



An
Bord
Pleanála

Inspector's Report

ABP-316066-23

Development	Construction of a two storey creche / childcare facility.
Location	In the townland of Newcastle South, at the junction of Newcastle Boulevard, Burgage Street & Lyons Avenue, Graydon, Newcastle, Co. Dublin
Planning Authority	South Dublin County Council
Planning Authority Reg. Ref.	SD22A/0459
Applicant(s)	Cairn Homes Properties Limited
Type of Application	Permission
Planning Authority Decision	Grant
Type of Appeal	Third Party
Appellant(s)	Scott Gerety
Observer(s)	None
Date of Site Inspection	25 th August 2023
Inspector	Ian Boyle

Contents

1.0 Site Location and Description	3
2.0 Proposed Development	3
3.0 Planning Authority Decision	4
4.0 Planning History.....	6
5.0 Policy Context.....	7
6.0 The Appeal	11
7.0 Assessment.....	12
8.0 Recommendation.....	17
9.0 Reasons and Considerations.....	17
10.0 Conditions	17
Appendix 1 – Form 1: EIA Pre-Screening	

1.0 Site Location and Description

- 1.1. The appeal site is in an existing residential area, in Newcastle, South County Dublin. It is situated on at the junction of Newcastle Boulevard, Burgage Street and Lyons Avenue North.
- 1.2. The site is a rectangular green space with long grass and scrub. There are recently planted trees around its periphery. A tall mesh fence encloses the property and there is no public access available to it.
- 1.3. The site is roughly 300m south of Newcastle Main Street and is bound to the north by Newcastle Boulevard, the east by Lyons Avenue North, the south by Graydon Green and the west by a small car park area. Further west, beyond the car park, is a landscaped park with hard and soft landscaping features, including seating, a play area, lighting, footpaths and steps.
- 1.4. The character of the wider area is mainly residential with some supporting commercial and retail services. The surrounding area has been subject to extensive housing construction in recent years.
- 1.5. The site has a stated area c. 0.07ha.

2.0 Proposed Development

- 2.1. The proposed development is for the construction of a two-storey crèche (childcare facility) with associated open space play area, bin storage and ancillary site works.
- 2.2. The crèche building is roughly 778sqm and access is proposed from the existing constructed entrance onto Newcastle Boulevard.
- 2.3. Car and cycle parking intended to serve the facility is already permitted (under ABP Ref. ABP-305343-19) with additional cycle parking (6 no. spaces).
- 2.4. The application would replace a previously permitted creche (518sqm).

3.0 Planning Authority Decision

3.1. Decision

The Planning Authority granted permission on 16th February 2023, subject to 9 no. conditions. Notable conditions include:

- Condition 2: Revised site layout clearly identifying the location and quantum of outdoor play space for use by the crèche.
- Condition 3(a): Revised site layout showing the bicycle parking and pedestrian routes within the development.
- Conditions 3(b) and 3(c): Provision of a Construction Management Plan and Mobility Management Plan, respectively.
- Condition 5: Sustainable Urban Drainage System (SuDS) measures.
- Condition 9: Landscape Plan.

3.2. Planning Authority Reports

3.2.1. Planning Report

- The proposed development essentially amounts to amendments to a crèche previously permitted under ABP Ref. ABp-305343-19.
- The proposed amendments are summarised as follows:

	Permitted Development (ABP Ref. 305343-19)	Proposed Development
Floor area	518sqm	778sqm
Maximum overall length	25.8m	26.3m
Maximum overall width	19m	18m
Maximum overall height	6.60m	6.65m
Area of outdoor play space	96sqm	Not clearly identified.
Car Parking	12 spaces	12 spaces
Bicycle Parking	22 spaces	28 spaces

- The facility is in approximately the same location as that previously permitted. It has a slight increase in floorspace and height.
- The drawings provided do not clearly identify an outdoor play space. Furthermore, the originally permitted crèche included green roofing, but this is not indicated on the drawings enclosed with the application.
- As a decision has yet to be issued in relation to ABP Ref. ABP-313814-22 (SHD Application), which includes the subject site, the proposal shall be assessed separately on its own merits. The pending SHD Application has no bearing on the assessment of this application.
- The site is zoned RES-N 'To provide for new residential communities in accordance with approved area plans'.
- The application complies with Section 12.8.4 of the Development Plan, which requires details re: childcare and early educational facilities. However, the play space is not clearly identifiable. This can be addressed by condition.
- The proposed development of this Planning Application essentially amounts to amendments to the crèche previously permitted, and it is considered that the additional proposed floorspace, scale, bulk, mass and height is an appropriate increase having regard to the receiving context of the subject site.
- The additional floor area is mainly from the increased massing on the western elevation, which faces an area of public open space.
- There is a separation distance of approximately 21m between the proposed crèche and the adjacent residential dwellings on Graydon Green. This is considered acceptable.
- Overall, the proposed creche/childcare facility would not have an adverse impact on the visual or residential amenity of the site, adjacent properties, or the surrounding streetscape.
- A condition should be attached requiring a revised site layout plan identifying pedestrian routes and covered bicycle parking.
- Other issues regarding provision of SuDS measures, landscaping and green infrastructure can be addressed by condition.

- The proposal can be screened out for the purposes of EIA and AA.
- It is recommended that permission be granted.

3.2.2. Other Technical Reports

Drainage and Water Services Department: No objection, subject to conditions, including the inclusion SuDS measures, such as a green roof, as part of the proposed development, and ensuring there is complete separation of foul and surface water drainage.

Roads Department: No objection, recommends further information, or conditions, including a revised site layout plan showing the bicycle parking and pedestrian routes within the development, and the preparation of a Construction Traffic Management Plan and Mobility Management Plan, respectively.

Parks and Public Realm Department: No objection, subject to conditions regarding provision of green infrastructure and landscaping.

3.3. Prescribed Bodies

Uisce Éireann: No objection, subject to standard conditions, including that the Applicant must sign a connection agreement with Uisce Éireann in relation to water and foul water prior to the commencement of the development.

3.4. Third Party Observations

The Planning Authority received a single observation from a resident in the area (28 Graydon Green, Newcastle, Co. Dublin). The main concerns raised are similar to those raised in the third party appeal to the Board. See Section 6.1 below.

4.0 Planning History

Subject Site

ABP Ref. ABP-305343-19 (SHD Application): The Board **granted permission** on 23rd December 2019 for the demolition of 5 no. structures and the construction of 406 no. residential units (281 no. houses, 125 no. apartments) creche and associated site works.

This permitted development includes a crèche, for which this current planning application / appeal is effectively seeking to make amendments.

ABP Ref. ABP-313814-22 (SHD Application): An SHD planning application was made to the Board in June 2022 for 280 no. residential units (128 no. houses, 152 no. apartments), creche and associated site works. A decision is pending.

Surrounding Area

The surrounding area comprises existing residential development, much of which has been permitted and constructed in recent years. The locality is characterised by mainly housing spread across apartments, duplexes, terraces, and semi-detached units.

5.0 Policy Context

5.1. South Dublin Development Plan 2022-2028

5.1.1. Zoning

The subject site is zoned 'RES-N' under the South Dublin County Development Plan 2022-2028 ('Development Plan'), which seeks:

'To provide for new residential communities in accordance with approved area plans.'

Childcare facilities are listed as permitted in principle in the Development Plan (Table 12.3 refers). Land uses listed as 'permitted in principle' are generally acceptable, subject to further assessment against the relevant policies, objectives and standards of the Plan.

5.1.2. Settlement Strategy

Newcastle is a designated 'Self-Sustaining Growth Town (Level 4)' as per the South Dublin County Core Strategy Map 2022-2028.

The Development Plan Settlement Hierarchy states that Self-Sustaining Growth Towns with a moderate level of jobs and services – includes sub-county market towns and commuter towns with good transport links and capacity for continued commensurate growth to become more self-sustaining.

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. 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.

5.1.3. **Green Infrastructure (Chapter 4)**

Section 4.2.2 relates to sustainable water management, and includes:

Policy GI4: Sustainable Drainage Systems

Require the provision of Sustainable Drainage Systems (SuDS) in the County and maximise the amenity and biodiversity value of these systems.

- **GI4 Objective 1:** *To limit surface water run-off from new developments through the use of Sustainable Drainage Systems (SuDS) using surface water and nature-based solutions and ensure that SuDS is integrated into all new development in the County and designed in accordance with South Dublin County Council's Sustainable Drainage Explanatory Design and Evaluation Guide, 2022.*
- **GI4 Objective 5:** *To promote SuDS features as part of the greening of urban and rural streets to restrict or delay runoff from streets entering the storm drainage network.*

5.1.4. **Community Infrastructure and Open Space (Chapter 8)**

Section 8.9 relates to early childhood care and education facilities, and includes:

Policy COS7: Childcare Facilities

Support and facilitate the provision of good quality and accessible childcare facilities at suitable locations within the County in consultation with the County Childcare Committee.

- **COS7, Objective 1:** *To support and facilitate the provision of childcare facilities on well located sites within or close to existing built-up areas, including adjacent to school sites, and within employment areas where the*

environment is appropriate, making provision to encourage sustainable transport, consistent with NPO 31 of the NPF.

- **COS7, Objective 5:** *To support the provision of small-scale childcare facilities in residential areas subject to appropriate safeguards to protect the amenities of the area, having regard to noise pollution and traffic and parking management.*
- **COS7, Objective 6:** *To support the provision of childcare facilities within or co-located with community buildings, such as community centres and schools.*

5.1.5. Implementation and Monitoring (Chapter 12)

Chapter 12 sets out development standards and criteria that arise out of the policies and objectives of the County Development Plan to ensure that development occurs in an orderly and efficient manner.

- Section 12.8.4 is in relation to Early Childhood Care and Education Facilities. It states that applications for childcare facilities should be assessed with regard to the requirements of the 'Childcare Facilities: Guidelines for Planning Authorities', DEHLG (2001) and Circular Letter PL 3 / 2016 (DECLG)) and any superseding guidelines, or as required by the Planning Authority.
- The Guidelines recommend one childcare facility with a minimum of 20 places for each 75 units for new residential developments, with any variation to this standard being justified having regard to factors such as:
 - Type of residential units (if mainly one-bedroom units, childcare need may be reduced);
 - Emerging demographic profile; and
 - Availability of existing childcare services in the vicinity.

In new developments, childcare facilities should be purpose built, at ground floor level or in a stand-alone building.

Planning applications for childcare and early educational facilities should include full details to allow understanding of the nature and extent of the proposed development.

Planning applications will be assessed on a range of factors, which are set out under Page 502 (Section 12.8.4) of the Development Plan, including the nature of the facility, number of children to be catered for, staff numbers, amongst other criteria.

5.1.6. **Other Relevant Chapters**

- *Natural, Cultural and Built Heritage (Chapter 3)*
- *Quality Design and Health Placemaking (Chapter 5)*
- *Sustainable Movement (Chapter 7)*

5.2. **National and Regional Planning Policy**

- *Sustainable Residential Development and Compact Settlements: Guidelines for Planning Authorities, 2024 ('the Compact Settlement Guidelines')*¹
- *Design Manual for Urban Roads and Streets, 2019*
- *Project Ireland 2040 National Planning Framework, 2018*
- *Childcare Facilities: Guidelines for Planning Authorities, 2001, and Circular PL3/2016 – Childcare facilities operating under the Early Childhood Care and Education (ECCE) Scheme, and*
- *Regional Spatial and Economic Strategy for the Eastern and Midland Region, 2019-2031*

5.3. **Natural Heritage Designations**

No natural designations apply to the subject site or its vicinity.

5.4. **EIA Screening**

- 5.4.1. Having regard to the nature and scale of the proposed development, which is for a creche in an urban and serviced area, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for

¹ The Guidelines replace the 'Sustainable Residential Developments in Urban Areas-Guidelines for Planning Authorities, 2009'.

environment impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

- 5.4.2. See Appendix 1 of this report for further information (EIA Form 1: Pre-Screening and Form 2: EIA Preliminary Examination).

6.0 The Appeal

6.1. Grounds of Appeal

The main concerns raised by the third party appeal are summarised as follows:

Loss of Privacy

- The proposed creche is too close to the houses on Graydon Green.
- The proposed facility includes several large classroom windows and an entrance orientated directly into bedrooms and downstairs rooms.

Car Parking

- The proposed amount of car parking is inadequate for a school of this size.
- A total of nine classrooms are included, which would accommodate c. 150 children and 30 staff, with no alternative parking provided for parents or staff.

Access

- The volume of cars, parents and children travelling to / using the facility would lead to nuisance and disturbance in the area.
- The crèche entrance is on cul-de-sac where the residents the Graydon Green have only one access point. This makes the road system inadequate.
- Residents will be restricted exiting and entering their homes during the day.

Noise

- Noise would be generated by traffic and the high volume of people using the crèche.
- The crèche would be built in proximity to residential homes.

Note: The appeal includes photographs to support the concerns raised above.

6.2. Applicant Response

The Applicant lodged an Appeal Response on 12th April 2023, which includes the following main points:

- The proposed development will replace and supersede the crèche previously granted permission on the site.
- The proposal is compliant with the relevant Development Plan policy and has been carefully designed to address potential impacts relating to loss of privacy.
- The total number of car parking spaces is considered acceptable to the Planning Authority and no concerns were raised regarding the proposed parking arrangement. 13 no. car parking bays are assigned for use by the crèche. Cycle parking is also provided.
- The Council's Roads Section did not raise any concerns regarding vehicular access or the proposed car parking arrangement.

7.0 Assessment

The main planning considerations relevant to this appeal are:

- Residential Amenity
- Access and Traffic
- Appropriate Assessment

7.1. Residential Amenity

- 7.1.1. The proposed development is for the construction of a two-storey crèche with an associated open space play area, bin storage and ancillary site works. The facility would be c. 778sqm and access provided via Newcastle Boulevard.
- 7.1.2. The site is zoned 'RES-N' under the Development Plan which seeks to provide for new residential communities in accordance with approved area plans. Childcare facilities are listed as permitted in principle (Table 12.3 of the Development Plan refers). I note that the childcare facility is purpose built and in a stand-alone building,

which is in line with Section 12.8.4 of the Development Plan ‘Early Childhood Care and Education Facilities’.

7.1.3. I note that permission exists on the site for a similar, albeit slightly smaller, crèche facility. The crèche was permitted by the Board in December 2019 and formed part of a larger SHD application for the construction of 406 housing units (281 houses and 125 apartments) (ABP-305343-19). Therefore, the current proposal is effectively seeking design modifications and changes to the permitted crèche under this current application.

7.1.4. The key development statistics relating to the permitted and proposed childcare facilities are included under Section 3.2.1 of my report above, and replicated below for ease of reference. The information provides a side-by-side comparison of each facility (permitted vrs proposed). I note that the proposed crèche is slightly larger in terms of floorspace (778sqm vrs 518sqm), but comparable in terms of width, length, and height. It occupies roughly the same footprint on the site and utilises a very similar palette of materials and finishes, which is a combination of a brick / render façade finish, uPVC windows, concrete cills, aluminium guard rails and a powder-coated aluminium parapet capping.

	Permitted Development (ABP Ref. 305343-19)	Proposed Development
Floor area	518sqm	778sqm
Maximum overall length	25.8m	26.3m
Maximum overall width	19m	18m
Maximum overall height	6.60m	6.65m
Area of outdoor play space	96sqm	Not clearly identified.
Car Parking	12 spaces	12 spaces
Bicycle Parking	22 spaces	28 spaces

- 7.1.5. The Appellant submits that the proposed crèche is excessive in size and scale and that it would represent overdevelopment of the site. It is asserted that this would result in a loss of privacy for the residential units along Graydon Green. It is also stated that the windows of the crèche are orientated to face directly towards the bedrooms and downstairs rooms of these houses and that this is undesirable / unacceptable.
- 7.1.6. I have reviewed the plans and particulars accompanying the application and consider that the additional floorspace, scale and massing of the proposed structure would not lead to any unacceptable residential amenity or visual impacts being incurred by the surrounding area. The proposed changes are not excessive when compared with the permitted facility and I consider that the appeal site, and its receiving environment, can readily absorb a two-storey structure.
- 7.1.7. I note that there would be a nominal increase only in terms of the overall height of the building and that the width and length of the structure also remains very similar to that already permitted. The additional floorspace proposed is achieved by focusing the massing of the current proposal towards the west, which is in the direction of a small surface car park and open space area. This is not a particularly sensitive interface, in my view, and I consider that this part of the appeal site can accommodate the additional floorspace proposed. The crèche would also provide a degree of passive surveillance over the park and small public play area, which is to be welcomed.
- 7.1.8. I note that there is a separation distance of c. 19.7m at the nearest point between the proposed crèche building and residential units directly south. The separation distance increases slightly to 21m for the western section of the building's south-facing elevation, which includes the entrance canopy and main pedestrian access to the building. This information is evident from viewing the Proposed Site Plan (Drwg. GC-01-02-SW-ZZZ-DR-MLA-AR-0101-3 refers) and contiguous elevations. The proposed landscaping, including planted trees around the periphery of the site, would reduce the visual impact of the proposed building and help impede direct views between directly opposing windows.
- 7.1.9. Furthermore, as the private amenity space associated with Nos. 22 – 38 Graydon Green and No. 2 Lyons Avenue North are on the rear / southside of these residential

units, there is no potential for adverse overlooking from the crèche into these private gardens. I note that the crèche would an overall height of c. 6.7m whilst the houses on Graydon Green are roughly c. 9.7m in height (to top of apex).

- 7.1.10. In terms of potential noise and traffic congestion, I consider that road noise from vehicles dropping off and collecting children to a childcare facility a normal feature of living in an urban, residential environment. Its elimination is not a realistic prospect, in my opinion, particularly in a residential setting where such facilities are generally supported by local planning policy. The proximity of the childcare facility to existing residential houses would also maximise opportunities for people to walk and cycle to the facility from their homes, rather than choosing to drive. The busiest times of day would be during weekdays. in the morning and evening, but outside of these times, I do not envisage there would be large volumes traffic travelling to / leaving the site.
- 7.1.11. In summary, I consider that there would be no unreasonable adverse impacts arising in terms of visual or residential amenity, and that the design response employed by the scheme architect in this case has sufficiently addressed the issue of privacy for residential properties in the area, including that of Graydon Green.
- 7.1.12. I conclude that the proposed development would not seriously injure the visual or residential amenities of property in the surrounding vicinity. The proposal is consistent with the zoning objective for the site and would not result in overdevelopment of the site. It is, therefore, in accordance with the proper planning and sustainable development of the area and should be granted permission.

7.2. Access and Traffic

- 7.2.1. I note that the car and cycle parking facilities intended to serve the proposed crèche are already permitted under a previous permission (ABP Ref. ABP-305343-19). This equates to 12 car parking spaces and 22 cycle parking spaces. The current proposal makes provision for 6 additional cycle parking spaces, which means a total overall provision of 28 cycle parking spaces.
- 7.2.2. The Development Plan (Table 12.25) specifies that a crèche has a car parking rate of one space per 'classroom' (i.e., Zone 1). The proposal includes nine 'classrooms'. Therefore, the provision of 12 car parking bays is acceptable from a development management standard perspective.

- 7.2.3. Furthermore, and as noted above, the appeal site is situated amongst an existing residential area. It is within walking distance of many newly built houses and apartments. Therefore, I consider that a sizeable proportion of trips would likely be made by walking and cycling instead of by private motorcar. During my site inspection, I observed the high-quality pedestrian and cyclist environment of the area, which has dedicated cycle lanes, good street lighting, wide footpaths, clearly defined crossing paths and tactile surfaces. This would be conducive to encourage more people to choose active transport as a means of getting to / from the childcare facility for pickups, drop-offs, etc. The proposed amount of cycle parking is also considered acceptable and in accordance with local policy. In this regard, I note that a total of 19 no. cycle parking spaces are required and that 28 no. spaces are proposed. I consider the inclusion of a condition requiring the preparation of a final Mobility Management Plan would further encourage more sustainable travel modes and reduce car-borne traffic generated by the proposal.
- 7.2.4. I acknowledge that the proposed entrance to the crèche faces southwards, onto a cul-de-sac. However, this would likely dissuade people from using Graydon Green as an informal vehicular setdown area as the street cannot be used as a through-road. I consider the proposed access arrangement acceptable.
- 7.2.5. I note the Council's Roads Department raised no objection in relation to car parking provision or the proposed means of access to the site. However, the need for additional details concerning bicycle parking and pedestrian routes within the development site was identified. I consider that this can be addressed by condition.

7.3. Appropriate Assessment

- 7.3.1. Having regard to the nature and small scale of the proposed development, which is a crèche / childcare facility, within an urban and serviced area, and the distance from the nearest European site; no Appropriate Assessment issues arise. Therefore, 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. I recommend that planning permission be granted for the reasons and considerations set out below.

9.0 Reasons and Considerations

Having regard to the provisions of the South Dublin County Development Plan 2022-2028, including the zoning objective for the site (RES-N), where a childcare facility is permitted in principle, the planning history of the site, and size, scale and design of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual or residential amenities of the area, or of property in the vicinity, and would not endanger public safety by reason of traffic hazard. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

10.0 Conditions

1.	<p>The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted to the Planning Authority, 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 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>Prior to commencement of development, the Applicant is required to submit for the written agreement of the Planning Authority a revised layout, not less than 1:200 scale, showing:</p> <p>a) The location and quantum of outdoor play space associated with the crèche facility,</p>

	<p>b) covered bicycle parking and pedestrian routes within the development, and</p> <p>c) the inclusion of Sustainable Urban Drainage System (SuDS) measures, including but not limited to green roofing to the crèche/childcare building and bin store.</p> <p>Reason: In the interests of the proper planning and sustainable development of the area</p>
3.	<p>Details of the materials, colours and textures of all the external finishes to the proposed development, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p>Reason: In the interest of visual amenity.</p>
4.	<p>Prior to the opening of the development, a Mobility Management Strategy shall be submitted to and agreed in writing with the planning authority. This shall provide for incentives to encourage the use of public transport, cycling, walking and car pooling by staff employed in the development and to reduce and regulate the extent of staff parking. Details to be agreed with the planning authority shall include the provision of centralised facilities within the development for bicycle parking, shower and changing facilities associated with the policies set out in the strategy.</p> <p>Reason: In the interest of encouraging the use of sustainable modes of transport.</p>
5.	<p>The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including hours of working, noise management measures and off-site disposal of construction/demolition waste.</p> <p>Reason: In the interests of public safety and residential amenity.</p>
6.	<p>Prior to the commencement of development, the developer or any agent acting on its behalf, shall prepare a Resource Waste Management Plan (RWMP) as set out in the EPA's Best Practice Guidelines for the Preparation</p>

	<p>of Resource and Waste Management Plans for Construction and Demolition Projects (2021) including demonstration of proposals to adhere to best practice and protocols. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness; these details shall be placed on the file and retained as part of the public record. The RWMP must be submitted to the planning authority for written agreement prior to the commencement of development. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.</p> <p>Reason: In the interest of sustainable waste management.</p>
7.	<p>a) A comprehensive boundary treatment and landscaping scheme shall be submitted to and agreed in writing with the planning authority, prior to commencement of development. This scheme shall include the following:</p> <ul style="list-style-type: none"> i. details of all proposed hard surface finishes, including samples of proposed paving slabs/materials for footpaths, kerbing and other surfaces within the development, ii. proposed locations of trees and other landscape planting in the development, including details of proposed species and settings, iii. details of proposed street furniture, including bollards, lighting fixtures and seating, and iv. details of proposed boundary treatments at the perimeter of the site, including heights, materials and finishes. <p>The boundary treatment and landscaping shall be carried out in accordance with the agreed scheme.</p> <p>b) A Green Infrastructure Plan shall be submitted as part of the landscaping scheme and include the following information:</p> <ul style="list-style-type: none"> i. A Site Location Plan showing the development site in the context of the wider GI (Green Infrastructure) as shown on the Council's GI Plan for the County.

	<ul style="list-style-type: none"> ii. Indication of how the development proposals link to and enhance the wider GI Network of the County. iii. Proposed GI protection, enhancement, and restoration proposals as part of the landscape plan, where appropriate, for the site. iv. Proposals for identification and control of invasive species where appropriate, for the site. <p>Reason: In the interest of visual amenity.</p>
8.	<p>Public lighting shall be provided in accordance with a scheme, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The lighting shall be directed away from adjacent housing and gardens and cowled such as to reduce, as far as possible, light scatter.</p> <p>Reason: In the interests of residential amenity and public safety.</p>
9.	<p>Surface water drainage arrangements for the proposed development shall comply with the requirements of the Planning Authority.</p> <p>Reason: In the interest of public health.</p>
10.	<p>Prior to commencement of development, the developer shall enter into water and/or wastewater connection agreements with Uisce Éireann.</p> <p>Reason: In the interest of public health.</p>
11.	<p>Site development and building works shall be carried out only between the hours of 0700 to 1800 Mondays to Fridays inclusive, between 0800 to 1400 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>
12.	<p>The developer shall pay to the planning authority a financial contribution respect of public infrastructure and facilities benefitting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development</p>

	<p>Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to the commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developers or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.</p> <p>Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.</p>
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[I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.]

Ian Boyle
Senior Planning Inspector

15th March 2024

Appendix 1 - Form 1

EIA Pre-Screening

[EIAR not submitted]

An Bord Pleanála Case Reference	ABP-316066-23		
Proposed Development Summary	The proposed development is for the construction of a two-storey crèche (childcare facility) with associated open space play area, bin storage and ancillary site works		
Development Address	The appeal site is in an existing residential area, in Newcastle, South County Dublin. It is situated on at the junction of Newcastle Boulevard, Burgage Street and Lyons Avenue.		
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)		Yes	
		No	No further action required
2. Is the proposed development of a class specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) and does it equal or exceed any relevant quantity, area or limit where specified for that class?			
Yes			EIA Mandatory EIAR required
No	✓		Proceed to Q.3
3. Is the proposed development of a class specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) but does not equal or exceed a relevant quantity, area or other limit specified [sub-threshold development]?			
		Threshold	Comment (if relevant)
			Conclusion
No	✓		No EIAR or Preliminary Examination required
Yes			Proceed to Q.4

4. Has Schedule 7A information been submitted?

No		Preliminary Examination required
Yes		Screening Determination required

Inspector: Ian Boyle

Date: 15th March 2024