

Comhairle Chontae Atha Cliath Theas

PR/1586/21

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD21A/0247 **Application Date:** 03-Sep-2021
Submission Type: Additional **Registration Date:** 24-Nov-2021
Information

Correspondence Name and Address: Cairn Homes Properties Limited Main Street,
Newcastle, Co. Dublin.

Proposed Development: Demolition of existing derelict dwelling and the
construction of a replacement two storey, four
bedroom detached dwelling (169.97sq.m) together
with all associated landscape, boundary, site and
development works.

Location: Main Street, Newcastle, Co. Dublin.

Applicant Name: Cairn Homes Properties Limited

Application Type: Permission

(CD)

Description of Site and Surroundings:

Site Area

0.1 Hectares.

Site Description

The subject site is located on the south side of Main Street, Newcastle and contains a single storey derelict cottage with a front and rear garden which has become overgrown with vegetation. There are 2 access points to the subject site with a pedestrian access directly off the main street and a gated vehicular access to the side of the dwelling which is overgrown with vegetation.

The site is bound to the west by a recently constructed two storey residential dwelling (SD19A/0129) which fronts onto Main Street, to the east by a single storey residential dwelling ('Anneville'), to the north by Main Street and to the south by lands which have permission for a Strategic Housing Development known as 'Graydon' containing approximately 380 No. residential dwellings. The site is bound by existing hedgerows and trees.

Site Visit

29th September 2021.

Comhairle Chontae Atha Cliath Theas

PR/1586/21

Record of Executive Business and Chief Executive's Order

Proposal:

The proposed development involves:

- Demolition of the existing derelict dwelling on the site (60.75sq.m);
- Construction of a replacement, two storey, four bedroom detached dwelling house with a gross floor area of 169.97sq.m and a maximum overall height of 9.4m;
- Relocation of the existing vehicular entrance and construction of a new boundary wall with a new driveway entry formed at the western edge of the frontage onto Main Street;
- Provision of 2 car parking spaces in the curtilage to the front of the proposed dwelling;
- Provision of a rear garden with a south facing aspect;
- Boundary treatments including concrete post and panel fences to the east and west and a solid block wall to the rear (south); and
- All associated landscape, boundary, site and development works.

Zoning:

The northern part of the subject site is subject to zoning objective 'RES' - *'To protect and/or improve residential amenity'*. The southern part of the site is subject to zoning objective 'RES-N' – *'To provide for new residential communities in accordance with approved area plans'*.

The subject site is located within the administrative boundary of the *Newcastle Local Area Plan*. The site is identified in the LAP as being within Neighbourhood 1: Main Street (East).

Consultations:

Water and Drainage Operations:	Additional Information Required.
Environment:	Additional Information Required.
Dep. HLG&H:	No report received
Parks:	No objection, subject to conditions.
Roads Department:	Additional information required.
Heritage Officer:	No report received
Irish Water:	No report received
Chef Fire Officer:	No report received

Comhairle Chontae Atha Cliath Theas

PR/1586/21

Record of Executive Business and Chief Executive's Order

SEA Sensitivity Screening

Indicates overlap with:

- Record of Monuments and Places - DU020-003 - Newcastle Village
- Areas of Archaeological Potential
- Sites of Geological Interest

Submissions/Observations /Representations:

Submission expiry date – 06/10/2021 - No submissions or objections received.

Relevant Planning History:

Subject site

None recorded for the subject site.

Adjacent/nearby sites

ABP Ref. 305343-19 – Lands at Newcastle South & Ballynakelly, Newcastle, Co. Dublin.

(1) The demolition of 5 structures on site, total area measuring 359sq.m, comprising 2 habitable dwellings and 3 associated outbuildings/sheds located to the northwest of the site; (2) development of 406 residential homes; (3) a childcare facility (518sq.m GFA); (4) 1 commercial unit (67.7sq.m GFA); (5) reservation of a school site (1.5ha); (6) new vehicular, cycle and pedestrian access from Main Street; (7) continuation of Newcastle Boulevard forming part of a new east-west link street; (8) a new Public Park (2ha); (9) pocket parks and greenway together with associated internal access roads, pedestrian and cycle paths and linkages; (10) 1 single storey marketing suite (81sqm) and signage (including hoarding) during the construction phase of development only and (11) all associated site and development works. The overall site comprises lands to the south of Main Street (c.15ha) together with 3 additional infill sites at the corner of Burgage Street and Newcastle Boulevard (c. 0.8ha); No. 32 Ballynakelly Edge (c.0.05ha); and Ballynakelly Rise (c.0.18ha).

Permission Granted, subject to conditions.

SD20A/0186 – Lands at Newcastle South & Ballynakelly, Newcastle, Co. Dublin.

Option of the inclusion of an ancillary single storey garden room structure (c.12.5 sq m) in gardens of permitted dwellings under planning Reg. Ref. ABP-305343-19. **Permission Granted, subject to conditions.**

SD20A/0037 – Main Street Newcastle, Co. Dublin

Demolition of 3 existing structures on site (total c.226sq.m) comprising of 1 habitable house and 2 associated outbuildings/sheds (permitted under Ref. ABP-305343-19), and the construction of 1 double storey (c.9.2m overall height) retail development in the form of a convenience supermarket

Comhairle Chontae Atha Cliath Theas

PR/1586/21

Record of Executive Business and Chief Executive's Order

(GFA c.1,759sq.m); 1 two storey mixed-use building (c.10.7m overall height) comprising of a café (c.225sq.m) at ground floor and a community centre at the first floor (c.140sq.m) with associated ground floor access (total GFA c.468sq.m); an ESB sub-station (c.22sq.m); the anchor supermarket unit will provide for a net retail sales area of c.1,222sq.m; a warehouse of c.200sq.m; welfare area of c.190sq.m including ancillary office accommodation; a delivery and loading dock; service yard; customer lobby and wc and entrance lobby; the development shall also provide for 98 car parking spaces and 50 bicycle parking spaces; advertising structures and signage (totalling c.81sq.m); new pedestrian and cyclist connections; public realm areas; refuse storage; a trolley shelter; new priority controlled junction at Main Street; a new access road and shared pedestrian/cyclist greenlink from Main Street (permitted under Ref. ABP-305343-19); vehicular entrances to the surface car park and service yard; all associated site development, site services and landscape works at Lands at Main Street, Newcastle, Co. Dublin, bordered by Main Street to the north, Orchard Grove to the east, greenfield land to the south and residential properties fronting Main Street to the west (new road will be adjacent to 1 Main Street, Newcastle, Co. Dublin.) **Permission Granted, subject to conditions.**

SD20A/0343 – Lands at Main Street, Newcastle

Amendments to a previously permitted development (Reg SD20A/0037); relocation of the staff welfare and ancillary office accommodation to a new approx. 192sq.m first floor mezzanine level within the permitted anchor supermarket unit; relocation of the staff welfare and office accommodation to mezzanine level will allow for additional warehouse floor space at the ground floor level (approx. 150sq.m increase; there is no proposed increase to the net retail floor space; external amendments to the permitted elevations including glazing and material changes; 2 roof lights will also be provided at roof level; no other changes are proposed to the anchor supermarket unit or the remainder of the development permitted under Reg. SD20A/0037. **Permission Granted, subject to conditions.**

SD19A/0129 – Main Street, Newcastle, Co. Dublin

Demolition of derelict dwelling on site and the construction of a replacement two storey, five bedroom detached dwelling house (215.2 sq. m) together with all associated landscape, boundary, site and development works. **Permission Granted, subject to conditions.**

SD16A/0117 / ABP Ref. PL06S.246817 – Aylmer Heath, Newcastle, Co. Dublin.

The demolition of a derelict football club clubhouse (129sq.m.) and the construction of 49 two storey dwellings comprising 26 three bed-room semi-detached dwellings, 5 three bed-room detached dwellings, 2 two bed-room semi-detached dwellings and 16 three bed-room terrace dwellings (all with roof mounted solar collector panels); new vehicular access points, internal roads and footpaths, a new public open space area, boundary treatments, hard and soft landscaping treatments; a total of 95 car parking spaces (59 off curtilage spaces and 36 in curtilage spaces) and associated site development works above and below ground. The site is split in two land parcels: the larger parcel of land is bounded to the northeast by agricultural land and to the east, southeast

Comhairle Chontae Atha Cliath Theas

PR/1586/21

Record of Executive Business and Chief Executive's Order

and northwest by existing residential development. The smaller parcel of land is bounded to the north, east and west by existing residential development and to the southwest by Main Street. The proposed development represents the completion of the Aylmer Heath residential development previously permitted under Reg. Ref. SD04A/0936, which was subsequently amended under SD07A/0049. **SDCC Decision - Permission Granted, subject to conditions.** The decision of South Dublin County Council was subject to a First and Third Party Appeal to An Bord Pleanála (ABP Ref. PL06S.246817). **ABP Decision – Permission Granted, subject to conditions.**

SD10A/0146 – Annevilla, Main Street, Newcastle, Co. Dublin.

5 detached bungalows and all associated drainage and site development works, landscaping and ancillary works to include 3 new vehicular entrances from Burgage Street. **Outline Permission Refused.**

SD08A/0312 – Main Street, Newcastle, Co. Dublin

3 houses comprising 1 4-bedroom detached house with own vehicular access from Main Street and 2 3-bedroom 2 storey semi-detached houses each with vehicular access from Burgage Lane North; and all associated drainage and site works, landscaping and ancillary works on an overall site area of 0.0904hectares. **Permission Granted, subject to conditions.**

SD05A/0344 / PL 06S.217096 and SD05A/0344/EP – Lands at Ballynakelly and Newcastle South, Newcastle-Lyons, Co. Dublin.

A residential development of 743 dwellings including a neighbourhood centre of 1,859.2sq.m and a creche of 846sq.m, at Belikely and Newcastle South, Newcastle-Lyons, County Dublin. An eight year planning permission is sought. The development comprises of the following: 78 2-bedroom houses; 209 3-bedroom houses; 27 4-bedroom houses; 10 5-bedroom houses; 5 apartment blocks containing 7 1-bed apartments, 20 2-bed apartments, 12 3-bed apartment, 4 2-bed duplex units and 2 3-bed duplex units; 57 duplex blocks containing 48 2-bedroom duplex units, 151 3-bed duplex units, 52 1-bedroom apartments and 123 2-bedroom apartments. The neighbourhood centre comprises of 5 retail units from 69sq.m., 84sq.m., 90.5sq.m., 101sq.m. and 134sq.m.; public house measuring 935.4sq.m., off licence measuring 189sq.m. and restaurant measuring 255sq.m. The proposed development also provides for 4.155ha of public open space including the provision of a landscaped area adjoining the Tower House on the Athgoe Road; roads infrastructure including 3 junctions with Newcastle-Lyons Main Street (R120 Rathcoole Road) and 1 junction with Athgoe Road; on and off street car parking; and provision of lands for a traveller accommodation site measuring 0.5 ha; on an overall site of 22.789 hectares; planning permission is also sought for the demolition of 2 habitable dwellings. This planning application is accompanied by an Environmental Impact Statement (EIS). **SDCC Decision:** Permission Granted, subject to conditions. **ABP Decision:** Grant Permission with amended conditions and removed conditions. SDCC subsequently granted extension of duration of permission.

Comhairle Chontae Atha Cliath Theas

PR/1586/21

Record of Executive Business and Chief Executive's Order

Relevant Enforcement History:

None recorded for subject site.

Pre-Planning Consultation:

None recorded.

Relevant Policy in South Dublin County Council Development Plan 2016-2022:

Policy H6 Sustainable Communities

It is the policy of the Council to support the development of sustainable communities and to ensure that new housing development is carried out in accordance with Government policy in relation to the development of housing and residential communities.

Policy H7 Urban Design in Residential Developments

It is the policy of the Council to ensure that all new residential development within the County is of high quality design and complies with Government guidance on the design of sustainable residential development and residential streets including that prepared by the Minister under Section 28 of the Planning & Development Act 2000 (as amended).

Section 2.3.0 Quality of Residential Development

Policy H11 Residential Design and Layout

It is the policy of the Council to promote a high quality of design and layout in new residential development and to ensure a high quality living environment for residents, in terms of the standard of individual dwelling units and the overall layout and appearance of the development.

Policy H13 Private and Semi-Private Open Space

It is the policy of the Council to ensure that all dwellings have access to high quality private open space (incl. semi-private open space for duplex and apartment units) and that private open space is carefully integrated into the design of new residential developments.

Policy H14 Internal Residential Accommodation

It is the policy of the Council to ensure that all new housing provides a high standard of accommodation that is flexible and adaptable, to meet the long term needs of a variety of household types and sizes.

Policy H15 Privacy and Security

It is the policy of the Council to promote a high standard of privacy and security for existing and proposed dwellings through the design and layout of housing.

Comhairle Chontae Atha Cliath Theas

PR/1586/21

Record of Executive Business and Chief Executive's Order

Policy H17 – Residential Consolidation:

It is the policy of the Council to support residential consolidation and sustainable intensification at appropriate locations, to support ongoing viability of social and physical infrastructure and services and meet the future housing needs of the County.

H17 Objective 1

To support residential consolidation and sustainable intensification at appropriate locations and to encourage consultation with existing communities and other stakeholders.

H17 Objective 7

To support and facilitate the replacement of existing dwellings with one or more replacement dwellings, subject to the protection of existing residential amenities and the preservation of the established character (including historic character and visual setting) of the area (see Section 9.1.4 Older Buildings, Estates and Streetscapes).

Policy HCL2 Archaeological Heritage

Policy HCL5 Older Buildings, Estates and Streetscapes

Section 11.2.1 Design Statements

Section 11.2.7 Building Height

Section 11.3.1 Residential

Section 11.3.1 (iv) Dwelling Standards

Table 11.20: Minimum Space Standards for Houses

Section 11.3.1 (v) Privacy

Section 11.3.2 Residential Consolidation

Section 11.3.2 (i) Infill Sites

Development on Infill sites should meet the following criteria:

- *Be guided by the Sustainable Residential Development in Urban Areas – Guidelines for Planning Authorities DEHLG, 2009 and the companion Urban Design Manual.*
- *A site analysis that addresses the scale, siting and layout of new development taking account of the local context should accompany all proposals for infill development. On smaller sites of approximately 0.5 hectares or less a degree of architectural integration with the surrounding built form will be required, through density, features such as roof forms, fenestration patterns and materials and finishes. Larger sites will have more flexibility to define an independent character.*

Comhairle Chontae Atha Cliath Theas

PR/1586/21

Record of Executive Business and Chief Executive's Order

- *Significant site features, such as boundary treatments, pillars, gateways and vegetation should be retained, in so far as possible, but not to the detriment of providing an active interface with the street.*
- *Where the proposed height is greater than that of the surrounding area a transition should be provided (see Section 11.2.7 Building Height).*
- *Subject to appropriate safeguards to protect residential amenity, reduced open space and car parking standards may be considered for infill development, dwelling sub-division, or where the development is intended for a specific group such as older people or students. Public open space provision will be examined in the context of the quality and quantum of private open space and the proximity of a public park. Courtyard type development for independent living in relation to housing for older people is promoted at appropriate locations. Car parking will be examined in the context of public transport provision and the proximity of services and facilities, such as shops.*
- *Proposals to demolish a dwelling(s) to facilitate infill development will be considered subject to the preservation of the character of the area and taking account of the structure's contribution to the visual setting or built heritage of the area.*

Section 6.4.4 Car Parking

Policy TM7 Car Parking

Section 11.4.2 Car Parking Standards

Table 11.24: Maximum Parking Rates (Residential Development)

Section 11.4.3 Car Parking for Electric Vehicles

Section 11.4.4 Car Parking Design and Layout

Section 11.4.5 Traffic and Transport Assessments

Section 7.1.0 Water Supply & Wastewater

Policy IE1 Water & Wastewater

It is the policy of the Council to work in conjunction with Irish Water to protect existing water and drainage infrastructure and to promote investment in the water and drainage network to support environmental protection and facilitate the sustainable growth of the County

Section 7.2.0 Surface Water & Groundwater

Policy IE2 Surface Water & Groundwater

It is the policy of the Council to manage surface water and to protect and enhance ground and surface water quality to meet the requirements of the EU Water Framework Directive.

Section 7.3.0 Flood Risk Management

Comhairle Chontae Atha Cliath Theas

PR/1586/21

Record of Executive Business and Chief Executive's Order

Policy IE3 Flood Risk

It is the policy of the Council to continue to incorporate Flood Risk Management into the spatial planning of the County, to meet the requirements of the EU Floods Directive and the EU Water Framework Directive.

Section 8.0 Green Infrastructure

Policy G1 Overarching

Policy G1 Green Infrastructure Network

Policy G3 Watercourses Network

Policy G4 Public Open Space and Landscape Setting

Policy G5 Sustainable Urban Drainage Systems

Policy G6 New Development in Urban Areas

Section 9.3.1 Natura 2000 Sites

Policy HCL12 Natura 2000 Sites

Section 11.6.1 (i) Flood Risk Assessment

Section 11.6.1 (ii) Surface Water

Section 11.6.1 (iii) Sustainable Urban Drainage System (SUDS)

Section 11.6.1 (iv) Groundwater

Section 11.6.1 (v) Rainwater Harvesting

Section 11.6.1 (vi) Water Services

Section 11.7.2 Energy Performance in New Buildings

Section 11.8.1 Environmental Impact Assessment

Section 11.8.2 Appropriate Assessment

Relevant Government Guidelines:

Project Ireland 2040 National Planning Framework, Government of Ireland, 2018.

Sustainable Residential Development in Urban Areas: Guidelines for Planning Authorities, Department of the Environment, Heritage and Local Government (2008).

Urban Design Manual: A Best Practice Guide, A Companion Document to the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, Department of the Environment, Heritage and Local Government, (2008)

Quality Housing for Sustainable Communities: Best Practice Guidelines, Department of the Environment, Heritage and Local Government, (2007).

Comhairle Chontae Atha Cliath Theas

PR/1586/21

Record of Executive Business and Chief Executive's Order

Urban Development and Building Heights: Guidelines for Planning Authorities, (2018).

Design Manual for Urban Roads and Streets, Department of the Environment, Community and Local Government and Department of Transport, Tourism and Sport, (2013).

Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities, Department of the Environment, Heritage and Local Government, (2009)

The Planning System and Flood Risk Management - Guidelines for Planning Authorities, Department of the Environment, Heritage and Local Government & OPW, (2009).

Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice, Building Research Establishment, (1991).

Assessment:

The main issues for assessment are:

- Zoning and Council policy
- Compliance with the Newcastle Local Area Plan
- Visual impact, design and residential amenity
- Internal Accommodation
- Access and Parking
- Landscaping and Boundary Treatment
- Archaeology
- Heritage
- Services & Drainage

Zoning and Council Policy

The subject site is situated within the 'RES' zoning objective which seeks 'To protect and/or improve residential amenity' and the 'RES-N' zoning objective which seeks 'To provide for new residential communities in accordance with approved area plans.'

Policy H17 Objective 7, of the County Development Plan seeks 'to support and facilitate the replacement of existing dwellings with one or more replacement dwellings, subject to the protection of existing residential amenities and the preservation of the established character (including historic character and visual setting) of the area (see Section 9.1.4 Older Buildings, Estates and Streetscapes).'

The principle of a replacement dwelling along Main Street is accepted in principle, subject to compliance with design and residential amenity (discussed under 'visual impact, design and residential amenity' below) and considering the site-specific context.

Comhairle Chontae Atha Cliath Theas

PR/1586/21

Record of Executive Business and Chief Executive's Order

Compliance with Newcastle Local Area Plan 2012 (As extended)

The subject site is governed by the *Newcastle Local Area Plan 2012 (as extended)*. The following is an assessment of the proposed development having regard to the key policies and objectives outlined in the Newcastle LAP.

Section 5.3.4, Objective G17.

Section 5.3.4 requires the retention, incorporation and reinstatement of the burgage plot field system and townland boundaries. Specifically, Objective G17 states that it is an objective of the Local Area Plan to:

'Protect the historic burgage plot boundary and townland delineations (including townland boundaries to the Glebe, Ballynakelly Newcastle South and Commons Little) around Newcastle Village including their associated hedgerows and ditches'.

An Arboricultural Report, existing and proposed Landscape Masterplan and Planting Plan have not been submitted with the Planning Application. It is therefore difficult to fully assess the potential impact of the proposed development on the Burgage plot boundaries, in this regard additional information may be required from the Applicant to fully assess the proposed development's compliance with Objective G17 of the Newcastle LAP.

Objective GI21

Objective GI21 of the Newcastle LAP states:

'An Archaeological Assessment Report shall be submitted with all planning applications within the Zone of Archaeological Potential. All such reports shall fully assess the archaeological implications of the proposed development. Where archaeological features are discovered it shall be demonstrated how the design and layout of the development protects, incorporates and enhances these features'.

In accordance with Objective GI21, an Archaeological Assessment Report is a requirement for all planning applications. This has not been submitted. The Applicant has therefore failed to demonstrate the compliance of the proposed development with Objective GI21 of the Newcastle LAP.

Objective GI28

Objective GI28 of the Newcastle LAP states:

'To require the submission of a Bat Survey as part of every planning application for development (excluding house extensions) within the Plan Lands and require the implementation of appropriate mitigation measures that ensure for the protection of bats and their habitats.'

Comhairle Chontae Atha Cliath Theas

PR/1586/21

Record of Executive Business and Chief Executive's Order

Objective GI28 requires a Bat Survey to be submitted with all planning applications. A Bat survey letter has been submitted. The Applicant has therefore complied with the requirements of Objective GI28 of the Newcastle LAP. The content of the Bat Survey will be assessed in further detail under the relevant sections below.

Objective GI30

Objective GI30 of the Newcastle LAP states that it is an objective of the Council to:

'To encourage the planting of native species to reinforce the natural habitats of bats within Newcastle and its environs'.

The Applicant has not submitted an existing or proposed Planting Plan and Landscape Masterplan. The Applicant has therefore failed to demonstrate the compliance of the proposed development with Objective GI30 of the Newcastle LAP.

Objective AM12

Objective AM12 of the Newcastle LAP states that it is an objective of the Council to:

'Assess all interfaces between proposed new developments, existing housing development and undeveloped lands at planning application stage and to ensure that all proposed development integrates and addresses existing development and undeveloped land especially residential development and open spaces in a manner that creates the opportunity for more permeable layouts and encourages passive and active surveillance of streets and spaces.'

Whilst the Planning Authority acknowledge that the subject site is located along an area of Main Street which is primarily residential in nature, concerns arise regarding the interface between the proposed development and the adjacent public realm and lands to the rear. In particular, the Planning Authority is concerned that little information has been provided regarding the landscape design and planting plan associated with the proposed development and the potential for the proposed development to result in a disjointed building line along Main Street. These concerns can be addressed through a request for **Additional Information**.

Objective BF1(b)

Objective BF1(b) of the Newcastle LAP states that:

'The pursuance and improvement in appearance of unkempt sites through derelict sites legislation shall be supported especially unkempt sites that front roads/streets and Main Street in particular'.

The Planning Authority welcomes the principle of the proposed development at the subject site. The proposed development is generally in compliance with Objective BF1(b) of the Newcastle LAP. However, some concerns arise regarding the siting and design of the proposed development. These concerns will be detailed further throughout this Report.

Comhairle Chontae Atha Cliath Theas

PR/1586/21

Record of Executive Business and Chief Executive's Order

Objective MSE1

Objective MSE1 of the Newcastle LAP states that:

'Development along Main Street shall include for public realm improvements to include planting of indigenous trees, widening of footpaths and provision of robust street furniture'.

The subject site is located along Main Street. No details of proposed planting or details of the relationship between the proposed entrance arrangement and the adjacent public realm have been included with the Planning Application. The Applicant has therefore failed to demonstrate compliance with Objective MSE1 of the Newcastle LAP. Additional Information.

Objective MSE9

Objective MSE9 of the Newcastle LAP states that:

'All infill development along Main Street and redevelopment (where possible) shall provide for direct frontage onto Main Street with ample footpath provision and on-street parking'.

The subject site is located along Main Street. However, the Planning Authority is satisfied that the subject site is not located in the heart of Newcastle Village and thus it is generally acceptable. Nonetheless, concerns arise regarding the creation of a disjointed building line along this area of Main Street. Further details in relation to these concerns are outlined further in this Report.

Neighbourhood 1: Main Street (East)

As outlined in Section 6.2 of the Newcastle's LAP, the subject site is located in Neighbourhood 1: Main Street (East).

In relation to Green Infrastructure within Neighbourhood 1: Main Street (East), Section 6.2.1 of the Newcastle LAP states that:

'Development along Main Street will include for public realm improvements to include for the planting of indigenous trees and the widening of footpaths. Such improvement will help calm traffic, improve the visual setting of the streetscape and encourage accessible pedestrian movement'.

As no details have been provided by the Applicant in relation to the proposed landscape and planting plan and the relationship between the proposed vehicular entrance and the adjacent public footpath, it is difficult to assess the proposed development's compliance with Section 6.2.1 of the Newcastle LAP.

In relation to Built Form within Neighbourhood 1: Main Street (East), Section 6.2.4 of the Newcastle LAP states that:

Comhairle Chontae Atha Cliath Theas

PR/1586/21

Record of Executive Business and Chief Executive's Order

'Development along Main Street will directly face the street and create a strong edge with on-street parking where possible. Building heights will be two storeys in height with opportunity for a 9 to 12 metre high element at Bealtaine Square'.

Whilst the proposed infill development generally complies with Section 6.2.4 of the Newcastle LAP, the Planning Authority is concerned that the siting and orientation of the proposed dwelling may result in the creation of a disjointed building line along Main Street. Additional Information.

Visual Impact, design and residential amenity

The proposed development would involve the demolition of an existing derelict single storey dwelling and the construction of a two storey, four-bedroom detached dwelling with a gross floor area of 169.97sq.m. The Planning Authority welcomes the development of the subject site which is currently comprised of a single storey dwelling that has fallen into a state of disrepair. The proposed infill development of the subject site will represent a positive addition to the streetscape along Main Street, which is in compliance with Objective BF1(b) of the Newcastle LAP.

The site is presently considered to detract from the existing visual amenity and streetscape. The structure is in a dilapidated state. The proposed dwelling appears to be of a high-quality design which would result in the positive regeneration of this prominent site along Main Street, Newcastle. The maximum height of the proposed two storey dwelling would be 9.4m, with an open roof gable profile, with an intersecting hip and single storey element along the western elevation. This is generally considered acceptable to the Planning Authority.

It is noted that the eastern elevation of the proposed dwelling has no fenestration and the western elevation contains minimal fenestration with 1 window located at ground and first floor levels. The minimisation of fenestration to these elevations is considered acceptable to the Planning Authority as it protects the visual and residential amenity of adjacent properties.

The front façade would have a brick finish, with a centrally positioned door and with bay windows either side located beneath a canopy entrance. The contemporary design of the proposed dwelling is generally considered acceptable to the Planning Authority.

The Planning Authority has concerns regarding the front building line created by the siting and orientation of the proposed dwelling, with specific reference to the adjacent developed sites and its location at an important nodal point, where two roads/streets meet. In particular, it is noted that the proposed dwelling is set back further from the front boundary than the adjacent dwellings to the east and west. Whilst it is acknowledged that the building line at this area of Main Street is not strictly uniform owing to the bend in the road, the Planning Authority is of the opinion that the orientation and siting of the proposed dwelling could be slightly altered to create greater uniformity to the building line and thus strengthen the streetscape in line with Objective MSE9 of

Comhairle Chontae Atha Cliath Theas

PR/1586/21

Record of Executive Business and Chief Executive's Order

the Newcastle LAP. This is an opportunity to realise the highest urban quality at this location. Additional Information.

Overall, the Planning Authority considers that the design of the proposed dwelling will be a positive addition to the streetscape along Main Street and it is not considered that the proposed development would significantly detract from the existing residential amenity of the area, and it would not be likely to give rise to overlooking or to have an overbearing impact to adjacent properties. However, concerns arise regarding the potential disjointed nature of the building line along this area of Main Street, as such the Planning Authority considers that the slight alteration to the orientation and siting of the proposed dwelling could serve to create a more uniform building line and stronger streetscape.

Internal Accommodation

The guidance on internal accommodation within dwellings is detailed in *Quality Housing for Sustainable Communities: Best Practice Guidelines* (2007). The proposed internal accommodation would generally comply with this. Table 11.20 of the County Development states that dwellings with four or more bedrooms should be a minimum of 110sq.m. The proposed dwelling would be a stated 169.97sq.m. This is generally considered acceptable.

The minimum open space requirement for a four-bedroom house is 70sq.m, in accordance with the County Development Plan. Private amenity space indicated appears to comply with this standard.

Access and Parking

A report received from the Roads Department has requested the following information:

1. The Applicant should close the existing vehicular access at the north eastern side of the proposed development and shall indicate this on a planning drawing.
2. The Applicant should provide a Visibility splay demonstrating the sightlines from the proposed vehicular entrance.
3. The Applicant should provide an AutoTRAK/Swept Path Analysis showing vehicular movements entering and exiting the proposed new entrance.

The Roads Department indicates that, should the Planning Authority be minded to Grant Permission for the proposed development, the following conditions should be attached:

- The proposed vehicular access point shall not exceed a width of 3.5 meters.

Comhairle Chontae Atha Cliath Theas

PR/1586/21

Record of Executive Business and Chief Executive's Order

- The boundary walls at vehicle access points shall be limited to a maximum height of 0.9m, and any boundary pillars shall be limited to a maximum height of 1.2m, in order to ensure forward visibility for vehicles.
- The entrance apron shall be widened and dished to the full width of the proposed driveway entrance, and shall be constructed to the satisfaction of South Dublin County Council's Road Maintenance Department, and at the applicant's expense.
- Any gates shall open inwards and not outwards over the public domain.
- All vehicles parked in driveway must exit the site in a forward direction. No vehicles to reverse onto the public roadway.

The Road's Department report is noted.

Landscaping and boundary treatment

A report received from the Parks and Landscape Services/Public Realm Department notes the main concern regarding the proposed development is the impacts of the proposed development on existing trees, hedgerows and local biodiversity. The Report concludes that the Parks and Landscape Services/Public Realm Department has no objection to the proposed development, subject to the following conditions:

- The garden is to be landscaped with a minimum one semi mature tree in the front garden, to compensate for the removal of the existing ash tree. The back garden is to be landscaped with planting as recommended in the bat report, i.e. to include native tree, shrub and plant species to encourage foraging areas for local bat populations.
- External lighting proposals during and post construction shall strictly follow the guidelines set out in the bat report by Bat Eco Services.

Archaeology

An Archaeological Assessment has not been submitted with the planning application. This is a requirement of the Newcastle Local Area Plan as outlined in Objective GI21. The Applicant should be required to submit a detailed Archaeological Assessment Report which fully assesses the archaeological implications of the proposed development. The Report should also outline any necessary archaeological mitigation measures in the event that archaeological material is discovered on the subject site. This can be achieved by way of **condition**.

Heritage

The file was referred to the Heritage Officer for comment, but no report was received at the time of writing this Planning Report.

Comhairle Chontae Atha Cliath Theas

PR/1586/21

Record of Executive Business and Chief Executive's Order

The Newcastle Local Area Plan requires that a Bat Survey be submitted with all planning applications. The applicant has submitted a Bat Survey Letter prepared by Dr Tina Aughney of Bat Eco Services. The letter outlines that survey found that the subject site is not an important location for local bat populations and that the existing dwelling is not a bat roost location and that the proposed development will not have an impact on local bat populations.

A report received from the Parks and Landscape Services/Public Realm Department notes that the recommendations of the bat survey should be implemented by way of condition. It is considered that this is reasonable.

Services and Drainage

Reports received from South Dublin County Council's Drainage and Water Services Department have noted that further information would be required as follows:

1. It is unclear if a soakaway is proposed. If a soakaway is proposed the Applicant should submit a report showing percolation test results for proposed soakaway as per BRE Digest 365 Standards. If a soakaway is proposed the Applicant should submit a drawing showing design details of proposed soakaway as per BRE Digest 365 Standards.
2. If surface water attenuation is proposed the Applicant should submit a drawing showing where a flow control device will be located on the surface water network. It should also be demonstrated what surface water restriction is proposed if this method of flow control is proposed and the Applicant should show the overflow connection up to and including the point of connection to the public surface water sewer. The drawing should also include the location of all AJs, manholes, pipe size, material type and direction of flow.
3. The Applicant should demonstrate the inclusion of water butts in proposed development as part of SuDS (Sustainable Drainage System).

The Drainage and Water Services Department indicated no objection to the proposed development from a Flood Risk point of view provided that the Applicant ensures the following:

- The Developer shall ensure that there is complete separation of the foul and surface water drainage for the proposed development.
- All new precast surface water manholes shall have a minimum thickness surround of 150mm Concrete Class B.

Comhairle Chontae Atha Cliath Theas

PR/1586/21

Record of Executive Business and Chief Executive's Order

- All works for this development shall comply with the requirements of the Greater Dublin Regional Code of Practice for Drainage Works.

Screening for Appropriate Assessment

Having regard to the scale and nature of the development, connection to public services and the distance from Natura 2000 sites, it is considered that 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.

Environmental Impact Assessment:

Having regard to the nature and scale of the proposed development and pursuant to Schedule 5 of the Planning and Development Regulations 2001 (as amended), the proposal is not a class of development for which a mandatory Environmental Impact Assessment Report is required. Additionally, having regard to the distance of the site from nearby sensitive receptors, the need for environmental impact assessment can therefore be excluded at preliminary examination and a screening determination is not required.

Other Considerations

Development Contributions

Proposed dwelling: 169.97sq.m.

SEA Monitoring Information	
Building Use Type Proposed	Floor Area (sq. m.)
Residential – dwelling	169.97sq.m.
Land Type	Site Area (Ha.)
Urban Consolidation	0.1 Ha.

Conclusion

Having regard to the nature and scale of the proposed development, the pattern of development in the surrounding area, the 'RES' and 'RES-N' zoning objectives and the provisions of the South Dublin County Council Development Plan 2016-2022, it is considered that the proposed development is acceptable in principle. However, the Planning Authority has concerns regarding the siting and orientation of the proposed dwelling and the potential resultant impact on the building line and character of the surrounding streetscape.

Furthermore, key information has not been included with the Planning Application which prevents a complete assessment of the proposed development. In this regard, ADDITIONAL INFORMATION is required to facilitate a complete assessment of the proposed development.

Comhairle Chontae Atha Cliath Theas

PR/1586/21

Record of Executive Business and Chief Executive's Order

Recommendation

I recommend that **ADDITIONAL INFORMATION** be requested from the applicant with regard to the following:

1. The applicant is requested to submit revised drawings including a Proposed Site Layout Plan, contiguous elevations demonstrating that the siting and orientation of the proposed dwelling has been altered to create a more uniform building line, in context with adjacent sites, which will contribute to the strengthening of the streetscape along Main Street, Newcastle.
2. The applicant is requested to submit the following:
 - (i) An Arboricultural Impact Assessment and associated drawings.
 - (ii) A proposed Landscape Masterplan which demonstrates that the garden is to be landscaped with a minimum one semi mature tree in the front garden, to compensate for the removal of the existing ash tree and that the rear garden is to be landscaped with planting as recommended in the bat report, i.e. to include native tree, shrub and plant species to encourage foraging areas for local bat populations. Prior to responding to this additional information request the Applicant/Agent shall liaise with the Council's Heritage Officer and submit a letter from the Heritage Officer agreeing mitigation measures.
 - (iii) A proposed Planting Plan which demonstrates the planting of native species to reinforce the natural habitats of bats within Newcastle and its environs.
3. The applicant is requested to submit revised drawings demonstrating that the proposed development is compliance with Section 5.3.4 and Objective G17 of the Newcastle Local Area Plan which requires the retention, incorporation and reinstatement of the burgage plot field system and townland boundaries. Prior to responding to this additional information request the Applicant/Agent shall liaise with the Council's Heritage Officer and submit a letter from the Heritage Officer agreeing the revised design.
4. The Drainage and Water Services Department has requested the following further information:
 - (i) Clarify if a soakaway is proposed. If a soakaway is proposed the Applicant should submit a report showing percolation test results for proposed soakaway as per BRE Digest 365 Standards. If a soakaway is proposed the applicant is requested to submit a drawing showing design details of proposed soakaway as per BRE Digest 365 Standards.
 - (ii) Clarify if surface water attenuation is proposed. If surface water attenuation is proposed the applicant is requested to submit a drawing showing where a flow control device will be located on the surface water network. It should also be demonstrated what surface water restriction is proposed if this method of flow control is proposed and the Applicant should show the overflow connection up to and including the point of connection to the public surface water sewer. The drawing should also include the location of all AJs, manholes, pipe size, material type and direction of flow.
 - (iii) The applicant is requested to demonstrate the inclusion of water butts in proposed development as part of SuDS (Sustainable Drainage System).

Comhairle Chontae Atha Cliath Theas

PR/1586/21

Record of Executive Business and Chief Executive's Order

5. The Roads Department has requested the following additional information:
- (i) The applicant is requested to clearly indicate on a drawing that the existing vehicular access at the north eastern side of the proposed development will be closed, the proposed new vehicular access point shall not exceed a width of 3.5m, that the boundary walls at the vehicular access point shall be limited to a maximum height of 0.9m and any boundary pillars shall be limited to a maximum height of 1.2m, in order to ensure forward visibility for vehicles.
 - (ii) The applicant is requested to provide a Visibility splay demonstrating the sightlines from the proposed vehicular entrance.
 - (iii) The applicant is requested to provide an AutoTRAK/Swept Path Analysis showing vehicular movements entering and exiting the proposed new entrance.

Additional Information

Additional Information was requested on 29th October 2021.

Additional Information was received on 24th November 2021.

The Additional Information received was not deemed to be significant, as such the Applicant was not required to erect a Site Notice or publish a Newspaper Notice.

Submissions/Observations

No submissions / observations received.

Assessment

The following Additional Information was received from the Applicant on 24th November 2021:

- Cover Letter from Cairn Homes Properties Limited dated 24th November 2021.
- Drawing No. 01100(Rev 2) – Proposed Site Layout Plan prepared by Mola Architecture.
- Drawing No. 001200(Rev 2) – Proposed Plans, Section and Elevations prepared by Mola Architecture.
- Arboricultural Report prepared by Charles McCorkerell Arboricultural Consultancy.
- Drawing No. 211109-P-10 – Tree Survey Plan prepared by Charles McCorkerell Arboricultural Consultancy.
- Drawing No. 211109-P-11 – Tree Removals and Protection Plan prepared by Charles McCorkerell Arboricultural Consultancy.

Comhairle Chontae Atha Cliath Theas

PR/1586/21

Record of Executive Business and Chief Executive's Order

- Letter from Murray and Associates Landscape Architecture dated 18th November 2021.
- Letter from IAC Archaeology dated 22nd November 2021.
- Letter from DBFL Consulting Engineers dated 22nd November 2021.
- Drawing No. 210026-DBFL-RD-SP-DR-C-1250 – Sightlines Layout Plan prepared by DBFL Consulting Engineers.
- Drawing No. 210026-DBFL-CS-SP-DR-C-1250 – Site Services Layout prepared by DBFL Consulting Engineers.

The Additional Information provided by the Applicant will be assessed below in the context of the 5 No. items of Additional Information requested by the Planning Authority on 29th October 2021:

Additional Information Item No. 1 – Revised Drawings

The Applicant has provided revised drawings including Site Layout Plan, Plans, Sections and Elevations. The revised drawings show the slight relocation of the proposed dwelling to strengthen the building line along Main Street.

The Planning Authority welcomes the relocation of the proposed dwelling and the subsequent strengthening of the building line along Main Street.

Additional Information Item No. 2 – Arboricultural and Landscape

- (i) The Applicant has submitted an Arboricultural Impact Assessment has been prepared by Charles McCorkell Arboricultural Consultancy. It is noted that the proposed development will result in the loss of an early mature sycamore, a semi-mature ash and a group of young sycamore trees. According to the Arboricultural Impact Assessment:

‘The loss of the aforementioned trees will not have a negative impact on the character and appearance of the surrounding local landscape due to their low quality and limited public amenity value.’

The Planning Authority note and accept the conclusions of the Arboricultural Impact Assessment. However, conditions of permission should be attached to protect remaining trees and landscaping.

Comhairle Chontae Atha Cliath Theas

PR/1586/21

Record of Executive Business and Chief Executive's Order

- (ii) The Applicant has provided a Landscape Plan prepared by Murray and Associates Landscape Architecture.

The Planning Authority note that the proposed landscape design includes the provision of a birch tree in the front garden and native shrub and tree planting to all boundaries of the rear garden.

The Heritage Officer has confirmed that the Additional Information submission by the Applicant is acceptable and there are no objections to the proposed development, subject to conditions.

- (iii) The Planning Authority is satisfied that the proposed Landscape Plan prepared by Murray and Associates Landscape Architecture demonstrates the planting of native species to reinforce the natural habitats of bats within Newcastle and its environs.

Additional Information Item No. 3 – Section 5.3.4 and Objective G17 of the Newcastle Local Area Plan

IAC Archaeology have prepared a response to item No. 3, a copy of which has been provided by the Applicant. The response of IAC Archaeology notes that:

'In summary the existing Burgage Plot boundary layout will be retained and incorporated into the proposed development. All of the side boundaries to the rear garden will comprise a 2.0m high concrete panel fence with concrete posts with a rendered concrete block wall to the rear, with native hedgerow planted in front of them. The existing boundaries to the front are to be retained.'

The Heritage Officer has confirmed that the Additional Information submission by the Applicant is acceptable and there are no objections to the proposed development, subject to conditions. The Planning Authority is satisfied that the proposed development is in compliance with Section 5.3.4 and Objective G17 of the Newcastle Local Area Plan which requires the retention, incorporation and reinstatement of the burgage plot field system and townland boundaries.

Additional Information Item No. 4 – Drainage and Water Services

DBFL Consulting Engineers have prepared a response to item No. 4 of the request for Additional Information.

The content of the response and drawings prepared by DBFL Consulting Engineers is noted. The proposed development is generally acceptable from a Drainage and Water Services perspective.

Comhairle Chontae Atha Cliath Theas

PR/1586/21

Record of Executive Business and Chief Executive's Order

Additional Information Item No. 5 – Vehicular Access

DBFL Consulting Engineers have prepared a response to item No. 5 of the request for Additional Information.

- (i) DBFL Consulting Engineers have prepared a drawing which satisfactorily addresses item No. 5(i).
- (ii) Adequate sightlines have been demonstrated in the drawing provided by DBFL Consulting Engineers.
- (iii) The vehicle tracking movements shown on the drawing provided by DBFL Consulting Engineers are noted.

There is no objection to the proposed development from a Roads and Transport section, subject to conditions.

Other Considerations

Development Contributions

Development Contributions	
Building Use Type Proposed	Floor Area (sq m)
Residential (new dwelling)	169.97
Assessable Area	169.97

SEA monitoring

SEA Monitoring Information	
Building Use Type Proposed	Floor Area (sq.m)
Residential (new dwelling)	169.97
Land Type	Site Area (Ha.)
Brownfield/Urban Consolidation	0.1ha

Conclusion

Having regard to the policies outlined in the South Dublin County Development Plan 2016-2022 the Planning Authority is satisfied that the proposed development, subject to conditions, adheres to policies and objectives of the Newcastle Local Area Plan, the County Development Plan and the key principles of proper planning and sustainable development.

Comhairle Chontae Atha Cliath Theas

PR/1586/21

Record of Executive Business and Chief Executive's Order

Recommendation

I recommend that a decision be made pursuant to the Planning & Development Act 2000, as amended, for the reasons set out in the First Schedule hereto, to Grant Permission for the said development in accordance with the said plans and particulars, subject to the condition(s) specified in the Second Schedule hereto, the reasons for the imposition of the said condition(s) being as set out in the said Second Schedule.

FIRST SCHEDULE

It is considered that the proposed development accords with the policies and objectives of South Dublin County Council, as set out in the South Dublin County Council Development Plan 2016 - 2022 and subject to the conditions set out hereunder in the Second Schedule is hereby in accordance with the proper planning and sustainable development of the area.

SECOND SCHEDULE

Conditions and Reasons

1. Development to be in accordance with submitted plans and details.
The development shall be carried out and completed in its entirety in accordance with the plans, particulars and specifications lodged with the application, and as amended by Further Information received on 24th November 2021, save as may be required by the other conditions attached hereto.
REASON: To ensure that the development shall be in accordance with the permission, and that effective control be maintained.
2. Bats/Bat Emergence Survey
 - (a) Bats/Bat Emergence Survey
 - (i) No demolition works / site clearance works shall take place on the site until a full Bat Emergence Survey of the existing derelict cottage has been completed and that there is assurance that there are no bats roosting within.
 - (ii) The Bat Emergence Survey and assurance required under item (i) shall be submitted to the Planning Authority prior to any works taking place on the site.
 - (iii) The Bat Emergence Survey shall be carried out at an appropriate time of the year.
 - (b) All mitigation measures outlined in the bat survey (which are noted in the bat survey letter, dated 7th February 2019 by Dr. Tina Aughney) shall be fully implemented.
 - (c) External lighting proposals during and post construction shall strictly follow the guidelines set out in the bat report by Bat Eco Services.REASON: In the interest of bat protection, as any interference with protected species such as bats and disturbances or destruction of their roosting sites, in particular, is a prosecutable offence under the EU Habitats Directive and S.I. No. 477 of 2011 (European

Comhairle Chontae Atha Cliath Theas

PR/1586/21

Record of Executive Business and Chief Executive's Order

Communities (Birds and Natural Habitats) Regulations 2011).

3. Archaeological Monitoring, Recording and Reporting.
 - (i) The applicant shall employ a qualified archaeologist, licensed to carry out Archaeological Monitoring, to monitor all groundworks associated with the development.
 - (ii) Should archaeological material be found during the course of monitoring, the archaeologist may have work on the site stopped, pending a decision as to how best to deal with the archaeology. The developer shall be prepared to be advised by the Department of Culture, Heritage and the Gaeltacht with regard to any necessary mitigating action (e.g. preservation in situ, or excavation) and should facilitate the archaeologist in recording any material found.
 - (iii) The Planning Authority and the Department of Culture, Heritage and the Gaeltacht shall be furnished with a report describing the results of the monitoring.
REASON: To ensure the continued preservation (either in situ or by record) of places, caves, sites, features or other objects of archaeological interest.
4. Restriction on Use.

The house shall be used as a single dwelling unit and shall not be sub-divided by way of sale or letting (including short-term letting) or otherwise nor shall it be used for any commercial purposes.
REASON: To prevent unauthorised development.
5. Tree Bond.
 - (i) Prior to the commencement of any permitted development or any related construction activity or tree felling on the site, the applicant shall lodge a Tree and Hedgerow Bond to the value of €15,000 with the Planning Authority.
 - (ii) The bond lodgement shall be coupled with an Arboricultural Agreement, with the developer, empowering the Planning Authority to apply such security, or part thereof, to the satisfactory protection of any tree/hedgerow or trees/hedgerows on or immediately adjoining the site, or the appropriate and reasonable replacement of any such trees/hedgerows which die, are removed or become seriously damaged or diseased within a period of three years from the substantial completion of the development.
 - (iii) Any replacement planting shall use large semi-mature tree size(s) and species or similar as may be stipulated by the planning authority.
 - (iv) An Arboricultural Assessment Report and Certificate shall be signed off by a qualified Arborist after the period of 3 years of completion of the works.
 - (v) Any remedial tree surgery, tree felling works recommended in the Arboricultural Assessment Report (required under Item iv) and Certificate shall be undertaken by the developer, under the supervision of the Arborist. The bond will only be refunded upon receipt by SDCC Public Realm Section of a satisfactory post-construction arboricultural assessment, carried out by a qualified arborist and provided that the hedges/trees proposed for retention are alive, in good condition with a useful life expectancy.
REASON: to ensure the protection, safety, prudent retention and long-term viability of

Comhairle Chontae Atha Cliath Theas

PR/1586/21

Record of Executive Business and Chief Executive's Order

trees to be retained on and immediately adjacent to the site and in compliance with the policies and objectives of the Newcastle Local Area Plan.

6. Three Year Post Completion Tree Survey.
Prior to the commencement of development an agreement shall be reached with the Planning Authority that a three year post completion tree survey shall be conducted. This survey shall be submitted and agreed in writing with the Planning Authority before any bond is released by South Dublin County Council.
REASON: To ensure the protection, safety, and long-term viability of trees to be retained.
7. Tree/Hedgerow Protection
Prior to the commencement of development the tree and hedgerow protection measures as outlined in the arboricultural report shall be implemented.
REASON: In the interests of protecting the existing tree and hedgerows.
8. Retention of the Landscape Architect.
Prior to the commencement of any permitted development, the developer shall appoint and retain the services of a qualified Landscape Architect (or qualified Landscape Designer) as a Landscape Consultant, throughout the life of the construction works and shall notify the planning authority of that appointment in writing prior to commencement. A Practical Completion Certificate shall be signed off by the Landscape Architect when all landscape works are fully completed to the satisfaction of SDCC Public Realm Section and in accordance with the permitted landscape proposals.
REASON: To ensure full and verifiable implementation of the approved landscape design.
9. Landscaping and replacement trees
 - (i) The garden (both front and rear) shall be fully landscaped,
 - (ii) A minimum of one semi mature tree shall be planted in the front garden,
 - (iii) The back garden shall be landscaped with planting as recommended in the Bat Report by Bat Eco Services, and shall include native tree, shrub and plant species.REASON: to compensate for the removal of the existing ash tree and to encourage foraging areas for local bat populations.
10. Dish Kerb and Footpath.
The kerb and footpath of the public road at the vehicle entrance(s) shall be,
 - (a) dished and a widened dropped crossing and shall be constructed to the satisfaction of the Planning Authority and at the applicant's expense, and
 - (b) all works shall be completed fully in accordance with the terms of a Road Opening Licence to be obtained by the applicant, developer, or owner from the Council prior to commencement of any works in the public domain.REASON: In the interest of public safety and the proper planning and sustainable development of the area, and in order to comply with The Roads Act 1993 Section 13 Paragraph 10.

Comhairle Chontae Atha Cliath Theas

PR/1586/21

Record of Executive Business and Chief Executive's Order

11. Gates.

- (i) No gate to be installed or erected shall be capable of opening across any public footpath, cycle-track, roadway or right of way,
- (ii) any front entrance pillars shall be a maximum height of 1.2m and front boundary walls shall be a maximum height of 0.9m.
- (iii) The vehicular access point shall be a maximum width of 3.5 meters.

REASON: In the interests of visual amenity and pedestrian safety.

12. Irish Water Connection Agreement.

Prior to the commencement of development the applicant or developer shall enter into water and/or wastewater connection agreement(s) with Irish Water, if required.

REASON: In the interest of public health and to ensure adequate water/wastewater facilities.

13. Drainage and Water Services

- (a) The water supply and drainage infrastructure, shall fully comply with all the technical requirements of the Water Services Authority and/or Irish Water.
- (b) Prior to the commencement of development the applicant or developer shall enter into water connection agreement(s) with Irish Water.
- (c) Prior to the commencement of development the applicant or developer shall enter into wastewater connection agreement(s) with Irish Water.
- (d) There shall be complete separation of the foul and surface water drainage systems, both in respect of installation and use. All new precast surface water manholes shall have a minimum thickness surround of 150mm Concrete Class B.
- (e) Water butts shall be incorporated into the proposed development as part of SuDS (Sustainable Urban Drainage Systems).

REASON: In the interests of public health, the proper planning and sustainable development of the area and in order to ensure adequate water supply and drainage provision.

14. House Number/Name.

Prior to the commencement of development, the number/name of the house shall be agreed with the Planning Authority and this number/name shall be placed on the completed house prior to its occupation in a manner so as to be clearly legible from the public road.

The Applicant is advised that the development number or name should:

- (i) avoid any duplication within the county;
- (ii) reflect the local and historical context of the approved development;
- (iii) comply with Development Plan policy, the guidelines on naming and numbering of the Department of the Environment, Heritage and Local Government,
- (iv) have regard to the Guidelines issued by the Place Names Commission (An Coimisiún Logainmneacha) and;
- (v) preferably make exclusive use of the Irish language.

Comhairle Chontae Atha Cliath Theas

PR/1586/21

Record of Executive Business and Chief Executive's Order

The Applicant, owner or developer is advised to consult with Naming and Numbering section of the Planning Authority in advance of lodging the required plan.

REASON: In the interests of the proper planning and sustainable development of the area and compliance with the Council's Development Plan.

15. Council Housing Strategy.

That the applicant, owner or developer, or any other person with an interest in the land to which the development as approved relates shall, prior to the lodgement of a commencement notice within the meaning of Part II of the Building Control Regulations 1997:

(i) enter into an agreement with the Housing Authority for compliance with the Part V of the Planning and Development Act 2000 (as amended) as referred to in the South Dublin County Council Development Plan 2016-2022, providing, in accordance with that section, for the matters referred to in paragraph (a) or (b) of subsection (3) of section 96, and
(ii) when the agreement with the Housing Authority for compliance with the Part V of the Planning and Development Act 2000 is finalised to the satisfaction of the Housing Authority, a certified copy of the agreement shall be lodged with the Planning Authority.

REASON: To promote social integration consistent with policies/objectives of the Councils Housing Strategy as contained in the South Dublin County Council Development Plan 2016-2022.

16. Minimise Air Blown Dust.

During the construction and or demolition phase of the development, Best Practicable Means shall be employed to minimise air blown dust being emitted from the site. This shall include covering skips and slack-heaps, netting of scaffolding, daily washing down of pavements or other public areas, and any other precautions necessary to prevent dust nuisances. The applicant/developer shall comply with British Standard B.S. 5228 Noise Control on Construction and Open sites and British Standard B.S. 6187 Code of Practice for demolition.

REASON: In the interest of public health and to uphold the Council's policies set out in the South Dublin County Council Development Plan.

17. Construction Noise and Hours.

To control, limit and prevent the generation of unacceptable levels of Environmental Noise Pollution from occurring during construction activity, no Equipment or Machinery (to include pneumatic drills, on-site construction vehicles, generators, etc.) that could give rise to unacceptable levels of noise pollution as set out generally for evening and night-time in S.I. No. 140/2006 - Environmental Noise Regulations 2006 shall be operated on the site before 7.00 hours on weekdays and 9.00 hours on Saturdays nor after 19.00 hours on weekdays and 13.00 hours on Saturdays, nor at any time on Sundays, Bank Holidays or Public Holidays.

Any construction work outside these hours that could give rise to unacceptable levels of noise pollution shall only be permitted following a written request to the Planning

Comhairle Chontae Atha Cliath Theas

PR/1586/21

Record of Executive Business and Chief Executive's Order

Authority and the subsequent receipt of the written consent of the Planning Authority, having regard to the reasonable justification and circumstances and a commitment to minimise as far as practicable any unacceptable noise outside the hours stated above. In this respect, the applicant or developer shall also comply with BS 5228:2009 Noise and Vibration Control on Construction and Open Sites, and have regard to the World Health Organisation (WHO) – Guidelines for Community Noise (1999).

The applicant or developer shall also endeavour to engage in local consultation in respect of any noise sensitive location within 30 metres of the development as approved prior to construction activity commencing on site. Such noise sensitive locations should be provided with the following:

- Schedule of works to include approximate timeframes
- Name and contact details of contractor responsible for managing noise complaints
- Hours of operation- including any scheduled times for the use of equipment likely to be the source of significant noise.

REASON: In the interest of public health by the prevention of unacceptable levels of noise pollution which could interfere with normal sleep and rest patterns and/or when people could reasonably expect a level of quietness, the proper planning and sustainable development of the area and to uphold the Council's amenity policies set out in the South Dublin County Council Development Plan.

18. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €16,383.41 (sixteen thousand three hundred and eighty three euros and forty one cents), in respect of public infrastructure and facilities benefiting development within the area of the Planning Authority, that is provided, or intended to be provided by or on behalf of the authority, in accordance with the terms of the Development Contribution Scheme 2021 - 2025, made under Section 48 of the Planning and Development Acts 2000-2011 (as amended).

The contribution shall be paid prior to commencement of development, or in such phased payments as the Planning Authority may facilitate. Contributions shall be payable at the rate pertaining to the year in which implementation of the planning permission is commenced as outlined in the South Dublin County Council Development Contribution Scheme 2021 - 2025.

REASON: The provision of such facilities will facilitate the proposed development. It is considered reasonable that the payment of a contribution be required, in respect of public infrastructure and facilities benefiting development in the area of the Planning Authority and that is provided, or that is intended will be provided, by or on behalf of the Local Authority.

NOTE RE: CONDITION - Please note that with effect from 1st January 2014, Irish Water is now the statutory body responsible for water services. Further details/clarification can be obtained from Irish Water at Tel. 01 6021000 or by emailing customerservice@water.ie.

Comhairle Chontae Atha Cliath Theas

PR/1586/21

Record of Executive Business and Chief Executive's Order

NOTE: The applicant is advised that under the provisions of Section 34 (13) of the Planning and Development Act 2000 (as amended) a person shall not be entitled solely by reason of a permission to carry out any development.

NOTE: The applicant or developer should ensure that all necessary measures shall be taken by the contractor to prevent the spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works and to ensure that any such instances arising are remedied immediately.

NOTE: Waste, arising from the site, must be kept to a minimum, segregated where appropriate, and disposed in accordance with the Waste Management Regulations 2007, as amended. Transport of such waste, must be by an authorised waste permit holder. Waste disposal records must be maintained and made available, for inspection by Authorised Persons appointed under the Waste Management Act 1996, as amended. A Waste Transfer Form shall accompany the transportation of all hazardous waste arising from the construction works.

NOTE: A Roads Opening Licence must be obtained from South Dublin County Council prior to the commencement of any works in the public domain in order to comply with the Roads Act 1993, Section 13, paragraph 10. Under this Act, non-compliance constitutes an offence.

NOTE: The Applicant is advised that in the event of encroachment or oversailing of adjoining property, the consent of the adjoining property owner is required.

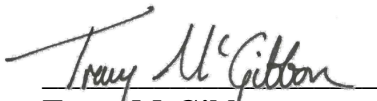
Comhairle Chontae Atha Cliath Theas

PR/1586/21

Record of Executive Business and Chief Executive's Order

REG. REF. SD21A/0247

LOCATION: Main Street, Newcastle, Co. Dublin.



**Tracy McGibbon,
A/Senior Executive Planner**

ORDER: A decision pursuant to Section 34(1) of the Planning & Development Act 2000, as amended, to Grant Permission for the reasons set out in the First Schedule above, in accordance with the said plans and particulars, subject to the condition(s) specified in the Second Schedule above, the reasons for the imposition of the said condition(s) being as set out in the said Second Schedule is hereby made.

Date: _____

Eoin Burke, Senior Planner

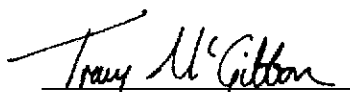
Comhairle Chontae Atha Cliath Theas

PR/1586/21

Record of Executive Business and Chief Executive's Order


REG. REF. SD21A/0247

LOCATION: Main Street, Newcastle, Co. Dublin.


Tracy McGibbon,
A/Senior Executive Planner

ORDER: A decision pursuant to Section 34(1) of the Planning & Development Act 2000, as amended, to Grant Permission for the reasons set out in the First Schedule above, in accordance with the said plans and particulars, subject to the condition(s) specified in the Second Schedule above, the reasons for the imposition of the said condition(s) being as set out in the said Second Schedule is hereby made.

Date: 14/12/21


Eoin Burke, Senior Planner