



An
Bord
Pleanála

Inspector's Report

ABP-312960-22

Development

The construction of 6 houses, car parking, landscaping, lighting and associated site development works, the proposed development is an amendment to the partially completed development granted under SD19A/0040.

Location

Site No's 10-15, Cornerpark Rise, Cornerpark Townland, Peamount Road, Newcastle, Co. Dublin

Planning Authority

South Dublin County Council

Planning Authority Reg. Ref.

SD21A/0335

Applicant

Dragonglen Limited.

Type of Application

Permission.

Planning Authority Decision

Refuse Permission.

Type of Appeal

First Party

Date of Site Inspection

23/08/2022

Inspector

Enda Duignan

Contents

1.0 Site Location and Description	3
2.0 Proposed Development	3
3.0 Planning Authority Decision	3
4.0 Planning History.....	6
5.0 Policy Context.....	7
6.0 The Appeal	11
7.0 Assessment.....	13
8.0 Recommendation.....	18
9.0 Reasons and Considerations.....	18
10.0 Conditions	18

1.0 Site Location and Description

- 1.1.** The site of the proposed development is located within a permitted and partially completed residential development referred to as 'Cornerpark Rise'. The overall permitted development comprises a total of 25 no. semi-detached and terraced dwellings. The main entrance to the site is from the eastern side of Peamount Road, c. 200m to the north of Main Street, Newcastle.
- 1.2.** The appeal site has a stated area of c. 0.15ha and is located to the north-east of the central communal space area serving the development. Fully constructed dwellings within the development are located to the east and west. In terms of the wider surrounds, lands in agricultural use which are identified as being within the ownership of the Applicant are located to the north of the appeal site.

2.0 Proposed Development

- 2.1.** Planning permission is sought for amendments to a development permitted under SD19A/0040. Notably, the proposal seeks to amend Condition Nos. 2 & 3 of SD19A/0040 and include the following:
- The provision of a connection to the lands to the north of the subject site which comprises a 6m wide vehicular carriageway with a 2m wide footpath on either side.
 - The relocation of Unit Nos. 10-15 to the east to facilitate the proposed connection.
 - The omission of a connection to the adjoining lands to the south.
 - All associated site works above and below ground.
- 2.2.** It is indicated that there is no change to the overall quantum of residential units permitted under SD19A/0040.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1.** The Planning Authority refused planning permission for the following 1 no. reason:

1. The proposed removal of the road up to the northern site boundary and the re-location of six dwellings westward would contravene materially Condition 2 attached to an existing Planning Permission (SD19A/0040), where nothing has changed on site or within policy that would require a change in the original decision. Furthermore, there are no objectives or policies within the Newcastle Local Area Plan to support the proposed vehicular connection to the north of the site into rural zoned lands. The proposed development would therefore contravene Condition 2 of an extant permission, would be contrary to the Local Area Plan and would be contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The South Dublin County Council Planning Report forms the basis of the decision. The report provides a description of the site and the subject proposal, it sets out the planning history of the site and identifies the site as being located within lands which were zoned RES-N of the South Dublin County Development Plan, 2016-2022, which sought “To provide for new residential communities in accordance with approved area plans”. The report also highlights that the site is located within the Newcastle Local Area Plan.

The Planning Authority refer to their assessment of the residential development permitted under SD19A/0040 which recommended conditions requiring a number of dwellings to be relocated eastwards and the omission of the roadway connecting to the lands to the north. Based on the documentation submitted with the application, the Planning Authority can see no justification why the original decision should be changed and there are no objectives or policies within the Newcastle LAP to support the proposed vehicular connection to the north of the site into rural zoned lands. The Planning Authority’s Roads Department also indicates that an insufficient rationale or justification has been provided by the Applicant in relation to the proposed road leading to the northern boundary, which would contradict condition No. 2(a) of the extant permission.

In terms of the re-location of Unit Nos. 10-15 eastwards to facilitate the provision of the road/street leading to the northern boundary, the Planning Authority again highlight that insufficient justification has been provided for the road/street leading to the northern boundary, there is no clear reason for the re-location of Unit Nos. 10-15 eastwards. Furthermore, it is stated that to permit the re-location of these units would be in direct contravention of Condition No. 2(b) attached to SD19A/0040.

The Planning Authority did not raise issues with respect to adverse amenity impacts on surrounding properties as a consequence of the proposed development. The Planning Authority noted that the surrounding receiving context of the subject site has not changed since permission was granted for the residential development (SD19A/0040) i.e. the lands to the north of the subject site remain zoned 'RU' – "To protect and improve rural amenity and to provide for the development of agriculture".

In terms of compliance with the Newcastle Local Area Plan (LAP), it is stated that the parent permission (SD19A/0040) pertaining to the subject site included a future connection to the lands to the south, which would potentially connect to Main Street in accordance with the Local Area Plan. It is stated that the drawings provided by the Applicant pertaining to this Planning Application appear to indicate the omission of this connection to the lands to the south of the subject scheme (on lands outlined in blue).

In conclusion, the Planning Authority consider that the Applicant has not satisfactorily demonstrated that the proposed development would comply with the policy contained within the South Dublin County Council Development Plan, 2016-2022 and the Newcastle Local Area Plan. It therefore considered by the Planning Authority that the proposed development would be contrary to the proper planning and sustainable development of the area and a refusal of permission is recommended.

3.2.2. Other Technical Reports

Parks and Landscape Public Realm: Report received recommending a request for additional information.

Roads: Report received recommending a refusal of permission.

3.3. Prescribed Bodies

Irish Water: Report received stating no objection subject to compliance with a condition.

3.4. Third Party Observations

None.

4.0 Planning History

4.1. SD19A/0040: Planning permission granted by the Planning Authority for development which sought the :

- Demolition of the existing stables/sheds;
- The construction of 28 no. dwellings comprised of:
 - o 8 three bedroom, two storey semi-detached houses (Type A);
 - o 7 three bedroom, 2 storey terraced houses (Type B);
 - o 6 three bedroom, 2 storey terraced houses (Type C);
 - o 3 three bedroom, 2 storey terraced houses (Type D);
 - o 4 three bedroom, 2 storey semi-detached houses (Type E);
- All associated site development works, car parking, landscaping, open spaces, public lighting, connections to foul and surface water drainage/attenuation and water supply.

It is noted that following design modifications at further information stage, the total number of houses on site was reduced from 28 to 25.

Condition No. 2 of SD19A/0040 was included as follows:

“Revised Plans

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

- i. Revised plans that incorporate the following amendments for written agreement:

- a. Road 1 shall not extend to the northern site boundary, it shall cease prior to the front building line of units 13 and 14.
- b. The terrace of units 14 to 19 shall be relocated in a westerly direction with footpath, privacy strip and private amenity space for houses 13 and 14 absorbed into the space and a landscaped privacy strip provided to the east of the terrace at house 19.
- c. A suitable location on the eastern side of the terrace of House Type C for bin storage for the residents of the block shall be indicated on revised plans and shall include details of height, depth, materials and screening and information demonstrating that the refuse storage facility has adequate internal space to cater for the size and number of bins allocated to each household within the terrace.
- d. The side elevation - B on the eastern side of the terrace of House Type C shall incorporate the same window features at both ground and first floor level as that of side elevation - A.
- e. Details of suitable vehicular access to unit 13.
- f. Further details of the proposed gossip walls including depths, heights and materials for all properties where they are proposed. The applicant, owner or developer may consult with the Planning Authority in advance of lodging the required revised plans.

REASON: To ensure that adequate space is provided for defensible space, bin storage and residential amenity.

5.0 Policy Context

5.1. Project Ireland 2040 National Planning Framework (NPF) Local Policy

- 5.1.1. The first National Strategic Outcome expected of the National Planning Framework is compact growth. Effective densities and consolidation of urban areas is required to minimise urban sprawl and is a top priority. 40% of future housing delivery is to be within the existing footprint of built up areas (National Policy Objective 3a).
- 5.1.2. National Policy Objective 35 of the NPF seeks to “Increase residential density in settlements, through a range of measures including reductions in vacancy, re-use of

existing buildings, infill development schemes, area or site-based regeneration and increased building heights”.

5.2. Design Manual for Urban Roads and Streets (DMURS), 2019

5.3. South Dublin County Development Plan, 2022 -2028 (CDP)

- 5.3.1. The South Dublin County Development Plan (CDP), 2022-2028 was made on 22nd June 2022 and came into effect on 3rd August 2022. The site is within an area zoned ‘RES-N’ of the current CDP, which seeks “To provide for new residential communities in accordance with approved area plans”. The lands immediately to the west, east and south of the subject site are also zoned ‘RES-N’. The lands to the north of the site are zoned ‘RU’, with a stated objective “To protect and improve rural amenity and to provide for the development of agriculture”. The site is also located to the north of the Newcastle Architectural Conservation Area.
- 5.3.2. Newcastle is identified as a Self-Sustaining Growth Town in the South Dublin County Core Strategy Map, 2022-2028. Section 2.7.2 of the current CDP notes that the growth in Newcastle is mainly focused on the adopted Local Area Plan. The overarching principle for the town is to improve the social and physical services to provide for the growing population. It is indicated that a phased sequential approach to development from the village core to the north and south recognises the ongoing construction activity and the delivery of key infrastructure identified in the Newcastle Local Area Plan. It is highlighted that Newcastle has limited public transport provision and social services to date. It is stated that some improvements will be made as BusConnects brings improved services and overall accessibility to Celbridge, Dublin City Centre, Grange Castle, Hazelhatch train station and Saggart Luas Stop. The electrification and upgrading of the Kildare line to a high-frequency Dart service as far as Hazelhatch station will also benefit Newcastle. The policy notes that the settlement needs to develop at an incremental pace, based on the delivery of social, physical and transport infrastructure and services, supported by the LAP. It is highlighted that the capacity of zoned lands is considered to be sufficient to meet the long term demand for the settlement.

5.3.3. Relevant policies for the settlement of Newcastle contained within the current CDP include:

- Policy CS9 (Newcastle): Support the sustainable long-term growth of Newcastle by focusing development growth within the current settlement boundary and based on the ability of local services to cater for sustainable growth levels.
- CS9 Objective 3: To proactively support and promote the highest appropriate levels of services, social infrastructure, facilities, retail, open space amenity and economic activity to meet the needs of current and future growth in line with the scale and function of Newcastle within the settlement hierarchy.
- CS9 Objective 4: To facilitate and commit to the delivery of new residential development in a coordinated manner, ensuring alignment with investment infrastructure and supporting amenities and services. Such measures shall be delivered through appropriate phasing in line with CS9 SLO1, SLO2, SLO3 and SLO4.
- CS9 SLO1: To facilitate and commit to the delivery of Phase 1 residential lands at Burgage North in tandem with the delivery of 2 new street connections to main street and the provision of a new local park c. 0.3ha.

5.3.4. Other relevant policy objectives of the current CDP include:

- Policy H7: Residential Design and Layout Promote high quality design and layout in new residential developments to ensure a high-quality living environment for residents, in terms of the standard of individual dwelling units and the overall layout and appearance of the development.
- Policy H7: Residential Design and Layout Promote high quality design and layout in new residential developments to ensure a high-quality living environment for residents, in terms of the standard of individual dwelling units and the overall layout and appearance of the development.
- H7 Objective 3: To support the principle of permeability schemes that provide improved connections between housing estates and their surrounds for walking and cycling, having regard to the National Transport Authority's Permeability

Best Practice Guide (2015) or any subsequent guidelines, including the provisions relating to permeability schemes and anti-social behaviour.

- H7 Objective 4: To ensure that residential development provides an integrated and balanced approach to movement, placemaking and streetscape design in accordance with the requirements of the Design Manual for Urban Roads and Streets, DTTAS and DEHLG (2013, updated 2019)
- Policy H8: Public Open Space Ensure that all residential development is served by a clear hierarchy and network of high quality public open spaces that provide for active and passive recreation and enhances the visual character, identity and amenity of the area.
- Policy H9: Private and Semi-Private Open Space Ensure that all dwellings have access to high quality private open space and semi-private open space (where appropriate) and that such space is carefully integrated into the design of new residential developments.
- Policy H11: Privacy and Security Promote a high standard of privacy and security for existing and proposed dwellings through the design and layout of housing.

5.4. Newcastle Local Area Plan (LAP), 2012 (extended to December 2022)

5.4.1. The appeal site is located within the Newcastle LAP area and is situated within the 'village edge' of the Peamount neighbourhood. An overall indicative layout of the LAP lands, including the appeal site, is provided in Figure 6.1 of the LAP and specific policy and design guidance is included within Section 6.10 (Neighbourhood 8: Peamount). Relevant policies and objectives of the LAP specific to this area include:

- Objective PN1 seeks to ensure that housing within the Settlement Edge comprises detached and semi-detached dwellings on large garden plots that are set back from street edges by front gardens.
- Objective PN2 seeks to provide for generous street planting and grass verges along Green Link Streets.
- Objective PN3 seeks to provide for a landscaped pocket park set amongst housing within the Settlement Edge to link with the SUDS network in the form of a water feature of flooding depression.

- Objective PN5 states that development of the Peamount Neighbourhood shall “include for a through Green Link Street with Peamount Road as part of an east-west through route that will connect the neighbourhoods on the northern side of Main Street and Aylmer Road with Peamount Road”.
- Objective PN11 seeks to ensure that development of the Settlement Edge area of the Peamount Neighbourhood shall comprise detached and semi-detached houses in order to provide an appropriate transition with the rural hinterland and to ensure for the provision of low density housing as an alternative to rural housing.

5.5. Natural Heritage Designations

- 5.5.1. The nearest designated site is the Rye Water Valley/Carton Special Area of Conservation (SAC) (Site Code: 001398) c. 7.8km to the north of the site. The proposed Natural Heritage Area (pNHA): Grand Canal and the pHNA: Slade Of Saggart And Crooksling is also located c. 2.1km to the site’s north and c. 5.5km to the site’s south respectively.

5.6. EIA Screening

- 5.6.1. Having regard to the nature and scale the development, which consists of amendments to an extant planning permission in a serviced urban location, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

6.0 The Appeal

6.1. Grounds of Appeal

- 6.1.1. The main grounds of the appeal can be summarised as follows:
- 6.1.2. The appellant indicates that in essence, planning permission is sought for the development of 6 no. two-storey houses within an existing, recently constructed residential development. An overview of the planning history of the site is provided by the appellant which provides details of the extant planning permission on site. With respect to reg. ref. SD19A/0040, the appellant highlights that the applicant was not

requested to omit the road access to the north of the site at further information stage and there is no logical planning rationale for the inclusion of the condition which omitted this access.

6.1.3. The matter in issue relates to the applicant's desire to retain access to the agricultural lands to the north of the site within their ownership in order to avoid landlocking approximately 15 acres of lands. It is stated that this land was formerly used for the training of horses. The lands are also now used on an informal basis by a local football team. It is stated that the only access to these lands within their ownership would be via a narrow substandard laneway, and the lands would to all intents and purposes be landlocked.

6.1.4. It is stated that it is not necessary to move the location of the proposed houses so as to prevent, forever, any future access to the lands to the north. It is highlighted that the Local Area Plan acknowledges the importance of permeability by providing for similar permeability at a number of locations and the current proposal is commensurate with this objective. It is stated that the applicant had attempted to address the concerns by making a compliance submission. However, this was unsuccessful and has precipitated the current application. It is considered by the appellant that the current proposal achieves all the objectives sought to be implemented by Condition No. 2 as elucidated in the relevant Planning Authority's Planning Report i.e.:

- Bin storage for the proposed terrace of house is provided identical to that agreed by way of a compliance submission.
- Dual aspect units provided which are identical to the agreed compliance submission.
- Provision of landscape privacy stripped to the east, albeit slightly narrower.
- All dwellings have parking directly outside each unit

6.1.5. It is stated that the Applicant does not anticipate that access to the lands will be required through this access point on a regular basis and they are not necessarily fixed on the construction of a formal access roadway. In fact, a grassed area with a drop curb would be sufficient. The lands in question are not required for public open space

and any future works to same would require planning permission. It is the Applicant's submission that requiring it to landlock its landholding is an unnecessary interference with the Applicant's property rights and the maintenance and the good management of its estate and it is not necessitated by the proper planning and sustainable development of the area

6.2. Planning Authority Response

- 6.2.1. In response to the first party appeal, the Planning Authority confirms its decision and indicates that the issues raised in the appeal have been covered in the Planner's report.

6.3. Observations

None.

6.4. Further Responses

None.

7.0 Assessment

The main issues are those raised in the Planning Report and consequent refusal reason and the Appellant's grounds for appeal. Overall, I am satisfied that no other substantive issues arise. The issue of appropriate assessment also needs to be addressed. The issues can be dealt with under the following headings:

- Northern Lands Connectivity
- Relocation of Units
- Other Matters
- Appropriate Assessment

7.1. Northern Lands Connectivity

- 7.1.1. The proposal seeks to amend the Condition No. 2 of reg. ref. SD19A/0040 which required the applicant to modify the design of the proposal to relocate 6 no. houses westwards and omit a section of the originally proposed road which connected to the northern site boundary. I note that Condition No. 2 was not appealed by the Applicant

and a compliance submission was approved by the Planning Authority which accorded with Condition No. 2. With the exception of the appeal site, the development has largely been completed and many of the homes within the larger development were observed to be occupied at the time of the site inspection.

- 7.1.2. The Applicant is now proposing to relocate the terrace of houses further to the east and provide a road connecting to the northern site boundary that will be located to the west of House No. 15. The Planning Authority note that an insufficient rationale or justification had been provided by the Applicant in relation to the proposed road leading to the northern boundary, which would be in direct contradiction of condition No. 2(a) of the extant permission. The Planning Authority indicated that the assessment of the original planning application remains relevant, and it is recommended that permission be refused.
- 7.1.3. In terms of the grounds of appeal, the appeal submission indicates that the applicant's rationale for the development as currently proposed, relates to their desire to retain access to the agricultural lands to the north of the site within their ownership. This measure is required in order to avoid landlocking approximately 15 acres of lands which are identified as being located within the blue line boundary on the submitted plans. It is stated that the only access to these lands within the applicant's ownership would be via a narrow substandard laneway which connects to Peamount Road to the west, and the lands would to all intents and purposes be landlocked. The appellant indicates that a compliance submission was submitted and approved in order for the development to proceed in an authorised manner and they are now within their rights to seek an amendment of the development. It is stated that the applicant does not anticipate that access to the lands will be required through this access point on a regular basis and the applicant is not necessarily fixed on the construction of a formal access roadway. It is stated that a grassed area with a drop curb would be sufficient and it is highlighted that the lands in question are not required for any public open space.
- 7.1.4. Following a review of the extant permission, it is evident that the Planning Authority in their initial assessment of the application did not raise concerns with respect to the

provision of a road connection to the northern site boundary. This matter was raised following the submission of additional information and conditions were attached to a grant of permission accordingly. I also note that the Planning Authority's Roads Department raised no concerns with respect to this element of the proposal in the extant permission. The Planning Authority purported that the provision of a roadway connecting to lands outside the settlement boundary of the LAP and zoned Objective RU (To protect and improve rural amenity and to provide for the development of agriculture) was unnecessary.

7.1.5. I am conscious of Policy CS9 (Newcastle) of the current CDP which seeks to "Support the sustainable long-term growth of Newcastle by focusing development growth within the current settlement boundary...". Notwithstanding this, I do not consider the facilitation of a connection to the northern site boundary to be contrary to this policy, given the lands further to the north are identified as being within the ownership of the Applicant and zoned for agricultural use. The proposal would also facilitate the potential for permeability through the site should the need ever arise for the expansion of the settlement in the future. On this basis, I am satisfied that the applicant has demonstrated an adequate justification for facilitating access through the site. Although access to the lands to the north is not identified on the LAP masterplan, I note that this masterplan layout is indicative only. I also note that there is no policy with the current CDP that would prohibit the facilitation of a connection of this nature. In this regard, I am therefore satisfied that the proposal is not contrary to the policies of both the current CDP and LAP and is acceptable in this instance.

7.1.6. In design terms, I do have some concerns with respect to extent of hard surfacing that will remain within this portion of the site and the lack of appropriate landscaping. I acknowledge the commentary of the appellant and I consider the provision of a grassed area with a drop kerb within this portion of the site to be a more appropriate solution in this instance given it is stated that access will be not required on a regular basis and it will not serve as a formal route. I note that this area of the site will not form designated public open space. However, I acknowledge that it could function and serve as informal play space. A condition shall therefore be recommended which will require the Applicant to submit details for the replacement of the roadway within this

portion of the site with a landscaped and grassed area for the written agreement of the Planning Authority. I note that landscaped privacy strips should be provided along the eastern side of No. 10 Cornerpark Green and along the western side of No. 15 Cornerpark Rise. Subject to compliance with this condition, I am satisfied that the proposal is not in conflict with the policies of the current CDP or LAP and is therefore acceptable.

7.2. Relocation of Units

- 7.2.1. The Planning Authority in their assessment of the planning application noted that, as an insufficient justification has been provided for the road/street leading to the northern boundary, there is no clear reason for the re-location of Unit Nos. 10-15 eastwards. Furthermore, to permit the re-location of these units would be in direct contravention of Condition No. 2(b) attached to reg. ref. SD19A/0040. As detailed in the foregoing, I am satisfied that the applicant has put forward an adequate justification as to why they are seeking to provide access to the northern site boundary.
- 7.2.2. In terms of the proposed layout, I note that there is a separation distance of c. 8.9m between House Nos. 9 and 10 Cornerpark Rise. Having regard to the siting of these dwellings relative to each other and the fenestration on their side elevations, I am satisfied that undue overlooking between the properties will not occur and no other adverse amenity impacts should arise.
- 7.2.3. Although there will be a visual separation between Nos. 10 Cornerpark Green and No. 15 Cornerpark Rise, this arrangement is often typical of older suburban housing estates where houses may have been omitted at application stage to provide pockets of additional open space. Subject to compliance with a condition which replaces the formalised road and footpaths with a landscaped area and dropped kerb, I am satisfied that the proposal is acceptable having regard to the visual amenity of the surrounding area.
- 7.2.4. I note that the proposal seeks to provide a dedicated bin storage area to the east of No. 10 Cornerpark Rise. I note that this is in a similar position to that was approved by

way of compliance with Condition No. 2 of reg. ref. SD19A/0040 and I am therefore satisfied that this arrangement is acceptable.

7.3. Other Matters

- 7.3.1. Within their assessment of the development proposal, the Planning Authority noted that the Applicant had omitted a connection to the lands to the south of the application site. This connection was provided at additional information stage during the consideration of reg. ref. SD19A/0040 and the connection was included on the layout plan approved by way of compliance to Condition No. 2 of reg. ref. SD19A/0040. The Planning Authority deemed the current proposal to omit this connection to be contrary to Section 6.10.2 of the Newcastle LAP. I note that this element of the proposal did not form part of the development description and it would also appear to be located outside the application red line boundary. Following an inspection of the site, it would appear that preliminary works have been undertaken to facilitate a potential future connection to the lands to the south. Nonetheless, I consider this issue not to be within the scope of this assessment and is a matter for the Planning Authority's Enforcement section to pursue if deemed necessary.
- 7.3.2. Given the majority of the houses within the development have been constructed and now appear to be occupied, it is reasonable to require the Applicant to submit a revised Construction Management Plan for this element of the proposed development given the potential conflicts that may arise with pedestrians during the construction phase of the development. This is to be submitted to the Planning Authority for written agreement prior to the commencement of development on site.
- 7.3.3. I note that the Planning Authority highlighted that the application was not accompanied by an Archaeological Impact Assessment Report or a Bat Survey as typically required by Objective Nos. GI21 and GI28 of the Newcastle LAP. However, given the nature of the proposal, i.e. an amendment application, and given the works carried out to date on site, I am satisfied that the submission of separate documentation is not necessary in this particular instance. I note that the Applicant is required to comply with the relevant conditions of the parent permission, including Condition No. 21 of reg. ref. SD19A/0040.

7.4. Appropriate Assessment

- 7.4.1. Having regard to the nature and scale of the proposed development, which comprises of an amendment to an extant planning permission on a serviced site, and to the nature of the receiving environment, with no direct hydrological or ecological pathway to any European site, no appropriate assessment issues arise and it is not considered that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects on a European site.

8.0 Recommendation

- 8.1. Grant of permission is recommended.

9.0 Reasons and Considerations

- 9.1. Having regard to the provisions of Newcastle Local Area Plan, 2012 (extended to December 2022) and the South Dublin County Development Plan, 2022-2028, including the RES-N zoning objective for the site, the specific characteristics of the site and the pattern of development in the surrounds, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities of the area or of property in the vicinity and would constitute an acceptable form of development at this location. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

10.0 Conditions

1.	The proposed development shall comply with the plans and particulars lodged with the application submitted, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to
----	--

	<p>commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>Save for amendments granted on foot of this permission, the development shall otherwise be carried out in strict accordance with the terms and conditions of planning permission reg. ref. SD19A/0040 save as may be required by other conditions attached hereto.</p> <p>Reason: In the interest of the proper planning and sustainable development of the area.</p>
3.	<p>The proposed development shall be amended as follows:</p> <p>a. The road and footpaths located between Nos. 10 Cornerpark Green and No. 15 Cornerpark Rise shall be replaced with a grassed area and dropped kerb.</p> <p>Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p>Reason: In the interests of visual amenity and the proper planning and sustainable development of the area.</p>
4.	<p>A revised landscaped plan shall be submitted for this portion of the site (i.e. grassed area between Nos. 10 Cornerpark Green and No. 15 Cornerpark Rise) for the written agreement of the Planning Authority which includes details of all hard and soft landscaping. A landscaped privacy strip shall be provided along the eastern side of No. 10 Cornerpark Green and along the western side of No. 15 Cornerpark Rise. Details should also be submitted outlining the proposed northern boundary treatment at this location.</p> <p>Reason: In the interests of visual amenity.</p>
5.	<p>Prior to the commencement of development, the Applicant shall submit for the written agreement of the Planning Authority, a revised Construction Management Plan for the proposed development with an accompanying Construction Traffic Management Plan.</p> <p>Reason: In the interests of residential amenity and the proper planning and sustainable development of the area.</p>

6.	<p>Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services. Prior to the submission of the compliance, the applicant should contact the water services section of the planning authority to discuss the surface water attenuation required and provided for the development.</p> <p>Reason: In the interest of public health.</p>
7.	<p>Development described in Classes 1 or 3 of Part 1 of Schedule 2 to the Planning and Development Regulations, 2001, or any statutory provision modifying or replacing them, shall not be carried out within the curtilage of any of the proposed dwellinghouses without a prior grant of planning permission.</p> <p>Reason: In the interest of residential amenity.</p>
8.	<p>Site development and building works shall be carried out only between the hours of 8am to 7pm Mondays to Fridays inclusive, between 9am to 2pm hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.</p> <p>Reason: In order to safeguard the residential amenities of property in the vicinity.</p>

Enda Duignan
Planning Inspector

22/09/2022