



An
Bord
Pleanála

Inspector's Report ABP-312504-22.

Development	Demolition of apartment units and the construction of a residential development with 40 units.
Location	St. Basils Training Centre, Greenhills Road, Tallaght, Dublin 24.
Planning Authority	South Dublin County Council.
Planning Authority Reg. Ref.	SD21A-0139.
Applicant	O'Mahony Holdings
Type of Application	Permission.
Planning Authority Decision	Refuse.
Type of Appeal	First Party
Appellant	O'Mahony Holdings
Observer	Tallaght Community Council.
Date of Site Inspection	13 th December 2022.
Inspector	Philip Davis

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1.0 Introduction

This appeal is by the applicant against the decision to refuse permission for reasons relating to design, impact on ACA and parking by the planning authority for an apartment development just off Main Street in Tallaght.

2.0 Site Location and Description

2.1. Area context

The appeal site is located in the historic core of Tallaght village, just under 1km east of the Square in Tallaght and the Tallaght Luas stop. It is within a triangle of land formed by the R819 Greenhills Road, the Old Greenhill Road (a cul-de-sac) and Main Street. It is immediately to the east of the Tallaght Institute of Technology (a former Dominican Priority, and west of the site of Bancroft Castle (no remains visible). The triangle of land is occupied by a mix of apartments, a former primary school (now in use as a Jobsearch centre) and a small office building (converted dwelling). The immediate area is a mix of institutional uses, residential (mostly apartments), and 3 and 3 storey retail and commercial buildings along the old Tallaght Main Street. The site faces onto Old Greenhill Road, with a single storey former cottage (now office) on the north side and vacant land to the south. A ramp access to the underground parking for a development facing the R819 intersects the site.

2.2. Appeal site

The appeal site, with a site area given as 2.342 hectares, is an irregularly shaped area of land located within the western side of the triangle of land east of the Priory and north of Main Street. It is currently occupied by part of a 3 storey apartment block and some vacant lands with some hardstanding and lands associated with adjoining apartments.

An apartment development is to the eastern of the site (part of the development area is just south of this), with some older cottages (now offices) to the north, with vacant land to the south. Opposite the Old Greenhills Road is institutional lands associated with the Dominican Friary.

3.0 Proposed Development

The proposed development consists, in summary, of the demolition of 3 no. apartment units and a bin store on the site and its replacement with a residential development totalling 40 apartment units (26 new units, 14 existing) in two blocks, ranging from 3 to 6 storeys in height (amendments made during the application process). The full development description on the notice is as follows:

The demolition of three existing apartment units (c. 239sq.m) and bin store (c.18sq.m) and the construction of a residential development arranged in two building blocks (Block A & Block B) ranging from 3 to 6 storeys in height over basement level (c. 3,728sq.m, including basement). Block A comprises 11 residential apartments (c. 1256sq.m) in a 5 to 6 storey building and including a ground floor level cafe (c. 93sq.m) at the buildings south eastern corner; Block B comprises 15 residential apartments (c.1393sq.m) in a 3 to 5 storey building; The proposed development will comprise 26 new residential units (5 studio apartments, 6 1-bedroom apartments, 7 2-bedroom apartments & 8 3-bedroom apartments) with associated balconies and terraces. The proposed development will comprise a total of 40 apartment units derived from 26 new apartments and 14 existing apartments; relocation of existing basement access on Old Greenhills Road and the upgrade and extension of the existing basement level ; provision of internal footpaths; landscaped communal open space (including outdoor gym equipment, children's play area and 'working from home' area); public open space; 13 car parking spaces and 74 long-stay bicycle parking spaces and 1 motorcycle parking spaces at basement level; 2 shared car parking spaces and 20 short-stay bicycle parking spaces at surface level (15 car parking spaces, 94 cycle parking spaces and 1 motorcycle parking in total); all piped infrastructure and ducting; elevation treatments; plant room; lift access and stair cores; hard and soft landscaping and boundary treatments; changes in level; waste management areas; attenuation tank; backup generator; solar photovoltaic panels; lighting; and all associated site development and excavation works above and below ground. The subject site is currently partly developed with an existing residential scheme known as Greenhill's Court comprising 17 apartment units in 4 apartment blocks ranging in height from 2 to 4 storeys, including basement car park all on a site of approximately 0.23ha. on lands bounded to the north by St Basil's Training Centre, to the east by Greenhills Road, to the west by Old Greenhills Road, and to the southeastern corner by Main Street, Tallaght, Dublin 24

4.0 Planning Authority Decision

4.1. Decision

The planning authority decided to refuse planning permission for three stated reasons, in summary:

- Excessive plot ratio (contrary to LAP)
- Height and mass with regard to local historical context.
- Substandard provision of parking.

4.2. Planning Authority Reports

4.2.1. Planning Reports

Two planning reports are on file, the second subsequent to a request for further information.

- Notes detailed complex history of the site and immediate area, including detailed refusal (SD21A/0137 – nursing home in St. Mary's Priory) for seven reasons and SD20A/0250 – adjoining site for residential – six reasons given.
- Notes a range of relevant policies in the current LAP for Tallaght Town Centre and the County Development Plan (2016-2022).
- Notes proximity of protected structures and location within ACA.
- Recommends refusal for reasons relating to size and scale and impact on the ACA.
- Outlines concerns with the design and visual impact and recommends a request for additional information (specifically, revised plans).
- Notes density of 173 units per hectare and plot ratio of 1.95.
- Notes policy objective to direct buildings that exceed five storeys to strategic and landmark locations (Policy UC6).
- Notes that internal layout adheres to the minimum requirements of the Sustainable Urban Housing Guidelines, but notes overlooking of adjoining

properties. Also notes problems with submitted Sunlight & Daylight Assessment.

- Notes issues with parking provision (Roads Report).
- Notes comments on internal and external reports.
- Concludes that some elements of the proposed development are positive, but with the above issues a request for significant revisions and additional information is requested.

Following the submission of further information, a second report concluded the following:

- Notes a number of revisions including reducing the number of units by 3.no, reducing Block B by 1-storey and reducing the plot ratio from 1.63 to 1.52.
- The changes are considered not to address the excess plot ratio (1.1 in the LAP) or the concerns over visual impact.
- The Architectural Conservation Officer considers that the issues with overall design have not been addressed. It is considered that it would have a negative impact on the character of the ACA and the context for the Protected Structure (RPS Ref. 268).
- Changes to external finishing and design are considered acceptable.
- It is considered that the revisions address impacts on daylight and sunlight.
- Roads state that the response is not acceptable – it is considered that the development requires 24 spaces at a maximum, plus replacing 4 no. spaces that are to be removed – 15 spaces only is considered likely to result in excess illegal parking along the Old Greenhills Road.
- It is noted that no masterplan has been provided for the overall block.
- It is considered that the landscaping plan is acceptable.
- It is noted that the applicant has not provided information to assess in screening for AA but having regard to the nature of the area it is not considered that there would not be a significant effect.
- Refusal recommended for three reasons.

4.2.2. Other Technical Reports

Conservation Officer: Notes proximity of three protected structures (St. Basils Training Centre, St. Mary's Dominican Priory, and St. Mary's Dominican Church, and a recorded ancient monument. Notes that it is within an ACA. A detailed report concludes that it is not acceptable within the context due to its scale and height and design. Following the submission of additional information, it was considered that these issues were not fully addressed.

Roads Report: Parking provision is considered substandard in number and in the design of the parking area. Following the submission of additional information it was repeated that the provision of 15 spaces is considered substandard.

Environmental Services: No objection subject to condition on surface water attenuation.

Public Realm Department: Additional information requested on landscaping – notes archaeology can be dealt with by way of condition. Satisfied with revised plans

4.3. Prescribed Bodies

Irish Water: No objection subject to agreement.

Dept.of Defence: Need for co-ordination with regard to construction cranes (proximity to Casement aerodrome).

An Taisce: Recommends refusal on the grounds of impact on ACA and protected structures.

DoHLG&H: Recommends condition on archaeology.

4.4. Third Party Observations

A number of detailed objections were submitted (Tallaght Community Council and Belgard Area Residents Association and St. Martins Residents Association), in addition to a number of individual submission sand submissions from local political representatives. All outlined a range of objections and concerns focusing on the past planning history, scale of the development, and visual impact on the conservation area and adjoining properties.

5.0 Planning History

SD03A/0368/PL06S.204649: Permission refused for substantially larger residential development on site (including adjoining lands)

SD03/1378 (PL06S.204653): Permission refused for residential apartments (site and adjoining lands).

SD03/A0369 (PL06S.204659): Permission granted for 3-4 storey apartments.

SD04A/0371 (PL06S.210123): Granted for 4 no. linked apartments on the site.

SD06A041 (PL06S.219756): Granted for 2 t-storey townhouses.

SD04A/0324: Permission refused for 2 no. residential buildings.

SD08A/0638: Permission refused for demolition of cottage and replacement with mixed use development.

SD08/0434 (PL06S.230879): Permission refused for demolition of cottage and mixed use building.

SD14B/0013: Permission granted to demolish adjoining cottage and rebuild it.

SD03A.0250: Refusal for residential south and west of the site – six reasons relating to the LAP policy, design, traffic and water.

SD21A/0136: 5 storey nursing home in St. Mary's Priory refused permission in July 2021. This was refused for reasons relating to the impact on the character of the protected structure and its design, height, mass and density.

6.0 Policy Context

6.1. Development Plan

The site is zoned 'VC' To protect, improve and provide for the future development of Village Centres' in the Tallaght Town Centre LAP 2020. It is within what is indicated as 'The Village' neighbourhood, whereby it is stated than an objective is to *'consolidate existing retail, town centre and mixed use residential neighbourhood within a high quality place of intimate scale respecting the historic character of the place* (Figure 2.6 of the LAP). A plot ratio of 0.75-1.1 is considered an appropriate

range for this neighbourhood (section 3.4). Figure 3.10 indicates that a 4-6 storey residential or 3-5 storey commercial building is appropriate for the corner of Old Greenhills Road and the Main Street. The adjoining road is identified as a cycle route in Figure 2.2 of the LAP and the main road to the west and south is indicated as a high capacity bus route. It is indicated as just outside the 1000 metre catchment for the Luas (Figure 2.3). Figure 2.5 indicates that part of the site should have a 'mixed use frontage'. The site is within an ACA which includes The Priory. Section 6.2.3 of the LAP provides an outline of policy for the ACA – this refers to Section 2.10 of the Building Heights Guidelines (2018) for guidance on building heights.

6.2. Natural Heritage Designations

The Glenasmole Valley SAC is some 5-km to the south of Tallaght town centre. The site is within the catchment of the Dodder River, which flows to Dublin Bay and the estuarine SAC and SPA's of the marine environment.

7.0 The Appeal

7.1. Grounds of Appeal

The refusal has been appealed by the applicant.

- The applicant submitted a number of detailed documents and submissions in relation to the background and reasoning behind the decision, along with a detailed response to the three stated reasons for refusal.
- It is argued that the assessment of the planning authority is incorrect – it is submitted that the proposed development considers of high-quality buildings which are sensitive to the surroundings and would not negatively impact on the character of the ACA.
- It is submitted that the revised plans submitted 15th November 2021 addressed all the key issues raised by the planning authority in their original report.

- The submission contains a number of drawings and visualizations of the overall site, nothing its relationships with other buildings (n.b. figure 2.2 is particularly useful).

With regard to reason 1:

- It is argued that a high plot ratio is justified by the nature of the site. It is argued that it is a small infill site within a built up area. As such there are strong policy grounds (national and LAP) to maximise density subject to the requirement to protect the ACA and surrounds.
- It is argued, within the criteria set out in the Sustainable Urban Housing guidelines, that the site should be assessed as 'central and/or Urban Accessible'.
- A design statement by the architects is submitted in support of the argument that it fully addresses the visual and historical context of the site.
- It is noted that Section 2.6.1 of the LAP provides a justification in some situations for an additional plot ratio of 20%. It is argued that the small and constrained nature of the site precludes the type of internal link which is usually provided and so lowers plot ratio.
- It is argued that on receiving the revised plans for Block B, the planning authority did not fully take into account national policy with specific regard to density and providing additional residential uses within accessible urban areas.
- It is argued that the site is of the highest accessibility with regard to Luas and bus links.
- In summary, it is argued that the overall design is sensitive to the ACA and locality, does not have any negative impact on local residential amenities.
- It is stated that the Board may wish to consider the reduction of the height of Block A by one storey if it is considered that this would address concerns.

Reason no. 2

- In support of an argument that the height and mass and treatment is acceptable, the applicant submits the Architects Design Rationale (Additional Information) and an Architectural Heritage Appraisal.
- It is submitted that both these provide detailed assessments and address all the key issues raised by the planning authority in its refusal and should be read in conjunction with the arguments relating to Reason 1 above.

Reason no.3

- Plan 202253-PUMCH-XX-XX-RP-C-008 is submitted with regard to the roads reason for refusal. This submits that the quantum proposed is acceptable and notes that Development Plan parking levels are 'maximum, and also notes the quality and quantity of bike parking provided. It also clarifies the use and management of the car park.

Other matters

- It is acknowledged that an amalgamation of the subject site with adjoining lands would be preferable, but it is stated that the applicant has not been able to purchase the adjoining site or agree with the owners. The enclosed Architects Design Rationale outlines various design solutions.
- It is noted that the draft SDDP 2022-2028 indicates notional higher densities in the immediate areas.

7.2. Planning Authority Response

The planning authority has not responded to the grounds of appeal.

7.3. Observations

An observation supporting the decision to refuse was submitted by BPS consultants on behalf of Tallaght Community Council – the submission is in addition to the original objection report to the planning application. The key points are as follows:

- It is stated in summary that while the Community Council welcomes development on the site it is not considered that the proposed development is

in the best interests of the area – the three reasons for refusal are strongly supported and it is submitted that the revised submission does not address concerns over height, scale, bulk and massing and impacts on the local streetscapes.

- It is noted that while the appeal includes updated architectural and engineering reports, it is submitted that these do not address the primary reasons for refusal.
- It is argued that the reasons for refusal are fully in accordance with the Tallaght Town Centre LAP 2020 and is consistent with the planning history of the site and in the immediate vicinity, most notably SD20A/0250 and SD04A/0324.
- It is argued that the refusal is consistent with ABP decision PL06S.204649, whereby a building up to 4 stories was refused for reasons of overdevelopment and monolithic appearance.
- It is argued that the overall design is contrary to the height and design standards set out in the LAP and it is submitted that it is not sufficiently close to the Luas stop to justify over ruling these standards. The historical importance of the site is emphasised with regard to its proximity to the village and Priory.
- It is argued that Block B is located too close to site boundaries and the adjoining dwelling to the north. It is also argued that siting the blocks up to the boundaries of the undeveloped site to the south would effectively sterilize much of this site. It is also noted that SDCC wishes to see a shared plan for both sites.
- It is argued that the eastern elevation of Block A is monolithic and inappropriate for the context. It is also submitted that siting it up against the road boundary makes any softening of the impact through tree planting impossible.
- Concerns are outlined at the structural impacts of building the basement carpark beside no.8 Old Greenhills Road.

- Fig.18 of the submission illustrates the observer's argument that the proposed development represents an unacceptably abrupt increase in building heights. Figs. 27-29 sets out what is argued to be an acceptable maximum height.
- A number of detailed arguments are set out in relation to the relationship between Block B and existing properties in the immediate vicinity (a number of illustrations are submitted in support, notably Figs 33-35). It is argued that as some of the single storey dwellings are of historic value it cannot be assumed that they will be redeveloped in the future in accordance with the scale set by the proposed development. It is argued that the reports submitted with the appeal do not address the overall issues of scale, height and design.
- It is argued that the overall development is insensitive and inappropriate with regard to the Architectural Conservation area and The Priority. The relevant policy statements within the LAP are highlighted.
- The report addresses in detail the applicant's response to the three grounds for refusal. It is argued that these do not adequately address the core reasons behind the refusal and that the planning authorities decision is appropriate and consistent with past decisions and local and national policies.
- As a final point, the observers recommend 7 no. grounds for refusal and finally (section 3.2) sets out what it would consider to be an appropriate design and scale for the proposed development.

7.4. Further Responses

None.

8.0 Assessment

Having inspected the site and reviewed the file I consider that proposed development can be assessed under the following general headings:

- Principle of development and overall context
- Design and amenity
- Cultural heritage
- Traffic and access
- Flooding and drainage
- Appropriate Assessment
- Other issues

8.1. Principle of development and overall context

The appeal site is located within an historic part of the old Tallaght Village, just north of Main Street with what was a major road (now bypassed) forming the cul-de-sac entrance. It is close to the former Priory (now part of a college) and there was a small castle to the east. It is just under 1 km walk east from the main commercial heart of modern Tallaght and the Luas station. A proposed bus connects link runs nearby. The area is characterised by a relatively dense mix of residential, retail, other commercial and institutional uses.

The area is covered by the South County Dublin Development Plan (SCDDP) 2022-2028 (adopted prior to the planning application), and the Tallaght Town Centre Local Area Plan 2020. The site is zoned 'VC': *'To protect, improve and provide for the future development of Village Centres'* in the Tallaght Town Centre LAP 2020. It is within what is indicated as 'The Village' neighbourhood, whereby it is stated that an objective is to *'consolidate existing retail, town centre and mixed use residential neighbourhood within a high quality place of intimate scale respecting the historic character of the place'* (Figure 2.6 of the LAP). A plot ratio of 0.75-1.1 is considered an appropriate range for this neighbourhood (section 3.4). Figure 3.10 indicates that a 4-6 storey residential or 3-5 storey commercial building is appropriate for the corner of Old Greenhills Road and the Main Street. The adjoining road is identified as a cycle route in Figure 2.2 of the LAP and the main road to the west and south is

indicated as a high capacity 'Bus Connects' route. It is indicated as just outside the 1000 metre catchment for the Luas (Figure 2.3) – it is a 1.1 km walk from the Tallaght stop. Figure 2.5 indicates that part of the site should have a 'mixed use frontage'. The site is within an ACA which includes The Priory, a protected structure. Section 6.2.3 of the LAP provides an outline of policy for the ACA – this refers to Section 2.10 of the Building Heights Guidelines (2018) for guidance on building heights.

Any such development would be expected to conform to the development criteria set out in the Development Plan and LAP at the time of the decision, and national guidance including (not exclusively):

- Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009);
- Design Standards for New Apartments (March 2019 and updated)
- Urban Development and Building height Guidelines 2018;
- Design Manual for Urban Roads and Streets (2013);
- Smarter Travel – A New Transport Policy for Ireland (2009-2020);
- The Planning System and Flood Risk Management (2009);
- Childcare Facilities: Guidelines for Planning Authorities (2001).

The site has a considerably planning history, a mix of grants and refusals for large scale residential development. Previous applications (prior to the adoption of the LAP) were refused, with the decision upheld by the Board, for scale and design reasons.

In overall terms, a high density residential development on the site is in accordance with the zoning designation, the past history of the site, and related national policy for such urban areas. The planning authority has accepted this principle and I note that this was not questioned in previous appeals on the site. The LAP and the DCCDP outline a number of standards for development on such sites, although these are in a number of cases somewhat vague and arguably contradictory, especially with regard to building heights. I note that within the visual envelope of the site, especially along Main Street, there is a reasonably consistent height for more modern apartments and mixed use developments or around 4-5 storeys.

The applicant has argued in considerable detail that the LAP and Development Plan, within the overall context set out in departmental guidelines, permits a development of up to 6 storeys on the site and a very high (in excess of that set out in the LAP) plot ratio. The core of this argument relates to the Building Heights Guidelines and the sites' location close to public transport hubs and within an established urban centre area.

I would generally accept the arguments put forward by the applicant that some aspects of the LAP policy is ambiguous and can be open to interpretation, in particular with regard to height and density measurements. As the site is very constrained in its layout I would concur that a flexible approach is appropriate. Notwithstanding this, the planning history of the site and the overall policy context (including its location within an ACA and its proximity to protected structures), sets out a clear context for caution in permitting a height significantly greater than that permitted in the surrounds.

I would conclude in this regard that the proposed development is generally in accordance with the zoning designation and related policy objectives, but the site has specific identified sensitivities which precludes a building of excess height except when there is a very high quality of design or other policy objectives outweigh the ACA designation and other constraints. In this regard, I do not consider that a strong justification has been provided to allow an exceptionally high density above that set out in the LAP and a height significantly above that permitted in other developments in the vicinity.

8.2. Design and amenity

Design issues

The planning authority refused for three reasons, two related to design and amenity. Reason one focused on the plot ratio, reason two relates to the overall visual impact with reference to the nearby protected structure and ACA designation.

The proposed development is significantly in excess of the maximum plot ratio set out in the LAP. The applicant has argued that the particular circumstances of the site layout and with regard to national policy on residential density, a high plot ratio is appropriate. While I would not dispute the overall argument that plot ratio is a

somewhat crude measurement of density, and that in specific circumstances a building could be in excess of the ratio will still being otherwise acceptable, in my opinion the overall design has serious problems stemming from its very high overall density on this very restricted site, although I would acknowledge that the revised plans submitted to the planning authority represent a significant improvement, especially with regard to external volumes and choice of materials.

While the site is within an urban centre area with reasonably good public transport links to other parts of the city, I do not consider that this overrules the general principles of good design and the restrictions set out by its context and the ACA designation and proximity to a protected structure. A clear pattern of 4-5 storey buildings of generally clean design have been permitted in the vicinity over the past 2 decades or so, complementing the historic pattern of generally one, two and three-storey older buildings along the Main Street and Greenhills Road. While there are some anomalies and changes in the existing LAP and CDP with regard to strict limits on the site, there has been a clear pattern of decisions (including appeals) in the area setting a pattern of buildings with a maximum of 5 storeys and generally less. The particular nature of the site, in particular its proximity to the protected structure, provides a strong onus on the applicant to stay within the limits set by the LAP and past decisions. I do not consider that there are any justifications within recent guidance to permit such a high plot ratio and size of buildings and I do not consider that the design is of sufficient high quality to justify a higher building.

The applicant has suggested that a condition reducing the height of Block A would be acceptable. But having regard to the overall concerns relating to the design of the site, not least uncertainty about the form and development of the adjoining vacant lands (not within the applicants' control), I concur with the general principle behind the planning authority's decision to refuse (Reasons 1 and 2).

Internal amenity

The current SDCC development plan refers to the BRE Report 2011 Site Layout Planning for Daylight and Sunlight: A guide to good practice. The planning authority has made use of the BRE report in assessing the proposed development and the applicant submitted a daylight report which uses BRE standards and guidelines. The key element of the BRE report states with regard to internal lighting that:

Daylight animates an interior and makes it attractive and interesting, as well as providing light to work or read by. Good daylight and sunlight contribute to making a building energy-efficient; it reduces the need for electric lighting, while winter solar gain can reduce heating requirements. Living rooms and bedrooms shall not be lit solely by roof lights and all habitable rooms must be naturally ventilated and lit. Glazing to all habitable rooms should not be less than 20% of the floor area of the room. Development shall be guided by the principles of Site Layout Planning for Daylight and Sunlight, A guide to good practice (Building Research Establishment Report, 2011). Staggering of balconies on the façade of a building has a positive effect on sunlight/daylight. A sunlight/daylight analysis of the different units may be required and modifications to the scheme put in place where appropriate.

Following the submission of revised information, the application was accompanied by a Report which concluded that all the apartments met minimum standards as set out both in the BRE document and national guidelines. I have assessed this in the context of the specific guidelines set out in the BRE document and related national guidance and the development plan. I have examined the report submitted with the revised plans and I concur with the conclusion of the planning authority that the assessment and conclusions are accurate. I am satisfied that each unit has adequate daylight with regard to both BRE standards and those set out in the 2019 national standards. I am satisfied that all the proposed apartments and the dwellings achieve the minimum requirements for internal amenity as set out in the BRE documents and related guidelines.

External amenity

The planning authority has noted concerns with overshadowing of adjoining properties but was satisfied with the later revisions which addressed this to some degree – I concur that there would be no unacceptable level of overshadowing on adjoining residential properties and there is sufficient separation between windows such that I do not consider that there would be a loss of privacy for any existing apartments.

8.3. Cultural heritage

The site is at the heart of what was the medieval settlement of Tallaght with the former priory to the west, a now vanished castle to the east, and at the junction of what would have been an important intersection with the Greenhills Road, the original road to the west side of Dublin city. It is an ACA and there are a number of protected structures and recorded ancient monuments in the area.

The planning authority refused for the reason of the overall visual impact on the ACA and the protected structure to the east, which is shielded for much of the year by the mature trees that surround the Priory, but it is visible from many viewpoints during the winter months – and the appeal site is also visible from ground floor level from the protected structure during the winter, albeit with some disruption from the mature trees that line the boundary.

As I have argued in the section above, the overall development is unacceptably visually intrusive in the streetscape. While the existing Main Street has lost most of its original fabric and is to an extent a fairly random collection of buildings from the past century or so, the collection of buildings around the Priory provides a positive connection with the history of the village and its surrounds.

While the development of this land and the creation of a coherent streetscape along the junction of Old Greenhills Road and Main Street would undoubtedly contribute to the overall setting of the area and the protected structures, I consider that the proposed design is inappropriate for the reasons addressed in the section above and as such is not in accordance with the objectives of the ACA and would have an unacceptable impact on the setting of the Dominican Church and Priory.

8.4. Traffic and Access

The site is accessed via a cul-de-sac – the former route of the Greenhills Road. This road now provides access to the former primary school (now a training centre), one dwelling, a small office building, and on the east side a single access to the Dominican retreat centre and The Priory Institute car parks. A ramp for access to the main basement parking for the adjoining residential use accesses onto old Greenhills Road. There is permitted on street parking along the eastern side of Old Greenhills Road.

The planning authority did not have any issues with the access to the proposed carpark but considered that notwithstanding the provision of 2 GoCar spaces and cycle parking, the proposed quantum of carparking was insufficient and would generate overspill parking on Old Greenhills Road and the immediate environs.

The applicant has argued that having regard to the central nature of the site, the proximity of public transport links to surrounding areas, and overall national policy on parking provision, the quantum proposed is appropriate. It is noted that the LAP and DCCDP parking guidelines for apartments are maximums, with no minimum targets.

I concur with the general point that this is a relatively central area, and as such there is no need to achieve a level of parking close to guideline maximums, and it is likely that many of the proposed apartments would be occupied by non-car owners. But while well served by public transport, this site is still somewhat distant from the heart of modern Tallaght (just over 1 km walk from the Luas station and main shopping centre) and a significant distance from major employment areas in the greater Dublin region. As such, I would consider a significant level of car ownership is likely and while less than 1 per apartment is appropriate, I would concur with the conclusions of the planning authority that the proposed level will result in a problem in the area, which seems to already suffer from a high demand for on-street parking. I therefore concur with the general reason for refusal issued by the planning authority.

8.5. Flooding and Drainage

There are no watercourses on or close to the site, although it appears that a now vanished stream ran to the south and along the front of what is now the Priory. The lands are currently either developed or have hardcover so there would be no loss of natural attenuation. Irish Water and the planning authority consider that there is no issue with water supply or connection to the public sewer for surface and foul waters. Attenuation has been agreed with the planning authority, so I do not consider that there are any implications for flooding or water quality or supply subject to standard conditions.

8.6. Appropriate Assessment

The Glenasmole Valley SAC site code 001209 is some 5-km to the south of Tallaght town centre. It is within the catchment of the Dodder River, which flows to Dublin Bay and the estuarine SAC and SPA's of the marine environment. The former SAC is upstream of Tallaght and not in hydraulic continuity. Its qualifying interests are for semi-natural dry grasslands, Molinia meadows and petrifying springs with tufa.

The planning authority carried out a screening (they noted that no information had been submitted by the applicants). They concluded that the proposed development was *de minimis* and would have no adverse effects.

Having regard to the developed nature of the site, the absence of any pathways for pollution, the scale and the distance from any designated sites, I concur with the conclusion of the planning authority that no Appropriate Assessment issues arise as the proposed development would not be likely to have a significant effect individually or in combination with other plans or projects on a European site.

8.7. Other issues

I do not consider that there are other issues raised in this appeal. If the Board is minded to grant permission the proposed development would be subject to a standard S.48 development contribution.

9.0 Recommendation

I recommend that the Board uphold the decision of the planning authority to refuse permission for the proposed development for the reasons and considerations set out below.

10.0 Reasons and Considerations

1. The proposed development is located in a sensitive location within Tallaght Village in an area designated as an Architectural Conservation Area and is close to a protected structure and recorded ancient monument. In this area, the Tallaght Town Centre Local Area Plan 2020-2026 sets a maximum plot ratio of 1:1 for all but exceptional circumstances. Having regard to this

context and the planning history of the site and adjoining area it is considered that the proposed development represents overdevelopment on this restricted site and would be visually obtrusive by way of its height and bulk. As such it would be seriously injurious to the visual amenities of the village centre and ACA and as such would be contrary to the policies set out in Chapter 6 of the Tallaght Local Area Plan and would thus be contrary to the proper planning and sustainable development of the area.

2. Notwithstanding the location of the proposed development in an urban centre with reasonable access to public transport, it is considered that the provision of 15 spaces to serve the existing and proposed development will result in increased parking along Old Greenhills Road. The proposed development would, therefore, result in traffic congestion and create a traffic hazard and would therefore not be in accordance with the proper planning and sustainable development of the area.

Philip Davis
Planning Inspector

16th December 2022