



02 DEC 2022

South Dublin County Council

Planning Department
South Dublin County Council
County Hall, Town Centre
Tallaght, Dublin 24

Monday, 28th November 2022

[By Post]

Dear Sir / Madam

RE: RESPONSE TO REQUEST FOR FURTHER INFORMATION IN RELATION TO PROPOSED DISCOUNT FOODSTORE ANCHORED DEVELOPMENT AT MAIN STREET UPPER, NEWCASTLE, CO. DUBLIN

SOUTH DUBLIN COUNTY COUNCIL REG. REF: SD22A/0312

1.0 INTRODUCTION & SUMMARY

1.1 Overview

The Planning Partnership have been retained by Lidl Ireland GmbH to respond to your letter dated 19th September 2022 in relation to an application for the proposed development, as summarised above.

The response has been prepared in association with Darmody Architecture (Architects), Structural Design Solutions (Engineering), Stephen Reid Consulting (Traffic and Transportation); Altemar (Environment & Ecology); Lawler Consulting (Mechanical & Electrical Engineering); John Cronin & Associates (Archaeology); Austen Associates (Landscape Architecture) and CLV Consulting (Noise Assessment).

In summary, we consider that this Response to Request for Further Information fully addresses all issues raised by the Planning Authority and removes any obstacle to the granting of permission for the proposed development.

As part of responding to the various aspects of the Request for Further Information, a number of modifications have been made to the proposed development, as set out below and illustrated on the enclosed drawings, summarised in Section 1.2 below.

For the purposes of clarity, we also note the core elements of the scheme have not altered as a result of the revisions herein, for instance there has been no change to the footprint, floor plan / internal layout or building elevations of the proposed Foodstore and ancillary retail / café units, nor the use or phasing of same.

Nonetheless, the modifications included herein (summarised below) provide a comprehensive response to the issues raised, and result in a more refined proposal where the majority of concerns and queries are wholly resolved. We also note that this response has been prepared following detailed engagement with the Planning Authority, by the various design team and local authority departmental disciplines.

It is acknowledged that it has not been possible to accommodate all of the requests of the Planning Authority, in balancing the viability and deliverability of the scheme, and indeed in terms of balancing the tension between competing requests of the Planning Authority and the individual departments therein.

The revised proposal herein represents a considered and improved scheme, which in our opinion provides the appropriate balance to the objectives of the Planning Authority and the proper planning and sustainable development of the area, and fulfilling the objectives of the Local Area Plan for Newcastle.

1.2 Summary of Modifications

Following the Request for Further Information, the design team have reviewed the issues raised, and have where relevant / feasible responded to same through a number of modifications to the scheme as originally sought.

The following provides a summary of these changes:

1. Redesign of public lighting (height – from 8m to 4m, position of columns, colour temperature of luminaires, and inclusion of motion detection elements) with resultant reduction in average lighting levels);
2. Removal of pedestrian / cycle link on western site boundary (relocated and redesigned at southern site boundary)¹;
3. Removal of pedestrian / cycle link to lands to the west;
4. Relocation / redistribution of cycle parking within the site (no change to number of spaces);
5. Reconfiguration of western boundary treatment / burgage plot buffer zone, including preservation of existing open natural spring and ditch, omission of retaining wall and provision of bio-engineered gabion wall detail and riparian planting mix;
6. Reconfiguration of car parking spaces along western boundary (in tandem with nos. 2 + 5) to provide landscaped breaks and associated increase in car parking spaces from 93 no. to 95 no.;
7. Provision of wildflower green roof to portion of Foodstore roof, with reconfigured solar panel array;
8. Reconfiguration of eastern boundary treatment / burgage plot buffer zone, including repositioning of retaining structures further from boundary;
9. Expansion of SUDs features including additional tree pits and permeable parking areas and consequential reduction in attenuation storage requirements by 82% (from 459 m³ to 80 m³);
10. Revised surface water outfall (from existing culvert to modern purpose built surface water infrastructure in the public road);
11. Provision of Toucan crossing facilities to Main Street;
12. Reduction in scale of Flagpole sign to Main Street;
13. Provision of series of bat and bird boxes and associated biodiversity measures;
14. Greater use of wildflower, native, pollinator and bat friendly planting and screening in lieu of grass, etc.; and,
15. Translocating plant (*Anthyllis vulneraria*) and soil to the back of the store.

In summary, we consider that this Response to Further Information comprehensively addresses all the issues raised, and accordingly and otherwise the scheme as presented herein would in our professional planning opinion be in accordance with the proper planning and sustainable development of the area.

¹ For the avoidance of doubt, the application red line boundary remains unchanged, with the associated 'spur' to the west now being redundant with no works proposed therein.

2.0 RESPONSE TO REQUEST FOR FURTHER INFORMATION

2.1 Item no. 1

Request Items

"1. The Applicant is requested to revise the design and layout of the proposed development, providing a complete set of site layout plan, floorplan, elevational, sectional and cross-sectional drawings to address the following: (i) The provision of a pedestrian/cycle link running along the western boundary of the subject site in a north-south direction.

(ii) The implementation of a 10m setback from the watercourse along the western boundary.

(iii) Where possible eliminate the need for the removal of Burgage Plot boundary hedgerows.

(iv) Re-design the proposed boundary treatments to the eastern, western and southern boundaries to negate the need for invasive engineered solutions and the where possible eliminate or minimise the removal of Burgage Plot boundary hedgerows.

(v) If removal of sections of the Burgage Plot boundary hedgerows is necessary to provide links to adjacent lands, their location should be selected to minimise the impact on the Ecology and Green Infrastructure Network of the subject site. The Applicant should also outline appropriate mitigation measures to offset any hedgerow loss.

(vi) Clarify the design intention for the strip of land running along the southern boundary of the subject site annotated as 'minor grading of ground levels'.

(vii) Omit the proposed steps linking the subject site to the lands to the south and propose a more appropriate alternative solution to navigate the level change in a universally accessible manner.

(viii) Propose an appropriate lighting design solution which protects the key commuting route for bats along the western boundary and provides a pedestrian/cycle route through the subject site which is appropriately lit.

(viii) The omission of the proposed totem sign and its replacement with signage more appropriate to the subject site's location within an Architectural Conservation Area. In providing amended drawings, the Applicant should also have regard to the amendments required by other items within this request for Additional Information."

Our Response to (i)

In relation to the issue of a *pedestrian/cycle link running along the western boundary* we confirm that the feasibility of same has been considered in detail by the design team, at this and the planning application stage (following pre-planning feedback).

In summary, we respectfully submit that it is not feasible to provide same as part of the development proposals for the site, nor realistically as part of any meaningful development proposal for the site, in terms of a dedicated cycleway, given the particular requirements of such a route.

Feasibility

In terms of the provision of a dedicated cycle link along the western boundary, we note that a significant intervention to a) the developable area of the site and b) the burgage plot reservation would be required, reducing the footprint available for each.

This would ultimately have undermined the burgage plot reservation area and resulted in a particularly narrow developable site area, severely compromising the viability of the development of the site.

We note for instance that a cycleway of 3-4 metres at a suitable gradient transitioning the northern and southern site levels would most likely be required.

Accordingly, in the event of same, along with provision of retaining structures, etc. a substantial footprint would be occupied, for instance likely the equivalent of the proposed parking spaces 1-4, 24-27 and 45-80, i.e. some 43 no. spaces or 45% of the overall provision. This corridor would also result in the likely requirement for a) development across the existing open spring; and, b) development across the root protection areas of individual trees.

In the event of the addition of the greenway to a separate 10 metre burgage plot / riparian buffer, this would result in the loss of the western boundary parking spaces and the circulation access road / street thus potentially removing any vehicular accessibility to the rear of the site.

Such an approach could result in the typical width of the site reducing from c. 54 metres to c. 40 metres, some 26%. This scenario would clearly result in an unsatisfactory layout which would not be feasible from an operational perspective due to a severely restricted access and car parking arrangement.

Need

Whilst we note the potential merits in principle of a dedicated greenway link through the site, we respectfully submit that the necessity for same has not been established.

For instance, the existing Local Area Plan (LAP) illustrates that the primary through linkages, for all modes including pedestrian / cyclists, is via the corridor to the west (i.e. St. Finian's Way), as illustrated in Figures 1-3 below and where we note the LAP states (in Section 5.4) that: "*Pedestrian and cycle routes shall be provided in accordance with the street typologies and cross sections illustrated in Appendix 3 to include for the provision of cycle and pedestrian paths/tracks on both sides of most street types. Access Streets shall be designed for speeds conducive to shared pedestrian, cycle and vehicular movements. (Objective AM5)*" [Our Emphasis]

The street provided as part of the subject scheme, servicing the store (and providing connectivity via steps and a ramp to the south) is in keeping with the express objectives of the LAP, i.e. a shared Local Access Street rather than a street with dedicated cycle lanes or a cycle way. This is also in keeping with the National Cycle Manual which states that: "*mixed or shared streets are suitable in low traffic single lane environments where cyclists and pedestrians take precedence over vehicular traffic. The key feature from a cycling perspective is that cyclists "take the lane" in line with vehicles.*" [Our Emphasis]

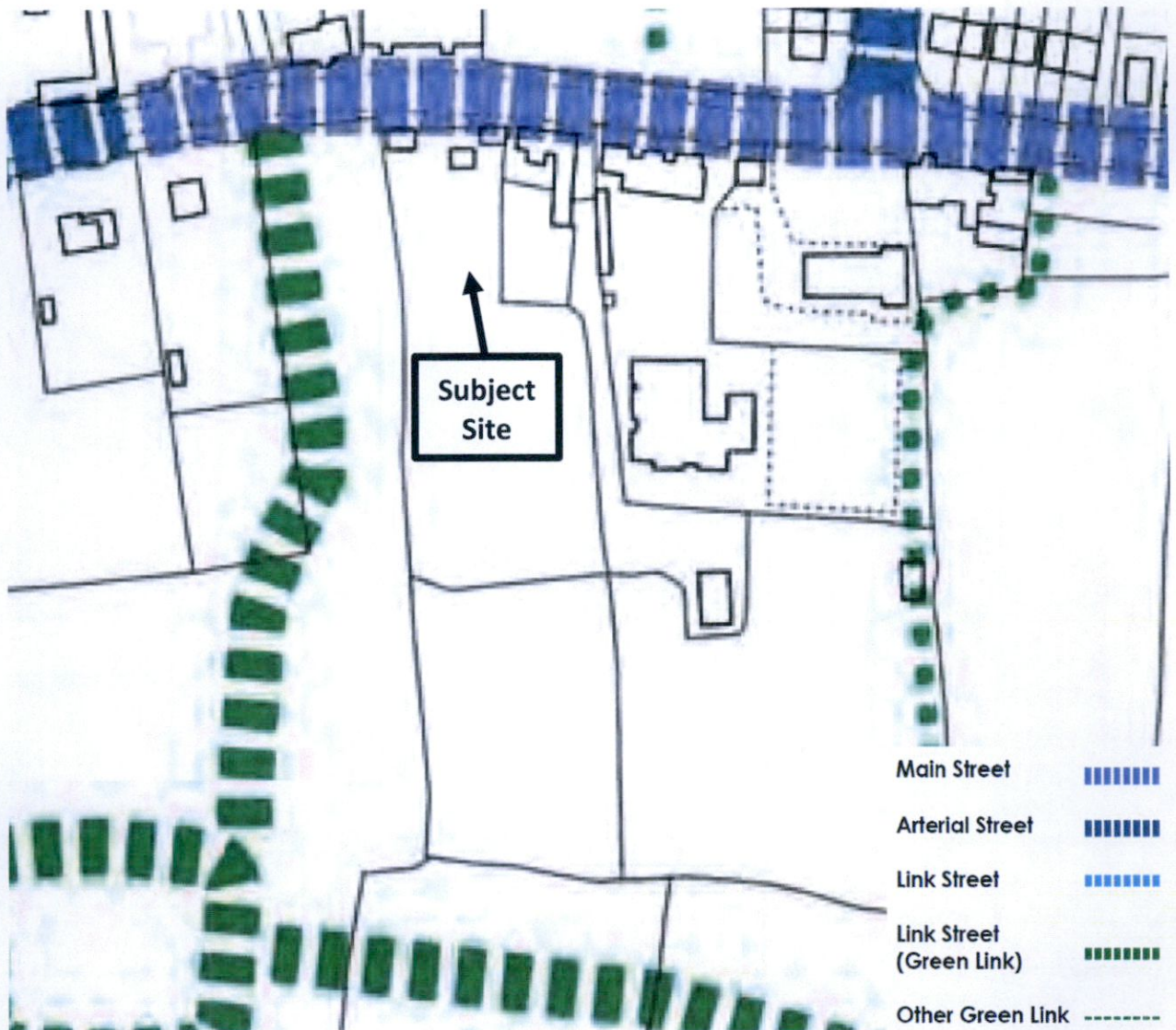
This approach also follows the observations of *DMURS* where it notes that "*segregation of the motor vehicle and pedestrian is not feasible in an urban environment. It is inevitable that pedestrians and vehicles will interact in urban environments. By creating larger, free-flowing roads which prioritise vehicle movement, where this interaction occurs it is likely to happen at a much higher speed, thus increasing the severity of an accident.*"

Proposed Solution

Having regard to the foregoing, the proposed solution is to accommodate cyclists and pedestrians within the scheme, as distinct from a segregated route alongside the development, which provides permeability through the site whilst making efficient use of the limited site area available.

The proposed layout provides generous pedestrian and cyclist amenities, both in terms of space and cycle parking. In relation to the former, we note that an 'oversized' footpath is provided alongside the proposed foodstore measuring c. 2.5 metres in width, which continues from the northern to the southern boundary, with the previous more convoluted route now being simplified with a new ramp and stepped arrangement, closely following the natural desire line. In relation to the latter, we note revised cycle parking provision across the site, in a number of locations, based on the likely requirements of customers to the store.

Figure 1: LAP Movement Framework



Source: Newcastle LAP Figure 5.6

Figure 2: LAP Street Hierarchy

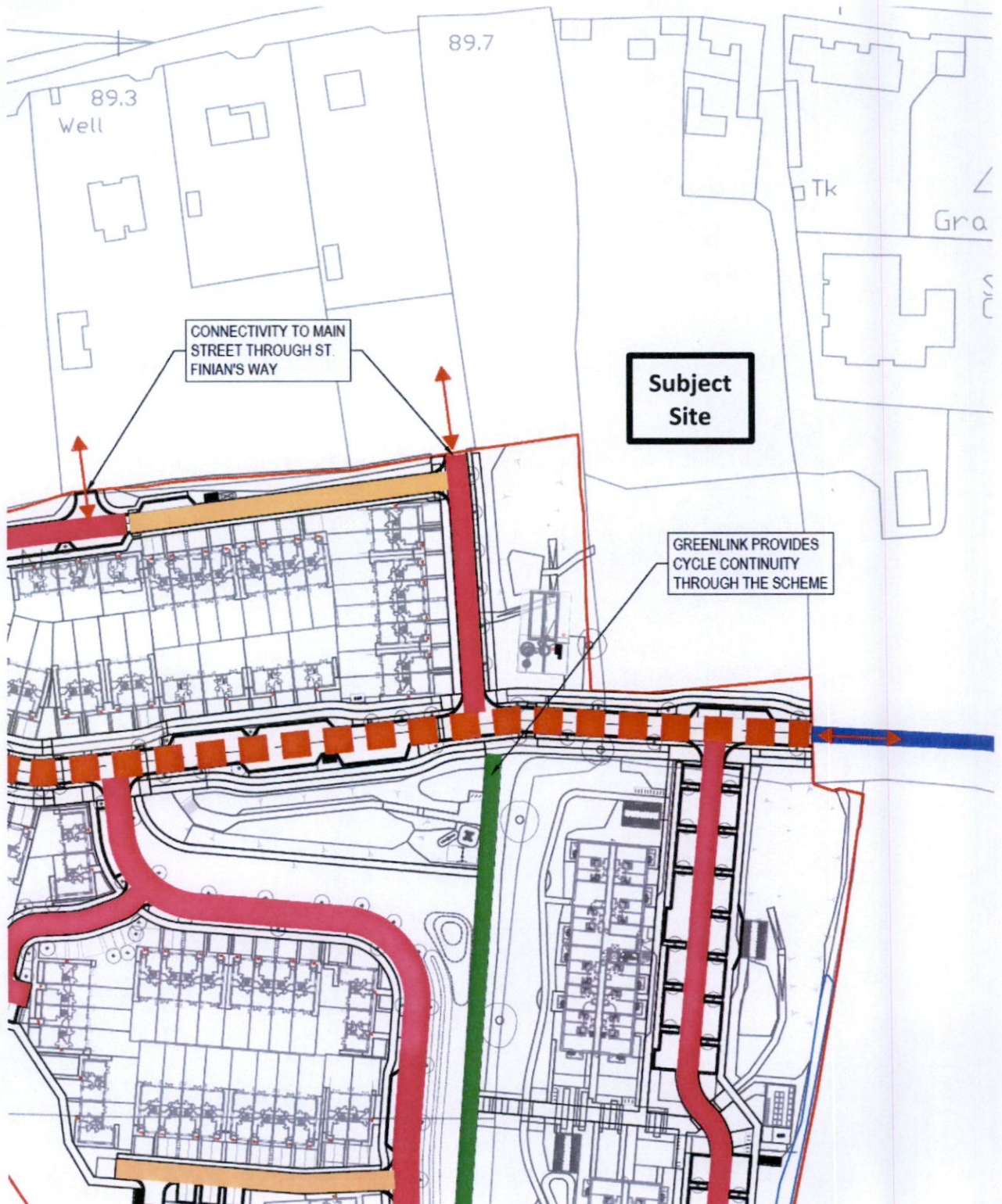


Source: Newcastle LAP Appendix 3

The below Figure 3 illustrates the intended delivery of the planned formal cycle link to the lands to the south being provided separately to the subject proposal, which would be preferable to routing a cycleway through the subject site. The below also illustrates the connectivity within the adjoining landbank being ideally suited to primary cycle links through St. Finian's Way rather than the subject site (i.e. in terms of alignment to the 'greenlink' to the south).

Having regard to the above, we respectfully submit that the proposed approach to accommodating cyclists and pedestrians within the site is appropriately balanced, and meets the objectives of the LAP and general planning policy in relation to cycle links.

Figure 3: Adjoining Proposals



Source: SHD3ABP-313814-22

Our Response to (ii)

As noted above, the subject site is particularly constrained in terms of site width, where the typical available width is c. 54 metres. The loss of a 10 metre corridor within that area would have significant impacts on the viability of the proposed development, with or without an additional greenway corridor.

As such, it has not proved possible to provide a complete 10 metre corridor from the watercourse as requested, following detailed review by the design team. This issue is elaborated on in detail under Section 2.8 / Item no. 8 below which also relates to this issue.

Whilst it has not proved possible to provide the corridor as requested, the Applicant and design team have nonetheless incorporated meaningful enhancements to the proposed development including the increased provision of a landscape and ecological buffer to the east and west boundaries.

Our Response to (iii)

For the avoidance of doubt, we note that the scheme as applied for sought minimal removal of burgage plot hedgerows, which removal related to the provision of permeability through the site, as is provided for / facilitated by the LAP.

In addition to such removal, the application sought to enhance existing gaps in the burgage plot hedgerows (currently populated by unsuitable scrub or other self seeded planting, etc.). Removal of instances of Ash dieback were also noted.

These two elements were, and remain, separate however and the restoration of existing gaps should not in our opinion be classified as 'removal' as the purpose of such restoration is to give effect to the landscape and ecological objectives of the LAP, which the current inappropriate planting undermines.

With regard to the issue of interventions to the actual burgage plot hedgerows, i.e. for permeability, the proposals have been revised substantially as a result of the Request for Further Information (and subsequent liaison with various departments of the Planning Authority).

In this respect the proposed development has stepped back from the burgage plot boundaries and maximised the provision of a landscape and ecological buffer to same, as illustrated on the enclosed drawings.

In particular due to the relocation of the proposed stepped and ramped arrangement to the south, and the removal of the previously proposed opening to the west (facilitating connectivity to potential future development).

Our Response to (iv)

As illustrated on the enclosed drawings and details, the design team have comprehensively *redesigned the proposed boundary treatments to the eastern, western and southern boundaries to negate the need for invasive engineered solutions and the where possible eliminate or minimise the removal of Burgage Plot boundary hedgerows.*

To the east, a retaining wall remains, however have been adapted / repositioned particularly to the southern extent, to provide a larger buffer to the boundary. To the west, retaining walls (and the previously proposed ramp and steps) have been entirely removed.

Where level changes arise, bioengineered gabion walls are provided, as specified and detailed through collaboration between the scheme engineers and landscape architects.

In addition, we note that along the western boundary, these treatments allow (and the relocation of the steps and ramp) the preservation of the existing ditch along the southern part of the boundary, fulfilling other requirements of the Request for Further Information.

To the south, the proposed boundary treatment has also considerably evolved, with the provision of a revised ramp and stepped arrangement, which is also landscaped and terraced to provide an accessible and attractive boundary to the site and connection to / from the lands to the south.

As such, the revised site boundaries herein appropriately address the site level changes in our opinion.

Our Response to (v)

As noted above, the restoration of existing gaps in the Burgage Plot hedgerows should not in our opinion be classified as 'removal' as the purpose of such restoration is to give effect to the landscape and ecological objectives of the LAP, which the current inappropriate planting undermines.

Actual removal has this been substantially reduced / omitted as noted above, as detailed within the enclosed details. We also refer to the somewhat overlapping items below e.g. under Item nos. 6-8, etc. which elaborates on these issues, and associated landscaping proposals. We also note the enclosed Burgage Plot Boundary Assessment prepared by the scheme Landscape Architects in this regard.

Our Response to (vi)

As noted above, this southern boundary area has been redesigned to provide a new arrangement, and as such this issue no longer arises. For the avoidance of doubt, the original intention was for the area to be appropriately treated with soft landscaping on a gradual slope, to minimise the extent of retaining structures required to transition between the proposed site levels and the levels of the adjoining proposals to the south.

Our Response to (vii)

As noted above, the proposal has omitted *the proposed steps linking the subject site to the lands to the south* and has proposed *a more appropriate alternative solution to navigate the level change in a universally accessible manner*.

The revised proposal will deliver a high quality link between the subject site and the lands to the south, and will accommodate pedestrians and cyclists.

Our Response to (viii)

The proposed lighting strategy has been significantly revised following collaboration between the design team, in particular between the scheme ecologist and lighting consultant.

The resultant changes are considerable, and will result in a materially lower lighting level both along the boundaries and across the site as a whole. As noted above, a resultant reduction in average lighting levels modelled, due to the change in lighting column height (from 8m to 4m and their positioning). The colour temperature of luminaires, provision of cowling and inclusion of motion detection elements are further measures incorporated.

The scheme also addresses the lighting requirements of the ramp and steps, as illustrated on enclosed drawings and details.

Our Response to (viii)

In response to the above, the Applicant has revised the proposed Flagpole sign in scale and height, from 2.1 x 2.1 metre and 6 metres high, to 1.5 x 1.5 metre and 3.9 metres high.

This reduction, as illustrated on the enclosed drawings will result in the sign being subsidiary in nature to adjoining / adjacent buildings, e.g. being below the proposed ridge heights to Main Street, etc.

As such, we consider that the proposal would be proportionate to the need to provide a waymarker for the site entrance, given the set back nature of the Lidl store and the limited visibility into the site (owing to the substantial preservation of the existing streetscape building line).

In the absence of a Flagpole, the legibility of the site to potential customers would be undermined, and could lead to confusion and hesitation in terms of entry movements into the site.

We therefore submit that the signage, as revised herein, is appropriate and strikes a balance with the urban design and conservation objectives of the area.

2.2 Item no. 2

Request Items

"2. The Applicant is requested to provide a revised lighting layout plan and lighting impact assessment report to reflect the amendments applied to the Site Layout Plan and to ensure the lighting design is sensitive to the presence of foraging and commuting bats, including the known bat commuting route along the western boundary. The revised lighting layout should be assessed by an appropriately qualified bat expert, providing a comprehensive bat survey and assessment of the amended lighting design. The Applicant should engage with the Public Lighting Department, Parks and Public Realm Department and Heritage Officer of South Dublin County Council prior to the submission of a revised lighting layout."

Our Response

As noted above, the proposed lighting strategy has been significantly revised following collaboration between the design team, in particular between the scheme ecologist and lighting consultant. The enclosed updated Bat Assessment (as part of the Ecological Impact Assessment) elaborates on this issue.

We reiterate that the resultant changes are considerable, and will result in a materially lower lighting level both along the boundaries and across the site as a whole. As noted above, a resultant reduction in average lighting levels modelled, due to the change in lighting column height (from 8m to 4m and their positioning). The colour temperature of luminaires, provision of cowling and inclusion of motion detection elements are further measures incorporated.

2.3 Item no. 3

Request Items

"3. The Applicant is requested to provide a revised Site Layout Plan demonstrating the following: (i) The addition of a Toucan Crossing on Athgoe Road at the raised table ramp to improve access for vulnerable pedestrians at the proposed development.

(ii) The provision of space for additional bicycle parking should it become necessary to provide them."

Our Response to (i)

In response to the above, we note that this requirement has been incorporated into the overall revised design, as illustrated on enclosed drawing, including in detail under SRC Drawing no. SRC-214-100, which we trust fully addresses this issue. The enclosed traffic note by the scheme Transport Consultants also elaborates on this issue.

Our Response to (ii)

In response to the issue of cycle parking provision, we note that the number of spaces remains unchanged (at 40 no.) whilst being somewhat redistributed to a number of positions throughout the site in accordance with expected requirements and available areas.

The enclosed traffic note by the scheme Transport Consultants also elaborates on same, which we trust fully addresses this issue.

2.4 Item no. 4

Request Items

"4. The applicant shall revise the location of discharging surface water to a surface water system east of site. Prior to submission of a revised report and surface water drawing, contact the Drainage and Water Services Department of South Dublin County Council to discuss the options available regarding discharge point location. Arrange to meet the Drainage and Water Services Department of South Dublin County Council on site to assess existing and potential surface water drainage on and adjacent to site."

Our Response

In response to the above, we refer to the comprehensive enclosed detailed prepared by the scheme Engineers, following consultation with the Drainage and Water Services Department of the Planning Authority.

In short, we confirm that the surface water outfall / discharge point will be relocated as requested into the newly constructed surface water infrastructure on Main Street.

The enclosed drawings and reports reflect and elaborate on this revision.

2.5 Item no. 5

Request Items

"5. The Applicant shall provide revised drainage and water services layout, sectional and cross-sectional drawings showing: (i) A SuDS proposal that complies with SDCC SuDS Explanatory Design an Evaluation Guide, the Newcastle LAP and SDCC County Development Plan 2022-2028.

(ii) The SuDS proposals should be a collaboration between landscape architect and the drainage engineer to integrate the SuDS into the landscape design proposals providing amenity, biodiversity, water quality treatment as well as quality and attenuation.

(iii) Plans showing existing and proposed flows.

(iv) Investigate the use of existing natural swales, ditches and hedges/burgage boundaries to be retained as part of the overall SuDS network to comply with objective G115 of the County Development Plan and Objective BS2 of Newcastle Local Area Plan (Burgage boundaries be utilised wherever necessary as SUDS elements in the form of swales for conveying water, landscape features and biodiversity-protecting elements.)

(v) Details on how each SuDS component function as part of the overall treatment train.

(vi) Demonstrate the biodiversity, amenity, water quality and attenuation value of all SuDS features including proposals for integrating the existing ditch to the northwest.

(vii) Any proposed swales should be used for attenuation as well as conveyance of overland flow. They should also have an amenity and biodiversity value.

(viii) A comprehensive SUDS Management Plan shall be submitted to demonstrate that the proposed SUDS features have reduced the rate of run off into the existing surface water drainage network. A maintenance plan shall also be included as a demonstration of how the system will function following implementation.

(ix) Additional natural SUDS features shall be incorporated into the proposed drainage system for the development such as SuDS Street Tree Pits, further swales, rain gardens, detention basins, filter drains, etc.

(x) Demonstrate how the proposed natural SUDS features will be incorporated and work within the drainage and landscape design for the proposed development.

(xi) A 10m setback from the top of the bank from the watercourse along the western boundary.

(xii) Examine the potential for daylighting the culverted watercourse and spring.

(xiii) The existing ditch/watercourse along the western boundary identified in the ecological report should be investigated for use in sustainable drainage measures, as required by the Newcastle Local Area Plan.

The applicant is recommended to contact the Public Realm and Water and Drainage Department and the Drainage and Water Services Department of South Dublin County Council to discuss prior to responding to the request for Additional Information."

Our Response

In tandem with the above Item (and landscape related items below, e.g. nos. 6-9), and following consultation with the Drainage and Water Services Department of the Planning Authority, the scheme Engineers have provided a revised proposal in collaboration with the design team and the landscape architects in particular.

The enclosed revised scheme delivers significant improvements as sought in the Request for Further Information in terms of sustainable urban drainage features, etc. illustrated by a consequential reduction in surface water attenuation storage requirements of 82% (from 459 m³ to 80 m³).

We note this is achieved through various measures such as the provision of a green roof, permeable parking areas, rain gardens, etc. as detailed in the enclosed design. It has not been possible to utilise the existing burgage plot and western ditch / culvert for storage / SUDS purposes due to the site levels involved.

The existing ditch is however now proposed to be preserved which will ensure the existing natural surface water pathway across the southern part of the western boundary is maintained for overland flow from the south, and along and through the culvert to the northern site boundary as existing.

The accompanying landscape design also maximises the biodiversity value of this area, as detailed on enclosed drawings and documents.

Full details of the drainage proposals, which have been cross referenced with / designed alongside landscaping proposals, are enclosed herein, including maintenance / management plans as requested.

With regard to the issue of a 10 metre setback, as noted above this is not feasible in the context of the site constraints and the particularly narrow configuration of the site (as elaborated on in Section 2.8 below).

With regard to the proposal to daylight the culverted watercourse and spring, we note in summary that the spring will be daylighted whilst the existing culvert will be preserved in situ, as elaborated on in Section 2.9 below.

Overall, we submit that the revised proposals herein provide a comprehensive enhancement of sustainable urban drainage systems on site, fully addressing the requirements of the Request for Further Information with notable concessions by the Applicant in terms of the cost implications of same, for instance in terms of the provision of a green roof, etc.

2.6 Item no. 6

Request Items

"6. The Applicant is requested to complete the Green Space Factor Worksheet as outlined in GI5 Objective 4 of the Development Plan and provide a detailed Green Infrastructure Plan for the subject site indicating the following: (i) Robustly evaluate the wider value of the biodiversity across the site, highlighting the retention and enhancement of existing features including, but not restricted to, the existing hedgerow, trees, the associated ditch/watercourse, and the active spring.

(ii) Incorporate more extensive SuDS measures to address surface water management on site, and identify biodiversity benefits from these measures. Such SuDS measures are to include additional proposals for swales, green roofs and green or living walls, which will also assist in mitigating for the loss of biodiversity arising from the proposal

(iii) Re-evaluate the impact on local bat populations in the context of known roosts in surrounding properties, and propose robust avoidance and mitigation measures for potential impacts on these protected species, including an appropriate lighting layout along the western boundary.

(iv) Propose alternative locations for, or the removal of, the proposed carparking spaces along the western boundary away from the line of the boundary hedge which is a burgage plot boundary of heritage and biodiversity significance.

(v) Provide a revised lighting layout plan and lighting impact assessment report to reflect the amendments applied to the Site Layout Plan and to ensure the lighting design is sensitive to the presence of foraging and commuting bats, including the known bat commuting route along the western boundary.

(vi) Show the retention and enhancement of a riparian corridor along the western boundary of not less than 10m to provide a buffer to the wildlife corridor offered by this boundary

(vii) Indicate how the Green Infrastructure in the GI Plan will link into adjacent sites in an overall Green Infrastructure Strategy for Newcastle

(viii) Propose a revised landscaping plan where less soil area is sealed completely by development, and where the interesting soils of the site are appropriately reused and planted with suitable species so as to support greater ecological diversity across the site.

Prior to submission, the Green Infrastructure Plan should be coordinated with the Landscape Plan and Drainage and Water Services Layout. Prior to the submission of a response to the request for Additional Information, the Applicant should liaise with the Parks and Public Realm Department, the Drainage and Water Services Department and the Heritage Officer of South Dublin County Council."

Our Response

In response to the above, we refer to the enclosed details prepared by the scheme Landscape Architects (following liaison with the Planning Authority), including a Green Space Factor Worksheet which demonstrates compliance with the requirements of the Planning Authority in terms of the landscape and biodiversity / ecological standards of the proposed development.

The enclosed also includes a detailed Green Infrastructure Plan which illustrates the preservation and enhancement of the burgage plot corridors on site, and their integration into the wider Newcastle Green Infrastructure network, as illustrated below in Figure 4.

Figure 4 also illustrates the substantial green credentials of the scheme within the site boundaries (e.g. green roof, sustainable drainage, etc.)

Figure 4: Green Infrastructure Plan



Source: Austen Associates

With regard to the protection of bats, and public lighting, we refer to the above responses, and as further detailed under Section 2.12 below.

With regard to the revision of car parking along the western boundary, we note that the layout has been revised somewhat to address these requirements, including providing more breaks in parking rows, whilst the omission of the previously proposed steps and ramp further facilitates the rearrangement of this area.

For the avoidance of doubt, parallel parking in lieu of perpendicular parking was considered in areas, however owing to the requirement to provide an inner footpath for motorists and passengers, the provision of parallel parking would not result in any material reduction in the footprint of parking along the western boundary.

The enclosed landscaping details demonstrate in our opinion that the proposed parking arrangement would be sufficiently sensitive to the western boundary, and furthermore we note the importance of adequate car parking provision on site, as whilst the development will accommodate many pedestrian and cycle trips, the majority of customers would carry out 'trolley' scale shopping which generally would necessitate a car journey.

With regard to the provision of a 10 metre riparian / burgage buffer we note that this has not been feasible to accommodate, as elaborated on in Section 2.8 below.

Finally, we note that the proposed landscaping strategy involves greater extents of planted areas and translocation of soil and plants, further addressing the above elements of this request.

2.7 Item no. 7

Request Items

"7. The applicant is requested to provide a revised and fully detailed landscape plan with full works specification and a fully detailed planting plan that accords with the specifications and requirements of the Council's Public Realm Section. The landscape proposals shall include: (i) Full works specification, that accords with the specifications and requirements of the Council's Public Realm Section.

(ii) Hard and soft landscape details including levels, sections and elevations, detailed design of SUDs features such as further permeable paving, green roof(s), swales, further rain gardens and integrated tree pits; utilisation of burgage hedgerow boundary and plaza area.

(iii) Planting plan clearly setting out the following: (a) Location of species types, schedule of plants noting species, planting sizes and proposed numbers/densities where appropriate (b) Implementation timetables. (c) Detailed proposals for the future maintenance/management of all landscaped areas

(iv) Details of boundary treatments (Revise to where possible eliminate or minimise the need to remove Burgage boundary hedgerow for future links).

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

(vi) Details of tree planting pits to include SUDs bioretention features in urban trees pits

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

(viii) Detailed design of all other SUDs features such as swales, permeable paving, green roofs etc. Burgage boundaries to be utilised as SUDs elements in the form of swales for conveying water, landscape features and biodiversity-protecting elements.

(ix) Details of Public Lighting and other underground services shall also be included on the landscape drawing to ensure that proposals are realistic, and planting is not precluded by the location of underground services and lighting and to ensure there is no adverse impact on the know route for commuting bats along the western boundary.

The revised Landscape Plan shall be coordinated with the Green Infrastructure Plan and the Drainage and Water Services Layout for the proposed development.

Prior to the submission of a response to the request for Additional Information, the Applicant should liaise with the Parks and Public Realm Department, the Drainage and Water Services Department and Heritage Officer of South Dublin County Council."

Our Response

In response to the above, we enclose a series of drawings and documents prepared by the scheme Landscape Architects, addressing these requirements, as supplemented by the drainage design details also enclosed.

We also reiterate that the scheme Landscape Architects have liaised with the Planning Authority to discuss the above and related items of the Request for Further Information.

In relation to the breaking up of car parking rows, we note as discussed above that revisions have been made to address this requirement, similarly revisions to boundary treatments have been provided as discussed above.

We also note that planting specification, maintenance and management details are enclosed as requested above, along with an overlay of proposed services and utilities within the site, to demonstrate that planting proposals are realistic and realisable.

With regard to public lighting and bats, we note the preceding commentary, as elaborated on in Section 2.12 below.

2.8 Item no. 8

Request Items

"8. The development encroaches on burgage (heritage) hedgerow along the western boundary and proposed to remove sections for future links. A 10m setback from the watercourse is required on the western boundary. This 10m riparian zone should incorporate native hedgerow planting to enhance the existing heritage hedgerow. The proposals should be revised to, where possible eliminate or at the very least minimise the need to remove Burgage boundary hedgerow for future links. The Applicant is requested to provide revised site layout plan, plan, elevational and sectional drawings accordingly."

Our Response

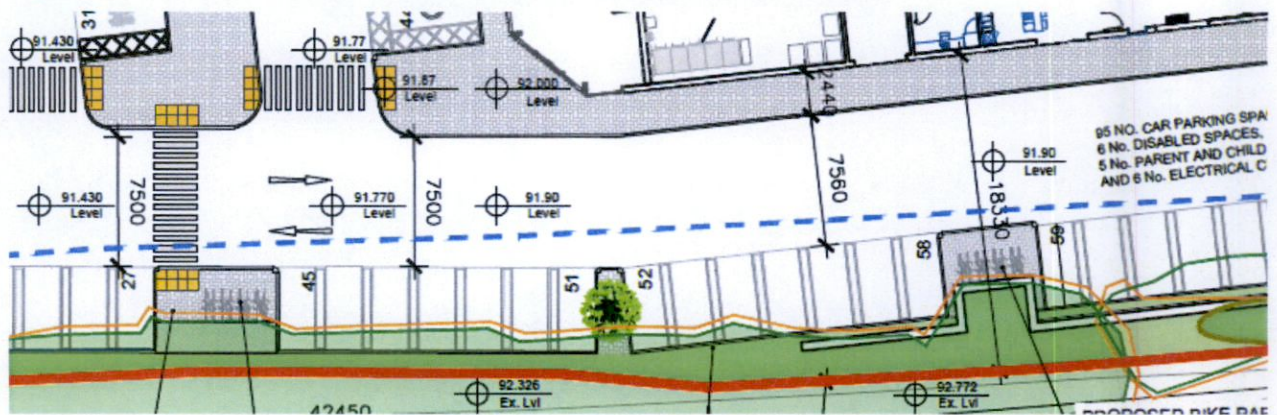
With regard to the above request, and overlapping request items as noted previously, we confirm that the Applicant has investigated the feasibility of providing a 10 metre setback along the western boundary.

This analysis has confirmed that the provision of such a setback, with or without a further sterilisation due to the provision of a cycleway, would drastically undermine the feasibility of the subject site, resulting in a loss of 20-25% of the site width.

Such would have the consequence of the loss of proposed parking spaces 1-4, 24-27 and 45-80, i.e. some 43 no. spaces or 45% of the overall provision along with the circulation access road / street thus potentially removing or restricting any vehicular accessibility to the rear of the site.

Figure 5 below illustrates for context the outline of a 10 metre buffer from the site boundary (as opposed to the watercourse / ditch) which would vary in outline. This illustrates the severity of the impact of such a buffer, even using the site boundary as a baseline.

Figure 5: 10 Metre Buffer from the Site Boundary (Dotted Blue Line)



Source: Darmody Architecture

This scenario would clearly result in an unsatisfactory layout which would not be feasible from an operational perspective due to a severely restricted access and car parking arrangement.

We also note that the rationale for the setback is largely on the basis of the protection of the burgage hedgerows, which is a key factor in the proposed site layout, where works in the vicinity of the boundaries has been considered in detail, with comprehensive analysis by the scheme Arborists to ensure the preservation of the burgage hedgerows whilst accommodating a reasonable footprint of development.

The enclosed Tree Survey and Tree Protection plans illustrate this in detail, whilst the enclosed Green Infrastructure Plans illustrate the preservation of green corridors through the site (see Figure 4 above for instance).

The enclosed Burgage Plot Boundary Assessment elaborates on the detailed assessment of the features on site, noting for instance that: "*The Burgage plot boundaries on this proposed development site have been identified by the design team as an important factor in the site design and ... this approach to the development will result in a better-quality environment and improved burgage plot boundaries. It will leave a superior ecological legacy for future generations and wildlife, repairing and preserving the heritage character of Newcastle Village.*" [Our Emphasis]

We also note that in all other respects (i.e. aside from the depth of the buffer / riparian zone), the design team have accommodated the requirements of the Planning Authority in that riparian planting is included where relevant and the elimination of removal Burgage Plot hedgerow elements for future links, along with preservation of the existing open ditch to the southern part of the western boundary.

As illustrated in Figure 6 & 7 below, the revision to the western boundary in this regard is considerable, and whilst a 10 metre buffer is not available in *quantitative* terms, a substantial buffer and series of treatments are provided in *qualitative* terms.

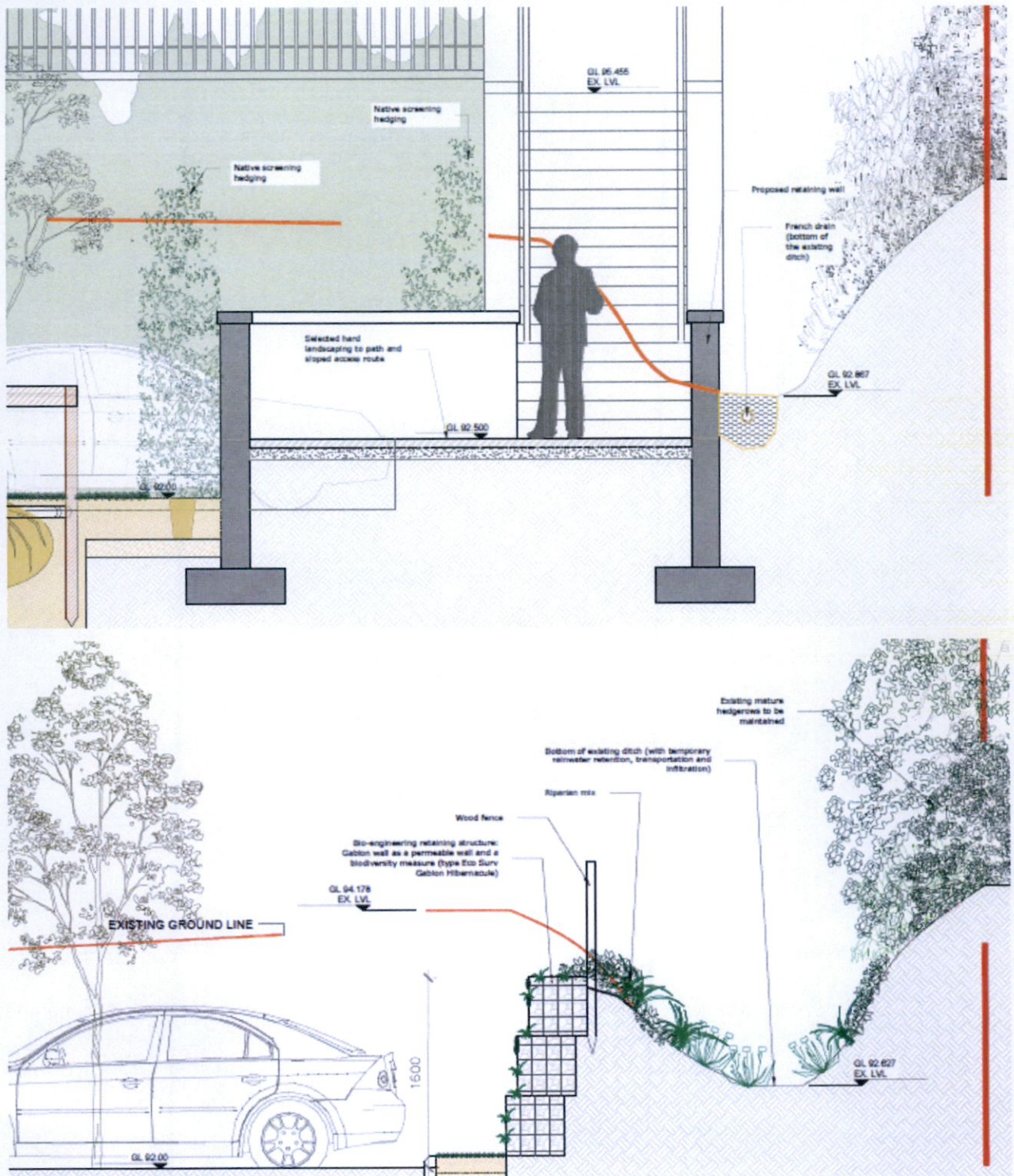
In our professional planning opinion this is proportionate to ensure the preservation of the Burgage Plot hedgerow, as demonstrated in the enclosed Tree Survey, Tree Protection and Green Infrastructure Plans, whilst also allowing the implementation of the development objectives of the Local Area Plan.

Finally, we reiterate the comments of the Tree & Vegetation survey and Burgage Plot Boundary Assessment enclosed, where they respectively state:

"The approach to the site development design has always been to retain and protect the Burgage Plot hedgerows. The car parking along the western boundary has been carefully arranged to allow for Hedgerow and tree protection and retention."

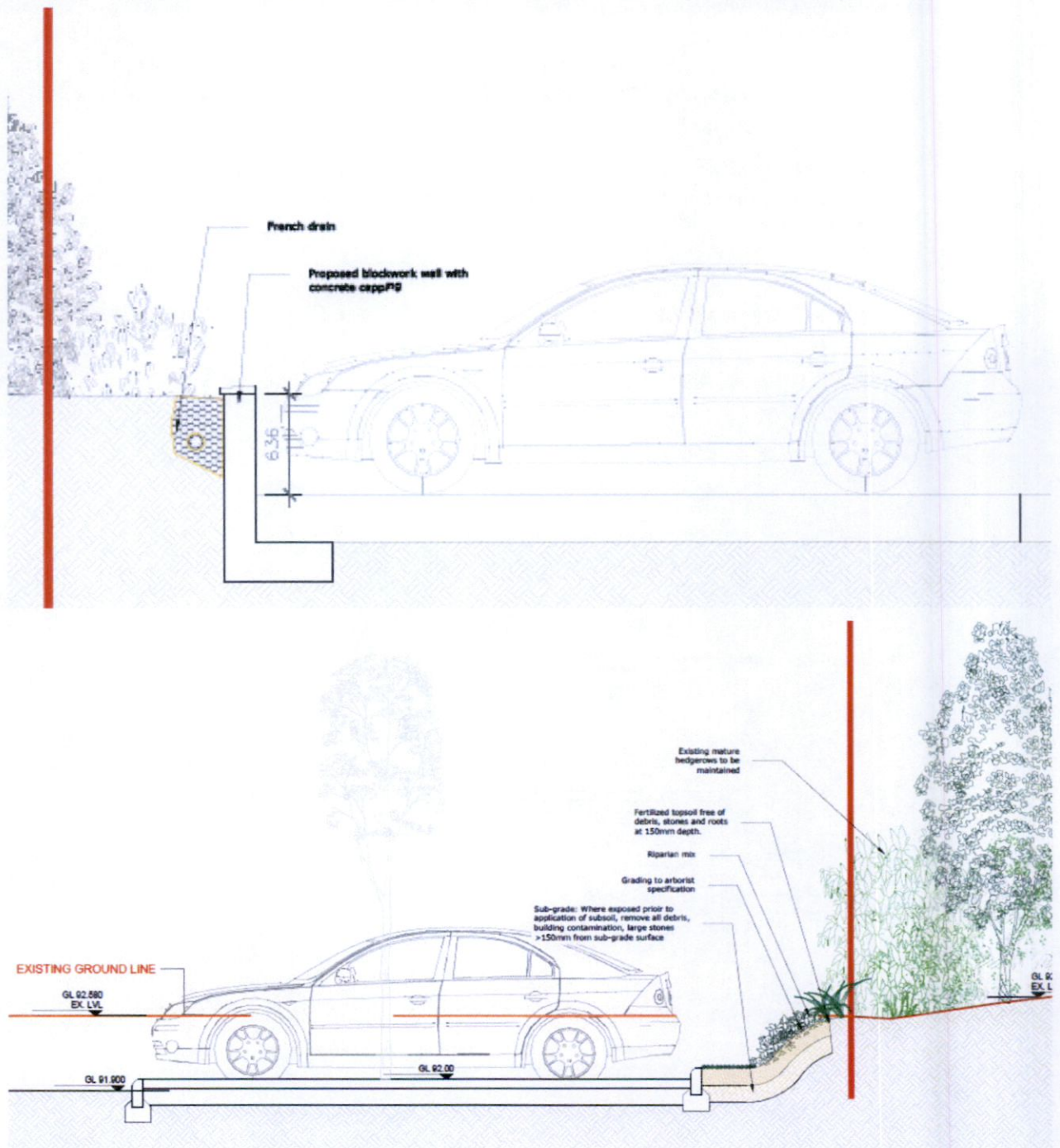
"Preservation and protection of the plot boundary hedgerows is a critical part of the approach to this development and has been carefully considered by the development design team from the outset."

Figure 6: Western Boundary Section Detail (Application Stage (Top) v Current (Bottom))



Source: Austen Associates

Figure 7: Western Boundary Section Detail (Application Stage (Top) v Current (Bottom))



Source: Austen Associates

2.9 Item no. 9

Request Items

"9. The Applicant is requested to submit proposals for daylighting the culverted spring and watercourse in accordance with SDCC Policy for sustainable water management and habitat connection. Prior to submission, the proposal should be coordinated with the Green Infrastructure Plan, Landscape Plan and Drainage and Water Services Layout. Prior to the submission of a response to the request for Additional Information, the Applicant should liaise with the Parks and Public Realm Department, the Drainage and Water Services Department and Heritage Officer of South Dublin County Council."

Our Response

In response to the above, the Applicant confirms that the daylighting of the culverted spring and watercourse has been considered by the design team, with an investigation of possible solutions (and identification of the implications of same).

In short, we note that in respect of the spring, the proposed site layout has been revised to provide a natural landscaped riparian buffer area where the spring emerges, whereas previously it had been proposed to develop parking areas across this area and to route the spring to the culvert beneath the surface. This has required the removal of 2 no. parking spaces, as illustrated on the enclosed drawings.

With respect to the culverted watercourse we highlight in the first instance the apparent limited flow of water therein and the absence of identification as a watercourse in the LAP (identified as a ditch rather than waterway). The enclosed Tree & Vegetation survey elaborates on the setting of the culvert as follows:

"The culverted area cannot be daylighted without risking damage to the nearby Burgage Plot hedgerow. The Culverted watercourse is within the root protection area of hedgerow 02 and the opening up of the culvert would damage the roots of this hedgerow. This damage to the roots would see degradation to the above ground parts of the hedgerow and would be detrimental to the Burgage Plot hedgerow..."

The location of the existing culvert is well within the RPA of the hedgerow, up to 6.0 m within the RPA of the large Sycamore, tree no. 1794. Daylighting of the culvert would require excavation well within the RPA of the trees and hedgerow. It would not be good arboricultural practice to damage this root growth by daylighting the culvert. Therefore, the design team does not consider this approach appropriate." [Our Emphasis]

Having regard to the foregoing, we note that it has not been feasible to propose the opening up or daylighting of this pathway, which relates to only a portion of the western boundary.

As noted above, the open ditch to the southern part of the western boundary is to be preserved as a result of the revised proposals herein. The remaining culverted area traverses the northern (and mostly disturbed / developed) part of the subject site.

On balance, we consider that the substantial revisions included in the overall response to the Request for Further Information will materially enhance the landscape and biodiversity merits of the proposed development, and realises the *qualitative* objectives of the request for further information.

As such, we consider that the Request for Further Information has been comprehensively addressed.

2.10 Item no. 10

Request Items

"10. The Applicant is requested to provide an Archaeological Impact Assessment (including Archaeological Test Excavation) to be carried out as follows: (i) The applicant is required to engage the services of a suitably qualified Archaeologist to carry out an Archaeological Impact Assessment (AIA) which should include a programme of Archaeological Test Excavation to respond to this request for Additional Information. No sub-surface work shall be undertaken in the absence of the archaeologist without his/her express consent.

(ii) The archaeologist shall inspect the proposed development site (PDS) and detail the historical and archaeological background of the site (consulting appropriate documentary sources), and review all cartographic sources and aerial photographs for the area.

(iii) *The Archaeological Test Excavation must be carried out under licence from NMS and in accordance with an approved method statement; note a period of 5-6 weeks should be allowed to facilitate processing and approval of the licence application and method statement.*

(iv) *Test trenches shall be excavated at locations chosen by the archaeologist, having consulted the site drawings and the results of the Archaeological Geophysical Survey that was carried out under Licence No. 18R0042. Excavation is to take place to the uppermost archaeological horizons only, where they survive. Where archaeological material is shown to be present, the archaeologist shall stop works pending further advice from NMS. Please note that all features/archaeological surfaces within the test trenches are to be hand-cleaned and clearly visible for photographic purposes.*

(v) *Having completed the work, the archaeologist shall submit a written report to NMS and the Local Authority describing the findings of the AIA including the results of the geophysical survey and test excavations. The report shall comment on the degree to which the extent, location and levels of all proposed foundations, service trenches and other sub-surface works required for the development will affect the archaeological remains. This should be illustrated with appropriate plans, sections, etc.*

(vi) *Where archaeological material is shown to be present, further mitigation measures will be required; these may include refusal, redesign to allow for preservation in situ, excavation and/or monitoring as deemed appropriate. NMS will advise the Local Authority with regard to these matters. No decision should be made on this application until NMS and the Local Authority have had the opportunity to fully evaluate the findings of the AIA."*

Our Response

In response to the above, we refer to the enclosed Archaeological Impact Assessment prepared by the scheme Archaeologist, confirming that there are no barriers to a decision on the proposed development.

Comprehensive analysis has been undertaken, detailed by the enclosed, thus we submit that the Planning Authority can be satisfied that they have sufficient information to confirm that there are no archaeological constraints to a grant of permission, subject to appropriate prior to commencement and monitoring conditions, as would be commonplace.

2.11 Item no. 11

Request Item

"11. The submitted Ecological Impact Assessment underestimates the significance of biodiversity on the site, particularly in the context of potential cumulative impact on ecology in Newcastle. While the Ecological Impact Assessment lists the relevant pertinent surrounding developments and plans, the report fails to adequately assess the actual cumulative impact on the ecology of the wider area arising from the cumulative impact from these developments. The cumulative impact on ecology on this site and in this area of Newcastle is not insignificant, and it has been under-assessed in this submission. No proposals for appropriate mitigation for this loss have been proposed in the material submitted. The Applicant is requested to submit a revised Ecological Impact Assessment which provides an assessment of the cumulative impact on the ecology of the subject site, Newcastle and the surrounding area and outlining appropriate mitigation measures.

Prior to the submission of a response to the request for Additional Information, the Applicant should liaise with the Heritage Officer of South Dublin County Council."

Our Response

We refer to the enclosed updated Ecological Impact Assessment, which we note has been prepared following consultation with the Planning Authority.

With respect to the issue of cumulative impact, from a planning perspective, we submit that it is principally the marginal effect of the proposed development, if any arises, that is the core consideration of the merits of the proposed development, i.e. would the proposed development in and of itself have a material effect on the ecology of the site or wider area (whilst having regard to in combination effects).

If the proposed development is shown to not have a material effect on the ecology of the site or wider area, in combination with other proposals / developments, then we submit that there is no barrier to a grant of permission, irrespective of the existence of other impacts off site, so long as the subject proposal would not exacerbate same.

In our professional planning opinion, the enclosed overall response to the Request for Further Information clearly demonstrates a positive improvement in terms of the landscape and biodiversity merits of the proposed development, following from the various landscape related request items.

We reiterate the above Figures 4, 6 & 7 in this regard, and the enclosed Tree Survey, Tree Protection and Green Infrastructure plans which illustrate the preservation of green corridors through the site, and the comments of the Tree & Vegetation survey enclosed, where it states: "***The approach to the site development design has always been to retain and protect the Burgage Plot hedgerows. The car parking along the western boundary has been carefully arranged to allow for Hedgerow and tree protection and retention.***" [Our Emphasis]

Further to the above, the substantial expansion of landscape and biodiversity features within the site itself, including the provision of a green roof and compliance with the green space factor assessment all illustrate the potential for positive landscape and biodiversity results from the proposed development.

We therefore submit that the overall response to the Request for Further Information and the resultant updated and reconsidered Ecological Impact Assessment should wholly the issues raised above, removing any barrier to a grant of permission on ecological grounds.

2.12 Item no. 12

Request Item

"12. It is noted that the documents submitted by the Applicant incorrectly state that the proposed development is not in proximity to sensitive bat locations. The village of Newcastle is a known site of importance for bats and, in particular, bat roosts. Bats are known to commute along linear landscape features such as hedgerows and tree lines. It appears that only a single dusk/emergence survey for bats was undertaken as part of this submission. This is considered to be insufficient survey effort to adequately assess bat usage of this site, particularly as it is in close proximity to known bat roosts. A more robust assessment of potential impact on local bat populations is required. The Applicant is therefore requested to provide a detailed Bat Assessment Report carried out by an appropriately qualified Bat Expert.

Prior to the submission of a response to the request for Additional Information, the Applicant should liaise with the Heritage Officer of South Dublin County Council."

Our Response

We refer to the enclosed updated Bat Assessment, which we note has been prepared following consultation with the Planning Authority.

With respect to the description of the site as *not in proximity to sensitive bat locations*, we note that this reference is not material in terms of the approach of the design team to the issue of bats.

For instance, irrespective of being described as being *in proximity to sensitive bat locations*, the design team proposals had at all stages treated the site as if it was *in proximity to sensitive bat locations*, for instance having regard to the burgage plot hedgerows being highlighted in the LAP as bat corridors, etc.

Therefore, we submit that the classification of sensitive or not sensitive did not have a bearing on the design team approach.

We also note the numerous references to the provision of additional mitigation measures throughout the Request for Further Information, which the design team have responded to thoroughly, providing a variety of modifications to address concerns.

As detailed above, the public lighting design has been significantly revised, as detailed on enclosed drawings and assessments. Similarly the landscaping proposals to site boundaries have been enhanced, as detailed above and in enclosed drawings and documents.

We therefore submit that the overall response to the Request for Further Information and the resultant updated Bat Assessment should wholly the above issues, removing any barrier to a grant of permission on ecological grounds.

2.13 Item no. 13

Request Items

"13. The Applicant is requested to provide an updated Noise Impact Assessment which takes into account the zoned lands to the east of the subject site which may be subject to future residential development, providing an assessment of the potential impact of the proposed plant, substation and any other potential noise resulting from the proposed development on the lands to the east and suggesting any mitigation measures which would protect the future development potential of these lands."

Our Response

In response to the above, we enclose an updated Noise Impact Assessment directly addressing the issue of the potential future development of housing (or equivalent noise sensitive uses) to the east, expanding on the outline detail provided in this respect at application stage (e.g. where it stated: *"the proposed boundary retaining wall and perimeter hedging should serve to 'future proof' areas to the east from development noise emissions (should these areas ever be developed) in addition to the retail building itself."*

The enclosed updated report (and cover letter) addresses this issue in detail, and in summary concludes as follows: *"Proposed development noise emission predictions at the future development lands to the east (31 - 48dB LAeq) were relatively similar to those predicted for the future development lands to the south (33 - 43dB LAeq). Similar noise mitigation measures were therefore recommended... the proposed development is not expected to impart any significant noise or vibration on future development lands to the east."*

We therefore submit that there are no noise related barriers to a grant of permission in this case.

3.0 CONCLUSION

In summary, we consider that this Response to Further Information comprehensively addresses all the issues raised.

A number of revisions have been made to the scheme to address the requirements of the Planning Authority as set out above.

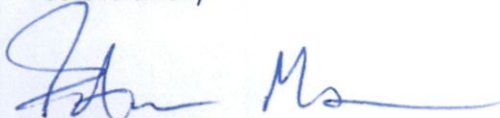
These revisions, in combination, will result in a considerably enhanced scheme, whilst preserving the core of the development brief, to deliver a viable Foodstore layout whilst renewing existing structures on site and providing links to emerging residential areas.

With regard to the particular sensitivities of the site in landscape / ecological terms, a core theme of the request for further information, we reiterate the findings of the enclosed Burgage Plot Boundary Assessment which states that the: *"approach to the development will result in a better-quality environment and improved burgage plot boundaries. It will leave a superior ecological legacy for future generations and wildlife, repairing and preserving the heritage character of Newcastle Village."* [Our Emphasis]

The scheme as presented herein would in our professional planning opinion therefore be in accordance with the proper planning and sustainable development of the area. Accordingly, the Planning Authority are requested to grant permission for the proposed development.

Should you have any queries please do not hesitate to contact us.

Yours faithfully



Fintan Morrin
Associate
The Planning Partnership

Encl.