



An
Coimisiún
Pleanála

Inspector's Report

ABP-322275-25

Development	Mixed use development comprising 44 residential units and 6 commercial units in 3 blocks.
Location	Main Street and New School Street, Newcastle, Co. Dublin.
Planning Authority	South Dublin County Council
Planning Authority Reg. Ref.	SD24A/0071
Applicant	Geotechnical Site Investigations
Type of Application	Permission
Planning Authority Decision	Grant Permission
Type of Appeal	Third Party
Appellant	John O'Reilly Keith O'Connor Joseph Bohan
Observer	Newcastle Community Council

Date of Site Inspection

27th June 2025 and 20th July 2025

Inspector

John Duffy

Contents

- 1.0 Site Location and Description 5
- 2.0 Proposed Development 5
- 3.0 Planning Authority Decision 7
 - 3.1. Decision 7
 - 3.2. Planning Authority Reports 9
 - 3.3. Prescribed Bodies 19
 - 3.4. Third Party Observations 20
- 4.0 Planning History 20
- 5.0 Policy Context 22
 - 5.1. South Dublin County Development Plan 2022-2028 22
 - 5.2. National Guidance 26
 - 5.3. Natural Heritage Designations 28
 - 5.5. EIA Screening 28
- 6.0 The Appeal 29
 - 6.1. Grounds of Appeal 29
 - 6.2. Planning Authority Response 30
 - 6.3. Applicant Response 30
 - 6.4. Observation 30
- 7.0 Assessment 31
- 8.0 AA Screening 44
- 9.0 Recommendation 44
- 10.0 Reasons and Considerations 45
- Appendix 1: Form 1 46
- Appendix 2: Form 2 48

Appendix 3: 50

1.0 Site Location and Description

- 1.1. The subject site, with a stated area of 0.53 ha, is located in the centre of Newcastle village in Co. Dublin. The site which rises gently from north to south, is overgrown, contains a disused agricultural shed (c 125 sqm) and there are areas of hardstanding within the site. Site boundaries consist of hedgerow at the front (north) adjoining Main Street and along the eastern boundary, a mixture of Paladin and Palisade fencing and railings atop a low rise wall along the western boundary, and Paladin fencing at the southern boundary.
- 1.2. The site, accessed from and bound by Main Street (R120) to the north is located opposite Newcastle Shopping Centre, which comprises units including a pharmacy, butchers shop, hair salon and a fast food take-away. There is also access to the site from New School Road which adjoins to the west. Existing residential development comprising traditional two storey housing along Main Street is situated to the east. To the south, the site is adjoined by two storey housing at Burgage Gardens which is of relatively recent construction. St. Finian's National School along with a bar and restaurant and associated car parking is located to the west of the site.
- 1.3. Newcastle has undergone significant development during the last twenty years, with development focused on lands to the north of Main Street. More recently, lands to the south have been developed, mainly for housing but also for retail and supporting infrastructure. This proposed development comprises Phase 2 of a residential development which provided 40 houses on adjoining lands to the south. Apartments have also been constructed in the area such as along Newcastle Boulevard and Ballynakelly to the south-east.

2.0 Proposed Development

- 2.1. This is an application for permission consisting of:
 - The construction of a new residential and mixed-use scheme of 44 no. residential units and 6 no. commercial units, in 3 no. blocks (V1, V2 and V3).
 - Block V1 located at the southern part of the site comprises a 3 storey residential block with under croft parking. 8 no. 2 bed ground floor apartments and 8 no. 3

bed duplex units are proposed at first and second floor levels. Height from ground level is given as c 10.8 m.

- Block V2, a four storey mixed-use block addresses both Main Street and New School Street. 2 no. commercial units are proposed at ground floor level (a coffee shop and a local scale shop). 12 no. apartments (6 no. 1 bed units and 6 no. 2 bed units) are proposed at first, second and third floor levels. Height given as approximately 13 m.
- Block V3, a four storey mixed-use block addresses Main Street. 4 no. local scale shops are proposed at ground floor level. Upper floors accommodate 16 no. apartments comprising 6 no. 1 bed units, 6 no. 2 bed units and 4 no. 3 bed duplexes.
- Submitted layout drawing indicates provision of a play and plaza area to the rear of Blocks V2 and V3.
- Communal open space (c 492 sqm) provided on a raised deck on the northern and eastern side of Block V1.
- 64-66 car parking spaces proposed; c 22 at surface level to the front of Block V1 with remaining spaces provided at undercroft level.
- Bin storage, bike storage, landscaping and drainage.

2.2. A total of 12 no. 1 bedroom units (c 27.3%), 20 no. 2 bedroom units (c 45.4%) and 12 no. 3 bedroom units (c 27.3%) are proposed.

2.3. In addition to architectural and engineering plans and drawings, the application includes the following documentation:

- Planning Statement.
- Architectural Design Statement.
- Landscape Design Rationale and Landscape Plans.
- Part V proposal / costings.

2.4. In response to a Further Information (FI) request the applicant provided revised / new drawings / details and reports for several items, as detailed under section 3 below. On foot of the FI request, several changes were made to the proposed development. The main changes are outlined as follows:

- Revisions to Block V3 to include:
 - Number of commercial units reduced from four to three.

- All residential units in this Block now comprise 17 no. 2 bed units.
- Block set back to provide a greater separation distance (c 18 m) from adjoining houses to the east (previously c 14.6 m). Proposed balconies on eastern elevation of the Block omitted. Depth of eastern elevation of Block reduced from c 26 m to c 20 m.
- Layout redesigned to include two landscaped areas on either side of Block V3 in order to facilitate a Village Plaza.
- Increase in number of residential units from 44 to 45 (additional unit in Block V3).
- Apartment units in V2 and V3 will have covered bin storage within the undercroft parking area. Bin storage for Block V1 is located off Street 1.
- 60 car parking spaces, 18 spaces at surface level and 42 at undercroft level.
- 2 no. secure bicycle parking areas off Street 1 and within the undercroft car park.

3.0 Planning Authority Decision

3.1. Decision

Following the receipt of FI, the planning authority decided to grant permission on the 19th of March 2025, subject to 34 conditions. Conditions of note are summarised as follows:

C2 - Submit revised plans for the following modifications for agreement:

- Setback third floor of Block V3 by removing unit numbers 14, 15 and 16. Apartment layouts for units 13 and 17 (including balconies) shall be amended accordingly.
- Units 5 and 10 in Block V3 shall be omitted and the floorspace to be incorporated into units 4, 6, 9 and 11.
- Revised Landscape Plan for Village Plaza to omit play area and provide active frontages.
- Plans, elevational and contiguous elevational drawings of existing and proposed boundary treatments.

C4 - Submit revised plans / details for agreement:

- A completed Road Safety Audit (RSA).
 - A revised layout showing the location and reduced number of car parking spaces.
 - A revised layout showing the location and number of bicycle parking spaces.
 - A revised layout showing the location of commercial vehicle set-down delivery / collection and refuse vehicle set down areas within the development, not on public roads.
 - Details of pedestrian areas to be provided in public realm.
- C5** - Prior to occupation of proposed units, applicant to provide confirmation from Department of Education on the transfer of lands to provide for new primary school at Taobh Chnoic (Objective CS9 SL03 refers), subject to their confirmation of need.
- C6** - (a) Provide a drawing to clarify where eventual water pipe connects to on the Main Street surface water sewer at Newcastle.
- (b) If development is to connect into public surface water infrastructure, including that along Hazelhatch Road, the permitted development shall not commence prior to the development of a new surface water sewer on Hazelhatch Road. The new surface water sewer on Hazelhatch Road must have commenced and be within 6 months of completion before proposed development is commenced, to ensure adequate surface water drainage provision.
- C7** - (a) Provide revised surface water attenuation calculations along with a report to show calculations for the development.
- (b) Submit drawings to show what Sustainable Drainage Systems are proposed to attenuate surface water. A combination of Sustainable Drainage Systems should be used.
- C24** - Archaeological monitoring condition.
- C25** - Aviation safety condition.
- C31** - Financial contribution in lieu of provision of community floorspace on site.

C32 - Special contribution for provision of a strategic surface water outfall pipe along Hazelhatch Road and associated works and tie-ins.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The first planning report raised several issues which culminated in a Further Information request dated 29th May 2024. These matters are summarised as follows:

- **Item 1: Documentation / details required:**
 - Provide drawings of existing on-site structures.
 - Provide an Energy Efficiency and Climate Change Adaptation Design Statement.
 - Submit a daylight, sunlight and overshadowing analysis of proposed development and impacts on adjoining properties.
 - Submit updated Design Statement to reflect County Development Plan (CDP) requirements.
 - Site boundary includes footpath on Main Street which appears to be in the Council's ownership. Submit consent letter in this regard.
 - Submit an Archaeological Impact Assessment (AIA) to address observation from DHLGH.
 - Clarify gross and net site areas.
 - Provide a statement which demonstrates how the proposed development could be adapted in the future for older persons / disabled persons / lifetime homes.
 - Submit a Schedule of Areas and a Housing Quality Assessment. Address whether the proposal complies with section 3.8 of the Apartment Guidelines (2023).
 - Demonstrate whether private amenity spaces comply with CDP standards / Apartment Guidelines.
 - Provide a Building Lifecycle Report in accordance with Apartment Guidelines.
 - Demonstrate floor to ceiling heights of proposed blocks / floors.
- **Item 2: Newcastle Strategic Local Objectives (SLOs)**

- Burgage South Park (indicated in the expired Newcastle LAP) overlaps in part with the applicant's overall landholding. Noted that delivery of this park is a phasing requirement of the delivery of Phase 2 residential lands and the subject proposal. Detail how delivery of this park is being ensured, given that part of the park is within the applicant's control.

- Insufficient information provided in terms of Specific Local Objectives (SLOs) CS9 SL03, CS9 SLO4 and COS5 SLO1 of the CDP.

- **Item 3: Village Plaza**

Concerns raised regarding the location of the Village Plaza, behind the proposed buildings and not highly visible from adjoining roads.

- Review layout and design of plaza so it is highly visible and integrates with streetscape and public realm.

- Applicant to address the feedback from Public Realm Section relating to play space surfacing and springers.

- The western burgage hedgerow should be better incorporated into the layout and landscaping.

- **Item 4: Architectural Conservation**

- AIA to be sought to assess impacts on protected structures and location within the Newcastle Village Architectural Conservation Area (ACA). A design rationale should be included in order to address design concerns and visual impacts.

- Concerns that the design and mass of the proposed apartment blocks fail to provide design consistency and architectural interest along the streetscape or within the ACA. Proposed materials and finishes to reflect existing building stock while providing, inter alia, high quality design for visual contrast.

- **Item 5: Visual Impact**

- Design rationale required for the scale and heights of the proposed development in the context of visual impact on the streetscape and within the ACA.

- Full details required on all boundary treatments including the revised wall and railing along New School Road.

- Revised elevations required which clearly show proposed colour, materials and finishes.
- **Item 6: Residential Amenity**
 - Redesign of Block V3 required so that balconies and primary windows not positioned on eastern elevation.
 - Provide contiguous drawing along eastern boundary.
 - Provide information of the relationship between first floor level of Block V3 which is located in close proximity to the raised deck (communal open space) and the patios and ground floor level of Block V1. Amendments should be made as necessary to protect the privacy of V3 apartments.
 - Provide information as to how the non-residential and residential uses would operate on site and not in conflict (e.g. storage, security, delivery and access).
 - Clarify if any security measures proposed for the communal open space. This space should receive adequate sunlight. Consideration should be given in terms of accessibility improvements to this area by residents from Blocks V2 and V3.
- **Item 7: Access, Parking and Roads**
 - There are no arrangements for commercial deliveries or set down provision. Bin stores are located in an undercroft area. An Autotrack of the refuse vehicle should be provided.
 - Provide details of how the proposed development may affect sightlines from the junction of New School Road and Main Street.
 - Provide details of pedestrian routes within the development.
 - Provide details of the location, design and construction of pedestrian areas in the public realm.
 - Submit a layout of areas proposed for Taking in Charge (TIC).
 - Further details required in relation to the eastern walkway including management details, boundary treatment, hedgerow protection measures, ecological impact and lighting.

- Provide a Road Safety Audit (RSA) and a Traffic and Transport Assessment (TTA).

- Car parking provision to be informed by location of site, proximity to high quality public transport and services, and compliance with CDP.

- Bicycle parking to be provided in accordance with CDP and NTA Cycle Manual 2023.

- **Item 8: Infrastructure and Environmental Services**

- Above ground SuDS measures are required, while underground attenuation measures are only accepted as a last resort.

- Surface water attenuation calculations for the proposal are required.

- It is unclear what is meant by geolight stormwater attenuation. Underground attenuation systems are not recommended as they are not a SuDS system, nor do they provide biodiversity or amenity value. A combination of SuDS systems should be used to provide an overall solution.

Following the granting of the applicant's request to extend the date for submission of FI in accordance with Article 33(3) of the Planning and Development Regulations, 2001 as amended, the applicant submitted responses to the FI items on 21st February 2025 including revised drawings and plans and the following items:

- FI Response Cover Letter.
- Housing Quality Assessments.
- Note on Density.
- Note on Open Space provision.
- Car parking information.
- Photomontages and CGIs.
- Architects Design Statement.
- Building Lifecycle Report.
- Energy Efficiency and Climate Adaptation Statement.

- Universal Design Report.
- AHIA.
- Traffic Report.
- Stage 1 RSA.
- Shadow Study.
- Uisce Eireann (UE) Confirmation of Feasibility (COF).
- Surface Water submission.

3.2.2 The second Planning Report reflects the decision to grant permission for the proposed development on 19th March 2025. It provides an assessment of the FI submitted, which is summarised as follows:

Item 1 – Required documentation / details:

- Site Layout Plan outlines existing structures on the site and is acceptable. Two proposed site plans depicting lower and upper levels are provided and considered to be acceptable.
- An Energy Efficient and Climate Adaptation Statement is provided in accordance with Section 12.10.1 of the CDP ('Energy Performance in New Buildings) and is acceptable.
- A Shadow Study is submitted which considers surrounding residential development to the east and south. No analysis is provided in relation to daylight / sunlight for proposed units and amenity areas. Potential impacts in relation to daylight and sunlight on residential development to the north of the site are not assessed.
- Overshadowing impacts on adjoining residential development from Block V3 considered to be minimal.
- Concerns raised regarding the three single aspect north facing units in Block V3 (Units 5, 10 and 15) which do not overlook meaningful open space (as required by the Apartment Guidelines). Recommend these units be omitted should permission be granted.

- Planning authority not satisfied fully with design elements of the proposed development (as reflected above). It is considered that Block V3 should be redesigned.
- The applicant has confirmed they are in full ownership of the lands to the centre of the public road at Main Street.
- The submitted Archaeological Impact Assessment has addressed the matters raised by the DHLGH.
- The applicant has confirmed the net site area is 0.5 ha and that the proposed density of the site in conjunction with Phase 1 land equates to 43.88 uph. The increase in the number of residential units from 44 to 45 has resulted in a density of 90 uph (net). The Planning Department consider the proposed development falls into the category of Metropolitan Towns (> 1,500 population) – Centre and Urban Neighbourhoods as set out in Table 3.3 of the Compact Settlements Guidelines (2024), where residential densities in the range 50 dph to 150 dph (net) shall generally be applied. It is concluded that the proposed density of 90 uph at this location is acceptable having regard to the accessibility of public transport, the growing population of Newcastle and the proximity to a range of local services and facilities.
- The submitted Universal Design Report is acceptable.
- In relation to the Housing Quality Assessment it is noted that Block V3 is amended to now comprise 17 no. 2 bedroom apartments, resulting in a reduction of 3 bedroom units from 12 to 8 across the scheme. While H1 Objective 12 of the CDP requires a minimum of 30% 3 bedroom units to be provided, a lesser number may be acceptable where it can be demonstrated that there are unique site constraints. The planning authority notes that given the infill nature of the site and prevailing unit types in the area, the proposed mix is acceptable and is deemed to comply with H1 Objective 12 and the Apartment Guidelines.
- From a review of the Housing Quality Assessment it is considered that the majority of apartments do not exceed the minimum floor area standard by 10% as required by the Apartment Guidelines. Removal of single aspect units and the consequent creation of large apartments in Block V3 will address these concerns.

- Noted that all proposed units provide private open space in excess of CDP and Apartment Guidelines requirements.
- Building Lifecycle Report is acceptable.
- Submitted section drawings for Blocks V2 and V3 detail a floor to ceiling height of 3.6 m, with first, second and third floors having floor to ceiling heights of 2.7 m. This is acceptable.

Item 2 - Newcastle SLOs

- Noted the applicant has confirmed their commitment to delivery of Burgage South Park as per the Newcastle SLOs. This commitment is highlighted in their delivery of 4,385 sqm of public open space from Phase 1 development (Reg. Ref. SD17A/0378 refers). The applicant has provided their portion of public open space for Burgage Park South in the lands within their ownership and control.

Item 3 – Village Plaza

- Block V3 is redesigned to include two landscaped areas on either side of the block. Passive surveillance onto the proposed public plaza is achieved by way of inclusion of balconies and windows on western elevation of Block V3. Proposed Landscape Plan indicates play area measuring c 71 sqm.
- Overall siting and layout of plaza is acceptable; however it is dominated by play equipment which should be omitted in order to maximise the capacity of the area to offer multi-functional uses.

Item 4 – Architectural Conservation

- An Architectural Impact Statement is provided and concludes that the possible visual impact of the proposed development is negligible and is relevant only from the western approach where historic buildings on the south side of the street will have the proposed development in the distant background. The planning authority agrees with the Conservation Officer that a condition requiring a schedule of materials be submitted for final design prior to commencement.

Item 5 – Visual Impact

- Architectural Conservation Officer is satisfied with the chosen materials and design rationale in terms of the impact of the proposed development on Architectural Conservation.
- The planning authority has concerns in terms of the visual impact of Block V3, notwithstanding that proposed amendments facilitate a more integrated approach to the proposed plaza and the block.
- The massing of Block V3 is deemed extensive along Main Street when assessed with Block V2. Particular concern is raised in terms of the visual impact of the north-eastern part of the block on Main Street and neighbouring dwellings to the east. It is considered that the setting back of the third floor level involving omission of two apartments would contribute positively to reducing the 'block' type of appearance of this element of the proposed development and inclusion of a condition in this regard is recommended should permission be granted.
- Insufficient details relating to the proposed wall along New School Road are provided. If permission is granted a condition shall be included requiring details of all boundary treatments.

Item 6 – Residential Amenity

- Set back distance of Block V3 from neighbouring dwellings to the east is noted (c 18 m). This is considered adequate and acceptable.
- Removal of balconies from eastern elevation is welcomed.
- Having regard to the submitted shadow study, it is considered the proposed development would not have a significant impact on neighbouring dwellings in terms of overshadowing.
- Separation distance between the raised deck (communal open space) of Block V1 and the rear of Block V3 has increased to 7.6 m, with separation distance from the patio and ground floor level of Block V1 now 15.3. This is acceptable to the planning authority.
- Levels of sunlight to communal open space have not been assessed. Further, no details relating to security measures and access are provided. Final landscaping and design may be agreed by condition.

- Roads Department has expressed concerns relating to bin storage proposals.

Item 7 – Access, Parking and Roads

- This item is assessed by the Roads Department which recommends that a request for Clarification of Additional Information (CAI) be issued in respect of the following matters;
 - A completed RSA to be submitted.
 - A revised layout to show location and reduced number of parking spaces to be provided.
 - A revised layout to show location and number of bicycle parking spaces to be provided.
 - A revised layout to show location of commercial vehicle set down delivery / collection and a refuse vehicle set down areas within the development.
 - Provide details of location, design and construction of pedestrian areas in the public realm to be constructed by the developer at their own expense. Public footpath to be extended along northern edge of the site to the east and west boundary at applicant's expense.
 - Submit a Taking in Charge drawing.

The planner's report notes that timeframe for CAI has expired and that the applicant should be required to address the issues raised by way of condition.

Item 8 – Infrastructure and Environmental Services

This item is assessed by the Water Services Department which recommends that a request for Clarification of Additional Information (CAI) be issued in respect of the following matters;

- Surface water attenuation calculations are unclear. Provide a report to show surface water calculations for the proposed development. Show what surface types are proposed; show the site area; show what surface water attenuation is provided in metres cubed and what attenuation is required.
- Submit drawing to show what SuDS are proposed and how much attenuation is provided by SuDS. Surface water should not be attenuation underground by tanks.

- Submit a drawing to clarify where the eventual surface water pipe connects to on the main street surface water sewer at Newcastle.
- Prior to submission contact Water Services to discuss same.

The planner's report notes the timeframe for CAI has expired and that insufficient information in relation to surface water attenuation and drainage for the proposed development is provided and a revised proposal for agreement is required by permission.

The planner's report also notes that correspondence from Water Services Department on 18th March 2025 confirmed that a section 48 special contribution condition is required, in the event of a grant of permission, for the required upgrade works to the surface water infrastructure along Hazelhatch Road that this and other developments in the area are creating demand for.

3.2.3 Other Technical Reports

Roads: FI was recommended in the first report as per Item 7 in section 3.2.1 above. The second report recommended that CAI be sought as per Item 7 in section 3.2.2 above.

EHO: Proposed development acceptable subject to conditions.

Public lighting: No design submitted. Conditions given if permission granted.

Water Services: No objection raised to the proposed development in terms of flood risk. FI was recommended in the first report as per Item 8 in section 3.2.1 above. The second report recommended that CAI be sought as per Item 8 in section 3.2.2 above.

Architectural Conservation Officer (ACO): FI was recommended in the first report which notes the location of the proposed development in the Newcastle ACA and in proximity to Protected Structures. The report considers the proposal fails to provide a sensitive design and the site context has not been considered. Recommends that an Architectural Impact Statement is provided and that different materials and colour palette are examined to minimise visual impacts and allow more design consistency and architectural interest along the streetscape.

The ACO's second report notes the submission and recommendations of the Architectural Impact Statement completed by a Conservation Architect. Revisions

made to the proposed development and layout on foot of the FI request are welcomed and inclusion of a condition concerning the submission of a final schedule of materials and finishes is recommended.

Public Realm: No objection. Noted that the surfacing proposed for play space is not up to standard and that wet pour services are not acceptable. Recommend that such areas are changed to engineered woodchip as appropriate. The proposed springers do not offer substantial play value and should be changed.

Housing: Recommends inclusion of a Part V condition should permission be granted.

I note the reports from Roads, Public Realm and the ACO are included in the planner's reports.

3.3. Prescribed Bodies

Department of Housing, Local Government and Heritage (DHLGH): First report notes the subject site is located within the zone of archaeological notification for a Recorded Monument (DU020-003008 – Settlement deserted – Medieval). It recommends that an Archaeological Impact Assessment (AIA) be undertaken. The second report notes the recommendation of the AIA that archaeological monitoring be carried out

Uisce Éireann (UÉ): First report recommends that a Pre-Connection Enquiry be submitted by the applicant. The second report notes that there is no objection in principle to the proposed development subject to connection agreements being in place prior to commencement of development.

Transport Infrastructure Ireland (TII): Letter received stating that TII has no observations to make on the proposal.

Department of Defence: Operation of cranes should be coordinated with Air Corps Air Traffic Services and adequate bird control measures should be implemented during construction phase to mitigate effects of birds on Air Corps flight operations.

I note that the Commission also sought comments under Article 28 of the Planning and Development Regulations 2001, as amended, from An Taisce, The Heritage Council, An Chomhairle Ealaíon and Fáilte Ireland, given that the proposed

development is located within Newcastle ACA. I note that no observations were received on foot of the Commission's request.

3.4. Third Party Observations

Eight submissions, including a representation from a public representative, were received in connection with the planning application. Issues raised may be summarised as follows:

- Development of the vacant site would be positive.
- Site could be ideal for use as an urban village square.
- Proposed development fails to integrate with existing local village context.
- Excessive height of development.
- Site should be used for housing.
- The proposal would give rise to negative impacts on the residential and visual amenities of the area.
- Traffic congestion and traffic safety concerns.
- Inadequate car parking provision.
- Over-densification of subject site.
- Concerns relating to capacity of local infrastructure and services to cater for the proposal.
- Concerns relating to the viability of proposed shops.
- Concerns raised regarding construction impacts.
- Absence of assessments / details including, inter alia, ecology impact assessment, energy assessment, lighting and signage details, Construction and Environmental Management Plan (CEMP), delivery details, bicycle parking and plant not indicated on drawings.
- Solar panels would require a glint and glare analysis.
- Site notice concerns.

4.0 Planning History

4.1. Appeal site

Planning Authority Reg. Ref. SD14A/0098 refers to an application, which overlaps the western part of the site, for removal of school structure and construction of new two storey school building. Permission was granted in June 2014.

Planning Authority Reg. Ref. SD10A/0104 refers to an application, which overlaps the western part of the site, for construction of that part of the north-south central link street located between Main Street, Newcastle-Lyons and the east-west link road and all ancillary site development works. Permission was granted in January 2011.

An Bord Pleanála Ref. PL06S.237995 / Planning Authority Reg. Ref. SD10A/0019 relates to the subject site and adjoining lands to the south and refers to a July 2011 decision to refuse permission for demolition of existing commercial buildings and construction of a mixed-use development of 77 residential units, 11 retail units, a creche and 231 parking spaces. Refusal reasons related to prematurity of development, non-compliance with the LAP and that it had not been demonstrated the nature and extent of the works would be compatible with the protection of bats.

Planning Authority Reg. Ref. SD08A/0710 relates to the subject site and adjoining lands to the south and refers to a December 2008 decision to refuse permission for demolition of existing commercial buildings and construction of 98 residential units, 2 no retail units and 1 no. creche and 231 car parking spaces. Seven refusal reasons were given. These raised matters including non-compliance with Development Plan standards / criteria, non-compliance with LAP, absence of an Archaeological Assessment, poor standard of amenity for future residents, piecemeal development, negative impacts on residential and visual amenities.

4.2. **Lands to the south**

An Bord Pleanála PL06S.301421 / Planning Authority Reg. Ref. SD17A/0378 refers to an August 2018 decision to grant permission for 38 houses and 8 apartments and associated site works at Newcastle. The appeal was made by the first party and related to specific conditions.

An Bord Pleanála PL06S.247964 / Planning Authority Reg. Ref. SD16A/0224 refers to an August 2017 decision to refuse permission for 46 houses and associated works. The single refusal reason related to inadequate provision of public open space which would be contrary to the Development Plan, the LAP and the Sustainable Residential Guidelines.

5.0 Policy Context

5.1. South Dublin County Development Plan 2022-2028

- 5.1.1. The South Dublin County Development Plan 2022 - 2028 is the current operative statutory plan for South Dublin, including Newcastle and the subject site. The Core Strategy is set out in Chapter 2, and provides population projections over the lifetime of the plan. Table 9 provides the 'Capacity of undeveloped lands within South Dublin' and Newcastle has a potential capacity of 646 units. Table 11 provides the 'Core Strategy Table 2022 - 2028' and Newcastle has a planned population increase of 1,094 persons over the life of the plan. Newcastle is defined as one of the 'Self-Sustaining Growth Towns' in the county.

Policy CS9: Newcastle states: 'Support the sustainable long-term growth of Newcastle by focusing development growth within the current settlement boundary and based on the ability of local services to cater for sustainable growth levels.'

CS9 Objectives 1 to 4 are relevant and are summarised as follows:

Objective 1: Provision of facilities / infrastructure in development proposals including community buildings in accordance with population growth. This objective refers to the Newcastle LAP and its extension to December 2022.

Objective 2: Support infill and brownfield development on zoned lands along the main street, in particular where it provides for improved services, commercial, retail or mixed use provision to meet the needs of the growing population.

Objective 3: Support and promote appropriate services, social infrastructure, retail, open space amenity.

Objective 4: Residential development to be provided in a coordinated manner through phasing in accordance with CS9 SLO1, SLO2, SLO3 and SLO4.

SLO1 to SLO4 outline how development is to be undertaken and what services and infrastructure is to be provided in conjunction with this.

SLO3 relates to phasing and also states the following:

'With regards delivery of a new primary school at Taobh Chnoic, the timing of this will be subject to educational needs in consultation with the Department of Education.'

Prior to completion of 200 units confirmation to be provided from the Department of Education on the transfer of lands to provide for the school, subject to their confirmation of need.'

Chapter 3 relates to 'Natural, Cultural and Built Heritage (NCBH)' and the section on Newcastle Village states the following: 'Newcastle is an historically significant village originally established as a medieval manor in the thirteenth century. Its large number of surviving archaeological monuments and well-preserved medieval land holding system of burgage plots preserved in hedgerows makes Newcastle a village of national significance. The built fabric of the village core has been classed as some of the oldest in the region. The buildings of interest within the ACA envelope are medieval structures such as tower houses constructed before 1500, the Church of Ireland, the mid-eighteenth-century Glebe House, and the Old National School and St Finian's Roman Catholic Church which date from the early to mid-nineteenth century.'

Chapter 8 refers to 'Community and Open Space'

Relevant Objectives include:

COS5 SLO 1: To identify and set aside land, ensuring the delivery of the quantum of open space within the general area of the Burgage South Neighbourhood Park as identified in the Newcastle Local Area Plan (2012), and to pursue all means of achieving this including proactive engagement with stakeholders and through the consideration of planning applications affecting this area.

COS5 SLO 4: To provide Newcastle Village with community areas and space to hold community events, a Village plaza.

5.1.2. Land-use Zoning Map 7 of the County Development Plan relates to Newcastle. The subject site is subject to two zonings as follows:

- Objective VC – 'To protect, improve and provide for the future development of Village Centres.' This is the primary zoning for the site.
- Objective RES-N - 'To provide for new residential communities in accordance with approved area plans.'

Map 7 shows that the appeal site is subject to Objective COS5 SLO4.

The County Development Plan Interactive Map also shows the following:

- The subject site is within the boundary of Newcastle Village ACA and overlaps with SMR R149425 and a Site of Geological Interest SD010 – Newcastle Buried Channel.
- The site is located within the following Aviation restricted area: Inner Horizontal Surface – Casement.

5.1.3. The following policies and objectives are considered relevant:

Policy QDP7: High Quality Design – Development General

Promote and facilitate development which incorporates exemplary standards of high-quality, sustainable and inclusive urban design, urban form and architecture.

QDP7 Objective 1: To actively promote high quality design through the policies and objectives which form ‘The Plan Approach’ to creating sustainable and successful neighbourhoods and through the implementation of South Dublin County’s Building Height and Density Guide

QDP7 Objective 7: To ensure that all proposals for development contribute positively to providing a coherent enclosure of streets and public spaces, taking into consideration the proportions and activities of buildings on both sides of a street or surrounding a public space, providing for good standards of daylight and sunlight, and micro climatic conditions and having regard to the guidance and principles set out in the South Dublin County’s Building Height and Density Guide and the Design Manual for Urban Streets and Roads (DMURS) (2019).

Policy QDP8: High Quality Design – Building Height and Density Guide (BHDG) Adhere to the requirements set out in the Urban Development and Building Height Guidelines (2018) issued by the DHLGH through the implementation of the Assessment Toolkit set out in the South Dublin County’s Building Heights and Density Guide 2021.

QDP8 Objective 1: To assess development proposals in accordance with the Building Height and Density Guide set out in Appendix 10 of this Development Plan and associated planning guidelines. In this regard, all medium to large scale and complex planning applications (30 + residential units, commercial development over 1,000 sqm or as otherwise required by the Planning Authority) shall be accompanied by a

'Design Statement'. The Design Statement shall include, inter alia, a detailed analysis of the proposal and statement based on the guidance, principles and performance-based design criteria set out in South Dublin County's Height and Density Guide. Any departures within the proposed development from the guidance set out in the Building Height and Density Guide for South Dublin County (Appendix 10) shall be clearly highlighted in the Design Statement. (See Chapter 12: Implementation and Monitoring).

QDP8 Objective 2: In accordance with NPO35, SPPR1 and SPPR3, to proactively consider increased building heights on lands zoned Regeneration (Regen), Major Retail Centre (MRC), District Centre (DC), Local Centre (LC), Town Centre (TC) and New Residential (Res-N) and on sites demonstrated as having the capacity to accommodate increased densities in line with the locational criteria of Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities (2020) and the Urban Design Manual – Best Practice Guidelines (2009), where it is clearly demonstrated by means of an urban design analysis carried out in accordance with the provisions of South Dublin County's Building Height and Density Guide that it is contextually appropriate to do so.

H1 Objective 12: Proposals for residential development shall provide a minimum of 30% 3-bedroom units, a lesser provision may be acceptable where it can be demonstrated that:

- there are unique site constraints that would prevent such provision; or
- that the proposed housing mix meets the specific demand required in an area, having regard to the prevailing housing type within a 10-minute walk of the site and to the socioeconomic, population and housing data set out in the Housing Strategy and Interim HNDAs; or
- the scheme is a social and / or affordable housing scheme.

Policy SM7: Car Parking and EV Charging

Implement a balanced approach to the provision of car parking with the aim of using parking as a demand management measure to promote a transition towards more sustainable forms of transportation, while meeting the needs of businesses and communities

Table 12.25 Maximum Parking Standards (Non-Residential).

Café 1 per 20 sqm GFA (Zone 2)

Retail Convenience 1 per 25 sqm GFA (Zone 2)

Table 12.26 Maximum Parking Standards (Residential).

Apartments (Zone 2): 1 bed 0.75 per unit. 2 bed 1 per unit. 3 bed + 1.25 per unit.

Table 12.23 Minimum Bicycle Parking

Residential 1 per bedroom (long stay), 1 per 2 apartments (short stay).

5.2 National Guidance

5.2.1 Revised National Planning Framework (NPF)

The First Revision of the NPF was recently approved by the Houses of the Oireachtas following the decision of Government on 8th April 2025 to approve the Final Revised NPF.

Chapter 2 of the First Revision of the NPF is entitled ‘A New Way Forward.’

Relevant National Policy Objectives (NPOs) include:

NPO 7: Deliver at least 40% of all new homes nationally, within the built-up footprint of existing settlements and ensure compact and sequential patterns of growth.

NPO 9: Deliver at least 30% of all new homes that are targeted in settlements other than the five Cities and their suburbs, within their existing built-up footprints and ensure compact and sequential patterns of growth.

Chapter 4 is entitled ‘Making Stronger Urban Places’ and it sets out to enhance the experience of people who live, work and visit the urban places of Ireland.

A number of key policy objectives are noted as follows:

- NPO 12 seeks to ‘Ensure the creation of attractive, liveable, well designed, high quality urban places that are home to diverse and integrated communities that enjoy a high quality of life and well-being’.
- NPO 20 provides that ‘In meeting urban development requirements, there will be a presumption in favour of development that can encourage more people and

generate more jobs and activity within existing cities, towns and villages, subject to development meeting appropriate planning standards and achieving targeted growth.’

Chapter 6 ‘People, Homes and Communities’ sets out that place is intrinsic to achieving a good quality of life.

A number of key policy objectives in Chapter 6 are noted as follows:

- NPO 37: Ensure the integration of safe and convenient alternatives to the car into the design of our communities, by prioritising walking and cycling accessibility to both existing and proposed developments and integrating physical activity facilities for all ages.
- NPO 42: To target the delivery of housing to accommodate approximately 50,000 additional homes per annum to 2040.
- NPO 43: Prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location
- NPO 45: 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, increased building height and more compact forms of development.

5.2.2 Ministerial Guidelines

Having regard to the nature of the proposed development and to the location of the appeal site, I consider the following Guidelines to be pertinent to the assessment of the proposal.

- Sustainable Residential Development and Compact Settlements, Guidelines for Planning Authorities (2024).
- Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (DoHLGH, 2023).
- Urban Development and Building Heights - Guidelines for Planning Authorities – (DoHPLG, 2018).

- Regulation of Commercial Institutional Investment in Housing, Guidelines for Planning Authorities (2021).
- Design Manual for Urban Roads and Streets (2019).
- Quality Housing for Sustainable Communities - Best Practice Guidelines for Delivering Homes Sustaining Communities (2007).

I note that the Planning Design Standards for Apartments Guidelines for Planning Authorities were published on 8th of July 2025. Section 1.1 of this document states that the guidelines only apply to planning applications submitted after the publication of the guidelines. I am therefore satisfied that these guidelines are not relevant to the current appeal.

5.3 **Natural Heritage Designations**

The Grand Canal, Site Code 002104, is designated a pNHA and is located approximately 2.4 km to the north west of the subject site.

5.4 **EIA Screening**

The proposed development has been subject to preliminary examination for environmental impact assessment (refer to Form 1 and Form 2 in Appendices of this report). Having regard to the characteristics and location of the proposed development and the types and characteristics of potential impacts, it is considered that there is no real likelihood of significant effects on the environment. The proposed development, therefore, does not trigger a requirement for environmental impact assessment screening and an EIAR is not required.

6.0 **The Appeal**

6.1. **Grounds of Appeal**

Three third party appeals are made against the decision of the planning authority to grant permission for the proposed development. The appellants are listed as follows:

- John O' Reilly of 16 Main Street, Newcastle, Co. Dublin.

- Keith O'Connor of 15 Main Street, Newcastle, Co. Dublin.

- Joseph Bohan of 7 Main Street, Newcastle, Co. Dublin.

A copy of the submission made by Joseph Bohan to the planning authority received at application stage is appended to his appeal.

As the appeals raise similar / related issues, I have summarised the appeal grounds under the following headings:

Density

- The proposal constitutes overdevelopment of a constrained site.
- Excessive density proposed in a quasi-rural village setting.
- Contravenes the CDP which provides for a maximum net density of 35 uph (Objective MSW6 refers).

Design and Scale

- Scale, height and massing is out of character with existing development and established character at Main Street.
- The high mixed-use blocks will dominate the area and skyline.
- If permitted the development should be reduced to two storeys and provide a reduced number of units.
- A general height of two storey should apply as per Objective BF7.
- The site is more appropriate to two or possibly three storey semi-detached or terraced housing at an appropriate density.
- Flats would be better sited in an urban setting.
- New development should align with existing development as per County Development Plan QDP3 Objective 3.

Impacts on residential amenity

- Block VI on an elevated position will overlook rear garden to the east, leading to a loss of privacy.
- Overlooking impacts arise from windows on the eastern elevation of Block V3.

- Overshadowing impacts and loss of light to adjoining property.

Other

- Potential security risks arising from the proposed development. 2.1 m high fence should be erected along the eastern boundary.
- No ecology study undertaken, particularly in relation to bats.
- Location unsuitable for retail units / coffee shop due to heavy traffic volumes.
- Vacant commercial / retail units are a focus for anti-social behaviour and should be omitted.
- The proposed development would lead to more car movements on a busy road.
- It would be premature to permit the development in advance of upgrades to water infrastructure.
- The view of the church would be blocked by the proposed development.

6.2. Planning Authority Response

The planning authority considers that the issues raised in the appeal have been covered in the Chief Executive Order and as such no additional comment is made by it.

6.3 First party response

None received.

6.4 Observation

One observation was received in connection with the proposed development from Ann Molloy, Secretary of Newcastle Community Council. Matters raised are summarised as follows:

- Support expressed for third party appeals.
- Concerns raised about scale, massing and height of the proposed development.

- Proposal is out of keeping with the established character of Main Street and would cause disruption to the visual character of the area.
- Proposal would set a troubling precedent which would encourage high rise, high density proposals that would further erode the village feel.

7.0 **Assessment**

7.1. Having examined the application details and all other documentation on file, including all of the submissions received in relation to the appeal, the reports of the local authority, and having inspected the site, and having regard to the relevant local and national policies and guidance, I consider that the substantive issues in this appeal to be considered are as follows:

- Land-use and nature of the proposed development
- Impact on the Character of the Area
- Density
- Impact on Residential Amenity
- Other Matters
- Planning Authority conditions
- Water Framework Directive - Screening
- Appropriate Assessment

7.2. **Land-use and nature of the proposed development**

7.2.1. The appeal site is centrally and prominently located in Newcastle village and it addresses both Main Street and New School Road. The site is subject to two separate zonings in the South Dublin County Development Plan 2022-2028. The majority of the lands are zoned Village Centre (VC) which are to provide for future development of Village Centres. In this regard the proposal includes retail / commercial units of appropriate size, confirmed to comprise five such units including a coffee shop in the FI response. The remaining lands are zoned Residential – New (RES-N) which facilitates residential development in accordance with approved area plans. I note the Newcastle Local Area Plan expired in December 2022 and there is no replacement

LAP in force presently. I am satisfied that the proposed mixed-use development provides good integration levels with the village and adjoining lands to the south via the proposed continuation of the 'burgage walk' along the eastern boundary which will connect to the Main Street. Provision of open space within the Burgage South Park lands as set out in the documentation on file will benefit the proposed development and the wider area. Communal amenity space (c 492 sqm) will serve the proposed residential units.

- 7.2.2. The land-use zoning map for Newcastle (Development Plan Map 7) indicates that Objective COS5 SLO4 pertains to the appeal site, which relates to the provision of community areas and space to hold community events, a Village Plaza. As part of the FI response, the applicant provided a revised site layout plan (Drawing No. 002B-AI) and landscape plans which shown provision of landscaped areas surrounding Block V3 and between it and Block V2. The planning authority are satisfied with the siting and layout of the plaza, and subject to relatively minor amendments consider the area has capacity to offer multi-functional uses. I concur with this assessment and consider that the proposal has addressed the requirements of Objective COS5 SLO4 as it relates to the site.
- 7.2.3. On a related issue I consider that the residential and commercial uses at this location will provide activation and passive surveillance on Main Street, New School Road and on the proposed Village Plaza, thereby improving the safety and security of pedestrians moving through Newcastle village.
- 7.2.4. Furthermore, I note the underutilised and vacant nature of this village centre site. In this context and noting also that the development lands comprise zoned serviced lands, I consider that policy CS4: *Active Land Management* of the Development Plan, CS4 Objective 2 is directly applicable and relevant to this proposal. This seeks to *promote the delivery of residential development through active land management measures and a co-ordinated planned approach to developing appropriately zoned lands at key locations, including regeneration areas, vacant sites and under-utilised areas.*

7.3. **Impact on the Character of the Area**

- 7.3.1 The third party appellants consider that the proposed development would not align with the established character of the area on account of the scale, height and

massing of the proposed development, with reference specifically made to Blocks V2 and V3 located at the front of the site adjoining Main Street. The related issue of density is also raised, in that the appellants contend the proposed development constitutes overdevelopment of this village centre site, which would be at odds with existing lower densities in this area of Newcastle.

- 7.3.2 The proposal relates to a mixed-use 3 and 4 storey development. Condition 2 of the permission requires the setback of Block V3 by removal of units 14, 15 and 16 along with the omission of units 5 (first floor) and 10 (second floor) with the floor space to be incorporated into other units at these levels. I consider the proposed revisions to Block V3 to be acceptable in the interests of residential and visual amenity, and the provision of a village plaza at this central location. Removal of the aforementioned units will also reduce the massing and scale of mixed use Block V3.
- 7.3.3 The predominant prevailing building height along Main Street and in the vicinity of the site comprises low-rise single and two storey developments of residential and commercial units. The Sustainable and Compact Settlements – Guidelines for Planning Authorities (2024) note that in order to achieve compact growth more intensive use of previously developed land and infill sites will need to be supported, in addition to the development of sites in locations served by existing facilities and public transport. Furthermore, Section 3.4 of the Urban Development and Building Heights – Guidelines for Planning Authorities (2018) advises that apartment developments in suburban areas, such as the subject location, be of 4 storey design and upwards and that such developments will address the need for more 1 and 2 bedroom units in line with wider demographic and household formation trends.
- 7.3.4 As noted above, proposed Blocks V2 and V3 are of four storey design (c 13 m), while Block V1 to the rear of the site is three storeys in height. I concur with the planning authority's assessment that this village centre site at Main Street would be suitable for increased heights above the existing prevailing context subject to concerns raised relating to the impact of the proposal on residential and visual amenities, including in the context of the village centre and ACA location of the site, being addressed. In this regard, and following assessment of the FI provided by the applicant, I note the planning authority was generally satisfied with the nature and design of the proposed development subject to a number of design and layout modifications (as detailed in Condition 2 of the decision to grant permission).

7.3.5 From an examination of the proposed layout provided at FI stage, it is my view that there are adequate separation distances between the proposed development and existing lower rise developments in the immediate area, which ensures no abrupt transitions in building heights along Main Street. The separation distance between Block V3 and no. 16 Main Street to the east is given as c 18 m in the revised site layout plan provided at FI stage. The separation distance between Block V2 to the nearest structure to the west which comprises part of the public house premises would equate to c 48 m. While I note the appellants views that the proposed buildings should be reduced in height to two storeys, I consider that this zoned and serviced site offers an opportunity for compact development to occur within the village core. Use of this well-located site for two storey semi-detached housing would, in my opinion, constitute an inefficient use of serviced village centre lands. In my view the proposal aligns with County Development Plan Objective QDP3 Objective 3 as it delivers a village plaza in tandem with a high quality mixed use development and would enhance the village in terms of design, form and external finishes.

7.3.6 An appellant refers to Objective BF7 which refers to a general height of two storeys being applicable in Newcastle. I note that this objective was listed in the Newcastle Local Area Plan 2012. This LAP expired in 2022 and as such it is no longer in force. The operative statutory plan for Newcastle is the South Dublin County Development Plan 2022-2028 which seeks to promote a mix of uses with appropriate increases in density and building heights in appropriate locations. In this regard QDP8 Objective 2 of the County Development Plan is relevant as it seeks to proactively consider increased building heights on new residential lands and other appropriate sites.

7.4. **Density**

7.4.1 The planning application, the subject of this appeal, relates to Phase 2 development and the applicant has confirmed the size of the subject site as 0.5 ha (net area), which would yield to a net density of 90 uph based on 45 residential units.

7.4.2 The appellants consider the proposed density of development is excessive and that the proposed mixed-use development constitutes overdevelopment of the subject site.

- 7.4.3 Both local and national planning policy support the development of infill sites to secure consolidated, compact growth and to promote increased residential densities at appropriate locations particularly within Dublin city and suburbs. The South Dublin Development Plan 2022-2028 promotes increased densities at appropriate locations. Under the heading of ‘Quality Design and Healthy Placemaking and Climate Action’ (Chapter 5) it is noted that the aim of the plan is to achieve ‘an efficient use of land with a focus on key urban centres, and to achieve development densities that can support vibrant, compact, walkable places that prioritise walking and cycling.’ It is noted that the implementation of these measures requires a compact development form which can play a significant role in climate action, decreasing the requirement for car-based travel and carbon emissions. Further, in Chapter 6 ‘Housing’ H1 Objective 7 is supportive of increasing densities subject to good design and standards being met. This objective states the following: *To ensure population growth and increased housing densities take place within and contiguous to Dublin City and Suburbs and the County’s town boundaries suited to their strategic regional role, subject to good design and development management standards being met.*
- 7.4.4 The planning authority has had regard to the Sustainable and Compact Settlement Guidelines for Planning Authorities (2024).” Section 3.3 of these guidelines outlines appropriate residential density ranges. Table 3.3 relates to Metropolitan Towns and Villages. I concur with the planning authority’s assessment that the subject central site falls within the ‘Metropolitan Towns (>1,500 population) – Centre and Urban Neighbourhoods’ category. In such areas residential densities are in the range of 50 dph to 150 dph (net).
- 7.4.5 Newcastle is served by Dublin Bus Route 68 which operates hourly between Greenogue Industrial Estate, Newcastle, Clondalkin and Dublin City Centre. GoAhead Ireland Route W6 operates every half hour between Maynooth, Celbridge, Newcastle Main Street and The Square shopping centre in Tallaght. This route also connects to Hazelhatch and Celbridge train station (c 4.2 km from the site) with onward services to Connolly Station and Grand Canal Dock. There is a bus stop opposite the subject site. Two new BusConnects routes are also planned for the area.
- 7.4.6 Having regard to the foregoing and given the central location of the appeal site within Newcastle village and its immediate proximity to a range of services and shops including SuperValu and Lidl, my opinion is that the site is suitable for

consideration for densities above the existing prevailing low-density development in the area. The proposed density falls within the 50 dph to 150 dph (net) for the 'Metropolitan Towns (>1,500 population) – Centre and Urban Neighbourhoods' category of the Compact Settlements Guidelines. In this context I do not consider that the proposal represents overdevelopment of the subject site. In my view the proposed density of c 80 uph, based on the planning authority's decision to permit 40 residential units, would be consistent with Table 3.3 of the "Sustainable and Compact Settlement Guidelines for Planning Authorities (2024)" and South Dublin Development Plan policies as they relate to density. To conclude, I consider the proposed density as acceptable in this context.

7.4.7 I note that an appellant has stated the proposed development contravenes the current County Development Plan (quoting Objective MSW6), on the basis that proposed net density is above 35 uph. I would advise the Commission that Objective MSW6 is an objective in the now expired Newcastle LAP and as such is not relevant for consideration in the context of this appeal.

7.5. Impact on Residential Amenity

7.5.1. Concerns are raised in the third party submissions that the proposed development would seriously impact on the residential amenity of the area through overlooking and overshadowing impacts. Specifically, potential impacts on properties to the east from Blocks V3 and V1 are highlighted.

7.5.2. Section 12.6.7 of the County Development Plan states that all proposals for residential development, particularly apartment developments and those over three storeys high, shall provide for acceptable separation distances to avoid negative effects such as excessive overlooking. In this regard, a minimum clearance distance of circa 22 metres is generally required between opposing windows, although in blocks above three storeys in height, a greater separation distance may be required. In this regard I note SPPR 1 of the Sustainable and Compact Settlements –Guidelines for Planning Authorities (2024) states that a separation distance of at least 16 m between opposing windows serving habitable rooms at the rear or side of houses, duplex units and apartment units, above ground floor level shall be maintained

7.5.3 Arising from concerns raised by the planning authority in relation to potential impacts on residential amenity, with particular reference made to the design and

location of Block V3 and its relationship with the adjoining residential properties to the east (as expressed in Item 6 of the FI request), a number of amendments were made to this Block, as per the revised drawings and plans submitted. These are detailed in section 2.4 of this report and include (a) the provision of a greater separation distance (c 18 m) from the nearest adjoining house to the east, No. 16 Main Street, (b) reduction in depth of the eastern elevation from c 26 m to c 20 m and (c) omission of balconies from the eastern elevation. These changes allied with the further setback of the third floor by omitting units 14 to 16 inclusive, as required by Condition 2, would, in my view appropriately address any concerns raised relating to overlooking from Block V3 onto adjoining residential development to the east.

7.5.4 I note there are 2 no. single storey dwellings and no two storey housing opposite the appeal site on the northern side of Main Street. As such there are no opposing upper floor windows between the proposed development and existing housing to the north. Therefore, in this context, no undue overlooking impacts are anticipated. Further, I note the proposed separation distance of more than 19 m between Block V3 and the rear elevation of Block V1, which is sufficient to prevent overlooking impacts arising.

7.5.5 Concern is raised by the resident of No.16 Main Street that Block V1 would overlook his property and rear garden, which has a length of approximately 45 m. Block V1 is a three storey residential block (c 10.8 m in height) containing 8 no. 2 bed ground floor apartments and 8 no. 3 bed duplex units at first and second floor levels. I note from the floor plans that two windows in total are proposed on the side elevation of Block V1 which serve hallway / landing areas, rather than living areas, in Unit 16. Rear first and second floor windows in Block V1 are orientated northwards and not towards the rear garden associated with 16 Main Street. Furthermore, in terms of the first floor terrace areas serving the duplex units, floor plans demonstrate that each terrace is fitted with privacy screens on both sides to prevent lateral overlooking. Notwithstanding that the ground level of the rear of the site is elevated compared to the northern part of the site, I consider that these measures coupled with the separation distances of between c 6.5 m and 8.5 m between Block V1 and the planted boundary with No.16 Main Street would address potential issues of overlooking.

7.5.6 Concerns are also raised that the proposed development would cause overshadowing impacts on adjoining properties leading to a loss of light. I note that the applicant provided a Shadow Study at FI stage with studies carried out for 21st March, June, September and December examining shadows at 9 am, noon, 15.00 and 18.00. The study considers the adjoining house to the east (No. 16 Main Street) and the existing housing block to the south at Burgage Gardens. The study is prepared using the 25 degree rule as set out in the BRE lighting guide. It finds that the proposed development is unlikely to have a substantial effect on the diffuse skylight enjoyed by the existing houses at 16 Main Street and Burgage Gardens. Based on the submitted shadow study I would concur that the proposal would not have a significant impact on neighbouring dwellings in terms of overshadowing. I note Block V1 does cause some overshadowing of the south-facing rear garden associated with No.16 Main Street at 18.00 hours, however this overshadowing is depicted as being towards the end of the garden rather than nearer the house. To conclude, I consider that the proposed development would not cause significant overshadowing impacts on adjoining development.

7.6 Other issues

7.6.1 Traffic

As referenced by a third party appellant, the proposal would lead to more car movements in the area. At FI stage the applicant indicated that 60 no. parking spaces are proposed, comprising 18 spaces on Street 1 adjoining Block V1 and 42 spaces within the undercroft parking area. This quantum of parking is based on one space per residential unit and three spaces per commercial unit. The proposed development is located in an area where Zone 2 parking quantum applies (i.e. 1 bed - 0.75 space per apartment; 2 bed – 1 space per apartment and 3 bed - + 1.25 space per apartment. The planner's report indicates that the maximum amount of parking for the residential proposal as applied for (44 units) would equate to 35 spaces. I note Condition 4 requires the submission of a revised layout to show the location of car parking and a reduction in parking spaces. Should the Commission decide to grant permission I would recommend inclusion of this condition in the Commission's Order. At FI stage the applicant provided a Traffic Impact Assessment (TIA) Report which notes that a traffic survey focussed on New School Road / St. Finian's Road and

Newcastle Main Street was undertaken on Thursday 30th January 2025. As noted in the Road Engineer's report, the analysis of the junction with St. Finian's Road and Newcastle Main Street show Ratio of Flow to Capacity (RFC) values well below those that are likely to cause congestion. The TIA concludes that the proposed mixed use development would have no impact on existing road links or junctions and it is considered the proposal generates very limited daily or peak hour trips. Based on the survey findings in the TIA, I consider the proposed development would not adversely impact the road network in the area or cause traffic congestion in the area.

7.6.2 Water infrastructure

A third party submission considers the proposed development is premature pending the need to enhance the existing water infrastructure in the area. In this regard I note upgrade works are required to the surface water infrastructure along Hazelhatch Road. Condition 6(b) notes that if the development is to connect into public water infrastructure, including that along Hazelhatch Road, the construction of the sewer must have commenced and be within 6 months of completion before the proposed development is commenced, to ensure adequate surface water drainage provision. In my view this is an appropriate and reasonable approach to take.

In terms of wastewater capacity and water supply capacity I have examined the relevant UÉ Capacity Registers. The Water Supply Capacity Register for Newcastle indicates that there is potential capacity available to meet 2033 population targets and that a Level of Service Improvement is required. The Wastewater Treatment Capacity Register for Newcastle indicates that there is spare capacity available. In this regard I also note that UÉ has issued a 'Confirmation of Feasibility' in respect of the proposed development.

Having regard to the foregoing it is apparent that the proposed development would not be premature given the existing and planned level of water infrastructure to serve the development.

7.6.3 Bats

A third party appellant expresses concern that no ecology report was provided with the planning application and also refers to bats. I would note there is no statutory requirement for an ecological impact statement to be submitted with a planning

application. I note however there is a disused agricultural shed on the western part of the site. In my view this structure (c 125 sqm) would have bat roost potential. The application does not include details of any bat survey undertaken on the subject site. Having regard to the precautionary principle, I am not satisfied that the proposed development would not result in the deterioration or destruction of bat roosts or habitats, and consequently the disturbance or destruction of a species which is afforded Strict Protection under the Habitats Directive. Accordingly, I consider that the proposed development would be contrary to the proper planning and sustainable development of the area and refusal is recommended in this regard. I note however that the Commission may wish to seek the views of the parties in relation to this issue.

7.6.4 Impact on Views

An appellant has expressed concern that the proposed development would obscure the view of St. Finian's Church, located further west of the subject site on Main Street. An Architectural Impact Statement was provided as part of the FI submission and concluded that the possible visual impact of the proposed development is negligible and is relevant only from the western approach where historic buildings on the south side of the street will have the proposed development in the distant background. I note the Architectural Conservation Officer concurred with the findings of the Architectural Impact Statement. Further, Condition 2 of the permission which relates to modifications to Block V3 including the omission of a number of units combined with the setting back of the third floor from the eastern boundary will ensure that this Block will not negatively impact on the visual amenity of the area.

Finally, I note that the proposed development would not impact on any protected Views and Prospects which are detailed in Table 3.5 of the Development Plan and which are indicated on Development Plan maps.

7.6.5 Security concerns

The appeals raise matters relating to potential security and safety concerns should permission be granted. The argument is made that the location of the site is unsuitable for retail units and a coffee shop and that vacant units are a focus for anti-social behaviour and should be omitted.

The proposal involves a mixed-use development on this village centre site along with provision for a village plaza where locals can gather and meet for events. In my view,

the site is very accessible as it is located in the heart of Newcastle village. As such it is a suitable location for the proposed mixed use development and this use would accord with the zoning objectives pertaining to the lands. The layout of the proposed development allows passive surveillance and facilitates people to gather, meet and interact within the public plaza, thereby improving the safety and security of residents and pedestrians moving through Newcastle village. In this context I would not agree that the proposed development would be likely to give rise to anti-social behaviour.

7.7 Planning Authority conditions

- 7.7.1 Many of the conditions attached by the planning authority are standard in nature and I am generally satisfied that they are appropriate.
- 7.7.2 Should the Commission decide to grant permission I recommend that the text of Condition 2 be carried through to the Commission's Order. This condition relates mainly to design modifications and requires, inter alia, revised drawings and plans to be provided demonstrating the setback of Block V3, and the omission of 5 units.
- 7.7.3 Condition 4 relating to roads, footpaths and parking should also be carried through to the Order.
- 7.7.4 I recommend Condition 5 is also included in the Order. This relates to delivery of a new school in the area (at Taobh Chnoic on foot of Objective CS9 SLO3) and which requires the applicant to submit confirmation from the Department of Education on the transfer of lands to provide for the new school, subject to their confirmation of need, prior to the occupation of residential units permitted.
- 7.7.5 Inclusion of Condition 6 is also appropriate This relates to connection to surface water infrastructure including that along Hazelhatch Road, and associated requirements. An associated special contribution condition (Condition 32) relating to the provision of a strategic surface water outfall pipe along Hazelhatch Road and associated tie-ins should also be included if permission is granted. A condition akin to Condition 7 which relates to details on SuDS features and provision of revised surface water attenuation calculations is also appropriate.
- 7.7.6 Condition 31 relates to a contribution in lieu of community floor space on-site in the amount of 240,000 euros. The planner's report notes that it is a policy and objective to provide for community floorspace in Newcastle in accordance with CS Objective

1, Policy COS3, COS3 Objective 1, Objective 2, and Objective 3 of the South Dublin County Development Plan 2022-2028. It is noted that plans are proposed to deliver an expansion of St. Finian's community centre (Reg. Ref. SD22A/0286). It is stated that 'The proposal at St. Finian's includes upgrade to the existing building into a state-of-the-art community facility, which is in line with similar SDCC community buildings within the county. It is proposed to construct a new rear extension and upgrade the building. As no community floorspace is proposed as part of the subject proposal, a financial contribution in lieu of community floorspace would be applicable (COS3 Objective 3) and is an appropriate approach to providing community floorspace. The County Development Plan provides for a residential capacity of 646 for Newcastle in the Core Strategy. The financial contribution is calculated on the basis of the proposed unit numbers with regards to the residential capacity in the Core Strategy (c6% in this instance). This is a similar approach to SDCC Reg. Ref. LRD23A/0011. In this context, the Planning Authority considers that a financial contribution to the value of 6% of the current order of magnitude costings for the Community Centre should be attached by condition. This equates to €240,000.

- 7.7.7 The South Dublin County Council Development Contribution Scheme 2021-2025 is made under Section 48 of the Planning and Development Act 2000 as amended. Section 9 of the Scheme details the Classes of Public Infrastructural Development and contribution amounts per square metre. Class 3 relates to 'Community facilities and amenities.'
- 7.7.8 Appendix II of the Contribution Scheme provides a Project List and there are a total of 13 projects listed under 'Class 3 – Community Facilities and amenities,' including 'Sports Hubs,' 'County wide Community Facilities Refurbishment / Upgrades,' and 'Provision of new community facilities.'
- 7.7.9 I note that the first party has not lodged an appeal against any of the planning conditions. Notwithstanding, my view is that, having regard to the foregoing, there appears to be an element of double charging, given that the South Dublin County Council Development Contribution Scheme 2021 – 2025 includes the Community Facilities and amenities infrastructure type which in turn includes projects for Sports Hubs, County wide Community Facilities Refurbishment / Upgrades, and Provision of new community facilities. In my opinion the matter for which the contribution is sought

for under Condition 31 is covered by Condition 34 of the permission which relates to a section 48 financial contribution. Having regard to the foregoing I recommend omission of Condition 31 should the Commission decide to grant permission.

7.8 Water Framework Directive - Screening

7.8.1 The subject site is located immediately south of Main Street in the centre of Newcastle village. The proposed development comprises the construction of a mixed-use development comprising 44 no. residential units and 6 commercial units in 3 blocks, along with car parking, bin storage, bike storage, landscaping and planting, outfall drainage and all associated site development works.

7.8.2 I have assessed the proposed development and have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface and ground water bodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any surface and groundwater water bodies either qualitatively or quantitatively. The reason for this is as follows:

- The nature of the works comprising a medium scale and nature of development.
- Location-distance from nearest waterbodies and the lack of direct hydrological connections from the site to any surface and transitional water bodies.
- Standard pollution controls that would be implemented.

7.8.3 I conclude that on the basis of objective information, that the proposed development will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment

8.0 AA Screening

- 8.1. No Appropriate Assessment Screening was provided with the planning application and I note no screening was undertaken by the planning authority. I have carried out a Screening Determination for the development and it is attached to this report in Appendix 3.
- 8.2. I have considered the proposed development in light of the requirements S177U of the Planning and Development Act 2000 as amended.

The subject site is located on Main Street, in the centre of Newcastle, Co. Dublin and the proposed development as per the public notices relates to the construction of a mixed-use development comprising 44 residential units and 6 no. commercial units in 3 blocks and includes car parking, bicycle parking, landscaping, drainage and all associated site development works.

Having considered the nature, scale, and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any European Site. The reasons for this conclusion are as follows:

- Location distance from European sites and lack of connectivity.
- Absence of any meaningful direct pathways to any European site.
- The nature of the works comprising a medium scale of development.
- Standard pollution controls that would be implemented regardless of proximity to a European Site and the effectiveness of same.

I conclude that on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects.

Likely significant effects are excluded and therefore Appropriate Assessment (stage 2) (under Section 177V of the Planning and Development Act 2000) is not required.

9.0 Recommendation

- 9.1. I recommend that permission be refused for the following reason and considerations.

10.0 Reason and Considerations

1. In the absence of a bat survey to determine whether a bat roost(s) has been established in the disused agricultural shed located on the site which is considered may have bat roost potential, or anywhere else on the development site, the Commission, having regard to the precautionary principle, is not satisfied that the proposed development would not result in the deterioration or destruction of bat roosts and consequently the disturbance or destruction of a species which is afforded Strict Protection under the Habitats Directive. Therefore, the proposed development would be contrary to the proper planning and sustainable development of the area.

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.

John Duffy
Planning Inspector
21st July 2025

Appendix 1

Form 1 - EIA Pre-Screening

Case Reference	ABP-322275-25
Proposed Development Summary	Mixed use development comprising 44 residential units and 6 commercial units in 3 blocks, undercroft parking, cycle parking, landscaping, drainage and associated works. .
Development Address	Main Street and New School Road, Newcastle, Co. Dublin.
	In all cases check box /or leave blank
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	<input checked="" type="checkbox"/> Yes, it is a 'Project.' Proceed to Q2.
	<input type="checkbox"/> No, No further action required.
2. Is the proposed development of a CLASS specified in <u>Part 1</u>, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
<input type="checkbox"/> Yes, it is a Class specified in Part 1 . EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	State the Class here
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	

<input type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994. No Screening required.	
<input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required	State the Class and state the relevant threshold
<input checked="" type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold. Preliminary examination required. (Form 2) OR If Schedule 7A information submitted proceed to Q4. (Form 3 Required)	State the Class and state the relevant threshold Schedule 5 Part 2 Class 10(b)(ii) construction of more than 500 dwelling units. Schedule 5 Part 2 Class 10 (b)(iv) Urban Development. Urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere. Total site size within red line boundary is c 0.53 ha

4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?	
Yes <input type="checkbox"/>	Screening Determination required (Complete Form 3)
No <input checked="" type="checkbox"/>	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: _____ Date: _____

Appendix 2

Form 2 - EIA Preliminary Examination

Case Reference	ABP-322275-25
Proposed Development Summary	Mixed use development comprising 44 residential units and 6 commercial units in 3 blocks, undercroft parking, cycle parking, landscaping, drainage and associated works.
Development Address	Main Street and New School Road, Newcastle, Co. Dublin.
This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.	
Characteristics of proposed development (In particular, the size, design, cumulation with existing/ proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).	<p>The proposed development as applied for comprises 44 residential units, a café and 5 commercial / retail units in 3 blocks, undercroft parking, cycle parking, landscaping, drainage and associated works.</p> <p>The development would not result in the production of significant waste, emissions, or pollutants. No significant risks</p>
Location of development (The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).	<p>The size of the site at 0.53 ha is not exceptional. There is no hydrological connection present which would give rise to significant impact on water courses in the wider area (whether linked to any European site or other sensitive receptors). The site is not located within or near any European Sites.</p>
Types and characteristics of potential impacts (Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact,	<p>There are no other locally sensitive environmental sensitivities in the vicinity of relevance. There would be no significant cumulative considerations.</p>

transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).	
Conclusion	
Likelihood of Significant Effects	Conclusion in respect of EIA
There is no real likelihood of significant effects on the environment.	EIA is not required.
There is significant and realistic doubt regarding the likelihood of significant effects on the environment.	Schedule 7A Information required to enable a Screening Determination to be carried out. Not applicable to this appeal case.
There is a real likelihood of significant effects on the environment.	EIAR required. Not applicable to this appeal case.

Inspector: _____ **Date:** _____

DP/ADP: _____ **Date:** _____

(only where Schedule 7A information or EIAR required)

Appendix 3: AA Screening Determination Test for likely significant effects

Screening for Appropriate Assessment Test for likely significant effects	
Step 1: Description of the project and local site characteristics	
Brief description of project	<p>Normal Planning Appeal</p> <p>The proposed development as applied for comprises 44 residential units, a café and 5 commercial / retail units in 3 blocks, undercroft parking, cycle parking, landscaping, drainage and associated works.</p> <p>See section 2 of this Inspector's Report.</p>
Brief description of development site characteristics and potential impact mechanisms	<p>The subject site, with a stated area of 0.53 ha, is located in the centre of Newcastle village in Co. Dublin. The site which is overgrown contains a disused agricultural shed (c 125 sqm) and there are areas of hardstanding within the site. Site boundaries consist of hedgerow at the front (north) adjoining Main Street and along the eastern boundary, a mixture of Paladin and Palisade fencing as well as railings atop a low rise wall along the western boundary, and Paladin fencing at the southern boundary</p> <p>The subject site is not located within and is not adjoining any Natura 2000 Sites. Set out below are the European Sites that may be at risk of impact due to the proposed development and their distances from the appeal site:</p> <ul style="list-style-type: none"> - Rye Water Valley / Carton SAC (c 7.1 km) - South Dublin Bay SAC (c 19.3 km) - North Dublin Bay SAC (c 22.2 km) - South Dublin Bay and River Tolka Estuary SPA (c 19.3 km) - North Bull Island SPA (c 22.2 km) - North-west Irish Sea SPA (c 24.4 km)
Screening report	No.

Natura Impact Statement	No.			
Relevant submissions	None.			
Step 2. Identification of relevant European sites using the Source-pathway-receptor model				
European Site (code)	Qualifying interests¹ Link to conservation objectives (NPWS, date)	Distance from proposed development (km)	Ecological connections²	Consider further in screening³ Y/N
Rye River Valley / Carton SAC (001398)	<p>Petrifying springs with tufa formation (Cratoneurion) [7220]</p> <p>Vertigo angustior (Narrow-mouthed Whorl Snail) [1014]</p> <p>Vertigo moulinsiana (Desmoulin's Whorl Snail) [1016]</p> <p>CO001398.pdf</p> <p>Conservation Objectives Accessed 18.7.25</p>	c 7.1 km	<p>No identifiable direct or indirect hydrological connections between the proposed development site and this SAC.</p> <p>Therefore, there is no potential for direct or indirect impacts on this SAC.</p> <p>No significant effects are likely.</p>	N
South Dublin Bay SAC (000210)	<p>Mudflats and sandflats not covered by seawater at low tide [1140]</p> <p>Annual vegetation of drift lines [1210]</p> <p>Salicornia and other annuals colonising mud and sand [1310]</p> <p>Embryonic shifting dunes [2110]</p> <p>ConservationObjectives.rdl</p> <p>Accessed 18.7.25</p>	c 19.3 km	<p>Subject site is located in a suburban area approx. 19.3 km from this SAC. No direct connections between the site and this SAC.</p> <p>There is an indirect hydrological connection to this SAC via surface water drainage and foul drainage.</p>	N

			<p>Conservation Objectives – COs will not be undermined due to the separation distance and dilution effect in the case of surface water drainage. Foul drainage will be treated ultimately at Ringsend WWTP before discharge.</p> <p>No significant effects are likely.</p>	
<p>South Dublin Bay and River Tolka Estuary SPA (004024)</p>	<p>Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) [A046]</p> <p>Oystercatcher (<i>Haematopus ostralegus</i>) [A130]</p> <p>Ringed Plover (<i>Charadrius hiaticula</i>) [A137]</p> <p>Grey Plover (<i>Pluvialis squatarola</i>) [A141]</p> <p>Knot (<i>Calidris canutus</i>) [A143]</p> <p>Sanderling (<i>Calidris alba</i>) [A144]</p> <p>Dunlin (<i>Calidris alpina</i>) [A149]</p> <p>Bar-tailed Godwit (<i>Limosa lapponica</i>) [A157]</p> <p>Redshank (<i>Tringa totanus</i>) [A162]</p>	c 19.3 km	<p>Subject site is located in a suburban area approx. 19.3 km from this SPA. No direct connections between the site and this SPA.</p> <p>There is an indirect hydrological connection to this SPA via surface water drainage and foul drainage.</p> <p>Conservation Objectives – COs will not be undermined due to the separation distance and dilution effect in the case of surface water drainage. Foul drainage will be treated ultimately at Ringsend</p>	N

	<p>Black-headed Gull (<i>Chroicocephalus ridibundus</i>) [A179]</p> <p>Roseate Tern (<i>Sterna dougallii</i>) [A192]</p> <p>Common Tern (<i>Sterna hirundo</i>) [A193]</p> <p>Arctic Tern (<i>Sterna paradisaea</i>) [A194]</p> <p>Wetland and Waterbirds [A999]</p> <p>ConservationObjectives.rdl</p> <p>Accessed 18.7.25</p>		<p>WWTP before discharge.</p> <p>No significant effects are likely.</p>	
<p>North Dublin Bay SAC (000206)</p>	<p>Mudflats and sandflats not covered by seawater at low tide [1140]</p> <p>Annual vegetation of drift lines [1210]</p> <p>Salicornia and other annuals colonising mud and sand [1310]</p> <p>Atlantic salt meadows (<i>Glauco-Puccinellietalia maritimae</i>) [1330]</p> <p>Mediterranean salt meadows (<i>Juncetalia maritimi</i>) [1410]</p> <p>Embryonic shifting dunes [2110]</p> <p>Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes) [2120]</p> <p>Fixed coastal dunes with herbaceous vegetation (grey dunes) [2130]</p>	<p>c 22.2 km</p>	<p>Subject site is located in a suburban area c 22.2 km from this SAC. No direct connections between the site and this SAC.</p> <p>There is an indirect hydrological connection to this SAC via surface water drainage and foul drainage.</p> <p>Conservation Objectives – COs will not be undermined due to the separation distance and dilution effect in the case of surface water drainage. Foul drainage will be treated ultimately at Ringsend</p>	<p>N</p>

	<p>Humid dune slacks [2190]</p> <p>Petalophyllum ralfsii (Petalwort) [1395]</p> <p>ConservationObjectives.rdl</p> <p>Accessed 18.7.25</p>		<p>WWTP before discharge.</p> <p>No significant effects are likely.</p>	
<p>North Bull Island SPA (004006)</p>	<p>Light-bellied Brent Goose (Branta bernicla hrota) [A046]</p> <p>Shelduck (Tadorna tadorna) [A048]</p> <p>Teal (Anas crecca) [A052]</p> <p>Pintail (Anas acuta) [A054]</p> <p>Oystercatcher (Haematopus ostralegus) [A130]</p> <p>Golden Plover (Pluvialis apricaria) [A140]</p> <p>Grey Plover (Pluvialis squatarola) [A141]</p> <p>Knot (Calidris canutus) [A143]</p> <p>Sanderling (Calidris alba) [A144]</p> <p>Dunlin (Calidris alpina) [A149]</p> <p>Black-tailed Godwit (Limosa limosa) [A156]</p> <p>Bar-tailed Godwit (Limosa lapponica) [A157]</p> <p>Curlew (Numenius arquata) [A160]</p>	<p>c 22.2 km</p>	<p>Subject site is located in a suburban area c 22.2 km from this SPA. No direct connections between the site and this SPA.</p> <p>There is an indirect hydrological connection to this SPA via surface water drainage and foul drainage.</p> <p>Conservation Objectives – COs will not be undermined due to the separation distance and dilution effect in the case of surface water drainage. Foul drainage will be treated ultimately at Ringsend WWTP before discharge.</p> <p>No significant effects are likely.</p>	<p>N</p>

	<p>Redshank (<i>Tringa totanus</i>) [A162]</p> <p>Turnstone (<i>Arenaria interpres</i>) [A169]</p> <p>Black-headed Gull (<i>Chroicocephalus ridibundus</i>) [A179]</p> <p>Shoveler (<i>Spatula clypeata</i>) [A857]</p> <p>Wetland and Waterbirds [A999]</p> <p><u>ConservationObjectives.rdl</u></p> <p>Accessed 18.7.25</p>			
<p>North-west Irish Sea SPA (004236)</p>	<p>Red-throated Diver (<i>Gavia stellata</i>) [A001]</p> <p>Great Northern Diver (<i>Gavia immer</i>) [A003]</p> <p>Fulmar (<i>Fulmarus glacialis</i>) [A009]</p> <p>Manx Shearwater (<i>Puffinus puffinus</i>) [A013]</p> <p>Cormorant (<i>Phalacrocorax carbo</i>) [A017]</p> <p>Shag (<i>Phalacrocorax aristotelis</i>) [A018]</p> <p>Common Scoter (<i>Melanitta nigra</i>) [A065]</p> <p>Black-headed Gull (<i>Chroicocephalus ridibundus</i>) [A179]</p> <p>Common Gull (<i>Larus canus</i>) [A182]</p> <p>Lesser Black-backed Gull (<i>Larus fuscus</i>) [A183]</p>	<p>c 24.4 km</p>	<p>Subject site is located in a suburban area approx. 24.4 km from this SPA. No direct connections between the site and this SPA.</p> <p>There is an indirect hydrological connection to this SPA via surface water drainage and foul drainage.</p> <p>Conservation Objectives – COs will not be undermined due to the separation distance and dilution effect in the case of surface water drainage. Foul drainage will be treated ultimately at Ringsend</p>	<p>N</p>

	<p>Herring Gull (<i>Larus argentatus</i>) [A184]</p> <p>Great Black-backed Gull (<i>Larus marinus</i>) [A187]</p> <p>Kittiwake (<i>Rissa tridactyla</i>) [A188]</p> <p>Roseate Tern (<i>Sterna dougallii</i>) [A192]</p> <p>Common Tern (<i>Sterna hirundo</i>) [A193]</p> <p>Arctic Tern (<i>Sterna paradisaea</i>) [A194]</p> <p>Guillemot (<i>Uria aalge</i>) [A199]</p> <p>Razorbill (<i>Alca torda</i>) [A200]</p> <p>Puffin (<i>Fratercula arctica</i>) [A204]</p> <p>Little Gull (<i>Hydrocoloeus minutus</i>) [A862]</p> <p>Little Tern (<i>Sternula albifrons</i>) [A885]</p> <p>CO004236.pdf</p> <p>Conservation Objectives Accessed 18.7.25</p>		<p>WWTP before discharge.</p> <p>No significant effects are likely.</p>	
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¹ Summary description / **cross reference to NPWS website** is acceptable at this stage in the report
² Based on source-pathway-receptor: Direct/ indirect/ tentative/ none, via surface water/ ground water/ air/ use of habitats by mobile species
³if no connections: N

Step 3. Describe the likely effects of the project (if any, alone or in combination) on European Sites

AA Screening matrix		
Site name Qualifying interests	Possibility of significant effects (alone) in view of the conservation objectives of the site*	
	Impacts	Effects
N/A		
	Likelihood of significant effects from proposed development (alone): No	
	If No, is there likelihood of significant effects occurring in combination with other plans or projects? No	
	Possibility of significant effects (alone) in view of the conservation objectives of the site*: No	
Step 4 Conclude if the proposed development could result in likely significant effects on a European site		
<p>I conclude that the proposed development (alone) would not result in likely significant effects on Rye Water Valley / Carton SAC, South Dublin Bay SAC, North Dublin Bay SAC, South Dublin Bay and River Tolka Estuary SPA, North Bull Island SPA, and North-west Irish Sea SPA or any European Site.</p> <p>It is necessary to consider the proposal in combination with other plans and projects. Noteworthy projects that could act in combination with impact mechanisms of the proposed project include:</p> <ul style="list-style-type: none"> • ABP-319500-24: This relates to a Large-scale Residential Development (LRD) comprising 131 residential units in the townland of Newcastle South, Athgoe Road and Hazelhatch Road, Newcastle, Co. Dublin. • ABP-305343-19: This relates to a Strategic Housing Development (SHD) for 406 residential units at Newcastle South and Ballynakelly, Newcastle, Co. Dublin. <p>I rule out in-combination effects given that any proposed or permitted development was subject to AA screening and that they connect / would connect to existing drainage infrastructure and are subject to standard construction management measures to prevent discharges of pollutants / sediments to surface water.</p> <p>I conclude therefore that the proposed development would have no likely significant effect in combination with other plans and projects on any European sites. No further assessment is required for the project.</p> <p>No mitigation measures are required to come to these conclusions.</p>		

Screening Determination

Finding of no likely significant effects

In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information considered in this AA screening, I conclude that the proposed development individually or in combination with other plans or projects would not be likely to give rise to significant effects Rye Water Valley / Carton SAC, South Dublin Bay SAC, North Dublin Bay SAC, South Dublin Bay and River Tolka Estuary SPA, North Bull Island SPA, and North-west Irish Sea SPA or any other European Sites in view of the conservation objectives of these sites and they are therefore excluded from further consideration. Appropriate Assessment is not required.

This determination is based on:

- Location distance from European sites and lack of connectivity.
- Absence of any meaningful direct pathways to any European site.
- The nature of the works comprising a medium scale of development.
- Standard pollution controls that would be implemented regardless of proximity to a European Site and the effectiveness of same.
- Qualifying interests and conservation objectives of the aforementioned European sites.

Inspector: _____

Date: 21st July 2025