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PLANNING STATEMENT

in support of application for

18 UNIT RESIDENTIAL DEVELOPMENT

on lands at

FORMER MCEVOYS PUB, NEWCASTLE, CO. DUBLIN

Applicant: Rathgearan Ltd

30th July 2022

1.0 INTRODUCTION

David Mulcahy Planning Consultants Ltd have been retained by **Rathgearan Ltd** to prepare a planning statement in relation to a proposed residential development at former McEvoy's Pub, Newcastle, Co. Dublin.

The purpose of this planning statement is to outline at a high level the planning context for the proposed development in terms of the receiving environment, planning history and development plan policy and, to address the key planning issues.

The report will demonstrate that the proposed development:

- Accords with national and regional planning policy in respect of promoting development of brownfield sites to deliver compact urban settlements.
- Accords with the zoning objective for the site.
- Represents sustainable use of a vacant, underutilised, infill site.
- Will significantly enhance the visual amenity of the area.
- Will provide much needed housing supply.
- Will not have a material adverse impact on the adjoining Monument and Protected Structures.
- Does not require a stage 2 Appropriate Assessment.

This report should be read in conjunction with the maps and drawings prepared by **Demesne Architects (MRIA)** and **Archaeological & Cultural Impact Assessment** prepared by **Dr. Charles Mount**. All engineering issues (drainage, flood risk and traffic/parking) are dealt with separately by DOBA Consulting Engineers.

Note: All maps are orientated north. All underlined and bold italics is author's emphasis.

2.0 SITE LOCATION AND DESCRIPTION

2.1 Location

The site is located at the junction of Hazelhatch Road, Athgoe Road and Main Street, Newcastle, Co. Dublin approximately 400m from the town centre - see fig no.1 below.

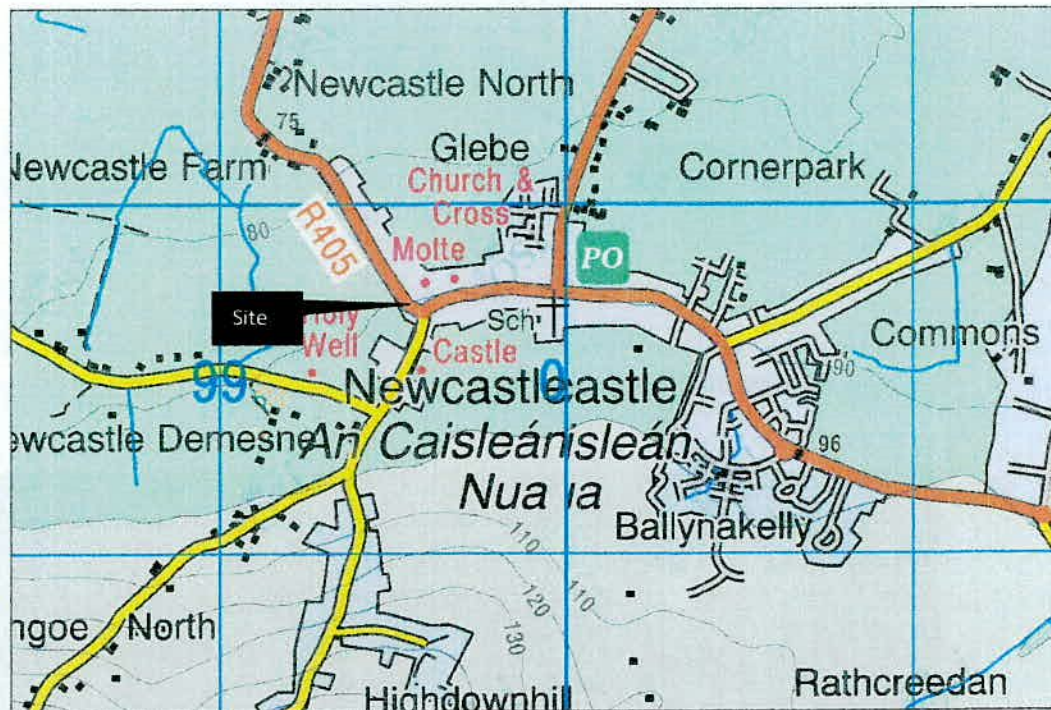


Fig No.1 Site Location Map (source: Myplan.ie - OSI Licence No.EN 0080915).

2.2 Description

The subject site (**0.95 hectares**) contains two elements: (i) a field to the rear of the site and (ii) the derelict remains of buildings after fire damage near the front of the site. The derelict structures are the remains of 'McEvoy's', a former thatched pub that was badly damaged by fire in 2004 as well as a derelict cottage. These buildings **seriously detract from the visual amenity of the area** at this high profile location entering the town. There is a vehicular entrance close to the T-junction.



Fig No.2 Map of the site (source: Myplan.ie - OSI Licence No.EN 0080915).

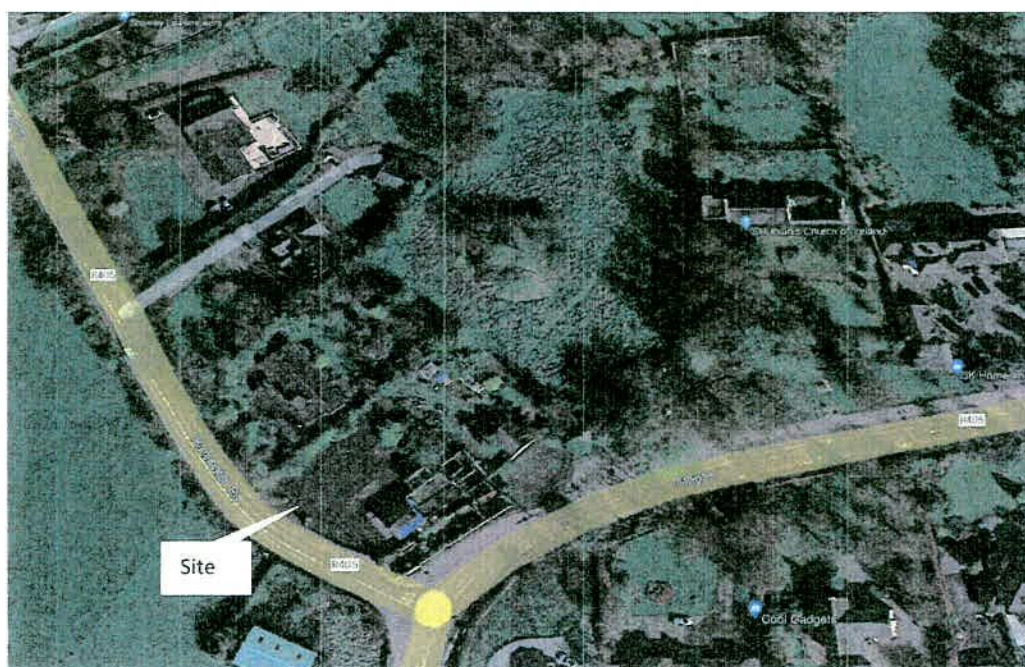


Fig No.3 Satellite image of subject site (source: Google Earth Pro April 2021)



Fig No.4 Photograph of the subject site from Athgoe Road.

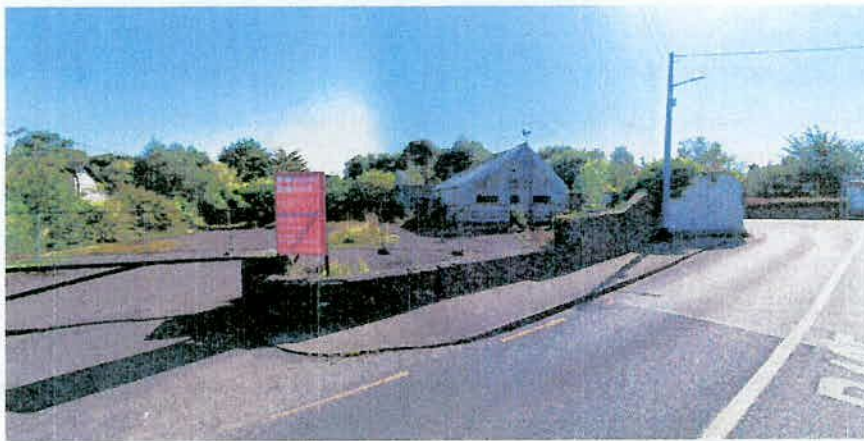


Fig No. 5 Photographs of the site taken from Hazelhatch Road.



Fig No. 6 Photograph of eastern portion of the site taken from Main Street.

Please also refer to photographs of the rear of the site prepared by Demesne Architects:

2.3 Ownership

The subject lands are owned by the applicant in their entirety.

2.4 Adjoining Land Uses

North

There is a detached dwelling to the north¹.

There is a **Recorded Monument** on the adjoining lands to the north. It is described as a Motte, is protected as an Area of Archaeological Potential and is included in the development plan Record of Monuments and Places.

South

The R405 (Main St) runs along the southern boundary of the site. There is a public footpath, with public lighting, connecting the site to the town centre. The site is located within the 50 km/h speed limit zone.

East

A church (St. Finian's Church of Ireland) and related buildings are located on the adjoining land to the east. These structures are **Protected Structures**

West

Hazelhatch Road runs along the western side of the site. There is a public footpath along the boundary of the site.

¹ MOATE LODGE, NEWCASTLE SOUTH, NEWCASTLE, CO. DUBLIN, D22 PX71

2.5 Public Transport

Hazel Hatch train station is located 3.1km to the north (4 minute drive).

The 68 and 68X bus stop is located c.434m to the west of the site providing frequent services to Dublin.

2.6 General Area

The subject site is located at the edge of the town and forms an important gateway location into the town. The general area is characterised by mature residential dwellings and items of built heritage. The lands to the west are agricultural in nature. The area is starting to witness some new residential development.

3.0 PLANNING HISTORY

3.1 Subject Lands

An Bord Pleanála Ref. PL 11.220186.

In 2007 planning permission was **refused** by An Bord Pleanála for a proposed redevelopment on the site. The proposed development was: 'mixed use development comprising **redevelopment of public house and off-licence, restaurant, four commercial units and two apartments**', overturning a decision by South Dublin County Council in 2006 to grant permission (SD06A/0026).

There was one reason as follows:

*Having regard to the location of the site in a prominent position with extensive road frontages, within an Area of Archaeological Potential and in close proximity to protected structures and a motte which is a recorded monument, it is considered that the **excessive scale and design of the proposed development,***

including carparking, would constitute overdevelopment, would be an inappropriate form of design in the area, would adversely affect the character, heritage value and setting of the protected structures and recorded monument and would conflict with the objectives of the current Development Plan for the area. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

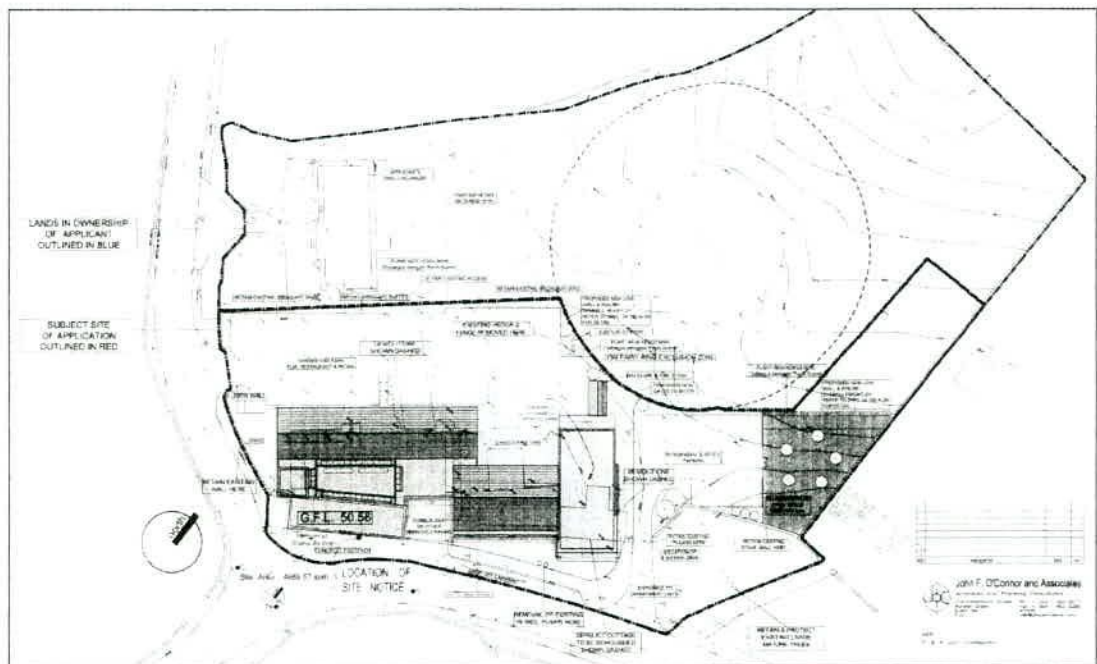


Fig No.7 Site Layout submitted at further information stage.

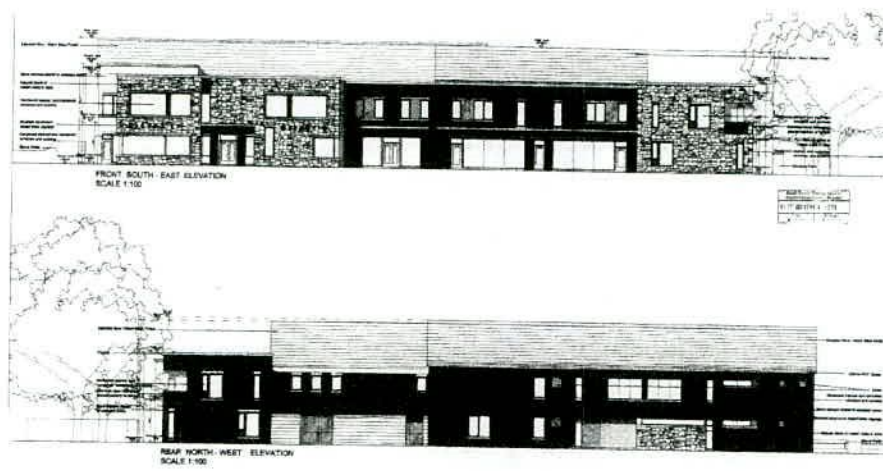


Fig No.8 Elevations submitted at further information stage.

An Bord Pleanála Ref. PL 11.220186

The site of the former public house has been entered on the Vacant Sites Register since May 2017. This means the site is considered suitable for housing and is considered by the Council as a site that should be encouraged for future development.

6.0 NATIONAL & REGIONAL PLANNING POLICY

5.1 Housing For All - a New Housing Plan for Ireland, 2021

On the 3rd September 2021 the government unveiled the Housing for All - a New Housing Plan for Ireland. The government's vision for the housing system over the longer term is to achieve a steady supply of housing in the right locations with economic, social and environmental sustainability built into the system.

It is estimated that Ireland will need an average of 33,000 new homes to be provided each year from 2021 to 2030.

The policy has four pathways to achieving housing for all:

1. supporting home ownership and increasing affordability
2. eradicating homelessness, increasing social housing delivery and supporting social inclusion
3. **Increasing new housing supply**
4. addressing vacancy and efficient use of existing stock

5.2 National Planning Framework ('NPF') 2040

The NPF is based on a projection of a 5.7 million people population by 2040 which is used as a benchmark against which the strategy is placed. This benchmark provides for one million additional people, 660,000 additional jobs and 550,000 new homes by 2040 (or 25,000 houses to be built each year).

50% of the national population growth should happen in the Eastern and Midlands (EMRA) Region and 50% of this population growth should happen within the City of Dublin and its suburbs. This represents significant housing growth in the EMRA Region up to 2040.

One of the key aims is to transform settlements of all sizes through imaginative urban regeneration and bring life / jobs back into cities, towns and villages. The preferred approach to further urban sprawl is *"compact development that focuses on reusing previously developed, 'brownfield' land, building up infill sites, which may not have been built on before and either reusing or redeveloping existing sites and buildings"* (s.2.6, Securing Compact and Sustainable Growth).

The NPF states that it *"targets a significant proportion of future urban development on infill/brownfield development sites within the built footprint of existing urban areas. This is applicable to all scales of settlement, from the largest city, to the smallest village"*.

National Policy Objective 3a

States that it is a national policy objective to *"deliver at least 40% of all new homes nationally within the built-up envelope of existing urban settlements"*.

National Policy Objective 11

In meeting urban development requirements, there will be a presumption in favour of development that can encourage more people and generate more jobs and activity within existing cities, towns and villages, subject to development meeting appropriate planning standards and achieving targeted growth – emphasis added

National Policy Objective 35

Increase residential density in settlements, through a range of measures including reductions in vacancy, re-use of existing buildings, infill development schemes,

area or site-based regeneration and increased building heights – emphasis added.

The NPF also recommends a move **away from low-density housing** in order to avoid urban sprawl, with an emphasis on smaller houses sizes to reflect the average household size of 2.75 persons.

5.2.1 Regional demographics and structural housing demand at a county level, December 2020

The ESRI in conjunction with the Department of Housing, Local Government and Heritage published this research paper in December 2020 in recognition of the fact that previous projections of future housing demand did not take account of all of the relevant criteria when making assumptions. This report provides estimates of structural housing demand at a local authority level out to 2040, based on regional demographic projections and projections for rates of household formation. These estimates are based on a new regional demographic model that explicitly incorporates the economic mechanisms that determine internal migration, and projections for headship rates. As international migration is the key driver of population change in Ireland, scenarios are explored that incorporate higher and lower international migration assumptions than in the 'business as usual' scenario.

At a national level, in the baseline scenario, the population is expected to increase by around 926,000 people between 2016 and 2040 resulting in a total population of over 5.665 million people by the end of the period. This represents significant population growth (average of 0.7 per cent per annum), which *"has clear implications for planning in many areas including housing"*. These projections are highly sensitive to international migration flows and in a high international migration scenario the total population would reach almost 6 million people by 2040, whereas in a low international migration scenario, the population would stand at around 5.554 million people by 2040.

In the baseline scenario, the level of housing demand is around **28,000 per annum** over the medium term, although it is higher in the short-run given recent net international migration inflows. Housing demand in the high international migration scenario is close to **33,000 per annum** and is around **26,000 per annum** in the low international migration scenario:- *"Our baseline scenario results suggest, relative to population shares, higher levels of housing demand in Dún Laoghaire-Rathdown, Cork City, Meath and Kildare and relatively lower levels of demand in Mayo and Fingal"*.

The paper notes that *"At a regional level, in the baseline scenario, the Eastern and Midlands region is expected to experience the fastest population growth and to capture the majority (55.6 per cent or 514,000 people) of the total expected population growth over the 2016 to 2040 period. Within this region, Dublin is expected to continue have the highest population share, although the Mid-East region, the area surrounding Dublin, is likely to experience the fastest population growth"*.

5.3 Sustainable Urban Residential Development in Urban Areas Guidelines ('SURDUA') 2009

Newcastle has a recorded population of 3,093 in the 2016 Census, although this is likely to have grown given preliminary results in the 2022 Census which shows considerable population growth throughout the country. Smaller towns and villages are defined in the guidelines as those with a population ranging from 400 to 5,000 persons.

The guidelines recommend that:

- (a) Development in smaller towns and villages must be plan led
- (b) New development should contribute to compact towns and Villages
- (c) Higher densities are appropriate in certain locations
- (d) Low density alternatives (Not applicable).

- (e) The scale of new residential schemes for development should be in proportion to the pattern and grain of existing development

Edge of centre sites

6.11 *The emphasis will be on achieving successful transition from central areas to areas at the edge of the smaller town or village concerned. Development of such sites tend to be predominantly residential in character and given the transitional nature of such sites, densities to a range of 20-35 dwellings per hectare will be appropriate including a wide variety of housing types from detached dwellings to terraced and apartment style accommodation.*

5.4 Sustainable Urban Housing: Design Standards for New Apartments; Guidelines for Planning Authorities (2018)

Section 1.7 notes that *"In the longer term to 2040, the National Planning Framework (NPF) projects a need for a minimum of 550,000 new homes, at least half of which are targeted for provision in Ireland's five cities. The NPF also signals a shift in Government policy towards securing more compact and sustainable urban development, to enable people to live nearer to where jobs and services are located, which requires at least half of new homes within Ireland's cities to be provided within the current built-up area of each, i.e. on sites within the existing urban 'envelope'. In broad terms, this means a need for an absolute minimum of 275,000 new homes in Ireland's cities to 2040, with half of these located in already built-up areas. This will necessitate a significant and sustained increase in housing output and apartment type development in particular".*

5.6 Regional Spatial and Economic Strategy for the Eastern and Midland Region, ('RSES') 2019 - 2031

At its core, the RSES sets out a settlement and economic growth strategy that seeks to ensure that the needs of the Regions' citizens such as access to

employment opportunities and services, ease of travel and overall well-being are met.

Regional Strategic Outcome

Compact growth and Urban regeneration

Promote the regeneration of our cities, towns and villages by making better use of under-used land and buildings within the existing built-up urban footprint and to drive the delivery of quality housing and employment choice for the Region's citizens (NSO 1).

7.0 SOUTH DUBLIN COUNTY DEVELOPMENT PLAN ('CDP') 2022 – 2028

7.1 Introduction

The new South Dublin CDP 2022-28 was made on the 22nd of June. The plan comes into effect 6 weeks from the date of adoption (3rd of August). This is the Plan under which the application will be assessed and therefore is the Plan which is the focus of this planning statement.

7.2 Zoning Map

The site is primarily zoned **RES**, the objective of which is *"To protect and/or improve residential amenity"*.

There is a small element to the southeast zoned **OS**, the objective of which is *"To preserve and provide for open space and recreational amenities"*. Only open space is proposed in this portion of the site.

There is also a small area to the north east zoned **RU**, the objective of which is *"To protect and improve rural amenity and to provide for the development of agriculture"*. Only car parking and road surfaces are proposed in this portion of the site. There was no objection to ancillary works in this portion of the site under the previous application which has the same zoning objective.

The blue 'X' symbols indicate items on the **Sites and Monuments Record**.

The road to the south forms part of the **NTA Greater Dublin Cycle Network Plan**.

The site is contained within:

- An **Architectural Conservation Area**
- **Sites and Monuments Record Zone of Notification**
- **Sites of Geological Interest**

There is a map-based objective to **Protect and Preserve Significant Views** along the Newcastle Road opposite a small part of the site. Critically the arrows face **away** from the site and therefore this significant view is not relevant in terms of the development of this site.

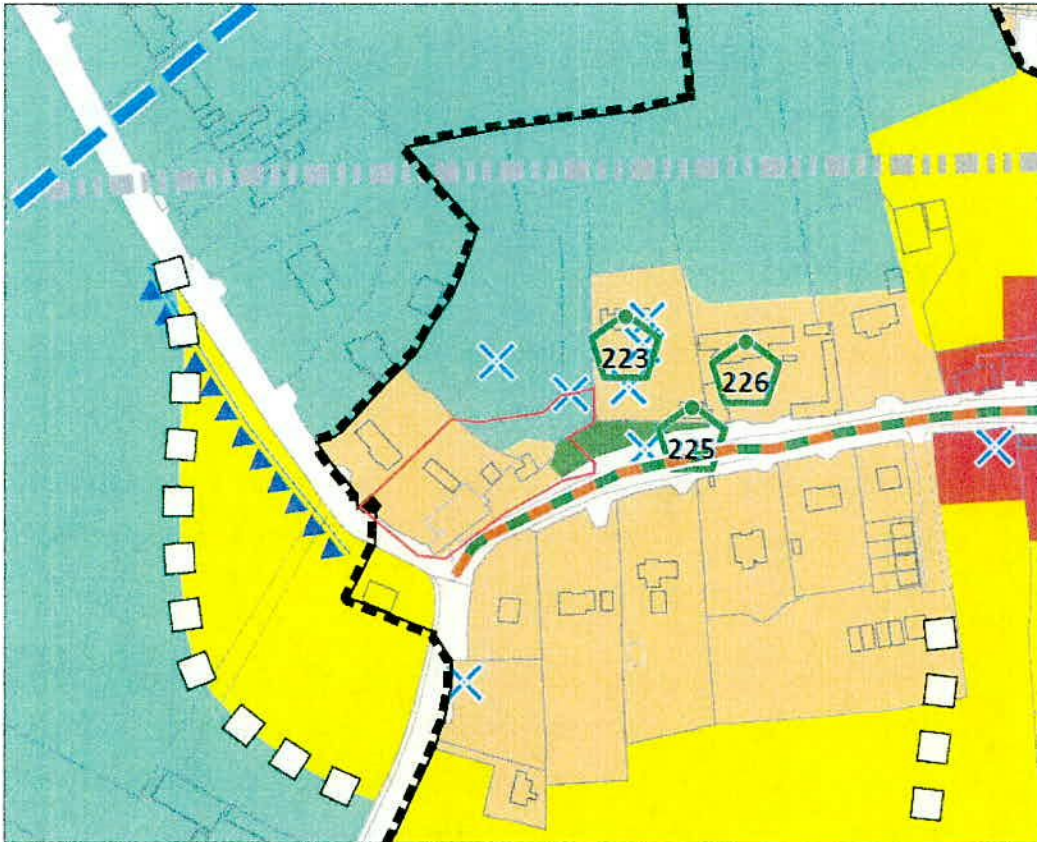


Fig No.10 Extract from zoning map SDCDP 2016-22 (Map No.7). The red line boundary is indicative only.

7.3 Relevant Policies & Objectives

Core Strategy

Newcastle is identified as a **Self-Sustaining Growth Town**.

Policy CS4: Active Land Management

Facilitate the re-use and regeneration of vacant sites and landbanks through various measures to promote compact urban growth in line with the Core Strategy.

NCBH24 Objective 1:

To **encourage the repurposing and reuse of older vacant and derelict structures, particularly within towns, villages and Architectural Conservation Areas.**

H1 Objective 9:

To **promote the re-use of and reactivation of vacant units within our Urban Areas**

Density and Building Heights

Securing compact and sustainable urban growth in South Dublin County will mean **focusing on reusing previously developed 'brownfield' land in the County as well as undeveloped infill sites**, particularly those served by good public transport (p.192)

QDP8 Objective 1:

To assess development proposals in accordance with the Building Height and Density Guide set out in Appendix 10 of this Development Plan and associated planning guidelines.

13.5.8 Residential Consolidation: 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.

It is noted that the SRDUA Guidelines 2009 note that smaller towns and villages are defined as those with a population ranging from 400 to 5,000 persons and recommend a density of:

Edge of centre sites - densities to a range of **20-35 dwellings per hectare**

The proposed density is 41 units per hectare which is marginally higher than the recommended guidelines but given it is a key gateway site it is submitted that flexibility should be afforded in this particular circumstance. The density does not have any material impact on any neighbouring properties.

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 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.

A site analysis is provided.

While the minimum standards set will be sought in relation to refurbishments schemes it is recognised that this may not achieve a positive planning outcome, particularly in relation to historic buildings, 'living over the shop' projects, and tight (less than 0.25 Hectares) urban centre infill developments. In order to allow for flexibility, the standards may be assessed on a case-by-case basis and if considered appropriate, reduced in part or a whole, subject to overall design quality in line with the guidelines Sustainable Urban Housing: Design Standards for New Apartments, 2020.

N/A

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.

The existing retaining wall to the north is retained along with the stone wall to the east (repaired where required).

Where the proposed height is greater than that of the surrounding area a transition should be provided (See Chapter 5, Section 5.2.7, Section x of this Chapter and Appendix X: Building Height Design Guide).

The proposed blocks are notably distant from any neighbouring properties.

<p><i>Subject to appropriate safeguards to protect residential amenity, reduced public 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.</i></p>
<p>25 no. car park spaces are proposed for 18 units in a dedicated communal car parking area.</p>
<p><i>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.</i></p>
<p>N/A</p>
<p><i>All residential consolidation proposals shall be guided by the quantitative performance approaches and recommendations under the 'Site Layout Planning for Daylight and Sunlight' (2nd edition): A Guidelines to Good Practice (BRE 2011) and BS 8206-2: 2008 – 'Lighting for Buildings – Part 2: Code of Practice for Daylighting' . and/or any updated guidance.</i></p>
<p>N/A - given the distance of the proposed development from any neighbouring properties.</p>
<p><i>It should be ensured that residential amenity is not adversely impacted as a result of the proposed development.</i></p>
<p>N/A - given the distance of the proposed development from any neighbouring properties.</p>
<p><i>Delivery of Public Open Space and Contribution in Lieu shall be in accordance with the provisions set out under Section 8.7.4 of Chapter 8, Community Infrastructure and Open Space.</i></p>
<p>Noted</p>

NCBH20 Objective 8:

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.

An Architectural Design Statement prepared by Demesne Architects accompanies the application.

Newcastle

Policy CS9: Newcastle

Support the sustainable long-term growth of Newcastle by focusing development growth within the current settlement boundary and based on the ability of local services to cater for sustainable growth levels.

Policy CS9 Objective 2:

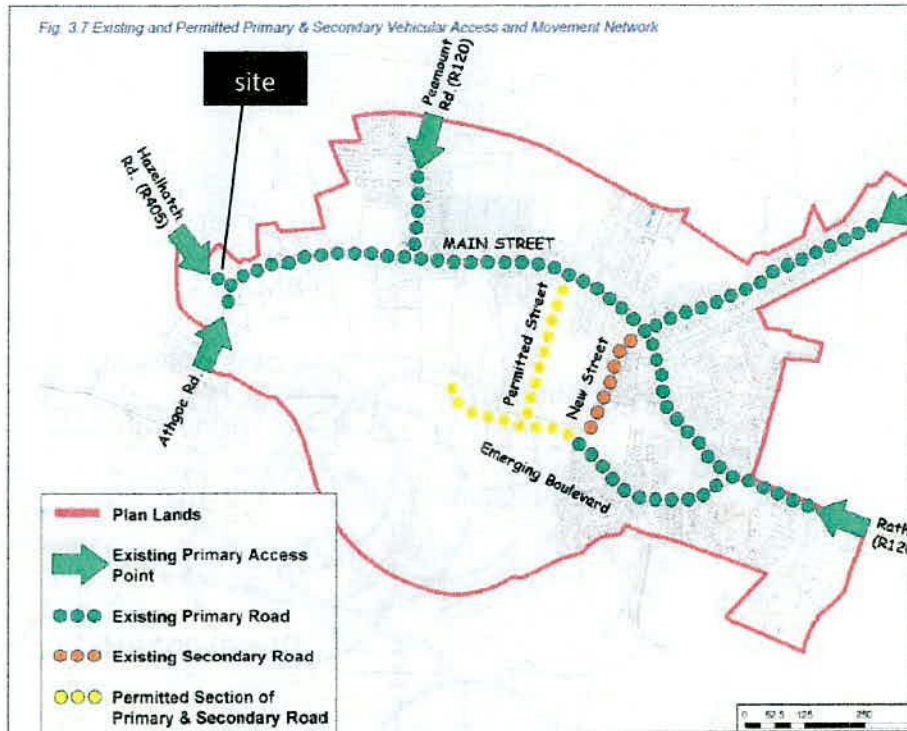
To support well designed infill and brownfield development on zoned lands along the main street, in particular where it provides for improved services, commercial, retail or mixed use provision to meet the needs of the growing population.

8.0 NEWCASTLE LOCAL AREA PLAN 2012-22 ('NLAP').

This LAP was extended in 2017 to the end of 2022.

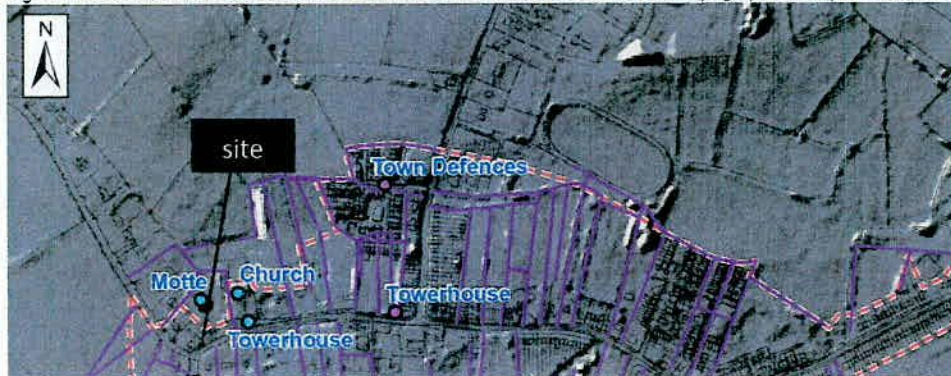
It is important to note that this LAP was prepared in 2012 and planning policy has changed considerably in that time period. The provisions of the SDUDP 2022-28 take precedent over the provisions of the NLAP

Primary Access Points to the Town.

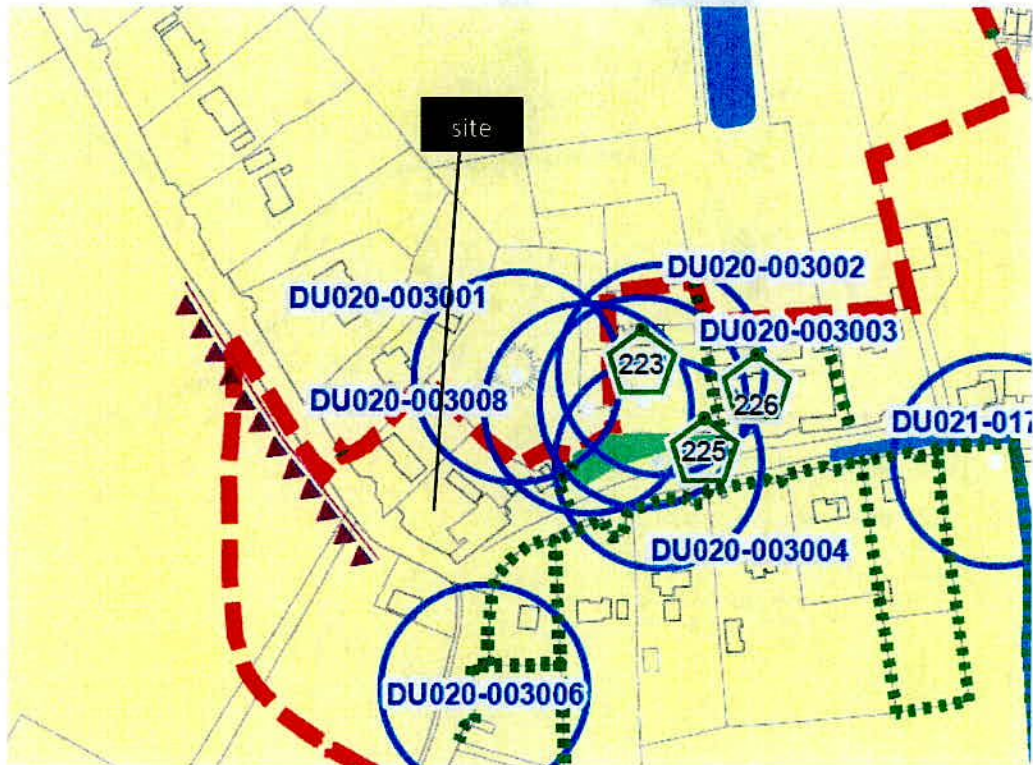


Recorded Monuments

Fig. 4.2 Location of Recorded Later Medieval Sites and Monuments Overlaid on Topographical Map of Newcastle



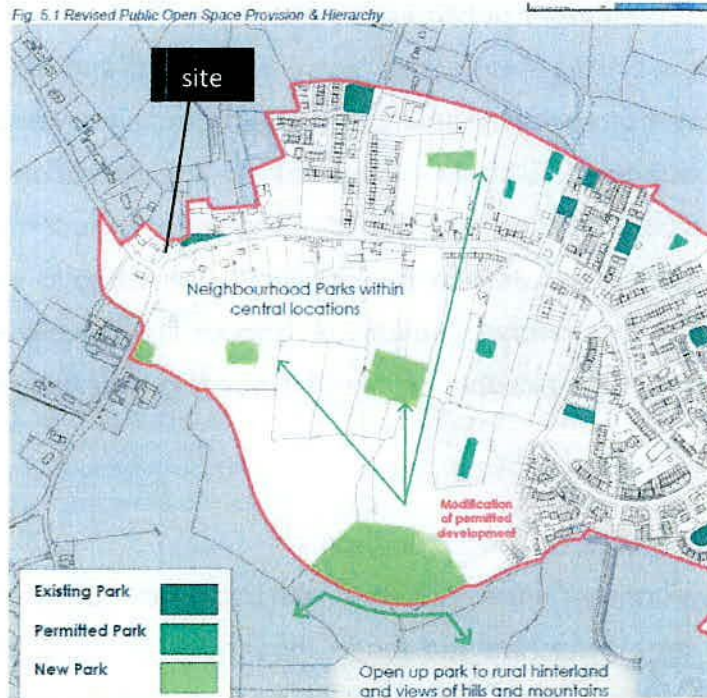
Recorded Monuments



13th Century motte (DU020-00301)

Public Open Space





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. (Objective GI21)

Development within the vicinity of an upstanding monument(s) shall enhance the setting of the feature(s) and shall be sited and designed appropriately. Views of the Motte and Saint Finian's Church of Ireland Church from Main Street and Hazelhatch Road shall be protected by sensitive surrounding development. **Development of the derelict public house site (previously known as McEvoy's) at the north-east corner of the junction between Main Street and Hazelhatch Road should be especially designed to enhance and protect views of the Motte and Saint Finian's Church of Ireland Church.** (Objective GI24)

It is an objective of this Local Area Plan:

- Development of the **former public house site** at the north-east corner of the junction between Main Street and Hazelhatch Road **shall include a sensitively designed gateway feature that announces the approach into Newcastle and its Historic/Cultural quarter.** This could include for the incorporation of elements from the former public house structure and any archaeological material found on site. Development of this site **shall be sensitive to the setting to the Motte and Saint Finian's Church of Ireland Church** and **should incorporate views of the Motte and Church, where possible,** within the buildings overall design setting. (Objective LUD5)

It is an objective of this Local Area Plan that:

- Residential development within the Settlement Edge shall consist of low density detached and semi-detached residential housing (15 – 20 dwellings per Hectare) on large garden plots. Such housing shall provide an appropriate and soft transition with the adjoining open countryside and shall be set amongst generously planted streets and open spaces that includes for semi-mature planting. (Objective LUD8) **A reduced quantum of development is required on the parcel of land at the south-west corner of the junction of Hazelhatch and Athgoe Road in order to create a softer rural edge and a more appropriate transition with the surrounding countryside while protecting established views and elements of built heritage** (see Section 6.3.3).

Residential Density

Table 5.4 Recommended Densities and Uses

Character Area	Primary Use	Net Average Density per Ha.
The Village Core	Mixed	30 - 35
Village Expansion	Residential with local shopping & services	25 - 30
Settlement Edge	Residential	15 - 20*

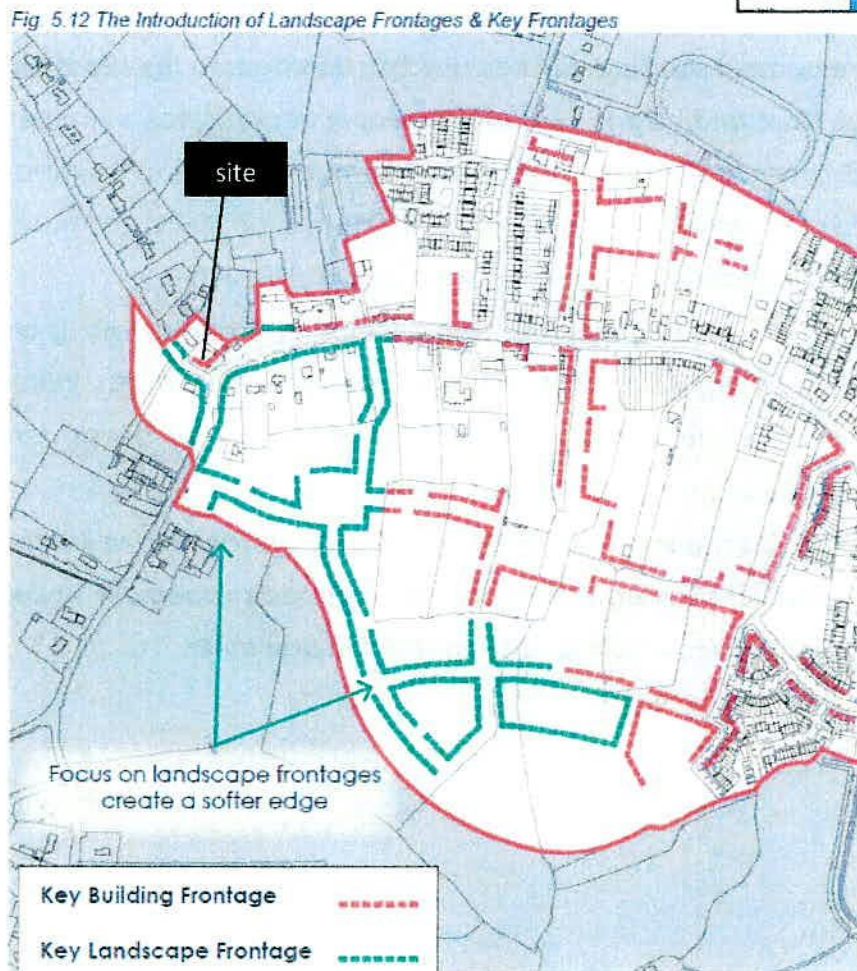
Note: To facilitate flexibility, a 10% variation below and above each of the density ranges is permissible.

* A reduced quantum of development is required on the parcel of land at the south-west corner of the junction of Hazelhatch and Athgoe Road (see Section 6.3.3).

It is an objective of this Local Area Plan that:

- **Development shall present key building frontages to the street edge within the Village Core and Village Expansion areas** in accordance with the requirements of this Local Area Plan. Landscape Frontages shall be presented to the street edge in the Settlement Edge. Active frontages should be promoted as much as possible especially along Main Street. (Objective BF1)

- Where existing significant/historical structures exist along or immediately adjoining Main Street these structures, or parts thereof, shall be incorporated, where possible, within the overall design scheme for any development site. (Objective BF1a)
- 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.**
(Objective BF1b)



It is proposed that gateways for Newcastle Village be created at the following strategic locations:

1. Junction between Hazelhatch Road, Athgoe Road and Main Street.

It is an objective of this Local Area Plan that:

- Gateway and landmark features/structures shall only be developed at the identified locations and shall be appropriate to the scale and character of surrounding development. (Objective BF10)
- **Gateway and landmark features/structures shall incorporate elements, finishes and materials that reflect the development's time and place.** The use of trees and planting as gateway features are encouraged especially at the western gateways of the village.

(Objective BF11)

- Streets shall be designed to incorporate changes in materials and finishes to **highlight important local features such as at the Civic, Historical/Cultural and Retail nodes and at all Gateways into the Village.** Proposals for materials to be used shall be included within all planning applications. (Objective BF12)

Fig. 6.5 Main Street (West) - Indicative Layout



Summary

It is very clear from the above that the subject site is in a sensitive area and any development of the site needs to take cognizance of same.

7.0 ENVIRONMENTAL

7.1 Appropriate Assessment Screening

Screening is the first stage within the overall process of 'Appropriate Assessment' (AA) or 'Habitats Directive Assessment', required by the Habitats Directive (Article 6 (3) s.1.2). Circular NPW 1/10 and PSSP 2/10, dated 11th March 2010, issued by the Department of the Environment, Heritage and Local Government states that any project must be assessed for impact upon Natura 2000 sites, in accordance with Article 6 (3) of the European Habitats Directive. The Circular further notes that while "*all projects involving land use change are subject to screening, in the majority of cases this will not necessitate the consent authority having to seek additional information*" - emphasis added.

The purpose of the screening is to assess, in view of best scientific knowledge, if the proposed development, individually or in combination with another plan or project is likely to have a significant effect on a site of European-level ecological importance (i.e. Natura 2000 sites: candidate Special Areas of Conservation and Special Protection Areas).

Screening is defined in the Appropriate Assessment for Plans and Projects in Ireland: Guidance for Planning Authorities, 2009 ('AA Guidelines, 2009') as:

"the process that addresses and records the reasoning and conclusions in relation to the first two tests of Article 6(3):

- i) whether a plan or project is directly connected to or necessary for the management of the site, and*
- ii) whether a plan or project, alone or in combination with other plans and projects, is likely to have significant effects on a Natura 2000 site in view of its conservation objectives.*

If the effects are deemed to be significant, potentially significant, or uncertain, or if the screening process becomes overly complicated, then the process must proceed to Stage 2 (AA). Screening should be undertaken without the inclusion of mitigation, unless potential impacts clearly can be avoided through the modification or redesign of the plan or project".

If no likely significant effects have been identified then the assessment process does not proceed any further.

In this context "likely" means any effect that may be reasonably predicted and "significant" means not trivial or inconsequential but an effect that is potentially relevant to the site's conservation objectives (English Nature, 1999). Any effect which would compromise the functioning and viability of a site and interfere with achieving the conservation objectives of the site would constitute a significant effect.

The subject site is located a considerable distance away from any Natura 2000 site. The subject site is situated approximately **c.7.1 kilometres** from the closest Natura 2000 site, namely the **Rye Water Valley/Carlton SAC, Site Code: 001398**. Taking into consideration the significant distance, the absence of any ecological link to this Natura 2000 site, the small-scale nature of the development and the proposed connection to public mains in respect of foul it is submitted that there is no material risk to any Natura 2000 site within 15km of the site.

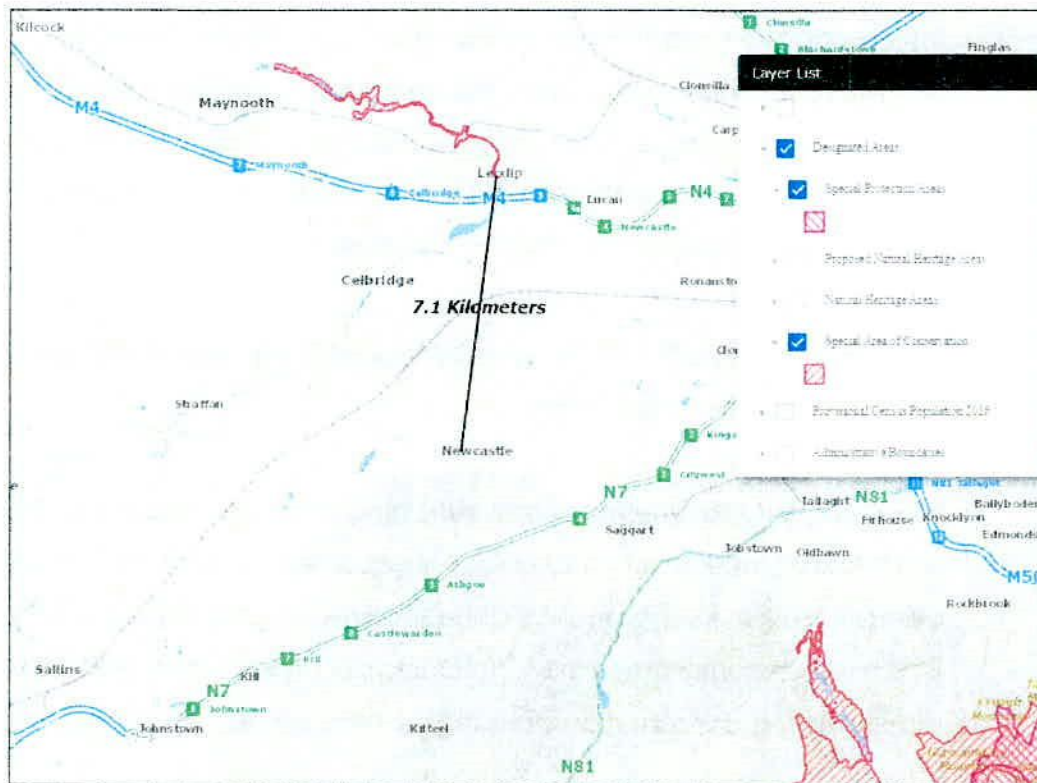


Fig No.10 Location of site relative to closest NATURA 2000 sites.

8.0 PROPOSED DEVELOPMENT

4.1 Description

The proposed development involves 18 residential units provided in 2 separate blocks. Block 1 is 3 storeys high and will contain 12 units. Block 2 is 2 storeys high and will contain 6 units.

The proposed development provides an attractive frontage onto both public roads adjoining the site, ensuring a strong built edge along both roads.

The two blocks are setback as far as possible from the recorded monument adjoining the site (further than the previous scheme which was refused).

The scheme will use the existing vehicular access/egress off Hazelhatch Road and provide a new egress (only) off Main Street. Car parking is provided to the east side of the site.

Please refer to the **drawings** and **Design Statement** prepared by **Demesne Architects (RIAI)** which describes the proposal and the design rationale behind same. A concerted effort has been made to provide a design that provides an attractive **gateway building** into Newcastle and still allows for views from the public realm toward the national monument at the rear of the site.

Please note that the design has been informed by early inputs from **Dr. Charles Mount, Archaeologist** and the impact of the proposed development has been addressed in the **Archeological & Cultural Impact Assessment** prepared by Dr. Mount.

Development Management Standards

Please refer to the Site Statistics on the layout drawing and Housing Quality Assessment prepared by Demesne Architecture which outlines compliance with all minimum requirements in the 2018 Apartment Guidelines and the SDCDP in terms of density, floor areas, storage, public open space, private open space, car parking and cycle parking etc.

Housing Mix

It is proposed to provide 18 no. units with 6 no. 1 beds, 6 no. 2 beds and 6 no. 3 beds. There will be 15 no. apartments and 3 no. duplexes.

1 BED APARTMENT	6 NO.
2 BED APARTMENT	6 NO.
3 BED DUPLEX	3 NO.
3 BED APARTMENT	3 NO.

It is considered that this represents a reasonable mix of units for what is a relatively small development.

Landscape Plan

The applicant is accompanied by a detailed **landscape plan** prepared by Anthony Johns Landscape Design which includes boundary treatments.

The landscape plan ensures there is no conflict with proposed drainage as shown in the engineering drawings.

Residential Amenity

The dwelling to the north of the site presents a blank gable end to the subject site. It is proposed to provide new screen planting along the northern boundary of the site where it adjoins this property.

Comparison to Previous Scheme that was Refused

The key issues in the An Bord Pleanála refusal were the excessive scale and design of the proposed development, including carparking, which would constitute overdevelopment, would be an inappropriate form of design in the area, would adversely affect the character, heritage value and setting of the protected structures and recorded monument.

It is submitted to the Council that the current scheme is of a significantly higher quality in terms of design and massing, is setback further from the recorded monument and does not have a material impact on the character and setting of the protected structures and recorded monument as per the expert opinion from Dr. Charles Mount.

Please refer to the Design Statement prepared by Demesne Architects for a comparison drawing of the previous scheme that was refused on the site and the proposed development under the current application.

8.2 Pre-Planning Response – Ref. PP019/22

A draft layout for 18 units was submitted to the Council along with a detailed pre-planning statement outlining the planning context and the proposal.

An on-line pre-planning meeting was held on 6th April 2022. The issues raised by the Planning Authority are addressed below. Engineering issues raised at the meeting are addressed separately by DOBA Consulting Engineers.

Detailed pre-planning pack welcomed. Recognised that this is an underutilised site at prominent location and welcome development of same for residential development.

Noted

Recognised that policy context has changed since Newcastle LAP prepared in 2016. There is a current policy flux as new development plan nearly ready to come into force, advised to wait for same.

New SDCCDP is now in force.

Design approach is welcomed as addressed both road and corner.

Noted

Would prefer to see own door access directly onto the street to provide a more urban type development – rather than setback of the edges.

It is submitted that providing own door access directly onto the street is more suitable in a village centre location rather than the edge of the village. We submit that the proposed development still provides a strong edge treatment to the roads and achieves an urban type development which will form a notably attractive and high-quality architectural statement leading into the village. We note that other own door access schemes have led to concerns with safety thus resulting in engineering-based solutions such as railings etc which undermines the visual amenity of the building. We further submit that the applicant has serious reservations about being able to own door access directly onto the street, whereas the provision of a small setback will make a

significant difference in terms of having a sense of ownership and privacy. This small setback area will also provide an attractive amenity area due to its southerly aspect and will be protected from the road by a low lying wall and railings.

Justification required as to why residential use only and no commercial element as sought in NLAP

It is submitted that the site is at the edge of the village and it is highly unlikely that providing commercial uses at this location would work from a viability perspective. Commercial uses are more suited to the village centre. A commercial use also introduces difficulties with additional car parking and servicing which are not considered appropriate to this sensitive location.

Concerns about private open space to the north being overshadowed by the proposed building.

It is accepted that there will be some overshadowing of this amenity space during the course of the day but on balance it is critical to locate the proposed buildings close to the road in order to maximise distance from the recorded monument and to provide a strong edge and corner treatment. The communal open space to the road side of the units will afford residents an area where they can avail of southerly aspect during the day and help provide life onto the street. The open space will not be in shadow for the full duration of the day and given this is an urban area some overshadowing is to be expected and tolerated.

Site is located in a very sensitive area and the bar for design quality is very high. Important to break up the massing of the blocks.

Please refer to the drawings and design statement prepared by Demesne Architects. Please also refer to the Archeological & Cultural Impact Assessment prepared by Dr. Charles Mount whose initial findings informed the design and which also assesses the impact of the design on the character and setting of the nearby built heritage and archaeology.

Car parking needs to be appropriately screened with landscaping.

Refer to the landscape plan prepared by Anthony Johns Landscape Design Ltd.

9.0 CONCLUSION

The applicant seeks to construct 18 apartment units in two blocks along with all associated works.

The proposed development will:

- Replace vacant and derelict buildings that significantly detract from the visual amenity of this high-profile entry point into Newcastle since 2004.
- Provide a high-quality residential development on the site which will act as a gateway feature into the town.
- Provide a strong and attractive edge treatment along Main Street and Hazelhatch Road.
- Provide public views of the Motte to the rear and of the Church on adjoining lands from the public road and within the scheme itself.
- Provide much needed housing units within on a brownfield site within a village promoting compact development in line with national planning guidelines.
- Comply with the zoning objectives for the site in terms of land use.
- Be compatible with the adjoining land uses and not have a material negative impact on the character or setting of the national monument or Protected Structure.

- Address the reasons for refusal under the previous planning application on the site.
- Accord with development plan policy to facilitate the re-use and regeneration of vacant sites.
- Accord with development plan policy to provide a mix of housing units.
- Accord with all relevant minimum apartment guideline and development plan management standards and in most case significantly exceed same.
- Provide 20% completed Part V units for persons on the Council's housing list.

In view of the above it is considered that the proposed development accords with the proper planning and sustainable development of the area.

Signed:



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