

South Dublin County Council
County Hall,
Belgard Square North,
Tallaght,
Co. Dublin
D24 A3XC

Date: 22nd May 2023

Planning Ref: SD22A/0286



RE: CLARIFICATION OF ADDITIONAL INFORMATION Submission with respect to Planning Reference SD22A/0286 – Deane & Deane Ltd, - PERMISSION for the demolition of 2 no. sheds and the construction of 30 no. dwellings, at Main Street, Newcastle, Co. Dublin.

Dear Sir/Madam,

On behalf of our client, Deane & Deane Ltd, please find below our response to the request for Clarification of Additional Information made by South Dublin County Council issued 3rd April 2023 with regard to the above development.

PUBLIC OPEN SPACE CLARIFICATION:

ITEM 1: The applicant has failed to provide 15% of the RES-N lands as POS. 12% is provided. Community facilities are not considered to be open space and therefore the applicant is requested to increase open space provision to 15% on RES-N lands. Residential is open for consideration within the RU zoning 'In accordance with Council policy for residential development in rural area'. The applicant has not demonstrated compliance with CDP policies on residential development in RU lands. The applicant is requested to remove elements that are residential in nature from RU lands. If there are significant changes to the proposal, then it should be re-advertised.

RESPONSE: Refer to JFOC drawings no. 19. 134.CF1001- Site Layout that has been updated to ensure that the residential development is contained within the RES-N lands zoning boundary and therefore complies with CDP policies. Refer to JFOC Drawing 19. 134.CF1002 – RES-N POS which demonstrates the provision of 16% Public Open Space provided for within the RES-N lands.

COUNTY ARCHITECTS DEPARTMENT CLARIFICATION:

ITEM 2 (c) The applicant is required to update the site layout plan clearly indicating the proposed and existing site levels in this area with details on the proposed boundary treatment.

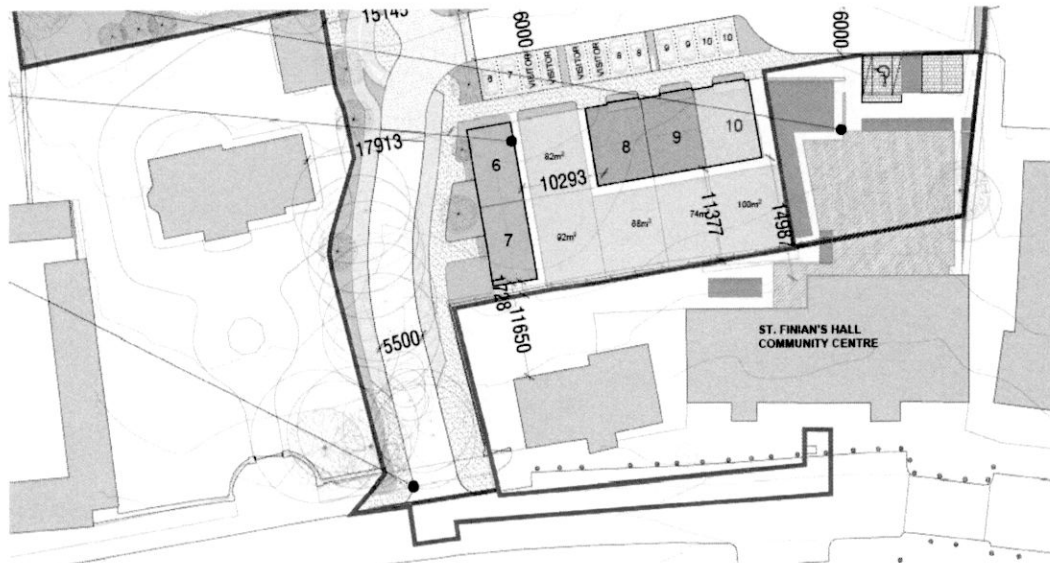
This information is not clear on the documentation provided and is critical to understanding the extent of the proposed development in this area and that the levels of the proposed development correspond with the existing levels of footpaths and carriageway in the Market Square site to facilitate future pedestrian and vehicular connectivity.

Clarification on site levels (existing and proposed) is also needed for SDCC Architects' Department to review potential connectivity with the Community Hall site from the north

RESPONSE: Refer to CS Consulting drawing NCA-CSC-ZZ-SI-DR-C-0016 that has been updated in order to provide clarity in relation to the relationship between the existing and proposed levels where the proposed development site abuts Market Square site and Community Hall site.

ITEM 3 (a) While it is noted that site layout drawing no. 19.134F1003 is indicative only, the applicant is required to provide a site survey map, indicating the extent of the proposed lands, including site area and site dimensions, for transferring to the council for the community centre. The site layout map is to be accurately surveyed, and up to date.

RESPONSE: While there have been discussions relating to providing land for the expansion of the community centre in Newcastle, this land is clearly not the subject of this planning application. The land referred to in this item is not within the Red outline, as shown in the site plan extract below.



Section 34 of the Planning and Development Act (PDA) regulates conditions that may be attached to a decision to grant/grant of planning permission: -

34 (4) Conditions under subsection (1) may, without prejudice to the generality of that subsection, include all or any of the following—

(a) conditions for regulating the development or use of any land which adjoins, abuts or is adjacent to the land to be developed and which is under the control of the applicant if the imposition of such conditions appears to the planning authority—

(i) to be expedient for the purposes of or in connection with the development authorised by the permission, or

(ii) to be appropriate, where any aspect or feature of that adjoining, abutting or adjacent land constitutes an amenity for the public or a section of the public, for the purposes of conserving that amenity for the public or that section of the public (and the effect of the imposition of conditions for that purpose would not be to burden unduly the person in whose favour the permission operates)...

Subsections (a) (i) and (ii) are quite specific: -

- Under i) the condition must be expedient for the purposes of or in connection with the development to be authorised. In this context, 'expedient' is something that would expedite delivery of the particular development, in this case the residential development.
- Under ii), the adjacent land may be an amenity for the public but the effect of the imposition of conditions for that purpose must not be to unduly burden the person in whose favour the permission, for residential development, operates.

Therefore, the way to deal with this matter is through a condition attached to a grant of planning permission and to request details as set out in this Item of CFI is premature. A condition may be attached to a grant of permission along the following lines:

The lands outside the subject site, outlined in blue as being within the applicant's ownership, shall be reserved free from development for the purposes of conserving that land as an amenity for the public, under the provisions of Section 34(4)(a)(ii).

Reason: To reserve lands in Newcastle Village for community purposes.

ITEM 4 (d) The applicant is requested to confirm the site levels (existing and proposed) on the site sections provided.

RESPONSE Refer to JFOC drawings no.19.134.CFI2001-2002 Site Sections that have been updated to include an indication of the existing site levels as well as the proposed levels.

ITEM 4 (e) The swept path analysis (CS Consulting drawing NCA-CSC-ZZ-SI-DR-C-0016) does not include access to the roadway north of the Community centre, which we expect will be required to facilitate fire tender and refuse vehicles serving the community centre extension in the future and requires clarification by the applicant.

RESPONSE Refer to CS Consulting drawing NCA-CSC-ZZ-SI-DR-C-0015 that has been updated in order to illustrate satisfactory fire tender and refuse truck vehicular manoeuvres on the roadway north of the Community centre.

ITEM 5 House Types B1 and B2 have a garden depth of 4m for the majority of the rear amenity space. It is noted that both types currently have a floor area of 116.8sqm, which is in excess of the 92sq.m requirement. The Planning Authority would welcome a reduction in the footprint of the house and an increase in the depth of the rear amenity space

RESPONSE Refer to JFOC drawings no. 19.134.CFI.3001-3006 where House Types B1 and B2 have been updated to allow for an increase in depth to their rear amenity space.

ITEM 12 (ii) Drawing ref. no. 03 'Combined Engineer Drainage and Landscape Plan', indicates surface water drainage from house no. 10 encroaching into the community centre site area. This appears to be a drawing error and requires clarification.

RESPONSE Refer to the enclosed updated drawings by RMDA Landscape Architects

ITEM 14 The applicant is required to clarify if a future SW connection for the proposed Community Hall extension (north of the community hall site) has been considered as part of the submission and can be easily accommodated in the future.

RESPONSE Refer to CS Consulting drawing NCA-CSC-ZZ-SI-DR-C-0002 that has been updated in order to illustrate potential future foul and surface water drainage connection can be accommodated from the proposed Community Hall extension.

PARKS DEPARTMENT CLARIFICATION

- ITEM 8 The applicant is requested to include any mitigation measures proposed in the submitted EIA report on the landscape proposals.
- RESPONSE Refer to the enclosed updated drawings by RMDA Landscape Architects
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- ITEM 9 The applicant is requested to submit a Green Infrastructure Plan showing the development site in the context of the wider GI as shown on the Council's GI Plan for the County and indicating how the development proposals link to the wider GI Network of the County. The application seems to have a very negative effect on GI and the applicant is requested to submit a revised landscape plan to show a much higher percentage of the existing trees and hedgerows on site being retained and protected, particularly along the townland boundaries.
- RESPONSE Refer to the enclosed updated drawings by RMDA Landscape Architects
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- ITEM 10 The applicant is requested to submit a GSF worksheet
- RESPONSE Refer to the enclosed updated drawings by RMDA Landscape Architects
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- ITEM 11 The applicant is requested to submit a sustainable drainage system that complies with SDCC SUDs Explanatory Design and Evaluation Guide. makes use of existing hedges and ditches, provides multifunctional benefit, is well integrated into the landscape. The applicant is requested to agree the Suds solutions including alternative source control methods to a petrol interceptor.
- RESPONSE Refer to CS Consulting drawing NCA-CSC-ZZ-SI-DR-C-0002 and NCA-CSC-ZZ-SI-DR-C-0012 that have been updated in order to illustrate revised SuDS provision for the proposed development site.
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- ITEM 12 The submitted proposals are not in compliance with DMURS. Street trees (SUDS tree pits) should be provided at regular intervals on both sides of each street. The applicant is requested to provide revised details that are in compliance.
- RESPONSE Refer to the enclosed updated drawings by RMDA Landscape Architects
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- ITEM 13 The submitted proposals lack the required detail. The playground designer is requested to contact SDCC public realm section to discuss the proposed playground; including the inclusion of universally accessible equipment.
- RESPONSE Refer to the enclosed updated drawings by RMDA Landscape Architects

WATER SERVICES CLARIFICATION:

- ITEM 14 The applicant is requested to submit a report including to show site area in Hectares and areas of proposed surface types in m² such as roofs, green roofs, permeable paving, roads, grass and their respective run-off coefficients. Show in report how much surface water attenuation is provided in m³ and how much is required in m³. Surface water attenuation shall be provided by means of various SuDS (Sustainable Drainage System) features.
- RESPONSE Refer to Appendix A of this response that includes the breakdown of site areas in Hectares and areas of proposed surface types in m² and their respective run-off coefficients. Appendix A information also illustrates how much surface water attenuation is provided in m³ and how much is required in m³.
- ITEM The applicant is requested to submit a letter and drawings detailing ownership of land where surface water network discharge pipe is located.
- RESPONSE Refer to the enclosed Appendix A of letters and drawings detailing the agreement in place with the landowner where the surface water network discharge pipe is located. Note that this land is not under the applicant's ownership but the relevant wayleaves approval exists to perform on the connections from a technical and planning perspective.
- ITEM The proposed gradients of the surface water network remain steep and there are little SuDs shown. Under SuDs, surface water should be conveyed across the site above ground to the proposed discharge point. The gradients on SuDs do not allow surface water to convey across the site towards the discharge point.
- RESPONSE Refer to CS Consulting drawing NCA-CSC-ZZ-SI-DR-C-0012 that has been updated in order to illustrate revised surface water drainage design for the previously steep sections of proposed surface water drainage network. This drawing also illustrates revised SuDS provision for the proposed development site.
- ITEM The applicant is requested to submit a revised drawings showing surface water network that maximises the use of SuDs. Where pipes are required to convey water, design SuDs in accordance with the SDCC SuDs guide. Submit a drawing/s to show a plan and cross section of all SuDS systems.
- RESPONSE Refer to CS Consulting drawings NCA-CSC-ZZ-SI-DR-C-0002 and NCA-CSC-ZZ-SI-DR-C-0012 that have been updated in order to illustrate revised SuDS provision and SuDS details for the proposed development site.
- ITEM The applicant is requested to submit drawings showing dimensions of swale and details of how surface water enters the swale.
- RESPONSE Refer to CS Consulting drawings NCA-CSC-ZZ-SI-DR-C-0002 and NCA-CSC-ZZ-SI-DR-C-0012 that have been updated in order to illustrate additional swale details.
- ITEM Pipes at SMH06 are very shallow. A minimum cover 1.2m is required. If this is not possible then a minimum cover depth of 0.75m is required with a 150mm concrete surround as per Greater Dublin Regional code of Practice for Drainage Works.
- RESPONSE Refer to CS Consulting drawing NCA-CSC-ZZ-SI-DR-C-0002 that has been updated in order to illustrate the pipe sections of the proposed surface water drainage system that are proposed to be surrounded with 150mm concrete surround as per Greater Dublin Regional code of Practice for Drainage Works.

SDCC MEETING REQUEST:

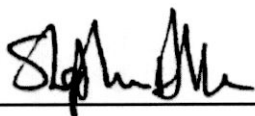
ITEM The applicant is requested to contact SDCC Planning to arrange a meeting regarding this Clarification of Additional Information request.

RESPONSE A meeting was held with SDCC on the 24th of May at 3pm.

It is respectfully submitted that the concerns of the County Council have been comprehensively addressed. We trust you have sufficient information to determine this application for planning permission. We would welcome that any further amendments to the scheme be included as conditions as part of a grant of permission.

Do not hesitate to get in contact should you have any queries on the above. We look forward to your decision in due course.

Yours Sincerely,

A handwritten signature in black ink, appearing to read 'Stephen Allen', is written over a solid horizontal line.

Stephen Allen
JFOC Architects

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