaeologist.

In relation to cultural heritage, the third party has raised concerns in relation to the ACA and stone wall along the Greenhills Road. I would note that the site is at a distance from the ACA boundary for Tallaght Village and that the stone wall along the Greenhills Road is to be retained with new openings.

11.9.3. Part V

The applicant has submitted Part V proposals comprising the transfer of 10% of the proposed units to the planning authority. The report on file of SDCC Housing Dept., indicates no objection. It is recommended that the standard Part V condition be attached in the event of a grant of permission.

11.9.4. Phasing and Taking in Charge

The submitted phasing plan shows Blocks D, E and F along the Greenhills Road in phase 1, Blocks A, B and C in phase 2, and the remainder of the landholding in phase 3. This would see the road improvements, retail and communal facilities, the basement car park, road upgrades and the public open spaces between Blocks C and D and to the south of Block F delivered within the initial phase of development. The childcare facility would be in the second phase. I would note that the submission from the NTA recommends that the proposed development is contingent on the proposed pedestrian upgrades on the Greenhills and Airton Roads. I consider the phasing strategy to be acceptable.

The proposed taking in charge plan indicates that it is intended to offer all public open spaces and pathways (inc. the surface water drainage system) to the PA for taking in charge.

12.0 Environmental Impact Assessment

12.1. Introduction

12.1.1. The application is accompanied by an Environmental Impact Assessment Report (EIAR). The application falls within the scope of the amending 2014 EIA Directive (Directive 2014/52/EU) on the basis that the application was lodged after the last date for transposition in May 2017. The application also falls within the scope of the European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018, as the application was lodged after these regulations come into effect on 1st September 2018.

12.1.2. The development involves a total of 502 residential units, a creche and 3 no. retail units on a site of 2.79 hectares. The site is located in an urban area that is a business district.

12.1.3. Item 10(b) of Part 2 of Schedule 5 of the Planning and Development Regulations 2001 and section 172(1)(a) of the Planning and Development Act 2000 (as amended) provides that an EIA is required for infrastructure projects that involve:

- (i) construction of more than 500 dwelling units
- (iv) an area of 2 ha in the case of a business district, 10 ha in the case of other parts of a built-up area and 20 ha elsewhere.

The proposed development comprises 502 residential units on a site of 2.79 ha within a business district. The proposed development is above the thresholds for mandatory EIA. An EIAR has been prepared and submitted with the application. The EIAR states that an EIAR has been prepared, having regard to the specific characteristics and features of the site, its size and the quantum of development proposed.

12.1.4. The EIAR is laid out in three documents as follows: Volume 1 Main Statement; Volume 2 Appendices; and Volume 3 Non-Technical Summary. Chapter 1 is an introduction which sets out the relevant legislation and the format and structure of the EIAR as well as outlining the experts involved in preparing the document. Chapter 2 provides detail with regard to the consideration of alternatives. Chapter 3 provides a description of the project and the characteristics of the site. Chapter 15 considers interactions and Chapter 16 provides a summary of mitigation measures.

12.1.5. Article 3 (2) of the Directive requires the consideration of the effects deriving from the vulnerability of the project to risks of major accidents and / or disasters that are relevant to the project concerned. I am satisfied that the vulnerability of the project to the risks of major accidents and / or disasters has been adequately addressed within the submitted EIAR under relevant headings and that the vulnerability of the project to major accidents and / or disasters is acceptable.

The likely significant direct and indirect effects on the environment, as set out in Article 3 of the Directive, are considered in Chapters 4-14 under the following headings:

- Population and Human Health
- Biodiversity
- Land, Soils & Geology

- Hydrology & Water Services
- Noise and Vibration
- Climate & Air Quality
- Landscape & Visual
- Traffic and Transport
- Material Assets
- Waste Management
- Archaeology and Cultural Heritage

12.1.6. The content and scope of the EIAR is considered to be acceptable and in compliance with the requirement of Articles 94 (content of EIS) and 111 (adequacy of EIS content) of the Planning and Development Regulations, 2001 (as amended) and the provisions of the new amending directive.

12.1.7. I am satisfied that public participation requirements, in accordance with the minimum timeframes set out in the EIA Directive, has been provided for through the statutory planning process and that details of the project have been uploaded on the governments EIA portal (Reference 2020028).

12.1.8. I have carried out an examination of the information presented by the applicant, including the EIAR, and the submissions made during the course of the application. A summary of the submissions made by the planning authority, prescribed bodies and the observer has been set out at Sections 8, 9 & 10 of this report. Issues raised that are relevant to the EIA are addressed below under the relevant headings, as appropriate, and in the reasoned conclusion and recommendation including conditions.

12.1.9. A number of the environmental issues relevant to this EIA have already been addressed in the Planning Assessment at Section 11.0 of this report. This EIA Section of the report should therefore, where appropriate, be read in conjunction with the relevant parts of the Planning Assessment.

12.2. Consideration of Alternatives

12.2.1. The submitted EIAR outlines the alternatives examined at Chapter 2 (pursuant to Article 5(1)(d) of the 2014 EIAR Directive and Annex IV). The main alternatives studied comprise alternative locations, uses and designs and layouts. Given the site's zoning alternative locations and uses were discounted. In relation to alternative designs, a number of iterations for mixed use commercial schemes are outlined. In my opinion reasonable alternatives have been explored and the information contained in the EIAR with regard to alternatives is comprehensive and is in accordance with the requirements of the 2014 EIA Directive.

12.3. Assessment of Effects

12.3.1. Population and Human Health

Chapter 4 of the EIAR addresses population and human health. The potential effects are considered in the context of socio-economic and human health impacts.

During the construction positive socio-economic impacts are expected as a result of employment and other economic activity generated by the development. There is potential for negative impacts on health and safety arising from construction activities and the removal and disposal of harmful materials. I am satisfied that any negative impacts on population and human health during the construction phase would be short-term in nature and will be mitigated to an acceptable degree by mitigation measures detailed in the EIAR. During the operational phase the project will have positive socio-economic impacts due to the provision of housing, population growth and increased economic activity. I would note that the third-party submission raises concerns in relation to the absence of larger 'family type' houses. There is potential for impacts on services and educational facilities due to increased demand. Any such impacts are not considered to be significant in environmental terms. There is potential for positive impacts from the provision of childcare and local retail services. The potential for adverse impacts will be mitigated to an acceptable level by the measures detailed in the EIAR and would not result in significant impacts. There is potential for cumulative impacts in conjunction with other developments in the area, however, as the impacts from the proposed development would be relatively localised, I am satisfied that significant negative cumulative impacts would not arise. Impacts on

population and human health due to interactions with other environmental factors (e.g. surface contaminants, dust, exhaust emissions, noise) are considered under the relevant heading of the EIA.

I have considered all of the written submissions made in relation to population and human health. I am satisfied that the identified impacts would be avoided, managed and mitigated by the measures which form part of proposed scheme, the proposed mitigation measures and through suitable conditions. I am therefore satisfied that the proposed development would not have any unacceptable direct or indirect impacts in terms of population and human health. I am also satisfied that cumulative effects are not likely to arise.

12.3.2. Biodiversity

Chapter 5 of the EIAR describes potential impacts on biodiversity. The applicant is also accompanied by an Ecological Impact Assessment and Bat Assessment. The site is located within an urban area. The main habitat on site is buildings and artificial surfaces. There are also areas of recolonising bare ground, dry meadows and grassy verges, scattered trees and parkland, scrub, treelines / hedgerows and a drainage ditch. A hedgerow along the Greenhills Road (inc. hawthorn, blackthorn, hazel, ash and dog rose) and treeline along the south east and south west boundaries (tall black poplar) are identified as having moderate biodiversity value. The watercourse is described as heavily shaded and overgrown with limited aquatic and riparian vegetation. The Bat Assessment (May 2019) identified common pipistrelles, soprano pipistrelles and leisler's bat feeding and commuting within the site. No non-native invasive species were identified. The third-party submission raises concerns in relation to the impact on biodiversity, impact on the watercourse and riparian strip to the south / west of the site and the protection of heronry at the Priory and TUD lands to the south of the site.

The site is not within or adjacent to an area that is designated for nature conservation purposes and no protected species were found during survey. The impact of the proposed development on European sites is addressed in detail in Section 13.0 of this report. The site does not overlap or adjoin any European or nationally designated sites. Having regard to the nature and scale of the development and the level of separation from European sites, it is concluded that the proposed development is not

likely to have significant effects on any European site, whether considered alone or in combination with other projects.

The site has limited potential for birds and mammals. During clearance there is potential for some habitat loss and for disturbance to local wildlife (e.g. birds and small mammals). The potential impacts are not considered to be significant. The tree lines along the Greenhills Road and southern boundary are to be retained. While a setback of 10 metres is to be maintained from the riverbank (biodiversity protection zone) the landscaping scheme shows a fence along the riverbank. I consider that the works associated with the erection of this fence could undermine the biodiversity protection zone along the riverbank. Subject to the fence being omitted and measures being put in place during construction to protect this area I am satisfied that the potential for significant impacts can be mitigated. Potential impacts on bat species will be mitigated to an acceptable degree using the recommendations set out in the Bat Assessment. During the operational phase there is potential for positive impacts due to the implementation of the landscaping scheme and the introduction of new plant species. The potential for impacts on water during the construction and operational phases is considered separately under the environmental factor water.

I am satisfied that any risks identified will be adequately addressed by the mitigation measures detailed in the EIAR and in the Bat Assessment. In terms of cumulative impacts, any impacts arising in conjunction with other developments in the area are considered insignificant, and as such I am satisfied that the issue of cumulative impacts does not arise.

I have considered all of the written submissions made in relation to biodiversity. I am satisfied that the identified impacts would be avoided, managed and mitigated by the measures which form part of proposed scheme, the proposed mitigation measures and through suitable conditions. I am therefore satisfied that the proposed development would not have any unacceptable direct or indirect impacts in terms of biodiversity. I am also satisfied that cumulative effects are not likely to arise.

12.3.3. Land, Soils & Geology

Chapter 6 of the EIAR describes the potential impacts on land, soils and geology. Details of soil testing are set out in the appendices to the EIAR.

The existing environment on site comprises an upper layer of fill material to a depth of c. 1-1.5 m to 2.8 m in places. The predominant soil type is till (GSI). Test drilling indicates a stiff / very stiff brown boulder clay subsoil type. Bedrock in this area is the Lucan formation (Calp Limestone). The bedrock was not encountered up to depths of 12m to 13.7 m.

In terms of groundwater the aquifer underlying the site is classified as locally important, moderately productive in local zones only and of low vulnerability (GSI). The EIAR states that groundwater is likely to be present within the upper levels of the bedrock with little or no groundwater present in subsoils. Groundwater in the area is generally thought to flow towards the Tymon / Poddle stream. The groundwater body for Dublin is classified as having overall good status.

The greatest potential for impact on land and soils arises during the construction phase. Excavation to 4.5 m below ground level will be above the level of bedrock and the water table, thus minimising potential risk. Upper soil layers will be removed across a large area of the site. Reusable soils and rock will be reused within the site, and surplus soils / materials will be removed to licenced facilities. It will be necessary to import stone / soils during construction. There is a risk of localised contamination of soil and groundwater during construction due to accidental leaks or spillages of polluting materials onto exposed subsoils. However, the risks are relatively low given the low porosity of subsoil and depth to water table. No operational phase impacts are envisaged. In terms of cumulative impacts on land and soil, I would note that there are a number of similar developments permitted or under construction on sites in the vicinity that would carry similar risks. I am satisfied that the risks outlined above can be similarly avoided, managed and mitigated through good construction management practices and that cumulative impacts are not likely to arise.

I have considered all of the written submissions made in relation to land, soil and geology and the relevant contents of the file including the EIAR. I am satisfied that impacts identified on land, soil and geology would be avoided, managed and/or mitigated by measures that form part of the proposed scheme, by the proposed mitigation measures and with suitable conditions. I am therefore satisfied that the proposed development would not have any unacceptable direct or indirect impacts in terms of land and soil. I am also satisfied that cumulative effects are not likely to arise.

12.3.4. Hydrology Water Services (inc. Surface Water)

Chapter 7 of the EIAR deals with hydrology and water services. Water services have been described and assessed under the planning assessment in Section 11.6 of this report and are summarised below.

The area is served by public water and drainage networks. The River Tymon / Poddle runs along the south western site boundary. The third-party submission has raised concerns in relation to the potential impact on this watercourse. The site is within the Liffey and Dublin Bay water catchment, the Dodder sub-catchment and the Poddle sub-basin. The River Tymon / Poddle flows east from the site and discharges into the River Liffey at Wellington Quay.

During the construction phase there is potential for contaminants such as silt or other pollutants to enter the surface water systems due to accidental leaks or spillages and to impact on the natural water environment. The scheme incorporates construction measures in order to protect the receiving local environment (Outline Construction Management Plan refers). The potential impacts on the ground water system are discussed under Section 12.3.3 above. During the operational stage surface water from the development will discharge into the river system at a point along the south western site boundary. SUDs and attenuation measures have been designed into the scheme to control surface water discharge and quality. The PA Report refers to deficiencies in the details submitted in respect of storage capacity, conveyance, rate of run off and the invert level of the outfall to the watercourse. The matters raised are detailed design matters. I am satisfied that the proposed surface water system (including SuDS features) represents a suitable engineering solution for a brownfield site of this nature and that the outstanding details can be agreed prior to the commencement of development. The submission on file from Irish Water indicates that a connection to the water and wastewater networks can be facilitated. CRAMS mapping shows flood zone A and B along the bank of the Poddle / Tymon River. The proposed development is within Flood Zone C. I am satisfied that the risks outlined above can be avoided, managed and mitigated through good design and construction management practices and that cumulative impacts are not likely to arise.

I have considered all of the written submissions made in relation to hydrology and water. I am satisfied that the identified impacts would be avoided, managed and

mitigated by the measures which form part of proposed scheme, the proposed mitigation measures and through suitable conditions. I am therefore satisfied that the proposed development would not have any unacceptable direct or indirect impacts in terms of water. I am also satisfied that cumulative effects are not likely to arise.

12.3.5. Noise and Vibration

Chapter 8 of the EIAR addresses Noise and Vibration impacts. The EIAR described the receiving ambient noise climate and an assessment of potential noise and vibration impacts associated with the proposed development during construction / and operational phases.

The noise climate at this location is dominated by road traffic noise. During the construction phase there is potential for noise and vibration emissions associated with construction activities and construction traffic. In the absence of mitigation, the EIAR concludes that impacts on the closest noise sensitive locations would be negative, significant but short-term in nature. The EIAR outlines noise control measures to mitigate the impacts to an acceptable level. During the operational phase no significant outward noise impacts are envisaged. There is potential for impact on the proposed residential units due to inward traffic noise and from noise associated with deliveries to commercial units and from mechanical plant. I am satisfied that any potential impacts can be suitably mitigated by the measures proposed within the EIAR (e.g. limiting delivery times, glazing / ventilation with suitable sound insulation performance). No significant vibration impacts are envisaged. I am satisfied that risks arising during the construction and operational phases can be addressed through the mitigation measures outlined in the EIAR. No cumulative impacts are anticipated.

I have considered all of the written submissions made in relation to noise and vibration. I am satisfied that the identified impacts would be avoided, managed and mitigated by the measures which form part of proposed scheme, the proposed mitigation measures and through suitable conditions. I am therefore satisfied that the proposed development would not have any unacceptable direct or indirect impacts in terms of noise or vibration. I am also satisfied that cumulative effects are not likely to arise.

12.3.6. Climate & Air Quality

Chapter 9 of the EIAR deals with Air Quality and Climate. The existing ambient air quality in the area is typical of an urban city location.

The greatest potential for impact to air during the construction phase of the development is from dust, PM10 and PM2.5 emissions. The level of demolition involved in this project would increase the potential for dust and particulate emissions. These impacts can be mitigated to an acceptable level by the construction practices detailed in Chapter 9 of the EIAR. In terms of climate there is potential for greenhouse gas emissions associated with the use of construction vehicles, generators etc. but given the scale of the development it is considered that impacts would be negligible. During the operational phase, the primary source of air and climatic emissions would be from traffic related emissions. It is considered that impacts associated with the development would be long-term but imperceptible. Given the nature and scale of the development proposed, I am satisfied that no cumulative impacts would arise in respect of air and climate during construction and operational phases.

I have considered all of the written submissions made in relation to Climate and Air. I am satisfied that the identified impacts would be avoided, managed and mitigated by the measures which form part of proposed scheme, the proposed mitigation measures and through suitable conditions. I am therefore satisfied that the proposed development would not have any unacceptable direct or indirect impacts in terms of noise or vibration. I am also satisfied that cumulative effects are not likely to arise.

12.3.7. Landscape & Visual

Chapter 10 of the EIAR describes the landscape and visual effects of the proposed development. The likely significant landscape and visual impacts have been described and assessed under the planning assessment in Section 11.3 above and are summarised below.

The site is a disused industrial site containing derelict buildings. It is located in an urban area that is characterised by low density industrial, office, warehousing and retail warehousing uses. The proposed development comprises 6 no. apartment blocks of 4-8 storeys with commercial uses at ground level.

Negative visual effects during the construction phase will be localised and short-term in nature. The greatest potential for impact arises during the operational phase. The

proposed development would change the character of the site from industrial to urban. This is consistent with local planning policy for the area which promotes more intensive enterprise and / or residential development. I consider that the site is capable of absorbing a development of the nature and scale proposed and that the resulting landscape and visual impacts would be moderate and positive. There is potential for cumulative landscape and visual impacts arising from the development of other sites in the area. I consider that any potential cumulative impacts would be positive.

I have considered all of the written submissions made in relation to landscape and visual impact and the relevant contents of the file including the EIAR. On the basis of the information provided, I am satisfied that the identified impacts would be avoided, managed and mitigated by the measures which form part of proposed scheme, the proposed mitigation measures and through suitable conditions. I am therefore satisfied that the proposed development would not have any unacceptable direct or indirect impacts in terms of noise or vibration. I am also satisfied that any potential for cumulative effects would be positive.

12.3.8. Material Assets

Material Assets Traffic and Transport

Chapter 11 of the EIAR describe the Traffic and Transport effects of the proposed development. The Board is referred to Section 11.7 of the planning assessment in respect of traffic and transportation and to the submitted Traffic and Transport Assessment. The proposed development comprises 502 residential units, a creche and 3 no. retail units. A total of 202 no. car parking spaces and 584 no. cycle parking spaces are proposed.

The TTA assesses the impact of traffic from the proposed development and other recently permitted developments in the area on the local road network. The junctions of Greenhills Road / Airton Road, Belgard Road / Airton Road, and Belgard Road / Belgard Square North are considered. Cumulative impacts associated with other permitted developments in the area are also considered. The assessment concludes that the cumulative impact of the proposed and permitted developments would not have a significant adverse impact on traffic and transport in the area during construction and operational phases. Subject to appropriate mitigation and

management no significant construction or operational phase impacts, or cumulative impacts are envisaged.

Material Assets – Built Services and Infrastructure

Chapter 12 of the EIAR describe the impact of the development on material assets such as built services and infrastructure. The site is served by bus and Luas services and cycle provision on the Belgard and Greenhills Road. Enhanced bus and cycle provision is proposed under Bus Connects and the GDA Cycle Plan. Services located in the area include electricity, telecommunications, gas and water services networks all of which are underground. The proposed development will connect to existing services. During the construction stage there is the potential for damage to underground services or disruption of supply during connections. During the operational phase there will be a greater demand on services arising from the occupation of the proposed development and the increase in population in the area. Construction measures will be implemented to ensure that the existing services are not impacted. The assessments included with the application indicate that demands on services during the operational stage can be met. Subject to appropriate mitigation and management no significant construction or operational phase impacts, or cumulative impacts are envisaged.

12.3.9. Material Assets - Waste Management

Waste management is addressed in Chapter 13 of the EIAR and in the associated Construction & Demolition Waste Management Plan and Operational Waste & Recycling Management Plan.

The site is a disused industrial site containing derelict buildings. The EIAR describes the potential for waste generation during construction and operational phases. The Construction & Demolition Waste Management plan outlines procedures to be followed during demolition and construction, including the segregation and storage of waste, reuse or recycling and for disposal to a suitable licenced facility. The plan addresses specific needs arising from hazardous waste materials (e.g. asbestos) and in relation to how different types of materials would be stored on site. During the operational stage it is anticipated that standard domestic wastes (organic, mixed dry recyclables, mixed municipal waste and glass) will be generated on site with a predicated volume of 81,136 m³ per week. Hazardous waste may arise from WEEE,

batteries, lights and cleaning products. The management plan sets out provisions for segregation and disposal of waste. Subject to appropriate mitigation and management no significant construction or operational phase impacts are envisaged as a result of the proposed development. In relation to cumulative impacts, it is considered that waste generation from the proposed development during both construction and operational phases will be negligible in the context of the wider region and that it would not place a significant burden on existing waste management infrastructure or procedures.

Material Assets Conclusion

I have considered all of the written submissions made in relation to material assets (Traffic and Transport, Material Assets and Waste Management). I am satisfied that the identified impacts would be avoided, managed and mitigated by the measures which form part of proposed scheme, the proposed mitigation measures and through suitable conditions. I am therefore satisfied that the proposed development would not have any unacceptable direct or indirect impacts in terms of material assets. I am also satisfied that cumulative effects are not likely to arise.

12.3.10. Archaeology and Cultural Heritage

Archaeology and cultural heritage are addressed in Chapter 14 of the EIAR. The third party submission has raised concerns in relation to the impact of the proposed development on heritage.

The application site was an open field until the mid-1990's (approx.) and has been occupied by an industrial use since then. There are no recorded monuments, protected structures or other cultural heritage designations within the site. Field inspection did not identify any features of archaeological potential within the site. However, there are there are 5 no. recorded monuments within a 500 m radius of the site (including the zone of notification for the historic town of Tallaght) and previous archaeological investigations to the south identified medieval and post medieval activity. On this basis, the potential for subsurface archaeology is not excluded. To mitigate any potential impact on previously undiscovered sub-surface archaeology during the construction phase, it is proposed that all ground disturbance will be monitored by a suitably qualified archaeologist. It is also proposed to retain / a stone

wall along the Greenhills Road boundary with some interventions to provide for access into the scheme.

I have considered all of the written submissions made in relation to archaeology, architectural and cultural heritage. I am satisfied that no potential impacts arise. I am therefore satisfied that the proposed development would not have any unacceptable direct or indirect or cumulative impacts in terms of archaeology, architectural and cultural heritage.

12.4. Interactions between Environmental Factors

12.4.1. Section 15 of the EIAR deals with the interactions between environmental factors.

The primary interactions are summarised in the EIAR as follows:

- Population and Human Health / Soil
- Population and Human Health / Water
- Population and Human Health / Noise
- Population and Human Health / Air
- Population and Human Health / Landscape
- Population and Human Health / Material Assets
- Biodiversity / Soils
- Biodiversity / Water
- Biodiversity / Noise
- Biodiversity / Landscape
- Soil / Water /
- Soil / Air
- Soil / Landscape
- Landscape / Cultural Heritage
- Material Assets - Traffic and Transportation / Noise
- Material Assets - Traffic and Transportation / Air and Climate

The various interactions have been described in the EIAR and have been considered in the course of this EIA. I have considered the interrelationships between factors and whether these might as a whole affect the environment, even though the effects

may be acceptable on an individual basis. In conclusion, I am generally satisfied that effects arising can be avoided, managed and mitigated by the measures which form part of the proposed development, mitigation measures, and suitable conditions.

12.5. Reasoned Conclusion on the Significant Effects

12.5.1. Having regard to the examination of environmental information set out above, to the EIAR and other information provided by the developer, and to the submissions from the planning authority, prescribed bodies and observers in the course of the application, it is considered that the main significant direct and indirect effects of the proposed development on the environment are as follows:

- Significant direct positive effects with regard to population and material assets due to the increase in the housing stock in the Dublin City and Suburbs area.
- A significant direct visual and landscape effect due to the change from large brownfield site to residential with active uses at ground level. Given the location of the site within the built-up area of Tallaght this effect would be positive.
- Potential effects arising from noise during construction which will be mitigated by appropriate management measures.
- Potential effects on air during construction which will be mitigated by the dust control measures detailed in the Outline Construction Management Plan.
- Potential indirect effects on water which will be mitigated during the occupation of the development by the proposed system for surface water management and attenuation with respect to stormwater runoff and the drainage of foul effluent to the public foul sewerage system, and which will be mitigated during construction by appropriate management measures to control the emissions of sediment to water.

12.5.2. The EIAR has considered that the main significant direct and indirect effects on the environment that would be likely to arise as a consequence of the proposed development. The effects would be mitigated to an acceptable degree by environmental management measures detailed in the EIAR, and no residual

significant negative impacts would remain. The positive benefits of the scheme would outweigh any remaining minor negative impacts. I am, therefore, satisfied that the proposed development would not have any unacceptable direct or indirect effects on the environment.

13.0 Appropriate Assessment

13.1.1. The applicant has submitted an 'Appropriate Assessment Screening Report'. The applicant has also submitted an Ecological Impact Assessment undertaken by a qualified ecologist.

13.1.2. Proposed Development and Site Description

The proposed development consists of 502 no. apartment units, a creche and 3 no. retail units on a site of 2.79 ha. I refer the Board to the more detailed development description provided under section 3 of this report.

The site is a disused industrial site located in an urban area. The immediate area is characterised by low density commercial development and there is more intensive urban development to the south. The site is serviced by public water and drainage networks. The dominant habitat on site is buildings and artificial surfaces. There is also recolonising bare ground, dry meadows and grassy verges, scattered trees and parkland, scrub, treelines / hedgerows and a watercourse along the south west boundary. No flora or fauna species for which Natura 2000 sites have been designated were recorded on the application site. There are no non-native invasive plant species on the site. In terms of hydrology, the site lies within the Liffey and Dublin Bay Hydrometric Area and Catchment, the Dodder Sub Catchment and the Poddle Sub-Basin. There is a small stream along the western and southern boundaries (River Tymon / Poddle) that flows eastward from the site. The river has a complex and altered journey through south suburban Dublin and urban Dublin, until its confluence with the River Liffey at Wellington Quay.

13.1.3. Zone of Interest

In terms of the zone of interest the site is not within or immediately adjacent to a Natura 2000 site. The nearest Natura 2000 site is c. 3.9 km to the south of the application site. The following Natura 2000 sites are within 15 km of the application site:

Glenasmole Valley SAC; Wicklow Mountains SAC; Wicklow Mountains SPA; South Dublin Bay / River Tolka Estuary SPA; South Dublin Bay SAC; Rye Water Valley/Carton SAC; Knocksink Wood SAC; North Bull Island SPA; North Dublin Bay SAC.

In applying the 'source-pathway-receptor' model there is a possible hydrological link between the application site and habitats and species of Natural 2000 sites in Dublin Bay (North Dublin Bay SAC/South Dublin Bay SAC/North Bull Island SPA/South Dublin Bay and River Tolka Estuary SPA) via the River Tymon / Poddle. I am satisfied that the potential for impacts on the other Natura 2000 Sites can be excluded at the preliminary stage due to the nature and scale of the proposed development, the degree of separation and the absence of ecological and hydrological pathways.

13.1.4. The Conservation Objectives (CO) and Qualifying Interests of sites in Dublin Bay are as follows:

North Dublin Bay SAC (000206) - 13.8 km north east of the site.

CO - To maintain or restore the favourable conservation condition of the Annex I habitat(s) and/or the Annex II species for which the SAC has been selected.

Qualifying Interests/Species of Conservation Interest: Mudflats and sandflats not covered by seawater at low tide [1140] / Annual vegetation of drift lines [1210] / Salicornia and other annuals colonising mud and sand [1310] / Atlantic salt meadows (<i>Glauco-Puccinellietalia maritimi</i>) [1330] / Mediterranean salt meadows (<i>Juncetalia maritimi</i>) [1410] / Embryonic shifting dunes [2110] / Shifting dunes along the shoreline with <i>Ammophila arenaria</i> [2120] / Fixed coastal dunes with herbaceous vegetation (grey dunes) [2130] / Humid dune slacks [2190] / <i>Petalophyllum ralfsii</i> (Petalwort) [1395].

South Dublin Bay SAC (000210) - c. 10.4 km north east of the site.

CO - To maintain or restore the favourable conservation condition of the Annex I habitat(s) and/or the Annex II species for which the SAC has been selected.

Qualifying Interests/Species of Conservation Interest: Mudflats and sandflats not covered by seawater at low tide [1140] / Annual vegetation of drift lines [1210] /

Salicornia and other annuals colonising mud and sand [1310] / Embryonic shifting dunes [2110]

South Dublin Bay and River Tolka Estuary SPA (004024) - c. 10 km from the site.

CO – To maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA.

Qualifying Interests/Species of Conservation Interest: Light-bellied Brent Goose (*Branta bernicla hrota*) [A046] / Oystercatcher (*Haematopus ostralegus*) [A130] / Ringed Plover (*Charadrius hiaticula*) [A137] / Grey Plover (*Pluvialis squatarola*) [A141] / Knot (*Calidris canutus*) [A143] / Sanderling (*Calidris alba*) [A144] / Dunlin (*Calidris alpina*) [A149] / Bar-tailed Godwit (*Limosa lapponica*) [A157] / Redshank (*Tringa totanus*) [A162] / Black-headed Gull (*Chroicocephalus ridibundus*) [A179] / Roseate Tern (*Sterna dougallii*) [A192] / Common Tern (*Sterna hirundo*) [A193] / Arctic Tern (*Sterna paradisaea*) [A194] / Wetland and Waterbirds [A999]

North Bull Island SPA (004006) - c. 13.8 km north east of the site.

CO – To maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA.

Qualifying Interests/Species of Conservation Interest: Light-bellied Brent Goose (*Branta bernicla hrota*) [A046] / Shelduck (*Tadorna tadorna*) [A048] / Teal (*Anas crecca*) [A052] / Pintail (*Anas acuta*) [A054] / Shoveler (*Anas clypeata*) [A056] / Oystercatcher (*Haematopus ostralegus*) [A130] / Golden Plover (*Pluvialis apricaria*) [A140] / Grey Plover (*Pluvialis squatarola*) [A141] / Knot (*Calidris canutus*) [A143] / Sanderling (*Calidris alba*) [A144] / Dunlin (*Calidris alpina*) [A149] / Black-tailed Godwit (*Limosa limosa*) [A156] / Bar-tailed Godwit (*Limosa lapponica*) [A157] / Curlew (*Numenius arquata*) [A160] / Redshank (*Tringa totanus*) [A162] / Turnstone (*Arenaria interpres*) [A169] / Black-headed Gull (*Chroicocephalus ridibundus*) [A179] / Wetland and Waterbirds [A999]

13.1.5. The potential for likely significant effects on North Dublin Bay SAC [000209], South Dublin Bay SAC [000210], North Bull Island SPA [004006] and South Dublin Bay and River Tolka Estuary SPA [004024]:

- There is nothing unique or particularly challenging about the proposed urban development, either at construction phase or operational phase.
- Surface water from the proposed development will discharge (and already does in part) to the River Tymon / Poddle via direct outfall. Downstream of the site this watercourse flows into the River Liffey, which in turn discharges to Dublin Bay. The habitats and species of Natura 2000 sites in Dublin Bay are c. 17 km downstream of the site and water quality is not a target for the maintenance of any of the QI's within either SAC in Dublin Bay. There is the potential for an interrupted and distant hydrological connection between the site and sites in Dublin Bay. During the construction phase standard pollution control measures are to be used to prevent sediment or pollutants from leaving the construction site and entering the water system. During the operational phase clean, attenuated surface water will discharge to the River Tymon / Poddle in small and controlled volumes. (See Civil Engineering Infrastructure Report and Outline Construction Management Plan both prepared by Barrett Mahony Consulting Engineers). The pollution control measures to be undertaken during both the construction and operational phases are standard practices for urban sites and would be required for a development on any urban site in order to protect local receiving waters, irrespective of any potential hydrological connection to Natura 2000 sites. In the event that the pollution control and surface water treatment measures were not implemented or failed, I remain satisfied that the potential for likely significant effects on the qualifying interests of Natura 2000 sites in Dublin Bay as a result of the distance and interrupted hydrological connection can be excluded given the nature and scale of the development and the distance and volume of water separating the application site from Natura 2000 sites in Dublin Bay.
- The foul discharge from the proposed development would drain, via the public network, to the Ringsend WWTP for treatment and ultimately discharge to Dublin Bay. There is the potential for an interrupted and distant hydrological connection between the site and sites in Dublin Bay. However, the foul

discharge from the site would equate to a very small percentage of the overall licenced discharge at Ringsend WWTP, and thus its impact on the overall discharge would be negligible. The potential for likely significant effects or cumulative effects can therefore be excluded in respect of foul discharge.

It is evident from the information before the Board that the proposed development, individually or in combination with other plans or projects, would be not be likely to have a significant effect on the North Dublin Bay SAC/South Dublin Bay SAC/North Bull Island SPA/South Dublin Bay and River Tolka Estuary SPA. Stage II AA is not required.

13.1.6. AA Screening Conclusion:

It is reasonable to conclude that on the basis of the information on file, which I consider adequate in order to issue a screening determination, that the proposed development, individually or in combination with other plans or projects would not be likely to have a significant effect on North Dublin Bay SAC [000209], South Dublin Bay SAC [000210], North Bull Island SPA [004006] and South Dublin Bay and River Tolka Estuary SPA [004024] or any European site, in view of the sites' Conservation Objectives, and a Stage 2 Appropriate Assessment (and submission of a NIS) is not therefore required.

14.0 **Recommendation**

14.1. Having regard to the above assessment, I recommend that permission is GRANTED for the development as proposed for the reasons and considerations and subject to the conditions set out below.

15.0 **Reasons and Considerations**

Having regard to the following:

1. The location of the site in the established urban area of Dublin;
2. The policies and objectives in the South Dublin County Council Development Plan 2016-2022 including the REGEN zoning objective pertaining to the site;
3. The Rebuilding Ireland Action Plan for Housing and Homelessness;
4. The Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas and the accompanying Urban Design Manual;

5. The Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities 2018;
6. The Design Manual for Urban Roads and Streets (DMURS);
7. The nature, scale and design of the proposed development and the availability in the area of a wide range of social, transport and water services infrastructure;
8. The pattern of existing and permitted development in the area;
9. The planning history within the area;
10. The report received from the planning authority;
11. The submissions and observations received; and
12. The Inspector's report.

It is considered that, subject to compliance with the conditions set out below that the proposed development would constitute an acceptable quantum and density of development in this accessible urban location, would not seriously injure the residential or visual amenities of the area, would be acceptable in terms of urban design, height and quantum of development and would be acceptable in terms of pedestrian and traffic safety. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

16.0 Recommended Order

Application: for permission under section 4 of the Planning and Development (Housing) and Residential Tenancies Act 2016, in accordance with plans and particulars, lodged with An Bord Pleanála on the 18th day of February 2020 by McGill Planning Limited, on behalf of Greenleaf Homes Ltd.

Proposed Development: The development will consist of the following: Demolition of existing factory/warehouse buildings on site (total floor area c.10,076.8 sqm); Construction of 502 no. apartments (comprising 197 no. 1-bed; 257 no. 2-bed; and 48 no. 3-bed units) within 6 no. blocks ranging in height from 4 to 8 storeys. All residential units provided with associated private balconies/terraces to the north/south/east/west elevations; Provision of residential amenity facilities, 3 no. retail units, creche, and services/bin store areas (total non-residential floor area c.1,839 sq.m); A total of 202 no. car parking spaces (at basement and undercroft levels) and 584 no. bicycle

parking spaces; Vehicular/pedestrian/cyclist accesses from Greenhills Road and Airton Road. Provision of road improvements and pedestrian crossings; All associated site development works, open spaces, landscaping, boundary treatments, plant areas, pv panels (at roof level), waste management areas, and services provision (including ESB substations).

The application contains a statement setting out how the proposal will be consistent with the objectives of the South Dublin County Council Development Plan 2016-22, Tallaght Town Centre Local Area Plan 2006-16, and the Draft Tallaght Town Centre Local Area Plan 2020-26.

The application contains a statement indicating why permission should be granted for the proposed development, having regard to a consideration specified in section 37(2)(b) of the Planning and Development Act, 2000, as amended, notwithstanding that the proposed development materially contravenes a relevant development plan or local area plan other than in relation to the zoning of the land.

An environmental impact statement has been prepared in respect of the proposed development.

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.

Matters Considered

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

Reasons and Considerations

In coming to its decision, the Board had regard to the following:

Having regard to the following:

1. The location of the site in the established urban area of Dublin;
2. The policies and objectives in the South Dublin County Council Development Plan 2016-2022 including the REGEN zoning objective pertaining to the site;

3. The Rebuilding Ireland Action Plan for Housing and Homelessness;
4. The Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas and the accompanying Urban Design Manual;
5. The Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities 2018;
6. The Design Manual for Urban Roads and Streets (DMURS);
7. The nature, scale and design of the proposed development and the availability in the area of a wide range of social, transport and water services infrastructure;
8. The pattern of existing and permitted development in the area;
9. The planning history within the area;
10. The report received from the planning authority;
11. The submissions and observations received; and
12. The Inspector's report.

Appropriate Assessment

The Board completed an Appropriate Assessment screening exercise in relation to the potential effects of the proposed development on designated European sites, taking into account the nature, scale and location of the proposed development within a zoned and serviced urban site, the information for the Screening for Appropriate Assessment submitted with the application, the Inspector's Report, and submissions on file. In completing the screening exercise, the Board adopted the report of the Inspector and concluded that, by itself or in combination with other development 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, and that a Stage 2 Appropriate Assessment is not, therefore, required.

Environmental Impact Assessment

The Board completed an environmental impact assessment of the proposed development, taking into account:

- (a) the nature, scale, location and extent of the proposed development,
- (b) the environmental impact assessment report and associated documentation submitted with the application,

- (c) the submissions from the planning authority, the observers and the prescribed bodies in the course of the application, and
- (d) the Inspector's report.

The Board considered that the environmental impact assessment report, supported by the documentation submitted by the applicant, adequately identifies and describes the direct, indirect, secondary and cumulative effects of the proposed development on the environment.

The Board agreed with the examination, set out in the Inspector's report, of the information contained in the environmental impact assessment report and associated documentation submitted by the applicant and submissions made in the course of the planning application.

The Board considered and agreed with the Inspector's reasoned conclusions, that the main significant direct and indirect effects of the proposed development on the environment are, and would be mitigated, as follows:

- Significant direct positive effects with regard to population and material assets due to the increase in the housing stock in the Dublin City and Suburbs area.
- A significant direct visual and landscape effect due to the change from large brownfield site to residential with active uses at ground level. Given the location of the site within the built-up area of Tallaght this effect would be positive.
- Potential effects arising from noise during construction which will be mitigated by appropriate management measures.
- Potential effects on air during construction which will be mitigated by the dust control measures detailed in the Outline Construction Management Plan.
- Potential indirect effects on water which will be mitigated during the occupation of the development by the proposed system for surface water management and attenuation with respect to stormwater runoff and the drainage of foul effluent to the public foul sewerage system, and which will be

mitigated during construction by appropriate management measures to control the emissions of sediment to water.

The Board completed an environmental impact assessment in relation to the proposed development and concluded that, subject to the implementation of the mitigation measures set out in Chapter 16 of the environmental impact assessment report, and subject to compliance with the conditions set out below, the effects on the environment of the proposed development, by itself and in combination with other development in the vicinity, would be acceptable. In doing so, the Board adopted the report and conclusions of the Inspector.

Conclusions on Proper Planning and Sustainable Development:

The Board considered that the proposed development is, apart from the building height parameters, broadly compliant with the current South Dublin County Development Plan 2016-2022 and would therefore be in accordance with the proper planning and sustainable development of the area.

The Board considers that, while a grant of permission for the proposed Strategic Housing Development would not materially contravene a zoning objective of the Development Plan, it would materially contravene the Plan with respect to building height limits. The Board considers that, having regard to the provisions of section 37(2)(b)(i),(iii) and (iv) of the Planning and Development Act 2000, as amended, the grant of permission in material contravention of the development plan would be justified for the following reasons and considerations:

- (a) The proposed development is considered to be of strategic or national importance by reason of its potential to contribute to the achievement of the Government's policy to increase delivery of housing set out in Rebuilding Ireland – Action Plan for Housing and Homelessness issued in July 2016, and to facilitate the achievement of greater density and height in residential development in an urban centre close to public transport and centres of employment.
- (b) It is considered that permission for the proposed development should be granted having regard to Government policies as set out in the National Planning Framework (in particular objectives 13 and 35) and the Urban

Development and Building Height Guidelines for Planning Authorities, in particular SPPR1 and SPPR3.

- (c) Having regard to the pattern of existing and permitted development in the vicinity of the proposed development site since the Development Plan and Planning Scheme were adopted.

In accordance with section 9(6) of the 2016 Act, the Board considered that the criteria in section 37(2)(b)(i), (iii) and (iv) of the 2000 Act were satisfied for the reasons and considerations set out in the decision.

Furthermore, the Board considered that, subject to compliance with the conditions set out below that the proposed development would constitute an acceptable quantum and density of development in this accessible urban location, would not seriously injure the residential or visual amenities of the area, would be acceptable in terms of urban design, height and quantum of development and would be acceptable in terms of pedestrian and traffic safety. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

17.0 Conditions

1.	The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, 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, or as otherwise stipulated by conditions hereunder, and the development shall be carried out and completed in accordance with the agreed particulars. In default of agreement the matter(s) in dispute shall be referred to An Bord Pleanála for determination. Reason: In the interest of clarity.
2.	Prior to the commencement of development details of boundary treatments, including boundary detailing and setbacks along the Airton Road / Greenhills Road frontages shall be submitted to and agreed in writing with the planning

	<p>authority. The detailing along the Airtown Road and Greenhills Road frontages shall have regard to the design proposals for the proposed Bus Connections route at this location.</p> <p>Reason: In the interest of visual amenity and to ensure that the proposed development will not conflict with proposed upgrades to the public transport network.</p>
3.	<p>All mitigation measures identified in Chapter 16 of the EIAR, Ecological Impact Assessment and Bat Assessment and in other particulars submitted with the application shall be implemented in full by the applicant except as may otherwise be required in order to comply with the following conditions.</p> <p>Reason: In the interest of clarity and to protect the environment during the construction and operational phases of the development.</p>
4.	<p>The developer shall enter into water and wastewater connection agreements with Irish Water, prior to commencement of development.</p> <p>Reason: In the interests of clarity and public health.</p>
5.	<p>Details of the materials, colours and textures of all the external finishes to the proposed buildings shall be as submitted with the application, unless otherwise agreed in writing with the planning authority prior to commencement of development. In default of agreement the matter(s) in dispute shall be referred to An Bord Pleanála for determination.</p> <p>Reason: In the interest of visual amenity.</p>
6.	<p>No additional development shall take place above roof parapet level, including lift motor enclosures, air handling equipment, storage tanks, ducts or other external plant, telecommunication aerials, antennas or equipment, unless authorised by a further grant of planning permission.</p> <p>Reason: To protect the residential amenities of property in the vicinity and the visual amenities of the area.</p>
7.	<p>No advertisement or advertisement structure (other than those shown on the drawings submitted with the application) shall be erected or displayed on the building (or within the curtilage of the site) in such a manner as to be visible from outside the building, unless authorised by a further grant of</p>

	<p>planning permission.</p> <p>Reason: In the interest of visual amenity.</p>
8.	<p>The internal road and vehicular circulation network serving the proposed development, including turning bays, junctions, parking areas, footpaths, kerbs and the underground car park shall be in accordance with the detailed construction standards of the planning authority for such works and design standards outlined in DMURS. In default of agreement the matter(s) in dispute shall be referred to An Bord Pleanála for determination.</p> <p>Reason: In the interest of amenity and of traffic and pedestrian safety.</p>
9.	<p>The site shall be landscaped (and earthworks carried out) in accordance with a detailed comprehensive scheme of landscaping, details of which shall be submitted to and agreed in writing with, the planning authority prior to the commencement of development.</p> <p>(a) The landscaping scheme shall include specific details for tree protection and for a 10 m riparian / biodiversity protection zone along the River Tymon / Poddle.</p> <p>(b) The landscaping scheme shall include specific details for child play provision.</p> <p>(c) The landscaping scheme shall be consistent with the SuDS layout for the site.</p> <p>(d) The proposed fence within the 10m riparian strip along the River Tymon / Poddle shall be omitted.</p> <p>Reason: In the interest of residential and visual amenity and ecological protection.</p>
10.	<p>A total of 502 secure resident bicycle parking spaces and a total of 251 visitor bicycle parking spaces shall be provided within the development. Design details for the cycle spaces shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p>Reason: To ensure that adequate bicycle parking provision is available to</p>

	serve the proposed development, in the interest of sustainable transportation.
11.	<p>(a) The car parking facilities hereby permitted shall be reserved solely to serve the proposed development.</p> <p>(b) A minimum of 198 no. car parking space shall be assigned permanently for the residential development and shall be reserved solely for that purpose. These residential spaces shall not be utilised for any other purpose, including for use in association with any other uses of the development hereby permitted, unless the subject of a separate grant of planning permission.</p> <p>(c) 10 no. residential spaces shall be assigned permanently to a car club and shall be reserved solely for that purpose.</p> <p>(d) 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.</p> <p>(e) Details of emergency exit provisions from undercroft and basement areas and details of fire tender routes through the site shall be submitted for the agreement of the planning authority.</p> <p>Reason: To ensure that adequate parking facilities are permanently available to serve the proposed residential units and the remaining development.</p>
12.	Prior to the opening/occupation of the development, a Mobility Management Strategy shall be submitted to and agreed in writing with the planning authority. This shall provide for incentives to encourage the use of public transport, cycling, walking and carpooling by residents/occupants/staff employed in the development and to reduce and regulate the extent of parking. The mobility strategy shall be prepared and

	<p>implemented by the management company for all units within the development. Details to be agreed with the planning authority shall include the provision of centralised facilities within the commercial element of the development for bicycle parking, shower and changing facilities associated with the policies set out in the strategy.</p> <p>Reason: In the interest of encouraging the use of sustainable modes of transport.</p>
13.	<p>A minimum of 10% of all communal 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. Where proposals relating to the installation of EV ducting and charging stations/points has not been submitted with the application, in accordance with the above noted requirements, such proposals shall be submitted and agreed in writing with the Planning Authority prior to the occupation of the development.</p> <p>Reason: To provide for and/or future proof the development such as would facilitate the use of Electric Vehicles.</p>
14.	<p>The developer shall facilitate the preservation, recording and protection of archaeological materials or features that may exist within the site. In this regard, the developer shall employ a suitably qualified archaeologist who shall monitor all site investigations and other excavation works.</p> <p>Reason: In order to conserve the archaeological heritage of the site and to secure the preservation and protection of any remains that may exist within the site.</p>
15.	<p>Proposals for a development naming and unit identification and numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all such names and numbering shall be provided in accordance with the agreed scheme.</p> <p>Reason: In the interest of urban legibility.</p>

16.	<p>Public lighting shall be provided in accordance with a scheme, which shall include lighting along pedestrian routes through open spaces details of which shall be submitted to, and agreed in writing with the planning authority prior to installation of lighting. Such lighting shall be provided prior to the making available for occupation of any residential unit.</p> <p>Reason: In the interests of amenity and public safety.</p>
17.	<p>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.</p> <p>Reason: In the interests of visual and residential amenity.</p>
18.	<p>Drainage arrangements including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.</p> <p>(a) Prior to commencement of development the developer shall submit the following details to the Planning Authority for written agreement:</p> <p>(i) Revised surface water drainage calculations, conveyance and attenuation details (where required) to meet the surface water storage requirements of the development.</p> <p>(ii) Full design details (including cross section) for the proposed outfall discharging surface water into the Poddle River to the south of the site. The drawing shall show the invert of the proposed outfall in relation to the closest known river flood level for the 1 in 10, 1 in 100 and 1 in 1000 year river flood event.</p> <p>(b) Prior to commencement of development a Stage 2 – Detailed Design Stage Storm Water Audit shall be submitted to the Planning Authority for written agreement.</p>

	<p>(c) 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.</p> <p>Reason: In the interest of public health and surface water management.</p>
19.	<p>Communal waste storage areas in the development shall be designed and managed in accordance with an operational waste management plan that shall be submitted and agreed with the planning authority prior to the commencement of development.</p> <p>Reason: In the interests of public health.</p>
20.	<p>The management and maintenance of the proposed development following its completion shall be the responsibility of a legally constituted management company, or by the local authority in the event of the development being taken in charge. Detailed proposals in this regard shall be submitted to, and agreed in writing with, the planning authority prior to occupation of the development.</p> <p>Reason: To ensure the satisfactory completion and maintenance of this development.</p>
21.	<p>Construction and demolition waste shall be managed in accordance with a construction waste and demolition management plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall be prepared in accordance with the “Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects”, published by the Department of the Environment, Heritage and Local Government in July 2006. The plan shall include details of waste to be generated during site clearance and construction phases, and details of the methods and locations to be employed for the prevention, minimisation, recovery and disposal of this material in accordance with the provision of the Waste</p>

	<p>Management Plan for the Region in which the site is situated.</p> <p>Reason: In the interest of sustainable waste management.</p>
22.	<p>The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including hours of work, noise and dust management measures, disposal of construction/demolition waste and measures to ensure aircraft safety taking account of the matters set out in the submission of the Irish Aviation Authority.</p> <p>Reason: In the interests of public safety and residential amenity.</p>
23.	<p>Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Saturdays inclusive, and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.</p> <p>Reason: In order to safeguard the residential amenities of property in the vicinity.</p>
24.	<p>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 Bord Pleanála for determination.</p>

	<p>Reason: To ensure the satisfactory completion and maintenance of the development until taken in charge.</p>
25.	<p>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 Bord Pleanála for determination.</p> <p>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.</p>
26.	<p>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 Bord Pleanála to determine the proper application of the terms of the Scheme.</p> <p>Reason: It is a requirement of the Planning and Development Act 2000, as</p>

	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.
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Karen Kenny

Senior Planning Inspector

18th May 2020