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## PLANNING & DEVELOPMENT ACT, 2000 (as amended) AND PLANNING REGULATIONS THEREUNDER

<b>Decision Order Number:</b> 1070	<b>Date of Decision:</b> 18-Aug-2022
<b>Register Reference:</b> SD22A/0286	<b>Registration Date:</b> 24-Jun-2022

**Applicant:** Deane and Deane Ltd.  
**Development:** Demolition of 2 sheds and the construction of 30 dwellings; 1 vehicular and pedestrian link with Main Street, Newcastle; vehicle and pedestrian link with Glebe Square, Newcastle and all associated and ancillary site development works.  
**Location:** Main Street, Newcastle, Dublin  
**Application Type:** Permission

Dear Sir /Madam,

With reference to your planning application, received on 24-Jun-2022 in connection with the above, I wish to inform you that before the application can be considered under Section 33 of the Planning & Development Act 2000, six copies of the following ADDITIONAL INFORMATION must be submitted.

1. The applicant is advised that the South Dublin County Development Plan 2022-2028 is now the relevant Development Plan. The applicant is advised that the Planning Authority has concerns in relation to the provision of public open space associated with residential development on the Rural (RU) zoned lands. Section 8.7.3 of the Development Plan requires an overall standard of 2.4ha per 1,000 people, including a minimum provision of 15% on site and details that there are options at the discretion of the Planning Authority in relation to the provision of some of the overall standard (2.4ha per 1,000) off site. As such, under the Development Plan, there may be scope for the Rural zoned lands to be used as public open space as part of an off site/ outside zoning provision. The applicant is requested to review Section 8.7.3 and address the following:
  - a). submit a clear breakdown of the area (in hectares) of the site zoned Residential, Rural and Village Centre;
  - b). a public open space calculation based on an occupancy rate of 3.5 persons in the case of dwellings

with three or more bedrooms and 1.5 persons in the case of dwellings with two or fewer bedrooms;

c). a minimum of 15% of the RES-N lands provided as public open space;

d). demonstrate compliance with Section 8.7.3: and

d). The west and north west elements of the site is zoned 'RU' - To protect and improve rural amenity and to provide for the development of agriculture'. It is noted that an area of public open space as well as an element of car parking and roads infrastructure are proposed to be located within this zone, which could be considered ancillary 'residential' in nature. Residential is open for consideration within the RU zoning 'In accordance with Council policy for residential development in rural areas'. The applicant is requested to demonstrate that these elements of the proposal are consistent with the referenced Council policy and consider amending the proposal.

2. a). It is noted that Objective PN6 of the LAP requires the provision of a connection between the rear of St. Finian's Hall (community centre) with Newcastle Glebe in the form of an 'extended vehicular cul-de-sac'. The proposed development provides for a vehicular connection from the subject site to Newcastle Glebe as required by the objective. It is noted that the objective refers to an extended vehicular cul de sac. Vehicular permeability to the Main Street from the Glebe is provided and as such, a cul de sac arrangement is not provided. The applicant is requested to provide an extended vehicular cul de sac arrangement with the Glebe in accordance with Objective PN6 of the LAP. This is likely to require omission of vehicular connection to the Main Street.  
b). Concerns are raised in relation to the implementation of the vehicular connection to the Glebe and sufficient legal interest. The street in Newcastle Glebe appears to be Taking in Charge, however, third parties have questioned same. The applicant is required to clarify that sufficient legal interest and relevant consents are in place.  
c). Objective PN5 of the LAP states to include for a through route to the rear of Main Street and St. Finian's Hall and upgrade such as a pedestrian and cyclist green link with the Village Core via Market Square off Main Street (West). The subject application has included an indicative connection from the subject site to Market Square. Given the ambition to provide a community centre extension with pedestrian access/entrance from the north, it is considered that the connectivity sought by the objective is required. The applicant is required to demonstrate sufficient legal interest to complete the connection, provide clarity on grounds levels and provide appropriate design amendments adjacent to the connection (appropriate public realm areas at proposed car parking area).
3. It is noted that the applicant has identified a portion of land to the rear of the existing St. Finian's Community Centre to facilitate the delivery of an extension to this centre as required by Objective LUD12 of the Newcastle Local Area Plan and CS9 SLO 2 of the Development Plan. It is noted that objective LUD 12 requires the provision of the community floorspace at, or adjoining, the existing St. Finian's Community Centre and/or the payment of development contributions towards the provision of community floorspace at this location. CS9 SLO 2 states 'To facilitate and commit to the delivery of Phase 1 residential lands at Burgage North to the north of St. Finian's Community Centre which reserve suitable lands to facilitate the extension of the existing community centre'. It is noted that Objective LUD12 requires the provision of the community floorspace (or financial contribution) and the SLO requires the reserving of suitable lands to facilitate the extension to the existing community centre.  
a). In this regard and to satisfy the relevant objectives, the applicant is advised that the Planning Authority considers that the lands for the community centre should be clearly outlined on the site layout plan for transferring to the Council for the community centre.  
b). The subject site layout and lands for the future community centre extension are not considered to be suitable to facilitate the extension in accordance with the SLO. The area of land identified to the

rear of the existing Newcastle Community Centre is significantly smaller than the initial site identified and would negatively impact the proposed planned extension. The applicant is requested to contact the SDCC Architect's Department and the Planning Authority regarding the above.

4. a) The Design section of the Architectural Design Statement seeks to address the urban design manual requirements. It is noted that the applicant has not addressed 'Public Realm' as one of the required themes and is requested to do so.
  - b) It appears that there are significant level changes in some instances. The applicant is requested to set out details of cut and fill, as well as details of any retaining structures
  - c) The proposed residential dwellings are sited closer to the community centre than previously indicated in pre planning - the applicant is requested to provide sections indicating the potential relationship between the community centre / extension and the dwellings.
  - d) The developer does not appear to have considered or allowed for future pedestrian access to the rear of the community centre site i.e. from the proposed carparking to the north, which is critical to the success of the future community centre extension development (for staff access, fire escape route, service entrance etc.). This is further complicated by the following observations, which the applicant is requested to address:
    - The applicant is proposing to significantly reduce the existing ground levels to the rear of the community centre site. Contiguous Elevation View 2-2 indicates a change in level, between the FFL of the community hall and the proposed access road to the north, of 2.478M, which seems excessive, unnecessary and requires explanation. This reduction in ground level will make universal access into the community hall site very difficult to achieve.
    - The applicant has not provided a site section cutting through the rear of the community hall site and the proposed car parking area to the north, which will be required to review the proposed level changes
    - The applicant appears to be proposing to build a retaining wall along the north boundary of the community hall site and to completely infill the north face with 'shrub planting' and trees, which will make future pedestrian access in this area difficult /impossible to achieve.
  - e) Clarification is required regarding fire tender access to the north of the site.
  - f) There is little provision in terms of passive overlooking to the proposed car parking spaces to the north of the site, which may be required to deter loitering and anti-social behaviour. The applicant is requested to address this.
  - g) The applicant has indicated a pedestrian link into the Market Square site, however, the existing Market Square ground levels are not indicated and require clarification. Also, no footpath is provided and pedestrians are required to walk through the main carriageway which is not acceptable. The applicant is requested to address this and should note that this connection is required in the LAP.
  - h) Regarding finishes to the boundary walls between the community hall site and the proposed residential development. SDCC have a preference for full brick faced boundary walls. The walls will be overlooked by the ground floor of the community hall extension and highly visible. The applicant is requested to address this.
  - i) The proposal provides for 7 different house types, 2no 2bed and 28no 3bed. 56.6% are terraces / end of terrace. 12 (40% are semi-detached) and 1 is detached. Whilst the mix is noted, it is not considered that the type proposed is 'largely terraced', in accordance with PN12. The percentage of dwellings that are terraced should increase to ensure they are the majority, with sporadic semi-detached / detached dwellings. The applicant is requested to address this.
5. a. It is noted that the closest properties are No12 and No 30/29. These are approximately 17m apart. However, it is noted that the buildings are not directly opposing as the terrace (Nos 21-30) gradually

moves away from the opposing dwellings as it moves further north). The distance between the central terrace and the dwellings to the west is also approximately 18m. It is noted that there are opaque windows on the rear elevations of Nos 1-5 inclusive.

To the south, dwelling Nos 6 and 8 are approximately 8m apart but it is noted that there are no windows on the side elevation of No8. No 10 is approximately 18m from the side elevation of No 30 and given the location of windows, there may be potential for overlooking. No6 is approx. 16m from No 5, however it is noted that there are no side windows on No6. Overall, there are some minor concerns regarding potential overlooking, which the applicant is requested to address this

b. It is noted that for houses 1-5, the depth of the rear garden is a maximum of 8m and that this decreases to 4m where the rear return is. The depth of the garden for Nos 6 and 7 is also 8m and Nos 16 and 20 also appear to be about 8m. The Planning Authority is concerned regarding the functionality of these private amenity areas, particularly where the area has reduced to 4m. The applicant is requested to address this.

6. NCBH20 Objective 8 states 'To ensure that all planning applications for new developments within or immediately contiguous to an ACA include an Architectural Impact Assessment and Design Rationale addressing design considerations such as urban structure and grain, density and mix, scale, height, materials, landscape, views and landmarks and historic development'. The applicant is requested to address this.
7.
  1. The applicant is requested to submit a Public Lighting Design for the development..
  2. The applicant is requested to submit a stage one Road Safety Audit
  3. The applicant is requested to submit a revised layout of not less than 1:100 scale, showing accurate visibility splay with 2.4 meters set back, at a 1.05 meter height from ground level and 49 meters sight lines in both directions from the entrance. The visibility shall consider the public parking along the Main Street Newcastle.
  4. The applicant is requested to submit a revised layout of not less than 1:100 scale, showing boundary walls at vehicle access points limited to a maximum height of 0.9m, and any boundary pillars limited to a maximum height of 1.2m, to improve forward visibility for vehicles.
  5. The applicant is requested to submit a revised layout of not less than 1:200 scale detailing the permeable paving to be taking in charge, showing a concrete retaining strip between at least three parking bays or 6.0m.
  6. The applicant is requested to submit a revised parking arrangement highlighting if the parking bays are to be private or public.
  7. The applicant is requested to submit a traffic assessment detailing the results of analysis of the existing road network capacity, to ensure the development is under the threshold for further analysis. And an analysis detailing the junction capacity of the Newcastle Glebe/Peamount Road junction, the junction at Main Street/Peamount Road and the Junction of Athgoe Road/R405, the analysis should include any recent developments to the south of Main Street Newcastle.
  8. The applicant is requested to submit a layout plan indicating a segregated cycling along the proposed link street, in accordance with the National Cycle Manual. The applicant is requested to confirm with Cycle South Dublin any connections to proposed infrastructure in the area.
8. a). Arboricultural Impact of the Proposed Development
  - i. The extent of the proposed tree and hedgerows removals - 68 % of trees (32 of 47 No.) and 110m of hedgerow including those following field and townland boundaries is not acceptable. The applicant is requested to re-design the proposed development to locate development away from existing hedgerows and significant stands of trees and or integrate this proposed development into the existing

trees and hedgerows on site more sensitively ensuring that the majority of the existing vegetation on site is retained and protected. Every effort should be made to retain existing trees and hedgerows where possible as this network of existing trees and woodlands provides corridors for biodiversity and habitats for existing flora and fauna.

ii. The applicant is requested to provide revised proposals to include an updated Arboricultural Impact Report and Plan, Tree Protection Plan and Arboricultural Method Statement.

b). Impacts on bat commuting and foraging routes and roosts

Green infrastructure used for commuting and foraging bats and trees with potential bat roosts identified in the Faith Wilson Bat Survey Report, May 22 are proposed for removal. There is a lack of integrated design – the landscape proposals do not integrate the recommendations of the Bat Report. The applicant is requested to amend the proposal.

c). Ecological Impacts

There is a lack of integrated design – the landscape proposals do not integrate the recommendations of the Ecological Impact Assessment.

9. The applicant is advised that all planning applications shall demonstrate how they contribute to the protection or enhancement of Green Infrastructure in the County through the provision of green infrastructure elements as part of the application submission, having regard to the following:
- i. In the case of small-scale developments this may consist of a simple landscape plan which includes objectives to protect or restore existing on site GI assets, provides for connection to local or primary GI corridors or includes elements which allow the site to act as a local stepping stone
  - ii. Where the development site is located within or close to a Core or Corridor the development should, at a minimum, protect any existing GI assets and enhance same (for example, not breaking a GI Corridor but enhancing same with a connecting piece of planting, retaining hedgerows or woodlands);
  - iii. The characteristics and assets of the proximate GI Core, Corridor or SteppingStone should be reflected within proposed development, for example continuation of hedgerows, tree planting, waterways;
  - iv. Development should seek to enhance or restore features that act as ecological corridors, particularly water features, hedgerows, tree lines, areas of un-cultivated land. These, or some element of them, should be incorporated into the proposed development to create pathways for wildlife and / or increase amenity value;
  - v. Development sites which are not located proximate to designated GI Cores or Corridors should identify the nearest designated GI Core, Corridor or Stepping Stone and make provision for GI interventions on the site which could eventually provide a link to local Stepping Stones, Cores or Corridors;
  - vi. Developers should be aware that ecological corridors can also act to quickly spread non-native invasive species. Therefore, identification and control of invasive species site should be included in planning applications and the GI Plan.
- The applicant is requested to provide a Green Infrastructure Plan. Plans shall include the following:
- viii. Site location plan showing the development site in the context of the wider GI as shown on the Council's GI Plan for the County;
  - ix. Site survey and analysis, identifying existing GI Infrastructure and key assets within the site;
  - x. Indicate how the development proposals link to and enhance the wider GI Network of the County;
  - xi. Proposed GI protection, enhancement and restoration proposals as part of the landscape plan, where appropriate, for the site;
  - xii. Proposals for identification and control of invasive species.

10. The applicant shall provide details of the Green Space Factor associated with the proposed development and calculated in accordance with GI5 Objective 4 of South Dublin County Council 2022-2028 .
11. SuDS have four pillars: attenuation, water quality treatment, amenity and biodiversity. The proposals are lacking in source control such as further bioretention, SuDS street trees, swales, channel rills that can be used for multifunctional benefit including attenuation. There are only three SuDS tree pits and one small bioretention area. Street trees should be provided and they should all have bioretention SuDS tree pits that attenuate water.

The proposed attenuation basin and primary swale requires the removal of existing townland boundary hedgerow and trees earmarked for retention in Newcastle LAP (Peamount Neighbourhood). These are important routes for foraging and commuting bats. The existing ditch identified in the ecological report should be investigated for use in sustainable drainage measures, as required by the Newcastle Local Area Plan.

An attenuation tank is proposed. SDCC do not approve of using underground tanks as part of SuDS schemes where the full natural potential of the site to manage surface water runoff has not been explored. The following additional information is requested:

  - i. A SuDS proposal that complies with SDCC SUDS Explanatory Design and Evaluation Guide, the Newcastle LAP and SDCC County Development Plan 2022-2028. T
  - ii. The SuDS proposals should be a collaboration between landscape architect and the drainage engineer to integrate the SuDS into the landscape design proposals providing amenity, biodiversity, water quality treatment as well as quality and attenuation.
  - iii. The proposals shall include existing and proposed flows and comply with objective GI15: Objective GI 15 That existing natural swales, ditches and hedges shall be retained to form an integral part of the overall SUDS network.
  - iv. Details on how each SuDS component function as part of the overall treatment train.
  - v. Swales should be used for attenuation not just for conveyance of overland flow.
  - vi. A comprehensive SUDS Management Plan shall be submitted to demonstrate that the proposed SUDS features have reduced the rate of run off into the existing surface water drainage network. A maintenance plan shall also be included as a demonstration of how the system will function following implementation.
  - vii. Additional natural SUDS features shall be incorporated into the proposed drainage system for the development such as SuDS Street Tree Pits, further swales, rain gardens, detention basins, filter drains, etc.
  - viii. Demonstrate how the proposed natural SUDS features will be incorporated and work within the drainage and landscape design for the proposed development.
  - ix. Provide detail of the SuDS systems that show how they work.

The applicant is recommended to contact the Public Realm and Water and Drainage Department to discuss.
12. There are concerns with the lack of information submitted in relation to the landscape scheme for the proposed development. The applicant is requested to provide a fully detailed landscape plan with full works specification and a fully detailed planting plan that accords with the specifications and requirements of the Council's Public Realm Section. The landscape Plan shall include:
  - i. Full works specification, that accords with the specifications and requirements of the Council's Public Realm Section.
  - ii. Hard and soft landscape details including levels, sections and elevations, detailed design of SUDS

features including swales and integrated tree pits.

iii. Play area(s) designed around the principles of natural and nature-based solutions, to provide informal, impromptu and spontaneous play opportunities combined with play equipment that provides appropriate challenges for multiple age groups.

iv. Details of boundary treatments

v. Planting and hardscape details for public open space to be detailed and agreed

vi. Street Trees shall be planted in public open space with suitable tree pits that incorporates SuDS features.

vii. Details of tree planting pits to include SUDS features in urban trees pits and use of urban tree soils.

viii. On-street car parking shall be combined with regular tree planting and a high standard of kerbing and paving compliant with DMURS (2019). Street trees to be provided every 2 parallel or 5 perpendicular car park spaces to reduce the hard urban impact of the proposed development; as traffic calming; for biodiversity; green infrastructure; air quality and sustainable water management.

ix. Detailed design of all other SUDS features such as swales, permeable paving, green roofs etc.

x. Details of Public Lighting and other underground services shall also be included on the landscape drawing to ensure that proposals are realistic, and planting is not precluded by the location of underground services and lighting and to ensure there is no conflict dark corridors for commuting bats.

xi. A revised open space layout shall be provided which includes proposals for informal kickabout areas.

xii. A plan which clearly delineates public, communal and private spaces to be provided, as well as a detailed breakdown of the total area of same. A minimum of 0.0681ha of open space should be indicated.

xiii. Proposed pedestrian connections to adjoining lands should be clearly indicated on plans. The applicant should show how public open spaces in the wider area will link in and integrate with the proposed development. The public realm should be integrated into the adjacent development areas, creating continuous green infrastructure connections that form both physical and biodiversity links. Access off main street is to be pedestrian/cycle and this area to be designed to create significant threshold area that could be considered as Public Open Space.

13. There are no play proposals: The applicant is requested to provide the following information with respect to play:

i. Clarification shall be provided as to the total number and location of play opportunities; the age range they are appropriate for and whether they are universally accessible. An emphasis shall be on active, accessible play throughout the development.

ii. Fully detailed play proposals including universally accessible equipment. All play equipment shall be of predominantly natural materials with unstructured play included in the proposed design.

iii. The applicant shall consider the use of engineered woodchip as playground surfacing material.

14. 1 Water services estimate that proposed attenuation of 580m<sup>3</sup> is undersized by approximately 8%. It is unclear how much attenuation is provided by tree pits, biodiversity areas and swales for proposed development.

- The applicant is requested to submit a drawing and report to clearly show all surface water attenuation provide in m<sup>3</sup>. Show how much surface water attenuation is provide by all SuDS (Sustainable Drainage System) such as biodiversity, tree pits, Swales and all other SuDS systems in proposed development.

2 The applicant is requested to re-examine surface water discharge /outfall location, such that it does

not discharge at actual pond at Glebe house.

Confirm ownership of lands where surface water network discharge pipe is located, to allow determination of need for a wayleave for South Dublin County Council.

3 The proposed gradients of surface water network are very steep at 1:30. The applicant is requested to review the gradients proposed Surface Water Sewers.

4 The applicant is requested to include additional SuDS to attenuate surface water and examine how underground attenuation systems can be replaced with overground SuDS attenuation systems.

5 Prior to submission of additional information the applicant is requested to contact Water Services (SDCC - South Dublin County Council) and Public Realm (SDCC) to discuss revised surface water and SuDS submission.

15. The gradients of foul water sewers/drains are steep at gradients of 1:30 and 1:48 and do not comply with Irish Water Standards. The applicant is requested to obtain a confirmation of Feasibility Letter from Irish Water for Proposed Development.
16.
  - 1) The applicant is required to engage the services of a suitably qualified Archaeologist to carry out an Archaeological Impact Assessment (AIA) which should include a programme of Archaeological Geophysical Survey and Archaeological Test Excavation to respond to this request for Further Information. No sub-surface work shall be undertaken in the absence of the archaeologist without his/her express consent.
  - 2) The archaeologist shall inspect the proposed development site (PDS) and detail the historical and archaeological background of the site (consulting appropriate documentary sources), and review all cartographic sources and aerial photographs for the area.
  - 3) The Archaeological Geophysical Survey must be carried out under licence from the National Monuments Service and in accordance with an approved method statement; note a period of 2-3 weeks should be allowed to facilitate processing and approval of the licence application and method statement.
  - 4) The Archaeological Test Excavation must be carried out under licence from the National Monuments Service and in accordance with an approved method statement; note a period of 5-6 weeks should be allowed to facilitate processing and approval of the licence application and method statement.
  - 5) Test trenches shall be excavated at locations chosen by the archaeologist, having consulted the site drawings and the results of the Archaeological Geophysical Survey. Excavation is to take place to the uppermost archaeological horizons only, where they survive. Where archaeological material is shown to be present, the archaeologist shall stop works pending further advice from the Department. Please note that all features/archaeological surfaces within the test trenches are to be handcleaned and clearly visible for photographic purposes.
  - 6) Having completed the work, the archaeologist shall submit a written report to the Department and the Local Authority describing the findings of the AIA including the results of the geophysical survey and test excavations. The report shall comment on the degree to which the extent, location and levels of all proposed foundations, service trenches and other sub-surface works required for the development will affect the archaeological remains. This should be illustrated with appropriate plans, sections, etc.
  - 7) Where archaeological material is shown to be present, further mitigation measures will be required; these may include refusal, redesign to allow for preservation in situ, excavation and/or monitoring as deemed appropriate. This Department will advise the Local



Authority with regard to these matters. No decision should be made on this application until this Department and the Local Authority have had the opportunity to fully evaluate the findings of the AIA.

**NOTE:** The applicant should note that any submission made in response to the above will be examined and MAY be deemed to be SIGNIFICANT ADDITIONAL INFORMATION by the Planning Authority. In this event the applicant(s) will be subsequently notified and requested to publish a notice in an approved newspaper and erect or fix a site notice on the land or structure to which the further information relates and to submit copies of the both the newspaper and site notices to the Planning Authority in accordance with Article 35 (1) (a) and (b) of the Planning and Development Regulations 2001 (as amended).

**Note:** The applicant must submit the Further Information within **6 months** of the **date of decision**. If the information is not received within this period, the planning authority shall declare the application to be withdrawn.

**Please ensure that your reply to this Request for Additional Information is accompanied by a covering letter marked “ADDITIONAL INFORMATION” and that the Planning Register Reference Number given above is quoted on the covering letter.**

Signed on behalf of South Dublin County Council

**Register Reference:** SD22A/0286

**Date:** 23-Aug-2022

Yours faithfully,

*Pamela Hughes*  
for **Senior Planner**