

# Comhairle Chontae Atha Cliath Theas

**PR/0716/23**

## Record of Executive Business and Chief Executive's Order

**Reg. Reference:** SD22A/0286      **Application Date:** 24-Jun-2022  
**Submission Type:** Clarification of Additional Information      **Registration Date:** 26-May-2023

**Correspondence Name and Address:** JFOC Architects 3/4, Greenmount House, Harold's Cross, Dublin

**Proposed Development:** Demolition of 2 sheds and the construction of 30 dwellings; 1 vehicular and pedestrian link with Main Street, Newcastle; vehicle and pedestrian link with Glebe Square, Newcastle and all associated and ancillary site development works.

**Location:** Main Street, Newcastle, Dublin

**Applicant Name:** Deane and Deane Ltd.

**Application Type:** Permission

(SW)

### **Description of Site and Surroundings:**

Site Area: Stated as 1.35 Hectares.

#### Site Description:

The site is situated to the north of the west end of Main Street, Newcastle. There are existing gates into the site from Main Street. The site is mainly green field, with the exception of some agricultural buildings. Residential development lies to the east and north east. The market square is situated to the south east. There is an existing wall between the site and the residential development to the north east. There is no boundary treatment between the site and market square, with the exception of vegetation. The site rises from north to south.

To the front of the site, abutting the main street is St Finnian's Community Centre.

#### **Proposal:**

The proposed development will consist of:

- Demolition of 2 sheds and the **construction of 30 dwellings**; 1 vehicular and pedestrian link with Main Street, Newcastle; vehicle and pedestrian link with Glebe Square, Newcastle and all associated and ancillary site development works.

# Comhairle Chontae Atha Cliath Theas

**PR/0716/23**

## **Record of Executive Business and Chief Executive's Order**

### **Zoning:**

The majority of the subject site is subject to zoning objective 'RES-N' - 'To provide for new residential communities in accordance with approved area plans'. The southern portion of the site is 'VC' - 'To protect, improve and provide for the future development of Village Centres'. The west and north west elements of the site is 'RU' - 'To protect and improve rural amenity and to provide for the development of agriculture'. An element of the access road to the south is 'RES' - 'To protect and/or improve residential amenity'. An area extending into the housing estate to the north east is unzoned.

*The site borders: -*

'RES-' lands to the east and south west, the objective of which is 'To protect and/or improve residential amenity'. 'VC' lands to the south, the objective of which is 'To protect, improve and provide for the future development of Village Centres'.

The site is within the boundaries of: -  
*Newcastle Local Area Plan*

*Newcastle Village Architectural Conservation Area (ACA002).*

*Site of Geological Interest - Newcastle Buried Channel*

*Sites and Monument Record Zone of Notification*

*CS9 SLO2*

*Aviation related: bird hazard, inner horizontal surface (Casement)*

### **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 : Additional information requested.*

*TII : No report received at time of writing.*

*Irish Water : Request additional information.*

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

*Héritages Council : No report received at time of writing.*

*Department of Defence : No report received at time of writing.*

# Comhairle Chontae Atha Cliath Theas

PR/0716/23

## Record of Executive Business and Chief Executive's Order

### *SEA Sensitivity Screening:*

Indicates overlap with:

- Rural
- Site of Geological Interest
- Record of Monuments and Places
- Architectural Conservation Area

### Submissions/Observations /Representations:

A number of submissions have been received. These are addressed in the overall assessment of the planning application:

- Housing being built with no amenities
- Proposal would open up adjacent estate for traffic through from Peamount Road. No benefit to the existing estate and being done to facilitate the new housing estate, who do not have to pay the maintenance fee for the existing estate
- Development will have a negative impact on bats. Ditches and hedges have been in place since 12<sup>th</sup> or 13<sup>th</sup> century and the amount of hedge to be removed is not acceptable. Field would be better as a green field. Other historic features beside the site.
- NGMC Management company object to creation of a vehicular access and pedestrian entrance through Newcastle Glebe Estate. Applicant is seeking to demolish a wall and create a vehicular and pedestrian entrance through our client's property. The applicant has no right to access their property via our client's. applicant is a breach of third party proprietary rights. Planning permission may be granted but same does not confer a right to interfere with third party proprietary rights. Residents of Newcastle Glebe have constitutional rights and legal rights acquired under the terms of their long term leases. Planning application would cause serious personal and financial implications and devalue properties.
- Access are the Managing Agents contracted to Newcastle Glebe Management Company CLG and have not been informed of any planned construction on the above – there have been no requests to remove our boundary wall in Newcastle Glebe. Not within their rights to interfere with our property.
- Zoning – it does not appear that the northern boundary of the site follows the actual zoning as per the Newcastle LAP.
- Burgage plots – not clear whether these are protected
- Design results in long walk to parking. Parking layout is poor
- Creation of new access onto main street will result in the demolition of the existing stone wall – a strong feature in the village – why demolish when there is a safe access point 50m away
- Not clear where bin storage is.

# Comhairle Chontae Atha Cliath Theas

PR/0716/23

## Record of Executive Business and Chief Executive's Order

- Good design essential.
- Pavement homes Ltd developed the lands to the east of the application site, known as Market Square. It was a requirement for Pavement Homes to provide further connection points to the boundary to the west of their site (abutting the application site) for both vehicles and pedestrians. Noted on the site plan that the vehicular connection point does not line up with Market Square and the application has shown a pedestrian connection to the footpath network of Market Square. Have not been contacted by the applicant for consent to connect the proposed development and Market Square. The adjoining land is in private ownership and not taken in charge and there is concern regarding liability if any user had an accident. The connection will increase the pedestrian and cyclist activities as the desired route to the local amenities will be via our land. Not concerned regarding traffic movement as the road network does not line up. No objection to the principle of the development.
- The north eastern strip outside the redline is owned by Tenbury Developments Ltd and under the administration of Newcastle Glebe Management Company. North western strip is in the ownership of Mr Liam Butler. The list of submitted documents to not include letters of consent. SDCC are not the registered owners and have just taken them in charge. Written confirmation has not been provided that the proposed development is to be undertaken by a statutory undertaker having a right or interest to provide services. Article 22(2)(g) of the Planning Regulations has not been complied with in full.
- Not indicated on the layout plan that there is a requirement to remove a boundary wall and possible to lower part of the boundary for the provision of vertical sightlines in respect of perpendicular off-street parking. The Traffic Statement makes no mention of the existing boundary wall.
- The traffic statement ignores the unique courtyard open space in Glebe Square which contributes to the residents using the streets as a shared surface for pedestrian and vehicular traffic and children playing
- Site is 'RES-N'. Newcastle Glebe Estate is 'RES'. North and east part of the estate is 'RU'. South of estate is 'VC'. SD-C195-134 refers to an unsuccessful Stage 2 SDCC draft development plan submission, requesting rezoning of 'RU' lands at Peamount Road, Newcastle to 'RES-N'. This will come up in the next development plan review. It is possible that if permission is granted for the proposed development, it will be used to facilitate access to currently 'RU' zoned lands, resulting in Newcastle Glebe forming part of a large housing development sometime in the future should rezoning be successful.

# Comhairle Chontae Atha Cliath Theas

## PR/0716/23

### Record of Executive Business and Chief Executive's Order

- Planning History – Newcastle Glebe:
  - o S00A/0919 and ABP PL06S.131390. C1 requires development in accordance with plans. No specific condition requiring future access through the approved development to lands south of the development and ABP did not attach SDCC conditions recommending connections.
  - o SD05A/0265: C3 of S00A/0919 and ABP PL06S.131390 sought submission of an application for 20 No. dwellings
  - o SD06A/0914 – alterations to approved SD05A/0148, to include change of orientation of the building, minor alterations to elevations and treatments, internal layout alterations and associated alteration to external areas and drainage with access from Newcastle / Peamount Road
  - o No specific conditions for ABP PL06S.131390. requiring future access to be made available. When residents bought houses would have had justifiable reason to assume cul de sac would remain.
  
- Planning History on the site, main street, Newcastle.
  - o SD09A/0489 (ABP PL06S.237646): Nursing home development
  - o SD10A/0017 (ABP PL06S.237817): medical suite / apartments. Now expired
  - o No vehicular or pedestrian link indicated with road 4
  
- Application is premature on grounds it will generate additional traffic movements in Newcastle – traffic study has not been undertaken in accordance with SM6 SCL1 CDP 2022-2028.
  
- Newcastle Glebe is a small cul de sac with unique character. Most streets terminate in cul de sacs which have not given rise to crime or anti-social behaviour. Traffic controlled by layout rather than ramps. Proposal will have an adverse impact
  
- Legal status of the Estate Boundary Wall: NGMC have valid title to the wall. No permission has been sought to carry out works. Access cannot be gained through Newcastle Glebe. If the applicant seeks access, it will be denied.

# Comhairle Chontae Atha Cliath Theas

**PR/0716/23**

## **Record of Executive Business and Chief Executive's Order**

Representation: Cllr O'Hara

- One of the two vehicular access points to this development is proposed through Glebe Square – breaking through an existing cul de sac would have serious implications for residents, altering the character and increasing the safety risk for children. Unfair to change the quiet neighbourhood
- The two entrances would create a rat run to avoid a busy village, removing the obstacle of the junction of Main Street and Peamount Road for road users using Athgoe Road or Hazelhatch Road. Entrance through existing residential area would endanger public safety by reasons of a traffic hazard and would set an undesirable precedent for similar development. The Council stated in response to motion 17 at the Clondalkin Area Committee in September 16 202 in relation to the potential need for traffic calming measures in and around Newcastle that ‘a fuller and more comprehensive traffic study should be carried out as part of the CDP and LAP review process to establish if more significant measures are required.
- The submitted traffic assessment finds that there would be an increase in total traffic at the adjoining roads of less than 5% but does not provide baseline traffic counts for existing. A report with up to date traffic counts required.
- Stated at area committee that Newcastle identified as an area with significant congestion problems.
- Boundary of the applicant extend beyond the lands in the ownership of the applicant.

SDCC references a map entitled TIC/9187/2022 showing Council's ownership but this is not available for inspection

### **Relevant Planning History:**

#### ***Subject site***

SD10A/0017/EP 1 no. two-storey block on Main Street comprising a 469sq.m. medical suite at ground floor level comprising 2 no. medical units, 1 no. pharmacy retail unit, bin store and 4 no. apartments at first floor level (3 no. 2- bed and 1 no. 1-bed) with balconies to the north, south and west elevations; 3 no. two-storey terraced blocks to the south of the site containing 11 no. split-level houses (3 no. 2 bed units with first floor terraces and 8 no. 3-bed units.) 1 no. two-storey terraced block to the east of the site containing 11 no. houses(9 no. 2 bed and 2 no. 3 bed); 1 no. block containing 14 no. split-level houses with first floor terraces (7 no. two-storey, 2 bed and 7 no. three-storey 3-bed houses), 4 no. two-storey 2-bed duplex units with first floor terraces and 12 no. apartments (6 no. 2-bed and 6 no. 1-bed) over three storeys with access deck to the east and balconies to the west elevations; (2) demolition of Oakville House, a 2-storey house of 295sq.m. with adjoining garage of 50sq.m. and shed; (3) a new vehicular and pedestrian entrance from Main Street, Newcastle; (4) surface water attenuation area and pumping station together with all ancillary site works;

# Comhairle Chontae Atha Cliath Theas

**PR/0716/23**

## **Record of Executive Business and Chief Executive's Order**

(5) a new access road, approximately 320 metres in length, together with footpaths, drains, landscaped areas and a hard surface track approximately 80 metres in length to service the attenuation area; (6) surface car parking for 110 cars. **Refuse Extension of Duration**

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(5) a new access road, approximately 320 metres in length, together with footpaths, drains, landscaped areas, and a hard surface track approximately 80 metres in length to service the attenuation area; (6) surface car parking for 110 cars. **Permission Granted**

### ***Adjacent sites***

**SD19A/0239** Provision of 16 additional car parking spaces to be located around the approved Market Square, as previously approved under An Bord Pleanála planning reference number PL06S.248760 (South Dublin County Council reference SD17A/0010) and all ancillary site works **Permission Granted (SDCC) Refuse leave to Appeal (ABP)**

**SD17A/0010** (1) Construction of 21 no. 3 bedroom, two storey dwelling houses. (2) Construction of 2 no. 2 bedroom, two storey dwelling houses. (3) Construction of a two storey building with retail unit (convenience) at ground floor level and 2 no. 2 bedroom apartments and 2 no. 1 bedroom apartments at first floor level with a total ground and first floor area of 771sq.m. (4) Construction of a 2 storey corner building with 2 retail units (cafe and convenience) at ground floor level with 1 no. 2 bedroom apartment and 1 no. 1 bedroom apartment at first floor level with a total ground and first floor area of 303sq.m. (5) Construction of a 2m high boundary wall to East and west boundaries and 1.8m high concrete post and timber panel fences between the dwellings. (6) Construction of a Market Square to serve the proposed development and local area. (7) Construction of proposed access road and footpaths. (8) Provision of car parking facilities to serve the proposed development. (9) Construction of a foul sewer network to serve the proposed development which shall connect into the existing adjoining foul sewer network.

# Comhairle Chontae Atha Cliath Theas

**PR/0716/23**

## **Record of Executive Business and Chief Executive's Order**

(10) Construction of a surface water sewer network to serve the proposed development including for the provision of the necessary attenuation elements and for the connection of the surface water network to the existing adjoining surface water network. (11) Provision of a watermain to serve the proposed development and connection to existing adjoining watermain. (12) Provision of necessary utility services. (13) All signage provisions for the proposed commercial buildings and place name for the proposed development and (14) all ancillary site works. **Permission Granted (SDCC) Permission Granted (ABP)**

**SD09A/0158** The redevelopment of the premises known as The Village Store, Main Street, Newcastle, County Dublin. The proposed development is to consist of the demolition of all existing extensions to the original cottage on the site and the incorporation of this retained and renovated structure into the redevelopment, which is to comprise, a main replacement shop unit and a second smaller shop unit at ground floor level and two no. commercial units at first floor level. The overall development is to be a mixture of one and two storeys, and it incorporates a vehicular entrance (at the location of the existing one), giving access to two off-street parking spaces, areas of bin storage and service yard as well as new signage to serve the retail and commercial units on the north side of Main Street, Newcastle. **Permission Granted**

**SD08A/0736** Demolition of all existing extensions to the original cottage on the site and the incorporation of this retained and renovated structure into the redevelopment which would comprise a basement level car park to the rear, a replacement shop unit at ground floor level, two no. commercial units at first floor level and two no. three bedroom split level duplex dwellings accessed via a first floor terrace and external steps from the street.

The overall development is to compromise a mixture of 1-3 storeys with a new vehicular entrance to the basement car park in place of the existing vehicular entrance. The proposed development includes new signage to the commercial units, areas of bin storage and service yard, and areas of balcony and private roof terrace to serve the two dwellings. **Permission Refused**

**S01/0646** Demolition of the existing Village Store and adjoining dwelling and for two storey re-development comprising one shop and related office/staff facilities, and one apartment and on site car parking. **Permission Granted**

**S00A/0668** To construct a glazed extension to the front to form a new entrance and extend existing roof over. **Permission Granted**

### **Relevant Enforcement History:**

None recorded.

### **Pre-Planning Consultation:**

PP039-21



# Comhairle Chontae Atha Cliath Theas

**PR/0716/23**

## **Record of Executive Business and Chief Executive's Order**

### **Relevant Policy in South Dublin County Council Development Plan 2022-2028:**

*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*

*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.*

# Comhairle Chontae Atha Cliath Theas

**PR/0716/23**

## **Record of Executive Business and Chief Executive's Order**

### *CS9 Objective 4:*

*To facilitate and commit to the delivery of new residential development in a coordinated manner, ensuring alignment with investment infrastructure and supporting amenities and services. Such measures shall be delivered through appropriate phasing in line with CS9 SLO1, SLO2, SLO3 and SLO4.*

### *CS9 SLO2:*

*To facilitate and commit to the delivery of Phase 1 residential lands at Burgage North to the north of St. Finian's Community Centre which reserve suitable lands to facilitate the extension of the existing community centre.*

### *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*

### *Policy GI1: Overarching*

#### *Policy GI2: Biodiversity*

#### *Policy GI3: Sustainable Water Management*

#### *Policy GI4: Sustainable Drainage Systems*

#### *Policy GI5: Climate Resilience*

#### *Policy GI6: Human Health and Wellbeing*

#### *Policy GI7: Landscape, Natural, Cultural and Built Heritage*

### *Policy QDP1: Successful and Sustainable Neighbourhoods*

#### *5.2.1 The Delivery of Sustainable Neighbourhoods 'The Plan Approach'*

#### *Policy QDP2: Overarching - Successful and Sustainable Neighbourhoods*

#### *Policy QDP3: Neighbourhood Context*

#### *Policy QDP4: Healthy Placemaking*

#### *Policy QDP5: Connected Neighbourhoods*

#### *Policy QDP6: Public Realm*

#### *Policy QDP7: High Quality Design – Development General*

#### *Policy QDP7: High Quality Design – Street Frontage*

#### *Policy QDP7: High Quality Design – Street Width and Height*

# Comhairle Chontae Atha Cliath Theas

**PR/0716/23**

## **Record of Executive Business and Chief Executive's Order**

*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 QDP10: Mix of Dwelling Types*

*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*

*Policy H12: Steep or Varying Topography Sites*

*Policy SM1: Overarching – Transport and Movement*

*Policy SM2: Walking and Cycling*

*7.7.2 New Street and Road Proposals*

*Table 7.5 Six Year Road Programme Newcastle Street Network Various streets within the Newcastle LAP lands. Formation of a strategic street network providing access throughout the LAP lands.*

*Policy SM5: Street and Road Design*

*Policy SM6: Traffic and Transport Management*

*Policy SM7: Car Parking and EV Charging*

*Policy COS1: Social Inclusion and Community Development*

*COS1 Objective 4:*

*To support the improvement, maintenance, upgrade and refurbishment of existing community based facilities and changing rooms within the County to meet current and future needs.*

*Policy COS2: Social / Community Infrastructure*

*Policy COS3: Community Centres*

*Policy COS4: Sports Facilities and Centres*

*COS4 Objective 14:*

*To provide a sports and recreational amenity in Newcastle, incorporating a full-size GAA, multi-use, all-weather playing pitch, two basketball courts, tennis court, dressing rooms, a walking / jogging / cycling track as well as parking areas and related additional open space.*

*Policy*

*COS5: Parks and Public Open Space – Overarching*

*Policy E1: Responding to European, National and Regional Policy and Legislation*

*Policy E3: Energy Performance in Existing and New Buildings*

*Policy E4: Electric Vehicles*

*Policy E7: Solar Energy*

# Comhairle Chontae Atha Cliath Theas

**PR/0716/23**

## **Record of Executive Business and Chief Executive's Order**

*Policy IE1: Overarching Policy*

*Policy IE2: Water Supply and Wastewater*

*Policy IE3: Surface Water and Groundwater*

*11.3.1 Riparian Corridors*

*Policy IE4: Flood Risk*

*Policy IE7: Waste Management*

*Policy IE8: Environmental Quality*

*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*

### **Newcastle Local Area Plan**

Relevant policies from the LAP are set out below. These include general policies relating to the whole development area and specific policies relating to the Peamount and Main Street neighbourhoods identified in the LAP. The subject site is predominantly located within Peamount.

# **Comhairle Chontae Atha Cliath Theas**

**PR/0716/23**

## **Record of Executive Business and Chief Executive's Order**

A linked open space hierarchy shall be implemented fully across the Plan Lands and all proposed developments shall contribute to the achievement of this integrated Green Infrastructure Network where relevant and at a minimum rate of 14% on A1 zoned lands.

Where there is a shortfall in public open space provision, from planned local and neighbourhood parks, this shortfall shall be taken up by pocket parks that are integrated into the design of neighbourhoods. Pocket parks shall be adequately overlooked and shall be easily accessible from surrounding housing but shall not comprise residual open spaces. (Objective GI1)

All proposed public open spaces shall have a clear role and function that falls within the Plan's open space hierarchy detailed under Table 5.1 and shall comply with the qualitative standards detailed under Sustainable Residential Development in Urban Areas, 2009. (Objective GI2)

Play facilities shall be provided at a rate of 3 sq.m per dwelling and in accordance with Planning Guidance on Provision of Children's Play Facilities in New Developments, 2007. (Objective GI3)

Where it is proposed to develop on existing playing pitches and/or training fields, alternative accessible playing pitches and/or training fields must be provided in the vicinity of Newcastle (within 1.6km of the edge of the Plan Lands) prior to decommissioning of the pitches or the commencement of construction. (Objective GI4)

Protect the historic burgage plot boundary and townland delineations (including townland boundaries to the Glebe, Ballynakelly Newcastle South and Commons Little) around Newcastle Village including their associated hedgerows and ditches. (Objective GI7)

Require all planning applications for development on lands that include or are bound by burgage plot and/or townland hedgerow boundaries and ditches to clearly detail how these boundaries will be enhanced or reinstated and incorporated. All such applications shall include a comprehensive hedgerow survey and method statement (compiled by a suitably qualified person) for protection, incorporation and reinstatement of the historic boundaries before, during and after construction. This shall include for details on protecting any section(s) of hedgerow outside the application site that directly adjoin the application site. (Objective GI8)

Require that burgage and townland field boundaries and ditches are utilised wherever possible as SUDS elements such as swales for conveying water; landscape features; and biodiversity-protecting elements. (Objective GI9)

Allow for limited sections of field boundaries (burgage and townland) to be carefully altered where a need has been clearly demonstrated on the basis of a requirement for accessibility in terms of pedestrian and cyclist movement and the creation of successful streets and spaces.

# **Comhairle Chontae Atha Cliath Theas**

**PR/0716/23**

## **Record of Executive Business and Chief Executive's Order**

Where this occurs, high quality design cues that signal and delineate the pre-existing plot line of the section of removed hedgerow boundary shall be utilised such as a change in materials with the use of high quality materials like cut stone and the use of lighting strips etc. (Objective GI10)

Where removal of a section of hedgerow is required for street access, the street width and gap in the hedgerow shall be kept to a minimum and determined by street typology (see street design cross sections and typologies in Appendix 3) in order to protect and retain foraging routes for bats. Mature street planting should also be located to help fill the void between sections of hedgerow and create an 'eco hop' across each street as detailed in Section 7 of this Plan. (Objective GI11)

GI12-17: SuDS

GI18-19: Flood

GI20-GI33: Archaeology and Architecture

AM1-16: Accessibility and Movement

To concentrate new commercial and community development including retail floorspace around historic/cultural, civic and retail nodes along Main Street in a manner that contributes to Main Street's vitality and viability and its re-establishment as the Village Core. (Objective LUD1)

Development of the site to the east of St. Finian's Community Hall shall provide for the extension of St. Finian's Hall and the provision of a market square with an element of parking. This space should be fronted by the extended community centre on its western side and commercial and residential units on its northern and eastern sides. (Objective LUD3)

That development at the western end of Main Street contributes to the establishment of an Historic/Cultural quarter and enhances the views and setting of upstanding monuments. Development in the Historic/Cultural quarter shall incorporate built and natural heritage features wherever possible including archaeological features discovered during archaeological investigation. (Objective LUD4)

Development within the Village Expansion area shall be sensitively consolidated within the burgage plot field system in a manner that retains field boundaries and enhances and protects biodiversity. Where burgage boundaries have been removed previously, these shall be reinstated as part of any new development. (Objective LUD7)

# **Comhairle Chontae Atha Cliath Theas**

**PR/0716/23**

## **Record of Executive Business and Chief Executive's Order**

Community facilities, which shall include youth specific facilities, shall be provided at a rate of 3 sq.m per 10 dwellings. The provision of community floorspace at, or adjoining, the existing St. Finian's Community Centre and/or the payment of development contributions towards the provision of community floorspace at this location will be sought as an alternative to the piecemeal location of small pockets of floorspace on individual sites. (Objective LUD12)

Ensure that at least 90% of dwellings in any residential scheme have two or more bedrooms with the exception of independent housing schemes for older people. (Objective LUD16)

To encourage a mix of dwelling types and quality designs that will help aid legibility and wayfinding throughout the area. (Objective LUD 17)

The density of development across the Plan Lands shall accord with that identified for each Character Area under Table 5.3 of this Plan. The density of development on sites that are subject to extant permissions should be amended accordingly, where possible. Extensions of duration of permission should only be granted where development granted prior to the adoption of this Plan accords with this Local Area Plan's density strategy or the densities recommended for small towns and villages under Sustainable Residential Development in Urban Areas (2009). (Objective LUD 18)

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

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

All streets are designed in accordance with the Street Hierarchy set out in the Accessibility and Movement Strategy of this Plan and the relevant design and cross section details set out in Appendix 3 of this Plan. (Objective BF2)

The materials, texture and colour of proposed carriageways shall be appropriate to their location within Newcastle. The width of vehicular carriageways shall be minimised to the requirements of the appropriate design speed, user needs and context and function of the street. (Objective BF3)

# **Comhairle Chontae Atha Cliath Theas**

**PR/0716/23**

## **Record of Executive Business and Chief Executive's Order**

Pedestrian facilities such as wide footpaths and well-designed crossings will form part of all planning applications for development within the Plan Lands. (Objective BF4)

Utilities shall be laid in common utility ducts, including (where appropriate) grid infrastructure, to reduce disturbance to streetscapes and surface treatments from ongoing utility works. This shall be a condition of all relevant permissions. (Objective BF5)

Streets will be designed to reflect the historic character and importance of Newcastle and to contribute to its setting and visual amenity (Objective BF6)

Require the submission of a design statement and rationale for all housing and/or commercial development that demonstrates how the development incorporates elements that reflects its time and place. This should include for the use of local building materials and respond to this Plan's requirements with relation to urban structure, urban grain, density and land-use, buildings heights, green infrastructure and the historic setting of recorded monuments and protected structures. (Objective BF7)

Require the incorporation of a variety of dwelling designs throughout the Plan Lands and particularly within individual developments, subject to the use of a limited palette of materials. (Objective BF7a)

Require all new buildings to be high in energy efficiency and to use energy sources that minimise damage to the environment. All new buildings shall comply with Section 5.4 (Sustainability and Energy Efficiency) of Quality Housing for Sustainable Communities – Best Practice Guidelines for Delivering Homes Sustaining Communities (2007) and the relevant Building Regulations. (Objective BF7b)

New development shall be a maximum of two storeys in height with limited exceptions for buildings on landmark sites designated within the Village Core and Expansion Area where there is scope for landmark buildings to include elements that reach a maximum height of between 9 and 12 metres depending on location. (Objective BF8)

to promote innovative building design that demonstrates a high level of energy conservation, energy efficiency and use of renewable energy sources in accordance with national regulations and policy guidelines. (Objective BF8a)

To prohibit basement developments in the interests of protecting Newcastle's archaeological heritage. (Objective BF9)



# Comhairle Chontae Atha Cliath Theas

**PR/0716/23**

## Record of Executive Business and Chief Executive's Order

### 6.3 Neighbourhood 1: Main Street (West)

Gross Area	7.3 Ha.
Net Area	Dependent on extent of infill development
Land Use Type	Mixed – Residential, education, retail, flexible commercial use units, civic, community and tourism
Residential Density	30-35 dwellings per hectare (in general)
Estimated Yield	Dependent on extent of infill development & mix of uses
Dwelling type	Terraced town houses with limited opportunity for duplexes and apartments
Building Height	Two storeys
Street Type	Main Street
Public Open Space	Village Green and Market Square
Car parking	On-street parking to be made available where possible otherwise to the rear of retail developments and in-curtilage for residential developments.
Special Character Features	Directly accessible from all neighbourhoods with exception of Ballynakelly Cottages. • A diverse mix of land uses to include civic; community and tourism uses. • Strong street edges created by direct building frontages that present multiple openings and active edges to encourage on-street activity. • Market square with a mix of commercial, community and residential uses around its perimeter and a landmark building to include a built element with a maximum height of 9 metres. • Retain and enhance Village Green. • Expanded/new school site with playing fields. • Maintain rural character at western end to soften village edge and preserve protected views from Hazelhatch Road

# Comhairle Chontae Atha Cliath Theas

PR/0716/23

## Record of Executive Business and Chief Executive's Order

- To protect and enhance the setting and views of the Motte, Saint Finian's Church of Ireland Church and Village Green and environs from surrounding development especially the redevelopment of the adjacent public house at the north-east corner of the junction between Hazelhatch Road and Main Street. (Objective MSW2)
- A Main Street Improvement Plan should be agreed or produced as a separate advice document after adoption of this Local Area Plan to help guide and co-ordinate public realm improvements, infill development, redevelopment of sites and the achievement of universal access and universal mobility. (Objective MSW4)
- Development along Main Street shall allow and provide for connections to routes that are envisaged under the Accessibility Movement Strategy of this Plan including Link Streets, Access Streets and Green Links. (Objective MSW6)
- Residential development within the Village Core along Main Street shall be subject to a maximum net residential density of 35 dwellings per hectare with the exception of small scale apartment/duplex developments that fulfil a clear aesthetic or way-finding function at gateway, landmark sites and retail/commercial sites. (Obj. MSW6)
- Community facilities provided as part of residential development (30 sq.m per 10 dwellings) shall be provided within or around the civic and cultural nodes identified under this Plan using St Finian's Community Hall as a centre of focus. (Objective MSW9)
- Infill development within the Village Core along Main St. shall provide for direct frontage onto Main Street with ample footpath provision and on-street parking. (Objective MSW10)

Fig 6.4 Main Street (West) - Local Framework



# Comhairle Chontae Atha Cliath Theas

**PR/0716/23**

## Record of Executive Business and Chief Executive's Order

### 6.10 Neighbourhood 8: Peamount

Gross Area	6.7 Ha.
New Area	2 Ha
Land Use Type	Residential
Residential Density	15-20 dwellings per hectare within Settlement Edge 25-30 dwellings per hectare within Village Expansion Area
Estimated Yield	Circa 50 dwellings
Dwelling type	Terraced, detached and semi-detached
Building Height	1-2 storeys
Street Type	1-2 storeys Street Type Arterial Street, Green Link Streets and Access Streets
Public Open Space	14% of Net Area
Car parking	In-curtilage and on-street visitor parking
Special Character Features	Revised street layout for permitted development off Main Street to include for vehicular link with Newcastle Glebe estate. • Garden suburb development along and off Peamount Road.

- Provide for generous street planting and grass verges along Green Link Streets. (Objective PN2)
- Include for the permitted soft landscaped through route to the rear of Main Street and St. Finian's Hall and upgrade such as a link with the Village Core. (Objective PN4)
- Include for a through Green Link Street with Peamount Road as part of an east-west through route that will connect the neighbourhoods on the northern side of Main Street and Aylmer Road with Peamount Road. (Objective PN5)
- Include for the permitted through route to the rear of Main Street and St. Finian's Hall and upgrade such as a pedestrian and cyclist green link with the Village Core via the planned Market Square off Main Street (West). (Objective PN6)

Require the provision of a connection between the permitted residential development to the rear of St. Finian's Hall with Newcastle Glebe in the form of an extended vehicular cul-de-sac. An extension of duration of permission for development to the rear of Saint Finian's Hall should only be granted where it provides a direct link with Newcastle Glebe. (Objective PN7)

# Comhairle Chontae Atha Cliath Theas

PR/0716/23

## Record of Executive Business and Chief Executive's Order

- Development within the Village Expansion area of the Peamount Neighbourhood shall only provide for residential uses up to a maximum density of circa 35 dwellings per hectare. Extensions of duration of permission should only be granted where development granted prior to the adoption of this Plan accords with the maximum permissible density. (Objective PN10)
- Development of the Village Expansion area of the Peamount Neighbourhood shall largely comprise terraced houses with opportunities for detached and semi-detached housing. The dwelling mix on sites that are subject to extant permissions should be amended accordingly where possible. Extensions of duration of permission should only be granted where development granted prior to the adoption of this Plan accords with the prescribed dwelling mix. (Objective PN12)

Fig 6.18 Peamount - Local Framework



Development within the Plan Lands shall adhere to the qualitative and quantitative standards and urban design criteria set out under this Plan. (Objective SC1)

7.1 Urban Design Criteria All developments within the Plan Lands shall comply with the 12 urban design criteria set out under the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009) and the accompanying indicators detailed under the Urban Design Manual: A Best Practice Guide (2009)

7.2.1 Pedestrian and Cyclist Movement

7.2.2 Cycle Parking and Facilities

7.2.3 Pedestrian Routes

# Comhairle Chontae Atha Cliath Theas

## PR/0716/23

### Record of Executive Business and Chief Executive's Order

Table 7.1 Bicycle Parking Standards Residential Units 1 space per dwelling

7.2.4 Lighting

7.2.5 Car Parking the quantum of car parking shall be provided in line with the standards set out under the South Dublin County Development Plan, 2010-2016 or any superseding County Development Plan.

7.2.6 Traffic Calming

7.2.7 Traffic Noise

7.2.8 Dwelling Standards

7.2.9 Private Amenity Space for Houses

7.2.11 Privacy and Overlooking

7.2.12 Bin Storage

7.2.13 Block Form, Urban Grain and Street Interface

7.2.14 Accessibility

7.2.15 Public Open Space Quantum

7.2.16 Neighbourhood Equipped Area for Plan (NEAP)

7.2.17 Local Equipped Area for Plan (LEAP)

7.2.18 Young Children's Area of Play (YCAP)

7.2.19 Specifications for Street Finishes

7.2.20 Boundary Treatments

7.2.21 Landscaping and Incorporation of Existing Elements

7.2.22 Soft Landscaping and New Planting

7.2.23 Bat Movement across Streets

7.2.24 Hard Landscaping and Street/Park Furniture

7.2.25 Management and Maintenance of Hard and Soft Landscaping

7.2.26 Renewable Energy

7.2.27 Surface Water Drainage

7.2.28.1 Ponds & Basins

7.2.28.2 Swales

7.2.28.3 Porous Grass Paver Grids

7.2.28.4 Soakaways

7.2.28.5 Green Roofs

7.2.28.6 Rainwater Harvesting

7.2.29 Place Names

8.0 Phasing

# Comhairle Chontae Atha Cliath Theas

**PR/0716/23**

## **Record of Executive Business and Chief Executive's Order**

### **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).

*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).

*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)

*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:

- Procedural Matters
- Zoning
- Council policy
- Residential Amenity
- Urban Design, Architectural Form and Visual Impact
- Impact on Architectural Conservation Area
- Access, Parking & Permeability
- Landscaping & Public Open Space
- Services & Drainage
- Part V Social & Affordable Housing
- Noise and Environmental Health
- Services & Drainage

# Comhairle Chontae Atha Cliath Theas

PR/0716/23

## Record of Executive Business and Chief Executive's Order

- Energy
- Archaeology
- Screening for Appropriate Assessment
- Screening for EIA

### *Procedural Matters*

Some submissions raise concerns that the appropriate letters of consent have not been submitted. The applicant is requested to set out details of the ownership of areas outside of their control within the red line. Relevant letters of consent should be submitted. These should be provided via **additional information**.

### *Policy Context*

The subject site is located within the Newcastle LAP 2012 (as extended) area and the relevant Development Plan is the South Dublin County Development Plan 2022 – 2028.

### *Zoning*

The site is covered by a number of zoning objectives. The majority of the subject site is subject to zoning objective 'RES-N' - *'To provide for new residential communities in accordance with approved area plans'*. All proposed housing and residential curtilage are located within this zone. Residential development is permitted in principle and, therefore the principle of this element of the proposal is acceptable.

The southern portion of the site is 'VC' - *'To protect, improve and provide for the future development of Village Centres'*. Some housing / residential curtilage is proposed within this zone. An area of land does not have any proposed uses but is identified as 'possible future use for community centre'. Residential is therefore the only proposed use at this time and is acceptable in principle.

The west and north west elements of the site is 'RU' - *'To protect and improve rural amenity and to provide for the development of agriculture'*. It is noted that an area of open space as well as car parking and roads infrastructure are proposed to be located within this space. This is considered 'residential' in nature. Residential is open for consideration within the zoning *'In accordance with Council policy for residential development in rural areas'*. It is recommended that the application be requested to address this issue, by way of a request for **additional information**. Further discussed under open space.

An element of the access road to the south is 'RES'. The principle of the elements within this zone are acceptable in principle.

# Comhairle Chontae Atha Cliath Theas

**PR/0716/23**

## **Record of Executive Business and Chief Executive's Order**

An area extending into the housing estate to the north east is unzone. In general, such lands are governed by the policies of the predominant adjoining land uses, which in this case, would be 'RES'.

There is no objection to the principle of demolishing the sheds.

### ***Council Policy***

#### ***Strategic Policy***

Table 9 of the CDP indicates that Newcastle as a total potential capacity of 18.48ha or 646 no. units of undeveloped lands. This includes 557 no. residential units on greenfield sites. The subject site is also identified as a Housing Capacity Site on Figure 9. Core Strategy Policy CS9 states to '*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*'.

The Newcastle LAP was adopted in 2012 and subsequently extended in 2017 (to expire early 2023). The LAP in 2012 envisaged that circa 855 no. homes would be constructed if all undeveloped lands within the Plan Lands, including lands subject to extant permissions, were to be developed in accordance with the standards contained within the Plan. The primary landholding with an extant permission was reconsidered and granted permission as part of the SHD process.

Given the timelines and build outs of residential lands between the LAP adoption and the County Development Plan, it is evident that the Core Strategy of the current Development Plan supports and plans for the development of the Newcastle area are in accordance with the approach in the existing 2012 LAP.

#### ***Newcastle***

The County Development Plan (CDP) 2022-2028 sets out a number of specific objectives for Newcastle. Policy CS9, Newcastle, states "*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*'.

The proposal is assessed against each of the relevant policy objectives below:

- *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.*

The proposal is for 30 dwellings and will not trigger any specific requirements.



# Comhairle Chontae Atha Cliath Theas

PR/0716/23

## Record of Executive Business and Chief Executive's Order

- *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. Part of the site represents infill along the main street; however, the majority is situated behind the main retail / community area. Noted that an element has been identified for a community centre expansion.*
- *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.*  
Services – The proposal is for 30 dwellings and will not trigger any specific requirements.  
Social infrastructure – Land should be indicated for community centre expansion.  
Facilities – The proposal is for 30 – no requirement.  
Retail – The proposal is for 30 – no requirement.  
Open space – some concerns in relation to provision and location.  
Amenity – sufficient levels proposed.  
Economic activity – N/A
- *CS9 Objective 4: To facilitate and commit to the delivery of new residential development in a coordinated manner, ensuring alignment with investment infrastructure and supporting amenities and services. Such measures shall be delivered through appropriate phasing in line with CS9 SLO1, SLO2, SLO3 and SLO4.*  
See SLO2 below.
- *CS9 SLO2: To facilitate and commit to the delivery of Phase 1 residential lands at Burgage North to the north of St. Finian's Community Centre which reserve suitable lands to facilitate the extension of the existing community centre.*

It is noted that a number of preplanning meetings took place in relation to the proposed development and the extension of the community centre was addressed in detail at this stage. Comments from the Architect's Department state "*The area of land agreed to be gifted to 'Newcastle Community Hall' as part of the above development is 222SqM smaller than the initial agreed area and may impact the buildings future development potential*". The applicant is requested to extend the area in line with previous discussions to enable the delivery of SLO2. This should be addressed via **additional information**.

# Comhairle Chontae Atha Cliath Theas

PR/0716/23

## Record of Executive Business and Chief Executive's Order

### Provision of Community Facility

The following objectives of the LAP relate to the extension of St Finian's Community Centre:

- To concentrate new commercial and community development including retail floorspace around historic/cultural, civic and retail nodes along Main Street in a manner that contributes to Main Street's vitality and viability and its re-establishment as the Village Core. (Objective LUD1)
- Development of the site to the east of St. Finian's Community Hall shall provide for the extension of St. Finian's Hall and the provision of a market square with an element of parking. This space should be fronted by the extended community centre on its western side and commercial and residential units on its northern and eastern sides. (Objective LUD3)
- Community facilities, which shall include youth specific facilities, shall be provided at a rate of 3 sq.m per 10 dwellings. The provision of community floorspace at, or adjoining, the existing St. Finian's Community Centre and/or the payment of development contributions towards the provision of community floorspace at this location will be sought as an alternative to the piecemeal location of small pockets of floorspace on individual sites. (Objective LUD12)

In strategic policy terms, the Planning Authority welcomes the commitment of the applicant to providing for the community centre extension to the rear of the site. The Architect's Department of South Dublin County Council have reviewed the current application and have noted that the parcel identified for the extension is significantly smaller than previously discussed. In September 2021 SDCC Architects Department met with the developer and applicant of the subject planning application. At this meeting, the developer identified a section of the site to the community centre to accommodate a future extension, rear car parking spaces and secure external play spaces. This section of land was to be approximately 1,487 SqM (0.14 Hectares) and is the basis on which SDCC Architects Department have developed the current draft design proposals.

On review of the current planning application, it would appear the applicant has reduced the area of the lands from 1,487SqM to 1,265SqM resulting in a total reduction of 222.5 SqM, which would have a significant impact on the delivery of the proposed extension and the ancillary space required to enable the functionality of the community facility.

Furthermore, it is unclear what specific mechanism would be used enable the transfer of the identified lands to enable the delivery of the extension to the community facility. Accordingly, the applicant is requested **via additional information** to liaise with the architect's department in this regard.

# Comhairle Chontae Atha Cliath Theas

PR/0716/23

## Record of Executive Business and Chief Executive's Order

### Green Infrastructure

In accordance with 4.2.3 of the County Development Plan 2022-2028, the quantity and quality of green infrastructure provided by new development will be improved by the implementation of a Green Space Factor (GSF). GI5 Objective 4 is:

*To implement the Green Space Factor (GSF) for all qualifying development comprising 2 or more residential units and any development with a floor area in excess of 500 sq.m. Developers will be required to demonstrate how they can achieve a minimum Green Space Factor (GSF) scoring requirement based on best international standards and the unique features of the County's GI network. Compliance will be demonstrated through the submission of a Green Space Factor (GSF) Worksheet (see Chapter 12: Implementation and Monitoring, Section 12.4.2).*

The applicant is requested to submit an assessment of GSF for the application site, in line with GI5, objective 4 and section 12.4.2 of the CDP 2022-2028.

A Green Infrastructure Plan is also required as per Section 12.4.2 of the Development Plan.

### Design Principles

In accordance with 5.2.1 The Delivery of Sustainable Neighbourhoods 'The Plan Approach', the eight key principles apply on all zoned development lands within the County and to a multitude of development types and land uses. The proposal is, therefore, considered against these principles:

*Context:* Consider existing natural, cultural and built heritage features and green infrastructure elements as well as social, economic and environmental factors that impact on an area.

***It is not apparent that all of these aspects have been addressed appropriately. There are concerns regarding the lack of information on Architectural Conservation, and also the impact on green infrastructure. Concerns regarding future connection to the community centre.***

*Healthy Placemaking:* Promote good urban design, which seeks to create public spaces that are vibrant, distinctive, safe and accessible and which promote and facilitate social interaction.

***There are some concerns regarding the public realm and the degree of passive surveillance in some areas. Public open space is accessible.***

*Connected neighbourhoods:* Promote public transport and other transport facilities that mitigate dependence on cars, promote safe walking and cycling, while assisting with internal movements within neighbourhoods.

***The site is adjacent to main street and there are connections to main street.***

# Comhairle Chontae Atha Cliath Theas

**PR/0716/23**

## **Record of Executive Business and Chief Executive's Order**

*Thriving Economy:* Ease of access to and availability of good jobs and a good quality of life for the community at large.

***Proposal does not relate to employment opportunities. It is close to the main street of Newcastle.***

*Inclusive and accessible:* High quality services, community infrastructure and open spaces accessible to all.

***It is not considered the proposed connection to the community centre is accessible / has an appropriate interface.***

*Public Realm:* A real sense of place, positive purpose and local distinctiveness, where buildings are not only attractive but also safe and useful with lots of green and open spaces for people to spend time, relax and play.

***General design / materials considered acceptable. Significant green space proposed but there is concern regarding the impact of the proposed development on the existing green infrastructure.***

*Built Form and Mix:* Promotes a mix of uses with appropriate increases in density and building heights in the right locations maximising the existing transport network and existing infrastructure.

***Only dwellings proposed. 2 and 3 bed with different dwelling types is considered appropriate.***

*Design and materials:* High quality design, materials and finishes and good quality landscaping with robust maintenance protocols for all large residential, commercial and employment developments.

***Materials are considered to be acceptable.***

### *Design Statement*

In line with the provisions of Policy QDP7 Objective 1, all medium to-large scale and complex planning applications (30 + residential units, commercial development over 1,000 sq.m or as otherwise required by the Planning Authority) shall be accompanied by a Design Statement. The **Design Statement** should address contextual and urban design issues and clearly explain the design process, the design options considered and the rationale behind the adopted design development strategy. A Design Statement should consist of:

- A detailed analysis of the proposal and statement based on the 12 design criteria set out in the '*Urban Design Manual*' (2009) and reflected in the South Dublin County Council's Building Height and Design Guide
- Detailed design including materials and external finishes which should have regard to the policy, objectives and provisions of the South Dublin County Development Plan 2022-2028. In particular the guidance, and performance-based design criteria set out in the

# Comhairle Chontae Atha Cliath Theas

**PR/0716/23**

## **Record of Executive Business and Chief Executive's Order**

South Dublin County's Building Height and Density Guide must be incorporated with due regard being had to relevant Ministerial Guidelines including the '*Urban Design Manual*' (2009); '*Sustainable Residential Development in Urban Areas*' (2009); '*Urban Development and Building Height – Guidelines for Planning Authorities*' (2018); and '*Design Standards for New Apartments – Guidelines for Planning Authorities*' (2020) or as may be superseded.

- A statement or Quality Audit addressing street design as outlined within the Design Manual for Urban Roads and Streets.
- Any departures within the proposed development from the guidance set out in the Building Height and Density Guide for South Dublin County (Appendix 10) shall be clearly highlighted in the Design Statement.

In accordance with the Newcastle LAP, a design statement and rationale for all housing and/or commercial development that demonstrates how the development incorporates elements that reflects its time and place. This should include for the use of local building materials and respond to this Plan's requirements with relation to urban structure, urban grain, density and land-use, buildings heights, green infrastructure and the historic setting of recorded monuments and protected structures. (Objective BF7). In accordance with Paragraph 7.1 'Urban Design Criteria' All developments within the Plan Lands shall comply with the 12 urban design criteria set out under the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009) and the accompanying indicators detailed under the Urban Design Manual: A Best Practice Guide (2009).

The applicant has submitted a design statement. This looks at:

- Context and site analysis
  - Local area
  - Zoning and density
  - Planning history
  - Location
  - Topography
  - Archaeology
  - Townlands
  - GI
  - Connections
  - Existing site
- Design
  - Context
  - Connections
  - Inclusivity
  - Variety

# Comhairle Chontae Atha Cliath Theas

**PR/0716/23**

## **Record of Executive Business and Chief Executive's Order**

- Efficiency
- Distinctiveness
- Layout
- Adaptability
- Privacy and amenity
- Parking
- Detailed design

The Design section of the document seeks to address the urban design manual requirements. It is noted that the applicant has not addressed 'Public Realm' as one of the required themes and is requested to do so via **additional information**.

The Architectural Conservation Officer has stated 'there is no reference made to ACA' in the design statement.

A statement or Quality Audit addressing street design as outlined within the Design Manual for Urban Roads and Streets is also required. The applicant has addressed this in their Traffic Impact Statement.

### *Sites with Varying or Steep Topography*

Proposals (including wastewater treatment systems and other infrastructural items associated with residential and agricultural proposals) on sites with a steep and / or varying topography should be accompanied by a comprehensive site analysis (including character appraisal and movement analysis), concept proposal and design statement as described and illustrated within the Urban Design Manual – A Best Practice Guide, DEHLG (2009). Such analysis should be accompanied by comprehensive site sections and plans detailing any proposed changes in site level and demonstrating how the proposal incorporates the natural slope and drainage features of the site.

Proposals should ascend the contours of the site with unique design solutions such as lower density split level housing and sloping gardens with planted boundary treatments. Where changes in ground level between buildings are unavoidable, planted banks may be utilised.

Detailed comments regarding the design statement have been provided above. It is noted that the applicant has submitted the following:

- 19-134-PD2004 – permeability
- NCA-CSC-ZZ-SI-DR-C-0001 – topographical survey
- 19-134-PD4001 – Contiguous elevations
- 19-134-PD4002 – Contiguous elevations
- 19-134-PD4003 – Contiguous elevations

# Comhairle Chontae Atha Cliath Theas

PR/0716/23

## Record of Executive Business and Chief Executive's Order

The above show in detail the change in level across the site and the proposed development in the context of the existing site levels. It apparent that there are significant level changes in some instances. The applicant is requested to set out details of cut and fill, as well as details of any retaining structures via **additional information**.

### *Urban Design, Architectural Form and Visual Impact*

The requirement for design statements has been set out above.

#### QDP3 Objective 1:

To ensure new development contributes in a positive manner to the character and setting of the immediate area in which a proposed development is located taking into consideration the provisions set out in Chapters 3 and 4 of this Plan and having regard to the requirements set out in Chapter 12: Implementation and Monitoring in relation to design statements.

The Architect's Department has made the following additional comments:

*“Additional observations in relation to the planning application noted by SDCC Architects include the following:*

- *The proposed residential dwellings are sited closer to the community hall than previously indicated by the developer.*
- *There is no vehicular access indicated from the Market Square*
- *The developer does not appear to have considered or allowed for future pedestrian access to the rear of the community hall site i.e., from the proposed carparking to the north, which is critical to the success of the future community hall development (for staff access, fire escape route, service entrance etc.). This is further complicated by the following observations:*
  - *The applicant is proposing to significantly reduce the existing ground levels to the rear of the community hall site. Contiguous Elevation View 2-2 indicates a change in level, between the FFL of the community hall and the proposed access road to the north, of 2.478M, which seems excessive, unnecessary and requires explanation. This reduction in ground level will make universal access into the community hall site very difficult to achieve.*
  - *The applicant has not provided a site section cutting through the rear of the community hall site and the proposed car parking area to the north, which will be required to review the proposed level changes etc.*
  - *The applicant appears to be proposing to build a retaining wall along the north boundary of the community hall site and to completely infill the north face with 'shrub planting' and trees, which will make future pedestrian access in this area difficult /impossible to achieve.*
- *Clarification is required regarding fire tender access to the north of the site.*

# Comhairle Chontae Atha Cliath Theas

**PR/0716/23**

## **Record of Executive Business and Chief Executive's Order**

- *There is little provision in terms of passive overlooking to the proposed car parking spaces to the north of the site, which may be required to deter loitering and anti-social behaviour.*
- *The applicant has indicated a pedestrian link into the Market Square site; however, the existing Market Square ground levels are not indicated and requires clarification. Also, no footpath is provided, and pedestrians are required to walk through the main carriageway which is not acceptable.*
- *Regarding finishes to the boundary walls between the community hall site and the proposed residential development. SDCC have a preference for full brick faced boundary walls. The walls will be overlooked by the ground floor of the community hall extension and highly visible.*

The applicant is requested to address the matters above via **additional information**.

### Density and height

Relevant policies from the Newcastle LAP are:

- The density of development across the Plan Lands shall accord with that identified for each Character Area under Table 5.3 of this Plan. The density of development on sites that are subject to extant permissions should be amended accordingly, where possible. Extensions of duration of permission should only be granted where development granted prior to the adoption of this Plan accords with this Local Area Plan's density strategy or the densities recommended for small towns and villages under Sustainable Residential Development in Urban Areas (2009). (Objective LUD 18)
- Development within the Village Expansion area of the Peamount Neighbourhood shall only provide for residential uses up to a maximum density of circa 35 dwellings per hectare. Extensions of duration of permission should only be granted where development granted prior to the adoption of this Plan accords with the maximum permissible density. (Objective PN10)
- New development shall be a maximum of two storeys in height with limited exceptions for buildings on landmark sites designated within the Village Core and Expansion Area where there is scope for landmark buildings to include elements that reach a maximum height of between 9 and 12 metres depending on location. (Objective BF8)
- MSW6

The total site area is 1.35. The applicant states that the net density is 32.3dph – 30 dwellings on a net site area of 0.93ha. It is noted that this excludes 'RU' lands, which is considered acceptable.

Noted that all dwellings are 2 storey.



# Comhairle Chontae Atha Cliath Theas

PR/0716/23

## Record of Executive Business and Chief Executive's Order

### Type and mix

Relevant policies from the Newcastle LAP are:

- Ensure that at least 90% of dwellings in any residential scheme have two or more bedrooms with the exception of independent housing schemes for older people. (Objective LUD16)
- to encourage a mix of dwelling types and quality designs that will help aid legibility and wayfinding throughout the area. (Objective LUD 17)
- development of the Village Expansion area of the Peamount Neighbourhood shall largely comprise terraced houses with opportunities for detached and semi-detached housing. The dwelling mix on sites that are subject to extant permissions should be amended accordingly where possible. Extensions of duration of permission should only be granted where development granted prior to the adoption of this Plan accords with the prescribed dwelling mix. (Objective PN12)

The proposal provides for 7 different house types, 2no 2bed and 28no 3bed. 56.6% are terraces / end of terrace. 12 (40% are semi-detached) and 1 is detached. Whilst the mix is noted, it is not considered that the type proposed is 'largely terraced', in accordance with PN12. The percentage of dwellings that are terraced should increase to ensure they are the majority, with sporadic semi-detached / detached dwellings. This should be addressed via **additional information**.

### Layout

Relevant policies from the Newcastle LAP are:

- Development shall present key building frontages to the street edge within the Village Core and Village Expansion areas in accordance with the requirements of this Local Area Plan. Landscape Frontages shall be presented to the street edge in the Settlement Edge. Active frontages should be promoted as much as possible especially along Main Street. (Objective BF1)
- Where existing significant/historical structures exist along or immediately adjoining Main Street these structures, or parts thereof, shall be incorporated, where possible, within the overall design scheme for any development site. (Objective BF1a)

As highlighted by the Architect's Report, there are concerns regarding the interface with the community hall, the parking courtyards and the links to the adjacent developments.

Otherwise, the proposal generally provides a good degree of passive surveillance.

There are concerns regarding the layout of the access point to the east, which does not line up with the current road network.

# Comhairle Chontae Atha Cliath Theas

**PR/0716/23**

## **Record of Executive Business and Chief Executive's Order**

### *Permeability*

All streets are designed in accordance with the Street Hierarchy set out in the Accessibility and Movement Strategy of this Plan. It is noted that Objective PN6 requires the provision of a connection between the permitted residential development to the rear of St. Finian's Hall with Newcastle Glebe in the form of an extended vehicular cul-de-sac.

The proposed development provides for a vehicular connection to Newcastle Glebe as required by the objective. It is noted that the objective refers to an extended vehicular cul de sac. The proposed development would connect in to the Glebe, however, vehicular permeability to the Main Street is provided and a cul de sac arrangement is not provided. Some concerns are expressed by third parties in relation to the connection. The Planning Authority notes that the LAP was subject to public consultation and the connection is clear in the Plan, both in text and diagrammatically presented. Concerns are raised in relation to the implementation of the vehicular connection and sufficient legal interest. The street in Newcastle Glebe appears to be Taking in Charge, however, third parties have questioned same. Further information required.

Objective PN5 of the LAP states to include for the permitted through route to the rear of Main Street and St. Finian's Hall and upgrade such as a pedestrian and cyclist green link with the Village Core via the planned Market Square off Main Street (West).

The subject application has included an indicative connection from the subject site to Market Square. Given the ambition to provide a community centre extension with pedestrian access from the north, it is considered that the connectivity sought by the objective is required. Further information required.

### *Visual Impact*

The applicant has included a number of CGIs in the design statement. The overall visual impact of the proposed development is considered acceptable.

### *Architectural Form*

The materials, texture and colour of proposed carriageways shall be appropriate to their location within Newcastle. The width of vehicular carriageways shall be minimised to the requirements of the appropriate design speed, user needs and context and function of the street. (Objective BF3)

Pedestrian facilities such as wide footpaths and well-designed crossings will form part of all planning applications for development within the Plan Lands. (Objective BF4)

Streets will be designed to reflect the historic character and importance of Newcastle and to contribute to its setting and visual amenity (Objective BF6)

# Comhairle Chontae Atha Cliath Theas

**PR/0716/23**

## **Record of Executive Business and Chief Executive's Order**

### ***Bin Storage***

Bin storage should be sensitively designed and incorporated into each development in a manner that does not adversely impact on the visual setting of streetscapes. Areas for the storage of bins should be incorporated within the design of each individual dwelling house and should not be included within privacy strips.

Final details of bin storage / collection shall be agreed prior to the commencement of development, via condition.

### ***Impact on Architectural Conservation Area***

Section 3.4.3 of the CDP states “Newcastle is an historically significant village originally established as a medieval manor in the thirteenth century. Its large number of surviving archaeological monuments and well-preserved medieval land holding system of burgage plots preserved in hedgerows makes Newcastle a village of national significance. The built fabric of the village core has been classed as some of the oldest in the region. The buildings of interest within the ACA envelope are medieval structures such as tower houses constructed before 1500, the Church of Ireland, the mid-eighteenth century Glebe House, and the Old National School and St Finian’s Roman Catholic Church which date from the early to mid-nineteenth century”.

Policy NCBH20: Architectural Conservation Areas, seeks to “*Preserve and enhance the historic character and visual setting of Architectural Conservation Areas and carefully consider any proposals for development that would affect the special value of such areas*”.

Relevant policy objectives are:

NCBH20 Objective 1:

To avoid the removal of distinctive features that positively contribute to the character of Architectural Conservation Areas including building features, shop fronts, boundary treatments (including walls), street furniture, landscaping and paving.

NCBH20 Objective 2:

To prohibit demolition of a structure that positively contributes to the architectural character of the ACA.

NCBH20 Objective 3:

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.

NCBH20 Objective 8:

To ensure that all planning applications for new developments within or immediately contiguous to an ACA include an Architectural Impact Assessment and Design Rationale addressing design considerations such as urban structure and grain, density and mix, scale, height, materials, landscape, views and landmarks and historic development.

# Comhairle Chontae Atha Cliath Theas

PR/0716/23

## Record of Executive Business and Chief Executive's Order

The Architectural Conservation Officer has noted that the Architectural Design Report makes no reference made to ACA, and has requested an Architectural Impact Assessment, detailing any visual impacts and how the new development will sit at this location partially within an ACA and overall visual impacts.

### ***Residential Amenity***

#### *Overlooking, Overbearing, Overshadowing*

In accordance with Section 12.6.7 'Residential Standards' of the CDP, "*In this regard and as a benchmark for development, a minimum clearance distance of circa 22 metres, in general, is required between opposing windows, including in the case of apartments up to three storeys in height. In taller blocks, a greater separation distance may be prescribed having regard to the layout, size, and design. Reduced distances will be considered in respect of higher density schemes or compact infill sites where innovative design solutions are used to maintain a high standard of privacy in line with the provisions of the Urban Design Manual as detailed above. In all instances where the benchmark separation distance is not being met, the applicant shall submit a daylight availability analysis for the proposed development and detail appropriate design measures to reduce undue overlooking*".

It is noted that the closest properties are No12 and No 30/29. These are approximately 17m apart. However, it is noted that the buildings are not directly opposing as the terrace (Nos 21-30) gradually moves away from the opposing dwellings as it moves further north). The distance between the central terrace and the dwellings to the west is also approximately 18m. It is noted that there are opaque windows on the rear elevations of Nos 1-5 inclusive.

To the south, dwelling Nos 6 and 8 are approximately 8m apart but it is noted that there are no windows on the side elevation of No8. No 10 is approximately 18m from the side elevation of No30 and given the location of windows, there may be potential for overlooking. No6 is approx. 16m from No 5, however it is noted that there are no side windows on No6.

Overall, there are some minor concerns regarding potential overlooking, which the applicant is requested to address **via additional information**.

#### *Internal Accommodation / residential standards*

Section 7.2.8 of the LAP requires compliance with Quality Housing for Sustainable Communities (2007). 12.6.7 of the CDP also requires compliance with these guidelines.

Type	House Size	Private Open Space
2bed	80	55
3bed	92	60

# Comhairle Chontae Atha Cliath Theas

**PR/0716/23**

## Record of Executive Business and Chief Executive's Order

Section 5.3.2 of the Quality Housing for Sustainable Communities Guidelines.	Requirement (sq.m) for a 6person 3 bedroom house (2 storey)	Provision (sq.m) A1	Provision (sq.m) A2	Provision (sq.m) A3
Gross Floor Area	100 (Table 3.20 of CDP is 92)	112.4	113.2	125.4
Minimum main living area	15	15.8	15.8	15.8
Aggregate living area	37	39.8	40.6	52.8
Aggregate Bedroom Area	36	37.2	37.2	37.2
Storage	6	7	7	7
Unobstructed Living room width	3.8	Requirement met	Requirement met	Requirement met
Double bedroom(s) width	2.8	Requirement met	Requirement met	Requirement met
Single bedroom(s) width	2.1	n/a	n/a	n/a
Main bedroom for house above 3 persons	13	13.6	13.6	13.6
Double bedroom area	11.4	11.8	11.8	11.8
Single bedroom area	7.1	n/a	n/a	n/a

# Comhairle Chontae Atha Cliath Theas

**PR/0716/23**

## Record of Executive Business and Chief Executive's Order

Section 5.3.2 of the Quality Housing for Sustainable Communities Guidelines.	Requirement (sq.m) for a 5person 3 bedroom house (2 storey)	Provision (sq.m) B1	Provision (sq.m) B2
Gross Floor Area	92 (Table 3.20 of CDP is 92)	116.8	116.8
Minimum main living area	13	20.9	20.9
Aggregate living area	34	55.6	57.3
Aggregate Bedroom Area	32	32.8	32.8
Storage	5	5	5
Unobstructed Living room width	3.8	Requirement met	Requirement met
Double bedroom(s) width	2.8	Requirement met	Requirement met
Single bedroom(s) width	2.1	Requirement met	Requirement met
Main bedroom for house above 3 persons	13	13.5	13.5
Double bedroom area	11.4	11.4	11.4
Single bedroom area	7.1	7.9	7.9

# Comhairle Chontae Atha Cliath Theas

**PR/0716/23**

## Record of Executive Business and Chief Executive's Order

Section 5.3.2 of the Quality Housing for Sustainable Communities Guidelines.	Requirement (sq.m) for a 3person 2 bedroom house (2 storey)	Provision (sq.m) C
Gross Floor Area	70 (Table 3.20 of CDP is 80)	86.9
Minimum main living area	13	16.7
Aggregate living area	28	32.4
Aggregate Bedroom Area	20	22
Storage	3	4.1
Unobstructed Living room width	3.6	Requirement met
Double bedroom(s) width	2.8	Requirement met
Single bedroom(s) width	2.1	Requirement met
Main bedroom for house above 3 persons	13	14.7
Double bedroom area	11.4	n/a
Single bedroom area	7.1	7.3

Noted that type C is stated as 4 person but floorplan indicates 3 person.

All gross floor space and open space areas exceed the required standard.

# Comhairle Chontae Atha Cliath Theas

**PR/0716/23**

## **Record of Executive Business and Chief Executive's Order**

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

### Public open space

Newcastle LAP states that a linked open space hierarchy shall be implemented fully across the Plan Lands and all proposed developments shall contribute to the achievement of this integrated Green Infrastructure Network where relevant and at a minimum rate of 14% on A1 zoned lands. Where there is a shortfall in public open space provision, from planned local and neighbourhood parks, this shortfall shall be taken up by pocket parks that are integrated into the design of neighbourhoods. Pocket parks shall be adequately overlooked and shall be easily accessible from surrounding housing but shall not comprise residual open spaces. (Objective GI1)

All proposed public open spaces shall have a clear role and function that falls within the Plan's open space hierarchy detailed under Table 5.1 and shall comply with the qualitative standards detailed under Sustainable Residential Development in Urban Areas, 2009. (Objective GI2)

It is noted that the new Development Plan has introduced a new standard under Section 8.7.3. The Development Plan standard conflicts with the LAP and as such, the Development Plan standard is the relevant one in this instance. 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 15% Public Open Space for RES – N lands to be provided on site. It is considered that 15% of the Res-N area is required to be provided within the RES-N lands. In terms of the overall standard of 2.4 Ha of open space per 1,000 Population, this proposal would provide

$$A1/2/3 = 6 \text{ person} \times 23 = 138$$

$$C = 3 \text{ person} \times 2 = 6$$

**169 people**

<b>Overall Standard</b>	2.4 Ha per 1,000 Population
	0.0024ha per person
<b>169 * 0.0024</b>	0.4056 ha

The total open space requirement to meet the overall standard of the Development Plan is 0.41ha.



# Comhairle Chontae Atha Cliath Theas

**PR/0716/23**

## **Record of Executive Business and Chief Executive's Order**

There are concerns in relation to the provision of public open space associated with residential development on the Rural (RU) zoned lands. Section 8.7.3 of the Development Plan requires an overall standard of 2.4ha per 1,000 people and details that there are options at the discretion of the Planning Authority in relation to the provision of some of the overall standard off site. As such, under the Development Plan, there may be scope for the Rural zoned lands to be used as public open space as part of an offsite/ outside residential zoning provision.

The applicant is requested to review Section 8.7.3 and provide the following:

- a). submit a clear breakdown of the area (in hectares) of the site zoned Residential, Rural and Village Centre;
- b). a clear public open space calculations based on an occupancy rate of 3.5 persons in the case of dwellings with three or more bedrooms and 1.5 persons in the case of dwellings with two or fewer bedrooms;
- c). demonstrate compliance with Section 8.7.3; and
- d). The west and north west elements of the site is 'RU' - To protect and improve rural amenity and to provide for the development of agriculture'. It is noted that an area of public open space as well as an element of car parking and roads infrastructure are proposed to be located within this zone, which could be considered 'residential' in nature. Residential is open for consideration within the zoning 'In accordance with Council policy for residential development in rural areas'. The applicant is requested to demonstrate that these elements of the proposal are consistent with the referenced Council policy and consider amending the proposal.

### ***Access, Parking & Permeability***

Relevant policies from the Newcastle LAP are objectives GI1:

- All relevant development proposals especially street proposals shall implement and adhere to the street hierarchy detailed in Table 5.3 and shall largely comply with the street designs detailed in Appendix 3 (AM1)
- Development proposals shall offer choices of routes and help to dissipate vehicular traffic throughout the Plan Lands. This will include a design speed of 30 kilometres per hour for Access Streets (AM2)
- All Neighbourhoods shall be afforded direct vehicular, pedestrian and cyclist access to Main Street. Access routes and streets shall be safe, barrier free and overlooked by development. (AM3)
- Section 6.3.2 pedestrian and cyclist links will be created between the Peamount Road Neighbourhood to the North and Main Street West via permitted development and the Market Square

# Comhairle Chontae Atha Cliath Theas

PR/0716/23

## Record of Executive Business and Chief Executive's Order

The Planning Authority has concerns regarding the access points to the development. The information received in the submissions indicates that the existing wall to the north east is not in the applicant's ownership and the relevant consent has not been provided. The access to the east is pedestrian only and the current roads layout does not facilitate future vehicular connection. The access to the south involves the removal of a significant level of green infrastructure and the impact on the ACA of all of these access points has not been assessed. The applicant is requested to set out, via **additional information**, details of:

- Legal ownership and ability to provide access
- Details of the most viable access to the site that minimises disturbance to existing natural features.

The Roads Department Report states:

**“Access & Roads Layout:**

*The development has two vehicle access and an additional pedestrian access. The internal roads are link streets and homezones of 5.0m, 5.5m and 6.0m widths. The link road has parallel parking spaces and perpendicular spaces with 6.0m reversing space behind.*

*The development has two vehicular access locations and an additional pedestrian access. The link road through the development to neighbouring Glebe development matches the layout from the 2012 Newcastle LAP. The link to Newcastle Glebe was proposed in a planning application dating back to 2000, shown in Figure 1.*

*Details of the access to the Main Street have been provided and show visibility lines in both directions. Although the applicant has not demonstrated how parked vehicles in the existing parking bays on the left-hand side will affect the visibility. The layout does not identify how vehicles entering from the main Street will access the development, additional information is required to demonstrate how this will be achieved, i.e., turning lane, yellow box etc.*

*The applicant has submitted a traffic assessment statement, detailing that the development will have a less than threshold impact on the surrounding road network. Although the existing figures for the surrounding network have not been provided. It can only be assumed the development will have a below impact on the local area. The applicant should provide a traffic impact assessment detailing surrounding roads including the access from the Glebe to Peamount Road and include future developments on lands to the south of the Newcastle Main Street.*

*A stage one roads safety audit should also be conducted.*

# Comhairle Chontae Atha Cliath Theas

PR/0716/23

## Record of Executive Business and Chief Executive's Order

*The applicant has not provided details of the proposed connection to the Glebe Square Development, the existing boundary wall treatment is required. The applicant should provide an elevation detailing this vehicle access location.*

### Permeability:

*The development has 2.0m wide footpaths throughout. The main link street has provided for on street parking but does not provide cycle facilities, the applicant should demonstrate separate cycling provision as per the most up to date cycle manual and provide any connections for the Cycle South Dublin project in the area.*



Figure 1 road layout from SD00A/0919

# Comhairle Chontae Atha Cliath Theas

PR/0716/23

## Record of Executive Business and Chief Executive's Order

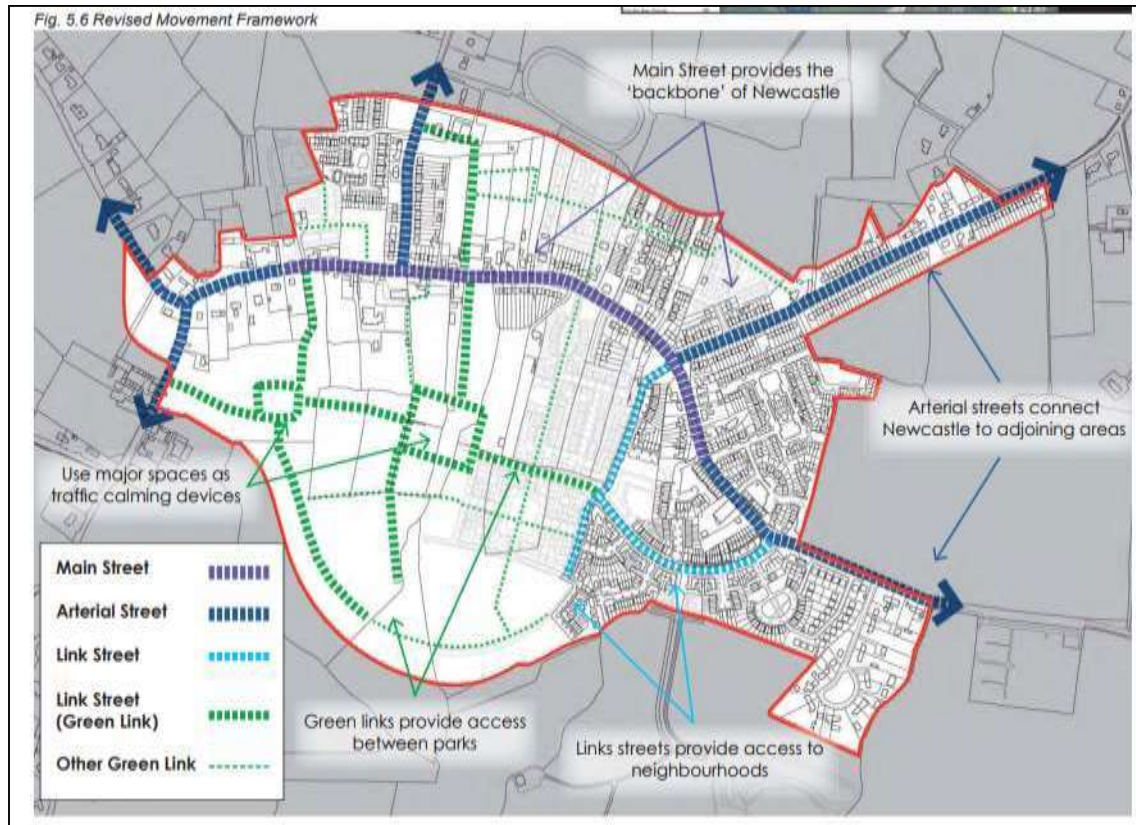


Figure 2 Road's layout of 2012 LAP for Newcastle

# Comhairle Chontae Atha Cliath Theas

PR/0716/23

## Record of Executive Business and Chief Executive's Order



Figure 3 Road's layout from LAP 2012

The pedestrian link to the east of the development is described as “potential” in the submission the applicant should confirm if this link is to be provided. If the link is to be provided, then the applicant should ensure a footpath is provided to the back of the parking spaces.

### Car Parking:

Car parking is mostly provided in off curtilage locations in banks. The parking allocation drawing notes the parking as private and visitor, but the taking in charge map provided identifies the parking as public. The applicant is required to demonstrate if the parking is to be private or public.

The amount of parking provided is **55no. spaces**. The development location has limited public transport options, with access to low frequency bus services. The rate of parking would be within Zone 1 of the development plan, requiring the maximum allowable parking of

2 x 2 bed	= 1.5 x 2	= 3 spaces
28 x 3 bed	= 28 x 3	= 56 spaces

**59 spaces.**

The amount proposed is lower than the max allowable.

# Comhairle Chontae Atha Cliath Theas

**PR/0716/23**

## **Record of Executive Business and Chief Executive's Order**

### **Bicycle Parking:**

*No provision for bicycle parking has been proposed.*

### **Taking in Charge:**

*A taking in charge map has been provided. The drawing shows the parking spaces to be offered for public ownership. If this is correct than details of the permeable paving are required showing a concrete strip between every 3 parking bays or 6.0m length of paving, to allow the replacement of the paving in manageable sections.*

*The applicant has provided a construction and demolition waste management plan and waste management plan, both are acceptable, and a more detailed plan will be required prior to commencement.*

*The applicant has submitted a Autotrack detailing fire tender and refuse vehicle access. The autotrack identifies a turning location at the north of the development, to allow vehicles enter and exit through the vehicle access at the Main Street to the south.*

**Additional information** has been requested.

### ***Landscaping & Public Open Space & Heritage***

Relevant policies from the Newcastle LAP are objectives GI1, GI2, GI9, GI10, GI11, GI12, GI13, GI14, GI15, GI16, GI17, GI18, GI27, GI28, GI29, GI30, GI31, GI34, PN4, LUD7.

The report from the Parks and Public Realm Department states:

### **“Main Concerns:**

1. *Impacts of the proposed development on existing trees, hedgerows and local biodiversity. The proposals involve the removal of trees and hedgerow including a townland boundary hedgerow that does not comply with Newcastle Local Area Plan and SDCC County Development Plan 2022-2028.*
2. *Impacts on bat commuting and foraging routes and roosts  
Green infrastructure used for commuting and foraging bats and trees with potential bat roosts identified in the Faith Wilson Bat Survey Report, May 22 are proposed for removal. There is a lack of integrated design – the landscape proposals do not integrate the recommendations of the Bat Report.*
3. *Ecological Impacts  
There is a lack of integrated design – the landscape proposals do not integrate the recommendations of the Ecological Impact Assessment.*
4. *Does not comply with SDCC GI Strategy  
A GI Strategy has not been provided showing GI on site and the local context. The proposed street design is not DMURS compliant. There are no street trees.*

# Comhairle Chontae Atha Cliath Theas

**PR/0716/23**

## **Record of Executive Business and Chief Executive's Order**

5. *Greening Factor not provided. The applicant has not submitted any information in relation to the Green Space Factor. This is a requirement of the SDCC County Development Plan 2022-2028.*
6. *Does not comply with SDCC SuDS Guidelines*  
*The proposed system is largely 'pipe to pond' rather than an overland flow/treatment train system; involves the removal rather than integration of green infrastructure, is lacking in source control; includes an underground tank; fails to provide the required information e.g., show existing and proposed flows.*
7. *Lack of usable and functional usable open space. The new SDCC County Development Plan requires a minimum 15% useable open space is required. The area to the west proposed as public open space is not useable as public open space. Other areas are considered to be incidental strips rather than public open space. At Pre-Planning stage, the developer was advised by the Senior Planner that vehicular access is to be via the Glebe development to the north. Access off Main Street is to be pedestrian/cycle and this area to be designed to create significant threshold area that could be considered as Public Open Space. This has not been proposed. Landscape proposal lack details in general – no detail plans, cross sections, play detail – natural and accessible play required not just equipment, swales, tree pits etc.*
8. *Lack of Play Provision – No play areas have been provided. SDCC County Development Plan (2022-2028) requires: 'Residential developments of 30 units or over shall include provision for children's play in semi-private or public open spaces, at the discretion of the Planning Authority, through provision of a Young Children's Area for Play (YCAP), or a Local Equipped Area for Play (LEAP) or a natural play area. Where publicly accessible these will be taken-in-charge by the local authority'.*

**Additional information** has been requested.

### ***Services & Drainage***

The report from Water Services states:

- *“Water services estimate that proposed attenuation of 580m<sup>3</sup> is undersized by approximately 8%. It is unclear how much attenuation is provided by tree pits, biodiversity areas and swales for proposed development.*
- *Submit a drawing and report to clearly show all surface water attenuation provide in m<sup>3</sup>. Show how much surface water attenuation is provide by all SuDS (Sustainable Drainage System) such as biodiversity, tree pits, Swales and all other SuDS systems in proposed development*
- *Relook at surface water discharge /outfall location, such that it does not discharge at actual pond at Glebe house.*
- *Confirm ownership of lands where surface water network discharge pipe is located, to allow determination of need for a wayleave for South Dublin County Council*

# Comhairle Chontae Atha Cliath Theas

PR/0716/23

## Record of Executive Business and Chief Executive's Order

- *The proposed gradients of surface water network are very steep at 1:30. Review gradients proposed Surface Water Sewers.*
- *Include additional SuDS to attenuate surface water and examine how underground attenuation systems can be replaced with overground SuDS attenuation systems.*
- *Prior to submission of additional information contact Water Services (SDCC – South Dublin County Council) and Public Realm (SDCC) to discuss revised surface water and SuDS submission”.*

**Additional information has been requested.**

### ***Part V Social & Affordable Housing***

The Housing Strategy Department has requested a condition be attached to any planning permission.

### ***Noise and Environmental Health***

The Environmental Health Officer has raised no objections, subject to conditions.

### ***Energy***

Require all new buildings to be high in energy efficiency and to use energy sources that minimise damage to the environment. All new buildings shall comply with Section 5.4 (Sustainability and Energy Efficiency) of Quality Housing for Sustainable Communities – Best Practice Guidelines for Delivering Homes Sustaining Communities (2007) and the relevant Building Regulations. (Objective BF7b)

to promote innovative building design that demonstrates a high level of energy conservation, energy efficiency and use of renewable energy sources in accordance with national regulations and policy guidelines. (Objective BF8a)

#### ***12.10.1 Energy Performance in New Buildings:***

*“Development proposals for medium to large scale residential and commercial developments in excess of 10 residential units and / or 1,000 sq. m of commercial floor space should be accompanied by an Energy Efficiency and Climate Change Adaptation Design Statement. The statement should detail:*

- *How any on-site demolition, construction and long-term management of the development will be catered for;*
- *How energy and climate change adaptation considerations have been inherently addressed in the design and planning of the scheme”*

The applicant is requested to submit this statement via **additional information**.



# Comhairle Chontae Atha Cliath Theas

**PR/0716/23**

## **Record of Executive Business and Chief Executive's Order**

### **Archaeological Heritage**

The subject site is located within a Site of Geological Interest Code: SD010 Newcastle Buried Channel, and the majority overlaps with the Newcastle Area of Archaeological Potential and Record of Monument and Place Dúchas No. 020-003 Newcastle Village. The Department of Housing, Local Government and Heritage has reviewed the submitted documents and has requested **additional information**.

### ***Screening for Appropriate Assessment***

The applicant has submitted an Appropriate Assessment Screening Report, prepared by Faith Wilson. This report concludes “*It has been determined that there is no likelihood of significant effects on any of the Natura 2000 sites or on any other sites of conservation importance from the development of lands at Newcastle*”.

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.

### ***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**

There are also concerns regarding a number of matters. 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.

# Comhairle Chontae Atha Cliath Theas

**PR/0716/23**

## **Record of Executive Business and Chief Executive's Order**

### **Recommendation**

Request Additional Information.

Additional Information Requested: 18 August 2022

Additional Information Received: 6 March 2023

FI Extension Order: until 29 May 2023

### Consultations:

Architectural Conservation Officer: No objections, subject to conditions.

Dept of Housing, Local Gov and Heritage: No objections, subject to conditions.

Architects: Further Information requested

Community Development: No report received at time of writing.

EHO: No report received at time of writing.

Housing Strategy: No report received at time of writing.

Parks: Request Clarification of Additional Information.

Water Services: Request Clarification of Additional Information.

Irish Water: No objections, subject to conditions.

Waste Management: No report received at time of writing.

DoD: No report received at time of writing.

Roads: No objections, subject to conditions.

Heritage Council: No report received at time of writing.

Heritage Officer: No report received at time of writing.

### **Assessment:**

#### Item 1:

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

- a). submit a clear breakdown of the area (in hectares) of the site zoned Residential, Rural and Village Centre;
- b). a public open space calculation based on an occupancy rate of 3.5 persons in the case of dwellings with three or more bedrooms and 1.5 persons in the case of dwellings with two or fewer bedrooms;
- c). a minimum of 15% of the RES-N lands provided as public open space;
- d). demonstrate compliance with Section 8.7.3: and

# Comhairle Chontae Atha Cliath Theas

PR/0716/23

## Record of Executive Business and Chief Executive's Order

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

*Applicant's response:*

*Newcastle is a self-sustaining growth town. The proposal provides development in accordance with CDP Policy CS9.*

*The full extent of Chapter 8 of the SCDP should be taken into account when considering community infrastructure, including open space. The proposal is supported by 2 elements of community infrastructure - provision of land for community centre and open space substantially located on RU zoned land (as a small residential amenity located within 100m of all houses). The contribution for the community is significant – providing 509sq.m to facilitate an extension scheme.*

*Open space in accordance with Section 8.7.3 – function is a small residential amenity (table 8.1). Where there is a combined offer of community space and open space, a compensatory approach is normally taken. The community space in this case is within the blue line (so SDCC can impose conditions under S34(4)(a). S34(s)(m) applies where public facilities in excess of the immediate needs of the proposed development are conditioned, subject to the planning authority paying for the cost of additional works and taking them in charge or otherwise entering into an agreement with the applicant with respect to the provision of those public facilities.*

*a) Gross site area is 1.33ha.*

<i>RES</i>	<i>0.04ha</i>
<i>RES-N</i>	<i>0.83ha</i>
<i>RU</i>	<i>0.39ha</i>
<i>VC</i>	<i>0.04ha</i>

# Comhairle Chontae Atha Cliath Theas

PR/0716/23

## Record of Executive Business and Chief Executive's Order



*b) occupancy rate would be 98 persons.*

*Table 8.2 of the CDP requires an overall standard of 2.4ha of open space per 1,000 population. The proposed development will provide c10% of that population and therefore will require 0.24ha (2,400sq.m) of open space. 0.36ha (3,600sq.m) of open space is provided as part of the subject application, which is greater than the requirement set out in Table 8.2.*

*c) Area of RES-N is 0.83. 15% is 0.1245ha. Some of allocation is provided on RES-N and some on RU. 12% of RES-N lands are provided as POS and remainder of 3,600sq.m is on RU lands. 27% of overall site area is POS. Putting POS in RU lands is efficient use of the overall landholding, residential development is confined to RES-N zoned lands (32.3dph). Open space is within the application site. Applicant has provided on site open space and is not reliant on the less satisfactory provisions of Section 8.7.4 of the CDP.*

*d) details of compliance provided under (b) and (c) above.*

# Comhairle Chontae Atha Cliath Theas

**PR/0716/23**

## **Record of Executive Business and Chief Executive's Order**

*e) west and north west elements zoned 'RU'. Application primarily provides POS in 'RU' lands. A very small area of roadway and car parking is located outside the RES-N zoning line and within the RU. Residential is open for consideration in 'RU' and the roadway and car parking located within the RU zoning are ancillary to the residential development provided on RES-N lands. Residential accommodation is within RES-N.*

Assessment:

a) site areas noted

b, c, d) proposal is for 27 3bed ( $27 \times 3.5 = 94.5$ ) and 2 2bed ( $2 \times 1.5 = 3$ ). Total population is 97.5. This requires 23.4% of total site area as POS (in addition to the zoning requirements). The RU lands are not considered part of the total site area for residential development purposes. Therefore, it is an additional 23.4% of 0.91ha (lands zoned RES-N, VC and RES), which is 0.21294ha. As stated in COS5 Objective 4 "*The Council has the discretion for the remaining open space requirement to achieve the overall standard of 2.4 ha per 1,000 population, to allow for the provision or upgrading of small parks, local parks and neighbourhood parks outside the development site area, subject to the open space or facilities meeting the open space 'accessibility from homes' standards for each public open space type set out in Table 8.1*". Open Space is an acceptable use within the RU zoning and the applicant has provided 0.36ha within this zoning.

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. The proposed community centre is outside the redline boundary and in VC zoning. Clarification of Additional Information is requested and the applicant should increase open space provision to 15% on RES-N lands. 10% should also be provided on VC and RES zonings, i.e., 0.008ha. The total provided on RES-N, VC and RES is therefore 0.1325ha.

e) 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. Clarification of additional information is requested to remove elements that are residential in nature from RU lands.

Item 2:

a). It is noted that Objective PN6 of the LAP requires the provision of a connection between the rear of St. Finian's Hall (community centre) with Newcastle Glebe in the form of an 'extended vehicular cul-de-sac'. The proposed development provides for a vehicular connection from the subject site to Newcastle Glebe as required by the objective. It is noted that the objective refers to an extended vehicular cul de sac. Vehicular permeability to the Main Street from the Glebe is provided and as such, a cul de sac arrangement is not provided. The applicant is requested to provide an extended vehicular cul de sac arrangement with the Glebe in accordance with Objective PN6 of the LAP. This is likely to require omission of vehicular connection to the Main Street.

# Comhairle Chontae Atha Cliath Theas

PR/0716/23

## Record of Executive Business and Chief Executive's Order

- b). Concerns are raised in relation to the implementation of the vehicular connection to the Glebe and sufficient legal interest. The street in Newcastle Glebe appears to be Taken in Charge, however, third parties have questioned same. The applicant is required to clarify that sufficient legal interest and relevant consents are in place.
- c). Objective PN5 of the LAP states to include for a through route to the rear of Main Street and St. Finian's Hall and upgrade such as a pedestrian and cyclist green link with the Village Core via Market Square off Main Street (West). The subject application has included an indicative connection from the subject site to Market Square. Given the ambition to provide a community centre extension with pedestrian access/entrance from the north, it is considered that the connectivity sought by the objective is required. The applicant is required to demonstrate sufficient legal interest to complete the connection, provide clarity on grounds levels and provide appropriate design amendments adjacent to the connection (appropriate public realm areas at proposed car parking area).

### *Applicant's response:*

- a) Newcastle LAP is outdated and not in line with current guidance (such as DMURS) DMURS discourage cul-de-sacs. Therefore, necessary to retain the vehicular connection through to the main street as provided for in the application.
- b) Newcastle Glebe is taken in charge and consent was received from SDCC. Please see submitted documents.
- c) Potential future connection is indicated to the extent of the applicant's ability. The objective has been facilitated and has not been hindered by the application. It is clear from the documentation provided with the application that there is no proposal to provide a physical connection as part of this planning application, as the land required for such connection is not within the applicant's ownership. Please see design statement and permeability plan.

### Assessment:

- a) The vehicular link to the main street has been retained. It is noted that the Newcastle LAP expired on 7 April 2023. Given clarification of additional information has been requested on a number of matters, the document would no longer be in force once any decision is made on the current application. It is therefore considered that the proposed vehicular arrangement is acceptable. The Architectural Conservation Officer has raised no concerns regarding the proposed access.
- b) the Roads Department has confirmed that the wall is taken in charge. Noted that the access with Newcastle Glebe is no longer proposed as vehicular.
- c) SDCC Architects' Section are of the view that the applicant has not adequately addressed the AI request, particularly in relation to site levels (existing and proposed). For instance, the site contours indicated on Drawing No. 19.134F11003 'Revised Site Layout', along this boundary are out-of-date and do not account for the existing levels of the Market Square development. It is also not clear what the applicant means in their statement 'the land required for such connection is not within the applicant's ownership'.

# Comhairle Chontae Atha Cliath Theas

**PR/0716/23**

## **Record of Executive Business and Chief Executive's Order**

To provide comfort to SDCC that the proposed levels tie-in with the existing carriageway and footpaths within the Market Square development to facilitate future connectivity we suggest the following response:

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.

Item 3:

It is noted that the applicant has identified a portion of land to the rear of the existing St. Finian's Community Centre to facilitate the delivery of an extension to this centre as required by Objective LUD12 of the Newcastle Local Area Plan and CS9 SLO 2 of the Development Plan. It is noted that objective LUD 12 requires the provision of the community floorspace at, or adjoining, the existing St. Finian's Community Centre and/or the payment of development contributions towards the provision of community floorspace at this location. CS9 SLO 2 states 'To facilitate and commit to the delivery of Phase 1 residential lands at Burgage North to the north of St. Finian's Community Centre which reserve suitable lands to facilitate the extension of the existing community centre'.

It is noted that Objective LUD12 requires the provision of the community floorspace (or financial contribution) and the SLO requires the reserving of suitable lands to facilitate the extension to the existing community centre.

a). In this regard and to satisfy the relevant objectives, the applicant is advised that the Planning Authority considers that the lands for the community centre should be clearly outlined on the site layout plan for transferring to the Council for the community centre.

b). The subject site layout and lands for the future community centre extension are not considered to be suitable to facilitate the extension in accordance with the SLO. The area of land identified to the rear of the existing Newcastle Community Centre is significantly smaller than the initial site identified and would negatively impact the proposed planned extension. The applicant is requested to contact the SDCC Architect's Department and the Planning Authority regarding the above.

*Applicant's response:*

*a) please see update layout*

*b) applicant has engaged with the architect's department. Please see updated layout.*

# Comhairle Chontae Atha Cliath Theas

**PR/0716/23**

## **Record of Executive Business and Chief Executive's Order**

Assessment:

- a) The site layout indicates the lands allocates for proposed extension to community centre. The site layout drawing no. 19.134F11003 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.
- b) We note that the applicant has revised the site layout plan and reduced the no. of proposed houses from 30 to 29 to accommodate the extension of the community centre. The applicant has also increased the site area for the community centre extension based on initial agreement with SDCC. No further comment.

Item 4:

- a) The Design section of the Architectural Design Statement seeks to address the urban design manual requirements. It is noted that the applicant has not addressed 'Public Realm' as one of the required themes and is requested to do so.
- b) It appears that there are significant level changes in some instances. The applicant is requested to set out details of cut and fill, as well as details of any retaining structures
- c) The proposed residential dwellings are sited closer to the community centre than previously indicated in pre planning - the applicant is requested to provide sections indicating the potential relationship between the community centre / extension and the dwellings.
- d) The developer does not appear to have considered or allowed for future pedestrian access to the rear of the community centre site i.e., from the proposed carparking to the north, which is critical to the success of the future community centre extension development (for staff access, fire escape route, service entrance etc.). This is further complicated by the following observations, which the applicant is requested to address:
  - The applicant is proposing to significantly reduce the existing ground levels to the rear of the community centre site. Contiguous Elevation View 2-2 indicates a change in level, between the FFL of the community hall and the proposed access road to the north, of 2.478M, which seems excessive, unnecessary and requires explanation. This reduction in ground level will make universal access into the community hall site very difficult to achieve.
  - The applicant has not provided a site section cutting through the rear of the community hall site and the proposed car parking area to the north, which will be required to review the proposed level changes
  - The applicant appears to be proposing to build a retaining wall along the north boundary of the community hall site and to completely infill the north face with 'shrub planting' and trees, which will make future pedestrian access in this area difficult /impossible to achieve.
- e) Clarification is required regarding fire tender access to the north of the site.



# Comhairle Chontae Atha Cliath Theas

**PR/0716/23**

## **Record of Executive Business and Chief Executive's Order**

- f) There is little provision in terms of passive overlooking to the proposed car parking spaces to the north of the site, which may be required to deter loitering and anti-social behaviour. The applicant is requested to address this.
- g) The applicant has indicated a pedestrian link into the Market Square site; however, the existing Market Square ground levels are not indicated and require clarification. Also, no footpath is provided and pedestrians are required to walk through the main carriageway which is not acceptable. The applicant is requested to address this and should note that this connection is required in the LAP.
- h) Regarding finishes to the boundary walls between the community hall site and the proposed residential development. SDCC have a preference for full brick faced boundary walls. The walls will be overlooked by the ground floor of the community hall extension and highly visible. The applicant is requested to address this.
- i) The proposal provides for 7 different house types, 2no 2bed and 28no 3bed. 56.6% are terraces / end of terrace. 12 (40% are semi-detached) and 1 is detached. Whilst the mix is noted, it is not considered that the type proposed is 'largely terraced', in accordance with PN12. The percentage of dwellings that are terraced should increase to ensure they are the majority, with sporadic semi-detached / detached dwellings. The applicant is requested to address this.

### *Applicant's response:*

*a) see design statement.*

*b) See cut and fill drawing. Majority of cut is at proposed detention basin*

*c) see site sections, which include indicative position of community centre.*

*d) see updated site layout, which is amended to accommodate the extension and future pedestrian access*

*(i) refer to attached additional site sections showing relationship of proposed dwellings with community centre*

*(ii) refer to attached additional site sections showing relationship of car parking with community centre*

*(iii) refer to site layout*

*e) See swept path*

*f) see site layout – car parking area moved.*

*g) continuous footpath link is proposed to the development's eastern boundary, to the location of the proposed pedestrian access connection with the adjacent market square development.*

*Footpath within the boundary will be at 87.3OD. Based on compliance submitted for neighbouring development, a level of 87.25 is indicated on the opposite side of the boundary treatment and therefore a pedestrian link between the two can be achieved.*

*h) see revised boundary treatment plan*

*i) see site layout. 21 dwellings are terrace out of 29, i.e., 70%*

# Comhairle Chontae Atha Cliath Theas

**PR/0716/23**

## **Record of Executive Business and Chief Executive's Order**

### Assessment:

- a) the applicant has provided an addendum to the design statement, which sets out details on public realm, in conjunction with the principles set out in section 12.5.4 of the CDP.
- b and c) The largest change in levels is identified within the open space on the RU zoned lands. The architect's department has sought further information to confirm site levels through the provision of existing and proposed on the site sections provided.
- d) Access to the rear is now possible. Retaining wall removed.
- e) swept path provided. The Roads Department are satisfied with the information provided.
- f) Additional windows are recommended by the end of terrace houses via condition.
- g) The revised site layout plan has provided for a new pedestrian footpath addressing concerns noted, however, the drawings provided are lacking information on site levels (existing and proposed) and requires clarification. For the avoidance of doubt, the applicant is to provide additional information requested under item 2c and 4d above.
- h) The applicant has revised the boundary treatment as requested. No further comment.
- i) the proposed housing mix is acceptable.

### Item 5:

- a. It is noted that the closest properties are No12 and No 30/29. These are approximately 17m apart. However, it is noted that the buildings are not directly opposing as the terrace (Nos 21-30) gradually moves away from the opposing dwellings as it moves further north). The distance between the central terrace and the dwellings to the west is also approximately 18m. It is noted that there are opaque windows on the rear elevations of Nos 1-5 inclusive. To the south, dwelling Nos 6 and 8 are approximately 8m apart but it is noted that there are no windows on the side elevation of No8. No 10 is approximately 18m from the side elevation of No 30 and given the location of windows, there may be potential for overlooking. No6 is approx. 16m from No 5, however it is noted that there are no side windows on No6. Overall, there are some minor concerns regarding potential overlooking, which the applicant is requested to address this
- b. It is noted that for houses 1-5, the depth of the rear garden is a maximum of 8m and that this decreases to 4m where the rear return is. The depth of the garden for Nos 6 and 7 is also 8m and Nos 16 and 20 also appear to be about 8m. The Planning Authority is concerned regarding the functionality of these private amenity areas, particularly where the area has reduced to 4m. The applicant is requested to address this.

### *Applicant's response:*

- a) *see amended drawings that resolve overlooking*
- b) *schedule of accommodation indicated compliance with garden sizes.*

# Comhairle Chontae Atha Cliath Theas

**PR/0716/23**

## **Record of Executive Business and Chief Executive's Order**

Assessment:

In relation to point (a), the applicant has removed a first floor window from A2 (end of terrace). This applies to Nos 10, 11 and 29. Whilst this is welcomed in relation to No 29, the first floor windows is considered necessary for passive surveillance for Nos 10 and 11. A condition is recommended in the event of grant.

In relation to point (b), it is noted that the rear amenity spaces for dwellings 1-5 have been reduced to accommodate cycle infrastructure. They were previously 77sq.m and are now 65sq.m. House Type B1 is still 3bed 5 person, as is house type B2. The minimum required private amenity space for 3bed houses is 60sq.m. It is noted that the schedule indicates the minimum requirements are met. There was concern regarding the depth, shape and therefore functionality of the rear amenity spaces of these properties and the applicant has not addressed this matter. House Types B1 and B2 have a garden depth of 4m for the majority of the rear amenity space. The Planning Authority would welcome a reduction in the footprint of the house and an increase in the depth 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. Clarification of additional information is requested.

Item 6:

NCBH20 Objective 8 states 'To ensure that all planning applications for new developments within or immediately contiguous to an ACA include an Architectural Impact Assessment and Design Rationale addressing design considerations such as urban structure and grain, density and mix, scale, height, materials, landscape, views and landmarks and historic development'. The applicant is requested to address this.

*Applicant's response:*

*Refer to architectural impact assessment.*

Assessment:

The Architectural Conservation Officer has raised no objections, subject to conditions.

Item 7:

1. The applicant is requested to submit a Public Lighting Design for the development...
2. The applicant is requested to submit a stage one Road Safety Audit
3. The applicant is requested to submit a revised layout of not less than 1:100 scale, showing accurate visibility splay with 2.4 meters set back, at a 1.05 meter height from ground level and 49 meters sight lines in both directions from the entrance. The visibility shall consider the public parking along the Main Street Newcastle.
4. The applicant is requested to submit a revised layout of not less than 1:100 scale, showing boundary walls at vehicle access points limited to a maximum height of 0.9m, and any boundary pillars limited to a maximum height of 1.2m, to improve forward visibility for vehicles.

# Comhairle Chontae Atha Cliath Theas

**PR/0716/23**

## **Record of Executive Business and Chief Executive's Order**

5. The applicant is requested to submit a revised layout of not less than 1:200 scale detailing the permeable paving to be taking in charge, showing a concrete retaining strip between at least three parking bays or 6.0m.
6. The applicant is requested to submit a revised parking arrangement highlighting if the parking bays are to be private or public.
7. The applicant is requested to submit a traffic assessment detailing the results of analysis of the existing road network capacity, to ensure the development is under the threshold for further analysis. And an analysis detailing the junction capacity of the Newcastle Glebe/Peamount Road junction, the junction at Main Street/Peamount Road and the Junction of Athgoe Road/R405, the analysis should include any recent developments to the south of Main Street Newcastle.
8. The applicant is requested to submit a layout plan indicating a segregated cycling along the proposed link street, in accordance with the National Cycle Manual. The applicant is requested to confirm with Cycle South Dublin any connections to proposed infrastructure in the area.

*Applicant's response:*

- 1) *please see public lighting proposal*
- 2) *RSA undertaken*
- 3) *visibility of 59m in either direction is achieved at a setback of 2.4m*
- 4) *see revised boundary treatment plan*
- 5) *see engineering drawings*
- 6) *see taking in charge and parking allocation drawings*
- 7) *TTA provides detail*
- 8) *see site layout, which takes on board RSA recommendations.*

**Assessment:**

The Roads Department Report states "*The applicant has provided a traffic impact assessment for the development. It identifies four junctions including the proposed vehicle access to the development. The analysis identifies that the development will have a below threshold impact on the surrounding network, resulting in no further analysis being required, however the surrounding junctions are expanded upon for completeness.*

*Of the four junctions analysed only one shows an RFC above congested limits. Junction 3 (Athgoe road, Hazelhatch road) has an RFC of 0.94 for the do nothing scenario and a 0.95 RFC when the development is introduced, this is very small increase to a junction that increases to 1.07 with no development in 2040.*

*Roads are satisfied with the response".*

There are no objections, subject to conditions.

# Comhairle Chontae Atha Cliath Theas

**PR/0716/23**

## **Record of Executive Business and Chief Executive's Order**

Item 8:

a). Arboricultural Impact of the Proposed Development

- i. The extent of the proposed tree and hedgerows removals - 68 % of trees (32 of 47 No.) and 110m of hedgerow including those following field and townland boundaries is not acceptable. The applicant is requested to re-design the proposed development to locate development away from existing hedgerows and significant stands of trees and or integrate this proposed development into the existing trees and hedgerows on site more sensitively ensuring that the majority of the existing vegetation on site is retained and protected. Every effort should be made to retain existing trees and hedgerows where possible as this network of existing trees and woodlands provides corridors for biodiversity and habitats for existing flora and fauna.
- ii. The applicant is requested to provide revised proposals to include an updated Arboricultural Impact Report and Plan, Tree Protection Plan and Arboricultural Method Statement.

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

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

c). Ecological Impacts

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

*Applicant's response:*

*Refer to documents and drawings by RMDA landscape architects.*

Assessment:

The Parks and Public Realm Department has requested Clarification of Additional Information in relation to item c).

Item 9:

The applicant is advised that all planning applications shall demonstrate how they contribute to the protection or enhancement of Green Infrastructure in the County through the provision of green infrastructure elements as part of the application submission, having regard to the following:

- i. In the case of small-scale developments this may consist of a simple landscape plan which includes objectives to protect or restore existing on site GI assets, provides for connection to local or primary GI corridors or includes elements which allow the site to act as a local stepping stone

# Comhairle Chontae Atha Cliath Theas

**PR/0716/23**

## **Record of Executive Business and Chief Executive's Order**

- ii. Where the development site is located within or close to a Core or Corridor the development should, at a minimum, protect any existing GI assets and enhance same (for example, not breaking a GI Corridor but enhancing same with a connecting piece of planting, retaining hedgerows or woodlands);
- iii. The characteristics and assets of the proximate GI Core, Corridor or SteppingStone should be reflected within proposed development, for example continuation of hedgerows, tree planting, waterways;
- iv. Development should seek to enhance or restore features that act as ecological corridors, particularly water features, hedgerows, tree lines, areas of un-cultivated land. These, or some element of them, should be incorporated into the proposed development to create pathways for wildlife and / or increase amenity value;
- v. Development sites which are not located proximate to designated GI Cores or Corridors should identify the nearest designated GI Core, Corridor or Stepping Stone and make provision for GI interventions on the site which could eventually provide a link to local Stepping Stones, Cores or Corridors;
- vi. Developers should be aware that ecological corridors can also act to quickly spread non-native invasive species. Therefore, identification and control of invasive species site should be included in planning applications and the GI Plan.

The applicant is requested to provide a Green Infrastructure Plan. Plans shall include the following:

- viii. Site location plan showing the development site in the context of the wider GI as shown on the Council's GI Plan for the County;
- ix. Site survey and analysis, identifying existing GI Infrastructure and key assets within the site;
- x. Indicate how the development proposals link to and enhance the wider GI Network of the County;
- xi. Proposed GI protection, enhancement and restoration proposals as part of the landscape plan, where appropriate, for the site;
- xii. Proposals for identification and control of invasive species.

*Applicant's response:*

*Refer to documents and drawings by RMDA landscape architects.*

Assessment:

The Parks and Public Realm Report states "*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. 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*".

# Comhairle Chontae Atha Cliath Theas

**PR/0716/23**

## **Record of Executive Business and Chief Executive's Order**

Clarification of Additional Information is requested.

Item 10:

The applicant shall provide details of the Green Space Factor associated with the proposed development and calculated in accordance with GI5 Objective 4 of South Dublin County Council 2022-2028 .

*Applicant's response:*

*Refer to documents and drawings by RMDA landscape architects.*

Assessment:

The applicant has not submitted a GSF worksheet. Clarification of additional information is requested by the Parks and Public Realm department.

Item 11:

SuDS have four pillars: attenuation, water quality treatment, amenity and biodiversity. The proposals are lacking in source control such as further bioretention, SuDS street trees, swales, channel rills that can be used for multifunctional benefit including attenuation. There are only three SuDS tree pits and one small bioretention area. Street trees should be provided and they should all have bioretention SuDS tree pits that attenuate water.

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

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

- i. A SuDS proposal that complies with SDCC SUDS Explanatory Design and Evaluation Guide, the Newcastle LAP and SDCC County Development Plan 2022-2028. T
- ii. The SuDS proposals should be a collaboration between landscape architect and the drainage engineer to integrate the SuDS into the landscape design proposals providing amenity, biodiversity, water quality treatment as well as quality and attenuation.
- iii. The proposals shall include existing and proposed flows and comply with objective GI15: Objective GI 15 That existing natural swales, ditches and hedges shall be retained to form an integral part of the overall SUDS network.
- iv. Details on how each SuDS component function as part of the overall treatment train.
- v. Swales should be used for attenuation not just for conveyance of overland flow.

# Comhairle Chontae Atha Cliath Theas

**PR/0716/23**

## **Record of Executive Business and Chief Executive's Order**

- vi. A comprehensive SUDS Management Plan shall be submitted to demonstrate that the proposed SUDS features have reduced the rate of run off into the existing surface water drainage network. A maintenance plan shall also be included as a demonstration of how the system will function following implementation.
- vii. Additional natural SUDS features shall be incorporated into the proposed drainage system for the development such as SuDS Street Tree Pits, further swales, rain gardens, detention basins, filter drains, etc.
- viii. Demonstrate how the proposed natural SUDS features will be incorporated and work within the drainage and landscape design for the proposed development.
- ix. Provide detail of the SuDS systems that show how they work.

The applicant is recommended to contact the Public Realm and Water and Drainage Department to discuss.

*Applicant's response:*

*Refer to drainage layout and SuDS and contributing areas which have been updated as per discussions with SDCC and landscape architect. SuDS comply with SDCC guidance.*

Assessment:

Both Water Services and the Parks and Public Realm Departments have requested clarification of additional information in relation to SuDS.

Item 12:

There are concerns with the lack of information submitted in relation to the landscape scheme for the proposed development. The applicant is requested to provide a fully detailed landscape plan with full works specification and a fully detailed planting plan that accords with the specifications and requirements of the Council's Public Realm Section. The landscape Plan shall include:

- i. Full works specification, that accords with the specifications and requirements of the Council's Public Realm Section.
- ii. Hard and soft landscape details including levels, sections and elevations, detailed design of SUDs features including swales and integrated tree pits.
- iii. Play area(s) designed around the principles of natural and nature-based solutions, to provide informal, impromptu and spontaneous play opportunities combined with play equipment that provides appropriate challenges for multiple age groups.
- iv. Details of boundary treatments
- v. Planting and hardscape details for public open space to be detailed and agreed
- vi. Street Trees shall be planted in public open space with suitable tree pits that incorporates SuDS features.
- vii. Details of tree planting pits to include SUDS features in urban trees pits and use of urban tree soils



# Comhairle Chontae Atha Cliath Theas

**PR/0716/23**

## **Record of Executive Business and Chief Executive's Order**

- viii. On-street car parking shall be combined with regular tree planting and a high standard of kerbing and paving compliant with DMURS (2019). Street trees to be provided every 2 parallel or 5 perpendicular car park spaces to reduce the hard urban impact of the proposed development; as traffic calming; for biodiversity; green infrastructure; air quality and sustainable water management.
- ix. Detailed design of all other SUDs features such as swales, permeable paving, green roofs etc.
- x. Details of Public Lighting and other underground services shall also be included on the landscape drawing to ensure that proposals are realistic, and planting is not precluded by the location of underground services and lighting and to ensure there is no conflict dark corridors for commuting bats.
- xi. A revised open space layout shall be provided which includes proposals for informal kickabout areas.
- xii. A plan which clearly delineates public, communal and private spaces to be provided, as well as a detailed breakdown of the total area of same. A minimum of 0.0681ha of open space should be indicated.
- xiii. Proposed pedestrian connections to adjoining lands should be clearly indicated on plans. The applicant should show how public open spaces in the wider area will link in and integrate with the proposed development. The public realm should be integrated into the adjacent development areas, creating continuous green infrastructure connections that form both physical and biodiversity links. Access off main street is to be pedestrian/cycle and this area to be designed to create significant threshold area that could be considered as Public Open Space.

*Applicant's response:*

*Refer to documents and drawings by RMDA landscape architects.*

Assessment:

The Parks and Public Realm Report has concerns regarding the information submitted in relation to green infrastructure, street trees, failure to include mitigation from the EIA in the design and boundary treatment. Furthermore, it is noted that 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.

Clarification of Additional Information is requested.

A condition recommended to ensure compliance with the lighting recommendations set out by the bat survey.

# Comhairle Chontae Atha Cliath Theas

**PR/0716/23**

## **Record of Executive Business and Chief Executive's Order**

Item 13:

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

- i. Clarification shall be provided as to the total number and location of play opportunities; the age range they are appropriate for and whether they are universally accessible. An emphasis shall be on active, accessible play throughout the development.
- ii. Fully detailed play proposals including universally accessible equipment. All play equipment shall be of predominantly natural materials with unstructured play included in the proposed design.
- iii. The applicant shall consider the use of engineered woodchip as playground surfacing material.

*Applicant's response:*

*Refer to documents and drawings by RMDA landscape architects.*

Assessment:

The Parks and Public Realm Report states "*Proposals lack the required detail. The playground designer should contact SDCC public realm section to discuss the proposed playground; including the inclusion of universally accessible equipment*".

Clarification of Additional Information is requested.

Item 14:

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

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

2 The applicant is requested to re-examine surface water discharge /outfall location, such that it does not discharge at actual pond at Glebe house.

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

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

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

# Comhairle Chontae Atha Cliath Theas

**PR/0716/23**

## **Record of Executive Business and Chief Executive's Order**

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

*Applicant's response:*

- 1. refer to drainage layout and SuDS layout.*
- 2. See drainage layout. Stormwater does not discharge to the pond at Glebe house, but to a ditch adjacent to the pond. The ditch then discharges to another ditch further north. The pond outfalls to the same ditch.*
- 3. stormwater sewer gradients have been reviewed*
- 4. refer to drainage layout and SuDS layout.*
- 5. Met with Brian Harkin.*

Assessment:

Water Services has asked for Clarification of Additional Information, in relation to:

- Attenuation
- Ownership of land where discharge pipe is located
- Gradients of SuDS
- Use of SuDS
- Swale details
- Depth of piper at SMH06

Item 15:

The gradients of foul water sewers/drains are steep at gradients of 1:30 and 1:48 and do not comply with Irish Water Standards. The applicant is requested to obtain a confirmation of Feasibility Letter from Irish Water for Proposed Development.

*Applicant's response:*

*Foul water gradients have been reviewed. Illustrated foul water pipe gradients are in line with the Irish Water code of practice. Letter of confirmation of feasibility obtained.*

Assessment:

Irish Water has no objections, subject to conditions.

Item 16:

1) The applicant is required to engage the services of a suitably qualified Archaeologist to carry out an Archaeological Impact Assessment (AIA) which should include a programme of Archaeological Geophysical Survey and Archaeological Test Excavation to respond to this request for Further Information. No sub-surface works shall be undertaken in the absence of the archaeologist without his/her express consent.

# Comhairle Chontae Atha Cliath Theas

**PR/0716/23**

## **Record of Executive Business and Chief Executive's Order**

- 2) The archaeologist shall inspect the proposed development site (PDS) and detail the historical and archaeological background of the site (consulting appropriate documentary sources) and review all cartographic sources and aerial photographs for the area.
- 3) The Archaeological Geophysical Survey must be carried out under licence from the National Monuments Service and in accordance with an approved method statement; note a period of 2-3 weeks should be allowed to facilitate processing and approval of the licence application and method statement.
- 4) The Archaeological Test Excavation must be carried out under licence from the National Monuments Service and in accordance with an approved method statement; note a period of 5-6 weeks should be allowed to facilitate processing and approval of the licence application and method statement.
- 5) Test trenches shall be excavated at locations chosen by the archaeologist, having consulted the site drawings and the results of the Archaeological Geophysical Survey. Excavation is to take place to the uppermost archaeological horizons only, where they survive. Where archaeological material is shown to be present, the archaeologist shall stop works pending further advice from the Department. Please note that all features/archaeological surfaces within the test trenches are to be handcleaned and clearly visible for photographic purposes.
- 6) Having completed the work, the archaeologist shall submit a written report to the Department and the Local Authority describing the findings of the AIA including the results of the geophysical survey and test excavations. The report shall comment on the degree to which the extent, location and levels of all proposed foundations, service trenches and other sub-surface works required for the development will affect the archaeological remains. This should be illustrated with appropriate plans, sections, etc.
- 7) Where archaeological material is shown to be present, further mitigation measures will be required; these may include refusal, redesign to allow for preservation in situ, excavation and/or monitoring as deemed appropriate. This Department will advise the Local Authority with regard to these matters. No decision should be made on this application until this Department and the Local Authority have had the opportunity to fully evaluate the findings of the AIA.

*Applicant's response:*

*Archaeological Impact Assessment in the process of being prepared by ICON Archaeology. Licenses from the NMS being processed. See enclosed Correspondence.*

Assessment:

The Department of Housing, Local Government and Heritage has no objections, subject to conditions.

# Comhairle Chontae Atha Cliath Theas

**PR/0716/23**

## **Record of Executive Business and Chief Executive's Order**

### **Conclusion**

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

### **Recommendation**

Request clarification of additional information.

Clarification of additional information requested: 3 April 2023

Clarification of additional information received: 26 May 2023

Consultations:

Roads: No objections, subject to conditions.

Architects Department: No objections, subject to conditions.

Water Services: Recommend refusal.

Irish Water: No objections, subject to conditions.

Parks: Recommend refusal.

### **Assessment:**

Item 1:

Clarification of Item 1 – POS

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.

*Applicant's response:*

*Refer to dwg 19.134.CF11001 – site layout for RES-N boundary. Refer to 19.134.CF1.1002 for RES-N POS, which demonstrates 16% within RES-N areas.*

Assessment:

Noted that no residential elements are provided inside 'RU' zoned lands.

The plan indicating the open space does not set out the quantities of open space in each identified area. It is also not apparent that all areas of 'open space' identified are capable of functioning as such. A condition is recommended seeking revised POS details. If required, a dwelling should be removed to accommodate POS within the RES-N lands.

# **Comhairle Chontae Atha Cliath Theas**

**PR/0716/23**

## **Record of Executive Business and Chief Executive's Order**

Item 2:

The submitted further information has been reviewed by the County Architects Department and clarification on the items is requested.

AI 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.

AI item 3 (a)

While it is noted that site layout drawing no. 19.134F11003 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.

AI item 4 (d)

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

AI 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.

AI 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.

AI 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.

# Comhairle Chontae Atha Cliath Theas

**PR/0716/23**

## **Record of Executive Business and Chief Executive's Order**

AI 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.

*Applicant's response:*

*2(c) See dwg NCA-CSC-ZZ-SI-DR-C-0016 for details of levels*

*3(a) Section 34 permits attaching conditions on adjacent land within the control of the applicant under certain circumstances. This is appropriate in this instance. Suggested condition is "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 amenity for the public, under the provisions of Section 34(4)(a)(ii).*

*REASON: To reserve lands in Newcastle Village for community purposes.*

*4(d) See dwg 19.134.CFI2001-2002 Site sections*

*4(e) 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.*

*5 Refer to 19.134.CFI.3001-3006 where house types B1 and B2 have been updated.*

*12(ii) Refer to updated drawing by RMDA landscape architects.*

*14 See dwg NCA-CSC-ZZ-SI-DR-C-002 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.*

Assessment:

2(c) The report of the Architects Department states "*No further comment*". The submitted details are considered acceptable.

3(a) The report of the Architects Department requests a condition regarding the land for the community centre expansion in the event of grant.

4(d) The report of the Architects Department states "*No further comment*". The submitted details are considered acceptable.

4(e) The report of the Architects Department states "*No further comment*". The submitted details are considered acceptable.

5 – the proposed plans are noted and are considered acceptable.

12(ii) The report of the Architects Department states "*No further comment*". The submitted details are considered acceptable.

14 The report of the Architects Department requests a condition regarding the foul and surface water drainage connection for the community centre expansion, in the event of grant.

There are no objections, subject to conditions.

# Comhairle Chontae Atha Cliath Theas

PR/0716/23

## Record of Executive Business and Chief Executive's Order

Item 3:

Parks Clarification:

AI Item 8 - The applicant is requested to include any mitigation measures proposed in the submitted EIA report on the landscape proposals.

AI 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;

AI Item 10 – The applicant is requested to submit a GSF worksheet.

AI 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.

AI 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.

AI 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.

*Applicant's response:*

*Item 8 – refer to update landscape drawings.*

*Item 9 – refer to update landscape drawings.*

*Item 10 – refer to update landscape drawings.*

*Item 11 – refer to deg NCA-CSC-ZZ-SI-DR-C-0002 and NCA-CSC-ZZ-SI-DR-C-0012*

*Item 12 – refer to update landscape drawings.*

*Item 13 – refer to update landscape drawings.*

Assessment:

The report from the Parks Department states “*The Public Realm Section has objections in principle to the proposed development on the basis of the significant detrimental impact on trees, hedgerows and biodiversity, the lack of a green infrastructure strategy and lack of integrated SuDS design. The design of the open space is considered to be of poor quality and the applicant has not demonstrated that the play requirements will be met. The proposed development would materially contravene policies and objectives for green infrastructure, biodiversity, sustainable drainage, public open space and play in the County Development Plan and Newcastle Area Plan.*”



# Comhairle Chontae Atha Cliath Theas

**PR/0716/23**

## **Record of Executive Business and Chief Executive's Order**

*The information submitted as Clarification of Additional Information is unsatisfactory. There is a lack of detail, very poor landscape design proposals and many missing items. The degree of hedgerow removal is excessive and the response has not demonstrated compliance with Council policies on Green Infrastructure or SUDS. No bat survey has been submitted. There is also a major lack of Street Trees”.*

Item 8 – *“Mitigation measures not included in response”.*

Item 9 - *“No Green Infrastructure Plan submitted. Development considered to be extremely damaging to local GI links”.*

Item 11 - *“This is largely a piped system, includes an underground attenuation tank and is not in compliance with SDCC SUDS Guidance”*

Item 12 - *“This has not been addressed. Insufficient street tree planting”.*

Item 13 - *“Items requested by Public Realm have not been included. Applicant has not demonstrated suitable play provision or inclusion of universally accessible equipment”.*

Conditions are recommended in the event of grant and it is considered that in this instance conditions are acceptable.

Item 4:

Clarification of Item 14 - Water Services.

The applicant is requested to submit a report including to show site area in Hectares and areas of proposed surface types in m<sup>2</sup> 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 m<sup>3</sup> and how much is required in m<sup>3</sup>. Surface water attenuation shall be provided by means of various SuDS (Sustainable Drainage System) features.

The applicant is requested to submit a letter and drawings detailing ownership of land where surface water network discharge pipe is located.

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.

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.

The applicant is requested to submit drawings showing dimensions of swale and details of how surface water enters the swale.

# Comhairle Chontae Atha Cliath Theas

**PR/0716/23**

## **Record of Executive Business and Chief Executive's Order**

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.

*Applicant's response:*

*Appendix A provides breakdown of surface type in m<sup>2</sup> and run-off rates. Surface water attenuation is provided in m<sup>3</sup>.*

*Appendix A details agreement in place with landowner.*

*See NCA-CSC-ZZ-SI-DR-C-0012 for revised surface water details.*

*See NCA-CSC-ZZ-SI-DR-C-0002 and NCA-CSC-ZZ-SI-DR-C-0012 for revised SuDS provision and SuDS details.*

*See NCA-CSC-ZZ-SI-DR-C-0002 and NCA-CSC-ZZ-SI-DR-C-0012 for swale details.*

*See NCA-CSC-ZZ-SI-DR-C-0002 for updated pipe sections.*

**Assessment:**

The report from Water Services states *“The proposed site does not use SuDS (Sustainable Drainage Systems) to the level that is possible. The surface water drawing does not adhere to the Sustainable Drainage Explanatory Design and Evaluation Guide.*

- *Surface water is conveyed through the site in pipes underground (until the hydrobrake manhole backs it up into attenuation basin) and this surface water should flow above ground in SuDS such as Swales, open grass routes or other such SuDS.*
- *Stormtech storage is proposed to attenuation water underground and this is not recommended because it is not a SuDS feature.*
- *Proposed Swale are too narrow at 750mm the base when the minimum base width required is between 1m and 3m.*
- *“Lateral Inlet to Kerb Gully” detail provided does not make sense, as gullies are shown to be coming from across the road.*
- *There is no overflow/exit drainage from swale shown.*
- *The applicant proposes to provide 551m<sup>3</sup> surface water attenuation and water services estimate this volume to be undersized by approximately 15%.*

*The proposed Surface Water outfall and section of pipeline is outside the site boundary, in an area that South Dublin County Council will not be taking in charge. Applicant has supplied information on their wayleave to install the pipeline, but there is no information on a wayleave for South Dublin County Council for the outfall and pipe maintenance which Water Services would require for access purposes.*

# Comhairle Chontae Atha Cliath Theas

**PR/0716/23**

## **Record of Executive Business and Chief Executive's Order**

**Water services recommend that proposed development be refused** because the design has not been shown to comply with the policies and guidelines as outlined in South Dublin County Council's Sustainable Drainage Explanatory Design and Evaluation Guide. The surface water drawing does not maximise the use of SuDS for the development and the underground attenuation tanks should not be used to attenuate surface water. Instead, all surface water should be attenuated by means of SuDS.

***If the proposed development is to be granted then the applicant should contact Water Services and Public Realm in South Dublin County Council prior to commencement of development to agree a revised surface water and SuDS layout in writing***”.

Conditions are recommended in the event of grant in this instance.

Item 5:

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

*Applicant's response:*

*Meeting held 24 May at 3PM.*

Assessment:

Noted that the requested meeting took place.

### **Development Contributions**

29 dwellings, potential change via condition. Applicant requested to submit final schedule prior to commencement.

### **SEA monitoring**

Building Use Type Proposed: Residential

Floor Area: 3,890sq.m

Land Type: Brownfield/Urban Consolidation.

Site Area: 1.35 Hectares.

### **Conclusion**

Having regard to the:

- provisions of the South Dublin County Development Plan 2022-2028,
- the established character of the area, and
- the nature and scale of the proposed development,
- the further information and the clarification of further information received.

it is considered that the proposed development would be in keeping with Council policy, would not seriously injure the amenities of the area or of property in the vicinity and would, therefore, be in accordance with the proper planning and sustainable development of the area.

# **Comhairle Chontae Atha Cliath Theas**

**PR/0716/23**

## **Record of Executive Business and Chief Executive's Order**

### **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 March 2023, Clarification of Further Information received on 26 May 2023, 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. 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 plan clearly indicating the areas (including sq.m) considered to be public open space within RES-N zoning. Details of the functionality / usability of the open space should be set out. If the current areas are not agreeable to the Planning Department, then a dwelling shall be omitted from the scheme to provide the open space. Appropriate boundary treatments / landscaping shall be agreed for the remaining dwellings.
  - (b) Windows at first floor level of the side elevation for dwelling numbers 1, 10, 11 and 20. Should any of these dwellings be removed via another condition, then the adjacent dwelling shall provide windows at first floor level of the side elevation
  - (c) Details of bin storage / collection

# Comhairle Chontae Atha Cliath Theas

**PR/0716/23**

## **Record of Executive Business and Chief Executive's Order**

(d) A Property Registration Authority (PRA) Compliant Map, to include site dimensions and site area, clearly indicating the extent of lands outside of the subject site and within the applicant's ownership, to be conserved as an amenity for the public and to accommodate the future expansion of St Finnian's Community Centre

(d) A revised housing quality assessment. This shall include the total sq.m of residential floorspace to be provided, for the purposes of calculating financial contributions, and shall incorporate any changes required as a result of other conditions.

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

3. Drainage - community centre.

The applicant shall construct the foul and surface water drainage indicated as 'potential future foul and surface water drainage connection' on drawing NCA-CSC-ZZ-SI-DR-C-0002 as part of the works, to facilitate the future expansion of St. Finnian's Community Centre.

REASON: In the interests of public health and community provision.

4. Architectural Conservation.

Prior to the commencement of development, the applicant shall submit a Schedule of materials and finishes for the written agreement of the Planning Authority.

This shall include full details of the materials and finishes for all elements of the proposed development. Given the sites location adjacent to a Protected Structure site and within an Architectural Conservation Area, a darker palette of colours shall be provided, unless otherwise agreed with the Planning Authority. Stone is the most dominant building material within the village core and the finish shall reflect this to allow a more sensitive development with minimal visual impact.

REASON: To ensure the proposed development is of high quality and reflects the overall design ethos detailed in the Design Rational (Additional Information submission) and to ensure high quality design and finish for new build within an ACA.

5. Irish Water Connection Agreement.

Prior to the commencement of development the applicant or developer shall enter into water and/or wastewater connection agreement(s) with Irish Water.

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

6. Drainage.

(a) The water supply and drainage infrastructure, shall comply with the requirements of Irish Water.

(b) There shall be complete separation of the foul and surface water drainage systems, both in respect of installation and use.

(c) All works for this development shall comply with the requirements of the Greater.

# Comhairle Chontae Atha Cliath Theas

PR/0716/23

## Record of Executive Business and Chief Executive's Order

7. Dublin Regional Code of Practice for Drainage Works.  
REASON: In the interests of public health, the proper planning and sustainable development of the area and in order to ensure adequate water supply and drainage provision.
8. Surface Water.
  - a. Prior to the commencement of development, the applicant / developer shall contact Water Services and Public Realm in South Dublin County Council to agree a revised surface water and SuDS layout. Following consultation with these Departments the applicant shall submit the revised details for agreement in writing with the Planning Authority, prior to the commencement of development.
  - b. The revised SuDS shall comply with South Dublin County Council's Sustainable Drainage Explanatory Design and Evaluation Guide. Underground attenuation tanks shall not be used to attenuate surface water and the Suds solutions shall include alternative source control methods to a petrol interceptor, unless otherwise agreed in writing.
  - c. The applicant proposes to provide 551m<sup>3</sup> surface water attenuation, which is undersized by approximately 15%. Prior to the commencement of development, the applicant shall submit a plan indicating the required increase in attenuation. The applicant shall show on the drawing what surface water attenuation is provided in m<sup>3</sup> and where surface water attenuation is provided.
  - d. The proposed Surface Water outfall and section of pipeline is outside the site boundary, in an area that South Dublin County Council will not be taking in charge. Prior to the commencement of development, the applicant shall provide revised details that allow for the outfall and pipe maintenance, which Water Services would require for access purposes. If this is not provided, then revised details shall be provided within an alternative location where SDCC has access for maintenance purposes. These details should be provided prior to the commencement of development for the written agreement of the Planning Authority.  
REASON: In the interests of provision adequate surface water drainage.
9. Green Infrastructure / Parks.
  - a. Prior to the commencement of development the applicant shall 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 for the written agreement of the Planning Authority. The applicant shall detail how the development proposals link to the wider GI Network of the County.
  - b. Prior to the commencement of development, the applicant shall submit a revised landscape plan for the written agreement of the Planning Authority. This shall provide for a much higher percentage of the existing trees and hedgerows on site being retained and protected, particularly along the townland boundaries;
  - c. Prior to the commencement of development, the applicant shall submit a revised landscape plan that provides for Street trees (SUDS tree pits) at regular intervals on both sides of each street, for the written agreement of the Planning Authority.

# Comhairle Chontae Atha Cliath Theas

**PR/0716/23**

## **Record of Executive Business and Chief Executive's Order**

- d. Prior to the commencement of development, the playground designer shall contact SDCC public realm section to agree the proposed playground; including the inclusion of universally accessible equipment. Following agreement of details with Public Realm, a plan indicating the agreed details shall be submitted for the written agreement of the Planning Authority, prior to the commencement of development.
  - e. Prior to the commencement of development, the applicant shall submit details of boundary treatments for the written agreement of the Planning Authority.
  - f. Prior to the commencement of development, the applicant shall submit a revised design of the open space that integrates SuDS and play requirements, accessible spaces and retain the existing hedgerow.
- REASON: To ensure satisfactory GI provision and landscape treatment of the site.

### 10. Retention of Landscape Architect

- i) Prior to the commencement of any permitted development, the developer shall appoint and retain the services of a qualified Landscape Architect (or qualified Landscape Designer) as a Landscape Consultant, throughout the life of the construction works and shall notify the planning authority of that appointment in writing prior to commencement.
- ii) A Practical Completion Certificate is to be signed off by the Landscape Architect when all landscape works are fully completed to the satisfaction of the planning authority in accordance with the permitted landscape proposals.
- i) Installation of attenuation tree pits shall be supervised by the project landscape architect.

REASON: In the interests of residential and visual amenity, climate action and to ensure full and verifiable implementation of the approved landscape design

### 11. Implementation of Landscape Plans

The Landscape Plans once agreed, shall be implemented in full, within the first planting season following completion of the development (completion of construction works on site) and prior to occupation of the new dwellings.

- a) All hard and soft landscape works shall be completed in full accordance with the approved Landscape Plan.
- b) All trees, shrubs and hedge plants supplied shall comply with the requirements of BS: 3936, Specification for Nursery Stock. All pre-planting site preparation, planting and post-planting maintenance works shall be carried out in accordance with the requirements of BS: 4428 (1989) Code of Practice for General Landscape Operations (excluding hard surfaces).
- c) All new tree plantings shall be positioned in accordance with the requirements of Table 3 of BS 5837: 2012. Trees in Relation to Design, Demolition and Construction - Recommendations.

# Comhairle Chontae Atha Cliath Theas

PR/0716/23

## Record of Executive Business and Chief Executive's Order

d) Any trees, shrubs or hedges planted in accordance with this condition which are removed, die, become severely damaged or become seriously diseased within three years of planting shall be replaced within the next planting season by trees, shrubs or hedging plants of similar size and species to those originally required to be planted.

REASON: To ensure satisfactory landscape treatment of the site which will enhance the character and appearance of the site and the area, in the interests of biodiversity, amenity and climate action and in accordance with the relevant green infrastructure, landscape and environmental policies and objectives contained of the CDP.

### 12. Retention of Arborist/Tree Protection

i) Prior to the submission of the 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 developer shall engage the services of a Professional Member of Arboricultural Association who is an independent, qualified arborist, for the entire period of construction activity.

ii) The applicant shall inform the planning authority in writing of the appointment and name of the consultant, prior to the submission of the Commencement Notice. The consultant shall visit the site at a minimum on a monthly basis, to ensure the implementation of all of the recommendations in the tree reports and plans, including any amendment required as a result of other conditions attached to this permission.

iii) Prior to the submission of the 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 arborist shall submit a revised Tree Protection Plan and submit photographs and confirmation that fencing for retained trees meets BS5837:2012. Trees in Relation to Design, Demolition and Construction - Recommendations for the written agreement of the Public Realm Section. No construction equipment, machinery or material shall be brought onto the site for the purpose of the development until all the trees which are to be retained have been protected by this fencing. No work shall be carried out within the area enclosed by this fencing, and in particular, there shall be no parking of vehicles, placing of site huts, storage compounds or topsoil heaps, storage of oil, chemicals or other substances, and no lighting of fires, over the root spread of any tree/hedge to be retained.

v) All works on retained trees shall comply with proper arboricultural techniques conforming to BS 3998:2010 Tree Work - Recommendations.

vi) The clearance of any vegetation including trees and scrub shall be carried out outside the bird-breeding season (1st day of March to the 31st day of August inclusive) or as stipulated under the Wildlife Acts 1976 and 2000.

vii) The arborist shall carry out a post construction tree survey and assessment on the condition of the retained trees.

viii) A completion certificate is to be signed off by the arborist when all permitted development works are completed and in line with the recommendations of the tree report.



# Comhairle Chontae Atha Cliath Theas

**PR/0716/23**

## **Record of Executive Business and Chief Executive's Order**

13. viii) The certificate shall be submitted to the planning authority for written agreement upon completion of the works.  
REASON: To ensure and give practical effect to the retention, protection and sustainability of trees and hedgerows during and after construction of the permitted development biodiversity, climate action and visual amenity and to ensure the protection, safety, prudent retention and long-term viability of trees and hedgerows to be retained on and immediately adjacent to the site.
14. Mitigation Measures.  
All mitigation measures set out in the documentation submitted in support of the application, including in particular those set out in the Archaeological Assessment, Ecological Impact Assessment, and Bat Assessment (including lighting recommendations) shall be implemented in full.  
REASON: In the interest of the protection of the environment.
15. Roads.
- a. The boundary walls and gates at vehicle access points shall be limited to a maximum height of 0.9m, and any boundary pillars shall be limited to a maximum height of 1.2m, in order to improve forward visibility for vehicles.
  - b. Prior to commencement of development, a revised layout of not less than 1:200 scale detailing the permeable paving to be taking in charge, showing a concrete retaining strip between visitor spaces and numbered residents' spaces.
  - c. Prior to commencement of development, the applicant shall also confirm with Cycle South Dublin any connections to proposed cycle infrastructure in the area.
  - d. EV charging shall be provided in all residential, mixed use and commercial developments and shall comprise a minimum of 20% of the total parking spaces provided. The remainder of the parking spaces shall be constructed to be capable of accommodating future charging points as outlined in SDCC CDP section 12.7.5
  - e. The applicant shall provide 5% of vehicular parking spaces for mobility impaired users.
  - g. Prior to the occupation of the development hereby permitted, pedestrian and cycle links to the adjoining Newcastle Glebe housing estate shall be implemented
- REASON: In the interest of safety and sustainable transport.
16. 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.  
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.

# Comhairle Chontae Atha Cliath Theas

**PR/0716/23**

## **Record of Executive Business and Chief Executive's Order**

17. 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.

18. Street Naming and Dwelling Numbering.

Prior to the commencement of any works on site the applicant, owner or developer shall submit the following for the written agreement of 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.

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 Planning Authority's requirements.

The development name should:

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.

# Comhairle Chontae Atha Cliath Theas

**PR/0716/23**

## **Record of Executive Business and Chief Executive's Order**

### 19. 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 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.

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.

### 20. Management Company.

A. Prior to the commencement of development the applicant/owner shall submit the following for the written agreement of the Planning Authority:

(i) A plan clearly identifying and dimensioning the external common areas of the development to be retained in private ownership by an owners' management company (OMC) under the Multi-Unit Developments Act 2011, or other acceptable legal entity prior to the occupation of the [first residential unit], and this plan shall also clearly identify and dimension any areas of the approved development intended to be offered for taking in charge by the Council, and;

(ii) A detailed building lifecycle report which shall include an assessment of long term running and maintenance costs as they would apply on a per residential unit basis at the time of approval of the development, as well as demonstrating what measures have been specifically considered by the developer to effectively manage and minimise costs for the benefit of all potential residents.

The said external common areas of the development to be retained in private ownership indicated in the plan required shall not be taken in charge by the Council and shall instead be maintained in perpetuity by an Owners' Management Company set up for this purpose pursuant to the Companies Acts, 1963 as amended and the Multi-Unit Developments Act 2011.

B. Continued membership of an Owners' Management Company set up for this purpose pursuant to the Companies Acts, 1963 as amended and the Multi-Unit Developments Act 2011 shall be compulsory for all owners for the time being of property within the development.

# Comhairle Chontae Atha Cliath Theas

**PR/0716/23**

## **Record of Executive Business and Chief Executive's Order**

C. No development shall take place under this permission until the applicant, owner or developer has lodged for the written agreement of the Planning Authority:

(i) A copy of the Certificate of Incorporation of the said Company responsible for the external common areas of the development to be retained in private ownership has been lodged with the Planning Authority in respect of the plan required above.

D. Any changes to the status or nature of the Owners' Management Company shall be notified to the Council forthwith.

E. The Owners' Management Company shall hold insurance for public liability risk at all times for all areas under its control or responsibility.

REASON: To ensure a proper standard of residential development and maintenance of the private areas within the development and compliance with the South Dublin County Council Development Plan.

### **21. Prevention of Spillage or Deposit of Debris on Adjoining Public Roads During Construction Works.**

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

(i) a site specific plan making provision as set out below for the prevention of spillage or deposit of clay, rubble or other debris on adjoining public roads during the course of any construction works that fully complies with all of the requirements of the Council's Roads Maintenance, Traffic Management, and Waste Enforcement Sections as appropriate, The agreed plan shall provide for all of the following:

(a) The agreed number, location, type and use of suitable facilities for vehicle cleansing and wheel washing provided on site to contain all clay, rubble or other debris within the site prior to commencing of construction, such facilities to be maintained in a satisfactorily operational condition during all periods of construction.

(b) Location of all on-site car parking facilities provided for site workers during the course of all construction activity.

(c) Provision for dust suppression measures in periods of extended dry weather.

(d) Provision for the flexible use of a road sweeper if an acute situation on the adjoining public road requires it.

(e) Containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained. Such bunds shall be roofed to exclude rainwater.

(f) Storage of construction materials is not permitted on any public road or footpath, unless agreed in writing with the Planning Authority, having regard to the prior reasonable justification and circumstances of any such storage.

REASON: In the interest of protecting the amenities of the area and in the interest of public safety and the sustainable maintenance of adjoining roads and footpaths.

# Comhairle Chontae Atha Cliath Theas

PR/0716/23

## Record of Executive Business and Chief Executive's Order

### 22. Public Realm Facilities for Charging Electric Vehicles.

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

- (i) a revised site layout plan clearly setting out full details of the location of all proposed facilities and equipment in the public realm (whether to be offered for taking in charge or not) for charging electric vehicles, including details of the overall height, design, colour and all safety features of such equipment including isolation of power supply, and measures to provide for suitable pedestrian safety, along with completed Electrical designs to serve the development as approved prepared by competent electrical design consultants all of which have been agreed with the Council's Roads Section, and
- (ii) Agreed arrangements for the operation and management of such facilities for charging electric vehicles, along with:

All facilities for charging electric vehicles should be clearly marked as being designated for Electric Vehicle charging. Appropriate signage clearly indicating the presence of a Charge Point or Points should also be erected. All Charge Points fitted in publicly accessible areas should be capable of communicating usage data with the National Charge Point Management System and use the latest version of the Open Charge Point Protocol (OCCP). The facilities for charging electric vehicles should also support a user identification system such as Radio Frequency Identification (RFID).

REASON: In the interests of the proper planning and sustainable development of the area, to provide for improved urban air quality, reduced noise pollution and to support the transition to a low carbon future.

### 23. Construction Consultation and Local Liaison

(a) Prior to the commencement of development, the applicant/owner shall submit the following to the Planning Authority:

- (i) the names, job functions and phone numbers (both fixed line and mobile numbers) of all key personnel for the construction of the development as approved. Subsequently all changes in these personnel or particulars in the course of construction must also be notified to the Council as soon as they occur.
- (b) The applicant/owner or developer shall provide occupiers of noise sensitive properties within 100 metres of agreed construction access points to the development as approved with appropriate contact details which may be used in the event that any such person wishes to inform the operator of any incident that could give rise to a disruptive aspect of construction activity, or otherwise to make an observation in respect of an aspect of construction activity.
- (c) A public notice shall be erected and maintained at the agreed construction access points. This notice shall contain the name of the operating company and contact details, including out of hours contact, which may be used in the event that any person wishes to contact the operator in respect of any disruptive aspect of construction activity.

# Comhairle Chontae Atha Cliath Theas

**PR/0716/23**

## **Record of Executive Business and Chief Executive's Order**

REASON: In the interests of amenity, public health and safety, the avoidance of unnecessary disruptive aspect of construction activity and the proper planning and sustainable development of the area.

### 24. Restriction on Use and Occupancy.

Each proposed residential unit shall be used and occupied as a single dwelling unit for residential purposes and shall not be sub-divided or used for any commercial purposes, (including short-term letting).

REASON: To prevent unauthorised development.

### 25. Street Lighting

A maximum of two weeks from the date of any Commencement Notice within the meaning of Part II of the Building Control Regulations 1997 and prior to the commencement of works on site the applicant, owner or developer shall have lodged with the Planning Authority for written agreement:

A Public Lighting Scheme for the development as approved, designed to provide for high quality public lighting throughout the public realm of the site, prepared by competent public lighting design consultants to BS5489: European Lighting Standard EN13201 2013 or the latest NSAI (National Standards Authority of Ireland) versions approved, and the SDCC Specification for Public Lighting Installations in Residential and Industrial Developments: Revision 2 dated 14/10/2016.

Completed Lighting Design and Electrical designs to serve the entire development including details of the overall height of all proposed equipment shall be lodged with the Public Lighting Scheme. The public lighting scheme shall be contained within the public realm of the development as approved, entirely in areas to be offered for taking in charge or subject to the responsibility in perpetuity of an approved management company. Appropriate natural or artificial lighting or both shall be provided and maintained throughout car parking areas.

The external lighting scheme shall be designed to minimise potential glare and light spillage and shall be positioned and/or cowled away from residential properties. No lighting column shall be located within the eventual canopy spread of any proposed street tree or other tree as the case may be. The public lighting design consultants should consult with the Council's Parks section in this regard.

In addition, no dwelling unit/commercial unit shall be occupied on any street until the public lighting provided for that street is operational fully in accordance with the agreed Public Lighting Scheme for the overall development.

The applicant, owner or developer may consult with the Council's Public Lighting Section before lodging the required plan for agreement.

REASON: In the interests of public safety and amenity, to prevent light pollution and in the interests of the proper planning and sustainable development of the area.

# Comhairle Chontae Atha Cliath Theas

**PR/0716/23**

## **Record of Executive Business and Chief Executive's Order**

### 26. Permission Required for Class 1 & 3 Exemptions.

The following applies to dwelling Numbers 1-5 inclusive, as indicated on Drawing no: 19.134CFI1001 'Revised Site Layout':

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 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.

### 27. Archaeological Condition

1. The developer shall engage a suitably qualified archaeologist to monitor (licensed under the National Monuments Acts) all site clearance works, topsoil stripping, groundworks, and/or dredging associated with the development. The use of appropriate machinery to ensure the preservation and recording of any surviving archaeological remains shall be necessary.
2. Should archaeological remains be identified during the course of archaeological monitoring, all works shall cease in the area of archaeological interest pending a decision of the Planning Authority, in consultation with the Department, regarding appropriate mitigation [preservation in-situ/excavation].
3. The developer shall facilitate the archaeologist in recording any remains identified. Any further archaeological mitigation requirements specified by the Planning Authority, following consultation with the Department, shall be complied with by the developer.
4. Following the completion of all archaeological work on site and any necessary post excavation specialist analysis, the Planning Authority and the Department shall be furnished with a final archaeological report describing the results of the monitoring and any subsequent required archaeological investigative work/excavation required. All resulting and associated archaeological costs shall be borne by the developer.

REASON: To ensure the continued preservation (either in situ or by record) of places, caves, sites, features or other objects of archaeological interest.

# **Comhairle Chontae Atha Cliath Theas**

**PR/0716/23**

## **Record of Executive Business and Chief Executive's Order**

### 28. 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.
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 to any light sensitive location including residential properties in close proximity to the development.

**REASON:** In the interests of public health and protecting the environment.



# Comhairle Chontae Atha Cliath Theas

**PR/0716/23**

## **Record of Executive Business and Chief Executive's Order**

### 29. Cash Deposit/Bond

Prior to the commencement of development, the developer shall lodge with the Planning Authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion and maintenance until taken in charge by the local authority of roads, footpaths, watermains, drains, public open space and other services required in connection with the development, coupled with an agreement empowering the local authority to apply such security or part thereof to the satisfactory completion or maintenance of any part of the development. The form and amount of the security shall be as agreed between the Planning Authority and the developer or, in default of agreement, shall be referred to An Bord Pleanála for determination.

REASON: To ensure the satisfactory completion and maintenance of the development until taken in charge. Financial Contribution

### 30. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution in respect of public infrastructure and facilities benefiting in 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 Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the Planning Authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the Planning Authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

REASON: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Contribution Scheme made under section 48 of the Act be applied to the permission.

### 31. The lands outside the subject site, outlined in blue as being within the applicant's ownership shall be reserved for the purposes of conserving that land as amenity for the public, under the provisions of Section 34(4)(a)(ii) of the Planning and Development Act 2000 (as amended).

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

### 32. Prior to the commencement of development on the site, the applicant shall submit details for the written agreement of the Planning Authority demonstrating how they have satisfied the requirements of LAP Objectives LUD12 & MSW9, CDP COS2 Objectives 1 and 3 in relation to the provision of community infrastructure in tandem with housing provision and more particularly complying with the specific local objective CS9 SLO 2 as included in the County Development Plan 2022-2028

REASON: In the interests of sustainable communities and plan-led development.

# **Comhairle Chontae Atha Cliath Theas**

**PR/0716/23**

## **Record of Executive Business and Chief Executive's Order**

NOTE: The applicant is advised that under the provisions of Section 34 (13) of the Planning and Development Act 2000 (as amended) a person shall not be entitled solely by reason of a permission to carry out any development.

NOTE: The applicant is advised that in the event of encroachment or oversailing of adjoining property, the consent of the adjoining property owner is required.

NOTE: The requirements of the HSE Environmental Health Officer shall be ascertained prior to the commencement of development in the interest of public health.

NOTE: The applicant or developer should ensure that all necessary measures shall be taken by the contractor to prevent the spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works and to ensure that any such instances arising are remedied immediately.

NOTE: A Roads Opening Licence must be obtained from South Dublin County Council prior to the commencement of any works in the public domain in order to comply with the Roads Act 1993, Section 13, paragraph 10. Under this Act, non-compliance constitutes an offence.

NOTE: The applicant/developer is advised that the most up to date South Dublin County Council Taking in Charge Policy and associated documents can be found at the following location <https://www.sdcc.ie/en/services/planning/commencement-and-completion/completion/taking-in-charge-policy-standards>.

**Comhairle Chontae Atha Cliath Theas**

**PR/0716/23**

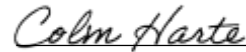
**Record of Executive Business and Chief Executive's Order**

**REG. REF. SD22A/0286**  
**LOCATION: Main Street, Newcastle, Dublin**



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**Sarah Watson,**  
**Executive Planner**



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**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:** 22/06/23



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**Gormla O'Corrain,**  
**Senior Planner**