

TALLAGHT TOWN CENTRE

PROPOSED LOCAL AREA PLAN

Managers Report on
Variation Submissions
September 2006



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TALLAGHT

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1.0 Introduction

Following consideration of the Tallaght Town Centre Proposed Local Area Plan at the Council meeting on the 17th July 2006, the Elected Members made 40 amendments to the Proposed Local Area Plan, one of which was considered to be a material alteration. This amendment was as follows;

“That this Council amend the Tallaght Town Centre Master Plan to remove all new town centre/residential zonings south of the N81 and that the Whitestown area keep its industrial zoning as of the County Development Plan 2004 – 2010.”

The proposed material alteration (variation) applies only to a small area in the Whitestown Precinct, see area coloured light brown south of the N81 in the Precinct Map in Appendix 1.

The purpose of this County Manager’s Report is:-

- To report on the written submissions received following the public display of the variation to the Tallaght Town Centre Proposed Local Area Plan;
- To set out the County Manager’s response to the issues raised in the submissions;
- To make recommendations on changes to the Tallaght Town Centre Proposed Local Area Plan, as appropriate.

This Report forms part of the statutory procedure for the Local Area Plan as set out under Section 20 of the Planning & Development Act, 2000 as amended.

2.0 Legislative Background and Requirements

Section 20(f) (i) of the Planning & Development Act 2000 as amended requires that not later than 4 weeks after the end of the public display of the Variation of the Tallaght Town Centre Proposed Local Area Plan, a Manager’s report must be produced in respect of any submission/observations received in relation to the Variation and that the Report must be submitted to the Elected Members of the County Council.

Section 20 (f) (ii) of the Planning and Development Act 2000 as amended states that the Manager’s Report must: -

- List the persons who made submissions or observations;
- Summarise the issues raised by the persons in the submissions or observations;
- Contain the opinion of the manager in relation to the issues raised, and his recommendations in relation to the proposed variation or modification to the proposal, including any amendment to that proposed variation or modification he considers appropriate, taking account of the proper planning and sustainable

development of the area, the statutory obligations of any local authority in the area and any relevant policies or objectives for the time being of the Government or of any Minister of the Government.

Section 20 (g)(i) of the Planning and Development Act 2000 as amended requires the Members of the Planning Authority to consider the Manager's Report and the proposed variation or modification of the Tallaght Town Centre Proposed Local Area Plan.

The Proposed Plan will be deemed to be made or amended, as appropriate, with the variation or modification proposed by the Members or the variation or modification as recommended in the Manager's Report, 6 weeks after the furnishing of the report, unless, the Members, by resolution, having decided not to accept the Manager's recommendation, amend the original variation or modification proposed by them as they consider appropriate.

3.0 Public Consultation Process

3.1 Key Stages in Preparation of the Tallaght Town Centre Proposed Local Area Plan

The table below sets out the key public consultation stages leading up to the variation of the Tallaght Town Centre Proposed Local Area Plan and the Manager's Report on the submission/observations received. The Council carried out an extensive public consultation exercise prior to and during the preparation of the Plan. Prior to the publication of the Tallaght Town Centre Proposed Local Area Plan, the Planning Department carried out two phases of public consultation which sought firstly to establish issues of relevance to Tallaght Town Centre and secondly to indicate proposed strategies as to how the relevant issues could be addressed. All of the stages of the consultation are on the Council's website at the following address,

www.sdublincoco.ie/index.aspx?pageid=123&deptid=11&dpageid=664

| Date | Stage |
|---------------------------|--|
| January and February 2005 | <p>The first phase comprise of a series of Public Information Evenings and Stakeholder meetings during February and March 2005. A total of 368 persons/organisations were invited to these meetings, broken down as follows:</p> <ul style="list-style-type: none"> • 175 Businesses and Enterprises • 99 Community Groups • 50 Residents Groups • 18 Statutory Agencies • 14 Landowners/Institutions |

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| | <ul style="list-style-type: none"> • 12 Transport Agencies/Interests <p>Advertisements were also placed in the Tallaght Echo on the 3rd and 10th February 2005 in relation to the Information Evenings. These advertisements clearly stated that the Information Evenings were open to all. . Letters were set out between the 27th January and 14th February 2005 to ensure a minimum of 2 weeks notice for each respective Public Information Evening and Meeting A total of 116 persons attended these Information Meetings. Four public information evening meetings were held on the 14th, 16th, 21st and 28th February 2005 and three day-time stakeholder information meetings were held on the 10th and 21st February and the 4th March 2005. Upon conclusion, a report of the issues raised in the Information Evenings was circulated to the Elected Members and Management of South Dublin County Council and all those who attended. A copy of the report was also available on the Council website.</p> |
| September and October 2005 | <p>The second phase of public consultation took place in September and October 2005. This took the form of an exhibition of proposed strategies and possible solutions to those issues raised in the 1st Phase Consultation. As in the 1st phase of public consultation, a notice was published in the local newspaper, advertised on the Council website and invitations sent out to 368 persons and organisations previously invited. The display of the proposed strategies and possible solutions were exhibited in the Council Headquarters in Tallaght and in Clondalkin and in the Square Shopping Centre in Tallaght for the months of September and October 2005. Public workshops were held in the Council Headquarters and in the Tallaght Library Meeting Room which were open to all to attend. An A3 booklet of the display boards was available for public viewing in Tallaght Library and the booklet could be purchased for 10. This booklet was also available on the Council website.</p> |
| 27 th March 2006 | <p>An outline of the Tallaght Town Centre Proposed Local Area Plan was presented to the Tallaght Local Area Committee Meeting.</p> |
| 10 th April 2006 | <p>The Elected Members of the Council made the decision to put the Tallaght Town Centre Proposed Local Area Plan on display on the 10th of April 2006.</p> |
| 13 th April-24 th May | <p>The Tallaght Town Centre Proposed Local Area Plan was put on public display.</p> |

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| | <p>The statutory phase of public consultation of the Proposed Local Area Plan and the Environmental Report commenced on the 13th April and continued up to the 24th May 2006. On four days during those 6 weeks, the display of the Proposed Local Area Plan in the Council buildings was supported by Planners between the hours of 11 a.m. and 8 p.m. to assist in answering queries. During the remainder of the display, a Planner was available to address those queries made by calling to the Planning Department or by phone. A CD Rom of the Plan was provided free of charge where people wished to consider it in their own time and the Plan was accessible on the Council website.</p> |
| June 2006 | <p>All submissions and observations to the Tallaght Town Centre Proposed Local Area Plan were acknowledged. The Manager's Report was prepared; the persons who made submissions or observations were listed, the issues raised by the persons in the submissions or observations were summarised and recommendations were made by the Manager in relation to the issues raised.</p> |
| July 2006 | <p>Following consideration of the Tallaght Town Centre Proposed Local Area Plan at the Council meeting on the 17th July 2006, the Elected Members made 40 amendments to the proposed Local Area Plan, one of which was considered to be a material alteration. The proposed material alteration (variation) applied only to the Whitestown Precinct.</p> |
| August 2006 | <p>The Variation to the Proposed Tallaght Town Centre Local Area Plan was displayed in the Council Headquarters from the 4th August 2006 to the 1st September 2006 (inclusive). The Variation was also available on the Council website.</p> |

4.0 Submissions to the Tallaght Town Centre Proposed Local Area Plan

List of persons who made submissions or observations and Summary of the issues raised

The persons, groups and organisations who made submissions on the Variation to the Proposed Local Area Plan are listed below. The following report summarised the issues raised in the submissions or observations and provides the Manger's response. Following an assessment of the relevant issues under Positive and Negative impacts of the proposed Variation in Section 5, the Manager's recommendation in relation to the proposed Variation is then outlined.

- * Submission No. 1: Kathleen Ryan
- * Submission No. 2: John Spain Associates on Behalf of Aldi Stores
- * Submission No. 3: Tom Phillips and Associates on behalf of Jacob Fruitfield
- * Submission No. 4: South Dublin Chamber of Commerce
- * Submission No. 5: Department of Defence

| Submission Summary | Submission Comment |
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| <p data-bbox="231 705 687 734">Submission No. 1: Kathleen Ryan</p> <p data-bbox="231 772 767 837">Supports the variation for the following reasons</p> <p data-bbox="231 880 722 945">Already sufficient zoned land in the Development Plan and the Masterplan.</p> <p data-bbox="231 1379 788 1444">Need to monitor and review the situation in 2009.</p> | <p data-bbox="810 880 1342 1301">While there is a significant amount of land that can accommodate residential use in the Tallaght Town Centre Local Area Plan, the Plan does not propose specific development like a planning application would. Decisions to apply for permission to develop are at the discretion of individual landowners in the future. To safeguard against too much residential development, the Plan has set an upper limit for apartments over the Plan period (six years).</p> <p data-bbox="810 1379 1358 1906">The redevelopment of the Whitestown Precinct is scheduled for Phase IV i.e. 2009 – 2012. Following a resolution by the Elected Members, the Plan now has a commitment to a review in 2009 in relation to the number of residential developments granted and built under the Plan and the delivery of the key infrastructural requirements. While the review will concentrate on the Plan period starting in 2006, it will also include the developments permitted between 2000 and 2006. The process will be part of the statutory review undertaken during the next Pre-Development Plan Review.</p> |

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| <p>Will give the Council the powers to refuse tower blocks.</p> <p>Variation is valid and in accordance with the Development Plan.</p> | <p>The height proposed for the Whitestown Precinct is the same with or without the proposed variation as the variation only refers to use zoning.</p> <p>Noted.</p> |
| <p>Submission No.2: John Spain Associates on Behalf of Aldi Stores</p> <p>Requests that the Council further amend the Local Area Plan</p> <p>An amendment is sought to recognise the suitability of their clients site for discount food-store development to serve the surrounding area. Having sought site to compliment their store on Belgard Road, a planning application on their Whitestown site was refused by the Council.</p> | <p>The zoning of the Whitestown as Employment and Enterprise does not preclude a discount store. The planning application was refused for the following reason; <i>“Having regard to the close proximity of the proposed development to the Killinarden and Aylesbury Local Centres, it is considered that the proposal would have a negative impact on the future viability of these centres. To grant permission for this proposal would therefore contravene Policy S.1 at section 2.5.1 of the South Dublin County Development Plan 1998 and would be in contravention of the zoning objective of both local centres which is 'to protect, provide for, and improve local centre facilities'.”</i></p> |
| <p>Submission No. 3 : Tom Phillips and Associates on behalf of Jacob Fruitfield</p> <p>Requests the deletion of the proposed variation for the following reasons</p> <p>The reasons for rezoning, as argued strongly in the previous submission, still apply.</p> | <p>The previous submission from the consultants argued for an extended residential zone, an increased plot ratio and</p> |

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| <p>The consolidation of the Groups operation to the Belgard Road site is designed to ensure it's continued viability and growth and is considered essential in order to protect employment (currently at 450 employees and with an annual payroll of 20 million euro).</p> <p>The zoning as currently proposed will diminish the potential value of the site and as a consequence directly impact on the viability of the Jacob Fruitfield Food Group.</p> <p>The viability of the Group is a proper planning consideration as it is directly related to the retention and creation of employment.</p> <p>The members concerns in relation to the quality of any residential development can be assured by the preparation of a detailed Masterplan prior to any application.</p> <p>Requests that the "error" in designating the site in Map 5.2.2. for two storey development should be corrected to read four storey and thus allow for a six storey gateway building</p> | <p>an earlier phasing of the development than was proposed in the Plan (the previous Plan proposal was carefully considered and aimed at a well balanced mix and phasing which optimised the potential of the site in the context of the overall Plan).</p> <p>Noted.</p> <p>Noted.</p> <p>Noted.</p> <p>Noted.</p> <p>The Plan as originally circulated included Map 5.2.2. indicating a height of two storeys for the land between the N81 and the Whitestown Road (apart from the Arena site where the height was five storeys). The Plan was accompanied by an errata slip indicating that the building height for this area should read four storeys. The map on public display during the consultation stage between the 13th April and the 24th May 2006 reflected this change as will the final version of the Plan when published.</p> |
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| <p>The submission is accompanied by a letter from the Group Chief Executive stating that the long term survival of this manufacturing operation in a difficult environment is dependant on strengthening their balance sheet in order to allow them to invest in the business to improve competitiveness (i.e. equipment and training). The consolidation of the Group on the Jacobs site will allow the disposal of the Fruitfield site, reduce the level of debt of the operating group and generate the funds to finance the investment. The letter indicates that the move has been subject to comprehensive consultation with their employees who are supportive of their efforts to build the operation.</p> <p>In relation to the potential loss of employment on the Fruitfield site, it is considered that the proposed emphasis on medium intensity commercial/industrial use will more than compensate for any localised employment reduction arising from the 45 staff relocating to the Jacob site.</p> | <p>Noted.</p> <p>Noted.</p> |
| <p>Submission No. 4: South Dublin Chamber of Commerce</p> <p>Request that the Whitestown precinct should not be removed from the plan for the following reasons</p> <p>Supports the mixed use classification and high density mixed use being utilised in the gateways to Tallaght town centre areas, such as Whitestown. These areas play a key role in defining and delineating the town centre and their function and development should be similar to the role of the town centre.</p> <p>Re-development of parts of Whitestown offers an opportunity to increase employment, in particular, in the service industry. This would be in keeping with</p> | <p>The original Proposed Local Area Plan envisaged Whitestown as primarily an Employment and Enterprise area with only part of the N 81 section allowing residential development.</p> <p>Noted.</p> |

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| <p>the strategy of our County Development Plan 2004 – 2010.</p> <p>The opportunity to live and work in the same area offers a boost to business and a much higher quality of life for those currently commuting several hours a day.</p> <p>We need an additional population for Tallaght Towncentre to be vibrant and enriching. The 2006 census published last month revealed that 4,000 less people are living within 1 mile of the centre of Tallaght than in 1996.</p> | <p>Noted.</p> <p>Noted.</p> |
| <p>Submission No. 5: Department of Defence</p> <p>No objection subject to the height restrictions as advised in regards Casement Aerodrome being adhered to.</p> | <p>The heights of all development in the area is governed by Council policy on Casement Aerodrome as contained in Schedule 4 of the County Development Plan 2004-2010.</p> |

5.0 Manager's Recommendation

The proposed Tallaght Town Centre Local Area Plan is required to guide the future development of Tallaght Town Centre over the period to 2012, i.e. for the next 6 years. Development permitted during this period could be built over the period to 2016, i.e. over the next ten years.

Given the statutory processes required for a Local Area Plan, including pre-plan consultation which took place during February/March and September 2005, preparation of a Strategic Environmental Assessment (SEA) report and proposed Plan consultation during April-May 2006, it has taken more than 18 months to prepare the current proposed Local Area Plan document, which now includes almost 40 proposed changes in response to the most recent round of public consultation.

The Plan proposes making provision for high quality residential development on part (approximately half of) the vacant 'Fruitfield' site on the southern side of the N81 adjoining the 'Nestle' site which is currently being developed, but on a **strictly phased basis**. The eastern half of the Fruitfield site adjoins existing residential development and will facilitate improved vehicular and pedestrian connections between the maturing employment area of Whitestown across the N81 and the Town Centre. The extent of residential development envisaged is a maximum of 4 storeys generally and this is

intended to be a scaling down from the adjoining development on the corner at the junction of the N81 and Whitestown Way.

The Plan proposes phasing development of this area **no earlier than 2009**. The proposed Plan commits to a mid-term review during 2009, which would allow the decision to include the site in question to be reviewed in the light of ongoing levels of development and infrastructure provision. This mid-term review of the Tallaght Plan will coincide with the initial review of the County Development Plan, which must result in a draft County Development Plan by the end of August 2009 i.e. in three years time.

The strong reasons for including the possibility of some residential development on the site in question in the current proposed Plan, rather than postponing any consideration until the Development Plan review in 2009 are as follows:-

- The proposed Plan must cover the next 6 year period and cannot be limited to 3 years. This is especially critical given the time it has taken to prepare a detailed plan of this nature (i.e. 18 months +);
- If the site in question is not considered until 2009, the current proposed Plan would more quickly become out of date and there would be no detailed Plan for the site in place until the whole Plan could be fully reviewed again i.e. in 5-6 years time;
- Excluding a site that is seen as well located in most cases vacant and for which there is currently considerable development pressure, limits the control the Planning Authority may have i.e. given Regional Demand for housing, An Bord Pleanála may grant permissions contrary to the County Development Plan (as at St.Loman's in Lucan), but would not be bound by the quality (unit size, security, playground etc.) requirements of the proposed Plan. This would in turn undermine the Plan as a whole;
- Including the site and **phasing it** in Plan, allows the Planning Authority to retain greater control over when and how it may be developed. It is critical to note that the order of phasing is both a lawful development plan objective and a valid, non-compensatable reason for refusal of planning permission. Simply excluding the site is a weaker position that will ultimately result in uncertainty for several years;
- The proposed Plan includes a mid-term review, which coincides with the County Development Plan review. This is a preferable means of addressing any unexpected issues that may arise in the meantime;
- Having a phased plan in place will allow service providers such as the Department of Education and the Health Service Executive to plan for future provision and facilitate the time and scope to negotiate with landowners for sites and/or floorspace for future facilities;
- Having a phased plan in place that is also dependent on infrastructure, i.e. roads, may result in landowners actually ensuring the provision of that infrastructure, where possible, to allow them to develop at the appropriate point in time, i.e. when phased;

- Planning for the next 6 years on a phased basis offers more certainty to all i.e. the community, landowners, developers, architects, An Bord Pleanala and avoids short-term uncertainty that would otherwise arise.

It is for the above reasons that it advised that the Plan not be amended as proposed in the Variation.

6.0: APPENDIX 1



Whitestown Precinct: