



An
Bord
Pleanála

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

**Inspector's Report on
Recommended Opinion
ABP-311725-21**

Strategic Housing Development	Demolition of existing buildings on site, construction of 242 no. apartments, creche and associated site works.
Location	Lands at Broomhill Road, Tallaght, Dublin 24.
Planning Authority	South Dublin County Council
Prospective Applicant	Garyaron Homes
Date of Consultation Meeting	28/01/2022
Date of Site Inspection	14/12/2021
Inspector	Conor McGrath

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1.0 Introduction

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

2.0 Site Location and Description

- 2.1. The subject site comprises a stated area of 1.4ha, located within the Broomhill Industrial Estate, north of the Airton Road in Tallaght, Dublin 24. The southern part of the site is occupied by a single storey commercial building, now vacant, of approx. 4,300-sq.m with parking / loading yard on its southern and eastern sides. The northern part of the site comprises an open storage yard. There are currently three vehicular entrances to the site from Broomhill Road to the west.
- 2.2. Lands to the south of the site are occupied by a single / double height commercial, industrial premises and surface car parking. To the east, is Airton Business Park and other light industrial / commercial units to the northeast. North of the site is a two-storey commercial building in a variety of uses, accessed from Broomhill Terrace which runs along the northern boundary of the site. Other lands to the west are in a variety of commercial uses.

3.0 Proposed Strategic Housing Development

The proposed development is described as the demolition of the existing buildings and front boundary treatment and construction of a new residential and mixed-use scheme of 242 no. apartment units in 5 no. blocks (A to E) ranging from 4 to 7-storeys in height as follows:

- Block A (5-storeys): 40 no. apartments comprising 4 no. 1 bed, 31 no. 2 bed and 5 no. 3 bed units.
- Block B and C (7-storeys): 102 no. apartments comprising 45 no. 1 bed and 57 no. 2 bed units, and ground floor café in Block C of approx. 50.9 sqm.
- Block D (5-7-storeys): 36 no. apartments comprising 16 no. 1 bed and 20 no. 2 bed units, and a creche of approx. 476 sqm at ground floor level.
- Block E (4-5-storeys): 64 no. apartments comprising 31 no. 1 bed and 33 no. 2 bed units.

Public open space is proposed in the form of a central courtyard. Proposed residential amenity areas at ground level in Block B & C comprise:

- A reception area of approx. 125.1sqm,
- Resident’s lounge of approx. 45sqm,
- A letting office of approx. 11.6sqm,
- A rentable room/studio space of 39sqm,
- A public gym of approx. 128.5sqm and
- A public co-working space of approx. 128.4sqm, all.

A single upgraded vehicular access will be provided from Broomhill Road and a total of 142 no. surface level car parking spaces are proposed along the southern and eastern boundaries. 426 no. bicycle parking spaces are also proposed. New pedestrian and cyclist access points will be provided to Broomhill Road and Broomhill Terrace.

Key development parameters include:

Site Area	1.4ha
Proposed dwellings	242 no.
Density	172 / ha
Building Height	4-7-storeys
Public Open space	1,680-sq.m. courtyard*
Communal Amenity	Internal 516.9-sq.m. External 2374-sq.m.*
Other uses	Café 50.9-sq.m. Co-Working space 128.4-sq.m. Gym 128.5-sq.m.

Dual Aspect	48.35%
Car parking	142 no. surface / 0.59 per unit
Cycle parking	426 (308 residential & 118 visitor)

Unit Type	No. of Units	%
1 bed	96	40%
2 bed	141	58%
3 bed (duplex)	5	2%
Total	242	

4.0 Relevant Planning History

PA ref. S01A/0887: Permission refused for demolition of existing buildings and construction of a 4-storey office building and 360-sqm creche.

PA ref. S00A/0558: Permission granted on the site for a 3-storey plus penthouse telesales offices and light industrial development over 2 blocks.

Surrounding Area:

While the prospective applicants refer to a number of planning history cases in the wider area, the following are considered to be the most relevant:

ABP Ref. ABP-306705-20: Permission granted in June 2020 for a Strategic Housing Development at the Former Gallaghers Cigarette Factory at the junction of Airton Road and Greenhills Road, approx. 200m southeast of the subject site. The development comprises 502 apartments in 6 blocks ranging in height from 4 to 8 storeys, residential amenities, 3 retail units, creche and services/bin store areas. A total of 202 car parking spaces (at basement and undercroft levels) and 584 no. bicycle parking spaces were proposed.

ABP ref. ABP 305763-19: Permission granted in February 2020 for a Strategic Housing Development at the corner of Airton Road and Belgard Road approx. 400m southwest of the subject site. The development comprised the demolition of the existing industrial buildings and the construction of two blocks ranging from 5 to 9-storeys in height, comprising 328 no. apartments, ancillary residential support facilities and commercial floorspace.

Other cases cited include:

- ABP–308398-20: Units 66 & 67 Fourth Avenue, Cookstown Industrial Estate.
- ABP–303306-18: Belgard House, Belgard Square North, Belgard Road.
- ABP–309916-21: Glen Abbey Complex, Belgard Road, Cookstown Industrial Estate.
- ABP–309731-21: Lands west of Old Belgard Road and north, south and west of Cookstown Road, Cookstown industrial Estate.
- ABP–303803-19: Unit, 5A-C, Second Avenue, Cookstown Industrial Estate.

5.0 Section 247 Consultation(s) with Planning Authority

Documentation submitted refers to a S.247 meeting with the planning authority on 30th April 2021. The broad matters discussed include:

- Clarification on the nature of the development.
- Breach of building line noted as acceptable at this location
- Housing mix.
- Building heights and consistency with the LAP, including plot ratio.
- Dual aspect provision.
- Communal and public open space provision and management.
- Compliance with the REGEN Zone objective and objectives for employment uses in this area.
- Requirement for visual impact assessment and CGI's.
- District heating potential.
- Block sizes and active / employment uses at ground floor level.
- Alignment with LAP population / housing targets.
- Permeability and access to adjoining lands.
- LAP provisions regarding sequencing of development.
- Parking provision.
- Surface water drainage and SUDS measures.

6.0 Planning Policy

6.1. National and Regional Planning Policy

6.1.1. Project Ireland 2040 - National Planning Framework

National Strategic Outcome 1, Compact Growth, recognises the need to deliver a greater proportion of residential development within existing built-up areas. The activation of these strategic areas and achieving effective density and consolidation, rather than sprawl of urban development, is a top priority.

Objective 2A identifies a target of half of future population growth occurring in the cities or their suburbs. Objective 3A directs delivery of at least 40% of all new housing to existing built-up areas on infill and / or brownfield sites.

Objective 13 states that, in urban areas, planning and related standards including in particular building height and car parking, will be based on performance criteria that seek to achieve well-designed high-quality outcomes to achieve targeted growth.

Objective 35 promotes increased densities through measures including infill development, area or site-based regeneration and increased building height.

6.1.2. Rebuilding Ireland – Action Plan for Housing and Homelessness 2016

The overarching aim of the Plan is to increase the delivery of housing across all tenures, to help individuals and families meet their housing needs. The Plan identifies a target to double the number of residential dwellings delivered annually by the construction sector and to provide 47,000 social housing units in the period up to 2021. The plan identifies five pillars for action.

Pillar 2 - Accelerate Social Housing

Pillar 3: Build More Homes, seeks to increase the output of private housing to meet demand at affordable prices. The key action is to double housing output over the Plan period.

6.1.3. Housing for All - A New Housing Plan for Ireland (Sept 2021)

The stated aim is to provide access to a home to purchase or rent at an affordable price, built to a high standard and in the right place, offering a high quality of life. The plan identifies the need for construction of an average of 33,000 homes per annum

nationally until 2030 to meet the targets outlined in the National Planning Framework. Four overarching objectives are identified:

- Supporting Homeownership and Increasing Affordability.
- Eradicating Homelessness, Increasing Social Housing Delivery and Supporting Social Inclusion.
- Increasing New Housing Supply; and
- Addressing Vacancy and Efficient Use of Existing Stock.

The Pathway to Increasing New Housing Supply includes a focus on the adequate supply of serviced zoned lands to meet housing need, at required densities.

6.1.4. Regional Spatial and Economic Strategy for the Eastern and Midland Region (2019)

RPO 4.3 seeks to “support the consolidation and re-intensification of infill / brownfield sites to provide high density and people intensive uses within the existing built-up area of Dublin City and suburbs and ensure that the development of future development areas is co-ordinated with the delivery of key water infrastructure and public transport projects.”

Section 5.3 identifies guiding principles for development of the metropolitan area, which include:

Compact sustainable growth and accelerated housing delivery – To promote sustainable consolidated growth of the Metropolitan Area, including brownfield and infill development, to achieve a target to 50% of all new homes within or contiguous to the built-up area of Dublin City and suburbs, and at least 30% in other settlements. To support a steady supply of sites and to accelerate housing supply, in order to achieve higher densities in urban built up areas, supported by improved services and public transport.

6.2. S.28 Ministerial Guidelines

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

- Urban Development and Building Heights, Guidelines for Planning Authorities
- Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities
- Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009), and the accompanying Urban Design Manual
- Design Manual for Urban Roads and Streets (DMURS)
- The Planning System and Flood Risk Management (including the associated 'Technical Appendices') (2009)
- Childcare Facilities – Guidelines for Planning Authorities 2001 and Circular PL3/2016 – Childcare facilities operating under the Early Childhood Care and Education (ECCE) Scheme.

6.3. Local Planning Policy

6.3.1. South Dublin Development Plan 2016-2022

Zoning Objective REGEN: *to facilitate enterprise and/or residential-led regeneration.*

Vision: '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.

Tallaght is identified as a Metropolitan Consolidation Town. Core Strategy (CS) Policy 2 supports the sustainable long-term growth of these towns through consolidation and urban expansion.

- Objective 4 –promote and support the regeneration of underutilised industrial areas within areas designated with zoning objective REGEN.
- Objective 6 – promote higher residential densities at appropriate locations, adjacent to town centres or high-capacity public transport nodes (Luas/Rail).

Housing Policy H8 Residential Densities promotes higher residential densities at appropriate locations.

- Objective 2: consider higher residential densities at appropriate locations close to Town, District and Local Centres and high-capacity public transport in accordance with the Sustainable Residential Development Guidelines.

- Objective 4: support more intensive enterprise and/or residential led development within areas designated for REGEN subject to design safeguards.

Housing Policy H9, Residential Building Heights, supports varied building heights across residential and mixed-use areas.

- Objective 1 encourages varied building heights to support compact urban form, sense of place, urban legibility and visual diversity.
- Objective 2 is to ensure that higher buildings in established areas respect the surrounding context.
- Objective 4 directs tall buildings that exceed five storeys in height to strategic and landmark locations in Town Centres, Mixed Use zones and SDZ's and subject to an approved Local Area Plan or Planning Scheme.

This objective is replicated in UC6 Objective 3.

Section 11.2.4 Regeneration Zone:

A Design Statement accompanying development proposals in Regeneration (REGEN) zones should also address the following criteria:

- Demonstrate a clear transition towards a more urban form of development and a traditional street network.
- Address connectivity and linkages and demonstrate that the development would not give rise to isolated piecemeal pockets of residential development disconnected from shops, amenities and/or other residences.
- Residential development should not be introduced at ground floor level adjacent to busy roads, and/or roads that are subject to significant movements by HGV's.
- Precautions to ensure that the potential for noise pollution, air pollution or other nuisance from established industrial uses will not exceed acceptable standards.
- It may be necessary to consider improvements to the surrounding road and street network, to calm traffic and improve pedestrian and cyclist access.

Section 11.2.7 notes that proposals for 'tall buildings', that exceed five storeys will only be considered at areas of strategic planning importance such as key nodes, along the main street network and along principal open spaces.

6.3.2. Tallaght Town Centre Local Area Plan 2020

Chapter 1 notes that the delivery of between 3,000 and 5,000 new homes will be sought within the lifetime of the plan.

2.3 Urban Framework:

The overall urban structure (Figure 2.4) provides the basic and larger scale layout of routes, spaces and features for the Plan. A strong urban structure ensures a coordinated approach over a longer time period. The proposed urban structure is a guide for future development in the area. Flexibility in the proposed urban structure will be considered where it is demonstrated that the overarching objectives and key elements of the urban structure are achieved.

The subject site and surrounding lands are zoned REGEN: To facilitate enterprise and/or residential-led regeneration.

Section 2.6, Intensity of Development, notes that a development shall not normally exceed the maximum plot ratio and building height thresholds for any particular site, block or parcel of land, except where there is a compelling case of a significant public or economic benefit (as defined). Flexibility of up to 20% of the plot ratio ranges may generally be applicable where there is a strong design rationale for an increase in density/height and the development will result in a significant public gain.

2.6.2 Height and Built Form

Figure 2.4 identifies building heights, informed by best practice urban design principles as per the Urban Development and Building Height Guidelines (2018).

In general terms, the height strategy provides for the following:

1. Building height and scale greatest in the Centre, in proximity to Luas stops and along arterial and primary route frontages (up to 6–7 storeys residential, +1 recessed and up to 5–6 storeys non-residential, +1 recessed).
2. Building height and scale on secondary routes / frontages is lesser but still within an urban scale, (4–6 storeys residential, 3–5 storeys non-residential).
3. Building Height (3-4 storeys) is lower along tertiary routes, within the network of secondary streets).

Buildings that exceed the prescribed general buildings heights should only be provided at the locations indicated as having 'Potential for Higher Buildings' in the

Building Height Strategy (Figure 2.4) and adjacent to the key public transport stops and key public spaces. A 2–4 storey increase on the above levels of the Heights Strategy may be considered for key or landmark sites or where sites exceed 2 ha in area and can establish its own identity. Tall buildings must have regard to defined criteria.

Section 2.7.2 identifies a requirement for a minimum of 10% of the gross site area as public open space, which should be met on site. In certain circumstances, a financial contribution towards provision of public open space in the area shall be required.

The Broomhill neighbourhood is identified as *a transitional regeneration area and described as an attractive consolidated, diversified and intensified place for business and employment that is better connected to surrounding places. Emerging residential uses along the southern side of Airton Road.*

The following development parameters are identified:

Land Use Mix / Urban Function	Predominantly business, enterprise and employment area with more mixed-use residential development fronting along the southern side of Airton Road, subject to integrating effectively with existing surrounding uses.
Plot Ratio Range	0.75:1 (Low) to 1:1 (High)
Building Height (See Figure 3.13)	Primary Frontage: Up to 6-7 storeys residential (+1 recessed), 5-6 storeys non-residential (+1 recessed) Secondary Frontage: 4–6 storeys Residential, 3–5 storeys non-residential Other Frontages: 3–4 storeys (Res/Non-Res) Building Line Retain the existing building line set back along Airton Road, particularly along the southern side of Airton Road for the provision of a linear park.
Open Space	Local green corridors Linear Park along Airton Road and along southern boundary with TUD/TC with new building frontage overlooking.

Fig 3.13 identifies Broomhill Road as a secondary frontage and Broomhill Terrace to the north is an Existing / Improved Tertiary Route / Local Route / Home Zone. Broomhill Road is also identified as a new / improved cycle route.

Key Objectives for Broomhill (BH) include:

- BH1: Transition to mixed use area primarily focussed on higher value commercial uses.
- BH2: Improve legibility throughout area with new local routes and new connections to Kilnamanagh and Tallaght University Hub. Improve interface with all existing and proposed routes and open spaces.
- BH3: New corridors for green infrastructure connecting adjoining communities. Improved green infrastructure buffer to Kilnamanagh.
- BH5: Maintain existing building line set back along Airton Road and seek delivery of a linear park along southern side of Airton Road in tandem with development.

Section 5.2.1 Housing Mix, notes that proposals for a high proportion of one-bedroom dwellings shall demonstrate a need for such accommodation, based on local demand and demographic profile. It is policy that a minimum of 30% of units within any new residential development shall have a minimum of 3 bedrooms (Objective RE 2).

Objective RE 3, to support new and innovative ways to meet housing demands while ensuring an appropriate mix of tenure and dwelling types to meet the needs of the current and future population of Tallaght.

Objective RE 4, to ensure that a mix of tenure is achieved to provide an appropriate balance which will promote social integration in Tallaght.

Ch. 8 deals with Implementation and sequencing

Objective IS 1 requires that development is undertaken in an orderly and sustainable manner. The development of regeneration lands at Cookstown and Broomhill should be phased in accordance with the sequential approach:

- Development should extend outwards from the town centre and high-quality public transport, avoiding 'leapfrogging' to stand alone or isolated areas, &
- A strong emphasis will be placed on encouraging infill opportunities adjacent to compatible existing uses and ensuring better use of under-utilised lands.

7.0 Submissions Received

Irish Water: A wastewater connection can be facilitated subject to strict flow management to ensure no further detriment in the downstream network. Flow control and storage measures will be installed, owned, operated and managed by the developer on the private side, until Irish Water have increased downstream network capacity. This capital upgrade project is currently at preliminary design stage.

The operation and maintenance of flow control measures are subject to the delivery of the public network upgrade and will be a condition of any potential connection. In addition, removal of any existing misconnections and installation of dedicated separate storm water systems will be required. Local Network upgrades or extensions and point of connection will be assessed at connection application stage.

In order to accommodate a water connection, an upgrade of the existing 6" uPVC to 200mm ID pipe for approximately 275m is required. At connection application stage, local pressure tests must be performed to identify any other local water network upgrades which may be required, which will be funded by the applicant.

8.0 Forming the Opinion

Pursuant to section 6(7) of the Act of 2016, regard is had in the forming of the opinion to the documentation submitted by the prospective applicant; the planning authority submission and the discussions which took place during the tripartite consultation meeting.

8.1. Documentation Submitted

The prospective applicant has submitted information pursuant to section 5(5)(a) of the Planning & Development (Housing) and Residential Tenancies Act 2016 and Article 285 of the Planning and Development (Strategic Housing Development) Regulations 2017. The documentation submitted with this pre-application

consultation request is set out in appendix 1 to this report. I have considered all of the documentation submitted by the prospective applicant, relating to this case.

Section 5(5)(b) of the Act of 2016 requires the submission of a statement that, in the prospective applicant's opinion, the proposal is consistent with both the relevant objectives of the development plan or local area plan concerned, and relevant guidelines issued by the Minister under section 28 of the Act of 2000. Section 5(6) requires that where the proposed development would materially contravene the development plan or local area plan, as the case may be, other than in relation to the zoning of the land, then the statement provided for the purposes of subsection (5)(b)(i) shall indicate why, in the prospective applicant's opinion, permission should nonetheless be granted, having regard to a consideration specified in section 37(2)(b) of the Act of 2000.

Statements required under S.5(5) and 5(6) above have been submitted in this regard. The Statement of Consistency under S.5(5) considers the following policy documents:

- Project Ireland 2040: National Planning Framework (2018)
- Housing for All, A New Housing Plan for Ireland (2021)
- Rebuilding Ireland: Action Plan for Housing and Homelessness (2016)
- Regional Spatial and Economic Strategy for the Eastern and Midland Region 2019-2031
- Regional Planning Guidelines for the Greater Dublin Area (2010-2022)
- Design Manual for Urban Roads and Streets (DMURS) (2013)
- Smarter Travel – A New Transport Policy for Ireland (2009-2020)
- Transport Strategy for the Greater Dublin Area 2006-2035
- Sustainable Residential Development in Urban Areas (2009) and Urban Design Manual - Best Practice Guidelines
- Delivering Homes Sustaining Communities, Statement on Housing Policy and Quality Homes for Sustainable Communities (2007)
- Childcare Facilities, Guidelines for Planning Authorities (2001)
- The Planning System and Flood Risk Management (2009)

- Appropriate Assessment of Plans and Projects in Ireland - Guidance for Planning Authorities (2009)
- Sustainable Urban Housing - Design Standards for New Apartments (2020)
- Urban Development and Building Height Guidelines (2018)
- South Dublin County Development Plan 2016-2022
- Tallaght Town Centre LAP 2020

The statement identifies relevant policies and argues that the proposed high density residential development is consistent therewith. This includes an assessment of the development against the criteria set out in the Urban Design Manual and relevant SPPR's.

A Material Contravention Statement in accordance with section 5(6) is submitted in relation to the contravention of the provisions of the Tallaght Town Centre LAP in respect of:

- Building Height
- Plot Ratio
- Housing Mix
- Land use / Urban Function

The statement concludes that the Board may grant permission for the proposed development in accordance with s.9(6) of the Act of 2016, as amended, having regard to the provisions of section 37(2)(b)(i), (ii) and (iii) of the act of 2000, as amended.

8.2. **Planning Authority Submission**

A submission from South Dublin County Council was received by An Bord Pleanála on the 19/11/2021 in accordance with Section 6(4)(b) of the 2016 Act. The submission includes:

- A statement of the opinion of the planning authority.
- Details of relevant planning history.
- Minutes of pre-planning consultation meetings.

- Copies of internal technical reports from Environmental Services, Public Realm and the Roads Department,

The report containing the opinion of the planning authority makes the following points:

Local Area Plan Objectives and Land-Use Zoning

- The Tallaght LAP came into effect in June 2020, subsequent to national guidelines relating to apartment standards and building heights, and was approved by the Office of the Planning Regulator.
- Objective GH1 (sic) describes a 'transition to mixed-use area primarily focussed on higher value commercial uses'.
- The proposed mix of uses is inappropriate and contravenes the objectives for the neighbourhood area set out in section 3.5 of the LAP.
- A special contribution for public realm improvements as set out on page 62 of the LAP may be sought and a contribution in lieu of public open space.

Sequencing of Development

- The proposed residential development, in an area earmarked for employment use, does not adhere to provisions of the LAP relating to the sequencing of development in regeneration areas.
- The proposed development would contravene Objective IS1 of the LAP.

Material Contravention

- The criteria under S. 37(2)(b) do not justify contravention of the LAP in respect of Building Height, Plot Ratio, Housing Mix or Land Use Mix / Urban Function.

Height, Layout and Density

- The layout is acceptable subject to adherence to heights standards for this block.
- The LAP is consistent with the S.28 guidelines.
- Deviation from the LAP standards would provide a precedent for greater densities across the neighbourhood, undermining the LAP and its settlement strategies.

Housing Mix

- The LAP requires 30% provision of 3-bed units based on an assessment of local demand as required under the guidelines.
- Under-provision of 3-bed units would undermine the formation of a sustainable residential community and would fail to meet local housing demand.
- The Planning Authority supports the provision of 100% build-to-sell development.
- Part V details should be provided.

Public Open Space

- The central public open space does not read as public and will serve primarily as communal open space.
- The applicant should provide genuinely public open space or provide for a special contribution in lieu thereof.
- A good quality streetscape along Broomhill Road should accommodate pedestrians and cyclists in line with the NTA cycle design manual.

Internal Street / Parking

- Review the car parking layout to provide a possible homezone.
- The layout prejudices permeability and frontage development to the east.
- The preference is that the internal road and parking would be taken in charge so that adjoining sites can also front onto it pending agreement of a final layout.
- Own door units fronting this internal street would generate pedestrian activity.
- Parking at a rate of 0.65 / unit is required.

Building Design

- The proposed tapered edges to blocks provide triangular living spaces which may be inefficient and difficult to furnish, compromising residential amenity.
- Dual aspect provision of 50% should be achieved.

Other Comments:

- Gates/fences shall not be erected at entry points to the development.
- Revised drainage details are required.
- A masterplan is required for the coordinated development of this area.
- Consult with the Irish Aviation Authority and Department of Defence.
- Integrate with the HeatNet district heating system.

- Operational waste management to be detailed.

8.3. The Consultation Meeting

A Section 5 Consultation meeting was held on 28/01/2022, commencing at 10am, via Microsoft Teams. 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 and the main topics raised for discussion at the tripartite meeting were as follows:

1. Land use and Development Principle – Zoning and proposed mix of uses
2. Development Strategy, Design and Layout, including
 - Building Height
 - Density
 - Layout
3. Residential Amenity
4. Access and Transport
5. Drainage
6. AOB

Both the prospective applicant and the planning authority were given an opportunity to comment and respond to the issues raised by the representatives of ABP. Those comments and responses are recorded in the ‘Record of Meeting ABP-311725-21’ which is on file. I have fully considered the responses and comments of the prospective applicant and planning authority in preparing the Recommended Opinion hereunder.

In relation to Land Use and Development Principle, An Bord Pleanála sought further elaboration and justification for the proposed development in respect of the following matters:

- Compliance with the objectives of the Local Area Plan with regard to the land use mix / urban function of this neighbourhood, having regard to the predominantly residential nature of the proposed development.

- The quality of the surrounding environment to support residential development.
- The nature of public realm works identified by the planning authority in order to facilitate development in this area.

In relation to the Development Strategy, Design and Layout, An Bord Pleanála sought clarification and further elaboration of the documents and justification for the proposed development in respect of the following matters:

- Rationale for the design approach, including building height and density for this location, having regard to the provisions of the Local Area Plan.
- The relationship with adjoining lands and potential future connections thereto.
- The design and function of the central courtyard as public open space.

In relation to Residential Amenity, An Bord Pleanála sought further elaboration of the documents and justification for the proposed development in respect of the following matters:

- The provision and management of communal and public open space within the development.
- The surrounding land use pattern and potential impacts on residential amenity.

In relation to Access and Transport, An Bord Pleanála sought clarification and further elaboration of the documents in respect of the following matters:

- The car parking strategy for the development including the management and allocation of spaces across different uses.
- The accommodation of any servicing requirements within the site.
- The level of bicycle parking / storage on the site having regard to the provisions of the Apartment Design Guidelines
- The relationship with future cycle infrastructure works on Broomhill Road

In relation to Drainage, An Bord Pleanála sought further elaboration and clarification of the documents in respect of the following matters:

- The nature of constraints on the wastewater drainage network in the area and the proposed solution to facilitate this development.
- Possible revisions proposed to address the surface water drainage requirements of the County Council.

9.0 Conclusion and Recommendation

I have examined all of the information and submissions before me including the documentation submitted by the prospective applicant, the submissions of the planning authority and the discussions which took place at the tripartite meeting. I have had regard to both national policy, including s.28 Ministerial Guidelines, and local policy, via the statutory plan for the area.

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

Having regard to the above, I recommend that the Board serve a notice on the prospective applicant, pursuant to Section 6(7)(b) of the Planning and Development (Housing) and Residential Tenancies Act 2016, stating that it is of the opinion that the documentation submitted with the consultation request under section 5(5) of the Act **constitutes a reasonable basis for an application** under section 4 of the Planning and Development (Housing) and Residential Tenancies Act 2016.

I would also recommend that the prospective applicant be notified, pursuant to article 285(5)(b) of the 2017 Regulations, that specified information (as outlined hereunder) be submitted with any application for permission that may follow. I believe the specified information will assist the Board at application stage in its decision making process. I am also recommending that a number of prescribed bodies (as listed hereunder) be notified by the prospective applicant of the making of the application.

10.0 Recommended Opinion

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

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

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

1. A detailed rationale outlining how in the prospective applicant's opinion, the proposed predominantly residential development is in compliance with local planning policies, having specific regard to Objective BH1 of the Tallaght Town Centre LAP 2020.
2. Drawings and other documentation demonstrating how the proposed development will relate to, and facilitate future connections with, adjoining lands to the south and east and any potential future development thereof.
3. Drawings identifying the extent of clearly defined public open space and communal residential open space to be provided within the development.

4. A management plan which addresses the varied requirements of the proposed uses within the development, and the operation, management and maintenance of public open space on the site.
5. An assessment of the requirement for an Aeronautical Assessment in respect of the proposed development.
6. An assessment of the noise environment having regard to the surrounding pattern of land uses, in the context of providing adequate levels of residential amenity for future occupiers. Where appropriate, specific mitigation measures in this regard should be clearly identified and described in the application.
7. A report that specifically addresses the proposed materials and finishes to the scheme, including specific detailing of external finishes, landscaping and paving, pathways, entrances and boundary treatments. Particular regard should be had to the requirement to provide high quality, durable and sustainable finishes which have regard to the context of the site.
8. A Building Lifecycle Report in accordance with section 6.13 of the Sustainable Urban Housing, Design Standards for New Apartments, Guidelines for Planning Authorities (2020) guidelines which should consider the external materials on all elevations. The report shall also have regard to the management and maintenance of public spaces and access routes to the development
9. Drawings which clearly identify the areas intended to be taken in charge by the Local Authority, if any.
10. A response to the matters raised in the South Dublin County Council Environmental Services report dated 05/11/2021.
11. A response to the matters raised in the South Dublin County Council Roads Department report dated 21/10/2021, including inter alia:
 - a) A Parking Management Strategy, including detail on the allocation of parking spaces by type and by land use.
 - b) A Quality Audit in accordance with Advice Note 4 of DMURS. Such audit should consider the quality of pedestrian and cycle connections to services and amenities in the surrounding area.

- c) Details of the quantum and design of bicycle parking / storage, having regard to the provisions of the guidelines on Sustainable Urban Housing: Design Standards for New Apartments. The design of such parking / storage should consider relevant access and operational requirements.
- d) A Servicing and Operations Management Plan.

12. In accordance with section 5(5)(b) of the Act of 2016, as amended, any application made on foot of this opinion should be accompanied by a statement that in the prospective applicant's opinion the proposal is consistent with the relevant objectives of the development plan for the area. Such statement should have regard to the development plan or local area plan in place or, likely to be in place, at the date of the decision of the Board in respect of any application for permission under section 4 of the Act.

13. The information referred to in article 299B(1)(b)(ii)(II) and article 299B(1)(c) of the Planning and Development Regulations 2001-2018 unless it is proposed to submit an EIAR at application stage.

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

1. Irish Water
2. South Dublin County Childcare Committee
3. NTA

PLEASE NOTE:

Under section 6(9) of the Planning and Development (Housing) and Residential Tenancies Act 2016, neither the holding of a consultation under section 6, nor the forming of an opinion under that section, shall prejudice the performance by the

Board, or the planning authority or authorities in whose area the proposed strategic housing development would be situated, of any other of their respective functions under the Planning and Development Acts 2000 to 2016 or any other enactment and cannot be relied upon in the formal planning process or in legal proceedings.

Conor McGrath

Senior Planning Inspector

07/02/2022

Appendix: Accompanying Documentation.

- Cover letters
- Pre-Planning Application Form (inc. attached Development Description) & Correct Fee €1,50
- Planning Report and Statement of Consistency
- Building Lifecycle Report
- Economic, Community and Social Infrastructure Audit
- Material Contravention Statement
- Part V Validation Letter
- Part V Costings with associated Drawings and HQA
- AA Screening Report
- Ecological Impact Assessment Report
- Environmental Impact Assessment Screening Report
- Sustainability Energy Statement
- External Lighting Study
- External Lighting Layout Drawing
- Arboricultural Impact Assessment
- Tree Survey Plan and Tree Protection Plan
- Landscape Design and Access Statement, Landscape Management and Maintenance Plan
- Landscape Drawings Including Sections
- Townscape and Visual Impact Assessment
- Drainage Design Report (Including Confirmation of Feasibility from Irish Water)
- Engineering Surface Water and Drainage Layout
- Traffic & Transport Assessment and Preliminary Travel Plan (Including DMURS Compliance Statement)
- Daylight & Sunlight Assessment Report
- CGI Views and Verified Photomontages (A3 Booklet)
- Architectural Drawings and Drawing Schedule (Proposed PART V Layouts included)
- Design Statement (A3 Booklet)
- Housing Quality Assessment and schedule of Accommodation (included in Design Statement)
- Technical Notes on Construction and Demolition Waste Management, Operational Waste Management and Construction and environmental Waste Management
- Bat Assessment
- Letter of Consent