

Comhairle Chontae Atha Cliath Theas

PR/1237/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22A/0045 **Application Date:** 11-Feb-2022
Submission Type: Additional **Registration Date:** 06-Sep-2022
Information

Correspondence Name and Address: William Donoghue & Associates Main Street,
Mountcharles, Donegal

Proposed Development: Construction of 6 three bedroom dwelling houses;
construction of proposed access road and footpaths;
provision of car parking facilities to serve the
proposed development which shall connect into
existing adjoining foul sewer network; construction
of a water surface sewer network to serve the
proposed development including the
connections/amendments to the existing adjoining
surface water network; the provision of watermain to
serve the proposed development and connection to
existing adjoining water main; the provision of all
necessary utility services and all ancillary site works.

Location: St. Finians Way, Main Street, Newcastle, Co. Dublin

Applicant Name: Pavement Homes Ltd.

Application Type: Permission

(SW)

Description of Site and Surroundings:

Site Area: Stated as 0.19 Hectares.

Site Description:

The site of the proposed development is located to the south of Main Street, situated to the west of Newcastle village. Access to the site is via a new housing development approved under SD18A/0363. With the exception of the new development, the adjoining properties in the immediate vicinity of the site are characterised by large plots containing detached dwellings. The site is situated within Newcastle Architectural Conservation Area and is also within the Newcastle Local Area Plan area.

Site Visit: 21 March 2022

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Proposal:

The proposed development will consist of:

- Construction of 6 three bedroom dwelling houses;
- construction of proposed access road and footpaths;
- provision of car parking facilities to serve the proposed development which shall connect into existing adjoining foul sewer network;
- construction of a water surface sewer network to serve the proposed development including the connections/amendments to the existing adjoining surface water network;
- the provision of watermain to serve the proposed development and connection to existing adjoining water main;
- the provision of all necessary utility services and all ancillary site works.

Zoning:

The subject site is subject to zoning objective 'RES' - *'To protect and/or improve residential amenity'*

The site borders: -

'RES-N' lands to the south, the objective of which is *'To provide for new residential communities in accordance with approved area plans,'*

The site is within the boundaries of: -

Newcastle Local Area Plan

Newcastle Village Architectural Conservation Area.

Consultations :

Part V : No objection, subject to conditions.

EHO : No objection, subject to conditions.

Water Services : Request additional information.

Roads : Request additional information.

Parks : Request additional information.

Heritage : No report received at time of writing.

Architectural Conservation : No report received at time of writing.

TII : No observations.

Tusla : No report received at time of writing.

Irish Water : Request additional information.

Department of Housing, Local Government & Heritage : Request Additional Information.

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SEA Sensitivity Screening:

Indicates overlap with:

- Newcastle Village Architectural Conservation Area;
- Areas of Archaeological Potential;
- Record of Monuments and Places;
- Sites of Geological Interest.

Submissions/Observations /Representations:

A submission was received from the adjacent landowner.

- Roads and services should be taken to site boundaries to enable development of adjacent lands

Relevant Planning History:

Subject site

None.

Adjacent sites

SHD2ABP-311861-21

Construction of 283 dwellings and associated ancillary infrastructure on a site of c. 7.83 hectares as follows, 123 two storey houses (6 two bedroom houses, 104 three bedroom houses, 13 four bedroom houses; 124 apartments in 2 five storey buildings (38 one bedroom apartments, 76 two bedroom apartments and 10 three bedroom apartments, all with terrace or balcony); 36 apartments/duplex apartments in 3 three storey buildings – (18 two bedroom apartments and 18 three bedroom duplex apartments) all with terrace; Creche of c. 300 sq.m at ground floor of apartment block B; Open space (c. 1.55 hectares), hard and soft landscaping (including public lighting & boundary treatment), communal open space for duplex apartments and apartments; along with single storey bicycle/bin stores and ESB substation; Vehicular access from the Athgoe Road from a new junction to link to permitted Graydon (TA06S.305343) Newcastle Boulevard to the east, as well as 398 car parking spaces; Attenuation, connection to water supply, and provision of foul drainage infrastructure as well as underground local pumping station to Irish Water specifications and all ancillary site development/construction/landscaping works.

Report Returned to ABP

SD18A/0363

(1) Construction of 22 three bedroom dwelling houses; (2) construction of access road and footpaths; (3) provision of car parking facilities to serve the development; (4) construction of a foul sewer network to serve the development which shall connect into adjoining foul sewer network; (5) construction of a surface water sewer network to serve the development including the provision of the necessary attenuation elements and the connection of the surface water network to the adjoining surface water network; (6) provision of a waterman to serve the

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development and connection to adjoining water main; (7) demolition of the garden sheds; (8) provision of all necessary utility services; (9) all ancillary site works.

Decision: Grant Permission, subject to conditions (SDCC and ABP)

SD06A/0357

8 townhouses and 8 duplexes including semi-basement car parking, tennis court and associated site works, using an existing entrance. The development is within an area of archaeological interest and accordingly an archaeological appraisal is included with the application.

Decision: Application Withdrawn

SD05A/0344/EP and SD05A/0344 and PL 06S.217096

A residential development of 743 dwellings including a neighbourhood centre of 1,859.2sq.m and a crèche of 846sq.m at Ballynakelly 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).

Decision:

SD05A/0344/EP - Grant Extension of Duration of Permission (**Permission expired on 3rd November 2017**).

SD05A/0344 and PL 06S.217096 - SDCC Grant permission, subject to conditions and ABP Grant Permission with amended and removed conditions.

Relevant Enforcement History:

None recorded.

Pre-Planning Consultation:

None.

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

UC Policy 3 – Village Centres

It is the policy of the Council to strengthen the traditional villages of the County by improving the public realm, sustainable transport linkages, commercial viability and promoting tourism and heritage value.

UC3 Objective 1

To protect and conserve the special character of the historic core of the traditional villages and ensure that a full understanding of the archaeological, architectural, urban design and landscape heritage of the villages informs the design approach to new development and renewal, in particular in Architectural Conservation Areas (ACAs).

HCL Policy 1 – Overarching

HCL Policy 4 Architectural Conservation Areas

HCL4 Objective 2: To ensure that new development, including infill development, extensions and renovation works within or adjacent to an Architectural Conservation Area (ACA) preserves or enhances the special character and visual setting of the ACA including vistas, streetscapes and roofscapes.

HCL4 Objective 3: To address dereliction and promote appropriate and sensitive reuse and rehabilitation of buildings, building features and sites within Architectural Conservation Areas.

HCL Policy 5 - Older Buildings, Estates and Streetscapes

HCL5 Objective 2: To ensure that the redevelopment of older buildings, including extensions and renovation works do not compromise or erode the architectural interest, character or visual setting of such buildings including surrounding housing estates or streetscapes.

HCL5 Objective 3: To encourage the retention, rehabilitation, renovation and re-use of older buildings and their original features where such buildings and features contribute to the visual setting, collective interest or character of the surrounding area.

11.5.3 – Architectural Conservation Areas

11.5.4 – Older Buildings, Estates and Streetscapes

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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).

Policy H8 Residential Densities

It is the policy of the Council to promote higher residential densities at appropriate locations and to ensure that the density of new residential development is appropriate to its location and surrounding context.

Policy H9 Residential Building Heights

It is the policy of the Council to support varied building heights across residential and mixed use areas in South Dublin County.

Policy H10 Mix of Dwelling Types

It is the policy of the Council to ensure that a wide variety of adaptable housing types, sizes and tenures are provided in the County in accordance with the provisions of the Interim South Dublin County Council Housing Strategy 2016-2022.

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 H12 Public Open Space

It is the policy of the Council to ensure that all residential development is served by a clear hierarchy and network of high quality public open spaces that provides for active and passive recreation and enhances the visual character, identity and amenity of the area.

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.

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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.

Policy HCL2 Archaeological Heritage

Section 3.13.0 Open Space Management & Use

Policy C12 Open Space

It is the policy of the Council that a hierarchical network of high quality open space is available to those who live, work and visit the County, providing for both passive and active recreation, and that the resource offered by public open spaces, parks and playing fields is maximised through effective management.

Policy UC6 Building Heights

It is the policy of the Council to support varied building heights across town, district, village and local centres and regeneration areas in South Dublin County.

Section 6.3.0 Walking And Cycling

Policy TM3 Walking and Cycling

It is the policy of the Council to re-balance movement priorities towards more sustainable modes of transportation by prioritising.

Section 6.4.3 Road and Street Design

Policy H12

It is the policy of Council to ensure that streets and roads within the County are designed to balance the needs of place and movement, to provide a safe traffic-calmed street environment, particularly in sensitive areas and where vulnerable users are present.

Section 6.4.4 Car Parking

Policy TM7 Car Parking

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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

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 10.0 Energy

Policy E4 Energy Performance in New Buildings

11.2.0 – Place Making and Urban Design

Section 11.2.0 Place Making and Urban Design

Section 11.2.1 Design Statements

Section 11.2.3 Town and Village Centres

Section 11.2.7 Building Height

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Section 11.3.1 Residential

- (i) Mix of Dwelling Types*
- (i) Residential Density*
- (ii) Public Open Space/Children's Play*
- (iii) Dwelling Standards*
- (iv) Privacy*
- (v) Dual Aspect*

Table 11.20: Minimum Space Standards for Houses

Section 11.4.1 Bicycle Parking Standards

Table 11.22: Minimum Bicycle Parking Rates

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 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).

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).

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

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

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

Regional Planning Guidelines for the Greater Dublin Area 2010-2022, Dublin Regional Authority & Mid-East Regional Authority, (2010).

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)

Smarter Travel – A Sustainable Transport Future. A New Transport Policy for Ireland 2009 – 2020, Department of Transport, (2009)

National Cycle Manual, National Transport Authority, (June 2011)

Assessment:

The main issues for assessment relate to:

- Zoning
- Council policy & Residential Amenity
- Urban Design, Architectural Form and Visual Impact
- Impact on Architectural Conservation Area
- Internal Accommodation
- Private Open Space
- Access, Parking & Permeability
- Landscaping & Public Open Space
- Services & Drainage
- Part V Social & Affordable Housing
- Noise and Environmental Health
- Services & Drainage
- Heritage & Biodiversity
- Screening for Appropriate Assessment
- Screening for EIA

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Zoning

The subject site is subject to zoning objective 'RES' - *'To protect and/or improve residential amenity.'*

A residential development is permitted in principle within the 'RES' zone, subject to design and amenity safeguards.

The subject site is also governed by the Newcastle Local Area Plan. Compliance with the Local Area Plan will be discussed under 'Council Policy & Residential Amenity' below.

Furthermore, the area is also situated within Newcastle Architectural Conservation Area.

Council Policy & Residential Amenity

The proposed development is subject to Newcastle Local Area Plan and is situated within the Sean Feirm neighbourhood.

Objective LUD8 of the Local Area Plan states, *'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 SF7 states that *'development within the Sean Feirm Neighbourhood shall provide for residential uses only at a maximum density of circa 20 dwellings per hectare'.*

Objective SF1 of the Local Area Plan states that development of the Sean Feirm neighbourhood shall *'largely comprise detached and semi-detached dwellings on large garden plots that are set back from street edges by front gardens'.*

Objective SF8 states *'in order to provide an appropriate transition with the rural hinterland and ensure for the provision of low density housing as an alternative to rural housing, development of the Sean Feirm Neighbourhood shall only comprise detached and semi-detached houses'.*

The density of the proposed development is approximately 31 units per hectare. The design mirrors the adjacent approved development – there are 3 pairs of semi-detached properties with front gardens

Objective GI21 requires that an Archaeological Assessment Report be submitted with all Planning Applications within the Zone of Archaeological Potential.

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The application includes the Archaeological Test Excavation undertaken in conjunction with SD18A/0363. No Archaeological Impact Assessment has been submitted. This will be discussed further below in light of a submission from the Department of Culture, Heritage and the Gaeltacht.

Objective GI28 requires the submission of a Bat Survey as part of every planning application for development.

A Bat Survey (undertaken for SD18A/0363) has been submitted. This will be assessed further under 'Heritage & Biodiversity.'

Objective SF5 states that development '*shall include for a vehicular and pedestrian connection to Main Street*'.

Objective SF9 states '*residential development to the rear of existing properties located along Main Street shall be carried out in a manner that creates coherent streetscapes and connections between planned and existing streets. This shall be demonstrated as part of all relevant planning applications.*'

There is no direct connection to main street, however, it is not considered that this is necessary in this instance, as one has been provided as part of SD18A/0363. Indicative future links are shown to the south and east on the layout plan, however, these have not been taken to the site boundaries. The layout plan also indicates that the hedgerows would be retained in these locations. No landscape plan has been provided.

Overall, the proposed development would **not accord** with Council policy by virtue of the proposed densities, layout and deficiencies in information, having regard to the Newcastle Local Area Plan.

The proposed development would involve the construction of 6 residential units, configured in three pairs of semi-detached properties, two storeys in height, with access via the development permitted under SD18A/0363. The blocks contain front gardens, with off-street car parking. The proposed typology of the units (semi-detached) would accord with the Local Area Plan, which stipulates that units shall be largely detached or semi-detached (Objectives SF1 and SF8). The separation distances between the rear of the properties and boundaries would be between approx. 12.5 and 13m, which is considered acceptable. A separation distance of approximately 29m between properties is maintained.

The site is situated immediately to the west of the development permitted under SD18A/0363. It is noted that on the western boundary of the site the dwelling permitted under SD18A/0363 was stepped forward and angled southeast. The dwelling immediately adjacent to this proposed under

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the current application is set a significant distance back from the building line of the permitted development. The Planning Authority are of the opinion that this dwelling should be brought forward to soften the impact of the transition between the approved development and the proposed. A detached dwelling of a similar type to the adjacent approved dwelling could potentially be provided in this location.

In summary, it is noted that the proposed development reflects the scheme approved under SD18A/0363. This scheme was for 18 dwellings on a site area of 0.71 hectares – the resultant density was approx. 25dph. The proposal would have a density of 31dph in this instance. It is noted that a scheme of 5 dwellings on this site would reflect the density approved under SD18A/0363. It is also not considered that the applicant has adequately demonstrated linkages to the surrounding lands, and this should also be addressed.

As such, it is considered that the applicant should be offered the opportunity to address these concerns by way of **additional information**.

Urban Design, Architectural Form and Visual Impact

The applicant has submitted an Urban Design Statement. Whilst not prepared for the development in question, it was prepared for the additional information response to SD18A/0363 and, as such, reflects the overall design of the current proposal.

Overall, the design of the previous scheme was considered acceptable, subject to conditions surrounding materials. Given the similarities in the scheme, it is also considered that the design of the scheme is acceptable in this instance.

Impact on Architectural Conservation Area

The site of the proposed development is located within the Architectural Conservation Area. No report has been received from the Council's Architectural Conservation Officer in this instance. However, given the similarities between the proposal and the development permitted under SD18A/0363, the proposal is considered acceptable.

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Internal Accommodation

The guidance on internal accommodation within dwellings is detailed in *Quality Housing for Sustainable Communities: Best Practice Guidelines* (2007).

Each of the houses would measure 100sq.m and would have the following measurements:

House Type	Room	Floor Area provided	Floor Area Required	Min room width	Room width provided	Aggregate area required	Aggregate area provided
3bed	Kitchen	17.9sq.m	13sq.m	-	-	30sq.m	34.4sq.m
	Living	18.1sq.m	13sq.m	3.6m	4.4m		
	Bed1	7.4sq.m	7.1sq.m	2.1m	2.325m	28sq.m	30.4sq.m
	Bed2	8.7sq.m	7.1sq.m	2.1m	2.325m		
	Bed3	15.4sq.m	11.4sq.m	2.8m	3.65m		
	Store	7.4sq.m	4sq.m	-	-	-	-

It is noted that there were concerns raised regarding the functionality of the storage space previously. Whilst the adjacent development (SD18A/0363) has received planning permission, these concerns still remain. The applicant is, therefore, requested to provide details of storage that is functional and does not act as hallway space. **Additional information** is therefore requested.

Private Open Space

Table 11.20 'Minimum Space Standards for Houses' contained within the County Development Plan sets out the quantum of private open space that should be provided. A three bedroom should have 60sq.m. In accordance with the areas indicated on the site layout plan, it would appear that the proposed units would comply with the quantum of private amenity space required.

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Access, Parking & Permeability

The proposed development would involve a new road, accessed from Main Street, which is identified in the Newcastle Local Area Plan.

A report was received from the Roads Department which has requested additional information. For clarity, the comments include:

'Access & Roads Layout:

Connectivity to other developments should be shown to the boundary of the site. These roads must be constructed up to the site boundary to prevent the formation of ransom strips. A masterplan should be submitted detailing the connectivity to future developments to the south and west. The footpath should be continued to these future connections too.

Car Parking:

*It is proposed to provide 2no. on curtilage spaces for each dwelling, this is the maximum for Zone 1 under the current County Development plan'. It is considered that a number of the issues raised above should be requested by way of **additional information**. addressed by way of **additional information**.*

Landscaping & Public Open Space

The file was referred to the Parks and Public Realm Department. A report received has requested additional information. A number of issues have been raised which are:

"Landscape Plan

The applicant has shown some proposed planting on the submitted site plans for the development however this does not constitute an acceptable landscape plan. The applicant is therefore requested to submit a detailed landscape plan. The applicant is requested to provide a landscape plan including a detailed planting plan prepared by a suitably qualified landscape architect.

SUDS

There is a lack of SuDS (Sustainable Drainage Systems) shown for the proposed development. Natural SUDS features shall be incorporated into the proposed drainage system. The SUDS shall be an integrated multi-disciplinary approach which locally addresses water quality, water quantity, and provides for amenity and biodiversity enhancement which meets the objectives of South Dublin County Council Development Plan 2016-2022.

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Tree Protection Measures

There is a lack of information provided in relation to the tree protection measures to be employed during the construction phase in order to ensure the protection of the existing hedgerow and boundary tree planting which would be considered to be of importance in terms of Green Infrastructure, biodiversity and ecology."

Additional information is requested.

Part V Social & Affordable Housing

A report was received from the Housing Department which notes that in the event of a grant, the unit numbers, types, location and costings in respect of the Part V requirement should be agreed with the Housing Department subject to approval of the Department of Housing, Planning, Community and Local Government. It is considered appropriate to attach such a **condition** in the event of a grant.

Services and Drainage

The file was referred to the Water Services and Irish Water, who have requested additional information relating to surface water drainage and watermain layout.

Noise & Environmental Health

A report received from the H.S.E. Environmental Health Officer has noted no objections to the proposed development, subject to compliance with conditions relating to noise, air quality, refuse storage, lighting and pest control. It is considered reasonable to attach these **conditions**, in the event of a grant of permission.

Heritage & Biodiversity

In accordance with the provisions of the Newcastle Local Area Plan, all planning applications should be accompanied by an Archaeological Impact Assessment. The site is location with a Zone of Archaeological Potential and Recorded Monument, DU020-023 and is situated within a Site of Geological Interest. A report received from the Department of Culture, Heritage and the Gaeltacht has requested that an Archaeological Impact Assessment be submitted by way of additional information to enable the Department and the Planning Authority to 'formulate an informed archaeological recommendation before a planning decision is taken.'

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The information to be contained within the Archaeological Impact Assessment as outlined by the Department includes:

- 1. The applicant is required to engage the services of a suitably qualified archaeologist to carry out an archaeological assessment of the development site. No sub-surface work should be undertaken in the absence of the archaeologist without his/her express consent.*
- 2. The archaeologist should carry out any relevant documentary research and inspect the site. Test trenches may be excavated at locations chosen by the archaeologist (licensed under the National Monuments Acts 1930-2004), having consulted the site drawings.*
- 3. Having completed the work, the archaeologist should submit a written report to the Planning Authority and to the Department of Culture, Heritage and the Gaeltacht in advance of the planning decision. Where archaeological material/features are shown to be present, preservation in situ, preservation by record (excavation) or monitoring may be required.*

It is considered that the recommendations of the Department of Culture, Heritage and the Gaeltacht should be requested by way of **additional information**.

No report was received from the County Heritage Officer. It is noted that the applicant has submitted Ecological Surveys and Bat Surveys that were undertaken in relation to SD18A/0363. This is not considered to be sufficient for the purposes for assessing this application, owing to the separate nature of the site and the time lapse since the surveys were undertaken. Fresh surveys should, therefore, be provided as **additional information**.

Screening for Appropriate Assessment

On the basis of the information on file, which is considered adequate to undertake a screening determination and having regard to:

- the nature and scale of the proposed development,
- the intervening land uses and distance from European sites,
- the lack of direct connections with regard to the Source-Pathway-Receptor model,

it is concluded that the proposed development, individually or in-combination with other plans or projects, would not be likely to have a significant effect on the above listed European sites or any other European site, in view of the said sites' conservation objectives.

An appropriate assessment is not, therefore, required.

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Screening for Environmental Impact Assessment

Having regard to the modest nature of the proposed development, and the distance of the site from nearby sensitive receptors, there is no likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

Conclusion

The Planning Authority has some concerns regarding the current configuration of the site, as well as the proposed density and access to adjoining lands. There are also concerns regarding internal standards, drainage, surface water, tree protection, archaeology and heritage.

In this instance, it is considered that the applicant should be invited to address the concerns by way of **additional information** to ensure the proposed development is in keeping with the sustainable planning and development of the area.

Recommendation

Request additional information.

Additional information requested: 7 April 2022

Additional information received: 6 September 2022

Consultations:

Roads: No objections, subject to conditions.

Water Services: No objections, subject to conditions.

Irish Water: No objections, subject to conditions.

TII: No report received at time of writing.

Parks: Clarification of Additional Information.

Heritage: No report received at time of writing.

South Dublin County Development Plan 2022-2028

Since the additional information request was issued, the South Dublin County Development Plan 2022-2028 has come into effect, as of the 3rd of August 2022. The additional information submitted will be assessed under this Plan.

The following policies and objectives are considered relevant to the proposed development:

Policy CS1: Strategic Development Areas

2.6.1 Land Capacity Study

Land Capacity Sites

Figure 9: Housing Capacity Sites

2.6.5 Core Strategy – 2022-2028 Development Plan

2.6.6 Housing Strategy

2.7 Settlement Strategy

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Policy CS3 Promote and facilitate housing and population growth in accordance with the overarching Core Strategy to meet the needs of current and future citizens of South Dublin County.

CS3 Objective 6: To ensure the phased development of new housing areas in tandem with the delivery of physical and social infrastructure provision as identified within Local Area Plans or as informed by assessments carried out by the Planning Authority.

Policy CS6: Settlement Strategy - Strategic Planning Principles

2.7.2 Self-Sustaining Growth Towns / Self-Sustaining Town

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.

CS9 Objective 1:

To ensure that development proposals provide for infrastructure including community buildings, sports pitches and service provision in line with population growth as set out in the Newcastle LAP (2012 extended to December 2022) or any succeeding plan.

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.

CS9 Objective 3:

To proactively support and promote the highest appropriate levels of services, social infrastructure, facilities, retail, open space amenity and economic activity to meet the needs of current and future growth in line with the scale and function of Newcastle within the settlement hierarchy.

Policy NCBH1: Overarching

NCBH1 Objective 1

Policy NCBH2: Biodiversity

Policy NCBH3: Natura 2000 Sites

Policy NCBH5: Protection of Habitats and Species Outside of Designated Areas

Policy NCBH11: Tree Preservation Orders and Other Tree / Hedgerow Protections

Policy NCB12: Geological Sites

Policy NCBH13: Archaeological Heritage

Policy NCBH14: Landscapes

Policy NCBH19: Protected Structures

Policy NCBH20: Architectural Conservation Areas

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Policy GI1: Overarching

Policy GI2: Biodiversity

Policy GI3: Sustainable Water Management

Policy GI4: Sustainable Drainage Systems

Policy QDP2: Overarching - Successful and Sustainable Neighbourhoods

Policy QDP3: Neighbourhood Context

Policy QDP7: High Quality Design – Development General

Policy QDP7: High Quality Design – Street Frontage

Policy QDP7: High Quality Design – Adaptability and Inclusivity

Policy QDP8: High Quality Design – Building Height and Density Guide (BHDG)

Policy QDP9: High Quality Design - Building Height and Density

Policy QDP11: Materials, Colours and Textures

Policy H7: Residential Design and Layout

Policy H8: Public Open Space

Policy H9: Private and Semi-Private Open Space

Policy H10: Internal Residential Accommodation

Policy H11: Privacy and Security

H11 Objective 3:

To ensure that private open spaces, where it consists of gardens, are enclosed within perimeter blocks behind the building line and that they are subdivided by suitably robust boundary treatments of a sufficient height and composition to provide adequate privacy and security. In limited circumstances, some discretion may be provided for where the configuration of the space can provide for private and secure space, to a high quality, elsewhere on the site than behind the building line.

Policy H12: Steep or Varying Topography Sites

Policy H13: Residential Consolidation

Promote and 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.

H13 Objective 5:

To ensure that new development in established areas does not unduly impact on the amenities or character of an area.

Policy SM7: Car Parking and EV Charging

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*Policy COS5: Parks and Public Open Space – Overarching
COS5 Objective 7:*

To require at the sole discretion of the Planning Authority a pro rata contribution in lieu of provision of public open space where, due to the small size, configuration or location of a particular development or on sites with less than three units it is not possible to provide functional public open space on site.

Policy E3: Energy Performance in Existing and New Buildings

Policy IE2: Water Supply and Wastewater

Policy IE3: Surface Water and Groundwater

12.3.1 Appropriate Assessment

12.3.2 Ecological Protection

12.3.3 Environmental Impact Assessment

12.3.5 Landscape Character Assessment

Table 12.17: Landscape Character Types

12.4.2 Green Infrastructure and Development Management

12.5.1 Universal Design

12.5.2 Design Considerations and Statements

12.5.3 Density and Building Heights

12.5.4 Public Realm: (At the Site Level)

12.6.1 Mix of Dwelling Types

12.6.3 Unit Tenure

12.6.7 Residential Standards

12.6.8 Residential Consolidation

12.6.10 Public Open Space

12.7.1 Bicycle Parking / Storage Standards

12.7.2 Traffic and Transport Assessments

12.7.4 Car Parking Standards

12.7.5 Car Parking / Charging for Electric Vehicles (EVs)

12.7.6 Car Parking Design and Layout

12.8.4 Early Childhood Care and Education Facilities

12.10.1 Energy Performance in New Buildings

12.11.1 Water Management

12.11.3 Waste Management

12.11.4 Environmental Hazard Management

CDP Maps: Zoned 'RES' To protect and/or improve residential amenity. Residential is permitted in principle. Site of Geological Interest Newcastle Buried Channel. ACA – Newcastle Village.

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Inner Horizontal Surface (Casement), Bird Hazards, Record of Monuments and Places.

The key policies and objectives relevant to the proposed development are assessed as follows:

Green Infrastructure

The subject site is located on the edge of a Strategic GI Corridor, as identified on Figure 4.4: Green Infrastructure Strategy Map of the 2022-2028 CDP.

Strategic Corridor 6: Rural Fringe Corridor:

This corridor is important for both South Dublin and the wider regional GI network, providing a link between the foothills of the Dublin Mountains and lands at Wicklow to the south, through the rural landscape that marks the western section of the County to the Grand Canal and Liffey Valley corridors and connecting with lands at Leixlip in Kildare.

This link recognises the important landscape character and rural heritage of the County's western corridor and represents the final swathe of landscape in the County that retains its lowland rural heritage, supporting both its human communities and its biodiversity. The rural landscape of fields and hedgerows offers significant north-south ecological links through the County for ecosystem services and for species such as bats, badgers, and farmland birds. It also provides a significant opportunity to retain a green buffer for biodiversity and amenity provision for people between the urban expanse of this County and the County boundary with Co. Kildare. The corridor also sustains other cultural heritage assets, reflecting the position that South Dublin County once held in previous times as a supplier of agricultural produce to the expanding city of Dublin.

One of the objectives of this area is *'To consider the opportunities for rural hedgerow restoration including townland boundaries and other ancient field boundaries.'*

Under section 12.4.2, the CDP states 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, The development should, at a minimum, protect any existing GI assets and enhance same.

Conditions are recommended regarding SuDS. It is noted that the proposed development provides an area of open space and private amenity areas.

Given the above, the proposed development is considered to comply with Policy Objectives GI1 Objective 4, GI4 Objective 1, GI2 Objective 4 and Section 12.4.2 of the CDP 2022-2028.

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Green Space Factor

The GSF is a score-based requirement that establishes minimum standards for landscaping and GI provision in new developments. Minimum scoring requirements are based on the land-use zoning of a site, this applies to all development comprising 2 or more residential units and any development with a floor area in excess of 500 sq. m.

A developer will be required to specify the GSF measures included within a proposed development as part of the submitted Green Infrastructure Plan and Landscape Plan.

The applicant is requested to provide GSF in accordance with 12.4.2 of the CDP and GI5 Objective 4) via **condition**.

Public Open Space

In accordance with 7.2.15 of the LAP, Public Open Space shall be provided in line with the requirements of the County Development Plan.

Section 8.7.3 of the Development Plan requires an overall standard of 2.4ha per 1,000 people. The Development Plan 2022-2028 requires a minimum of 10% Public Open Space for RES lands to be provided on site. It is considered that 10% of the RES area is required to be provided within the RES lands. In terms of the overall standard of 2.4 Ha of open space per 1,000 Population, this proposal would provide:

6 dwelling of 3+ beds.

COS5 Objective 6:

To require that public open space calculations be 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.

$6 \times 3.5 = 21$ people

Overall Standard	2.4 Ha per 1,000 Population
	0.0024ha per person
21 * 0.0024	0.05 ha

The total open space requirement to meet the overall standard of the Development Plan is 0.024ha, i.e., 10% (0.019ha) and 0.05ha.

The site plan indicates that 12% POS would be provided. This equates to 0.0228ha, i.e., a shortfall of 0.0012ha.

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While a contribution in lieu of public open space provision can be considered at the Planning Authority's discretion, under COS5 Objective 7 of the CDP, in this instance in consideration of the minimal quantum that would be owed and to the adequate provision of open space on site to meet the needs of the residents as well as the strip of public open space bounding the site and green across the road, a contribution will not be sought.

Assessment:

Item 1:

The Planning Authority has significant concerns with respect to the design and layout of the proposed development. The applicant is therefore requested to submit revised drawings incorporating an alternative site layout and design which should include, but not be limited to, the following amendments:

- (i) Justification of the density proposed, which would exceed that of the adjacent approved development (SD18A/0363);
- (ii) A revised layout indicating a more 'stepped' transition between the frontages of the development approved under SD18A/0363 and the current proposal;
- (iii) A revised layout which demonstrates how future connectivity to the south and west can be achieved, with proposed connections shown to the red line boundary of the site.

Applicant's response:

- (i) Density, when considered with the existing permitted development, reduces to 26.6dph. SHD3ABP-313814-22 has a density of 33dph. Density is appropriate.*
- (ii) more stepped transition proposed.*
- (iii) Site layout plan now indicates future connectivity points to the south and west of the development with all connections to the redline.*

Assessment:

- (i) SHD3ABP-313814-22 has not received planning permission. It is noted that, when the proposed development is considered in conjunction with the adjacent development within the applicant's control, the overall density is 26.6, which is only a marginal increase on the permitted 25dph. Whilst not in keeping with the provisions of the LAP, the proposal does reflect the adjacent development in terms of layout and design. Given the existing permitted development density, the proposal is considered acceptable.
- (ii) The revised layout is acceptable.
- (iii) The road to the west clearly meets the site boundary. It is unclear from the layout plan that the road / footpath to the south does. A **condition** is recommended in the event of grant seeking a revised layout plan.

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Item 2:

(1) The applicant is requested to engage the services of a suitably qualified archaeologist to carry out an archaeological assessment of the development site. No sub-surface developmental work, including geotechnical test pits, should be undertaken until the archaeological assessment has been completed and commented on by this office.

(2) The archaeologist shall carry out any relevant documentary research and inspect the development site. As part of the assessment a programme of test excavation shall be carried out at locations chosen by the archaeologist (licensed under the National Monuments Acts 1930-2004), having consulted the site drawings and the National Monuments Service.

(3) Having completed the work, the archaeologist shall submit a written report stating their recommendations to the Planning Authority and to the National Monuments Service. Where archaeological material/features are shown to be present, preservation in situ, preservation by record (excavation) or monitoring may be required.

Applicant's response:

Refer to report by John Purcell, Archaeologist. This considers all items of this further information request and also states that there is no requirement for any more archaeological assessment at this location.

Assessment:

Conditions are recommended requiring liaison with the department and implementation of the archaeological assessment recommendations.

Item 3:

The applicant is requested to submit:

(i) an up to date ecological assessment/screening report clearly outlining if there is biodiversity value present on the proposed site, including hedgerows, trees and grassland types and presence of protected species such as badger. This should include an invasive species assessment and should be conducted by a suitably qualified ecologist.

(ii) an up to date bat survey, undertaken by a suitably qualified person.

Applicant's response:

Refer to Greentrack Environmental Consultant report.

Assessment:

Conditions are recommended in the event of grant to implement the findings of the assessments.

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Item 4:

The applicant is requested to submit:

- (1) a revised layout not less than 1:100 scale showing a minimum of 2.0m wide dedicated pedestrian footpath all along the southern boundary road of the proposed development.
- (2) a swept path/Autotrack analysis showing fire tender can access through the entire site.
- (3) a revised layout not less than 1:100 scale showing Roads which are to provide future connectivity to adjoining sites being laid up to the boundary.

Applicant's response:

- (1) 2m footpath provided.
- (2) swept path provided
- (3) layout plan clearly shows connectivity to the south and west.

Assessment:

The report from the Roads Department states "*The layout shows 2.0m wide footpaths. An autotrack has been submitted. The layout does show the future links, but the applicant must construct these links right to the boundary.*" **Conditions** are recommended in event of grant.

Item 5:

(i) The surface water attenuation calculations are unclear. The applicant is requested to submit a report to clearly show surface water attenuation calculations proposed. The applicant is requested to include the different surface types such as buildings, permeable paving, grass for the lands draining to existing surface water system.

The applicant is requested to examine if soakaways should or not be used for proposed new houses. If soakaways are proposed, then same shall require a soakaway test as per BRE Digest 365 Standards.

(ii) The discharge rate of 7l/s is very high and water services estimate the discharge rate should be 2 litres/second. The applicant is requested to review proposed discharge and submit in a report how proposed discharge rate is calculated.

(iii) The applicant is requested to contact Water Services of South Dublin County Council to discuss proposed and existing surface water attenuation systems for development prior to submission of revised drawings and report.

Applicant's response:

Refer to civil engineering report and design calculations and associated drawings.

Assessment:

Water Services has raised no objections, subject to **conditions**. Public Realm requested Clarification of Additional Information and submitted the following:

Remove underground attenuation to enable that area to be useable public open space. Proposals that achieve 15% Public Open Space.

The input from the Public Realm is noted but given the size and scale of the site and in the

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context of the scheme overall, the proposed attenuation tank is considered acceptable in this instance.

Item 6:

(i) There is no watermain drawing submitted. The applicant is requested to submit a drawing showing the watermain layout of proposed development. The applicant is requested to submit a drawing showing the distance between proposed development and existing 6" watermain south of same.

(ii) The applicant is requested to obtain a confirmation of feasibility letter (water and foul) from Irish Water and submit same to Water Services Planning Authority South Dublin County Council.

Applicant's response:

Watermain is indicated. PCE submitted. Engineer has confirmed no issues with capacity to serve the development.

Assessment:

Irish Water has raised no objections, subject to **conditions**.

Item 7:

The applicant has not proposed any SuDS (Sustainable Drainage Systems) features for the proposed development.

Natural SUDS features should be incorporated into the proposed drainage system. The SUDS should be an integrated multi-disciplinary approach which locally addresses water quality, water quantity, and provides for amenity and biodiversity enhancement which meets the objectives of South Dublin County Council Development Plan 2016-2022. The applicant is requested to submit the following:

(a) A drawing to show how surface water shall be attenuated to greenfield run off rates.

(b) a drawing/cross section to show what SuDS (Sustainable Drainage Systems) are proposed. Examples of SuDS include permeable paving, filter drain, bio-retention tree pits or other such SuDS.

(c) SUDS Management - The applicant is requested to submit a comprehensive SUDS Management Plan to demonstrate that the proposed SUDS features have reduced the rate of run off into the existing surface water drainage network. A maintenance plan should also be included as a demonstration of how the system will function following implementation.

Applicant's response:

Refer to civil engineering report.

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Assessment:

Water Services has raised no objections, subject to conditions. Public Realm requested Clarification of Additional Information and submitted the following:

SuDS

- Above ground SuDS that include, for example, green roofs, permeable paving bioretention rain gardens, channel rills, swales, tree pits with SUDS bioretention
- Demonstrate the amenity and biodiversity value of all SuDS features
- Provide details on how the SuDS features work
- Show on the landscape plan how bioretention areas are to be landscaped into the site

The input from Public Realm is noted and it is considered appropriate that the applicant provide SuDS as part of the proposed development, and this should be attached as a **condition** in the event of a grant of permission.

Item 8:

There are concerns with the lack of information submitted in terms of a landscape scheme for the proposed development. Revised proposals to be provided by the applicant in this regard. The applicant is requested to provide a detailed landscape design for the proposed development. Details to be submitted include:

- (a) a scaled plan showing vegetation to be retained and trees and plants to be planted:
- (b) proposed boundary treatment:
- (c) a schedule detailing sizes and numbers of all proposed trees/plants
- (d) Sufficient specification to ensure successful establishment and survival of new planting.

Applicant's response:

Refer to landscape plan and specification.

Assessment:

The Parks and Public Realm section requested Clarification of Additional Information including a revised Landscape Plan showing the SuDS treatments, street trees, public open space and green infrastructure.

It is considered appropriate that the applicant provides a revised landscape plan prior to development, and this should be attached as a **condition** in the event of a grant of permission.

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Item 9:

Public Realm are concerned at the lack of street trees provided along most of the streets in this development. Street trees should be provided fully in Public Areas and not between private or management company driveways. Street Tree Planting should be located within the Public Realm and include SUDS features. The applicant is requested to submit revised proposals in this regard. Response should include additional street trees within the Public Realm.

Applicant's response:

Trees provided along street are in accordance with previously approved landscape plan. Green area to the south is not completed. Condition suggested in event of grant.

Assessment:

Public Realm requested Clarification of Additional Information and requested the following:

Clarify that there are 4 No. Street trees proposed as a continuation of street tree provision along St Finian's Way.

It is considered appropriate that the applicant confirms the number of street trees proposed prior to development.

Item 10:

The applicant is requested to submit details of the tree protection measures to be employed in order to ensure the protection and retention of trees to be retained on the site, in accordance with BS 5837:2012 - Trees in relation to construction - Recommendations, for the approval of the Planning Authority. Response should include an Arboricultural Impact Assessment and Tree Protection Plan.

Applicant's response:

Tree protection plan enclosed.

Public Realm are satisfied with the Arboricultural Impact Assessment and Tree Protection Plan as submitted subject to **conditions**.

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Development Contributions

Development Contributions Assessment Overall Quantum

Proposed Dwellings: 600sq.m

Assessable Area: 600sq.m

Planning Reference Number	SD22A/0045
Summary of permission granted & relevant notes:	6 dwellings
Are any exemptions applicable?	No
If yes, please specify:	
Is development commercial or residential?	Residential
Standard rate applicable to development:	104.49
% reduction to rate, if applicable (0% if N/A)	0
Rate applicable	€104.49
Area of Development (m2)	600
Amount of Floor area, if any, exempt (m2)	0
Total area to which development contribution applies (m2)	600
Total development contribution due	€62,694.00

SEA Monitoring Information

Building Use Type Proposed:

Floor Area: 600sq.m

Land Type: Brownfield/Urban Consolidation.

Site Area: 0.19 ha (stated)

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Conclusion

Having regard to the 'RES' zoning objective of the site, and the nature and scale of the proposed development, it is considered that the proposal is acceptable in principle. Having regard to the additional information submitted, it is considered the proposal would accord with the South Dublin County Council Development Plan 2022-2028.

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 2022 - 2028 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 6 September 2022, 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. Design and Finishes.
No development shall take place under this permission until the applicant/owner submits a schedule of building materials and finishes, including sample materials where relevant, to the Planning Authority for written approval.
REASON: To ensure the proposed materials and finishes provide a variation of materials and textures and that the materials and finishes reflect the existing building materials within the Architectural Conservation Area of Newcastle Village, in achieving good design and high quality finishes.

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3. Internal Accommodation.

(1) No development shall take place under this permission until the applicant/owner submits revised floor plans which clearly demonstrates compliance with storage requirements set out in Quality Housing for Sustainable Communities: Best Practice Guidelines. For clarity, the walk-through 'store' situated between the kitchen/dining and living room as detailed on drawings: WD-240-04, is not acceptable. A dedicated storage area shall be clearly demonstrated within this area.

(2) All houses permitted under this development shall be constructed to provide storage space in the attic, to provide additional storage to future occupants.

REASON: In the interest of residential amenity, future adaptability and sustainable development.

4. Amendments.

Prior to the commencement of development the applicant, owner or developer shall submit the following for the written agreement of the Planning Authority:

Revised plans that incorporate all of the following amendments-

(a) A layout plan that indicates the footpaths / road linking to lands to the south meet the site boundary;

REASON: To protect the amenities of the area and in the interests of the proper planning and sustainable development of the area.

5. Part V.

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 2022-2028, 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 To promote social integration consistent with policies/objectives of the Councils Housing Strategy as contained in the South Dublin County Council Development Plan 2022-2028.

6. Services to be Underground.

All public services to the proposed development, including electrical, information and communications technology (ICT) telephone and street lighting cables and equipment shall be located underground throughout the entire site. There shall also be provision for broadband throughout the site in accordance with the Planning Authority's policy and requirements.

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

7. Irish Water Connection Agreement.

(a) Water - Prior to commencement of development obtain a confirmation of feasibility letter from Irish Water and submit same to Water Services Planning Authority South Dublin County Council.

(b) Foul - Prior to commencement of development obtain a confirmation of feasibility letter from Irish Water and submit same to Water Services Planning Authority South Dublin County Council.

(c) All development shall be carried out in compliance with Irish Water Standards codes and practices.

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

8. Surface Water.

(a) Prior to the commencement of development, the applicant shall contact Water Services South Dublin County Council to agree a discharge rate for the site. The applicant shall submit a report to show how 4 litres/ second was calculated and shall also submit a report to show how the green field run of rate was calculated for the site and show what the green field run off rate for the site is in litres/second.

(b) The applicant shall include SuDS (Sustainable urban Drainage Systems) features for the proposed development such as but not limited to the following:

- Permeable Paving
- Swales
- Planter boxes
- Grasscrete
- Green Roofs
- Water Butts

REASON: In the interests of adequate surface water drainage.

9. Roads.

1. All items and areas for taking in charge shall be undertaken to a taking in charge standard. Prior to development the applicant shall submit construction details of all items to be taken in charge. No development shall take place until these items have been agreed.

2. Prior to the commencement of development, the applicant shall submit a Construction Traffic Management Plan for the written agreement of the Planning Authority. The agreed plan, along with the written agreement of the roads department shall be lodged to the planning file. The written commitment of the developer to implement the agreed plan shall also be lodged to the file.

3. Prior to the commencement of development, the applicant shall agree in writing a

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public lighting scheme with South Dublin County Council Lighting Department.

REASON: In the interests of highway safety.

10. Occupation subject to service connection.

No dwelling unit shall be occupied until all the services (drainage, water supply, electricity and or other energy supply, public lighting and roads) for each dwelling unit have been completed thereto and are operational.

REASON: In the interest of the proper planning and sustainable development of the area.

11. Environmental Health.

1. No heavy / noisy construction equipment or machinery (to include pneumatic drills, construction vehicles, generators, etc) shall be operated on or adjacent to the construction site before 07:00 hours on weekdays and 09:00 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 work outside of these hours shall only be permitted following a written request to the Planning Authority and 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 unwanted noise outside the hours stated above.

2. Noise levels arising from construction activities shall not be so loud, so continuous, so repeated, of such duration or pitch or occurring at such times as to give rise to a noise nuisance affecting a person in any premises in the neighbourhood.

3. Noise due to the normal operation of the proposed development, expressed as Laeq over 15 minutes at the façade of a noise sensitive location, shall not exceed the daytime background level by more than 10 dB(A) and shall not exceed the background level for evening and night time. Clearly audible and impulsive tones at noise sensitive locations during evening and night shall be avoided irrespective of the noise level.

4. During the construction / 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.

5. A suitable location for the storage of refuse shall be provided during the construction and operational phase of the development so as to prevent a public health nuisance.

6. The applicant shall put in place a pest control contract for the site for the duration of the construction works. During the operational phase of the development pest control measures must be also be taken to prevent harbourage and food sources for rodents.

7. The development shall be so operated that there will be no emissions of malodours, gas, dust, fumes or other deleterious materials, no noise vibration on site as would give reasonable cause for annoyance to any person in any residence, adjoining unit or public place in the vicinity.

8. Signage and /or lighting to be used on site and in the development must not be intrusive

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to any light sensitive location including residential properties in close proximity to the development.

REASON: In the interests of public health.

12. Street Naming and Dwelling Numbering.

Prior to the date of any Commencement Notice within the meaning of Part II of the Building Control Regulations 1997 and prior to the commencement of any works on site the applicant, owner or developer shall lodge with the Planning Authority:

- (i) A street naming and dwelling/unit numbering scheme, for the development as approved that is in accordance with the Planning Authority's policy and requirements for such schemes, along with associated proposed signage for the scheme, and
- (ii) This has been acknowledged in writing and confirmed in writing as acceptable by the Planning Authority.

Following receipt of written acknowledgement that the proposed scheme is acceptable, the agreed number shall be placed on each house upon completion so as to be clearly legible from the proposed access road or the public realm, and the agreed street name in both Irish and English, or Irish only shall be erected at the beginning of each street in a manner to be clearly legible, and in accordance with Council requirements.

The development name shall:

1. Avoid any duplication within the county of existing names, and
2. Reflect the local and historical context of the approved development, and
3. Comply with;
 - (a) Development Plan policy, and
 - (b) The guidelines on naming and numbering of the Department of the Environment, Heritage and Local Government, and
 - (c) Have regard to the Guidelines issued by the Place Names Commission (An Coimisiún Logainmneacha) and
 - (d) Preferably make exclusive use of the Irish language.

Proposals for an apartment name and numbering scheme and associated signage shall be lodged with the Planning Authority prior to the date of any Commencement Notice within the meaning of Part II of the Building Control Regulations 1997 and prior to the commencement of any works on site.

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

REASON: In the interest of the proper planning and sustainable development of the area and compliance with the South Dublin County Council's Development Plan.

13. Mitigation Measures

The mitigation measures and commitments identified in the Arboricultural Impact Assessment/Tree Protection Plan, Ecological Assessment, Bat Survey and Archaeological Assessment and other plans and particulars submitted with the planning application, as amended by the additional information received on 6 September 2022, shall be implemented in full by the developer, except as otherwise may be required in order to

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comply with other conditions.

REASON: In the interest of the protection of the environment.

14. 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.

15. Green Space Factor

Prior to the commencement of development, the applicant shall specify the Green Space Factor measures included within the proposed development as part of the submitted Green Infrastructure Plan and Landscape Plan in accordance with 12.4.2 and GI5 Objective 4 of the South Dublin County Development Plan 2022-2028.

REASON: In the interest of proper planning and sustainable development.

16. Landscape Plan

Prior to the commencement of development, the applicant shall provide a revised landscape plan to include, SuDS, Green Infrastructure, street trees to include the total number and location and public open space for the written agreement of the Planning Authority and thereafter the landscaping plan as agreed shall be implemented as part of this permission.

REASON: In the interest of proper planning and sustainable development.

17. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €62,694 (Sixty two thousand six hundred and ninety four euro), 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 contributions under the Scheme shall be payable prior to commencement of development or as otherwise agreed in writing by the Council. Contributions due in respect of permission for retention will become payable immediately on issue of the final

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grant of permission. Contributions shall be payable at the index adjusted rate pertaining to the year in which implementation of the planning permission is commenced.

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.

18. a) Prior to the commencement of the development as permitted, the applicant or any person with an interest in the land shall enter into an agreement with the planning authority (such agreement must specify the number and location of each housing unit), pursuant to Section 47 of the Planning and Development Act 2000, that restricts all residential units permitted to first occupation by individual purchasers i.e. those not being a corporate entity, and/or by those eligible for the occupation of social and/or affordable housing, including cost rental housing.
- b) An agreement pursuant to Section 47 shall be applicable for the period of duration of the planning permission, except where after not less than two years from the date of completion of each housing unit, it is demonstrated to the satisfaction of the planning authority that it has not been possible to transact each of the residential units for use by individual purchasers and/or to those eligible for the occupation of social and/or affordable housing, including cost rental housing.
- c) The determination of the planning authority as required in (b) shall be subject to receipt by the planning and housing authority of satisfactory documentary evidence from the applicant or any person with an interest in the land regarding the sales and marketing of the specified residential units, in which case the planning authority shall confirm in writing to the developer or any person with an interest in the land, that the Section 47 agreement has been terminated and that the requirement of this planning condition has been discharged in respect of each specified housing unit.
- REASON: To restrict new housing development to use by persons of a particular class or description in order to ensure an adequate choice and supply of housing, including affordable housing, in the common good.

19. Permission Required for Class 1 & 3 Exemptions.

Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001 as amended, and any statutory provision replacing or amending them, no development falling within Class 1 or Class 3 of Schedule 2, Part 1 of those Regulations and any statutory provision replacing or amending them shall take place within the curtilage of the proposed development without a prior grant of planning

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permission.

REASON: In order to ensure that a reasonable amount of rear garden space is retained for the benefit of the occupants of the dwelling, compliance with Development Plan policy, and in order to protect the residential amenity of the area.

20. Archaeological Monitoring.

The applicant/developer shall employ a qualified Archaeologist, licensed to carry out Archaeological Monitoring of all sub-surface works carried out within the proposed development site. This will include the archaeological monitoring of the removal of topsoil, the excavation of trenches for foundations, services, access roadway, etc. associated with the proposed development.

REASON: To facilitate the recording and protection of any items of archaeological significance that the site may possess.

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REG. REF. SD22A/0045

LOCATION: St. Finians Way, Main Street, Newcastle, Co. Dublin

Colm Harte

**Colm Harte,
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: 3/10/22
Planner


Gormla O'Corrain, Senior