

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

Friday, 1<sup>st</sup> December 2023  
[By Email: [planningconditions@sdbublincoco.ie](mailto:planningconditions@sdbublincoco.ie)]

Dear Sir/Madam,

**RE: COMPLIANCE SUBMISSION (NO. 1) IN RELATION TO LIDL DISCOUNT FOODSTORE ANCHORED DEVELOPMENT AT MAIN STREET UPPER, NEWCASTLE, CO. DUBLIN**

***SOUTH DUBLIN COUNTY COUNCIL PLANNING REGISTER REFERENCE: SD22A/0312***

## 1.0 INTRODUCTION & SUMMARY

### 1.1 Preamble

Further to the grant of permission for the above permission, the Developer, Lidl Ireland GmbH wishes to confirm compliance with conditions as set down by the Planning Authority (copy of permission enclosed under Appendix A).

Given the preliminary nature of the first phase of works, we submit that a number of the 'prior to commencement' conditions are not as yet triggered in terms of requiring overall compliance details.

In this regard, this correspondence is an initial submission, where the Developer intends to forward relevant further details for agreement where required in due course, and prior to commencement of relevant components of the scheme.

We trust the above and enclosed is of interest and look forward to your response / confirmation of acceptance of proposals herein.

### 1.2 Scope & Phasing

In short, the intended<sup>1</sup> sequence / programme of activities on site is as follows (not including pre-development archaeological testing to date under licence):

1. Commencing 4<sup>th</sup> December 2023: Enabling works / site stripping / archaeological monitoring and clearance / tree protection fencing / hoarding / security / compound, etc.;
2. 15<sup>th</sup> January 2024: Demolition works (to some existing structures on site); and,
3. 29<sup>th</sup> January 2024: Construction works.

Detailed construction process information will be provided in subsequent submissions as set out in relevant conditions.

This compliance submission primarily relates to enabling works and associated advance conditions.

<sup>1</sup> Dates are approximate and can be treated as 'no earlier than' the stated date.

### 1.3 Overview of Conditions

The planning permission contains 23 no. conditions, and numerous notes, which vary in applicability to the phases of the scheme.

We note varying forms of condition including:

1. General clarifying conditions, i.e. setting out requirements for the development without specific requirement for submission / agreement with the Planning Authority;
2. Pre-commencement conditions, i.e. requiring agreement of details prior to commencement of development;
3. Pre-opening conditions, i.e. requiring agreement of details prior to commencement of operations; and,
4. Other, i.e. 'notes' appended to the schedule of conditions.

A copy of the Grant is enclosed under Appendix A. Appendix B outlines the full list of conditions, set out in the above grouping.

In relation to remaining conditions, i.e. element nos. 1 & 4 above, we note these do not require the submission of compliance documentation, however the contents of same are noted.

In relation to no. 3 above, i.e. pre-opening conditions, these will be addressed under a separate submission at a later date (prior to opening).

This submission is concerned with element no. 2 above, and of those, the following in particular, as they relate to the enabling phase of development and other administrative elements:

1. Archaeology (Condition no. 12);
2. Community Consultation (Condition no. 18 (v));<sup>2</sup>
3. Tree Protection (Condition no. 20);
4. Trees & Hedgerow Bond (Condition no. 20);
5. Development Contribution (Condition no. 21);

The following Section 2.0 outlines compliance proposals (in association with enclosures) itemised by each condition.

We trust the below and enclosed details are sufficient to address the requirements of relevant Conditions however should any queries arise please do not hesitate to contact us.

The Developer requests that the Planning Authority revert to confirm the conclusion of each condition as set out above.

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<sup>2</sup> We note potential mis numbering in the schedule of conditions with two part (v) elements to Condition no. 18.

## 2.0 CONDITIONS OF PLANNING PERMISSION

### 2.1 Condition no. 12 – Archaeology

We note Condition no. 12 states as follows:

*"12 (i) Archaeological Monitoring. Prior to the commencement of development on site, the developer/applicant shall discharge the following conditions: (i) The developer shall engage a suitably qualified archaeologist to monitor (as an extension of Licence No. 22Eo840 under the National Monuments Acts) all site clearance works, topsoil stripping, groundworks and/or dredging within the greenfield portion of the development site. The use of appropriate machinery to ensure the preservation and recording of any surviving archaeological remains shall be necessary.*

*12 (ii) (ii) Provide an updated Method Statement for the licensed archaeological monitoring, to be approved by the Department of Housing Local Government and Heritage, will include methodology for the preservation of features that were discovered during testing under Licence No. 22Eo840.*

*12 (iii) (iii) Should additional 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 this Department, regarding appropriate mitigation [preservation in-situ/excavation].*

*12 (iv) (iv) The developer shall facilitate the archaeologist in recording any remains identified. Any further archaeological mitigation requirements specified by the planning authority, following consultation with this Department, shall be complied with by the developer.*

*12 (v) (v) Following the completion of all archaeological work on site and any necessary post-excavation specialist analysis, the planning authority and this 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."*

In relation to the above, the Developer confirms that Archaeologists (Irish Archaeological Consultancy - IAC) are actively involved in the project and will address the above requirements.

Specifically, in relation to part (ii) above, and in response to your letter dated 5<sup>th</sup> October (to John Cronin & Associates) we note that the granting of a licence is dependent on the provision of an approved method statement.

That is, the act of licencing is equivalent to the act of approving the method statement.

A licence has been granted by the Department (Excavation Licence 22Eo840 ext.), as has been notified to the Planning Authority previously. Appendix C includes relevant correspondence on the matter.

In relation to remaining parts of Condition no. 12, we note that these include ongoing activities, led by the scheme Archaeologists (Irish Archaeological Consultancy) whom will correspond with the Planning Authority (and the National Monuments Service / Department of Housing Local Government and Heritage) on same.

We trust these details satisfy the requirements of the planning authority.

## 2.2 Condition no. 18 (v) – Community Consultation

We note Condition no. 18 (v) states as follows:

*"(v) The developer shall ensure that adequate community consultation is carried out prior to construction commencing on site. This should include distribution of information in the form of a letter or leaflet to all surrounding receivers including residential and commercial. All nearby receivers must be provided with the following information: -Overall schedule of works to include approximate timeframes -Name and contact details of contractor responsible for managing complaints -Hours of operation- including any scheduled times for heavy machinery Where intrusive machinery is required to be used at short notice, the main contractor shall ensure that nearby receivers are informed prior to works commencing."*

In relation to the above, we enclose details of a leaflet as required (Appendix D).

We trust these details satisfy the requirements of the planning authority.

## 2.3 Condition no. 20 – Tree Protection

We note Condition no. 20 (in part) states as follows:

*"Protection of Existing Hedgerows and Trees - In order to ensure the protection of hedgerows and trees to be retained within the site, the applicant shall implement all recommendations contained within the Arboricultural Report. - Tree and Hedgerow protection must conform to BS5837:2012, must be fit for purpose and commensurate with the nature of Development and the expected day-to-day activities of the site works. -"*

In relation to the above, we refer to the enclosed details prepared by the scheme arborists and landscape architects in relation to tree protection (Appendix E).

We trust these details satisfy the requirements of the planning authority.

## 2.4 Condition no. 20 – Tree and Hedgerow Bond

We note Condition no. 20 (in part) states as follows:

*"Tree and Hedgerow Bond and Arboricultural Agreement: - Prior to the commencement of any permitted development or any related construction activity or tree felling on the site, the applicant shall lodge a Tree and Hedgerow Bond to the value of €50,000.00 with the Planning Authority. This is to ensure the protection of trees and hedgerows on and immediately adjacent to the site to make good any damage caused during the construction period."*

In relation to the above, the Developer confirms that this will be in place prior to the commencement of any construction activity.

We trust these details satisfy the requirements of the planning authority.

## 2.5 Condition no. 23 – Financial Contribution

We note Condition no. 23 states as follows:

*"Financial Contribution. The developer shall pay to the Planning Authority a financial contribution of €254,015.10 (Two Hundred and Fifty Four Thousand and Fifteen Euro and Ten Cent), in respect of public infrastructure and facilities benefiting development within the area of the Planning Authority, that is provided, or intended to be provided by or on behalf of the authority, in accordance with the terms of the Development Contribution Scheme 2021 - 2025, made under Section 48 of the Planning and Development Acts 2000-2011 (as amended). The contributions under the Scheme shall be payable prior to commencement of development or as otherwise agreed in writing by the Council. Contributions due in respect of permission for retention will become payable immediately on issue of the final grant of permission. Contributions shall be payable at the index adjusted rate pertaining to the year in which implementation of the planning permission is commenced. REASON: The provision of such facilities will facilitate the proposed development. It is considered reasonable that the payment of a contribution be required, in respect of public infrastructure and facilities benefiting development in the area of the Planning Authority and that is provided, or that is intended will be provided, by or on behalf of the Local Authority."*

In relation to the above, the Developer confirms that this will be in place prior to the commencement of any construction activity.

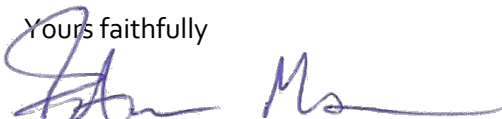
We trust these details satisfy the requirements of the planning authority.

## 3.0 CONCLUSION

We trust the above and enclosed is of interest and look forward to your response / confirmation of acceptance of proposals as appropriate.

Should you have any further queries or require anything further please do not hesitate to contact us.

Yours faithfully



**Fintan Morrin**  
**Associate**  
**The Planning Partnership**

*Appendix A*

*Grant of Permission*

**The Planning Partnership**  
**McHale Retail Park**  
**Castlebar**  
**Co. Mayo**  
**F23 TD25**

**NOTIFICATION TO GRANT PERMISSION**  
**PLANNING & DEVELOPMENT ACT, 2000 (as amended) AND PLANNING**  
**REGULATIONS THEREUNDER**

Final Grant Order No.:	<b>0510</b>	Date of Final Grant:	<b>15-May-2023</b>
Decision Order No.:	<b>0364</b>	Date of Decision:	<b>05-Apr-2023</b>
Register Reference:	<b>SD22A/0312</b>	Date:	<b>09-Mar-2023</b>

**Applicant:** Lidl Ireland GmbH

**Development:** Construction of a single storey Discount Foodstore Supermarket with ancillary off-licence use (with mono-pitch roof and overall building height of c. 6.74 metres) measuring c. 2, 207sq.m gross floor space with a net retail sales area of c. 1, 410sq.m; Construction of a vehicular access point to Main Street Upper and associated works to carriageway and including partial removal of boundary wall / facade, modification of existing footpaths / public realm and associated and ancillary works including proposed entrance plaza area; Demolition of part of an existing rear / southern single storey residential extension (and related alterations to remaining structure) of Kelly Estates building; The original Kelly Estates building (a protected structure - Eircode: D22 Y9H7) will not be modified; Demolition of detached single storey accommodation/ residential structure and ancillary wall/ fence demolitions to rear of existing Kelly Estates building; Demolition of existing single storey (stable) building along Main Street and construction of single storey retail /cafe unit on an extended footprint measuring c. 118sq.m and associated alterations to existing Main Street boundary facade; Renovation and change of use of existing (vacant) two storey vernacular townhouse structure to Main Street, and single storey extension to rear, for retail/commercial use (single level throughout) totalling c. 61sq.m; Repair and renewal of existing Western and Eastern burgage plot tree and hedgerow site boundaries; Provision of associated car parking, cycle parking (and staff cycle parking shelter), pedestrian access routes and (ramp and stair) structures (to / through the southern and western site boundaries to facilitate connections to potential future development), free standing and building mounted signage, free standing trolley bay cover /enclosure, refrigeration and air conditioning plant and equipment, roof mounted solar panels, public lighting, hard and soft landscaping, boundary treatments and divisions, retaining wall structures, drainage infrastructure and connections to services/ utilities, electricity Substation and all other associated and ancillary development and works above and below ground level including within the curtilage of a protected structure.

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

**Time extension(s) up to and including:**

**Additional Information Requested/Received:** 19-Sep-2022, 09-Jan-2023 / 02-Dec-2022,  
09-Mar-2023

A Permission has been granted for the development described above, subject to the following conditions.

**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 2nd December 2022 and Clarification of Further Information received on 9th March 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. External Finishes and Materials  
Prior to the commencement of construction on site, samples of all proposed external finishing materials shall be submitted to and approved in writing by the Planning Authority and sample panels of 2m x 2m of the materials shall be erected on site and once approved, retained for the duration of development for quality control purposes. Development shall be carried out in accordance with the approved samples.  
REASON: In the interest of visual amenity and environmental quality.
3. Roadway, Path and Car Parking Finishes and Materials  
Notwithstanding the submitted details, prior to the commencement of construction of any of the road, pavement, cycleway, parking bay or other hard landscaped areas within the site hereby approved, samples of all proposed external surface finishing materials shall be submitted to and approved in writing by the Planning Authority and sample panels of 3m x 3m of the materials shall be erected on site and once approved, retained for the duration of development for quality control purposes. Development shall be carried out in accordance with the approved samples.  
REASON: In the interests of amenity and to ensure the provision of high quality materials are used for public spaces within the area.
4. Goods Deliveries.  
Goods deliveries to all commercial uses shall not be permitted between the hours of 22.00 hours and 07.00 hours, unless otherwise agreed in writing with the Planning Authority.  
REASON: In the interest of residential amenities of the area.
5. Hours of Operation.  
The opening hours of the Discount Foodstore Supermarket shall be Monday to Sunday from 08:00 hours to 22:00 hours, unless otherwise agreed in writing with the Planning Authority.  
REASON: In the interest of visual and residential amenity, and the proper planning and sustainable development of the area.
6. Prior to the commencement of development, the developer/landowner shall submit for the written agreement of the Planning Authority, a detailed phasing schedule for the permitted development which clearly demonstrates that the demolition works, public plaza, retail/café unit and retail/unit shall be completed and made available for occupation prior to the opening of the discount retail supermarket unit. The sequence in which works are carried out shall be subject to the written agreement of the Planning Authority.  
REASON: In the interest of clarity and to ensure that development occurs at an acceptable pace and adheres to the key principles of the proper planning and sustainable development of the area.



7. Retail/Commercial Units:

- (i) No planning permission is hereby granted for the application of any vinyl manifestations to the glazing of the northern, southern and western elevations of the retail/café unit and the southern, eastern and northern elevations of the retail/commercial unit. The glazing to all windows shall be kept free of all stickers, posters and advertisements.
- (ii) The internal configuration and fit out of the retail/café unit and the retail/commercial unit shall be arranged in such a manner so as to keep all internal shop fittings, including shelving etc away from windows along the northern, southern and western elevations of the retail/café unit and the southern, eastern and northern elevations of the retail/commercial unit.
- (iii) Prior to the occupation and opening of the retail/café unit and retail/commercial unit on Main Street, the Applicant shall provide details of the intended operator of the 2 No. units.
- (iv) Unless otherwise agreed in writing, the operational hours of the retail/café unit and retail/commercial unit on Main Street shall be Monday to Saturdays from 08:00 hours to 22:00, 7 days per week.
- (v) Prior to the occupation and opening of the retail/café unit and retail/commercial unit on Main Street, the Applicant shall provide for the written agreement of the Planning Authority full details of proposed signage to include plan and elevational drawings demonstrating signage lettering, logo dimensions, colours, materials, finishes and illumination type.  
REASON: In the interests of the proper planning and sustainable development of the area.

8. Signage Not Internally Lit.

The proposed signage shall not be internally illuminated unless otherwise agreed with the Planning Authority.

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

9. Restrictions on Signage.

Notwithstanding the provisions of the Planning and Development Regulations 2001, or any statutory provision amending or replacing them, no further advertisement signs (including any signs installed to be visible through windows), advertisement structures, banners, canopies, flags, or other projecting elements shall be displayed or erected on the development or within the curtilage of the site, unless authorised by a grant of planning permission.

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

10. 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.

- 11. (i) Prior to commencement the applicant/developer shall submit for the written agreement of the Planning Authority the design and construction details of the pedestrian toucan crossing at the Athgoe Road, to be constructed by the applicant/developer at their own expense.
- (ii) Prior to commencement of development, the applicant shall submit a developed Construction & Demolition Waste Management Plan (C&DWMP) for the written agreement of the Planning Authority.
- (iii) Prior to commencement of any works in the public domain, and in order to comply with The Roads Act 1993 Section 13 Paragraph 10, a Road Opening Licence must be secured from South Dublin County Council, Roads Maintenance Department.

(iv) 100% of the parking spaces shall be constructed to be capable of accommodating future charging points as outlined in as outlined in SDCC CDP section 12.7.5.

(v) A Mobility Management Plan is to be completed within six months of opening of the proposed development. The Mobility Management Plan shall be submitted for the written agreement of the Planning Authority.

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

## 12. Archaeological Monitoring.

Prior to the commencement of development on site, the developer/applicant shall discharge the following conditions:

(i) The developer shall engage a suitably qualified archaeologist to monitor (as an extension of Licence No. 22E0840 under the National Monuments Acts) all site clearance works, topsoil stripping, groundworks and/or dredging within the greenfield portion of the development site. The use of appropriate machinery to ensure the preservation and recording of any surviving archaeological remains shall be necessary.

(ii) Provide an updated Method Statement for the licensed archaeological monitoring, to be approved by the Department of Housing Local Government and Heritage, will include methodology for the preservation of features that were discovered during testing under Licence No. 22E0840.

(iii) Should additional 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 this Department, regarding appropriate mitigation [preservation in-situ/excavation].

(iv) The developer shall facilitate the archaeologist in recording any remains identified. Any further archaeological mitigation requirements specified by the planning authority, following consultation with this Department, shall be complied with by the developer.

(v) Following the completion of all archaeological work on site and any necessary post-excavation specialist analysis, the planning authority and this 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 facilitate the recording and protection of any items of archaeological significance that the site may possess.

## 13. Demolition Works

Prior to the commencement of development the Applicant shall submit A Method Statement for the written agreement and approval of the Planning Authority detailing the proposed demolition of the rear extension to Kelly Estates (a Protected Structure RPS Ref. 229). The Method Statement should include;

- A Schedule of Works and Methodology for the proposed work to the existing two-storey vernacular townhouse.
- Proposed works to existing stone boundary walls to provide for new access points to Main Street Upper. Details should be included for the repair and making good of all original historic boundary walls adhering to best practice and using traditional method and materials.
- Due to the Protected Structure (Kelly Estates RPS Ref. 229), the existing vernacular townhouse and boundary walls all of which provide architectural significance within the subject site a Safety Statement should also be included as part of the Method Statement detailing how the Protected Structures and existing historic elements will be protected during the proposed development.

14. Glint/Glare Assessment regarding Aviation.

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

(a) Written confirmation that the applicant has forwarded a Glint and Glare Assessment which considers the predicted effect of the proposed solar panels on sensitive aircraft receptors of the proposed development to the Irish Aviation Authority.

(b) The written agreement of the Irish Aviation Authority and/or the Air Corps Traffic Service, which states that:

(i) The proposed construction works - inclusive of cranes - will not affect the safety, efficiency or regularity of aircraft generally and/or of Air Corps operations.

(ii) The proposed development - inclusive of the solar panels - will not affect the safety, efficiency or regularity of aviation operations or the emergency services (e.g. Coast Guard helicopters ) operated in the vicinity of Tallaght Hospital.

REASON: In the interests of public safety, protecting the environment and in the interests of the amenities of the area.

15. 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.

16. Drainage - Irish Water.

(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. All new precast surface water manholes shall have a minimum thickness surround of 150mm Concrete Class B.

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.

17. Environmental Health Department

(i) Full consultation shall take place with the Environmental Health Department prior to the commencement of any food business operation at the site.

(ii) A grease trap shall be provided on the drainage system for any waste water leaving the kitchen and dish wash areas of any food premises.

(iii) A suitable location for the storage of refuse is to be provided

REASON: In the interest of public health and safety, the proper planning and sustainable development of the area.

18. Construction Noise and Hours.

(i) No equipment or machinery (to include pneumatic drills, construction vehicles, generators, etc) shall be operated on or adjacent to the construction site before 08:00 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.

(ii) 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.

(iii) Once under construction the site is to be surrounded by a solid hoarding to a minimum height of 2.4m as specified in the acoustic report reference 22/0557R01 and dated 20th of July 2022.

(iv) 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.

(v) The building services plant area located on the roof of the development must be enclosed with a 2 metres high boundary wall as specified in the acoustic report reference 22/0557R01 and dated 20th of July 2022.

(vi) Following commencement of the development the applicant is required to submit an Acoustic Verification report to South Dublin County Council. The report must confirm whether the development complies with Councils noise criteria relevant to this proposal:

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.

(a) Acoustic design criteria or performance specifications that have arisen from the acoustic report or any subsequent acoustic assessment shall be finalised and verified by a suitably qualified acoustic consultant.

(b) The acoustic verification report must assess the impact of noise associated with deliveries with respect to existing and future receivers. Where modifications are required to reduce the noise impact these must modifications must be included as clear recommendations for the subject development.

(c) This Acoustic Verification report should comprise of noise monitoring data at any noise sensitive locations. It should also include the cumulative noise level whereby the existing noise levels are included in assessment of the developments overall impact.

(v) The developer shall ensure that adequate community consultation is carried out prior to construction commencing on site. This should include distribution of information in the form of a letter or leaflet to all surrounding receivers including residential and commercial. All nearby receivers must be provided with the following information:

-Overall schedule of works to include approximate timeframes

-Name and contact details of contractor responsible for managing complaints

-Hours of operation- including any scheduled times for heavy machinery

Where intrusive machinery is required to be used at short notice, the main contractor shall ensure that nearby receivers are informed prior to works commencing.

(vi) 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.

(vii) Signage or lighting to be used on site during both construction and the on-going operation of the development must not be intrusive to any light sensitive location including residential properties in close proximity to the development.

(viii) The applicant shall put in place a pest control contract for the site for the duration of the construction works.

(ix) The development shall be so operated that there will be no emissions of malodours, gas, dust, fumes or other deleterious materials, no noise or noise vibration on site as would give reasonable cause for annoyance to any person in any residence, adjoining premises or public

place in the vicinity.

REASON: In the interest of public health by the prevention of unacceptable levels of noise pollution which could interfere with normal sleep and rest patterns and/or when people could reasonably expect a level of quietness, the proper planning and sustainable development of the area and to uphold the Council's amenity policies set out in the South Dublin County Council Development Plan.

19. Minimise Air Blown Dust.

During the construction and or 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. The applicant/developer shall comply with British Standard B.S. 5228 Noise Control on Construction and Open sites and British Standard B.S. 6187 Code of Practice for demolition.

REASON: In the interest of public health and to uphold the Council's policies set out in the South Dublin County Council Development Plan.

20. Protection of Existing Hedgerows and Trees

- In order to ensure the protection of hedgerows and trees to be retained within the site, the applicant shall implement all recommendations contained within the Arboricultural Report.

- Tree and Hedgerow protection must conform to BS5837:2012, must be fit for purpose and commensurate with the nature of Development and the expected day-to-day activities of the site works.

- Tree and Hedgerow Bond and Arboricultural Agreement:

- Prior to the commencement of any permitted development or any related construction activity or tree felling on the site, the applicant shall lodge a Tree and Hedgerow Bond to the value of €50, 000.00 with the Planning Authority. This is to ensure the protection of trees and hedgerows on and immediately adjacent to the site to make good any damage caused during the construction period.

REASON: In the interest of visual amenity.

21. Construction Waste Management Plan.

All construction waste arising from the development of the site as approved shall be managed in accordance with all relevant statutory provisions and an agreed site specific Construction Waste Management Plan. All such waste shall be kept to a minimum, segregated where appropriate, and disposed/recovered at a waste facility authorised under the Waste Management (Facility Permit and Registration) Regulations 2007, as amended, to accept the categories of waste.

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 any works on site the applicant, owner or developer or any other person with an interest in the land to which the development as approved relates shall lodge with the Planning Authority for written agreement:

A site specific Project Construction Waste and Demolition Management Plan that accords with the requirements both of the Council's Waste Management Section and the Council's Waste Enforcement and Licensing Section.

All construction and demolition waste shall be managed in accordance with this plan which shall be prepared in accordance with the 'Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects', published by the Department of the Environment, Heritage and Local Government in 2006 and the provision of the Waste Management Plan for the Dublin Region. The plan shall include details to the satisfaction of the Council's Waste Management Section and the Council's Waste Enforcement and

Licensing Section for all waste to be generated during site clearance and construction phases, and details of the methods and locations to be employed for the prevention, minimisation, recovery and disposal of this material in accordance with the provision of the Waste Management Plan for the Eastern-Midland Region.

A record of daily checks that the works are being undertaken in accordance with the site specific Construction Waste Management Plan shall be kept for inspection by the planning authority.

The plan should also be informed by any Construction Traffic Management Plan required to be prepared and agreed that addresses intended construction practice for the development, including hours of working, construction traffic access route and noise management measures and details of measures to protect watercourses on or adjoining the site from the spillage or deposit of clay, rubble, waste or other debris.

In addition, copies of waste disposal/recovery records, including waste collector dockets/invoices and weighbridge dockets, shall be maintained on site during construction activity and made available, at all reasonable times, for inspection by Authorised Persons as appointed under the Waste Management Act 1996, as amended. A Waste Transfer Form shall accompany the transportation of all hazardous waste arising from the development works, in accordance with the European Communities (Shipment of Hazardous Waste Exclusively within Ireland) Regulations 2011. Waste operations shall only be carried out at such time as authorisation pursuant to the Waste Management Act 1996, as amended, has been obtained. 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 interests of public safety, compliance with Development Plan Policy and sustainable waste management.

## 22. Taking-in-Charge:

The applicant shall submit and agree in writing with SDCC Public Realm Section what will be taken in charge by SDCC. This shall include written statement by the applicant and a public open space drawing map clearly demonstrating what is proposed for taking in charge by SDCC. If a management company is taking in charge public open space the management company's details shall be submitted with the written confirmation and a detailed drawing. SDCC are be unable to take in charge areas that require, excessive resources in terms of maintenance. The use of herbicides is avoided by SDCC in residential areas.

REASON: To ensure that designs, materials and specifications shall meet with the requirements of the Local Authority and the Development Agency and in the interests of proper planning and sustainable development.

## 23. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €254, 015.10 (Two Hundred and Fifty Four Thousand and Fifteen Euro and Ten Cent), in respect of public infrastructure and facilities benefiting development within the area of the Planning Authority, that is provided, or intended to be provided by or on behalf of the authority, in accordance with the terms of the Development Contribution Scheme 2021 - 2025, made under Section 48 of the Planning and Development Acts 2000-2011 (as amended).

The contributions under the Scheme shall be payable prior to commencement of development or as otherwise agreed in writing by the Council. Contributions due in respect of permission for retention will become payable immediately on issue of the final grant of permission. Contributions shall be payable at the index adjusted rate pertaining to the year in which implementation of the planning permission is commenced.

REASON: The provision of such facilities will facilitate the proposed development. It is considered reasonable that the payment of a contribution be required, in respect of public

infrastructure and facilities benefiting development in the area of the Planning Authority and that is provided, or that is intended will be provided, by or on behalf of the Local Authority.

NOTE RE: CONDITION - Please note that with effect from 1st January 2014, Irish Water is now the statutory body responsible for water services. Further details/clarification can be obtained from Irish Water at Tel. 01 6021000 or by emailing customerservice@water.ie.

**NOTES :**

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>.

NOTE: The applicant shall notify the Irish Aviation Authority and the Department of Defence regarding any cranes likely to penetrate ICAO surfaces.

NOTE: Adequate provision should be made to facilitate access to and the use of the development, buildings, facilities and services by disabled persons, including sanitary conveniences. The minimum requirements should be as per Part M of the Building Regulations.

NOTE: Notwithstanding any grant of planning permission; if an applicant requires permission to access local authority land (e.g. public footpaths, public open space or roadways) in order to access utilities, or for any other reason; please apply via <https://maproadroadworkslicensing.ie/MRL/> for a licence from the Local Authority to carry out those works.

NOTE: Where the applicant proposes to connect to a public water/wastewater network operated by Irish Water, the applicant must sign a connection agreement with Irish Water prior to the commencement of the development and adhere to the standards and conditions set out in that agreement.

- (1) All buildings must be designed and constructed in accordance with the Building Regulations 1997.
- (2) Building Control Regulations require a Commencement Notice. Please log onto [www.localgov.ie](http://www.localgov.ie) and click on BCMS link.

- (3) A Fire Safety Certificate must be obtained from the Building Control Authority, where applicable.
- (4) Free Standing Walls must be designed and constructed in accordance with IS 325: Code of Practice for use of Masonry Part 1: Structural use of reinforced Masonry. The Owner must also ensure that the construction of all walls is supervised by a competent person.

Signed on behalf of South Dublin County Council.

*M. Crowley*

\_\_\_\_\_15-May-2023  
*for Senior Planner*



*Appendix B*

*Overview of Conditions*

**General clarifying conditions, i.e. setting out requirements for the development without specific requirement for submission / agreement with the Planning Authority.**

No.	Condition
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 2nd December 2022 and Clarification of Further Information received on 9th March 2023, save as may be required by the other conditions attached hereto.
4	Goods Deliveries. Goods deliveries to all commercial uses shall not be permitted between the hours of 22.00 hours and 07.00 hours, unless otherwise agreed in writing with the Planning Authority.
5	Hours of Operation. The opening hours of the Discount Foodstore Supermarket shall be Monday to Sunday from 08:00 hours to 22:00 hours, unless otherwise agreed in writing with the Planning Authority.
9	Restrictions on Signage. Notwithstanding the provisions of the Planning and Development Regulations 2001, or any statutory provision amending or replacing them, no further advertisement signs (including any signs installed to be visible through windows), advertisement structures, banners, canopies, flags, or other projecting elements shall be displayed or erected on the development or within the curtilage of the site, unless authorised by a grant of planning permission.
10	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.
16	Drainage - Irish Water. (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. All new precast surface water manholes shall have a minimum thickness surround of 150mm Concrete Class B.
19	Minimise Air Blown Dust. During the construction and or 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. The applicant/developer shall comply with British Standard B.S. 5228 Noise Control on Construction and Open sites and British Standard B.S. 6187 Code of Practice for demolition.
11 (iv)	(iv) 100% of the parking spaces shall be constructed to be capable of accommodating future charging points as outlined in as outlined in SDCC CDP section 12.7.5.
17 (ii)	(ii) A grease trap shall be provided on the drainage system for any waste water leaving the kitchen and dish wash areas of any food premises.
17 (iii)	(iii) A suitable location for the storage of refuse is to be provided
18 (i)	Construction Noise and Hours. (i) No equipment or machinery (to include pneumatic drills, construction vehicles, generators, etc) shall be operated on or adjacent to the construction site before 08:00 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.

No.	Condition
18 (ii)	(ii) 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.
18 (iii)	(iii) Once under construction the site is to be surrounded by a solid hoarding to a minimum height of 2.4m as specified in the acoustic report reference 22/0557R01 and dated 20th of July 2022.
18 (iv)	(iv) 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.
18 (ix)	(ix) The development shall be so operated that there will be no emissions of malodours, gas, dust, fumes or other deleterious materials, no noise or noise vibration on site as would give reasonable cause for annoyance to any person in any residence, adjoining premises or public place in the vicinity.
18 (v)	(v) The building services plant area located on the roof of the development must be enclosed with a 2 metres high boundary wall as specified in the acoustic report reference 22/0557R01 and dated 20th of July 2022.
18 (vi)	(vi) 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.
18 (vii)	(vii) Signage or lighting to be used on site during both construction and the on-going operation of the development must not be intrusive to any light sensitive location including residential properties in close proximity to the development.
18 (viii)	(viii) The applicant shall put in place a pest control contract for the site for the duration of the construction works.
7 (i)	Retail/Commercial Units: (i) No planning permission is hereby granted for the application of any vinyl manifestations to the glazing of the northern, southern and western elevations of the retail/café unit and the southern, eastern and northern elevations of the retail/commercial unit. The glazing to all windows shall be kept free of all stickers, posters and advertisements.
7 (ii)	(ii) The internal configuration and fit out of the retail/café unit and the retail/commercial unit shall be arranged in such a manner so as to keep all internal shop fittings, including shelving etc away from windows along the northern, southern and western elevations of the retail/café unit and the southern, eastern and northern elevations of the retail/commercial unit.
7 (iv)	(iv) Unless otherwise agreed in writing, the operational hours of the retail/café unit and retail/commercial unit on Main Stree shall be Monday to Saturdays from 08:00 hours to 22:00, 7 days per week.

**Pre-commencement conditions, i.e. requiring agreement of details prior to commencement of development – shaded conditions included in this submission – unshaded to be addressed in subsequent submission.**

No.	Condition
2	External Finishes and Materials Prior to the commencement of construction on site, samples of all proposed external finishing materials shall be submitted to and approved in writing by the Planning Authority and sample panels of 2m x 2m of the materials shall be erected on site and once approved, retained for the duration of development for quality control purposes. Development shall be carried out in accordance with the approved samples.
3	Roadway, Path and Car Parking Finishes and Materials Notwithstanding the submitted details, prior to the commencement of construction of any of the road, pavement, cycleway, parking bay or other hard landscaped areas within the site hereby approved, samples of all proposed external surface finishing materials shall be submitted to and approved in writing by the Planning Authority and sample panels of 3m x 3m of the materials shall be erected on site and once approved, retained for the duration of development for quality control purposes. Development shall be carried out in accordance with the approved samples.
6	Prior to the commencement of development, the developer/landowner shall submit for the written agreement of the Planning Authority, a detailed phasing schedule for the permitted development which clearly demonstrates that the demolition works, public plaza, retail/café unit and retail/unit shall be completed and made available for occupation prior to the opening of the discount retail supermarket unit. The sequence in which works are carried out shall be subject to the written agreement of the Planning Authority.
8	Signage Not Internally Lit. The proposed signage shall not be internally illuminated unless otherwise agreed with the Planning Authority.
13	Demolition Works Prior to the commencement of development the Applicant shall submit A Method Statement for the written agreement and approval of the Planning Authority detailing the proposed demolition of the rear extension to Kelly Estates (a Protected Structure RPS Ref. 229). The Method Statement should include; - A Schedule of Works and Methodology for the proposed work to the existing two-storey vernacular townhouse. - Proposed works to existing stone boundary walls to provide for new access points to Main Street Upper. Details should be included for the repair and making good of all original historic boundary walls adhering to best practice and using traditional method and materials. - Due to the Protected Structure (Kelly Estates RPS Ref. 229), the existing vernacular townhouse and boundary walls all of which provide architectural significance within the subject site a Safety Statement should also be included as part of the Method Statement detailing how the Protected Structures and existing historic elements will be protected during the proposed development.
15	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.
20	Protection of Existing Hedgerows and Trees - In order to ensure the protection of hedgerows and trees to be retained within the site, the applicant shall implement all recommendations contained within the Arboricultural Report. - Tree and Hedgerow protection must conform to BS5837:2012, must be fit for purpose and commensurate with the nature of Development and the expected day-to-day activities of the site works. -
20	Tree and Hedgerow Bond and Arboricultural Agreement: - Prior to the commencement of any permitted development or any related construction activity or tree felling on the site, the applicant shall lodge a Tree and Hedgerow Bond to the value of €50,000.00 with the Planning Authority. This is to ensure the protection of trees and hedgerows on and immediately adjacent to the site to make good any damage caused during the construction period.

No.	Condition
21	<p>Construction Waste Management Plan. All construction waste arising from the development of the site as approved shall be managed in accordance with all relevant statutory provisions and an agreed site specific Construction Waste Management Plan. All such waste shall be kept to a minimum, segregated where appropriate, and disposed/recovered at a waste facility authorised under the Waste Management (Facility Permit and Registration) Regulations 2007, as amended, to accept the categories of waste. 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 any works on site the applicant, owner or developer or any other person with an interest in the land to which the development as approved relates shall lodge with the Planning Authority for written agreement: A site specific Project Construction Waste and Demolition Management Plan that accords with the requirements both of the Council's Waste Management Section and the Council's Waste Enforcement and Licensing Section. All construction and demolition waste shall be managed in accordance with this plan which shall be prepared in accordance with the 'Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects', published by the Department of the Environment, Heritage and Local Government in 2006 and the provision of the Waste Management Plan for the Dublin Region. The plan shall include details to the satisfaction of the Council's Waste Management Section and the Council's Waste Enforcement and Licensing Section for all waste to be generated during site clearance and construction phases, and details of the methods and locations to be employed for the prevention, minimisation, recovery and disposal of this material in accordance with the provision of the Waste Management Plan for the Eastern-Midland Region. A record of daily checks that the works are being undertaken in accordance with the site specific Construction Waste Management Plan shall be kept for inspection by the planning authority. The plan should also be informed by any Construction Traffic Management Plan required to be prepared and agreed that addresses intended construction practice for the development, including hours of working, construction traffic access route and noise management measures and details of measures to protect watercourses on or adjoining the site from the spillage or deposit of clay, rubble, waste or other debris. In addition, copies of waste disposal/recovery records, including waste collector dockets/invoices and weighbridge dockets, shall be maintained on site during construction activity and made available, at all reasonable times, for inspection by Authorised Persons as appointed under the Waste Management Act 1996, as amended. A Waste Transfer Form shall accompany the transportation of all hazardous waste arising from the development works, in accordance with the European Communities (Shipment of Hazardous Waste Exclusively within Ireland) Regulations 2011. Waste operations shall only be carried out at such time as authorisation pursuant to the Waste Management Act 1996, as amended, has been obtained. 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.</p>
23	<p>Financial Contribution. The developer shall pay to the Planning Authority a financial contribution of €254,015.10 (Two Hundred and Fifty Four Thousand and Fifteen Euro and Ten Cent), in respect of public infrastructure and facilities benefiting development within the area of the Planning Authority, that is provided, or intended to be provided by or on behalf of the authority, in accordance with the terms of the Development Contribution Scheme 2021 - 2025, made under Section 48 of the Planning and Development Acts 2000-2011 (as amended). The contributions under the Scheme shall be payable prior to commencement of development or as otherwise agreed in writing by the Council. Contributions due in respect of permission for retention will become payable immediately on issue of the final grant of permission. Contributions shall be payable at the index adjusted rate pertaining to the year in which implementation of the planning permission is commenced. REASON: The provision of such facilities will facilitate the proposed development. It is considered reasonable that the payment of a contribution be required, in respect of public infrastructure and facilities benefiting development in the area of the Planning Authority and that is provided, or that is intended will be provided, by or on behalf of the Local Authority.</p>
11 (i)	<p>(i) Prior to commencement the applicant/developer shall submit for the written agreement of the Planning Authority the design and construction details of the pedestrian toucan crossing at the Athgoe Road, to be constructed by the applicant/developer at their own expense.</p>
11 (ii)	<p>(ii) Prior to commencement of development, the applicant shall submit a developed Construction &amp; Demolition Waste Management Plan (C&amp;DWMP) for the written agreement of the Planning Authority.</p>
11 (iii)	<p>(iii) Prior to commencement of any works in the public domain, and in order to comply with The Roads Act 1993 Section 13 Paragraph 10, a Road Opening Licence must be secured from South Dublin County Council, Roads Maintenance Department.</p>
12 (i)	<p>Archaeological Monitoring. Prior to the commencement of development on site, the developer/applicant shall discharge the following conditions: (i) The developer shall engage a suitably qualified archaeologist to monitor (as an extension of Licence No. 22E0840 under the National Monuments Acts) all site clearance works, topsoil stripping, groundworks and/or dredging within the greenfield portion of the development site. The use of appropriate machinery to ensure the preservation and recording of any surviving archaeological remains shall be necessary.</p>

No.	Condition
12 (ii)	(ii) Provide an updated Method Statement for the licensed archaeological monitoring, to be approved by the Department of Housing Local Government and Heritage, will include methodology for the preservation of features that were discovered during testing under Licence No. 22Eo84o.
12 (iii)	(iii) Should additional 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 this Department, regarding appropriate mitigation [preservation in-situ/excavation].
12 (iv)	(iv) The developer shall facilitate the archaeologist in recording any remains identified. Any further archaeological mitigation requirements specified by the planning authority, following consultation with this Department, shall be complied with by the developer.
12 (v)	(v) Following the completion of all archaeological work on site and any necessary post-excavation specialist analysis, the planning authority and this 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.
14 (a)	Glint/Glare Assessment regarding Aviation. Prior to the commencement of development, the applicant/owner shall submit the following to the Planning Authority: (a) Written confirmation that the applicant has forwarded a Glint and Glare Assessment which considers the predicted effect of the proposed solar panels on sensitive aircraft receptors of the proposed development to the Irish Aviation Authority.
14 (b)(i)	(b) The written agreement of the Irish Aviation Authority and/or the Air Corps Traffic Service, which states that: (i) The proposed construction works - inclusive of cranes - will not affect the safety, efficiency or regularity of aircraft generally and/or of Air Corps operations.
14 (b)(ii)	(ii) The proposed development - inclusive of the solar panels - will not affect the safety, efficiency or regularity of aviation operations or the emergency services (e.g. Coast Guard helicopters) operated in the vicinity of Tallaght Hospital.
18 (v)	(v) The developer shall ensure that adequate community consultation is carried out prior to construction commencing on site. This should include distribution of information in the form of a letter or leaflet to all surrounding receivers including residential and commercial. All nearby receivers must be provided with the following information: -Overall schedule of works to include approximate timeframes -Name and contact details of contractor responsible for managing complaints -Hours of operation-including any scheduled times for heavy machinery Where intrusive machinery is required to be used at short notice, the main contractor shall ensure that nearby receivers are informed prior to works commencing.

**Pre-opening conditions, i.e. requiring agreement of details prior to commencement of operations.**

No.	Condition
22	Taking-in-Charge: The applicant shall submit and agree in writing with SDCC Public Realm Section what will be taken in charge by SDCC. This shall include written statement by the applicant and a public open space drawing map clearly demonstrating what is proposed for taking in charge by SDCC. If a management company is taking in charge public open space the management company's details shall be submitted with the written confirmation and a detailed drawing. SDCC are be unable to take in charge areas that require, excessive resources in terms of maintenance. The use of herbicides is avoided by SDCC in residential areas.
11 (v)	(v) A Mobility Management Plan is to be completed within six months of opening of the proposed development. The Mobility Management Plan shall be submitted for the written agreement of the Planning Authority.
17 (i)	Environmental Health Department (i) Full consultation shall take place with the Environmental Health Department prior to the commencement of any food business operation at the site.
18 (vi)	(vi) Following commencement of the development the applicant is required to submit an Acoustic Verification report to South Dublin County Council. The report must confirm whether the development complies with Councils noise criteria relevant to this proposal: 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. (a) Acoustic design criteria or performance specifications that have arisen from the acoustic report or any subsequent acoustic assessment shall be finalised and verified by a suitably qualified acoustic consultant. (b) The acoustic verification report must assess the impact of noise associated with deliveries with respect to existing and future receivers. Where modifications are required to reduce the noise impact these must modifications must be included as clear recommendations for the subject development. (c) This Acoustic Verification report should comprise of noise monitoring data at any noise sensitive locations. It should also include the cumulative noise level whereby the existing noise levels are included in assessment of the developments overall impact.
7 (iii)	(iii) Prior to the occupation and opening of the retail/café unit and retail/commercial unit on Main Street, the Applicant shall provide details of the intended operator of the 2 No. units.
7 (v)	(v) Prior to the occupation and opening of the retail/café unit and retail/commercial unit on Main Street, the Applicant shall provide for the written agreement of the Planning Authority full details of proposed signage to include plan and elevational drawings demonstrating signage lettering, logo dimensions, colours, materials, finishes and illumination type.

## Other, i.e. 'notes' appended to the schedule of conditions.

No.	Condition
N/A	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 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: 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 <a href="https://www.sdcc.ie/en/services/planning/commencement-and-completion/completion/taking-in-charge-policy-standards">https://www.sdcc.ie/en/services/planning/commencement-and-completion/completion/taking-in-charge-policy-standards</a> .
	NOTE: Adequate provision should be made to facilitate access to and the use of the development, buildings, facilities and services by disabled persons, including sanitary conveniences. The minimum requirements should be as per Part M of the Building Regulations.
	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: Where the applicant proposes to connect to a public water/wastewater network operated by Irish Water, the applicant must sign a connection agreement with Irish Water prior to the commencement of the development and adhere to the standards and conditions set out in that agreement.
	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: 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 shall notify the Irish Aviation Authority and the Department of Defence regarding any cranes likely to penetrate ICAO surfaces.
	NOTE: Notwithstanding any grant of planning permission; if an applicant requires permission to access local authority land (e.g. public footpaths, public open space or roadways) in order to access utilities, or for any other reason; please apply via <a href="https://maproadroadworkslicensing.ie/MRL/">https://maproadroadworkslicensing.ie/MRL/</a> for a licence from the Local Authority to carry out those works.



*Appendix C*

*Archaeological Method Statement & Licence Details*



## Excavation Licence

National Monuments Acts (1930-2004)

Licence Number	22E0840ext.
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Application having been duly made to me by	David McIlreavy
Of	c/o IAC Archaeology, Unit G1 Network Enterprise Park, Kilcoole, Co. Wicklow
For a licence to excavate at the site located at	Newcastle South, Dublin
Site details (place/structure/wreck/other)	Preservation by record / Monitoring
Being part of the townland of	Newcastle South
In or under the portion of land/land underwater owned by	Lidl Ireland GmbH
Of	Head Office, Main Road, Tallaght, Dublin 24
In county of	Dublin

The Minister for Housing, Local Government and Heritage, in accordance with the conditions of Section 26 of the National Monuments Act, 1930, as amended, and subject to the conditions overleaf, does hereby licence the said applicant (**hereinafter** called the Licensee) to dig or excavate for the purpose specified in or under that portion of land above-mentioned.

**Duration of licence: 28/11/2023 to 26/01/2024**

Signed:

Date: 29/11/2023



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**Specific Conditions to which this licence issued under section 26 of the National Monuments Act 1930 (as amended) is subject:**

Insert here, if required, specific conditions that will be additional to the Standard Conditions below.

**Standard Conditions to which any licence issued under section 26 of the National Monuments Act 1930 (as amended) are subject:**

Any licence issued will be subject to the following conditions and any other conditions that may be specified to the licensee.

1. This licence is issued on the basis of information provided by the applicant and on the understanding that all information provided with the application, and associated statements made by the applicant, are accurate and truthful.
2. The licensee must obtain permission from the owner of the land/ wreck to carry out the excavation and particularly to alter, dig or excavate in or under the site before availing of this licence. No responsibility or liability shall attach to the Minister for failure on the part of the licensee to obtain such permission.
3. By accepting the licence, the applicant acknowledges that the Minister is not responsible or liable in any manner for any loss or injury to persons or property in any way arising from the licensed activities.
4. The licensee shall restore the land to its original condition on termination of this licence, unless otherwise directed by the landowner.
5. The licensee shall comply in all respects with the provisions of the National Monuments Acts 1930 to 2014 and any Acts altering, amending or replacing those Acts. Copies of the Acts are available from the National Monuments Service website [www.archaeology.ie](http://www.archaeology.ie) and from Government Publications (see <http://www.opw.ie/en/governmentpublications/>).
6. Under the provisions of section 2 of the National Monuments (Amendment) Act 1994 the ownership of an archaeological object found in the State which has no known owner at the time it is found stands vested in the State. The National Museum of Ireland is the State repository for all such archaeological objects. The licensee shall adhere to the directions of the Director of the National Museum of Ireland in relation to the final disposition/location of any archaeological objects and the temporary storage of finds and also to advice notes issued by the National Museum of Ireland. Separate licences must be applied for under the relevant provisions of the National Monuments Acts 1930 to 2014 and the National Cultural Institutions Act 1997 if it is intended to alter (which includes to destructively sample), or export any archaeological object recovered during the excavation.
7. The licensee shall be given a reference number in relation to each excavation or part thereof which shall be used in all correspondence relating to the excavation and for the numbering of finds (if any) recovered during the excavation. The licensee shall also comply with the requirements of the National Museum of Ireland as regards to the numbering and care of archaeological objects.
8. The licensee shall conduct the excavation in accordance with the method statement as submitted with the applicant's application for a licence under section 26 of the National Monuments Act 1930 (as amended) and also in accordance with the information provided (including answers given) in or on the application form submitted with that application, subject to any amendment approved by the National Monuments Service prior to the issue of this licence. Once the licence has been issued, any proposed amendment or variation to the methodology set out in those



documents must be submitted in advance to the National Monuments Service and can only be proceeded with if approved by the National Monuments Service.

9. The licensee shall comply with the *Policy and Guidelines on Archaeological Excavations* (1999) and any subsequent policies, guidance or advice, issued by, or on behalf of the Minister and advice notes issued by the National Museum of Ireland.
10. Unanticipated discovery of human remains must be reported as soon as possible to the National Monuments Service and the National Museum of Ireland.
11. (1) The licensee shall:
  - a) Lodge **one digital (PDF/A format on CD or USB) and two hard copies** of a Preliminary Report on the excavation with the National Monuments Service, and **one digital (PDF/A format on CD or USB) and one hard copy** of same with the National Museum of Ireland within four weeks of the completion of the excavation. The Preliminary Report **must** be in the recommended format set out in the *Guidelines for Authors of Reports on Archaeological Excavations* (2006) issued by the National Monuments Service. Note that the coordinate referencing system in current use is the Irish Transverse Mercator (ITM) and not the 'National Grid' as set out in the Guidelines (pp. 3, 5, 8).
  - b) Lodge as an appendix within the preliminary report (referred to in (a) above) a 'Monument Report Form' for every previously-unrecorded monument discovered in the course of the excavation. The monument classification used on the form must accord with that operated by the National Monuments Service (see [www.archaeology.ie](http://www.archaeology.ie) Historic Environment viewer).
  - c) Unless otherwise agreed with the Minister, lodge, within twelve months of completion of the excavation, **one digital (PDF/A format on CD or USB) and two hard copies** of the Final Report on the excavation with the National Monuments Service, and **one digital (PDF/A format on CD or USB) and one hard copy** of same with the National Museum of Ireland. The Final Report **must** be in the recommended format set out in the *Guidelines for Authors of Reports on Archaeological Excavations* (2006) issued by the National Monuments Service. Note that the coordinate referencing system in current use is the Irish Transverse Mercator (ITM) and not the 'National Grid' as set out in the Guidelines (pp. 3, 5, 8). This report must be to publication standard and include a full account, suitably illustrated, of all archaeological features, finds and stratigraphy along with a discussion and specialist reports.
  - d) Publish a concise report to the standard accepted for publication on the [www.excavations.ie](http://www.excavations.ie) website for the year in which the licence is valid.
  - e) Lodge with the National Monuments Service one copy of any publication where the results of the excavation have been published.
  - f) Without prejudice to any of the above, where the licensee submits a written report on the excavation to another person or body prior to having submitted the reports referred to above to the National Monuments Service then the licensee shall notify the National Monuments Service in writing (which may be in email form) that such report has been submitted to that other person or body.

Without prejudice to any other requirements regarding the format of a report to be submitted to the National Monuments Service and the National Museum of Ireland in accordance with the above, all such reports shall be in two separately bound parts (or in the case of digital copies two separate files) as follows:

*First Part*

The first part shall contain purely archaeological information, i.e. the nature of the site in archaeological terms and the results in archaeological terms of the archaeological excavation. This part shall be identified using the reference number provided to the licensee under Condition 7 above. The first part shall, in particular, contain no personal data other than the name of the licensee.

*Second Part*

The second part shall contain other information where appropriate to be provided regarding the archaeological excavation, e.g. owner of the site, reasons for carrying out the archaeological excavation (other than archaeological research), information regarding funding and planning and development issues. This second part shall be identified with the same reference number but with an "X" appended.

12. The Minister may publish or make generally available in any form (including printed or electronic form which, without prejudice to any other form of publication or making available, may include



publishing or making available on the internet), any report, or part thereof, submitted under or in fulfilment of the conditions of this licence. A copy of a report so published or made available may identify the licensee.

- 13.** The final place of deposition of all archives associated with the archaeological excavation shall be the National Monuments Service archive except as may be otherwise directed by the Minister, which direction (which shall be complied with by the licensee) may provide for the deposition (in such manner as the Minister may determine) of the archives in another appropriate place or places or their disposal (whether in whole or part) in such manner as the Minister may determine. Where the final place of deposition is the National Monuments Service archive, the licensee shall comply with all directions and requirements of the Minister in regard to the manner and timing in which the archives are presented for deposition. Pending the deposition or disposal of the archives in accordance with the foregoing, the licensee shall maintain the archives safely and securely and shall advise the Minister, as and when requested, as to their location and the provision being made for their safety and security and shall provide access to the officers or agents of the Minister to inspect the archives at any reasonable time. Nothing in the foregoing shall oblige the Minister to accept deposition of all or part of the archives in the National Monuments Service archive, or to otherwise accept any responsibility for the archives, unless the Minister is satisfied that all other conditions of the licence have been complied with or fulfilled and that it is appropriate to accept such deposition or responsibility. In the foregoing 'archives' includes plans, drawings, photographs, site notebooks, record sheets, context sheets, finds lists or similar or related material whether in paper, hard copy or digital form.
- 14.** Officers, servants or agents of the Minister or the Board of the National Museum of Ireland may inspect at any reasonable time the archaeological excavation to which this licence applies and (without prejudice to the provisions of condition 13) any associated storage facilities, archives or records and the licensee shall facilitate any such inspection. In the foregoing 'reasonable time' includes (but is not limited to) any time when archaeological excavation work is being carried out on or at the location of the archaeological excavation or any time when post-excavation is being undertaken.
- 15.** The licensee accepts that failure by her or him to comply with or fulfil any of the above conditions shall be grounds for the Minister to refuse to issue to her or him any further or other licence under section 26 of the National Monuments Act 1930 (as amended), or to otherwise authorise or permit her or him under any other provision of the National Monuments Acts 1930 to 2014 to carry out archaeological excavation, until such time as such non-compliance or non-fulfilment has been rectified to the satisfaction of the Minister in such manner as the Minister may determine. Nothing in this condition shall be interpreted as obliging the Minister to issue or grant any particular licence or consent which may be applied for under the National Monuments Acts 1930 to 2014. An applicant aggrieved by a refusal by the Minister pursuant to this Condition to issue or grant a licence or consent may request the Minister to review the decision. Where such a review is requested, the Minister will appoint an independent and appropriately qualified person or persons to review the case and make a recommendation to the Minister. The final decision on the matter will rest with the Minister. Any applicant requesting a review under the provisions of this Condition must comply with any procedures specified by the Minister for requesting such a review and provide any information reasonably requested by the Minister or the independent person or persons appointed by the Minister under this Condition, including making themselves or any documents, records, objects or other material associated with the archaeological excavation available for interview or examination as the case may be.
- 16.** This licence may be revoked or suspended by the Minister on grounds of breach of, or non-compliance with, any condition of this licence or otherwise on the grounds that such revocation or suspension is necessary in the interests of protection of the archaeological heritage or otherwise in the public interest. This is without prejudice to any powers of the Minister under any enactment.
- 17.** The licensee shall notify the National Monuments Service in writing (which may be in email form) of the commencement of the excavation and of the conclusion or cessation (whether temporary or permanent) of archaeological excavation at the location to which the licence relates. Such notification shall take place as soon as may be after such commencement, conclusion or cessation.



- 18.** If the licensee decides or become aware that the licence will no longer be availed of within the time period for which it was issued, then the licensee shall, as soon as may be, notify the National Monuments Service in writing (which may be in email form) of this.

**Method Statement:**  
**Amendment to Archaeological Excavation Licence**  
**22E0840**  
**Proposed Lidl store, Newcastle, County Dublin**

Prepared by

**John Cronin & Associates**

Burnside

Saint Oran's Road

Buncrana

County Donegal

**August 2023**

# Introduction

John Cronin & Associates have been commissioned to undertake archaeological monitoring of topsoil stripping and excavation of potential archaeological features in the greenfield portion of a proposed new Lidl store at Newcastle South, County Dublin. The site has previously been subject to a programme of archaeological testing (Licence No. 22E0840) undertaken by Mr Martin McGonigle of John Cronin and Associates as part of an archaeological impact assessment. The testing identified a number of potential archaeological features at the northern end of the greenfield portion of the site.

The development has been granted planning (Ref. no. SD22A/0312) subject to a number of conditions, Condition 12 relates to archaeology and states the following:

## *12. Archaeological Monitoring.*

*Prior to the commencement of development on site, the developer/applicant shall discharge the following conditions:*

*(i) The developer shall engage a suitably qualified archaeologist to monitor (as an extension of Licence No. 22E0840 under the National Monuments Acts) all site clearance works, topsoil stripping, groundworks and/or dredging within the greenfield portion of the development site. The use of appropriate machinery to ensure the preservation and recording of any surviving archaeological remains shall be necessary.*

*(ii) Provide an updated Method Statement for the licensed archaeological monitoring, to be approved by the Department of Housing Local Government and Heritage, will include methodology for the preservation of features that were discovered during testing under Licence No. 22E0840.*

*(iii) Should additional 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 this Department, regarding appropriate mitigation [preservation in-situ/excavation].*

*(iv) The developer shall facilitate the archaeologist in recording any remains identified. Any further archaeological mitigation requirements specified by the planning authority, following consultation with this Department, shall be complied with by the developer.*

*(v) Following the completion of all archaeological work on site and any necessary post-excavation specialist analysis, the planning authority and this 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 facilitate the recording and protection of any items of archaeological significance that the site may possess.*

A programme of archaeological monitoring of topsoil stripping was undertaken across the greenfield portion of the development site between 19 July and 4 August 2023 (Licence No. 22E0840 ext.). A number of linear and curvilinear features were uncovered, including those identified during archaeological testing. Some of these features were considered to be modern drainage features and subsequent investigation has shown that some were modern stone drains and the remnants of cultivation furrows. However, a majority of the features are now considered to be archaeological and appear to be part of an enclosure of unknown date but potentially

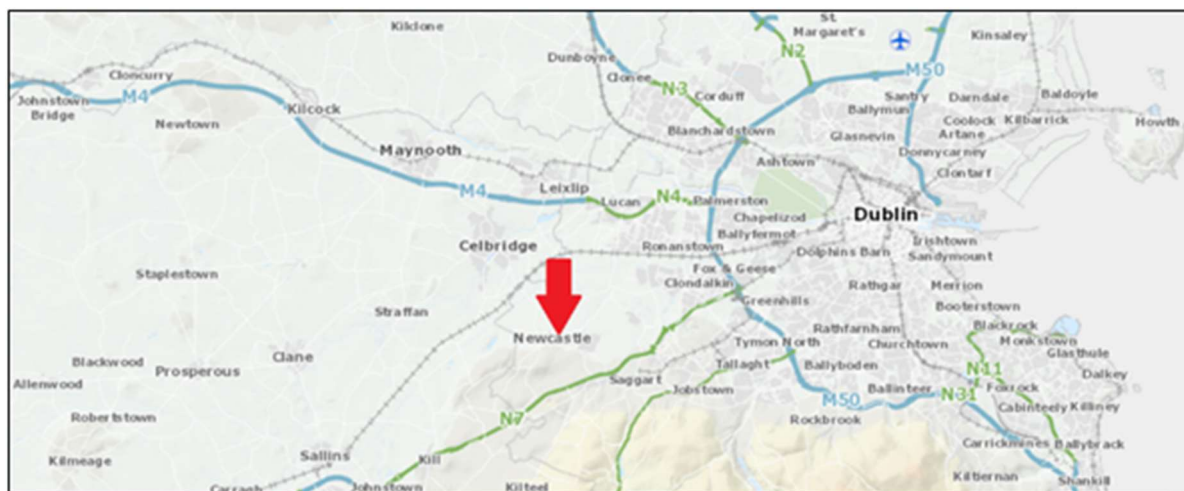


medieval. It is proposed that the archaeological features uncovered are mitigated through preservation by record under the existing monitoring and excavation (Licence No. 22E0840 ext.). This revised method statement is being submitted to the National Monuments Service (NMS) to provide further details on the archaeology uncovered during the monitoring and a strategy for their excavation and recording.

# Context

## Location

The subject site is located in the townland of Newcastle South, on the southern side of the main thoroughfare through the village of Newcastle, County Dublin (**Figure 1**).



*Figure 1: General location of subject site (Source: Government of Ireland, Historic Environment Viewer)*

## Archaeological background

A programme of archaeological testing was undertaken by Mr Martin McGonigle of John Cronin and Associates in November 2022 under licence no. 22E0840. The testing programme identified a small number of linear features of potential archaeological consequence at the northern end of the greenfield portion of the site. These features were cleaned back by hand but were not excavated. A section was excavated through a modern cultivation furrow and an exploratory sondage was excavated into one other large possible drainage ditch, but no archaeological features or deposits were removed. A small number of sherds of possible late or post-medieval pottery, early modern pottery, clay pipe fragments, sherds of glass, burnt limestones, animal bone – some of which had butchery marks -, ferrous slag, modern metal items, and plastics were found in the topsoil excavated from the trenches.

Newcastle has medieval origins, being first noted as a royal manor in 1215 and having borough status by the late fifteenth century. It is expected that some of the features identified on this site may relate to medieval to later activity. Investigation of the features has so far not determined the date of these features.

# Archaeological monitoring

## Overview

A programme of archaeological monitoring of topsoil stripping was undertaken across the greenfield portion of the development site between 19 July and 4 August 2023. All topsoil stripping was carried out using a 360° mechanical excavator fitted with a toothless bucket, operating under the strict archaeological supervision. The topsoil was stripped in a controlled manner to the uppermost archaeological horizon or natural geology, whichever was encountered first. The depth of the topsoil varied across the site from approximately 0.6m in the northwest corner to over 0.8m in the northeast corner and southern portions and had evidence of previous disturbance (**Plate 9**).

## Results of archaeological monitoring

To begin, an area measuring approximately 20m x 20m was stripped at the southeast corner of the site. The topsoil/overburden measured approximately 0.85m in depth, showing layering, which suggests that this site had been previously disturbed (**Plate 1**). This area did not contain any discernible archaeological features and was used to stockpile topsoil.

Topsoil stripping in the northern portion of the site revealed the features that were identified during test trenching, including a curving ditch-like feature containing cut animal bone in the northwest corner (**Plates 2 & 3**). A number of other linear features were identified to the south of this feature, including some east-west orientated modern stone drains (**Plate 4**), which run in a straight line towards the large drainage ditch along the western boundary of the field. Another curving ditch-like feature (**Plate 5**) was identified to the south of the northern one and seems somewhat concentric with it, but is narrower and shallower. There is evidence for a third curving ditch-like feature but further investigation is required to identify its full extent.

## Project Strategy

It is the intention of the licensee to undertake a programme of archaeological excavation to preserve these features by record in accordance with this amended method statement, under Licence no. 22E0840 ext.

### Archaeological Works

The following is a **written scheme and programme** outlining the proposed archaeological excavation works to be undertaken at the proposed development site.

1. All archaeological features will be photographed and planned on site. A written record will be made of all potential features, including pro-forma recording sheets; photographic record; drawing record, etc. All archaeological drawings will be drawn at a scale of 1:10/1:20 as appropriate and their location recorded by RTK/GNSS Rover. The location of any small finds will be surveyed by GPS and recorded as appropriate. It is proposed to excavate the linear features by way of a series of half-sections, each measuring between 1m and 4m in length. A full written, drawn and photographic stratigraphic record of each section will be compiled. Additional

excavation, recording or sampling to that stated may be implemented on site as deemed necessary by the Excavation Director. A post-excavation plan of excavated features will be drawn and post-excavation photographs taken. An archive of samples, artefacts, drawings, photographs and written records will be retained for post-excavation analysis off site.

2. Recording will be by means of Best Archaeological Practice. All archaeological features will be recorded using context sheets and scaled field illustrations. A photographic record will also be maintained which will show the work-in progress and any archaeological features or finds. The artefact retrieval strategy will follow the guidelines outlined in the National Museum of Ireland's Advice Notes for Excavators (2010 revision) and the recently published Standards for the care and treatment of archaeological objects from excavations (2022).

3. The appropriate specialists will be consulted as required and the potential for the future requirement of specialists will be addressed as part of the assessment of the results of this project. In the event that any human remains are encountered, the services of an osteoarchaeologist (John Cronin & Associates have previously retained the services of Dr. Denise Keating) will be engaged to advise on their treatment and assessment. The relevant authorities will be informed if any human bone is identified during the course of works. Onsite and post-excavation conservation and storage facilities will conform to the guidelines issued by the National Museum of Ireland (NMI), the Institute of Archaeologists of Ireland (IAI) and the Institute of Conservator-Restorers in Ireland (ICRI). Linda Langford will act as finds conservator for this project.

4. Soil samples will be taken from each archaeological feature excavated and retained for post-excavation analysis. As most of the sediments within the ditches appear to be well-drained, it is expected that most environmental remains will have been preserved through charring and therefore soils sample of 20 litres should be taken from chosen deposits. If deposits are too small to allow this level of sampling, the entire deposit should be sampled. In the case of any waterlogged ditch deposits, 10 litre samples will be taken. Changes to the sampling strategy may be required as the excavation continues, perhaps due to the discovery of new and unexpected deposits. All samples will be recorded and stored according to best practice and taking cognisance of TII Palaeo-environmental Sampling Guidelines: Retrieval, analysis and reporting of plant macro-remains, wood, charcoal, insects and pollen from archaeological excavations (2015).

5. On-site and post-excavation conservation and storage facilities will conform to the guidelines issued by the National Museum of Ireland (NMI), the Institute of Archaeologists of Ireland (IAI) and the Institute of Conservator-Restorers in Ireland (ICRI). John Cronin and Associates have previously retained the services of Susannah Kelly and she will be consulted in the event that a professional conservator is required during the course of the project. Storage for any retrieved finds will comprise a secure lockup at the offices of John Cronin and Associates, Burnside, Saint Oran's Road, Buncrana, County Donegal until such time that the archive is deposited at the National Museum of Ireland facility in Swords, Co. Dublin. The finds archive will be maintained at the offices of John Cronin and Associates until after the completion of all archaeological mitigation works on the subject site, following which an amalgamated finds archive (if any) will be submitted to NMI.

6. Results of the archaeological programme shall be presented in an archaeological report which will be submitted to the NMS and Client (for issue to the Planning Authority) within four weeks of the completion of site works. This report will include:

- The planning background/mitigation measures advised by the Planning Authority

- A description of the development scheme
- The archaeological evaluation methods
- An overview of all archaeological sites/features within the area
- Results of the archaeological programme
- Conclusions and recommendations
- Maps, plans and photographs of the site



## Appendix: photographic record



*Plate 1: View of topsoil section in the southeast portion of the site, facing west*



*Plate 2: View of topsoil stripping uncovering the ditch in the northwest portion of the site, facing south*





**Plate 3:** View of ditch in the northwest portion of the site, facing north



**Plate 4:** View of east-west oriented stone drain located in the northwest portion of the site, facing west



**Plate 5:** View of curvilinear feature in the northwest portion of the site, facing southeast





*Plate 6: Working shot showing topsoil stripping, facing south*



*Plate 7: View of the southwest corner of the site, facing south*





*Plate 8: View facing northeast from the southwest corner of the site during topsoil stripping*



*Plate 9: View of topsoil containing modern rubbish, facing west*

*Appendix D*

*Community Consultation Details*



## Keeping your Community Informed NEWSLETTER



### Community Newsletter

An update on the construction plan for the new Lidl store in Newcastle.

#### Introduction

Lidl Ireland and NRS Group would like to introduce our company to you, the local community of Newcastle. In the coming weeks we will commence construction on a new Lidl store on the site and we would like to take this opportunity to reassure you that we will be taking all the necessary steps to ensure that the construction phase causes you as little disruption as possible. We appreciate your patience during this time.

The purpose of this newsletter is to keep you informed of our progress on site and our plans going forward. Any queries, please call into site to meet us or contact us by emailing any queries to: [support@nrsgroup.eu](mailto:support@nrsgroup.eu)

**Email:**

[support@nrsgroup.eu](mailto:support@nrsgroup.eu)

**Site Contact:**

Dermot Kenny 083-3345450

**Website:**

[www.nrsgroup.eu](http://www.nrsgroup.eu)

**Construction Commencement:**

December 2023

**Store Opening:**

July 2024

## Keeping your Community Informed NEWSLETTER

### Site Setup

The site will be securely closed off with temporary hoarding around the perimeter of the site for the community's safety. A gateman will control all entry to the site. The site will be monitored at all times with sensors and CCTV cameras, seven days per week, including weekends and during any bank holidays.

### Construction Staff Parking & Working Hours

On site parking is provided of all staff & employees and this will cater for all needs during the construction works. Construction staff will not use any parking spaces around the external perimeter of the site. This will be policed by NRS Group employees.

Working hours will be as per those granted in the planning permission.

### Deliveries

Deliveries to the site will be managed and spaced out throughout the day.

Delivery times will be coordinated in a manner to avoid queuing of construction traffic at the site entrance during peak periods in the day.

No deliveries will take place until early January, however there may be construction traffic entering and exiting traffic during the pre-commencement works.

### Our Plans for the Months Ahead

Preliminary enabling works, tree felling, and the site clearance will be starting in the coming weeks, the hoarding will be installed from Monday 04<sup>th</sup> December.

From early January the site will be cleared, and foundation pads constructed for the buildings concrete frame will start.

Later in the month of January will see the retaining walls commence construction. In February will see the precast concrete columns and walls of the building being installed to roof level. Site drainage & diversion of existing underground services will also be completed.

Our onsite management team will coordinate all works to ensure works are carried out efficiently and effectively with as little disruption as possible.

*Appendix E*

*Tree Protection Details*

## Austen Associates Drawing Issue Sheet

<b>Project:</b>	Lidl Newcastle
<b>Project No.:</b>	077622
<b>Status of Project:</b>	Planning


Drawing Title	No	Size	Scale	Revision									
Tree Survey Plan	TS_01	A1	1:250	A	B	F							
Tree Protection Plan	TP_01	A1	1:250	A	B	I							
Tree Report		A4			D 01	D03							

<b>Issued by:</b>				EOD	EOD	EOD							
	<b>Day</b>	28	20	28									
	<b>Month</b>	4	5	11									
	<b>Year</b>	2022	2022	2023									

Distribution	No. of copies							
Andre Berg, Lidl	1	1						
Fintan Morrin, TPP	1	1	1					
Peter Gannon, SDS	1	1						
Tanya Durkan, SDS	1	1						
Tim Darmody, Darmody Architecture	1	1						
Alan Ryan, Darmody Architecture	1	1						
Stephen Reid	1	1						
Kevin Fenlon			1					

<b>Purpose of Issue</b>	IP	FV	FV					
<b>Form of issue</b>	EPD	EPD	EPD					

Purpose of Issue: IP - In Progress Draft FV - Finalised Version for Client Approval TI- To tender  
 Form of issue: P- Hard Copy, Email: EPD- Pdf, EC - Cad, EPP - PPoint, EW - Word, EX - Xcel ,  
 SR-shared repository  
 Austen Associates, Renishaw House, Ballyguile Beg, Wicklow Town, Co. Wicklow, A67 XH92  
 T: 0404 66827  
 E: designdesk@austenassociates.ie

  
 AUSTEN ASSOCIATES



AUSTEN ASSOCIATES

TREE & VEGETATION SURVEY, ASSESSMENT, MANAGEMENT & PROTECTION  
MEASURES  
FOR

**Lidl Newcastle**

**CLIENT: Lidl Ireland GmbH**

**November 2023**

D 004

Planning Compliance

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## 1.0 Introduction

This tree survey was commissioned as part of proposals for permission for development at Main Street Upper, Newcastle, Co. Dublin, principally consisting of the construction of a Discount Foodstore Supermarket with ancillary off-licence sales. The proposed development comprises:

1) The construction of a single storey Discount Foodstore Supermarket with ancillary off-licence use (with mono-pitch roof and overall building height of c. 6.74 metres) measuring c. 2,207 sqm gross floor space with a net retail sales area of c. 1,410 sqm;

2) Construction of a vehicular access point to Main Street Upper and associated works to carriageway and including partial removal of boundary wall / façade, modification of existing footpaths / public realm and associated and ancillary works including proposed entrance plaza area;

3) Demolition of part of an existing rear / southern single storey residential extension (and related alterations to remaining structure) of 'Kelly Estates' building. The original 'Kelly Estates' building (a protected structure - Eircode: D22 Y9H7) will not be modified;

4) Demolition of detached single storey accommodation / residential structure and ancillary wall / fence demolitions to rear of existing 'Kelly Estates' building;

5) Demolition of existing single storey (stable) building along Main Street and construction of single storey retail / café unit on an extended footprint measuring c. 118 sqm and associated alterations to existing Main Street boundary façade;

6) Renovation and change of use of existing (vacant) two storey vernacular townhouse structure to Main Street, and single storey extension to rear, for retail / commercial use (single level throughout) totalling c. 61 sqm;

7) Repair and renewal of existing Western and Eastern 'burgage plot' tree and hedgerow site boundaries; and,

8) Provision of associated car parking, cycle parking (and staff cycle parking shelter), pedestrian access routes and (ramp and stair) structures (to / through the southern and western site boundaries to facilitate connections to potential future development), free standing and building mounted signage, free standing trolley bay cover / enclosure, refrigeration and air conditioning plant and equipment, roof mounted solar panels, public lighting, hard and soft landscaping, boundary treatments and divisions, retaining wall structures, drainage infrastructure and connections to services / utilities, electricity Sub-station and all other associated and ancillary development and works above and below ground level including within the curtilage of a protected structure.

This survey covers the trees on site and any trees overhanging the site. The trees and vegetation were surveyed on the 24/03/2022 and on 03/05/2022 by this practice and the findings have been summarised and recorded in the following report. All significant trees have been individually identified and numbers referenced in the survey table, Appendix 1.

This report should be read in conjunction with Drawing No. 077622\_TS\_01 (Tree Survey Plan) and Drawing No. 077622\_TP\_01 (Tree Retention and Protection Plan).

There are no Tree Protection Orders on the trees subject to this report.

Trees have been located as per the topographical survey carried out by National Land Surveys 'NLS\_LIDL\_Newcastle Site\_Rev4\_2D' to Irish Transverse Mercator coordinates and the National Tree Map data from [www.bluesky.ie](http://www.bluesky.ie). And measurements taken on site.

This report has been updated to take account of site layout changes made November 2023.

## **2.0 Report Limitations**

The trees are subject to a basic visual inspection only. A visual inspection is from ground level only and it shall be borne in mind it is subject only to obvious external defects visible at the time of inspection. It does not include a climbing inspection, below ground, tomographical readings or internal investigations.

### 3.0 Existing Environment

The site is situated off the Main Street, R405 in the village of Newcastle, Co. Dublin. The area is village centre in character, with residential properties and businesses located on the Main Street. The wider area is made up of residential housing estates off the village centre and agricultural farmland further afield. The field pattern is characteristic to the area with long narrow 'burgage plots' forming green fingers extending into the adjacent countryside.



*Figure 1: northern part of the site looking north across the yard, the western hedgerow, hedgerow 03 is visible to the right-hand side of the image*



The site itself is an open field, to the south, recently of agricultural use, with short grass making up the plot. There is an open ditch to the west side for part of the boundary. A mound c. 2.0 m high runs east west, separating the grass field from an open hard standing yard that fronts on to the Main Street. A line of Leyland Cypress *X Cuprocyparis leylandii* trees are located just to the south of the mound. The yard is bounded by a well-established hedgerow to the west and a mish mash of Leyland Cypress *X Cuprocyparis leylandii* to the east.



*Figure 2: Southern part of the site looking north, Leyland Cypress X Cuprocyparis visibly, mound partially visible between the Leyland Cypress X Cuprocyparis leylandii*

#### Site Boundaries:

The Northern boundary of the site is made up of a stone wall approximately 2.0m in height. There is a building to the west side of this wall.

The southern boundary is open to the rest of the grass field, with a hedgerow to the rear/south side of the entire field approximately 200m from the southern site extents.



*Figure 3: Leyland Cypress X Cuprocyparis Tree Group 01 on the eastern boundary*

The eastern boundary of the site, to the northern end is formed by a mish mash of self-seeded planting and Leyland Cypress *X Cuprocyparis leylandii*. To the southern part of this boundary, there is some better hedgerow, hedgerow 02. Though this is quite weak and needs augmentation with suitable native hedgerow species.





*Figure 4: Eastern boundary, southern part, hedgerow 02, this hedgerow is somewhat scraggy with cut brush in the hedgerow, it needs to be cleaned out and augmented with supplementary native planting*

The western boundary is made up of hedgerow, hedgerow 01 and hedgerow 02 with some native trees within the hedgerow. Hedgerow 01 has a drainage ditch running parallel to the boundary.

## 4.0 Design Evolution and Tree Protection

At the initial stages of the design process, the Arborist met with the design team, which includes the planning consultants 'The Planning Partnership', engineering consultants 'Structural Design Solutions', Architects 'Darmody Architecture', Lidl Project management and conservation architects 'John Cronin and Associates'. The importance of the Burgage plots was outlined and the site layout composed to maximise tree retention in the Burgage plots.

Once the tree survey drawing was prepared, the constraints on the trees were set out to the design team and the site layout, including buildings, car parking and services, adjusted to facilitate tree and hedgerow retention.

A pre planning meeting took place with South Dublin County Council on the 11<sup>th</sup> April 2022. The Burgage plots were discussed and the feedback from the discussion from South Dublin County Council Department of Environment, Water and Climate Change, was that where unsuitable species such as Leyland Cypress *X Cuprocyparis Leylandii* and self-seeded scrub species were present, that the line of Burgage plot be retained and the unsuitable planting removed and the hedge line planted with appropriate native species.

The project design team meetings have been ongoing and the architect has produced a site layout based on the discussions in preplanning with South Dublin County Council as well as the project arborists input regarding tree and vegetation constraints and protection.

After discussions re tree protection, the project engineer has set out site services and drainage to avoid the RPA's of the trees and retained hedgerows.



## 5.0 Arboricultural Impact Assessment

This section of the report describes the impacts that the proposed development will have on the trees. To be read in conjunction with the tree survey and tree protection drawings 077622\_TS\_01 and 077622\_TP\_01. Refer to section 5 Arboricultural Method Statement below for details on the protective actions required.

### Burgage plots boundaries

Hedgerow 01 is located on the southern part of the western boundary. Species are *Fraxinus excelsior* Ash and *Crataegus monogyna* Hawthorn with some *Sambucus nigra* Elder, present. The hedge is quite overgrown with *Rubus fruticosus* Briar and *Hedera helix* Ivy. A dilapidated timber post and wire fence is intermittently located on the boundary, in places secured to the vegetation. There are 2 number Ash *Fraxinus excelsior* trees located within this hedgerow. These trees have Ash Die Back disease *Hymenoscyphus fraxineus*. These trees will die over the next few years regardless of development.

Impact of the development of Hedgerow 01:

- There is a ditch approximately 1.5m deep, running immediately parallel to this hedgerow. It is expected that the roots of the trees and hedgerow plants have not extended past this ditch. The site layout has a wide landscape space adjacent to this ditch. There will be construction traffic passing the ditch. Landscape works will be carried out close to the hedgerow.
- An access route to the neighbouring site is proposed through this hedge. As per the Newcastle Local Area plan 2012 '*It is accepted that gateways will need to be carefully created through small sections of the hedgerow*

*in order to allow for access and movement between and along streets and spaces..'*

- One Elder *Sambucus nigra* is located on the other side of the ditch further into the site. As this bush has seeded away from the Burgage plot boundary line, it is proposed for removal.
- Some car parking spaces are to be located within the edge of the RPA. There will be some minor damage to the root system, this is expected to be minimal and will not be detrimental to the hedge.
- A stepped access route is proposed adjacent to this hedge, running parallel to the hedge. The footprint of this access route will come close to the RPA of the hedge with a slight overlap close to the access route to the neighbouring site. There will be some root damage, particularly where the access route overlaps with the RPA, however, the hedgerow species involved are robust and will tolerate this minor incursion into the RPA.

#### Action:

- Tree protective fencing will be placed to prohibit access within the RPA of the hedgerow and protect the above and below ground parts of the hedgerow.
- Remove Ash *Fraxinus excelsior* that is suffering from Ash Die Back disease *Hymenoscyphus fraxineus*
- Remove strayed Elder *Sambucus nigra*.
- Remove trees and vegetation where the access route is proposed.
- Project arborist to oversee excavation works within and close to the RPA.

Hedgerow 02 is located on the northern part of the western boundary. It includes tree numbers 1792, 1793, 1794 and 1795. Species are *Fraxinus excelsior* Ash and *Crataegus monogyna* Hawthorn and Blackthorn *Prunus spinosa*.

The hedge is quite overgrown with *Rubus fruticosus* Briar and *Hedera helix* Ivy. There are a number Ash *Fraxinus excelsior* trees located within this hedgerow. These trees have Ash Die Back disease *Hymenoscyphus fraxineus*. These Ash trees will die regardless of development. There is a large Sycamore *Acer pseudoplatanus* tree growing as part of this hedgerow. It has been severely pruned on the eastern side.

#### Impact of the development of Hedgerow 02:

- A landscape space is proposed adjacent to this hedgerow. There will be construction traffic passing the hedgerow. Landscape grass seeding works will be carried out close to the hedgerow.
- An access route to the neighbouring site is proposed through this hedge.
- Some car parking spaces are to be located within the RPA.
- Due to the level difference between the proposed car parking and the existing ground level within the RPA, a retaining wall will be required to maintain the integrity of the RPA.

#### Action:

- Tree protective fencing will be placed to prohibit access within the RPA of the hedgerow and protect the above and below ground parts of the hedgerow.
- Remove Ash *Fraxinus excelsior* that is suffering from Ash Die Back disease *Hymenoscyphus fraxineus*.
- Minimal cultivation allowed to grass seeding works within the RPA.
- Use a No Dig cellular confinement system where car parking is located within the RPA.
- Remove trees and vegetation where the access route is proposed.

Tree Group 01 is a juvenile group of non-native Maple *Acer platanoides* and Ash *Fraxinus excelsior*. It is unclear if the Ash *Fraxinus excelsior* is suffering from Ash Die Back Disease *Hymenoscyphus fraxineus*. These trees have recently self-seeded to the rear of the garden boundary wall associated with the residential dwelling to the rear of Kelly estate agents.

Impact of the development: It is proposed that car parking will be located in this area.

Action: Remove.

Tree Group 02 is a group of large spreading Leyland Cypress *X Cuprocyparis leylandii*. The group is located along the line of the burgage plot boundary. They are very poor-quality trees. The species is non-native and poor from an ecological point of view. They are a quick growing agricultural shelter belt plant, the crowns of which tend to break up as they mature. The crowns of the trees have already started to break up in this group, with dead branches present. One of the trees on the southern end is already dead. Tree 1791, a Leyland Cypress *X Cuprocyparis leylandii* located close by, has fallen and the crown is clearly breaking up.

Impact of the development: It is proposed that the Lidl store will be located adjacent to this area. Foundation construction and construction access will impact negatively on this group.

Action: Remove, replant the burgage plot boundary line with appropriate native species. Refer to Landscape Plan 077622\_LP\_01 for details.

Tree no. 1791 is a Leyland Cypress *X Cuprocyparis leylandii* that has fallen and is leaning severely to the west. The crown is breaking up and there is a major limb broken.

Impact of the development: It is proposed that car parking and part of the Lidl building will be located in this area.

Action: Remove, replant with appropriate native species.

Poor quality self-seeded scrub there is a thicket of shrub like planting of very poor quality. Species are mostly Hawthorn *Crataegus monogyna*.

Impact of the development: It is proposed that the Lidl building is located close to this group.

Action: This vegetation is to be assessed for retention during construction. It is felt that, due to its poor quality, the vegetation could be removed if required, without having a detrimental effect on the burgage plot boundary. However, as the Lidl building is to be located 5.0m from the boundary and, as the species are appropriate for the burgage plot boundary setting, much of this group can be retained if possible and improved with additional planting.

Tree Group 03 is a linear group of very poor-quality Leyland Cypress *X Cuprocyparis leylandii*. The group is located along the line of the Burgage plot boundary. The species is non-native and poor from an ecological point of view, as with tree group 02 above.

Impact of the development: Car parking spaces are proposed within the root protection area of these trees.

Action: Remove, replant the burgage plot boundary line with appropriate native species.

Hedgerow 03 is located on the Southern part of the Eastern boundary. Species are *Fraxinus excelsior* Ash and *Crataegus monogyna* Hawthorn and Blackthorn *Prunus spinosa*. The hedge is quite sparse in places and needs augmentation.

Impact of the development of Hedgerow 02:

- It is proposed that the Lidl building be located 5m from the boundary and close to the RPA. Due to the level difference between the proposed car parking and the existing ground level within the RPA, a retaining wall will be required to protect the integrity of the RPA.

Action:

- Tree protective fencing will be placed to prohibit access within the RPA of the hedgerow and protect the above and below ground parts of the hedgerow.
- The excavations for building foundations and building construction will be supervised on site by the project Arborist.
- Any local removal of hedging will be supervised by the project Arborist and suitable replacement planting will be planted.

### **Trees within the site**

Tree Group 04 is a linear group of large spreading Leyland Cypress *X Cuprocyparis leylandii*. The group is growing east to west.

Impact of the development: The Lidl building and car parking access road will be located within the root protection area of these trees.

Action: Remove

Tree no.'s 1788 & 1789 are self-seeded mature Willow *Salix* spp.

Impact of the development: Car parking access and car parking will be located within the root protection area of these trees.

Action: Remove

Tree no. 1790 is a semi-mature Birch *Betula pendula*

Impact of the development: The Lidl building will be located within the root protection area of these trees.

Action: Remove

## 6.0 Arboricultural Method Statement

### Introduction:

This method statement contains information that will allow the building contractor set up the site for protection of trees. It will also help the contractor prepare a method statement detailing how they intend to protect retained trees.

The existing site contains a number of mature trees, they are generally of reasonable quality. Some of these trees are called up for removal and some for retention. Please refer to the drawing 077622\_TP\_01 and the Arboricultural Impact Assessment above for details. The principal standard for tree retention practices is BS 5837:2012.

### Tree rooting:

The majority of the tree's roots are in the top 1000mm of the soil, with the majority of feeding and anchoring roots in the top strata. Typically, they spread laterally from the trunk out beyond the crown. The area of the tree roots is referred to as the **Root Protection Area, RPA**, and is indicated on the accompanying plans, 077622\_TS\_01 and 077622 TP\_01. The RPA of the trees to be retained is not to be disturbed or impacted upon by construction.

**CRITICAL: UNDER NO CIRCUMSTANCES ARE LEVELS TO BE RAISED OR LOWERED IN THE ROOT PROTECTION AREA!** Without written agreement

from the project Arborist.



### Removal of trees:

Trees are to be removed to the standard set out in BS 3998:2010. They are to be safely felled with stumps and roots to be removed. The trees proposed for removal are adjacent to trees proposed for retention. Care is to be taken so as to not damage the above ground parts, (bark, trunk, branches, shoots and leaves etc. of the retained trees). The roots of the retained trees are to be protected also. Note the rootzone that requires protection is indicated on the drawing 077622\_TS\_01.

### Retention of trees:

- The root protection area of the trees has been worked out in line with the guidance given in BS 5837:2012. It is indicated on drawings 077622\_TS\_01 and 077622\_TP\_01. This area is an estimate of the below ground root spread of the trees and protection of this area is of utmost importance.
  - No alterations of ground levels are to occur within the RPA, this includes excavations or raising of ground levels.
  - Any practices that would lead to compaction within the RPA such as storage of materials or location of site buildings are strictly prohibited.
  - Any spillages, washings or any other possible contamination of the soil in the rootzone from construction operations is prohibited.
- The above ground parts of the trees will be protected from damage from site traffic and machinery and from felling operations of adjacent trees.

### Construction method statement

The building contractor must prepare a construction method statement in relation to retaining trees on site.

- This method statement will detail how construction work and activities including but not limited to; waste management, site traffic management, location of services (both underground and overhead), will be planned so that there is little or no impact on the root protection areas and over-ground plant parts of the trees or protected vegetation.
- This will include outline drawings showing location site traffic routes, storage areas, welfare facilities, waste management areas etc. in relation to the locations of retained trees.
- It will outline the locations of and materials to be used in tree protective fencing. See below for tree protective fencing requirements.
- It will outline the induction process for all staff and sub-contractors in relation to tree protection.
- It will use this document as a minimum standard for tree protection. All tree protection measures mentioned herein shall be the construction method statement.

### Tree work

- Any tree work undertaken on site will be in line with BS 3998. An assessment shall be taken for the presence of any protected wildlife prior to removal and any ecological survey recommendations will be observed.
- Scrub, including Briar will be removed from around the trees. The above ground parts of the trees are not to be damaged. There will be no excavation within the RPA. Specific roots of Briar etc. may be removed by hand digging.

- Some minor branch removal operations will have to be carried out to individual trees. This must be carried out by a trained professional with adequate experience.

### Tree protection areas

The alignment of the tree protective fencing will be as shown on Drawing No. 077622\_TP\_01 and is specifically designed to protect the tree roots. Construction traffic will be diverted between tree protection areas for the duration of construction and no heavy-duty traffic shall pass over the RPA of retained trees prior to erection of tree protective fencing. The fencing shall remain in place for the duration of the construction works and shall only be removed when all works are complete. The tree protective fencing alignments will not be altered, even on a temporary basis, without the written consent of the project arborist.

### Tree Protection

- No materials, site storage areas, cement washing points, construction waste disposal areas shall be located in or around the Root Protection Areas.
- No noxious liquids shall be disposed of or deposited within the RPA.
- Rubbish shall not be burned in the RPA
- The soil level shall not be altered in any way, (raised or lowered) within the RPA.
- No action that might cause compaction within the RPA are to be carried out, this includes but is not limited to: placement of site facilities, storage of machinery, storage of materials, topsoil storage, staff parking.
- No signage, staples, boards or any other item/material shall be attached to any retained tree.
- Site machinery with extending arms, buckets etc. shall not damage the above ground parts of the trees.

### Tree Protective fencing

protective fencing shall be as outlined on Drawing No. 077622\_TP\_01 and shall remain in place during the construction works. Any works within the tree protective fencing shall be supervised on site by the project Arboriculturist. Signage shall be attached to the fencing reading 'Tree Protective fencing KEEP OUT'

Reports on the successful completion of the works shall be issued by the project Arboriculturist on completion. Once the tree protective fencing is in place and has been approved by the project Arboriculturist, the contractor may commence site set up.

No materials, site storage areas, cement washing points, construction waste disposal areas shall be located in or around the Tree Protection Areas. No noxious liquids shall be disposed of or deposited within the TPA.

This fencing must be checked daily by the site foreman to ensure it is on the alignment shown in the drawings and is rigid with no breaches.

It must be in place for the entirety of the works programme, it is the last item to be removed off site on completion of works.

### Review and Management

- It is recommended that the developer appoint an arborist prior to commencement of construction.
- A pre-commencement meeting shall be held with the arborist and contractor in attendance.
- Ongoing meetings shall be held on site during the works, inspections shall be carried out by the arborist at the following stages;

- Erection of tree protective fencing- i.e., prior to demolition/site enabling works.
  - Any excavations in the vicinity of tree roots
  - Installation of cellular confinement system
  - Post construction review.
  - 2 weeks' notice will be given to the arborist prior to a required site visit.
- Retained trees are assessed on completion of the development.

## 7.0 Conclusions

The burgage plot boundaries are of important cultural, historic and ecological value and are to be retained and protected.

Part of the eastern burgage plot boundary is made up of unsuitable vegetation, including a large tract of Leyland Cypress *X Cuprocyparis leylandii*, along with some self-seeded poor-quality vegetation. It is proposed that this is removed, apart from a section of self-seeded vegetation that may be retained, Hawthorn *Crataegus monogyna* species.

Replacement and augmentation planting is proposed to re-instate the burgage plot boundaries. These works will see the removal of unsuitable spreading non native species. These species will be replaced with more suitable native species, resulting in an improvement to the burgage plot boundaries.

Tree protective fencing will be erected to prohibit access to the rooting area of the trees. This tree protective fencing to BS 5837:2012 will be in place all through construction, along with adherence by all on site with the instructions

regarding the protection of the RPA. These steps are critical to the successful retention of trees.

At construction stage, the contractor must carefully read this report and use it as a basis for drawing up his/her own construction method statement in relation to tree protection.



Signed: \_\_\_\_\_

Date 28/11/20223

**Eunan O'Donnell** (Associate) BSc Ag, Dip Hort, MILI, Arb Cert, TechArborA,

Senior Project Landscape Architect and Arborist

## Appendix 1 Schedule of Tree Data

### List of Abbreviations Used in Schedule of Tree Data Below:

m = Metre

cm = Centimetre

CBH= Circumference at Breast Height

NA = Not Applicable

TS = Twin Stems

MS = Multi Stems

ERC = Estimated remaining contribution in years (<10, 10+, 20+, 40+)

### Age Class:

A = Young: A tree which has been planted in the last 10 years or is less than 1/3 expected height of the species in question

B = Middle aged: A tree which is between 1/3 and 2/3's the expected height of the species in question

C. = Mature: A tree that has reached the expected height of the species in question, but is still increasing in size

D =Over Mature: A tree at the end of its life cycle and the crown is starting to break up and decrease in size

V= Veteran: A tree showing signs of biological, cultural or aesthetic value that are characteristic of, but not exclusive to, individuals surviving beyond the typical age range for the species concerned.

### Health Status:

L = low vigour

Md = Moderate vigour

N = Normal vigour



**Condition Class :**

U=Those trees in such a condition that they cannot realistically be retained as living trees in the context of the current land use for longer than 10 years

A = Trees of high quality with an estimated remaining life expectancy of at least 40 years

B = Trees of moderate quality with an estimated remaining life expectancy of at least 20 years.

C= Trees of low quality with an estimated remaining life expectancy of at least 10 years, or young trees with a stem diameter below 150mm.

The above categories (A, B and C) will be further subdivided with regard to the nature of their values or qualities. A tree may be awarded one or more value categories as below, but such attributes do not infer any additional value and it may be possible for a tree may qualify for one or more of the categories as below.

**Sub-categories:****1-mainly Arboricultural Values:**

A = Good: Typically, a good quality specimen, which is considered to make a substantial Arboricultural contribution

B = Fair: Typically including trees regarded as being of moderate quality.

C= Poor: Typically including generally poor-quality trees that may be of only limited value.

**2- mainly Landscape Values:**

A = Good: A tree which provides definitive screening or softening effect to the locality in relation to views in or out of the site, and/or is of a high aesthetic value.

B = Fair: A tree which provides moderate screening or softening effect to the locality in relation to views in or out of the site, and/or is of a medium aesthetic value.

C = Poor: A tree which provides low screening or softening effect to the locality in relation to views in or out of the site, and/or is of a low aesthetic value.

**3-Cultural Values:**

- A = Good: A tree which provides high conservation, historical or commemorative values.
- B = Fair: A tree which provides medium conservation, historical or commemorative values.
- C = Poor: A tree which provides low conservation, historical or commemorative values.

No.	Species	Ht	N	S	E	W	Dia (DBH)	Vigour	Age Class	Cond Class	ERC	Comments	Priority Action
H 01	Hedgerow 01 Ash <i>Fraxinus excelsior</i> Hawthorn <i>Crataegus monogyna</i>	8-10 4-6	2.0 2.0	2.0 2.0	5.0 1.0	4.0 1.0	350mm N/A	N	C	C2	20+	Dilapidated timber post & wire fence 1-2m high all overgrown with briar and ivy Hedge has grown out. Ditch 1.5 m deep at base of hedge, Ash	Retain, trim, clean out briar and add planting, local removal for access route, remove 1 Elder and Ash
1791	Leyland Cypress <i>X Cuprocyparis leylandii</i>	12-14	6	4	1	6	500 300	N	C	C2	10+	Lean to west Crown breaking Large broken branch	Remove
H 02	Hedgerow 02 Hawthorn <i>Crataegus monogyna</i> , Sycamore <i>Acer pseudoplatanus</i> , Small Ash <i>Fraxinus excelsior</i>	4-6	Hedge line runs north south		3.0	3.0		N	C	C2	20+	Mostly shrub briar + ivy needs a good rejuvenation	Retain, trim, clean out briar and add planting, local removal for access route, Some works in RPA for car parking,
1792 H 02	Sycamore <i>Acer pseudoplatanus</i>	12-14	3.5	3.5	3.5	3.5	M/S 300,300, 200mm	N	C	C2	20+	On slightly raised embankment Lent to east, long seams of included bark on main union = hazard	Crown reduce by 20%
1793 H 02	Sycamore <i>Acer pseudoplatanus</i>	10-12	3.0	2.5	3.0	2.0	200mm	N	B	C2	20+	Heavily overgrown with Ivy	Minor pruning

No.	Species	Ht	N	S	E	W	Dia (DBH)	Vigour	Age Class	Cond Class	ERC	Comments	Priority Action
1794 H 02	Sycamore <i>Acer pseudoplatanus</i>	14-16	7.5	7.0	1.5	6.5	500mm	N	C	C2	20+	Pruned to east Heavy ivy on stem	Minor pruning
1795 H 02	Ash <i>Fraxinus excelsior</i>	12-14	4.5	6.0	5.5	6.0	300 320mm	Md	C	C2	<10	Dead buds on stem – likely Ash die back, assess during construction Heavy ivy on stem	Remove
TG 01	Maple <i>Acer platanoides</i> Ash <i>Fraxinus excelsior</i>	10-12	3.0	3.0	2.0	2.0	150/ 200mm	N	B	C2	10+	Appears to be self-seeded group Heavy ivy, some briar, located within the site	Remove
TG 02	Leyland Cypress <i>X Cuprocyparis leylandii</i> Tree group 02	14-16			6	6	400mm	N	C	C2	20		Remove
1787 TG 03	Sample tag Leyland Cypress <i>X Cuprocyparis leylandii</i>	14-16	3	6	6	6	430mm	N	C	C2	20+	Large spreading conifer, tagged as a typical example of the trees in this group	Remove
TG 03	Leyland Cypress <i>X Cuprocyparis leylandii</i> Tree group 03	14-16			6	6	400mm	N	C	C2	20	1 dead tree on southern end, large spreading line of non-native conifers	Remove

No.	Species	Ht	N	S	E	W	Dia (DBH)	Vigour	Age Class	Cond Class	ERC	Comments	Priority Action
H 03	Ash <i>Fraxinus excelsior</i> , Hawthorn <i>Crataegus monogyna</i> , Elder <i>Sambucus nigra</i>	4-6 4-6 4-6			2-3 2.0 2.0	2-3 2.0 2.0	N/A	N/Md	C	C2	20+	The hedge is scrubby and intermittent Cleaned brushwood left lying on hedge	Retain and augment,
1788	Willow <i>Salix</i> spp.	8-10	4	4	5	4	145,180, 170,120, 120,120 mm	N	C	C2	20+	Briar <i>Rubus fruticosus</i> and ivy <i>Hedera helix</i> growing at base	Remove
1789	Willow <i>Salix</i> spp.	8-10	3	4.5	3	5	MS 150,130, 120,120, 100mm	N	C	C2	20+	Briar <i>Rubus fruticosus</i> and ivy <i>Hedera helix</i> growing at base	Remove
TG 04	Leyland Cypress <i>X Cuprocyparis leylandii</i>	12-14	3	6	6	6	Typical 400mm	N	C	C2	20+		Remove
1790	Birch <i>Betula pendula</i>	8-10	1.5	1.5	1.5	1.5	180	N	B	C2	10+	Lean to north Some damage to root area	Remove

No.	Species	Ht	N	S	E	W	Dia (DBH)	Vigour	Age Class	Cond Class	ERC	Comments	Priority Action
1791	Leyland Cypress <i>X Cuprocyparis leylandii</i>	12-14	6	4	1	6	500 300	N	C	C2	10+	Lean to west Crown breaking Large broken branch	Remove
A	Leyland Cypress <i>X Cuprocyparis leylandii</i>	4-6	2.5	2.5	2.5	2.5	M/S 100 x5	N	B	C2	20+	Small tree. Offers some screening to property	Remove

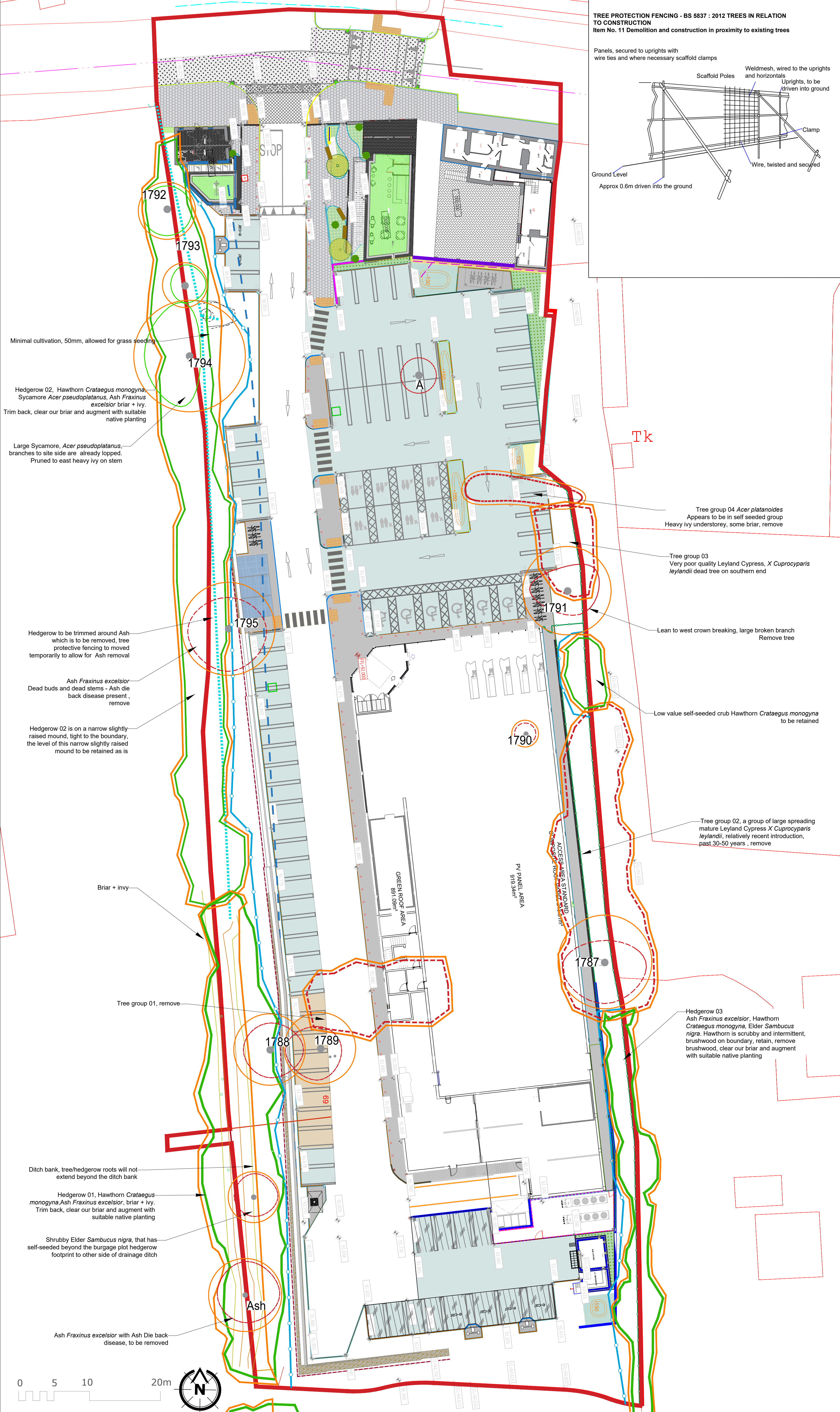
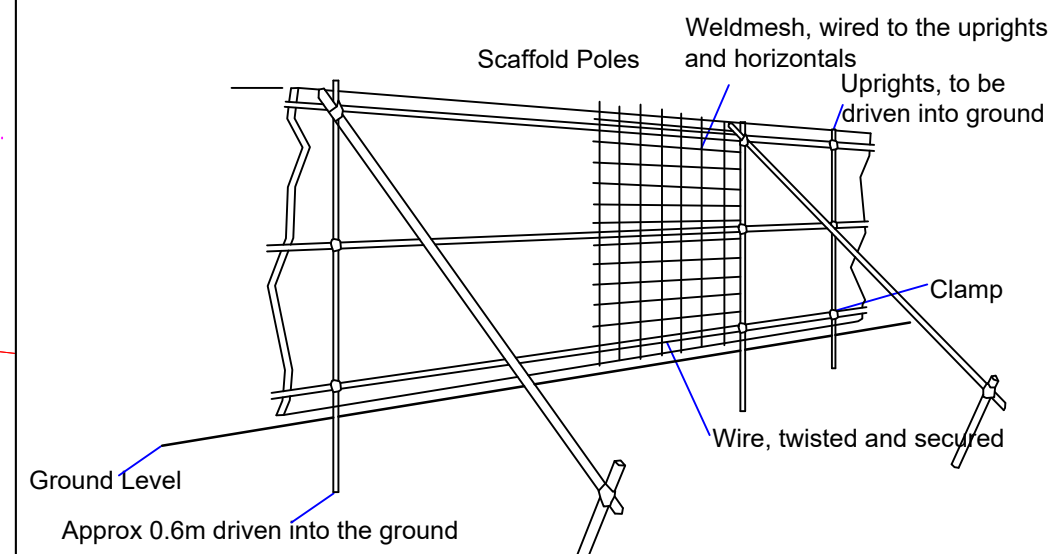


**Tree Protection**

- Existing Tree to be retained
  - Crown spread
  - Tree tag reference number
  - Colour coded tree stem
  - RPA, Root protection area
- Colour coding
- Category A: Trees of high quality
  - Category B: Trees of moderate quality
  - Category C: Trees of low quality
  - Category U: Trees unsuitable/unsafe for retention
- Existing Tree to be removed
  - Existing Vegetation retained
  - Existing Vegetation removed
  - Tree protection fence (Temporary during construction)

**TREE PROTECTION FENCING - BS 5837 : 2012 TREES IN RELATION TO CONSTRUCTION**  
Item No. 11 Demolition and construction in proximity to existing trees

Panels, secured to uprights with wire ties and where necessary scaffold clamps



Minimal cultivation, 50mm, allowed for grass seeding

Hedgerow 02, Hawthorn *Crataegus monogyna*, Sycamore *Acer pseudoplatanus*, Ash *Fraxinus excelsior* briar + ivy. Trim back, clear our briar and augment with suitable native planting

Large Sycamore, *Acer pseudoplatanus*, branches to site side are already lopped. Pruned to east heavy ivy on stem

Hedgerow to be trimmed around Ash which is to be removed, tree protective fencing to be moved temporarily to allow for Ash removal

Ash *Fraxinus excelsior* Dead buds and dead stems - Ash die back disease present, remove

Hedgerow 02 is on a narrow slightly raised mound, tight to the boundary, the level of this narrow slightly raised mound to be retained as is

Briar + ivy

Tree group 01, remove

Ditch bank, tree/hedgerow roots will not extend beyond the ditch bank

Hedgerow 01, Hawthorn *Crataegus monogyna*, Ash *Fraxinus excelsior*, briar + ivy. Trim back, clear our briar and augment with suitable native planting

Shrubby Elder *Sambucus nigra*, that has self-seeded beyond the burgage plot hedgerow footprint to other side of drainage ditch

Ash *Fraxinus excelsior* with Ash Die back disease, to be removed

Tk

Tree group 04 *Acer platanoides* Appears to be in self seeded group Heavy ivy understorey, some briar, remove

Tree group 03 Very poor quality Leyland Cypress, *X Cuprocyparis leylandii* dead tree on southern end

Lean to west crown breaking, large broken branch Remove tree

Low value self-seeded crab Hawthorn *Crataegus monogyna* to be retained

Tree group 02, a group of large spreading mature Leyland Cypress *X Cuprocyparis leylandii*, relatively recent introduction, past 30-50 years, remove

Hedgerow 03 Ash *Fraxinus excelsior*, Hawthorn *Crataegus monogyna*, Elder *Sambucus nigra*, Hawthorn is scrubby and intermittent, brushwood on boundary, retain, remove brushwood, clear our briar and augment with suitable native planting

Planning reference SD22A/0312  
This arboricultural survey and plan has been completed by Eunan O'Donnell BSc Ag, Dip Hort, Arb cert, MILI, TechArborA

Rev	Date	By	Details
I	28/11/23	EOD	Site layout update
H	20/06/23	EOD	Site layout update
G	02/03/23	HB	Site layout update
F	15/11/22	EOD	Scale bar and Northpoint
E	15/11/22	EOD	Update drain location
D	10/11/22	EOD	Update to latest layout
C	11/07/22	EOD	Update to latest layout
B	20/05/22	EOD	Update to latest layout
A	28/04/22	EOD	Tree Protection Plan

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landscape architecture design  
arboriculture project management  
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Client: Lidl GmbH

Project title: Lidl Newcastle

Drawing title: Tree Protection Plan

Drawn by: CD Scale: 1:250 on A1

Approved by: TA Date: March 2022

Status: Planning compliance  
Drawing no: 077622\_TP\_01  
Revision: 1





**Legend**

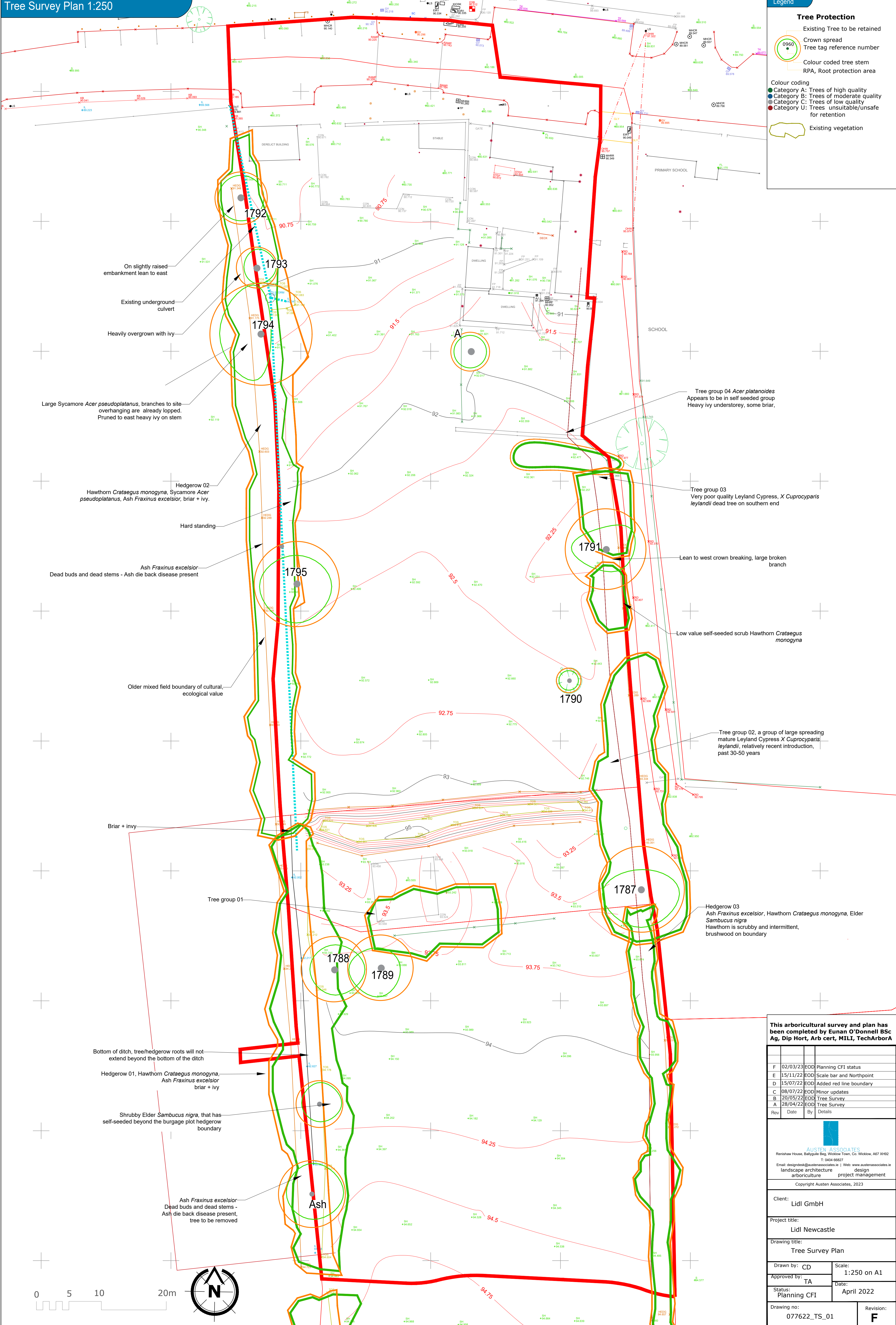
**Tree Protection**

- Existing Tree to be retained
- Crown spread
- Tree tag reference number
- Colour coded tree stem
- RPA, Root protection area

**Colour coding**

- Category A: Trees of high quality
- Category B: Trees of moderate quality
- Category C: Trees of low quality
- Category U: Trees unsuitable/unsafe for retention

Existing vegetation



On slightly raised embankment lean to east

Existing underground culvert

Heavily overgrown with ivy

Large Sycamore *Acer pseudoplatanus*, branches to site overhanging are already lopped. Pruned to east heavy ivy on stem

Hedgerow 02  
Hawthorn *Crataegus monogyna*, Sycamore *Acer pseudoplatanus*, Ash *Fraxinus excelsior*, briar + ivy.

Hard standing

Ash *Fraxinus excelsior*  
Dead buds and dead stems - Ash die back disease present

Older mixed field boundary of cultural, ecological value

Briar + ivy

Tree group 01

Bottom of ditch, tree/hedgerow roots will not extend beyond the bottom of the ditch

Hedgerow 01, Hawthorn *Crataegus monogyna*, Ash *Fraxinus excelsior*, briar + ivy

Shrubby Elder *Sambucus nigra*, that has self-seeded beyond the burgage plot hedgerow boundary

Ash *Fraxinus excelsior*  
Dead buds and dead stems - Ash die back disease present, tree to be removed

Tree group 04 *Acer platanoides*  
Appears to be in self seeded group  
Heavy ivy understorey, some briar,

Tree group 03  
Very poor quality Leyland Cypress, *X Cuprocyparis leylandii* dead tree on southern end

Lean to west crown breaking, large broken branch

Low value self-seeded scrub Hawthorn *Crataegus monogyna*

Tree group 02, a group of large spreading mature Leyland Cypress *X Cuprocyparis leylandii*, relatively recent introduction, past 30-50 years

Hedgerow 03  
Ash *Fraxinus excelsior*, Hawthorn *Crataegus monogyna*, Elder *Sambucus nigra*  
Hawthorn is scrubby and intermittent, brushwood on boundary

**This arboricultural survey and plan has been completed by Eunan O'Donnell BSc Ag, Dip Hort, Arb cert, MILI, TechArborA**

F	02/03/23	EOD	Planning CFI status
E	15/11/22	EOD	Scale bar and Northpoint
D	15/07/22	EOD	Added red line boundary
C	08/07/22	EOD	Minor updates
B	20/05/22	EOD	Tree Survey
A	28/04/22	EOD	Tree Survey
Rev	Date	By	Details

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landscape architecture design arboriculture project management

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Client: Lidl GmbH	
Project title: Lidl Newcastle	
Drawing title: Tree Survey Plan	
Drawn by: CD	Scale: 1:250 on A1
Approved by: TA	Date: April 2022
Status: Planning CFI	
Drawing no: 077622_TS_01	Revision: <b>F</b>

