

STATEMENT OF RESPONSE TO AN BORD PLEANÁLA'S CONSULTATION OPINION



PREPARED FOR

Cairn Homes Properties Limited.

PREPARED BY

JSA John Spain Associates
Planning & Development Consultants
Chartered Town Planners & Chartered Surveyors

39 Fitzwilliam Place, Dublin 2
Telephone: (01) 662 5803
E-mail info@johnspainassociates.com

**IN RESPECT OF A
PROPOSED RESIDENTIAL DEVELOPMENT AT
NEWCASTLE SOUTH, NEWCASTLE, CO. DUBLIN
JUNE 2022**

TABLE OF CONTENTS

1.0 INTRODUCTION1

2.0 STATEMENT OF RESPONSE TO ISSUES RAISED2

2.1 SUMMARY OF THE ALTERATIONS TO THE LAYOUT2

2.2 RESPONSE TO ITEM NO. 1 – TRAVELLER ACCOMMODATION2

3.0 STATEMENT OF RESPONSE TO SPECIFIC INFORMATION REQUIRED2

3.1 ITEM 1 – DENSITY2

3.2 ITEM 2 – SEQUENTIAL DEVELOPMENT11

3.3 ITEM 3 – MOVEMENT AND CONNECTIONS12

3.4 ITEM 4 – LAP CHARACTER AREAS14

3.5 ITEM 5 – DESIGN RATIONALE APARTMENTS21

3.6 ITEM 6 – PHASING PLAN25

3.7 LAP PHASING27

3.8 ITEM 7 – ACCESS AND TRANSPORTATION29

3.9 ITEM 8 – ARCHAEOLOGY IMPACT ASSESSMENT30

3.10 ITEM 9 – TAKEN IN CHARGE32

3.11 ITEM 10 – WATER SERVICES32

3.12 ITEM 11 – DAYLIGHT/SUNLIGHT REPORT33

3.13 ITEM 12 – EIAR34

3.14 ITEM 13 – ARBORICULTURAL ASSESSMENT34

4.0 CONCLUSIONS34

LIST OF FIGURES

Figure 3.1 – Materials6

Figure 3.2 – Sequential Development11

Figure 3.3 – Site not Currently Available11

Figure 3.4 – Land Ownership – Burgage Park South12

Figure 3.5 – Proposed Roads Infrastructure12

Figure 3.6 – Connections13

Figure 3.7 – Connections within Newcastle13

Figure 3.8:– Sean Feirm Local Framework and Indicative Layout, Newcastle14

Figure 3.9:– CGI view of Semi Detached units fronting the Link Street / Boulevard14

Figure 3.10 – Sean Feirm Character Area15

Figure 3.11 – Taobh Chnoic Character Area16

Figure 3.12: Taobh Chnoic – Local Framework and Indicative Layout, Newcastle LAP 2012 (as extended)17

Figure 3.13: - Taobh Chnoic – Duplex Units17

Figure 3.14 – Apartments set behind retained Burgage Plot18

Figure 3.15 – Apartment Building A within Burgage Plot19

Figure 3.16 – Apartment Building B within Burgage Plot19

Figure 3.17 – Apartment Buildings within Burgage Plot19

Figure 3.18 – Burgage South – Local Framework and Indicative Layout, Newcastle LAP 2012 (as extended)20

Figure 3.19 – Compliance with LAP objectives20

Figure 3.18: Three storey Duplex blocks - Graydon Development21

Figure 3.21 – Street elevation fronting onto the Green Link Street21

Figure 3.22 – Comparison of roof heights21

Figure 3.23 – Connection to the Main Street23

Figure 3.24 – Eastern Portion of Taobh Chnoic Park23

Figure 3.25 – Graydon Development with Open Space Areas23

Figure 3.26 – Land Ownership – Burgage Park South24

Figure 3.27 – Phasing Plan25

Figure 3.28 – Pedestrian & Cycle Facilities on Newcastle Boulevard and Burgage Crescent25

Figure 3.29 – Pedestrian & Cycle Facilities on St. Finian’s Access Road26

Figure 3.30 – Pedestrian Facilities Along R12026

Figure 3.31 – Existing Link to Main Street from St. Finian’s Way26

Figure 3.32 – Newcastle LAP Movement Framework26

Figure 3.33 – Proposed Roads Infrastructure27

Figure 3.34 – Proposed Site Access Locations27

Figure 3.35 – Proposed / Potential Cycle & pedestrian Access and Permeability27

Figure 3.36 – Proposed Junction – Athgoe Road30

Figure 3.37 – Excavation within the proposed development area, carried out in 202131

Figure 3.38 – Taken in Charge Drawing32

DOCUMENT CONTROL SHEET

Client:	Cairn Homes Properties Ltd.
Project Title:	Newcastle South
Document Title:	Statement of Response to An Bord Pleanála’s Consultation Opinion
Document No:	21039

Rev.	Status	Author(s)	Reviewed By	Approved By	Issue Date
DV1	Draft	RK	RK	RK	10-6-2022
Final	Final	RK	IL	RK	15-6-2022

1.0 INTRODUCTION

1.1 The pre-application consultation opinion from An Bord Pleanála was received on the 2nd of March 2022 in relation to the proposed strategic housing development at Newcastle South, Newcastle Co. Dublin, in respect of ABP- 311861-21.

1.2 The opinion states that An Bord Pleanála “is of the opinion that the documents submitted with the request to enter into consultations require further consideration and amendment to constitute a reasonable basis for an application for strategic housing development.”

1.3 Section 2 of this report sets out how the applicant has responded to each of the issues raised by the Board in their Consultation Opinion, with particular reference to the Design Statement, and accompanying reports and drawings prepared by the design team and which accompany this application. This Statement of Response, and the associated amendments to the scheme, in turn responds to the key issues raised by the Planning Authority's opinion as set out in their Report on the pre-application proposals and the Board's Opinion.

1.4 Article 285(5)(b) of the Planning and Development (Strategic Housing Development) Regulations 2017 states:

‘(5) At the conclusion of a pre-application consultation, the Board may do either or both of the following: (b) notify the prospective applicant that specified information should be submitted with any application for permission for the proposed development, including photographs, plans, maps, drawings or other material or particulars and, where the Board considers it appropriate, either or both—’.

1.5 The pre-application consultation opinion from An Bord Pleanála states pursuant to Article 285(5)(b) that the following specific information should be submitted with any application for permission:

1. A statement demonstrating consistency with the Development Plan settlement strategy for the County and for Newcastle, having regard to the extent of existing and permitted development in the area. Justification of the proposed density, with reference to the relevant county and local area statutory plans, s.28 guidelines and SPPR3 (criteria 3.2) should be included.

2. The application should indicate how the development will facilitate the sequential development of the settlement and should ensure that the proposal would not compromise the development of Village Core lands in line with the provisions of the Local Area Plan or where there is potential for impact, justification of same should be included with the application documentation.

3. Site layout plans illustrating how the proposed development is aligned with the roads, movement / connections, open space and other framework elements that apply to these lands under the County Development Plan and the Newcastle Local Area Plan, and/or DMURS. This should include pedestrian and cycle connections between neighbourhoods, parks and the Main Street in line with the objectives of the LAP. Where there is potential for deviation or divergence from the Plans, justification of same should be included with the application documentation. The documentation should, in so far as is practical, also illustrate how the development will integrate with and facilitate the development of adjoining undeveloped zoned lands in accordance with the principles and guidance of the LAP.

4. A statement describing how the design and layout of each neighbourhood addresses the requirement of the Local Area Plan to create its own distinct identity in keeping with the varying Character Areas and landscape contexts.

5. A design rationale, including a response to the comments of the planning authority, in relation to the proposed apartment blocks, having regard to the surrounding pattern of development and the provisions of the Sustainable Urban Housing, Design Standards for New Apartments, Guidelines for Planning Authorities and the Urban Development Building Height Guidelines. The rationale should also address, inter alia, the requirements of SPPR3 (criteria 3.2), and SPPR4 in relation to the proportion of dual aspect apartments proposed.

6. A detailed phasing plan for the proposed development. Such plan should demonstrate how the phasing provisions of the Local Area Plan are addressed within the proposed development or as part of adjoining permitted developments.

7. In relation to access and transportation, the following information should be submitted:

(a) A mobility management plan and a statement describing how the proposed development will contribute to sustainable travel patterns and reduced dependency on private car.

(b) A Quality Audit in accordance with Annex 4 of the Design Manual for Urban Roads and Streets (DMURS) which shall include as a minimum a Street Design Audit, Road Safety Audits and Pedestrian and Cycling Audits.

(c) Proposals to address existing deficiencies in pedestrian and cycle facilities along the Athgoe Road, between the entrance to the proposed development and the Main Street.

(d) Further consideration and justification for the extent of bicycle parking for apartment units and compliance with the provisions of the Sustainable Urban Housing, Design Standards for New Apartments - Guidelines for Planning Authorities in this regard.

(e) A report addressing other matters raised in the report of the South Dublin County Council Roads Department, dated 22/11/2021.

8. An Archaeological Impact Assessment. The assessment should have regard, inter alia, to the potential impacts of proposed attenuation measures in Tower Park, adjoining the recorded monument at the Athgoe Road junction.

9. A plan clearly identifying the areas intended to be taken in charge by the local authority.

10. A report addressing the matters raised in the Water Services report of the local authority, dated 25th November 2021, including the design of surface water management and attenuation measures. A SSFRA should also be provided which shall address, inter alia, the risk of downstream flooding arising as a result of the proposed development.

11. A comprehensive daylight and sunlight assessment examining the proposed dwelling units and amenity / open spaces, as well as potential impacts on daylight and sunlight to adjoining properties. In preparing such assessment regard should be had to the provisions of section 3.2 of the Urban Development and Building Heights Guidelines for Planning Authorities (2018) and to the approach outlined in guides like the BRE ‘Site Layout Planning for Daylight and Sunlight’ (2nd edition) or BS 8206-2: 2008 – ‘Lighting for Buildings – Part 2: Code of Practice for Daylighting’. The assessment should provide a comprehensive view of the performance of the entire development in respect of daylight provision, including accommodation at ground and first floor levels. Where any alternative, compensatory design solutions in respect of daylight are proposed, these should be clearly identified, and their effect appropriately described and / or quantified.

12. The Environmental Report / Environmental Impact Assessment Report (as appropriate) should include the results of all surveys undertaken in respect of these lands, including in particular breeding bird surveys, and mammal and bat surveys. The documentation should confirm that all surveys were undertaken at the appropriate times of the year.

13. Detailed landscaping proposals for the lands which shall be aligned with, and informed by, an Arboricultural Impact Assessment.

2.0 STATEMENT OF RESPONSE TO ISSUES RAISED

2.1 The following sets out how the applicant has addressed the 13 no. issues raised in the Board's Notice of Pre-Application Consultation Opinion, with reference to the accompanying documentation submitted.

2.1 Summary of the alterations to the layout

2.2 In response to the Board's opinion and the South Dublin County Council reports, the design of the overall scheme has undergone a number of alterations which has further enhanced the design relating to

Enhanced SUDS features along with associated landscaping,
Improvement to entrance on Athgoe Road to now include a footpath on eastern side of road

2.2 Response to Item no. 1 – Traveller Accommodation

2.3 Item no. 1 of the opinion of An Bord Pleanála states the following:

"1. Further consideration and amendment of the documents having regard to the specific objective of the South Dublin County Development Plan 2016 - 2020 to Provide for Traveller Accommodation on lands at Newcastle South."

2.2.1 Response – Traveller Accommodation

2.4 In response to Item no. 1, we refer the Board to the enclosed letter dated 31st May 2022 from the Housing Department of South Dublin County Council (contained in Appendix 1 of the SHD Application form) which confirms that:

"representatives from the Housing, Social and Community Development Directorate have held discussions with Cairn Homes regarding compliance with the objective of providing a Traveller Group Housing Scheme under a Part V agreement in the Newcastle area in accordance with South County Council's Development Plan 2016-2022. The Council can confirm that Cairn Homes proposals to fulfil the Traveller Accommodation objective are satisfactory."

3.0 STATEMENT OF RESPONSE TO SPECIFIC INFORMATION REQUIRED

3.1 The following sets out how the applicant has addressed the Board's request for additional information in respect of the proposed development.

3.1 Item 1 – Density

3.2 Item 1 of the An Bord Pleanála opinion seeks:

1. A statement demonstrating consistency with the Development Plan settlement strategy for the County and for Newcastle, having regard to the extent of existing and permitted development in the area. Justification of the proposed density, with reference to the relevant county and local area statutory plans, s.28 guidelines and SPPR3 (criteria 3.2) should be included.

3.3 The following is noted in relation to supporting the density for the proposed development.

3.1.1 Sustainable Residential Development in Urban Areas (2009)

3.1 The Sustainable Residential Development in Urban Areas (SRD) Guidelines provide guidance on the core principles of urban design when creating places of high quality and distinct identity. The Guidelines recommend that planning authorities should promote high quality design in their policy documents and in their development management process.

3.2 The proposed development accords with the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009). According to the Census 2016, Newcastle had a population of 3,093. For the purposes of the SRD, smaller towns and villages are defined as those with a population ranging from 400 to 5,000 persons.

3.3 It is considered that the most appropriate categorisation of the subject lands is as 'small town or village' category. Chapter 6 of the Guidelines deals with small towns and villages and sections 6.9 to 6.12 sets out the density standards for (a) centrally located sites, (b) edge of centre sites and (c) edge of small town/village sites.

3.4 It is considered that the proposed development is a mixture of (a) and (b) and (c).

3.5 With regard to "centrally located sites", the density standards in the SRD note that:

"However, within centrally located sites, densities of 30-40+ dwellings per hectare for mainly residential schemes may be appropriate or for more mixed use schemes. There is also the potential for schemes of particularly high architectural and design quality to suggest densities higher than the range suggested above."

3.6 For "edge of centre" sites the SRD notes that:

"The emphasis will be on achieving successful transition from central areas to areas at the edge of the smaller town or village concerned. Development of such sites tend to be predominantly residential in character and given the transitional nature of such sites, densities to a range of 20-35 dwellings per hectare will be appropriate including a wide variety of housing types from detached dwellings to terraced and apartment style accommodation."

3.7 The SRD note that a balance has to be struck between the reasonable protection of the amenities and privacy of adjoining dwellings, the protection of established character and the need to provide residential infill.

3.8 The design approach is based on a need to protect the amenities of the surrounding residential development and the design intent is to protect the amenities of the adjoining neighbours and general character of the area and its amenities. While the Local Area Plan indicates a density of c. 15 – 30 units per hectare (net – depending on Neighbourhood), it is considered, that having regard to the location of the site, and national strategic guidance contained in the SRD, the densities proposed within the subject lands are appropriate.

3.9 In this regard the overall density proposed is c. 33.1 units per hectare Gross (37.1 net) for the Newcastle South lands which is takes into account the different contexts within the site and the density ranges contained in the SRD.

3.10 Having regard to the location of the site, national strategic guidance contained in the SRD and clarification in Circular 02/2021 (see below), and also to An Bord Pleanála precedent, the proposed net density of c.37.1 dph is appropriate in this instance and the design of the scheme with different densities in different locations, strikes a balance between providing a sustainable density and also the local context within Newcastle.

3.1.1.1 Circular 02/2021

- 3.11 The purpose of Circular 02/2021 “is to provide clarity in relation to the interpretation and application of current statutory guidelines, in advance of issuing updated Section 28 guidelines that will address sustainable residential development in urban areas.”
- 3.12 The proposed development responds to the context within the subject site proposing different densities, depending on location.
- 3.13 The Circular notes that Development within Small Towns and Villages Small town and villages are defined within Section 6.0 of the Sustainable Residential Development Guidelines as those with a population ranging from 400 to 5,000 persons.
- 3.14 Section 6.11 of the Guidance provides a more clearly graduated approach to the application of densities within such locations, namely:
- Centrally located sites: 30-40+ dwellings per hectare;
 - Edge of centre sites: 20-35 dwellings per hectare;
 - Edge of small town/village: 15 - 20 dwellings per hectare.
- 3.15 With regard to the above within the Burgage South area, which is considered to be a centrally located site, c. 300m from the Main Street where densities of 40+ are encouraged in the SRD. This element of the site comprises c. 1.6 hectares which results in a density of c. 72.5 units per hectare.
- 3.16 Within the other two areas of the subject lands the density comprises c. 29.4 units per hectare for the Taobh Chnoic Character area (as it relates to the Cairn lands) and c. 21.2 units per hectare for the Sean Feirm Character area (as it relates to Cairn lands). The average density across the area is c. 25.2 hectares across the 2 no. character areas.
- 3.17 It is submitted that the Cairn lands within the Taobh Chnoic area comprise an Edge of Centre site, as there are residential lands located further to the south which is compliant with the SRD. The Sean Feirm Character area at 21.2 units per hectare is marginally above the density range for an Edge of small village site. However, it is considered that elements of the Sean Feirm Character area could also be characterised as an Edge of Centre site and as such the density proposed is considered appropriate.
- 3.18 It is noted the remainder of the Sean Feirm character area are a lower density, which would result in an overall density of lower than 21.2 units per hectare provided on the Cairn lands. The Newcastle LAP indicates that the Sean Feirm Character is c. 4.1 hectares.
- 3.19 The proposed development conforms to the more detailed guidance within the Guidelines on layout, design and density – by making effective use of the site; making a positive contribution to its surroundings; having a sense of identity and place; providing for effective connectivity and featuring a design which is guided by the principles of passive surveillance. The proposed development meets the 12 criteria for sustainable residential development contained within the Urban Design Manual (2009), a companion document to the SRD Guidelines, set out in the DGA Architects design statement, submitted with the Planning Application.

3.1.2 Urban Development and Building Heights (December 2018)

- 3.20 The Government published the Urban Development and Height Guidelines in 2018. The Guidelines set out national planning policy guidelines on building heights in urban areas in response to specific policy objectives set out in the National Planning Framework and Project Ireland 2040.
- 3.21 The Guidelines acknowledge that some Planning Authorities have set generic maximum height limits that can undermine wider national policy objectives to provide more compact forms of urban development and continue an unsustainable pattern of urban sprawl, rather than consolidating and strengthening the existing built-up area in accordance with National Planning Policy.
- 3.22 The Guidelines *inter alia* emphasise the policies of the NPF to greatly increase levels of residential development in urban centres and significantly increase building heights and overall density and to ensure that the transition towards increased heights and densities is not only facilitated but actively sought out and brought forward by the planning process and particularly at Local Authority level and An Bord Pleanála level.
- 3.23 In addition, the Guidelines states that “*the preparation of development plans, local areas plans, and Strategic Development Zone Planning Schemes and their implementation in the city, metropolitan and wider urban areas must therefore become more proactive and more flexible in securing compact urban growth through a combination of both facilitating increased densities and building heights*”.
- 3.24 The Building Height guidelines were issued by the Minister for Housing, Planning and Local Government under Section 28 of the Planning and Development Act 2000 (as amended).
- 3.25 In this regard, **Planning Authorities and An Bord Pleanála are required to have regard** to the guidelines and apply any specific planning policy requirements (SPPRs) of the guidelines, within the meaning of Section 28 (1C) of the Planning and Development Act 2000 (as amended), in carrying out their functions. (emphasis added).
- 3.26 Section 1.14 of the Guidelines confirm that:
- “where SPPRs are stated in this document, **they take precedence over any conflicting, policies and objectives of development plans, local area plans and strategic development zone planning schemes.** Where such conflicts arise, such plans/ schemes need to be amended by the relevant planning authority to reflect the content and requirements of these guidelines and properly inform the public of the relevant SPPR requirements.”* (emphasis added)
- 3.27 The Urban Development and Building Heights contain SPPR 4 which requires:
- “It is a specific planning policy requirement that in planning the future development of greenfield or edge of city/town locations for housing purposes, **planning authorities must secure:***
1. **the minimum densities** for such locations set out in the Guidelines issued by the Minister under Section 28 of the Planning and Development Act 2000 (as amended), titled “Sustainable Residential Development in Urban Areas (2009)” or any amending or replacement Guidelines;
 2. a greater mix of building heights and typologies in planning for the future development of suburban locations; and
 3. avoid mono-type building typologies (e.g. two storey or own-door houses only), particularly, but not exclusively so in any one development of 100 units or more.” (emphasis added).

- 3.28 Having regard to the above, it is noted that SPPR 4 requires densities 30-50 dph which are higher than those identified in the Newcastle LAP (20 dph) as the density standard relates to the subject lands. The proposed net density of development at 38 dph is in compliance with SPPR4 as it relates to density and therefore compliant with national strategic planning policy and Section 28 guidelines, which 'take precedence' over policies and objectives of Development Plans and Local Area Plans.
- 3.29 With regard to SPPR4, the subject lands provide an appropriate 33.1 units per hectare Gross (37.1 net) across the lands for a small town, with the higher density elements closer to the town centre, and a lower density at the edge. With reference to point 2, the development includes a wide range of building heights comprising 2 storey houses, 3 storey duplex buildings, and 2 no. 5 storey apartment buildings, and also avoids mono-type buildings, with a mix and range of building typologies, comprising houses, duplex apartments and apartments.
- 3.30 The development includes a wide range of building heights comprising 2 storey houses (45.7%), 3 storey duplex buildings (12.9%), and 5 storey apartment buildings (41.4%). The proposal provides a mix dwelling types, comprising houses (128 no. – 8 no. 2 bed, 94 no. 3 bed, 25 no. 4 bed & 1 no. 5 bed), duplex apartments (18 no. 2 bed & 18 no. 3 bed) and apartments (54 no. 1 bed, 88 no. 2 bed).
- 3.31 Section 3.4 to 3.8 of the Guidelines deal specifically with building height in suburban/edge locations. In this respect the Guidelines note that new development which includes houses (2 storeys), duplexes (3-4 storeys) and apartments (4 storeys upwards) deliver medium densities, in the range of 35-50 dwellings per hectare net. Such developments are beneficial in addressing the need for more 1- and 2-bedroom units in line with wider demographic and household formation trends, while at the same time providing for the larger 3, 4 or more-bedroom homes across a variety of building typology and tenure options, enabling households to meet changing accommodation requirements over longer periods of time without necessitating relocation.
- 3.32 The proposed development provides an appropriate density (37.1 units per hectare net) in compliance with the content of Circular 02/2021 and is therefore consistent with relevant government policy and guidelines.
- 3.33 The proposal includes for a mix of houses, duplex apartments and apartments in order to avoid monotype building typologies. This includes 3 no. 3 storey duplex buildings and 2 no. 5 storey buildings, providing variety within the subject site.
- 3.1.3 Compliance with Section 3.2 Criteria of Building Height Guidelines**
- 3.34 With reference to Section 3.2 of the Height Guidelines the following is noted:
- At the Scale of the relevant city/town**
The site is well served by public transport with high capacity, frequent service and good links to other modes of public transport.
- 3.35 As set out in the DBFL TTA, Dublin Bus operates 2 no. routes (one of which is an express route) that serve the subject lands including the number 68/a and 68x (Newcastle – Greenogue Business Park Towards Dublin City Centre). These routes provide links from the subject site's general vicinity to the city centre and all intermediate destinations. The associated bus stops are all within convenient walking distance of the subject site. Dualway Transport (accessible at the Aylmer road bus stop) provides two daily services (Route 311) from Newcastle/Rathcoole to The Square, Tallaght from Mondays to Fridays.
- 3.36 The subject site is located c. 4km from the Hazelhatch and Celbridge rail station where services between Dublin Heuston and various destinations including Cork, Galway and Limerick / Ennis.

The Hazelhatch and Celbridge rail station benefits from a Park & Ride facility incorporating 400 no. car parking spaces. In addition, the Saggart LUAS station and Cheeverstown LUAS P & R station are located approximately 5.5km and 8.0km respectively to the east of the subject site providing access to LUAS Red Line services operating between Saggart and Connolly Station / The Point via Dublin City Centre.

- 3.37 We also refer the Board to the Public Transport Capacity Assessment prepared by Derry O'Leary which concludes:

This assessment of the existing Newcastle bus network, the spare capacity currently on these routes, the scale of rail travel from Hazelhatch station together with the planned BusConnects routings and DART+ South West project lead to the following key conclusions.

1. *There are significant levels of spare capacity on the current bus network in the immediate area of the subject site, as shown by the bus stop surveys undertaken for this report.*
2. *The Census 2016 data shows the relatively strong attraction to commuting by rail from this area.*
3. *The NTA's BusConnects project proposals include an attractive new orbital route of direct benefit to the development. This will radically enhance orbital connectivity to neighbouring urban centres and rail and LUAS services.*
4. *The completion of the DART+ South West project will transform rail commuting options in this area, greatly reducing the journey time to Dublin's CBD.*
5. *The Newcastle South SHD site is well positioned to benefit from the proposed Bus Connects and DART+ public transport network.*
6. *The combination of a new bus link on route W6 to Hazelhatch station and much improved DART frequencies and speeds will strongly support the case for strong growth in rail commuting from the subject site in Newcastle*

Development proposals incorporating increased building height, including proposals within architecturally sensitive areas, should successfully integrate into/ enhance the character and public realm of the area, having regard to topography, its cultural context, setting of key landmarks, protection of key views. Such development proposals shall undertake a landscape and visual assessment, by a suitably qualified practitioner such as a chartered landscape architect.

- 3.38 The South Dublin County Development Plan does not list any relevant protected views or prospects in the vicinity of the site. The proposed development is not located within an architecturally sensitive area. The proposed development is located on lands zoned for residential development in the South Dublin County Development, directly adjacent to existing and proposed residential developments.

- 3.39 For the Summary of Effects on the Landscape, The LVIA prepared by Murray Associates contained in the EIAR concludes:

"The landscape impacts due to the proposed development would overall be not-significant and negative, particularly considering the general low sensitivity of the landscape and the fact that the most significant hedgerows will be retained and where hedgerows are removed, they will be reinstated or marked in the landscape design.

Landscape works are proposed to reduce and offset any impacts generated due to the proposed development, where possible. The planting of substantial numbers of new native trees and other planting will enhance the overall appearance of the new development.

The impact is primarily mitigated by the potential quality of the proposed public realm including new parks and greenways, the cohesive land use and pattern that would result, and the new spaces, landscape features and distinctiveness introduced by the proposed development and its

associated landscape spaces and planting interventions. The proposed planting will substantially increase the tree resource and tree quality in the area overall.

Moderate positive landscape amenity impacts due to the provision of new parks and greenways occurs as a result of the proposed development.

In the longer term, the assessment concludes that there will be some continuing moderately negative visual impacts to receptors immediately adjacent to the north and northeast, with not significant negative visual impacts to receptors to the west and south of the site and some imperceptibly negative/neutral visual impacts to the residential receptors further away to the south-east, west and east. As above, it is important to note that the proposed development is reflective of the existing and emerging development trends in the area in terms of massing and scale, located in 'Graydon' to the east.

The residual impacts on views is somewhat mitigated by the inclusion of additional tree planting, hedgerow planting, woodland planting, resulting in a slight improvement in screening measures to the south, though not significantly enough to change the assessment.

"On larger urban redevelopment sites, proposed developments should make a positive contribution to place-making, incorporating new streets and public spaces, using massing and height to achieve the required densities but with sufficient variety in scale and form to respond to the scale of adjoining developments and create visual interest in the streetscape."

- 3.40 The proposed layout has been informed by the key strategies outlined in the LAP relating to green infrastructure, access and movement, land use and density and built form. The layout will create high-quality streets and public spaces. Increased heights of 3 & 5 storeys have been provided at discrete locations in order to ensure that the proposed development takes place at a sustainable density. Increased heights are proposed at locations adjoining public spaces and in particular along the greenway. The infill development of 5 storeys within the Burgage plot layout responds to the topography of the site and will be absorbed into the existing hedgerows. The building heights assist in providing a variety in scale and form, assisting in overlooking and enclosing public open space and will create visual interest in the landscape.

"At the scale of district/neighbourhood/street"

The proposal responds to its overall natural and built environment and makes a positive contribution to the urban neighbourhood and streetscape."

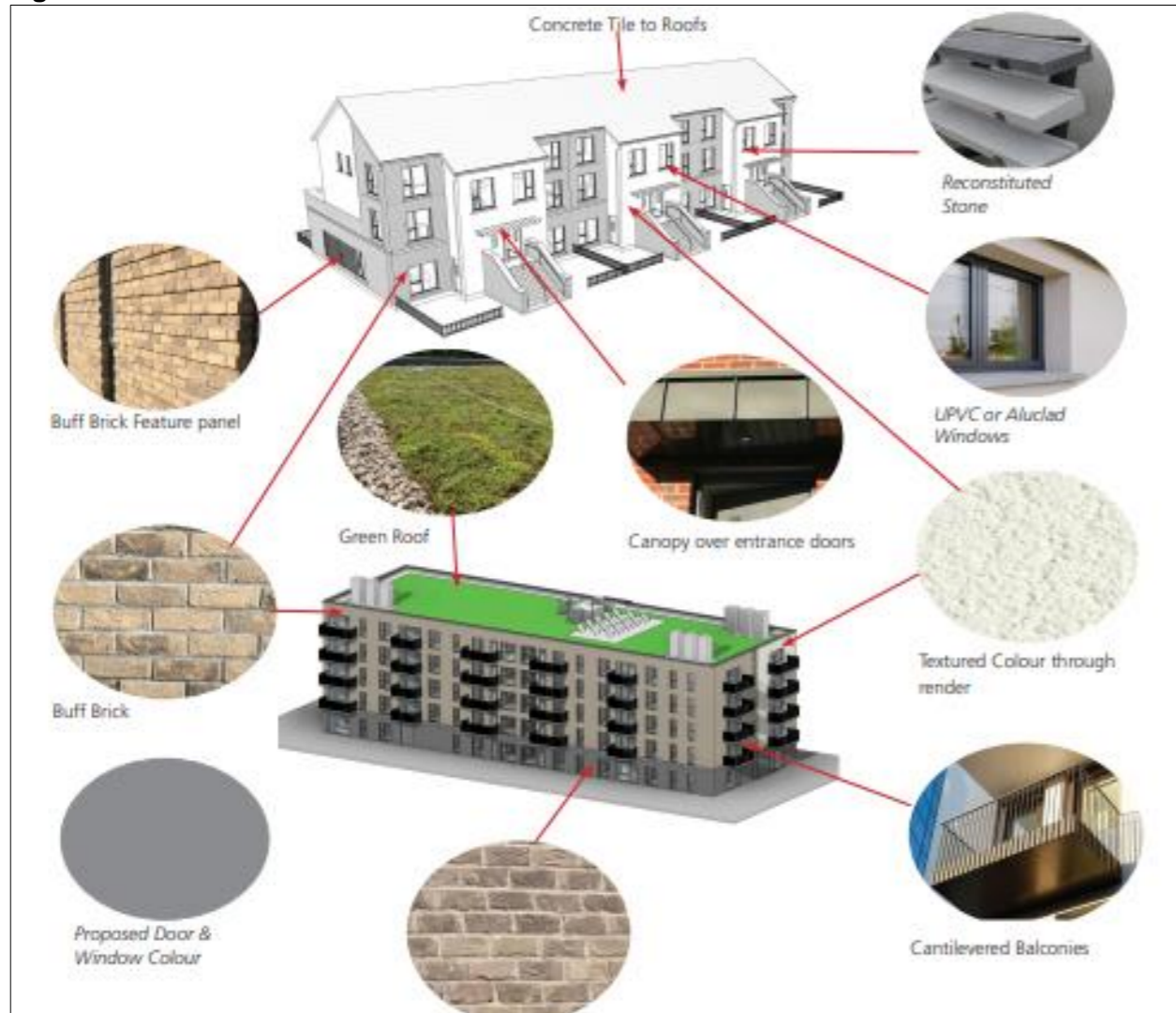
- 3.41 The proposed development is broadly consistent with prevailing building heights. Three and five storey elements have been carefully considered and will integrate successfully with the emerging new residential precinct and will make a positive contribution to the placemaking/streetscape. The existing context includes 3 storey duplex units in Graydon as well as 4 storey apartment building both located in Graydon.
- 3.42 The apartments will sit comfortably within the Burgage Plots sited behind the hedgerows which allows for passive surveillance within the Burgage Plot and also externally.
- 3.43 Located towards the middle of the plot away from the hedgerows the apartments are proposed as secondary landmark buildings. The increase in height of these blocks has reduced the footprint of development in this part of the site. This has allowed the design of the public open spaces and the required communal amenity space to wrap around the apartments and incorporate the historical burgage hedgerows. The burgage hedgerows will now be within public and managed areas as opposed to forming boundaries to private gardens where they can't be protected and managed as easily.

- 3.44 The proposed three storey Duplex blocks have been located by the eastern road connection with the adjacent Graydon development. These blocks will act as a secondary landmark with a placemaking function of indicating where the Graydon development ends and this new development starts. With reference to the context driven approach the three storey duplex blocks are located within an area with a 2 storey prevailing building height. Therefore a contextual Height Ratio can be used to show the actual amplification of the prevailing height of the proposed three storey Duplex blocks.

"The proposal is not monolithic and avoids long, uninterrupted walls of building in the form of slab blocks with materials / building fabric well considered."

- 3.45 The proposal is not monolithic. The taller elements proposed are at discrete locations within the Burgage plot arrangement, centrally within the scheme, in 2 no. buildings. The buildings will sit comfortably within the Burgage Plot behind the hedgerows.
- 3.46 The choice of architectural style and finish reflects the applicants desire to create a development which is attractive, contemporary and robust. All houses, duplex and apartment units, share a similar architectural language which will bring coherence to the development. The materials proposed are durable and low in maintenance requirements. The design will incorporate the latest technologies to achieve the highest standards in energy efficiency.
- 3.47 Like the houses the materials proposed are durable and low in maintenance requirements. The design will incorporate the latest technologies to achieve the highest standards in energy efficiency. The duplex units are broken up using panels of buff brick that are then punctuated with the projected entrance bays that are of an off white render finish. The rear of the duplex units follows the buff brick around at ground floor level with the upper first and second floors set back with an off white render finish. The ground floor gables have a buff brick feature panel and reconstituted stone sills to window cills and copings are proposed throughout.
- 3.48 The roof is a traditional concrete tiled pitched roof with black coloured gutters, downpipes, fascias and soffits. The apartments have a combination of brown and buff coloured brickwork along with off white render to continue the overall architectural language of the development. The different materials and colours help to break up the massing of the elevations. The brown coloured brick is used to form a plinth at ground floor, with the buff coloured brick and off white render used on the upper levels. A soldier course band provides a break at first floor level where either the buff brick or render starts.
- 3.49 The brown coloured brick extends up the projected staircases at the entrances to the apartments forming a vertical feature element to the buildings. A double-glazed UPVC or Aluclad window system is proposed for the scheme, incorporating opening sections and balcony/terrace doors and entrances. Selected metal canopies are proposed to the entrance doors of the duplex units and apartment blocks.

Figure 3.1 – Materials



three storey duplex units are proposed at locations where they will create a sense of scale and enclosures adjoining public open spaces and also providing enhance passive surveillance.

The proposal positively contributes to the mix of uses and/ or building/ dwelling typologies available in the neighbourhood

3.53 The proposal will positively contribute to the range of housing typologies including apartments, duplex apartments, and houses available in the neighbourhood as well as a creche, providing a mix of uses. The proposed development includes 152 no. apartments, comprising 35.5% (54 no. 1 bedroom units), 52.6% (80 no. 2-bedroom units) and 11.8% (18 no. 3-bedroom units). In addition it is proposed to provide 128 no. houses (8 no. 2 bedroom houses, 94 no. 3 bedroom houses, 25 no. 4 bedroom houses and 1 no. 5 bedroom house.

At the scale of the site/building

The form, massing and height of proposed developments should be carefully modulated so as to maximise access to natural daylight, ventilation and views and minimise overshadowing and loss of light

3.54 The apartments (orientated east west) and the duplex units have been designed to maximise access to natural daylight and ventilation. Opportunities for views across open spaces have been maximised with appropriate separation distances from existing and proposed dwelling to ensure future potential overshadowing or overlooking is minimised.

“Appropriate and reasonable regard should be taken of quantitative performance approaches to daylight provision outlined in guides like the Building Research Establishment’s ‘Site Layout Planning for Daylight and Sunlight’ (2nd edition) or BS 8206-2: 2008 – ‘Lighting for Buildings – Part 2: Code of Practice for Daylighting’.

Where a proposal may not be able to fully meet all the requirements of the daylight provisions above, this must be clearly identified and a rationale for any alternative, compensatory design solutions must be set out, in respect of which the planning authority or An Bord Pleanála should apply their discretion, having regard to local factors including specific site constraints and the balancing of that assessment against the desirability of achieving wider planning objectives. Such objectives might include securing comprehensive urban regeneration.”

“The proposal enhances the urban design context for public spaces and key thoroughfares and inland waterway/ marine frontage, thereby enabling additional height in development form to be favourably considered in terms of enhancing a sense of scale and enclosure while being in line with the requirements of “The Planning System and Flood Risk Management – Guidelines for Planning Authorities” (2009).”

3.55 The duplex units and the Mixed-Use building have been designed and sited to maximise daylight to units. A quantitative performance assessment of daylight provision to the proposed apartment has been prepared by 3D Design Bureau which states:

“Effect on Vertical Sky Component (VSC)

The effect on VSC has been assessed for 70 No. windows across the surrounding properties. Using the rationale explained in section 2.2 on page 6, the effect to VSC on 70 no. of these windows would be considered imperceptible. This shows that all of the assessed windows will experience an imperceptible level of effect. The complete results for the study on the effect on VSC caused by the proposed development can be found in Section 6.1 on page 19

Effect on Annual/Winter Probable Sunlight Hours (APSH/WPSH)

The APSH/WPSH assessment has been carried out on the relevant windows of the surrounding properties that have an orientation within 90 degrees of due south. The effect on APSH/WPSH has been assessed for 70 no. of windows of the surrounding existing properties across Saint Ann’s, Primrose Lodge, Auburn Lodge, Main Street Upper, Aois Earrach, Saint Finian’s Way. Using the rationale explained in section 2.2 on page 6, the effect on the APSH of 70 no. of these windows would be considered imperceptible. All of these windows have met the criteria for effect on APSH/WPSH as set out in the BRE Guidelines.

3.50 The taller elements, duplexes and the infill site within the Burgage Plot, have been carefully selected to ensure that the height is appropriate to the existing and future context. In particular, three storey duplex units are proposed at locations where they will create a sense of scale and enclosures adjoining public open spaces and also providing enhance passive surveillance.

3.51 As set out in the Site Specific Flood Risk Assessment prepared by DBFL, the subject lands are located in Flood Risk Zone C and appropriate for a residential development.

“The proposal makes a positive contribution to the improvement of legibility through the site or wider urban area within which the development is situated and integrates in a cohesive manner.”

3.52 The taller elements, duplexes and the infill site within the Burgage Plot, have been carefully selected to ensure that the height is appropriate to the existing and future context. In particular,

Effect on Sun On Ground in Existing Gardens

This study has assessed the effect the proposed development would have on the level of sunlight on March 21st in the rear gardens of the neighbouring properties that are located along Saint Ann's, Auburn Lodge, Main Street Upper, Aois Earrach, Saint Finian's Way. In total 22 no. spaces have been assessed. Using the rationale explained in section 2.2 on page 6, 22 no. of which would experience an imperceptible level of effect. 100% of these outdoor spaces have met the criteria for effect on sunlighting as set out in the BRE Guidelines. The complete results of the study on effect on sunlight the neighbouring gardens can be found in section 6.3 on page 40. A visual representation of these readings can be seen in the 2 hour false colour plans in section 6.3 and in the hourly shadow diagrams for March 21st in section 6.4.1 on page 42

Sun On Ground in Proposed Outdoor Amenity Areas

This study has assessed the level of sunlight on March 21st within the proposed amenity areas. In total 10 No. spaces have been assessed, 10 No. of which would meet the criteria as set out in the BRE Guidelines. The complete results for the study on sunlighting in the proposed outdoor amenity spaces can be found in section 7.2 on page 61. A visual representation of these readings can be seen in the false colour plan in section 7.2 and in the hourly shadow diagrams for March 21st in section 6.4.1 on page 42

Average Daylight Factor (ADF)

This study has assessed the Average Daylight Factor (ADF) received in all the habitable rooms of the apartments in the 2 no. proposed 5-storey buildings, which are considered the higher density element of the proposed scheme. The 2 no. buildings assessed consist of 116 no. units, which makes up 294 no. habitable rooms. The ADF value in 294 no. habitable rooms meet or exceed their target values. This gives a circa compliance rate of 100% for the 2 no. buildings assessed. Given the fact that an appropriate level of density is being targeted and the apartment blocks are fully compliant, the results of the ADF study could be considered to be favourable. The complete results for the study on ADF can be seen in section 7.2 on page 61."

Specific Assessments

- 3.56 The Guidelines note that to support proposals at some or all of these scales, specific assessments may be required, and these may include:

"Specific impact assessment of the micro-climatic effects such as downdraft. Such assessments shall include measures to avoid/ mitigate such micro-climatic effects and, where appropriate, shall include an assessment of the cumulative micro-climatic effects where taller buildings are clustered."

- 3.57 Having regard to the nature of the proposal comprising 3 and 5 storey buildings, it is not considered that there will any issues relating to downdraft. Notwithstanding this we refer the Board to the enclosed report from BFluid Consultants which states:

"The results of this wind microclimate study are utilized by Cairn Homes Properties Ltd. to configure the optimal layout for Newcastle Development for the aim of achieving a high-quality environment for the scope of use intended of each areas/building (i.e. comfortable and pleasant for potential pedestrian) and not to introduce any critical wind impact on the surrounding areas and on the existing buildings.

- *The wind profile was built using the annual average of meteorology data collected at Dublin Airport Weather Station. In particular, the local wind climate was determined from historical meteorological data recorded 10m above ground level at Dublin Airport.*
- *The prevailing wind directions for the site are identified in the West, West-South-West, West-West-South and South-East. • Microclimate Assessment of Newcastle Development and it's environment was performed utilizing a CFD (Computational Fluid Dynamics) methodology.*

- *The proposed Newcastle Development has been designed in order to produce a high-quality environment that is attractive and comfortable for pedestrians of all categories. To achieve this objective, throughout the design process, the impact of wind has been considered and analysed, in the areas where critical patterns were found, the appropriate mitigation measures were introduced.*

- *As a result of the final proposed and mitigated design, wind flow speeds at ground floor are shown to be within tenable conditions. Some higher velocity indicating minor funnelling effects are found near between houses and apartment blocks. However, the areas can be utilised for the intended use (Walking and strolling).*

- *The proposed development does not impact or give rise to negative or critical wind speed profiles at the nearby adjacent roads, or nearby buildings. Moreover, in terms of distress, no critical conditions were found for "Frail persons or cyclists" and for members of the "General Public" in the surrounding of the development.*

- *The proposed development does not impact or give rise to negative or critical wind speed profiles at the nearby adjacent roads, or nearby buildings. • During the construction of Newcastle Development the predicted impacts are classified as negligible."*

"In development locations in proximity to sensitive bird and / or bat areas, proposed developments need to consider the potential interaction of the building location, building materials and artificial lighting to impact flight lines and / or collision."

- 3.58 We refer the Board to the Biodiversity chapter of the EIAR and the Bat Report (Appendix G of the EIAR) prepared by Altemar which states:

"No significant effects are foreseen from the operation of the proposed development. The retention of hedgerows in addition to the planting of hedgerows and trees would offset the loss seen during the construction. No significant effects would be foreseen in relation to the heights and types of the buildings proposed and bird collision.

"There is no evidence of a current bat roost on site, therefore no negative impacts on roosts these animals are expected to result from the proposed development. The likelihood bat collision is not significant as the materials proposed are generally solid and would have good acoustic properties to reflect echolocation signals."

An assessment that the proposal allows for the retention of important telecommunication channels, such as microwave links.

- 3.59 We refer the Board to the enclosed ISM report. It is noted the existing mobile reception in Newcastle is poor. The assessment identified Radio Frequency coverage for the local geographic area is served by a distinct lack of cells at a range of long distances to the Development on less than a 360° basis, which is not a typical cell pattern for urban/semi-rural Radio Frequency coverage.

- 3.60 The average indoor coverage signal recorded was -115db across all 3 mobile phone networks. With -85db being the benchmark optimal coverage signal, and anything over -100db being poor too bad, -115db denotes extremely poor coverage for the local area.

- 3.61 In this regard, it is proposed to include some GPS Antennae and associated cabinets at roof level of the apartment Building, which will improve the existing mobile reception. This is set out in the ISM Report included with the application.

- 3.62 The proposal includes the following at roof level telecommunications infrastructure comprising 9 no. support poles on ballast mounts (to accommodate 1No. 2m 2G/3G/4G antenna & 1No. 5G antenna each) & 3 no. poles on lift overrun (to accommodate 2No. Ø0.3m Microwave links each at roof level of Apartment building B, together with associated equipment and cabinets/shrouds).

3.63 The report concludes the following in relation to the proposed telecommunications infrastructure:

"This will undoubtedly provide an adequate solution for the Applicant to mitigate the impact the Development will have on the existing poor mobile phone signal in the area and provide both the occupants of the Development and the local area with adequate voice and data services to meet modern demands. Refer to Figures 8 of the appendices for full analysis and installation parameters for all the proposed replacement telecommunication infrastructure set out herein. ISM can therefore conclude that the proposal being made by the Applicant within its submission to An Bord Pleanála allows for the retention of important Telecommunication Channels, such as Microwave links, to satisfy the criteria of Section 3.2 of the Building Height Guidelines (2018)."

An assessment that the proposal maintains safe air navigation.

3.64 We refer the Board to the report prepared by, O'Dwyer & Jones Design Partnership which states:

"Obstacle Limitation Surfaces in General

The site at Newcastle South lies well clear of all Approach Surfaces, Take-Off Climb Surfaces, and Transitional Surfaces at Casement Aerodrome (which are the more important I.C.A.O. Obstacle Limitation Surfaces). It does however lie under Casement Aerodrome's Inner Horizontal Surface, which is at 131.6m OD.

The Site in relation to Casement Aerodrome's Inner Horizontal Surface

Ground levels on the site are at 7-15m above the elevation of the nearest runway threshold [Thr 10] at 86.6m OD, which is also the elevation of Casement's datum level. The proposed development is of low-rise 2-storey housing and 3-storey apartment & duplex units, with two 5-storey apartment blocks of 16.1m height each (to parapet level). The highest items on the site are telecommunications shrouds on one of the apartment blocks whose tops are at 114.6m OD elevation.

Consequently, all of the development is fully clear of Casement's Inner Horizontal Surface – with 17 metres to spare above its highest points. This will provide ample room for the operation of cranes on site.

In addition, the proposed development is fully clear of any 'building restricted areas' associated with the navigational equipment at Casement Aerodrome.

10.3 Overall

We are satisfied that the proposed residential development at Newcastle South complies fully with all aviation and aeronautical requirements affecting the site."

An urban design statement including, as appropriate, impact on the historic built environment.

3.65 We refer the Board to the Urban Design Statement prepared by MOLA Architects and to the Cultural Heritage Chapter of the EIAR, prepared by Rob Goodbody Historic Buildings Consultant which states:

"There will be no direct effect on architectural heritage during the operational phase as a direct effect indicates alterations to the structures and there will be no alterations to structures outside the site boundary.

There will be indirect effects on some structures of architectural heritage significance during the operational phase

It is noted that the inclusion of the 2 five-storey apartment buildings and the 3 three-storey duplex buildings, will not result in any additional negative indirect effects on the tower house, Newcastle Farm or the architectural conservation area over and above the potential operational phase effects arising from the development of the lands in accordance with the layouts and scale, massing etc, envisaged in the Newcastle LAP, as those heritage elements are at a distance from the proposed buildings, as outlined above in section 14.6.

It is also noted that the layout in the Newcastle LAP included the burgage hedgerow plots in the rear gardens of dwellings, which would have the potential to result in the degradation of the hedgerow plots through maintenance or lack thereof, as they would be in the ownership of residents rather than in the public realm. This is important as the boundaries of burgage plots are survivors from the medieval layout of the town. The inclusion of the apartment buildings enables the retention of the burgage plots in the public domain, allowing for appropriate maintenance.

Other developments have taken place in the vicinity of the application site and a development on land to the east is currently under construction. These developments are not adjacent to any of the structures of architectural heritage significance that would be affected by the present proposal and no cumulative effect on architectural heritage is predicted. Similarly, while a number of planning permissions have been granted in the Newcastle area and not yet implemented, none of these would lie between the application site and the four buildings of architectural heritage significance that have been identified in this chapter as being in the vicinity of the application site. None of the extant, but not implemented, planning permissions would add a cumulative effect to that of the present proposal.

There will be a moderate residual indirect negative effect on the setting of BH-02, Newcastle Farm,

There will be a significant residual indirect negative effect on the setting of BH-03, the tower house."

Relevant environmental assessment requirements, including SEA, EIA, AA and Ecological Impact Assessment, as appropriate.

3.66 As noted above, this application is accompanied by an AA Screening Report and by an EIAR. The EIAR has been prepared / coordinated by JSA with an experienced environmental consultancy team, while the AA Screening Report is prepared by Altemar which concludes:

"Altemar have carried out an appropriate Assessment Screening Report for the proposed project and conclude that no Natura 2000 sites are within the zone of influence of this development. Having taken into consideration the proposed project, the effluent discharge from the proposed development works, the distance between the proposed development site to designated conservation sites, lack of direct hydrological pathway or biodiversity corridor link to conservation sites and the settlement of silt over the intervening distance and dilution effect with other effluent and surface runoff, it is concluded that this development would not give rise to any significant effects to designated sites. The construction and operation of the proposed development will not impact on the conservation objectives of features of interest of Natura 2000 sites.

This report presents a Stage 1 Appropriate Assessment Screening for the Proposed Development, outlining the information required for the competent authority to screen for appropriate assessment and to determine whether or not the Proposed Development, either alone or in combination with other plans and projects, in view of best scientific knowledge, is likely to have a significant effect on any European or Natura 2000 site.

On the basis of the content of this report, the competent authority is enabled to conduct a Stage 1 Screening for Appropriate Assessment and consider whether, in view of best scientific knowledge and in view of the conservation objectives of the relevant European sites, the Proposed Development, individually or in combination with other plans or projects is likely to have a

significant effect on any European site. There is no possibility of significant impacts on Natura 2000 sites, features of interest or site specific conservation objectives.

Accordingly, having carried out the Stage 1 Appropriate Assessment Screening, the competent authority may determine that a Stage 2 Appropriate Assessment of the Proposed Development is not required as it can be excluded, on the basis of objective scientific information following screening under the Habitats Directive 92/43/EEC (as amended), that the Proposed Development, individually or in combination with other plans or projects, will have a significant effect on any European site."

- 3.67 Having regard to the detailed analysis set out above, the applicant has demonstrated that the criteria set out under Section 3.2 of the Guidelines have been appropriately incorporated into the development proposal, as required under SPPR3 (a)

3.1.4 Draft South Dublin County Development Plan 2022-2028

3.1.4.1 Density

- 3.68 With reference to density Housing (H) the following is noted:

"H8 Objective 1: To ensure that the density of residential development makes efficient use of zoned lands and maximises the value of existing and planned infrastructure and services, including public transport, physical and social infrastructure, in accordance with the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, DEHLG (2009). H8 Objective 2: To consider higher residential densities at appropriate locations that are close to Town, District and Local Centres and high capacity public transport corridors in accordance with the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, DEHLG (2009)."

H8 Objective 5: To ensure that developments on lands for which a Local Area Plan has been prepared comply with the local density requirements of the Local Area Plan.

H8 Objective 6: To apply the provisions contained in the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, DEHLG (2009) relating to Outer Suburban locations, including a density range of 35-50 units per hectare, to greenfield sites that are zoned residential (RES or RES-N) and are not subject to a SDZ designation, a Local Area Plan and/or an approved plan, excluding lands within the M50 and lands on the edge or within the Small Towns/ Villages in the County.

- 3.69 The proposed development is in compliance with national guidelines (Sustainable Residential Development in Urban Areas 2009, and SPPR4 of the Building Height Guidelines 2018 in relation to density but not the LAP. A justification is provided in the Statement of Material Contravention, prepared by John Spain Associates, submitted with the application.
- 3.70 The proposed density of c. 33.1 units per hectare Gross (37.1 net) is appropriate for a partial centrally located site and edge of centre site for a small town as set out in the Sustainable Residential Density Guidelines 2009.
- 3.71 It is submitted since the adoption of the Newcastle LAP 2012, the publication of the National Planning Framework, the Building Heights Guidelines (and associated SPPR4), now require that the densities proposed on serviced land reflects Government Policy. The densities contained in the LAP is significantly lower than the density range of between 30-50 units per hectare indicated in the Sustainable Residential Density Guidelines 2009 and the provisions of the Circular 02/2021. It is submitted that the density c. 33.1 units per hectare Gross (37.1 net) is in accordance with strategic government guidance and in particular the commentary contained in the Building Height Guidelines which confirm that *"where SPPRs are stated in this document, they take precedence*

over any conflicting, policies and objectives of development plans, local area plans and strategic development zone planning schemes." (emphasis added).

- 3.72 In light of this, it is submitted that the density standards of the LAP have effectively been supplanted by the minimum densities contained in the Sustainable Residential Density Guidelines 2009 and the SPPR4 which which requires:

*"It is a specific planning policy requirement that in planning the future development of greenfield or edge of city/town locations for housing purposes, **planning authorities must secure:***

*1. **the minimum densities** for such locations set out in the Guidelines issued by the Minister under Section 28 of the Planning and Development Act 2000 (as amended), titled "Sustainable Residential Development in Urban Areas (2009)" or any amending or replacement Guidelines;*

- 3.73 The proposed development provides an appropriate density in compliance with the Sustainable Residential Development in Urban Areas (2009) at 37.1 units per hectare (net).

- 3.74 It is further noted and welcomed that the Draft Wicklow County Plan is aligned to the National Planning Framework, the Building Height Guidelines 2018, which support compact development and sustainable densities on zoned serviced land. In this regard, the Draft Plan (Table 6.1) identifies a range of 35-50 dwellings per hectare and generally discourages net densities of less than 30 units per hectare, which the proposed development is consistent with.

3.1.4.2 Draft South Dublin Development Plan 2022-2028 – Density Guide

- 3.75 The following policies and objectives are noted:

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.

Policy 8 - Building Height and Density Guide 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 Building Heights and Density Guide 2021.

- 3.76 Section 5.2.7 of the Plan sets out the Density and Building Height Policies and objectives (see section 6.5 above) and notes that in response to Urban Development and Building Height Guidelines (2018), and in particular SPPR1, the plan is accompanied by South Dublin County's Building Height and Density Guide (appendix 10).
- 3.77 The Plan highlights that *"The premise of these guidelines is not intended to introduce height for the sake of height, but to introduce and consider increased heights and densities as a means of accommodating greater residential populations within the County's serviced and zoned land banks in particular where public transport, employment and other services are proximate to a development proposal in line with the principals of compact growth."*
- 3.78 The Plan promotes a *"Context Driven Approach to Height"*, which acknowledges that *"this is in line with the Urban Development and Building Height Guidelines and specifically SPPR1 which prohibits numerical limitations on building height by planning authorities."*
- 3.79 The BHDG set out a framework for the analysis of building heights relative to their context. Therefore, proposals for increased building heights can be expressed in terms of their amplification of prevailing heights by means of a Contextual Height Ratio, noting that *"Such a measure provides a clear indication of the scale of change proposed in the built environment without utilising the more subjective terminology of tall/ taller or high/ higher buildings."*

- 3.80 In this regard the prevailing heights in the wider area are predominantly 2 and 3 storeys, and it is noted the permitted Graydon development (under construction) to the east will include a 4 storey building. Therefore the contextual height ratio for the subject lands is (1.67 x CH) for 3 storeys and (1.5 x CH) for 4 storeys and (2.5 x CH) for 2 storey dwellings. For the 3 storey duplex buildings, the contextual height ratio is (1 x CH) when referenced against 3 storey dwellings and (1.5 x CH) for 2 storey dwellings.
- 3.81 Having regard to the above, it is considered that the proposed height is relatively modest noting that they apartments will be located centrally within the scheme, away from existing buildings, and can be readily absorbed into the emerging context of the current proposal and the adjoining Graydon development (under construction).
- 3.82 The purpose of the Building Height and Density Guide (BHDG) is:
1. *To address the requirement under SPPR1 of the Urban Development and Building Height Guidelines (2018) and the need for planning authorities to explicitly identify, through their statutory plan, areas where building height will be actively pursued for redevelopment, regeneration and infill development; and*
 2. *To provide a toolkit for the assessment of proposed increased building heights in development application and development management scenarios.*
- 3.83 The BHDG supports the objective of the Plan (in line with NPO35 and SPPR1 *“to proactively consider increased building heights on lands zoned Regen, MRC, DC, LC, TC and Res-N as well as sites identified 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 (2018) where it is clearly demonstrated by means of an urban design analysis carried out in accordance with the provisions of the South Dublin Building Height and Density Guide that it is contextually appropriate to do so.”*
- 3.84 The subject lands are zoned Res-N and as such increased heights are supported in principle in the BHDG.
- 3.85 Section 4 of the BHDG provides a contextual analysis toolkit, the purpose of which is *“to guide applicants through a process of contextual analysis by which the suitability or otherwise of different density and height levels can be assessed with reference to the receiving environment of the proposed development.”*
- 3.86 Section 5 of the BHDG describes a number of notional development scenarios based on typical contexts found across the South Dublin County Council administrative area wherein increased building heights and higher densities might be accommodated. The aim of these indicative scenarios is not to determine the appropriate height for a development proposal but instead to demonstrate how such a determination might be illustrated and rationalised.
- 3.87 We refer the Board to the MOLA Architectural Design Report (in response to Item no. 5 of the Opinion of An Bord Pleanála, which provides detail in relation to the contextual analysis toolkit.
- 3.1.5 Summary**
- 3.88 A net density of 37.1 dph is consistent with national planning policy and section 28 guidelines and with Circular 02/2021.
- 3.89 The Urban Development & Building Height Guidelines confirm that *“where SPPRs are stated in this document, they take precedence over any conflicting, policies and objectives of development plans, local area plans and strategic development zone planning schemes.”*
- 3.90 In light of this, it is submitted that the density standards in the Newcastle LAP have effectively been supplanted by the minimum densities contained in the Sustainable Residential Density Guidelines 2009 and SPRR4 of the Building Height Guidelines which which requires that *“planning authorities must secure the minimum densities for such locations set out in the Guidelines issued by the Minister under Section 28 of the Planning and Development Act 2000 (as amended), titled “Sustainable Residential Development in Urban Areas (2009)” or any amending or replacement Guidelines”.*

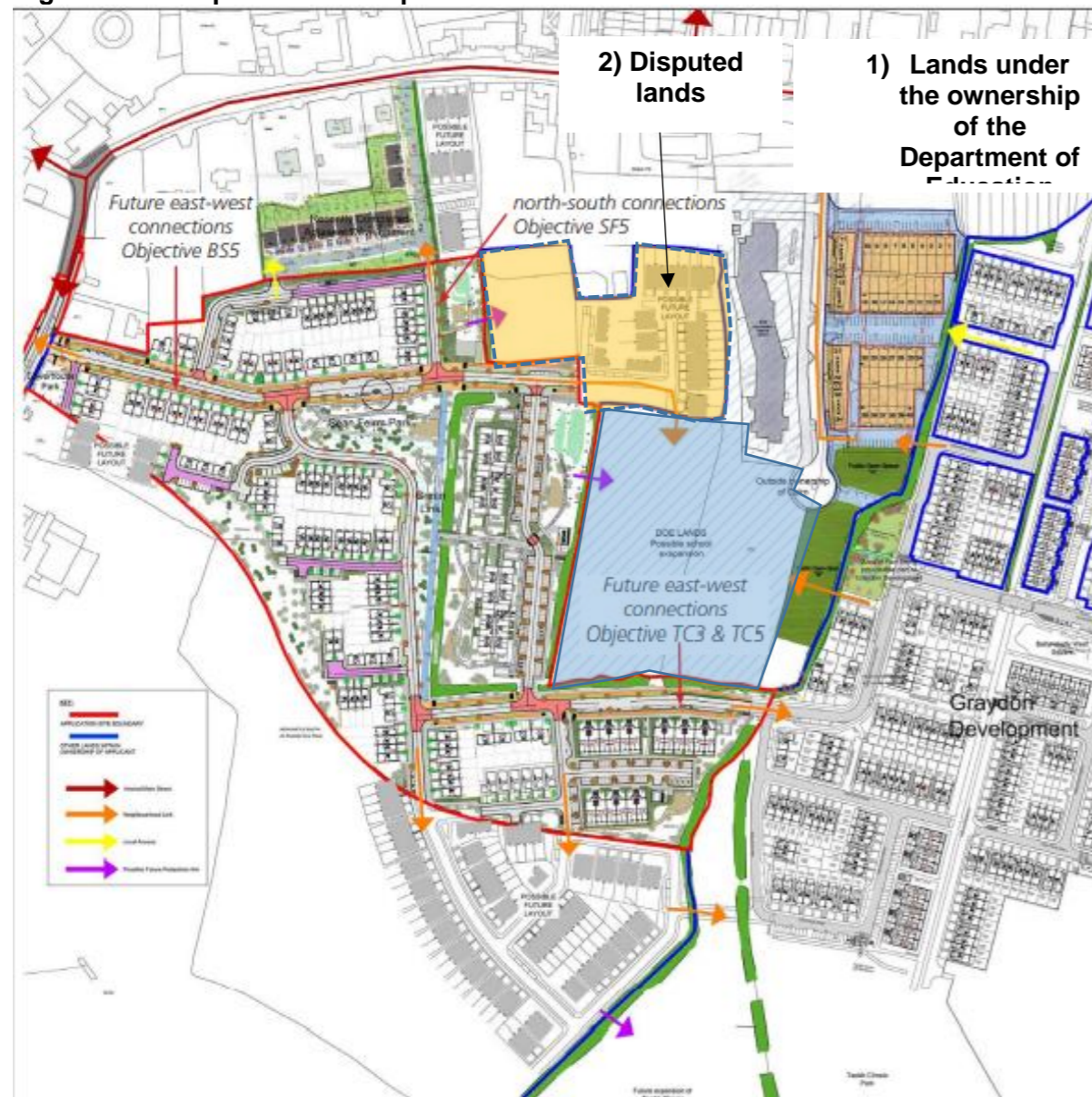
3.2 Item 2 – Sequential Development

3.91 Item no. 2 seeks:

“2. The application should indicate how the development will facilitate the sequential development of the settlement and should ensure that the proposal would not compromise the development of Village Core lands in line with the provisions of the Local Area Plan or where there is potential for impact, justification of same should be included with the application documentation.

3.92 In response to this item, the proposed development will be sequentially developed from the north (St. Finian’s Way), which is adjacent to the main street and village core, and to the east from Graydon (currently under construction by Cairn), which will deliver full east west connectivity across the southern side of Newcastle. It is highlighted that the 2 main largest parcels of undeveloped land relate to 1) Department of Education owned lands and some 2) disputed owned lands which Cairn currently are not able to develop and as such the lands are not available.

Figure 3.2 – Sequential Development



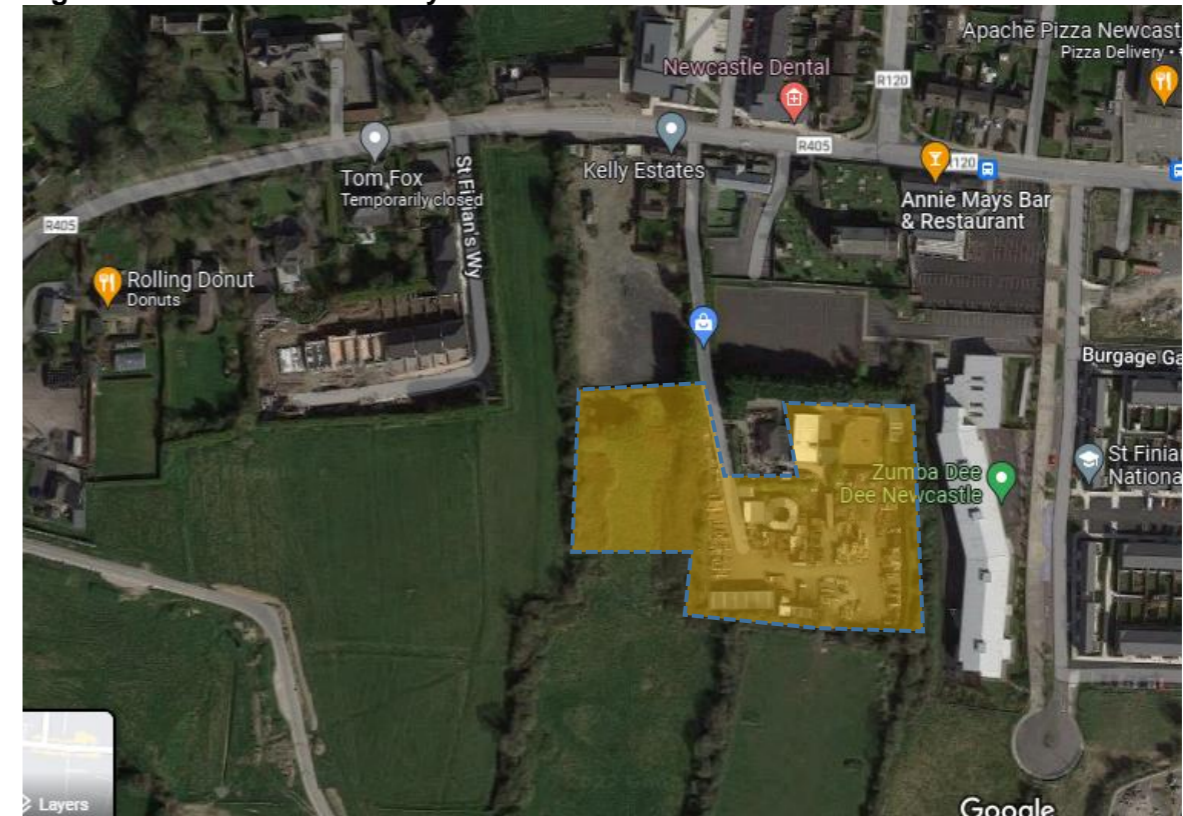
3.93 The remainder of the lands in the village core comprise mainly smaller infill sites.

3.94 It is submitted that there are only a small no. of infill sites located to the north. The proposed development facilitates east west access in the lands to the east. Access to other sites on the main street can be facilitated from the main street and are not dependent on this SHD development.

3.95 With reference to the village core lands, the proposed development provides connectivity and future permeability on lands located to the east and an indicative layout is shown how those lands in turn could connect to elsewhere (which largely comprise the Burgage South Park).

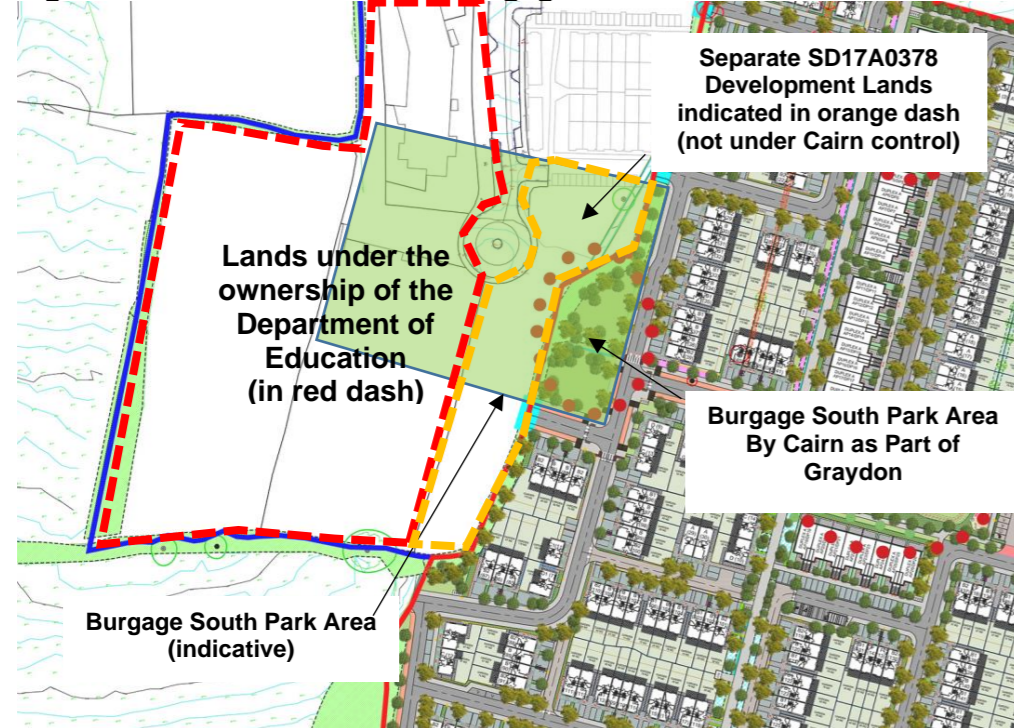
3.96 With reference to the lands to the (disputed ownership) lands to the east, it is outlined that these lands are not currently available to develop for residential development. A portion of the lands are currently in use as a salvage yard (Landmark Architectural Salvage and Granite).

Figure 3.3 – Site not Currently Available



3.97 The remainder of the lands within the expansion area are substantially under the ownership of the Department of Education (see below).

Figure 3.4 – Land Ownership – Burgage Park South



3.98 In addition, it is noted the proposed layout provides roads to the southern boundary which could facilitate the sequential development of those lands in the future (under separate ownership).

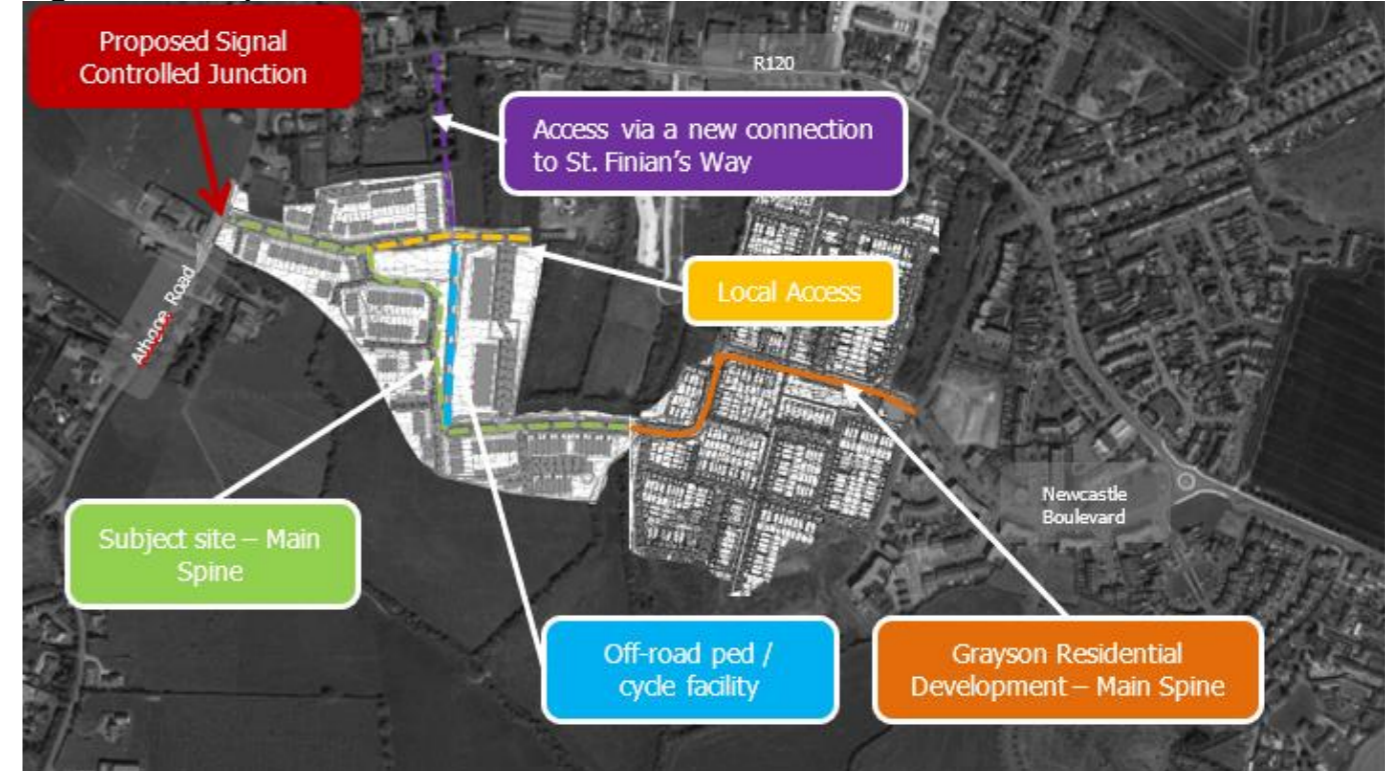
3.3 Item 3 – Movement and Connections

3.99 Item 3 of the An Bord Pleanála opinion seeks:

“3. Site layout plans illustrating how the proposed development is aligned with the roads, movement / connections, open space and other framework elements that apply to these lands under the County Development Plan and the Newcastle Local Area Plan, and/or DMURS. This should include pedestrian and cycle connections between neighbourhoods, parks and the Main Street in line with the objectives of the LAP. Where there is potential for deviation or divergence from the Plans, justification of same should be included with the application documentation. The documentation should, in so far as is practical, also illustrate how the development will integrate with and facilitate the development of adjoining undeveloped zoned lands in accordance with the principles and guidance of the LAP.

3.100 In response to this item we refer the Board to drawing no. 210026-DBFL-TR-SP-DR-C-1001, prepared by DBFL Consulting Engineers, which shows the existing, proposed and allowance for future pedestrian and cycle linkages.

Figure 3.5 – Proposed Roads Infrastructure



3.101 The continuation of the Newcastle Boulevard through the Graydon development to the schemes western boundary as agreed with SDCoCo, is planned to be completed by end of 2022. The proposed layout provides a route across the site, as discussed with SDCoCo that will connect the Newcastle Boulevard with a new entrance onto Athgoe road. The proposed streets, paths and cycleways have been designed to form the schemes green infrastructure connecting the open spaces with the various areas of the scheme. These green links will provide a public realm that encourages accessible pedestrian movement across the scheme and to the surrounding area.

3.102 Through the use of indigenous trees and incorporating the existing historic Burgage hedgerows and ditches into the landscape design the public realm will be further enhanced. These green links that include a north south green link to main street, will also incorporate SUDS features in the form of swales which will provide water features as part of the public realm. Sean Feirm Park and Towerhouse Park form part of the overall public realm providing safe and well connected open spaces.

Figure 3.6 – Connections

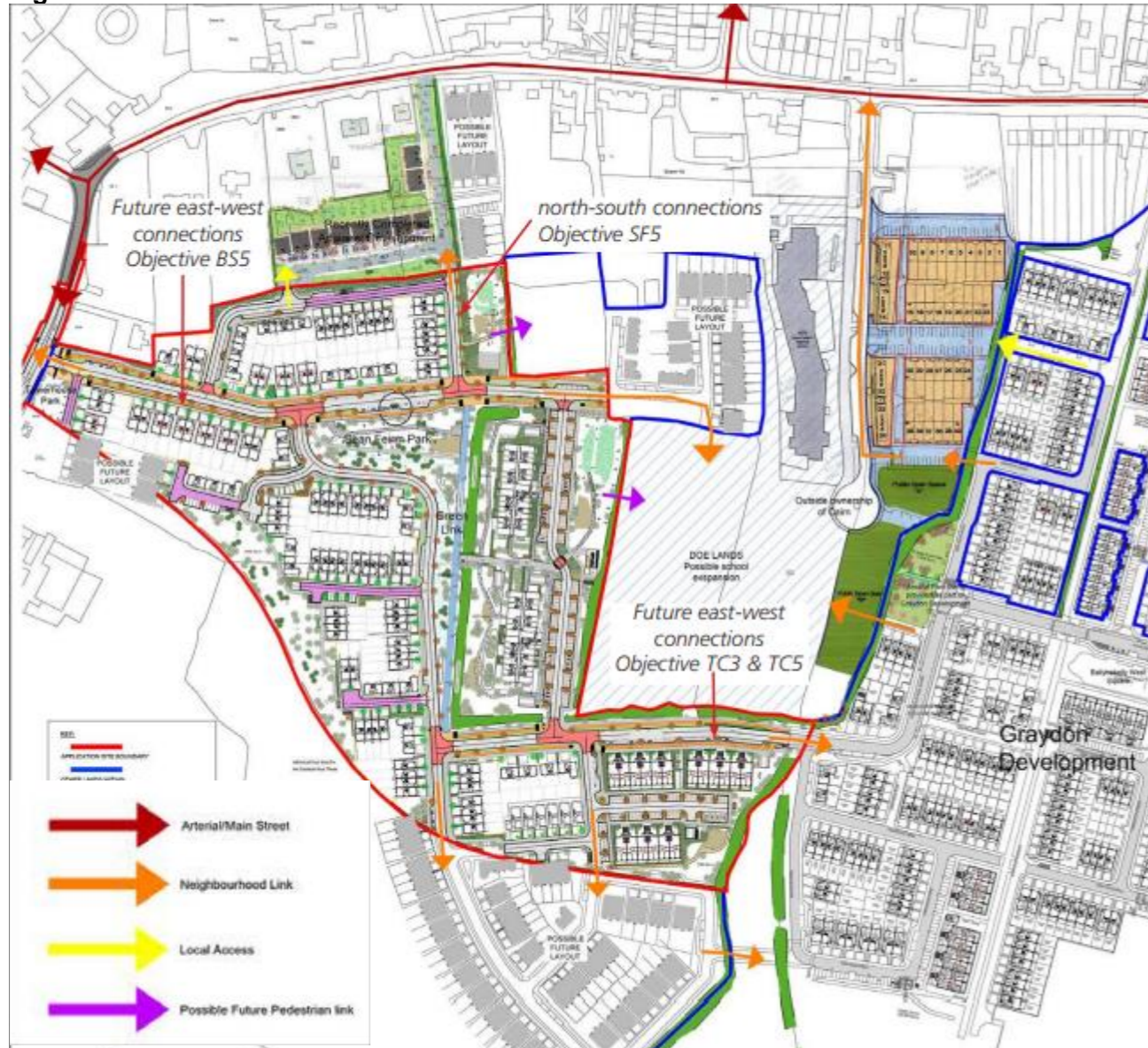
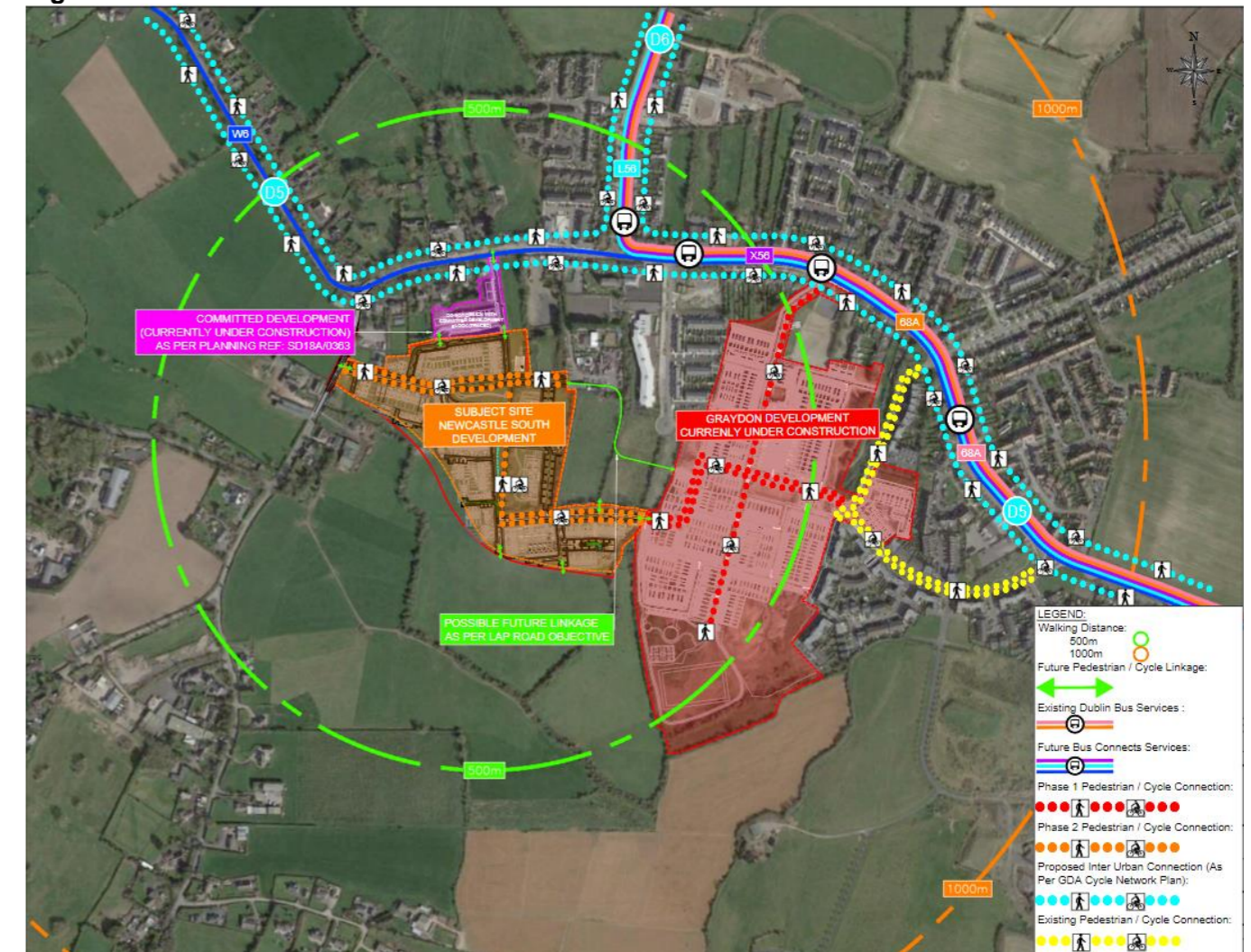


Figure 3.7 – Connections within Newcastle



3.103 Pedestrian and cycle connections between neighbourhoods, parks and the Main Street in line with the objectives of the LAP have been provided. The 2No east west Link Streets provide 2m cycle path, 2m footpath and 1.5m verges either side of a 6.5m vehicular carriage way. The Northern link street connects Towerhouse Park at the Athgoe entrance, with Sean Feirm Park and through to the east boundary for future connections into the village core.

3.104 The southern Link street connects into the continuation of Newcastle Boulevard as discussed and agreed with South Dublin County Council. The layout, in so far as is practical, illustrates how the development will integrate with and facilitate the development of adjoining undeveloped zoned lands in accordance with the principles and guidance of the LAP. Possible layouts have been shown to indicate how these plots could be developed in the future, linking back into the development and surrounding area. The proposed scheme has in principle provided the green links and streets as set out in the LAP and Development plan. Where some streets don't fully align with the layouts as shown in the LAP or the Development plan this is due to on sight constraints and providing protection/integration of the existing Burgage hedgerows

3.4 Item 4 – LAP Character Areas

3.105 Item 4 of the An Bord Pleanála opinion seeks:

4. A statement describing how the design and layout of each neighbourhood addresses the requirement of the Local Area Plan to create its own distinct identity in keeping with the varying Character Areas and landscape contexts.

3.106 In response to this item we refer the Board to the Architect Design Statement prepared by MOLA, included with the SHD application.

3.4.1 Character Areas

3.4.1.1 Character Area - Neighbourhood 1 - Sean Feirm

3.107 The Sean Feirm Neighbourhood is a mix of 2 storey Detached, Semi detached and some terraced housing providing 73 units on a site of C.3.4Ha.

3.108 following table lists the key policies and objectives of the LAP which relate to the Sean Feirm neighbourhood, and how the proposal is consistent with such also:

Figure 3.8:– Sean Feirm Local Framework and Indicative Layout, Newcastle



Figure 3.9:– CGI view of Semi Detached units fronting the Link Street / Boulevard



Table 3.1: Consistency with relevant LAP policies for Sean Feirm

Policies/Objectives Sean Feirm	Consistency
Objective SF1: Largely comprise detached and semi-detached dwellings on large garden plots that are set back from the street edges by front gardens.	Within Sean Feirm, the proposed development proposes a mix of semi-detached dwellings with good frontage along the link street. The proposal includes Sean Feirm Park centrally within the scheme along with a pocket park to the north of tower house (which is under separate ownership to the south). An additional park is provided in the eastern part of the site. SUDS are incorporated into the design.
Objective SF2: Provide for two parks including a soft landscaped pocket park located around the upstanding tower house with passive recreation facilities and a local park with passive and active recreation facilities that forms part of the SUDS network through the incorporation of a water feature.	The proposal includes a tree lined boulevard link street.
Objective SF3: Include for a tree lined boulevard (Green Link Street) that links both of the neighbourhood's parks with Athgoe Road and forms part of the SUDS network through the incorporation of a central swale.	With reference to Objective SF4, DBFL have investigated this feature and note that it relates to a depression in the ground.
Objective SF4: Ensure that any proposals on lands adjoining the larger retention pond identified at the western end of the Newcastle South Townland as depicted on the Newcastle Parish Ordnance Survey Map, 1865, shall seek to incorporate this feature and be accompanied by reports from suitably qualified persons on both the surface water management and historic significance of this feature.	
Objective SF5: Development of the Sean Feirm Neighbourhood shall include for a vehicular and pedestrian connection to Main	The proposal includes a vehicular and pedestrian link to the northern boundary, which will integrate with the permission to then north (currently under

Policies/Objectives Sean Feirm	Consistency
Street and a vehicular and pedestrian connection to Athgoe Road that forms part of an east-west through route between Athgoe Road and Ballynakelly. Objective SF6: Development of the Sean Feirm Neighbourhood shall include for access/tertiary streets that are finished with shared surfaces for pedestrians, cyclist and vehicles.	construction under SD18A/0363 which will provide link to the Main Street. The proposal includes an east west connection from Athgoe Road and Ballynakelly to the east via the 'Graydon' development (SHD under construction by Cairn) to the east. The proposed development includes a clear hierarchy of streets as set out in the DMURs compliance document prepared by DBFL.
Objective SF7: Development within the Sean Feirm Neighbourhood shall provide for residential uses only at a maximum density of circa 20 dwellings per hectare.	The proposed development provides densities in accordance with the SRD Guidelines 2009, 33.1 units per hectare Gross (37.1 net). Within the Sean Feirm Neighbourhood the density proposed is c. 21.2 which are higher than the 20 dwellings per hectare outlined for the Sean Feirm Neighbourhood.
Objective SF8: In order to provide an appropriate transition with the rural hinterland and ensure for the provision of low density housing as an alternative to rural housing, development of the Sean Feirm Neighbourhood shall only comprise detached and semi-detached houses.	The proposed development provides a series of 2 storey semi-detached dwellings within the Sean Feirm neighbourhood, which is at a lower density compared to the apartments to the east (within the village core)

Figure 3.10 – Sean Feirm Character Area



3.4 The area of this Neighbourhood has a gentle east to west cross fall of approximately 1 to 2m and so is generally flat to gently sloping. The northern boundary of this neighbourhood backs onto the existing large detached houses that front onto the Main street and also the recently completed 2 storey terraced development, at St. Finian's Way. The Sean Feirm neighbourhood forms the main access off the Athgoe road and connects the main boulevard that runs through the development to the eastern boundary connection with Graydon and Ballynakelly.

3.109 The Sean Feirm neighbourhood forms the main access off the Athgoe road and connects the main boulevard that runs through the development to the eastern boundary connection with Graydon and Ballynakelly. The mix of house type proposed are:

- 4 bed detached unit;
- 4 bed semi detached units
- 3 bed semi detached units
- 3 bed terraced units.

3.110 The detached and semi detached houses have been located mainly to the western part of this neighbourhood providing a lower density scheme as you enter from the west. This provides the main character of this neighbourhood and an appropriate transition from the rural hinterland as set out in the LAP (Objective SF1 and SF8)

3.111 Two parks have been provided, Towerhouse park, a small pocket park acting as a gateway feature at the Athgoe entrance, while also providing an appropriate setting and green buffer to the upstanding Towerhouse located further south along Athgoe road. This also facilitates any future walking and cycling trails that would incorporate Towerhouse. As well as the pocket park a more formal park (Sean Feirm Park) has been provided as set out in the LAP.

3.112 A tree lined boulevard is proposed to run from the Athgoe road entrance, connecting the Tower house park with the Sean Feirm park and then on through the development linking up with the continuation of the existing Newcastle Boulevard through the adjoining Graydon development to the east. (Objective SF 3) The sustainable management of water including the small retention pond to the west will be carried out through a network of SUDS forming parkland features, linking the parks and green links though out the scheme. (Objective SF3 and SF4)

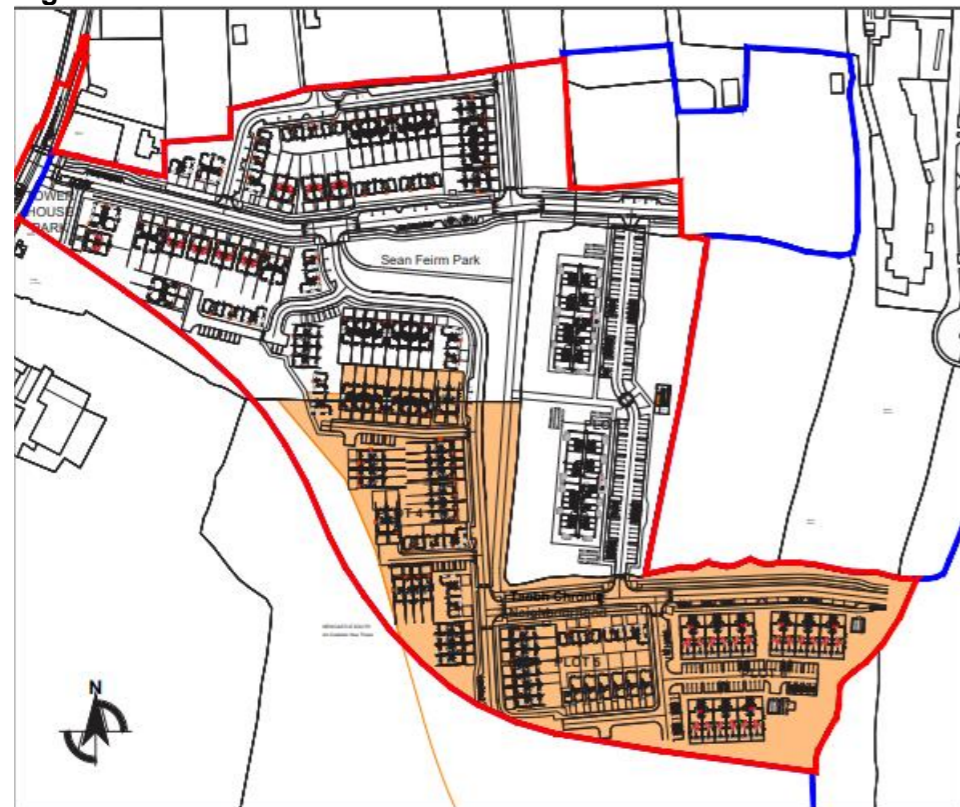
3.113 Frontages of houses are to be of a Brick finish to the ground floor with a soldier course detail and self rendered finish to the first floor. The colour of brick used will further differentiate this neighbourhood from the other areas. The ground floor windows to the front facades will also have a selected reconstituted stone surround detail providing a more historical feature. Rear and gable walls where they do not front onto the street and form the entrance to the house will be a self coloured render finish.

3.114 A combination of home zones and smaller streets off the main Link Street/boulevard enhances the lower density character of this residential neighbourhood. (Objective SF7) A mix of on curtilage and on street parking is provided in accordance with DMURS best practice to provide some passive traffic calming. This parking allocation is broken up and softened by street tree planting and soft landscaping providing defensible space to the residential housing.

3.4.1.2 Character Area - Neighbourhood 5 - Taobh Chnoic

3.115 The Taobh Chnoic Neighbourhood is a mix of 2 storey Detached, Semi detached and terraced housing along with 3 No three storey Duplex blocks, providing a total of 91 units on a site of C.3.1Ha, which equates to c. 29.4 units per hectare.

Figure 3.11 – Taobh Chnoic Character Area



3.116 The detached, semi detached and terraced houses of this neighbour hood continue the transition between the village and rural hinterlands along the southern boundary.

3.117 The following table lists the key policies and objectives of the LAP which relate to the Taobh Chnoic neighbourhood, and how the proposal is consistent with such also:

Table 3.2: Consistency with relevant LAP policies for Taobh Chnoic

Policies/Objectives Taobh Chnoic	Consistency
Objective TC1: Largely comprise (of) detached and semi-detached dwellings on large garden plots that are set back from street edges by front gardens.	The proposed development provides a range of dwelling types (duplex apartments and dwellings) to provide sustainable densities on serviced land. This is addressed in the Statement of Material Contravention.
Objective TC2: Provide for a large countryside park along the southern fringe of the Plan Lands that will act as the main primary open space for active recreation for Newcastle Village; a point of convergence for pedestrian and cycle paths that permeate the Plan Lands; and a landscaped buffer to the open countryside with the inclusion of Children's Play Facilities, MUGAs including all-weather playing pitches, pedestrian and cycle routes, existing hedgerows, heritage trails and woodland planting.	The SHD 'Graydon' Development by Cairn provides for the delivery of 3.8ha of open space providing a range of spaces and plan areas and experiences. Young Children's Area Play (YCAP) have been incorporated into the smaller local open spaces at Ballynakelly West Park and Ballynakelly West Square. Neighbourhood & Local Equipped Play Areas (NEAP & LEAP combined) have been incorporated into the initial phase of Taobh Chnoic Park. A further, fully equipped playground is being provided at Ballynakelly Park in consultation with South Dublin County Council. There are further lands identified in the southern part of the LAP lands which are legally contested and at this time not possible for Cairn to include further landscaping proposals. Nevertheless, the wider area is well served by high-quality open space, which will be augmented by the proposed 1.62 hectares of open space as part of Newcastle south.
Objective TC3: Include for tree lined boulevards (Green Links) that incorporate SUDS elements, in the form of swales, and links the Countryside Park (Taobh Chnoic Park) with adjacent neighbourhoods and pedestrian and cycle routes.	The east west link street (Boulevard) includes tree planting and the wider site include Suds features where possible. Cycle routes are also provides as well as a north south green link.
Objective TC5: Include for vehicular, pedestrian and cycle connections with all adjoining neighbourhoods, which shall converge on the Countryside Village Park (Taobh Chnoic Park) and form circuit routes. These routes shall connect the Countryside Park with Tower House Park and Sean Feirm Park.	The proposal provides for connections east, west and to the norther boundary all to integrate with the under-construction developments.
Objective TC6: Include for tertiary streets (Green Access Streets) that are finished with shared surfaces for pedestrians, cyclist and vehicles around the developed perimeters of the Countryside Village Park (Taobh Chnoic Park) and the designated school site.	The proposed development provides a north south green link within the scheme connecting Sean Feirm Park to the south and east and ultimately to the designated school site.
Land-use and Density	
Objective TC7: Residential development within the Taobh Chnoic Neighbourhood shall be carried out at a maximum density of circa 20 dwellings per hectare.	The proposed development provides densities in accordance with the SRD Guidelines 2009, which are higher than the 20 dwellings per hectare outlined for the Sean Feirm Neighbourhood. This is addressed in the Statement of Material Contravention.

Policies/Objectives Taobh Chnoic	Consistency
Objective TC8: A primary school site with playing fields, staff parking and pick up/ drop off facilities shall be reserved close to the recently established population base at Ballynakelly and adjacent to the Countryside Village Park (Taobh Chnoic Park).	A primary school site has been reserved to the east as part of the permitted SHD Cairn 'Graydon' development.
Objective TC9: In order to provide an appropriate transition with the rural hinterland including the Countryside Village Park (Taobh Chnoic Park) and to ensure for the provision of low density housing as an alternative to rural housing, development of the Taobh Chnoic Neighbourhood shall only comprise detached and semi-detached houses.	The proposed development provides a range of dwelling types (duplex apartments and dwellings) to provide sustainable densities on serviced land. This is addressed in the Statement of Material Contravention.

Figure 3.12: Taobh Chnoic – Local Framework and Indicative Layout, Newcastle LAP 2012 (as extended)



Figure 3.13: - Taobh Chnoic – Duplex Units



3.4.1.3 Character Area - Neighbourhood 4 - Burgage South

3.118 The area within our proposed development is in the Burgage South Neighbourhood and forms part of the Village expansion area. The Burgage South Neighbourhood is located on lands that are permeated by the historic burgage plot hedgerows. It is a requirement of the LAP that this neighbourhood should be developed around and within the burgage plot patterns. The effect of reducing the footprint of development in this part of the site has allowed for larger areas of landscaping and public open spaces that incorporate and protect the historic burgage hedgerows. This landscaped approach enhances the public realm within the plot and surrounding areas

3.119 This design rationale has allowed for the future protection of these Burgage hedgerows by keeping them within in public and managed areas and reducing the need to remove sections of the hedgerow. Pedestrian and cycle paths form part of the proposal for this neighbourhood providing accessible links to other parts of the scheme. The Hedgerows will also be incorporated in to the SUDS network and form the boundaries to the parks and open spaces.

3.120 The following table lists the key policies and objectives of the LAP which relate to the Burgage South neighbourhood, and how the proposal is consistent with such also:

Table 3.3: Consistency with relevant LAP policies for Burgage South

Policies/Objectives Burgage South	Consistency
Objective BS1: All planning applications for development within the Burgage South Neighbourhood shall clearly identify how burgage plot hedgerows and ditches to these boundaries will be enhanced and incorporated in a similar, but improved, model to the Castlelyon development, Aylmer Heath development and the development permitted under SD07A/0246. All such applications shall	The proposed development maintains the existing Burgage plot where it is proposed to provide 2 no. apartment blocks. It is considered this design solution will allow for the hedgerows to remain in the public domain and be maintained, thus ensuring their preservation and enhancement.

Policies/Objectives Burgage South	Consistency
include a comprehensive hedgerow survey and method statement (compiled by a suitably qualified person) for protection, incorporation and reinstatement of the historic boundaries before, during and after construction. This shall include for details on protecting any sections of hedgerow outside the application site that directly adjoin the application site.	An Arboricultural Report and Tree protection drawings prepared by Charles McCorkrell is included with the SHD application.
Objective BS2: Burgage boundaries be utilised wherever necessary as SUDS elements in the form of swales for conveying water, landscape features and biodiversity-protecting elements. This shall include for the use of the burgage boundaries for the division of the planned neighbourhood park into a series of linked gardens with varying functions and SUDS features.	Suds features are incorporated into the scheme where possible. Please refer to DBFL Infrastructure Design Report and associated detail.
Objective BS3: The sensitive opening of limited sections of burgage boundaries is permissible where a need has been clearly demonstrated on the basis of a requirement for accessibility in terms of pedestrian and cyclist movement and the creation of successful streets and spaces. Where this occurs, high quality design cues that signal and delineate the pre-existing plot line of the section of removed hedgerow boundary shall be utilised such as a change in materials with the use of high quality materials like cut stone and the use of lighting strips etc.	Some modest openings are proposed for access purposes, and which have been carefully sited so that they use areas where the hedgerow is weak so that other stronger areas of hedgerow are maintained.
Objective BS4: Development of the Burgage South Neighbourhood shall include for a series of parks that incorporates existing burgage plot hedgerows and SUDS features. Each of these spaces shall fulfil a clear function. The larger neighbourhood park shall be divided by the hedgerows in a manner that creates a series of linked open spaces of varying character and active and passive functions including walking, cycling, children's play, and informal sporting activities.	<p>The proposal relates to a minor western part of the overall Burgage South Neighbourhood.</p> <p>The proposal provides an apartment element which will sit comfortably within the existing burgage plot.</p> <p>The school to the east has had an impact on the overall layout within the Burgage South Neighbourhood, outside the control of this application.</p> <p>Within the subject lands public and communal open space areas are provided which have a clear function and which will be overlooked appropriately by the apartments.</p>
Objective BS5: Development within the Burgage South Neighbourhood shall ensure that the neighbourhood acts as a hub for movement and provides for and contributes to the creation of an open ended east west and north-south aligned streets between the surrounding neighbourhoods of Taobh Chnoic, Sean Feirm, Ballynakelly West and Main Street.	The proposed development includes a street along the northern part of the subject site which can link to the lands to the east.

Policies/Objectives Burgage South	Consistency
Objective BS7: Development within the Burgage South Neighbourhood shall provide for residential uses including housing for older people at a maximum density of circa 30 dwellings per hectare. Local shop and/or service units of not more than 100 sq.m (net) each are permissible at street corners, junctions and adjacent to parklands.	The proposed development provides densities in accordance with the SRD Guidelines 2009, which are higher than the 30 dwellings per hectare outlined. This is addressed in the Statement of Material Contravention.
Objective BS8: Development of the Burgage South Neighbourhood shall largely comprise terraced houses with opportunities for detached and semi-detached housing and dwellings specifically designed for the needs of older people.	See Objective BS7:

Figure 3.14 – Apartments set behind retained Burgage Plot



- 3.121 The area within our proposed development is in the Burgage South Neighbourhood and forms part of the Village expansion area. This part of the neighbourhood is contained within a plot bounded by these existing historic burgage hedgerows.
- 3.122 This area will serve as a transition space from the village expansion zoning of Burgage south to the village edge zoning of Sean Feirm and Taobh Chnoic. It is the intention of this application to provide 116 apartments of 1 and 2 bed units in 2 five storey apartment blocks. The apartments, with their increased building heights, have allowed the overall development to achieve a density of circa 37 units/Ha which is in line with the sustainable residential density guidelines 2009 The effect of reducing the footprint of development in this part of the site has allowed for larger areas of landscaping and public open spaces that incorporate and protect the historic burgage

hedgerows. This landscaped approach enhances the public realm within the plot and surrounding areas. (Objective BS4).

3.123 This design rational has allowed for the future protection of these Burgage hedgerows by keeping them within in public and managed areas and reducing the need to remove sections of the hedgerow. Pedestrian and cycle paths form part of the proposal for this neighbourhood providing accessible links to other parts of the scheme. The Hedgerows will also be incorporated in to the SUDS network and form the boundaries to the parks and open spaces. (Objective BS1, BS2, BS3 and BS4)

Figure 3.15 – Apartment Building A within Burgage Plot



3.124 Extensive areas of open space are provided within the Burgage Plot area comprising c. 0.5 hectares along with additional communal open space of c. 1,627 sq. m.

3.4.2 Block B

3.125 Block B is 5 storeys and comprises 58 no. apartments consisting of 27 no. 1 bedroom apartments & 31 no. 2 bedroom apartments.

Figure 3.16 – Apartment Building B within Burgage Plot



Figure 3.17 – Apartment Buildings within Burgage Plot



- 3.126 The car parking for these units are on street as per the LAP in 2 longitudinal parking courts that are integrated into the landscape scheme. (please refer to the landscape design documentation).
- 3.127 With reference to Appendix 10 "Building Height and Density Guide" of the Draft Plan and the requirements of SPPR3 (Criteria 3.2), as set out in the MOLA Design Report, the apartments as secondary landmark buildings within this new character area within the Burgage South Neighbourhood. The blocks will provide surveillance over the adjacent Sean Feirm park to the west and the parks and open spaces that form the design proposal for the public realm around these apartments within this plot.
- 3.128 Separation distances of over 50m have been achieved to any of the two & three storey units within the proposed development and over a 100m to any of the existing houses to the north. The church and school located close by to the north and north east represent buildings that are taller than the prevailing building heights of two and three storey in the area. The apartment blocks have been reduced in length from our initial Pre-application submission and the massing further reduced through the combination of cantilevered balconies, and a mixture of rendered facades and panels of brick that emphasise horizontal and vertical elements. This along with a landscape scheme that incorporates the existing hedgerows and trees around the plot allows the built form of the apartments to sit comfortably within the proposed scheme and the surrounding Village core and expansion zoned lands.

Figure 3.18 – Burgage South – Local Framework and Indicative Layout, Newcastle LAP 2012 (as extended)



Figure 3.19 – Compliance with LAP objectives



3.5 Item 5 – Design Rationale Apartments

3.129 Item 5 of the An Bord Pleanála opinion seeks:

5. A design rationale, including a response to the comments of the planning authority, in relation to the proposed apartment blocks, having regard to the surrounding pattern of development and the provisions of the Sustainable Urban Housing, Design Standards for New Apartments, Guidelines for Planning Authorities and the Urban Development Building Height Guidelines. The rationale should also address, inter alia, the requirements of SPPR3 (criteria 3.2), and SPPR4 in relation to the proportion of dual aspect apartments proposed.

3.5.1 Surrounding Pattern of Development

3.130 Building heights vary across Newcastle Village from low rise to low-medium rise structures with the predominant building height being two and three storey.

3.131 The western quadrant of the village is a low rise area that is populated by one and two storey large detached dwellings with pitched roofs. The square tower and finials of the double height Saint Finian’s Church dominates the roofline along Main Street and terminates the south facing vista along Peamount Road. Commercial buildings along Main Street are largely two storeys in height. The nearby St Finian’s school to the east of the site is a two storey modern building, with 4 tower elements that project above the roofline of the surrounding buildings. The eastern quadrant of the Village has a slightly more varied range of building heights as a result of a more diverse variety of residential buildings that include single storey cottages and bungalows, two storey houses, and three storey apartment and duplex structures.

Figure 3.20: Three storey Duplex blocks - Graydon Development



3.5 Three storey apartment blocks back onto and front Main Street from the Newcastle Manor, Parson’s Court and the Ballynakelly housing estates. The variation in building heights is most apparent near the entrance of the Ballynakelly Estate junction between Main Street and Aylmer Road where three storey apartment blocks in the Ballynakelly Estate back onto single storey cottages along Main Street. The adjoining Graydon development that is nearing completion to the east has a mix of two storey semidetached and terraced housing, three storey Duplex blocks and an apartment block, Ballynakelly Gate, that is a split level four storey apartment building with 2 adjoining three storey Duplex blocks.

3.5.2 Building Height and Density Guide (BHDG)

3.132 Section 5.2.7 of the Draft SDCC Plan sets out the Density and Building Height Policies and objectives (see section 6.5 of Statement of Consistency) and notes that in response to Urban Development and Building Height Guidelines (2018), and in particular SPPR1, the plan is accompanied by South Dublin County’s Building Height and Density Guide (appendix 10).

3.133 The Plan highlights that *“The premise of these guidelines is not intended to introduce height for the sake of height, but to introduce and consider increased heights and densities as a means of accommodating greater residential populations within the County’s serviced and zoned land banks in particular where public transport, employment and other services are proximate to a development proposal in line with the principals of compact growth.”*

Figure 3.21 – Street elevation fronting onto the Green Link Street

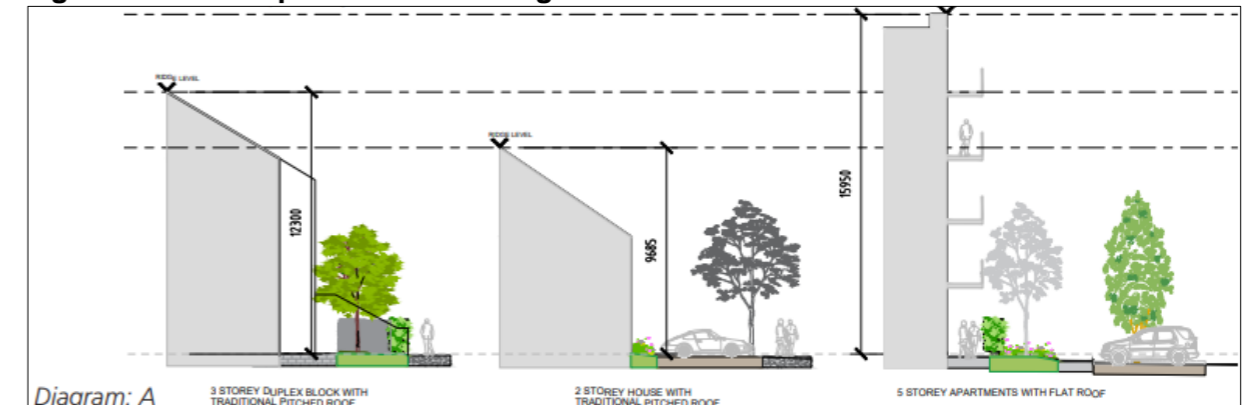


3.134 The Plan promotes a *“Context Driven Approach to Height”*, which acknowledges that *“this is in line with the Urban Development and Building Height Guidelines and specifically SPPR1 which prohibits numerical limitations on building height by planning authorities.”*

3.135 The BHDG set out a framework for the analysis of building heights relative to their context. Therefore, proposals for increased building heights can be expressed in terms of their amplification of prevailing heights by means of a Contextual Height Ratio, noting that *“Such a measure provides a clear indication of the scale of change proposed in the built environment without utilising the more subjective terminology of tall/ taller or high/ higher buildings.”*

3.136 In this regard the prevailing heights in the wider area are predominantly 2 and 3 storeys, and it is noted the permitted Graydon development (under construction) to the east will include a 4 storey building. Therefore the contextual height ratio for the subject lands is (1.67 x CH) for 3 storeys and (1.5 x CH) for 4 storeys and (2.5 x CH) for 2 storey dwellings. For the 3 storey duplex buildings, the contextual height ratio is (1 x CH) when referenced against 3 storey dwellings and (1.5 x CH) for 2 storey dwellings.

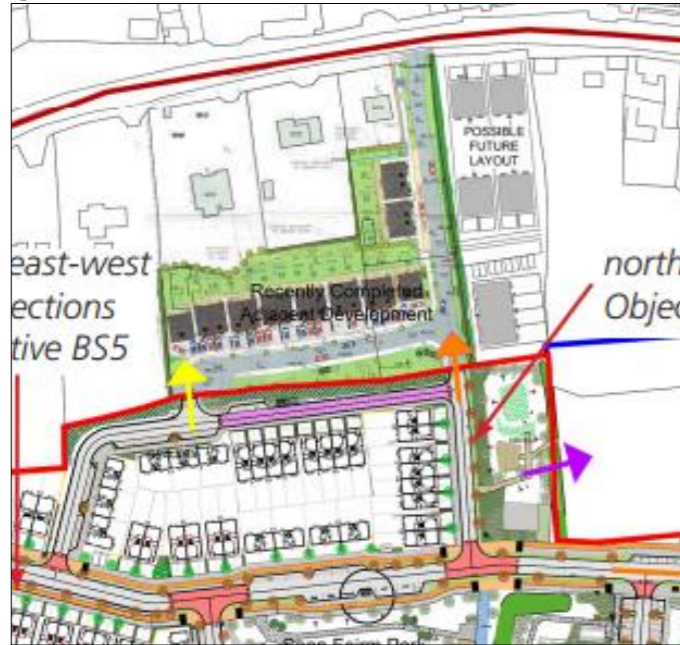
Figure 3.22 – Comparison of roof heights



Source: MOLA Design Report

- 3.137 Having regard to the above, it is considered that the proposed height is relatively modest noting that they apartments will be located centrally within the scheme, away from existing buildings, and can be readily absorbed into the emerging context of the current proposal and the adjoining Graydon development (under construction).
- 3.138 The purpose of the Building Height and Density Guide (BHDG) is:
1. *To address the requirement under SPPR1 of the Urban Development and Building Height Guidelines (2018) and the need for planning authorities to explicitly identify, through their statutory plan, areas where building height will be actively pursued for redevelopment, regeneration and infill development; and*
 2. *To provide a toolkit for the assessment of proposed increased building heights in development application and development management scenarios.*
- 3.139 The BHDG supports the objective of the Plan (in line with NPO35 and SPPR1 *“to proactively consider increased building heights on lands zoned Regen, MRC, DC, LC, TC and Res-N as well as sites identified 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 (2018) where it is clearly demonstrated by means of an urban design analysis carried out in accordance with the provisions of the South Dublin Building Height and Density Guide that it is contextually appropriate to do so.”*
- 3.140 The subject lands are zoned Res-N and as such increased heights are supported in principle in the BHDG.
- 3.141 Section 4 of the BHDG provides a contextual analysis toolkit, the purpose of which is *“to guide applicants through a process of contextual analysis by which the suitability or otherwise of different density and height levels can be assessed with reference to the receiving environment of the proposed development.”*
- 3.142 Section 5 of the BHDG describes a number of notional development scenarios based on typical contexts found across the South Dublin County Council administrative area wherein increased building heights and higher densities might be accommodated. The aim of these indicative scenarios is not to determine the appropriate height for a development proposal but instead to demonstrate how such a determination might be illustrated and rationalised.
- 3.143 The MOLA Design Statement outlines that the proposed development provides a mix of two storey detached, Semi-detached and terraced housing across the majority of the development lands. In addition to the houses 3No three storey Duplex blocks and 2No five storey apartment blocks provide alternative living to the traditional residential housing.
- 3.144 As set out in the BHDG in appendix 10 (of the Draft Plan) it is recognised that there should be no blanket numerical limitations on building heights and should be considered thematically in relation to its context.
- 3.145 The proposed three storey Duplex blocks have been located by the eastern road connection with the adjacent Graydon development. These blocks will act as a secondary landmark with a placemaking function of indicating where the Graydon development ends and this new development starts. With reference to the context driven approach the three storey duplex blocks are located within an area with a 2 storey prevailing building height. Therefore a contextual Height Ratio can be used to show the actual amplification of the prevailing height of the proposed three storey Duplex blocks. In this situation the duplex blocks are one and a half times the contextual height (1.5xCH).
- 3.146 The proposed 2No five storey apartments are located within a rectangular plot along the eastern boundary, within the village expansion zoning forming part of the Burgage South Neighbourhood. Orientated on a north south axis it is bounded by historical Burgage hedgerows and ditches. These hedgerows as per the objectives in the LAP are to be protected and form part of the landscape design approach that will define this plot providing a unique character area. Using the Context Driven approach the 5 storey apartments would be expressed as a contextual height ratio of 2.5xCH relative to the two storey terraced houses or 1.7xCH relative to the proposed and existing three storey Duplex blocks located within the scheme and neighbouring areas. When compared to the apartments currently being built over at Ballynakelly Gate the contextual height ratio is 1.25xCH Diagram A shows the level differences relative to the highest points of the three different types of units - 2 storey house with traditional pitched roof, 3 storey Duplex block with traditional pitched roof and the 5 storey apartment block with a flat roof and parapets.
- 3.147 Located towards the middle of the plot away from the hedgerows the apartments are proposed as secondary landmark buildings. The increase in height of these blocks has reduced the footprint of development in this part of the site. This has allowed the design of the public open spaces and the required communal amenity space to wrap around the apartments and incorporate the historical burgage hedgerows. The burgage hedgerows will now be within public and managed areas as opposed to forming boundaries to private gardens where they cant be protected and managed as easily.
- 3.148 Locating the apartments east of Sean Feirm park and the north/south green link has allowed up to provide separation distance of over 50m from both apartment blocks to any of the proposed two & three storey units and over a 100m to any existing houses. The church to the north and the school to the north east show examples of buildings that are taller than the surrounding area. The location and orientation of the apartments also provide supervision of the proposed public open spaces and the adjacent Sean Feirm park.
- 3.5.3 SPPR3 Criteria 3.2**
- 3.149 This has been addressed above in the response to Item no. 1 – Density.
- 3.5.4 Response to South Dublin Report**
- 3.5.4.1 Local Area Plan Infrastructure**
- The Planning Authority noted the following concerns in relation to LAP infrastructure:
- Delivery of adequate link streets to the Main Street. The connection of the development to the street adjacent to St Finians National School and also a full connection to St Finan's Way are required.*
- 3.150 In relation to links to the Main Street the proposed development provides a link to the boundary with the adjoining St. Finian's Way to the north (which is to be taken in charge, providing an appropriate link to the Main Street).

Figure 3.23 – Connection to the Main Street



3.151 It is noted the proposal includes for footpath improvements to the Athgoe Road which will further enhance the linkages in the area. Additional links are provided to the east via Graydon. It is submitted that the layout promotes permeability and a choice of routes for future residents.

- Delivery of the entire planned Village Park at Taobh Chnoic

3.152 With reference to planned Village Park at Taobh Chnoic it is noted that the ownership of the remainder of the Taobh Chnoic Lands in LAP area are in dispute, and not within our client's ability to include in a planning application. As part of the permitted 'Graydon' development by Cairn provides for the delivery of 3.9ha of open space providing a range of spaces and plan areas and experiences, which includes the eastern portion of Taobh Chnoic of some 2.7 hectares, detailed below.

Figure 3.24 – Eastern Portion of Taobh Chnoic Park



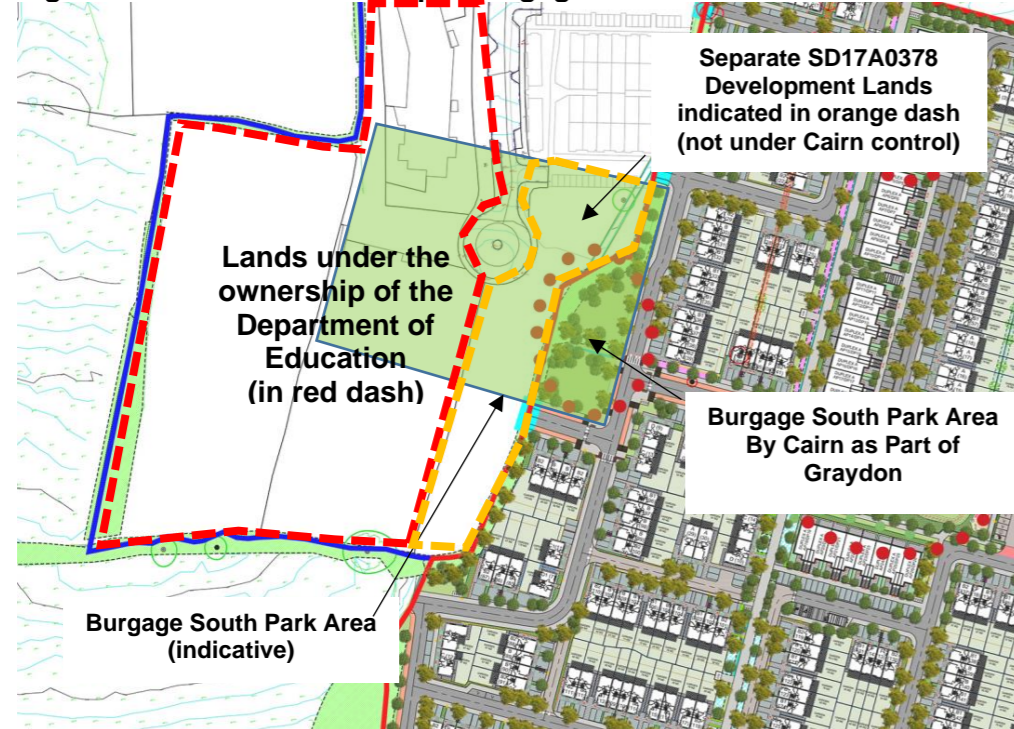
Figure 3.25 – Graydon Development with Open Space Areas



- Delivery of the Burgage South Park

3.153 It is noted the majority of the Burgage South Park Lands are under the ownership of the Department of Education. Cairn delivered a portion the Burgage South Park Lands on the eastern side of the park as part of the Graydon Development. However as can be seen from the graphic below, St. Finian's School (Building and road including roundabout), encroaches significantly into Burgage South Park.

Figure 3.26 – Land Ownership – Burgage Park South



3.154 Cairn has provided c. 0.19 hectares of Burgage South Park as part of the Graydon application (see above). It is further noted that the north eastern portion of the Burgage South Park was permitted under an adjoining development to the north. However, the remainder of the lands are under the ownership of the Department of Education and Skills and therefore not within Cairn’s control to deliver as part of any future planning application. In addition it is noted a portion of the as constructed Primary school and associated roundabout and access road encroaches onto the area designated as Burgage Park South. In this regard, the Burgage Park South is not capable of being delivered in the form envisaged.

3.5.4.2 Density & Building Height

- 3.155 It is noted the SDCC report outlines that the proposal contravenes the density and height policies of the Newcastle LAP.
- 3.156 With reference to density, it is respectfully submitted that the density proposed is compliant with the SRD 2009.
- 3.157 Section 6.11 of the Guidance provides a more clearly graduated approach to the application of densities within such locations, namely:
- Centrally located sites: 30-40+ dwellings per hectare;
 - Edge of centre sites: 20-35 dwellings per hectare;
 - Edge of small town/village: 15 - 20 dwellings per hectare.

- 3.158 With regard to the above within the Burgage South area, which is considered to be a centrally located site, where densities of 40+ are encouraged in the SRD. This element of the site comprises c. 1.6 hectares which results in a density of c. 72.5 units per hectare.
- 3.159 Within the other two areas of the subject lands the density comprises c. 29.4 units per hectare for the Taobh Chnoic Character area (as it relates to the Cairn lands) and c. 21.2 units per hectare for the Sean Feirm Character area (as it relates to Cairn lands). The average density across the area is c. 25.2 hectares across the 2 no. character areas.
- 3.160 It is submitted that the Cairn lands within the Taobh Chnoic area comprise an Edge of Centre site, as there are residential lands located further to the south which is compliant with the SRD. The Sean Feirm Character area at 21.2 units per hectare is marginally above the density range for an Edge of small village site. However, it is considered that elements of the Sean Feirm Character area could also be characterised as an Edge of Centre site and as such the density proposed is considered appropriate.
- 3.161
- 3.162 Having regard to the location of the site, national strategic guidance contained in the SRD and clarification in Circular 02/2021 (see below), and also to An Bord Pleanála precedent, the proposed net density of c.37.1 dph is appropriate in this instance and the design of the scheme with different densities in different locations, strikes a balance between providing a sustainable density and also the local context within Newcastle.
- 3.163

3.5.4.3 Creche

3.6 It is noted the report queried the viability of the 300 sq. m creche previously considered at ground floor of Apartment Building B. In this regard, the proposal not provides a larger creche of 778 sq. m to replace the permitted Graydon Creche. It is considered that the larger creche would be more viable.

3.5.4.4 Traveller Accommodation

3.164 The Planning Authority noted that the Traveller Accommodation objective was not delivered upon. We refer the Board to the response to Item 1 above, which addresses this matter.

3.5.4.5 Visual Impact, Design and Layout

Summary Response

Distinctiveness	We refer the Board to the MOLA Design Report which provides details on finishes and character areas. (Also above). The layout and materials used will differentiate within the character areas and also Graydon to the east.
Design of Units	The apartments have been enhanced through revised finishes. Duplex units designed to overlook areas and dual frontage has been strengthened. The materials have been carefully considered to provide a robust finish.
Incidental open space	Incidental open spaces have been omitted from the scheme along the south and western boundaries. The layout has been designed so

	that future development to the south and west can be accommodated.
Street Network	The layout of streets have been designed in accordance with DMURS (As set out in the DBFL DMURS Statement.
Sean Feirm Park	The proposed Sean Feirm Park is not incidental and is substantial and is less surrounded by roads compared to the LAP Park.

3.5.5 SPPR4 – Dual Aspect

3.165 SPPR4 of the Guidelines relates to the provision of dual aspect units and states the following:

*“Specific Planning Policy Requirement 4
In relation to the minimum number of dual aspect apartments that may be provided in any single apartment scheme, the following shall apply:
(i) A minimum of 33% of dual aspect units will be required in more central and accessible urban locations, where it is necessary to achieve a quality design in response to the subject site characteristics and ensure good street frontage where appropriate.
(ii) In suburban or intermediate locations it is an objective that there shall generally be a minimum of 50% dual aspect apartments in a single scheme.
(iii) For building refurbishment schemes on sites of any size or urban infill schemes on sites of up to 0.25ha, planning authorities may exercise further discretion to consider dual aspect unit provision at a level lower than the 33% minimum outlined above on a case-by-case basis, but subject to the achievement of overall high design quality in other aspects.” (Emphasis added)*

3.166 Having regard to the location of the apartments/duplex apartments with good accessibility to the town centre, it is considered the subject lands is a suburban or intermediate location and it is proposed to provide 50% dual aspect apartments/duplex apartments. There are no north facing single aspect units within the scheme.

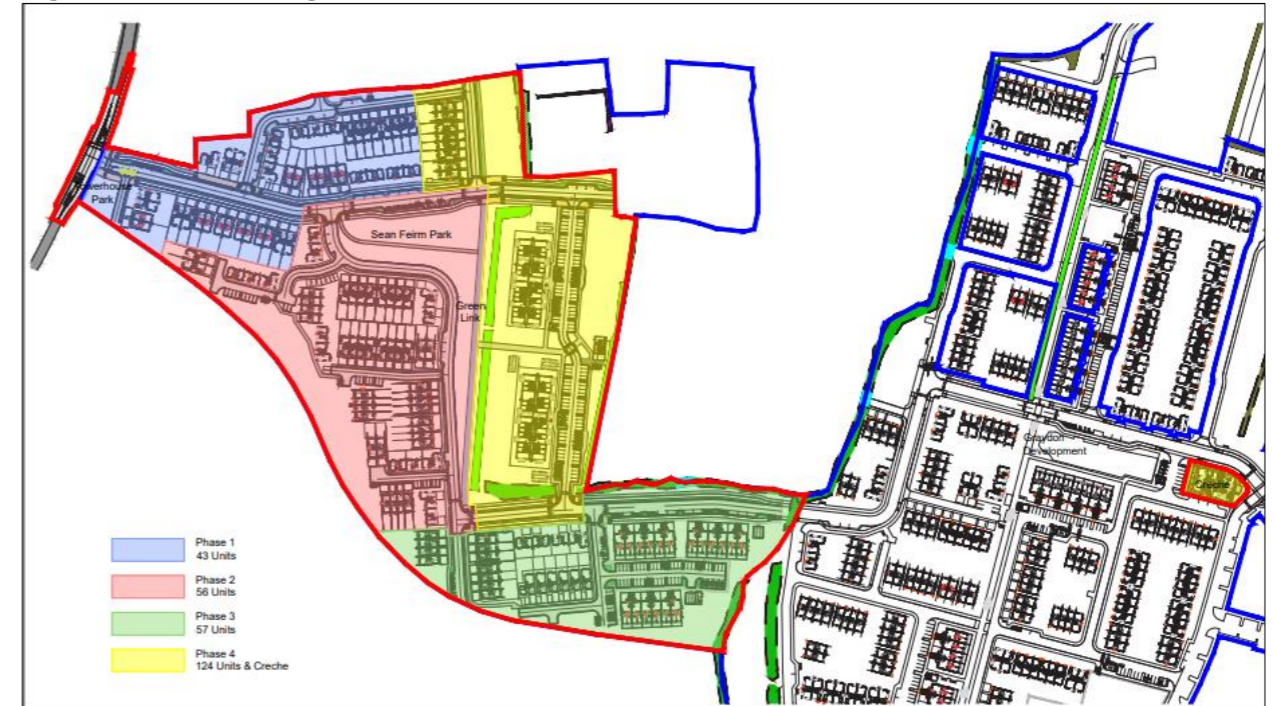
3.167 It is noted 42% are dual aspect and 8% triple aspect. Overall the proposed development provides a high degree of amenity for future residents.

3.6 Item 6 – Phasing Plan

3.168 Item 6 of the An Bord Pleanála opinion seeks:

6. A detailed phasing plan for the proposed development. Such plan should demonstrate how the phasing provisions of the Local Area Plan are addressed within the proposed development or as part of adjoining permitted developments.

Figure 3.27 – Phasing Plan



3.169 The subject development site is located within the Newcastle LAP lands. The Newcastle LAP 2012 (Extended to December 2022) includes a movement framework map which indicatively shows the proposed road network and green links within the LAP lands.

3.170 Currently there are cycle lanes in on both sides of the Burgage Crescent, Newcastle Boulevard corridors and along the main spine road through the emerging Graydon residential development lands located to the east of the subject Newcastle South development lands.

Figure 3.28 – Pedestrian & Cycle Facilities on Newcastle Boulevard and Burgage Crescent



3.171 To the northeast of the subject site lands, a 2-way cycle track is located on the western side of the St. Finian's school access road (Figure 10.9) which will in the future also serve the recently constructed (Pl. Ref. SD17A/0378) 40 unit residential development located to the east of St. Finian's NS access road.

Figure 3.29 – Pedestrian & Cycle Facilities on St. Finian's Access Road



3.172 Along the R120 (north of the subject site) a footway is currently provided along both sides of the carriageway with street lighting on the southern side of the corridor (Figure 10.10).

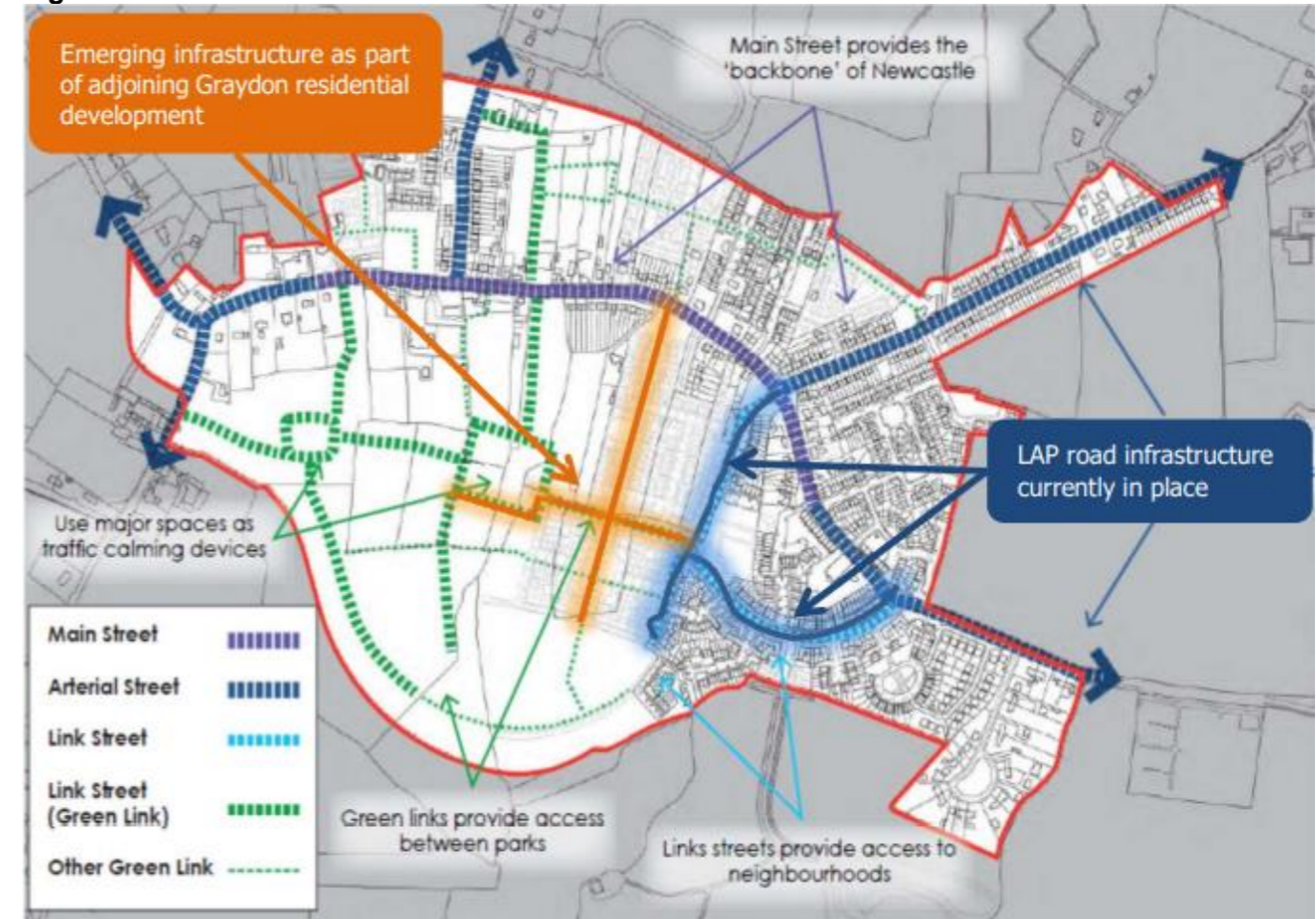
Figure 3.30 – Pedestrian Facilities Along R120



Figure 3.31 – Existing Link to Main Street from St. Finian's Way



Figure 3.32 – Newcastle LAP Movement Framework



Source: Fig 5.6 Newcastle LAP 2012)

3.173 The subject proposals include for the provision of the continuation of the east-west access road, as per the Newcastle LAP, between the Graydon development site boundary westwards to Athgoe Road as presented below.

Figure 3.33 – Proposed Roads Infrastructure

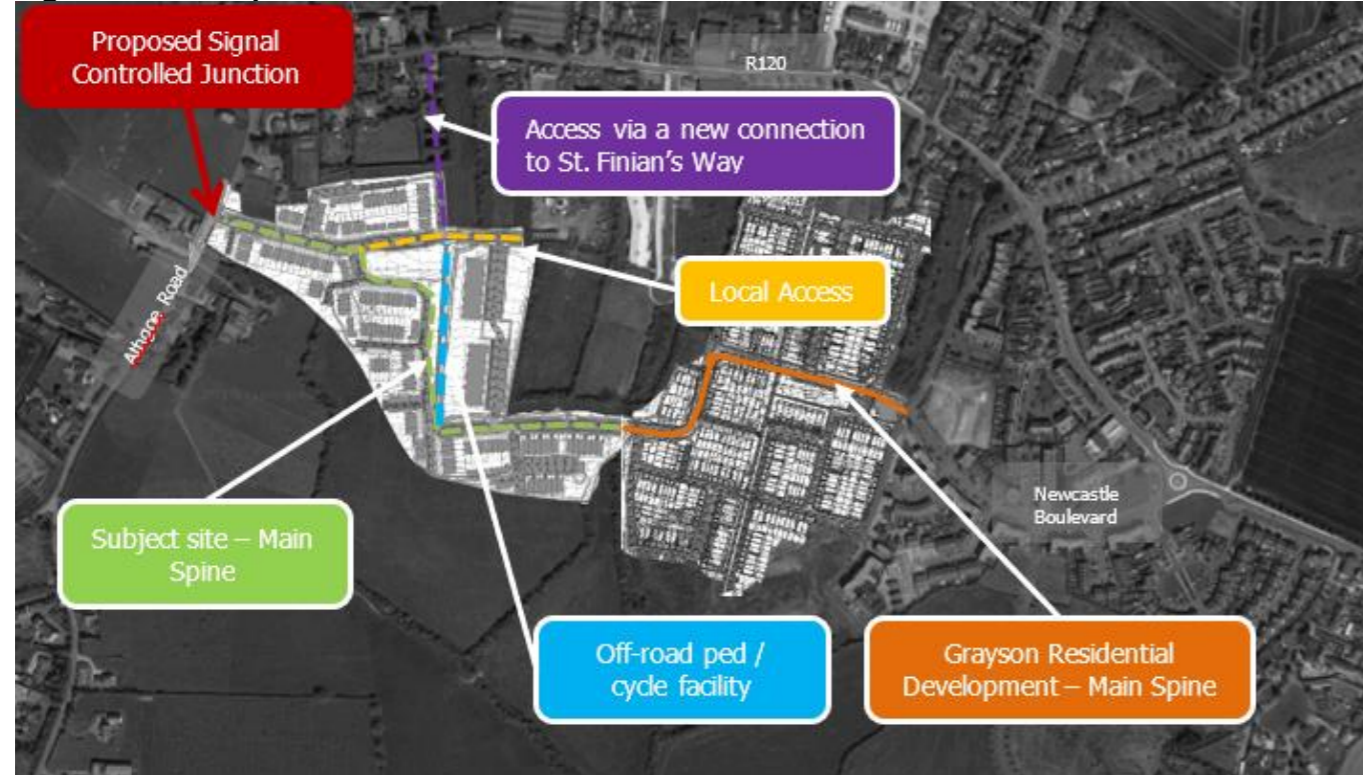


Figure 3.34 – Proposed Site Access Locations



3.174 A series of 'green' links are proposed as part of the subject scheme comprising:

- 2m wide footpaths and cycle tracks on both sides of the main spine road for the initial 220m from the Graydon development section;
- 4m wide off-road shared pedestrian / cycle facility in a north / south direction through the subject development lands; and
- 2m wide footpath and cycle track on both sides of the east-west section of the main spine road extending back from Athgoe Road and continuing to the eastern boundary.

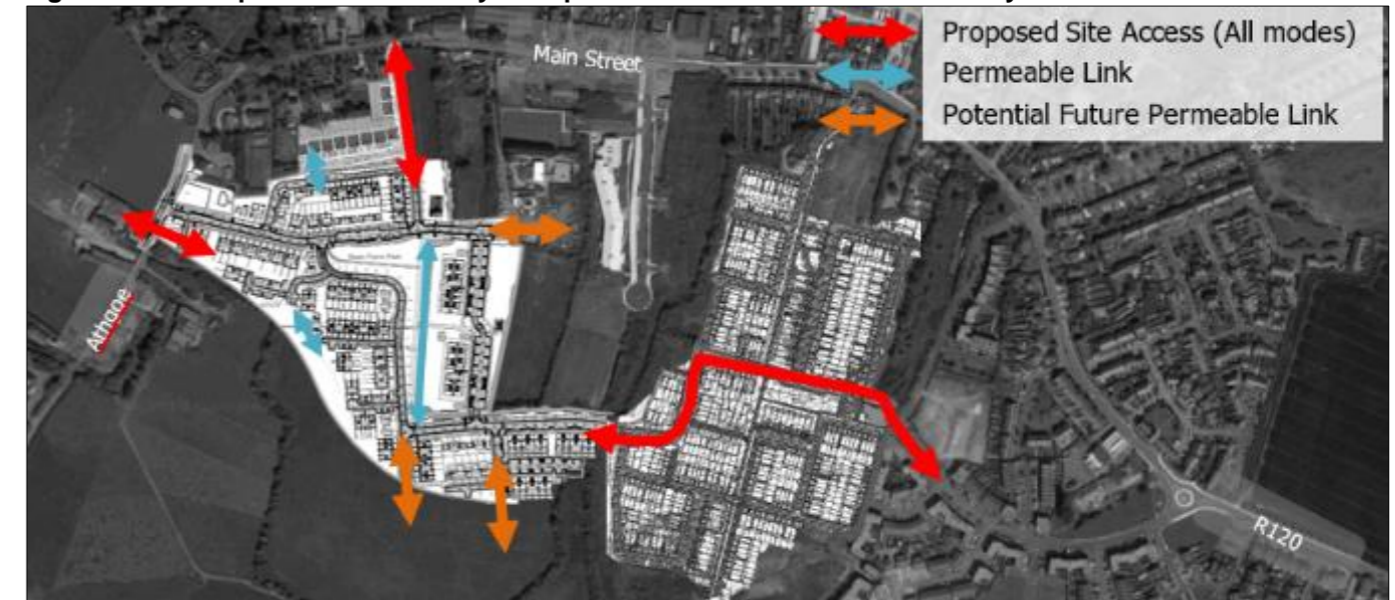
3.175 The proposed development site is proposed to be accessible from 3 no. vehicular access points. The first will be located to the east where the subject lands connecting with the emerging Graydon development lands. The second is via a proposed new signal controlled junction located on Athgoe Road. The third vehicular access is proposed to the north with the R120 Main Street corridor via St. Finian's Way. Figure 10.14 below presents the aforementioned site access locations.

3.176 The proposed new site access junction on Athgoe Road will take the form of a three-arm signal-controlled junction comprising the following key characteristics:

- Right turn lane on the southern approach so that right turning vehicles do not delay ahead moving traffic;
- Pedestrian crossings across all arms to ensure convenient access / egress for non-vehicular modes; and
- Right turn set back to facilitate any left turning HGV's exiting the site. This set back allows for the provision of 'tight' corner radii (6m) compliant with DMURS to minimise crossing widths for pedestrians and control vehicle speeds.

3.177 The proposed vehicular site access locations introduced above will also facilitate access to the subject site lands for cyclists and pedestrians. Furthermore, a number of permeable links have been facilitated which will accommodate accessibility to existing / future 3rd party developments as presented below.

Figure 3.35 – Proposed / Potential Cycle & pedestrian Access and Permeability



3.7 LAP Phasing

3.178 The table below summarises the required phasing outcomes within Phases 1 to 4 and the current status of each outcome.

Table 3.4: LAP Phasing

Phase	Status
Phase 1 (up to 300 - 540 dwellings)	
The completion of the expansion or redevelopment of the existing school along Main Street and its opening for the intake of pupils, OR, the completion of a second primary school, on another site within the Plan lands, and its opening for the intake of pupils.	St. Finian's National School has been completed and is operational on LAP lands to the east of the subject site. The under construction 'Graydon' development by Cairn provides for the reservation of a school site within the development which will be made available to the Department of Education as required.
The provision of at least 130 sq.m of community floorspace, preferably located along Main Street	The existing St. Finian's Community Centre is a significant facility on a constrained site. There is limited scope to provide an additional 130sqm without full redeveloping the site. Furthermore, since the preparation of the LAP St. Finian's National School has been opened and provides additional facilities and space available for use by the local community. Given the significant established facilities it is considered that an appropriate contribution, to be agreed with South Dublin County Council, toward the enhancement and running of the established facilities would be more appropriate and beneficial to existing and future communities in Newcastle. The Applicant is happy for a condition to this affect to be attached to any permission
Phase 2 (100 dwellings)	
1.62 Ha. open space (to include a minimum of 1 NEAP, 1 LEAP and 2 YCAPs)	The SHD 'Graydon' Development by Cairn provides for the delivery of 3.8ha of open space providing a range of spaces and plan areas and experiences. Young Children's Area Play (YCAP) have been incorporated into the smaller local open spaces at Ballynakelly West Park and Ballynakelly West Square. Neighbourhood & Local Equipped Play Areas (NEAP & LEAP combined) have been incorporated into the initial phase of Taobh Chnoic Park. A further, fully equipped playground is being provided at Ballynakelly Park in consultation with South Dublin County Council
A minimum of two Neighbourhood Link Streets, which will open up two new access points with Main Street (or the arterial street network)	Links have been provided as part of 'Graydon' development (SHD by Cairn) as well as the under construction development of 18 units located along the northern boundary of Newcastle South. all Link Streets identified in Figure 5.6 to the south of Main Street and to serve the eastern portion of the LAP lands will be delivered.
50 sq.m of community floorspace as part of one facility at, or adjoining, the existing Saint Finian's Community Centre and/or the payment of development contributions towards the provision of community floorspace at this location.	Can be addressed as part of an appropriate condition as part of planning permissions.

Phase	Status
Phase 3 (100 dwellings)	
1.1 Ha. of open space (to include a minimum of 1 LEAP and 2 YCAPs)	The 'Graydon' development by Cairn (under construction to the east) provides for the delivery of the initial phase of the village park which will provide a range of passive and active recreational spaces.
A minimum of two Neighbourhood Link Streets, which will open up two new access points with Main Street (or the arterial street network). At least one of these Neighbourhood Link Streets will link Taobh Chnoic Park with Main Street to the north.	Links have been provided as part of 'Graydon', the SHD under construction by Cairn as well as the under-construction development of 18 units located along the northern boundary of this SHD application site.
Negotiations completed and planning permission in place for the construction of a second primary school.	School site reserved to the east as part of Cairn Graydon Development.
50 sq.m of community floorspace as part of one facility at, or adjoining, the existing Saint Finian's Community Centre and/or the payment of development contributions towards the provision of community floorspace at this location.	Can be addressed as part of an appropriate condition as part of planning permissions.
Phase 4 (100 dwellings)	
1.1 Ha. of open space (to include a minimum of 1 LEAP and 1 YCAPs)	The SHD 'Graydon' Development by Cairn provides for the delivery of 3.8ha of open space providing a range of spaces and plan areas and experiences. In addition to the 'Graydon' SHD by Cairn the proposal includes Sean Feirm Park, a green link and a series of open spaces.
A minimum of two Neighbourhood Link Streets, which will open up two new access points with Main Street (or the arterial street network).	Links have been provided as part of 'Graydon' SHD by Cairn as well as the under construction development of 18 units located along the northern boundary of this SHD application site.
Full east-west linkage across Plan Lands between the neighbourhoods of Ballynakelly and Sean Feirm.	The proposal will provide east-west linkage across the Plan lands between the neighbourhoods of Ballynakelly and Sean Feirm.
Full north-south linkage across Plan Lands between neighbourhoods of Peamount and Taobh Chnoic.	The under-construction development to the north of Cairn lands will provide a link between the Main Street and the Newcastle South lands, which will link ultimately to Taobh Chnoic.
Second primary school to be fully operational.	School provision is to be provided by DoES – site provided to the east in the Graydon development by Cairn.
50 sq.m of community floorspace* as part of one facility at, or adjoining, the existing Saint Finian's Community Centre and/or the payment of development contributions towards the provision of community floorspace at this location.	Can be addressed as part of an appropriate condition as part of planning permissions. It is noted SD20A/0037 is to provide a community space of c. 140 sq. m.
Phase 5 (200 dwellings)	

Phase	Status
2.2 Ha. open space, preferably as an extension of St. Finian's Hall (shortfall, if any, in play facilities and apparatus will be provided in conjunction with the build out of dwellings)	Not applicable as St. Finian's is located on the northern side of the LAP.

3.8 Item 7 – Access and Transportation

3.179 Item 7 of the An Bord Pleanála opinion seeks:

- “7. In relation to access and transportation, the following information should be submitted:*
- (a) A mobility management plan and a statement describing how the proposed development will contribute to sustainable travel patterns and reduced dependency on private car.*
 - (b) A Quality Audit in accordance with Annex 4 of the Design Manual for Urban Roads and Streets (DMURS) which shall include as a minimum a Street Design Audit, Road Safety Audits and Pedestrian and Cycling Audits.*
 - (c) Proposals to address existing deficiencies in pedestrian and cycle facilities along the Athgoe Road, between the entrance to the proposed development and the Main Street.*
 - (d) Further consideration and justification for the extent of bicycle parking for apartment units and compliance with the provisions of the Sustainable Urban Housing, Design Standards for New Apartments - Guidelines for Planning Authorities in this regard.*
 - (e) A report addressing other matters raised in the report of the South Dublin County Council Roads Department, dated 22/11/2021.”*

3.8.1 (a) Mobility Management Plan (MMP)

- 3.180 In response to this item we refer the Board to the enclosed Mobility Management Plan (MMP) prepared by DBFL included with the application.
- 3.181 The following measures are outlined in the EIAR operation phase mitigation measures contained in the Traffic and Transportation Chapter.

“A package of integrated mitigation measures has been identified and will be implemented to offset the additional local demand that the proposed development on the subject zoned lands could potentially generate as a result of the forecast increase in vehicle movements by residents of the scheme. The identified measures are summarised below:

Management – A Mobility Management Plan (MMP) is included with the application. The measures identified in the MMP form part of the specific mitigation of this EIAR (Appendix E1 Volume III of this EIAR) and a dedicated resident specific Mobility Management Plan (MMP) is to be compiled with the aim of guiding the delivery and management of coordinated initiatives by the scheme promotor. Resident specific MMPs include specialised plans and associated implementation strategies for the subject development proposals. The MMP ultimately seeks to encourage sustainable travel practices for all journeys by residents and visitors traveling to and from the proposed development. It involves the incorporation of a wide range of possible “hard” and “soft” tools from which to choose from with the objective of influencing travel choices. The measures in the MMP comprise a number of different categories including;

- Management & Monitoring*
- Walking Strategy*
- Cycling Strategy*
- Public Transport Strategy*
- Private Car Strategy*

Marketing & Promotion Strategy.

Infrastructure (Through Road) – The delivery of a through route between the eastern access point at Burgage Crescent and the western access location on Athgoe Road will provide an alternative routing option between origins / destinations to the east / west negating the need to travel via Newcastle Town Centre. This will help improve the operational performance of junctions along Main Street and create a more pedestrian / cyclist friendly environment in the Town Centre.

Infrastructure (Permeability) – The subject development will be highly accessible to both pedestrians and cyclists via a range of convenient connection points and internal linkages. New dedicated pedestrian / bicycle facilities have been provided as part of the aforementioned new road infrastructure through the site. Pedestrians and cyclists will also be well provided for through the provision of dedicated (i.e., non-vehicular) connections onto Newcastle Main Street. Furthermore, the design of the proposed development has sought to provide for the opportunity for pedestrian / cycle connection to be provided in the future to adjoining third party lands. The provision of these internal linkages safeguards the ability for the local authority to deliver in the future a viable, convenient and permeable network of cycle / pedestrian links thereby increasing the attractiveness of these modes of travel for all local trips. Furthermore, the proposals also provide for the provision of a total of 370 no. bicycle parking spaces on-site comprising 112 no. short stay spaces and 258 no. long stay spaces. This level of cycle parking provision is 321 no. spaces higher than the current development plan requirement and 140 no. spaces higher than the draft development plan requirement.

Service (Car Sharing) – 5 no. Car Share spaces are proposed within the development site boundary including 2no. located in close proximity to the houses, 1 no. located at the apartment blocks, 1 no. located at the duplex units and 1 no. located at the creche. GoCar members can book cars online or via the app for as little as an hour, then unlock with their phone or GoCar; the keys are in the car, with fuel, insurance and city parking all included. The benefits of such car sharing services include, (i) the reduction of the number of cars on the road and therefore traffic congestion, noise and air pollution; (ii) frees up land traditionally used for private parking spaces but which may not be used, (iii) increases use of public transport, walking and cycling as the need for car ownership is reduced and (iv) Car sharing allows those who cannot afford a car the opportunity to drive, encouraging social inclusivity.”

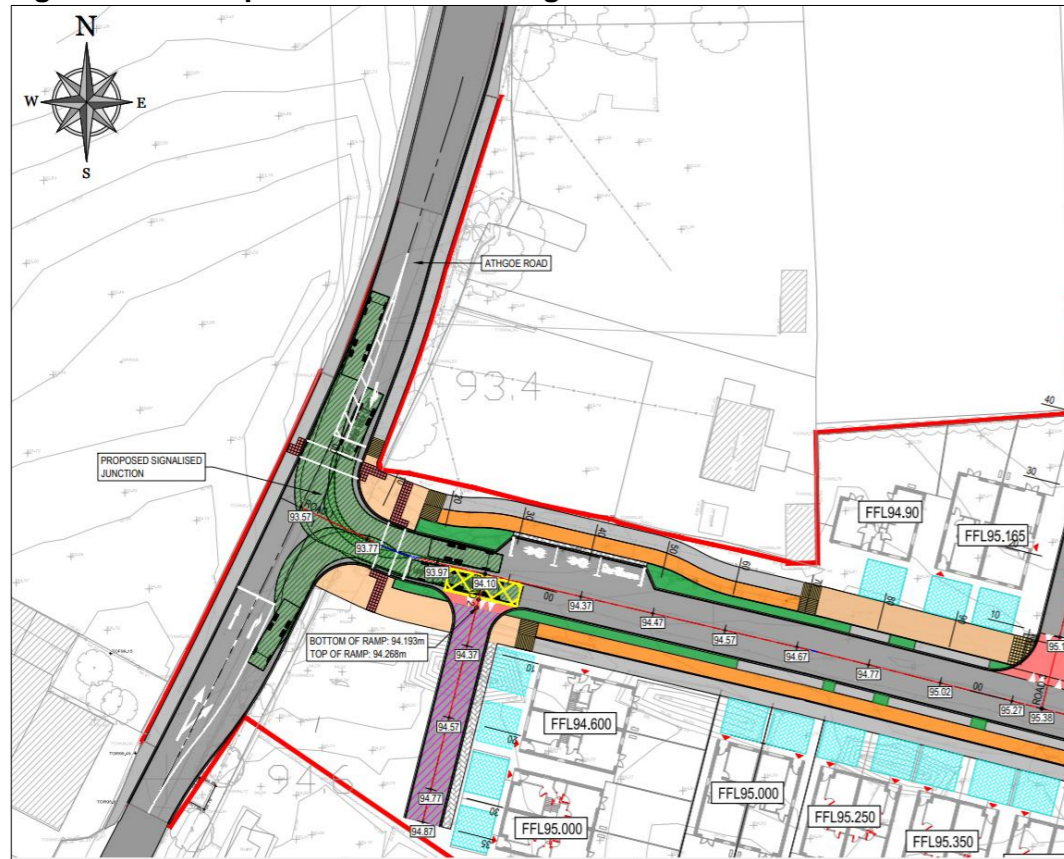
3.8.2 (b) Quality Audit

- 3.182 In response to this item we refer the Board to the Quality Audit prepared by Burton Consulting and the recommendations have been incorporated into the design of the development.

3.8.3 (c) Athgoe road

- 3.183 In response to this item, in consultation with South Dublin County Council, the proposed development will be accessed from the L6001 Athgoe Road to the west of the site. The access point from the L6001 Athgoe Road to the west of the site is proposed to be updated to a signalised junction. The proposed signalised junction aims to improve pedestrian accessibility to the existing footpath on Athgoe Road and improve connectivity to Newcastle Main street. This is shown on drawing no. 210026-DBFL-RD-SP-DR-C-1101 Proposed Roads Layout, prepared by DBFL, (see extract below).

Figure 3.36 – Proposed Junction – Athgoe Road



3.8.4 (d) Bicycle Parking – Apartments

3.184 In response to this item (as set out in the EIAR) a total of 364 number residential bicycle parking spaces are proposed as part of the development scheme comprising 252 no. long stay secured / sheltered spaces for the residential units and 112 no. short stay parking spaces for the residential units. 6 no. long stay cycle parking spaces are proposed for the creche comprising in addition to the short stay provision (22 no.) permitted as part of the Graydon development located outside the subject application site boundary.

Table 3.5 – Proposed Cycle Parking provision

Land Use	Long Stay	Short Stay	Total
Houses ¹	16	18	34
Apartment Blocks	172	66	238
Duplexes / GF Apts	64	28	92
Creche	6	2	6 ²
Total	258	112	370

¹ Houses with external side access to rear gardens can utilise rear gardens for long stay cycle parking
² Additional 22 no. Short stay parking are permitted Graydon Residential Development – not included in subject application

3.185 The proposed overall cycle parking provision of 370 spaces is 321 (or over 655%) higher than the current Development Plan minimum requirement and 140 (or 61%) higher than the draft Development Plan minimum requirement. The proposed apartment / duplex cycle parking provision of 330 spaces represents approximately 96% of the DHPLG requirement (344 no. spaces).

3.8.5 (e) South Dublin County Council Report

3.186 In response to this item we refer the Board to the Infrastructure Design Report prepared by DBFL which states:

“The subject proposals include for the provision of the continuation of the east-west Principal Access Road, as per the Newcastle LAP, between the Graydon Residential Development site boundary westwards to Athgoe Road. The design of the road infrastructure has sought to fully respect the LAP objectives in addition to the DMURS design objectives.

As per the LAP, the proposed infrastructure allows for additional vehicular and cycle / pedestrian connections to the north via St. Finian’s Way and permeable connections to adjacent future potential development lands surrounding the subject site. Rather than a continuous link through the subject site that could encourage speeds, the alignment of the Principal Access Road includes for 2 no. priority controlled junctions along the route and tighter corner radii which differs from the LAP Principal Access Road alignment but adheres more closely to the principles of DMURS which seek to reduce vehicular speeds and create a more pedestrian / cycle friendly environment.

The road infrastructure within the subject site has been designed taking cognisance of further LAP objectives which can be easily achieved as part of future development schemes within the LAP boundary by tying into the subject proposed road infrastructure. The road network through the site respects the open space zoned lands to the east of the subject site. The main link through the development has been designed with a number of junctions and a meandering alignment through the development to promote traffic calming and discourage “rat running” through the development. The alignment has been tracked using vehicle tracking software at junctions and horizontal curves.

The proposed link street carriageway is 6.5m wide with a raised adjacent cycle track on each side in the western and eastern area of the site. The cycle facilities deviate from the link street onto a 4m wide green link in the centre section of the site. Intermittent parallel parking bays are provided as per the Newcastle LAP, 2012.

The development’s internal layout has been designed with speed reduction bends to provide traffic calming together with a combination of road vertical and horizontal deflections and forward sight visibility to reduce speeds. Flat top table ramps have been provided at strategic locations to calm traffic at junctions in particular at greenlink/vehicular interfaces. Design speed limits of 30km/hr are applied throughout the development as per Design Manual for Urban Roads and Streets (DMURS).

DBFL consulted with SDCC roads department in relation to the Athgoe Road and connectivity from the subject site to Newcastle Main Street. It was agreed to provide a footpath on the eastern side of the carriageway to link the development to the exiting footpath to the north on the Athgoe Road and provide pedestrian connectivity to Newcastle Main Street. In order to provide a 2m footpath the road carriageway will be reduced to 6.5m wide. This layout is displayed on drawing 210026-DBFL-RD-SP-DRC-1101.”

3.9 Item 8 – Archaeology Impact Assessment

3.187 Item 8 of the An Bord Pleanála opinion seeks:

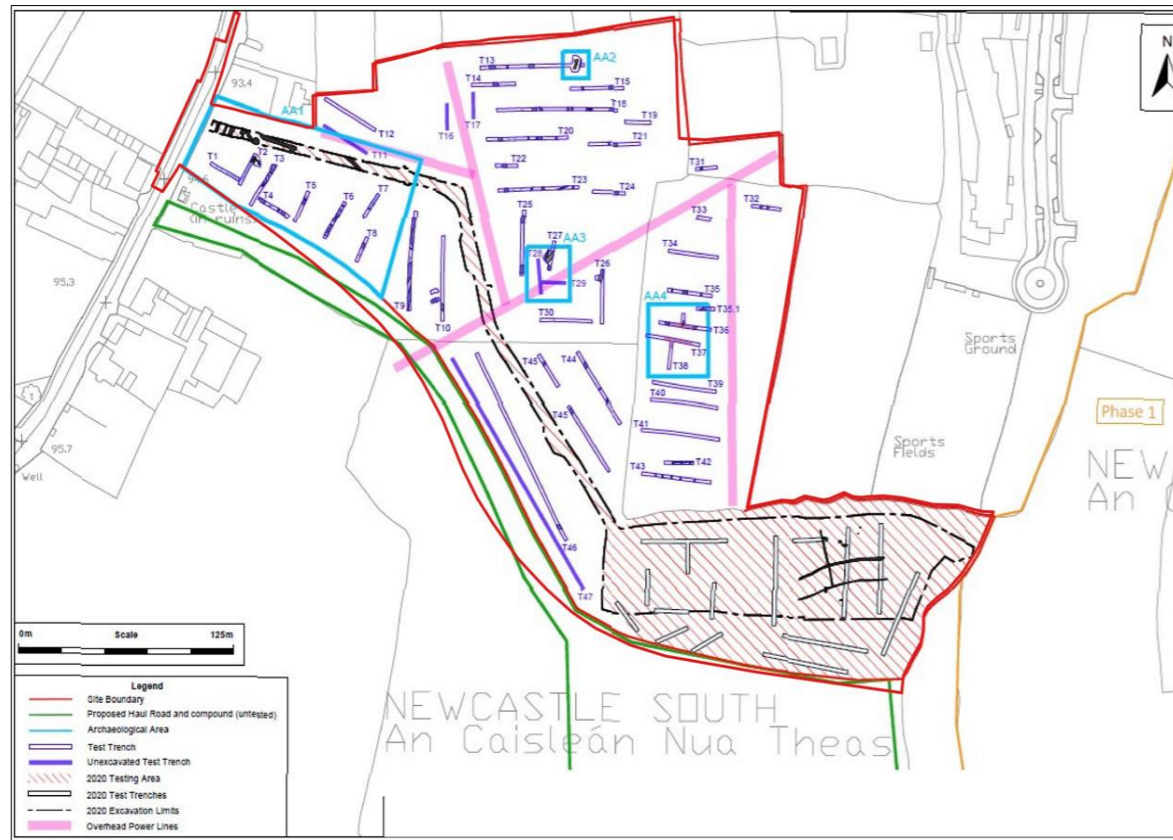
“8. An Archaeological Impact Assessment. The assessment should have regard, inter alia, to the potential impacts of proposed attenuation measures in Tower Park, adjoining the recorded monument at the Athgoe Road junction.”

3.188 In response to this item we refer the Board to the Cultural Heritage – Archaeology chapter of the EIAR, prepared by IAC and the associated testing reports contained in the EIAR (in Appendix A

Volume III of the EIAR). The assessment has taken into account the potential impact of the proposed attenuation measures in Tower Park.

- 3.189 A programme of archaeological testing based on the results of the geophysical survey was carried out within the proposed development in November 2021. This was undertaken by David Bayley of IAC under licence 20E0024ext (Bayley 2022).
- 3.190 Appendix A of Volume III of the EIAR includes a Geophysical Report (Appendix A 13.1) and an Archaeological Testing Report (Appendix A 13.2).

Figure 3.37 – Excavation within the proposed development area, carried out in 2021



- 3.191 The Cultural Heritage – Archaeology chapter of the EIAR notes the following in respect of potential impacts:

“Construction Phase

Four Archaeological Areas have been identified within the proposed development area. AA1 (medieval and post medieval remains adjacent to tower house DU020-003007), AA2 (Kiln), AA3 (undated linear feature) and AA4 (burnt mound) will be subject to direct, negative, significant effects due to ground disturbances associated with the construction of housing and the insertion of an attenuation area adjacent to the recorded tower house (Tower Park) and attenuation at Sean Feirm Park.

The recorded tower house is located c. 25m west of proposed houses and 22m from the excavation required for an attenuation area. It is possible that ground disturbances associated with the development may have a direct negative impact on the ruined structures due to

associated vibration affects. Any such affects, prior to mitigation, have the potential to be very significant (negative).

Whilst the proposed development area has been subject to a detailed programme of archaeological testing, it is possible that small or isolated archaeological features may survive beneath the current ground level, outside of the footprint of the excavated test trenches. Groundworks associated with the development may have a direct negative impact on these remains. Impacts may range from moderate to significant, depending on the nature, extent and significance of the archaeological remains that may be present.

The south-eastern portion of the development area and current haulage road have been subject to archaeological assessment and a programme of archaeological excavation and monitoring. As such these areas have been fully investigated with regards to the archaeological resource and no negative impacts are predicted as a result of the construction of the development.”

Operational Phase

Tower house DU020-003007 is located c 22m south of the proposed development area. A small park (Tower Park) will be established to the north of the tower house, adjacent to the access to the development, meaning the closest proposed structures will be located c. 25m to the east of the ruin. Attenuation will be constructed beneath the current ground level within park. During the operation of the development there will be an indirect significant negative effect on the setting of the tower house, due to the erection of the set back residential units, park and access road.

- 3.192 The following mitigation is proposed

“Construction Phase

“Whilst it is acknowledged that the preservation in-situ of archaeological remains is considered the best practise with regards to conserving the archaeological resource, the required layout of the development (and the attenuation requirements located within greenfield areas) means that the archaeological features and deposits within AA1-4 will be subject to archaeological preservation by record (prior to the commencement of construction). This will be carried out under licence to the National Monuments Service of the DoHGLH. Full provision will be made available for the resolution of the archaeological remains, both on site and during the post-excavation process.

Chapter 8, Noise and Vibration, has predicted that the vibration levels during construction are not likely to be such that any damage would occur to built heritage structures, including the tower house. The Noise and Vibration chapter has proposed mitigation through monitoring in accordance with the relevant standards to ensure that vibration levels do not exceed acceptable levels in the vicinity of built heritage structures.

All topsoil stripping will be subject to archaeological monitoring by a suitably qualified archaeologist. Should any archaeological remains be identified, consultation will be required with the National Monuments Service of the DoHGLH as to whether preservation by record or in-situ is carried out.”

No mitigation is required along the existing haulage road or within the south-eastern section of the development area.

Operational Phase

A full landscape record of the tower house adjacent to the proposed development will be carried out prior to the commencement of construction and operation of the development.

3.193 The EIAR concludes that:

“Following implementation of mitigation measures, no significant negative impacts are predicted upon the archaeological resource. There will be a residual indirect moderate negative impact on the recorded tower house, due to the affects the development will have on the setting of the structure.”

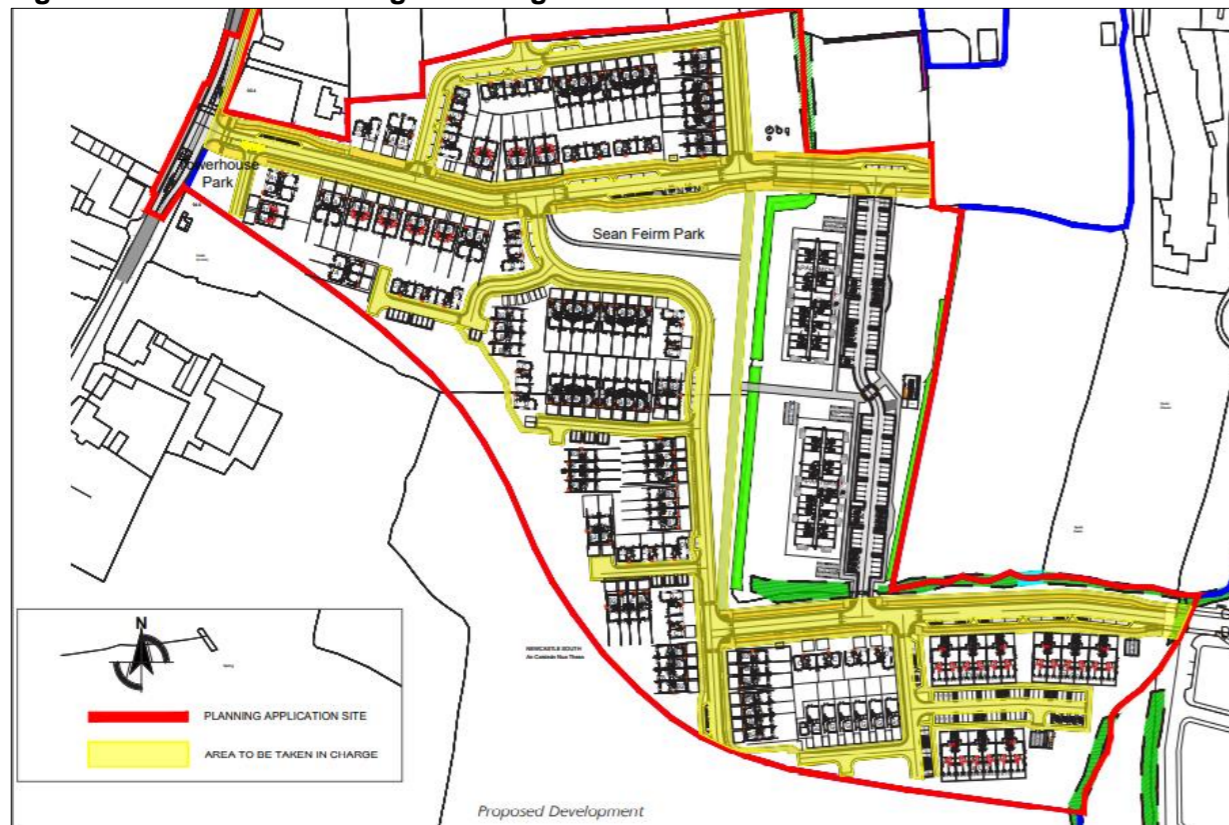
3.10 Item 9 – Taken in Charge

3.194 Item 9 of the An Bord Pleanála opinion seeks:

“A plan clearly identifying the areas intended to be taken in charge by the local authority.”

3.195 In response to this item we refer the Board to drawing no. *MOLA - XX - 00 - DR - A - XX - 0121 - S0*, prepared by MOLA (extract below).

Figure 3.38 – Taken in Charge Drawing



3.11 Item 10 – Water Services

3.7 Item 10 of the An Bord Pleanála opinion seeks:

10. A report addressing the matters raised in the Water Services report of the local authority, dated 25th November 2021, including the design of surface water management and attenuation measures. A SSFRA should also be provided which shall address, inter alia, the risk of downstream flooding arising as a result of the proposed development.

3.11.1 Water Services report

3.196 In response to this item we refer the Board to the Infrastructure Design Report (IDR) and Site Specific Flood Risk Report (SSFRA) prepared by DBFL Consulting Engineers, included with the SHD application, which addresses the detail of the Water Services Report.

3.197 As set out in the DBFL IDR, In response to the SDCC Report (Ref. SHD2ABP-311861-21) and ABP Opinion Item 10 (ABP- 311861-21) a meeting and consultation with SDCC drainage department took place. The existing surface water outfalls were CCTVd in order to establish where they outfall to. The majority of the site outfalls to an existing drainage ditch within the site which flows to a pond to the rear of the Old Glebe on Main Street and ultimately follows an undefined network of drainage ditches through agricultural lands within the River Liffey catchment. Similarly the surface water network on the Athgoe Road was surveyed to establish in so far as possible its outfall. It outfalls to a drainage ditch on the Hazelhatch road and follows an undefined network of drainage ditches through agricultural lands within the River Liffey catchment. Some damage to the surface water network was identified in the survey on Athgoe Road and this was discussed with SDCC for their review. It is noted that the run-off from the site is restricted to greenfield run-off rates to mimic the current scenario. CCTV report is included in Appendix J. of the DBFL IDR.

3.198 Following submission of the stage 2 application and subsequent feedback and consultation with SDCC a number of underground attenuation systems have been removed. In some instances these have been maintained and justification is provided in section 3.2.3. Overground attenuation is provided in lieu of the below ground attenuation and will enhance provide additional nature based SuDs solutions along with promoting biodiversity.

3.199 Where possible, attenuation facilities have been designed as above ground storage in order to maximize the use of SuDs and limit the requirement of underground tanks to promote biodiversity. This approach was adopted in line with SDCCs Sustainable Drainage Explanatory Design Guide 2022. The open ponds have been designed to cater for the 1:5 year storm in a low flow channel which will be predominantly wet and the 1:100 year storm will be stored at the next level which will be predominantly dry and lend itself to a usable amenity space except in adverse weather conditions. Where design constraints did not allow for open ponds, attenuation facilities will store up to the 30-year critical storm in underground stormtech attenuation systems and shallow detention basins will be used to store surface water for storms between the 30 year and the 100 year critical storms. The detention basins will be incorporated into the landscape plan with gently sloping side slopes.

3.200 Detention basins will be incorporated into the landscape plan with gently sloping side slopes. The maximum open water depth in the detention basins will be 600mm in the 100 year critical storm. An example of a useable detention basin is shown below (from Graydon)



Source: DBFL IDR

3.11.2 Site Specific Flood Risk Assessment (SSFRA)

3.201 The SSFRA notes that “Following assessment of the flood risks to the Site and available flood data it is considered that the Site is within Flood Zone Category C as defined by the Guidelines. The residential type of development proposed is therefore appropriate for this flood zone category. The Guidelines Sequential Approach is therefore met and the ‘Avoid’ principal achieved.”

3.202 The SSFRA concludes:

“The Site Specific Flood Risk Assessment for the proposed development was undertaken in accordance with the requirements of the Planning System and Flood Risk Management Guidelines for Planning Authorities”, November 2009.

Following the flood risk assessment stages it was determined that the Site is within Flood Zone C as defined by the Guidelines. It is concluded that the;

- Residential development proposed is appropriate for the Site’s flood zone category.
- Planning System and Flood Risk Management Guidelines Sequential Approach is met and the ‘Avoid’ principal achieved.
- A Justification Test is not required as the site is in Flood Zone C.

The development was concluded as having a good level of flood protection up to the 100 year return event. For pluvial floods exceeding the 100 year capacity of the drainage system then proposed flood routing mitigation measures are recommended.”

3.12 Item 11 – Daylight/Sunlight Report

3.203 Item 11 of the An Bord Pleanála opinion seeks:

“11. A comprehensive daylight and sunlight assessment examining the proposed dwelling units and amenity / open spaces, as well as potential impacts on daylight and sunlight to adjoining properties. In preparing such assessment regard should be had to the provisions of section 3.2 of the Urban Development and Building Heights Guidelines for Planning Authorities (2018) and to the approach outlined in guides like the BRE ‘Site Layout Planning for Daylight and Sunlight’ (2nd edition) or BS 8206-2: 2008 – ‘Lighting for Buildings – Part 2: Code of Practice for Daylighting’.

The assessment should provide a comprehensive view of the performance of the entire development in respect of daylight provision, including accommodation at ground and first floor levels. Where any alternative, compensatory design solutions in respect of daylight are proposed, these should be clearly identified, and their effect appropriately described and / or quantified.”

3.204 In response to this item we refer the Board to the Daylight and Sunlight Assessment prepared by 3D Design Bureau, included with the SHD application, which concludes:

“Effect on Vertical Sky Component (VSC)

The effect on VSC has been assessed for 70 No. windows across the surrounding properties. Using the rationale explained in section 2.2 on page 6, the effect to VSC on 70 no. of these windows would be considered imperceptible. This shows that all of the assessed windows will experience an imperceptible level of effect. The complete results for the study on the effect on VSC caused by the proposed development can be found in Section 6.1 on page 19

Effect on Annual/Winter Probable Sunlight Hours (APSH/WPSH)

The APSH/WPSH assessment has been carried out on the relevant windows of the surrounding properties that have an orientation within 90 degrees of due south. The effect on APSH/WPSH has been assessed for 70 no. of windows of the surrounding existing properties across Saint Ann’s, Primrose Lodge, Auburn Lodge, Main Street Upper, Aois Earrach, Saint Finian’s Way. Using the rationale explained in section 2.2 on page 6, the effect on the APSH of 70 no. of these windows would be considered imperceptible. All of these windows have met the criteria for effect on APSH/WPSH as set out in the BRE Guidelines.

Effect on Sun On Ground in Existing Gardens

This study has assessed the effect the proposed development would have on the level of sunlight on March 21st in the rear gardens of the neighbouring properties that are located along Saint Ann’s, Auburn Lodge, Main Street Upper, Aois Earrach, Saint Finian’s Way. In total 22 no. spaces have been assessed. Using the rationale explained in section 2.2 on page 6, 22 no. of which would experience an imperceptible level of effect. 100% of these outdoor spaces have met the criteria for effect on sunlighting as set out in the BRE Guidelines. The complete results of the study on effect on sunlight the neighbouring gardens can be found In section 6.3 on page 40. A visual representation of these readings can be seen in the 2 hour false colour plans in section 6.3 and in the hourly shadow diagrams for March 21st in section 6.4.1 on page 42

Sun On Ground in Proposed Outdoor Amenity Areas

This study has assessed the level of sunlight on March 21st with in the proposed amenity areas. In total 10 No. spaces have been assessed, 10 No. of which would meet the criteria as set out in the BRE Guidelines. The complete results for the study on sunlighting in the proposed outdoor amenity spaces can be found in section 7.2 on page 61. A visual representation of these readings can be seen in the false colour plan in section 7.2 and in the hourly shadow diagrams for March 21st in section 6.4.1 on page 42

Average Daylight Factor (ADF)

This study has assessed the Average Daylight Factor (ADF) received in all the habitable rooms of the apartments in the 2 no. proposed 5-storey buildings, which are considered the higher density element of the proposed scheme. The 2 no. buildings assessed consist of 116 no. units, which makes up 294 no. habitable rooms. The ADF value in 294 no. habitable rooms meet or exceed their target values. This gives a circa compliance rate of 100% for the 2 no. buildings assessed. Given the fact that an appropriate level of density is being targeted and the apartment blocks are fully compliant, the results of the ADF study could be considered to be favourable. The complete results for the study on ADF can be seen in section 7.2 on page 61.”

3.13 Item 12 – EIAR

3.205 Item 12 of the An Bord Pleanála opinion seeks:

12. The Environmental Report / Environmental Impact Assessment Report (as appropriate) should include the results of all surveys undertaken in respect of these lands, including in particular breeding bird surveys, and mammal and bat surveys. The documentation should confirm that all surveys were undertaken at the appropriate times of the year.

3.206 In response to this item we refer the Board to the Biodiversity Chapter of the EIAR and the associated Bat report prepared by Altemar (in Appendix G of the EIAR) which outlines the series of bird, mammal and bat surveys undertaken.

3.14 Item 13 – Arboricultural Assessment

3.207 Item 13 of the An Bord Pleanála opinion seeks:

“13. Detailed landscaping proposals for the lands which shall be aligned with, and informed by, an Arboricultural Impact Assessment.”

3.208 In response to this item we refer the Board to the enclosed Arboricultural Report prepared by Charles McCorkell, Arboricultural Consultancy, and the summary which states that the report includes:

- *“an assessment of the trees, their quality and value in accordance with BS 5837:2012 - Trees in relation to design, demolition and construction;*
- *the site context and observations on the trees;*
- *local planning policies relevant to the consideration of trees on the site;*
- *the impact of the proposed development upon the tree population in and around the site;*
- *methods of reducing impacts on trees; and*
- *measures to be taken to protect trees during the proposed works.*

The proposed development will require the removal of eight low quality trees (C Category); three poor quality trees (U Category); and the partial removal of one moderate quality hedgerow (B Category) and one low quality hedgerow (C Category).

The proposed removals have been assessed and their loss will not have a significant impact on the landscape character of the local surrounding area.

The proposal includes substantial new high-quality tree and hedgerow planting that will mitigate the proposed removals and have a positive impact on the amenities and visual appearance of the development and local surrounding landscape in the future.

In conclusion, the proposed development is achievable in both arboricultural terms and in relation to local planning policy as it relates to trees. Tree impacts have been assessed and tree protection measures have been specified in accordance with best practice and are sufficient to safeguard retained trees during the proposed works.”

4.0 CONCLUSIONS

4.1 This document outlines how the items outlined in the pre-application consultation opinion from An Bord Pleanála in relation to the proposed residential development at Newcastle South have been addressed in full by the applicant and design team prior to lodgement of the application to An Bord Pleanála.

4.2 The document addresses the specific information requested by An Bord Pleanála and identifies the source or location of the response within the planning submission documentation.

4.3 The layout and design changes incorporated into the final scheme will result in improvements to the overall design and layout and a sustainable approach to the development of these lands. It is respectfully submitted that the proposed development is consistent with the proper planning and sustainable development of the area, and is consistent with all relevant national, regional and local planning policies and guidelines.