

# October 2017

## 1.0 Introduction

Section 12 of the Planning and Development Act 2010 introduced a new provision that amended Section 19 of the Planning and Development Act 2000, whereby a Planning Authority may extend the life of an existing Local Area Plan (LAP), which is normally 6 years, for a further 4 years i.e. up to a total of 10 years from adoption. This is dependent on the Planning Authority resolving to extend the life of the Plan within 5 years of its original adoption date (November 12<sup>th</sup> 2012).

The Newcastle LAP was adopted by the Elected Representatives of South Dublin County Council in November 2012. Figure 1 below illustrates the Plan area. It will remain in force for 6 years from its adoption until 2018. The procedure introduced under Section 12 of the Planning and Development Act 2010 gives the Council the option to extend the Newcastle LAP for a further period of five years until 2022.



**Figure 1: Newcastle LAP Plan Area**

The process set out in Section 19 of the Planning and Development Acts 2000-2016 requires that the members can resolve to extend the life of a Local Area Plan following receipt from the Chief Executive of:

- (i) an opinion that the Local Area Plan remains consistent with the objectives and core strategy of the relevant development plan,
- (ii) an opinion that the objectives of the LAP have not been substantially secured, and
- (iii) confirmation that the sending and publishing of notices to commence the review of the LAP may be deferred and the period for which they may be deferred.

The purpose of this report is, therefore, to accord with Section 19 of the Planning and Development Acts 2000-2016 and to set out in the following sections the opinion of the Chief Executive that:-

- a) The Newcastle Local Area Plan remains consistent with the objectives and core strategy of the South Dublin County Development Plan 2016 – 2022; and
- b) The objectives of the Newcastle Local Area Plan 2012 have not been substantially secured.

## **2.0 Consistency with the Objectives and Core Strategy of the South Dublin County Development Plan 2016-2022**

The South Dublin County Council Development Plan 2016- 2022 sets out a coherent spatial planning framework for the County within the context of the National Spatial Strategy (2002) and the Dublin and Mid-East Regional Planning Guidelines.

The policies and objectives of the County Development Plan are underpinned by the following overarching considerations:

- (a) Quality of life, with an emphasis on key economic, environmental, social and cultural indicators;
- (b) Prosperity, with an emphasis on contributing to a competitive business environment that supports economic development, job creation and prosperity for all;
- (c) Sustainability, with an emphasis on making better use of key resources such as land, buildings, water, energy, waste and transport infrastructure;
- (d) Health and wellbeing, by facilitating active and healthy lifestyles with increased opportunities for walking, cycling and active sport and recreation;
- (e) Social inclusion, with an emphasis on creating socially and physically inclusive neighbourhoods, taking account of the recommendations of The National Disability Strategy Implementation Plan 2013-2015 and Inclusion Ireland's Changing Places campaign; and
- (f) Climate change adaptation, with increased emphasis on reducing climate change at a local level through settlement and travel patterns, energy use and protection of green infrastructure.

The vision for the Newcastle Local Area Plan (2012) is:

*"A village with a strong sense of identity that offers a good quality of life building upon its past, where there is integration between the existing and new developments through the creation of an intricate network of walkable streets that connect pedestrian and cyclist path with important destinations; a beautiful village with quality useful spaces that realise and enhance the full potential of Newcastle's rich natural and built heritage through the sensitive incorporation of hedgerows, waterfeatures, burgage plots, townland and parish boundaries, archaeology, protected structures and recorded monuments; a developing village that sensitively addresses the contrast between existing and new elements and retains much of its existing character, whilst being a showcase for the sensitive expansion of an historic and nationally important settlement."*

The plan objectives within the Newcastle Local Area Plan (2012) include:

- *Facilitate a layout that integrates new development with the existing Village and the surrounding area;*

- *Provide a Green Infrastructure Framework that can integrate natural and built heritage environment, water management, access and open space and recreation;*
- *The promotion of an historical village as a unique place with a good quality of life;*
- *Provide a framework for development that is sensitive to the historic and semi-rural context of the village and ensures for the sustainable drainage of water;*
- *Promote high quality and universal design for streets, spaces and buildings that responds to the different character areas and settings within and around the Village;*
- *Provide for life time housing and a choice of dwelling types and sizes that cater for varying age groups;*
- *Reinforce and invigorate Main Street through the encouragement of infill mixed use development and public spaces;*
- *Require the provision of community facilities including an expansion site for the primary school that is development ready and a site for the provision of an additional primary school;*
- *Provide for a network and hierarchy of public spaces with varying sizes and facilities that are appropriate to their location and intended function;*
- *Preserve, incorporate, enhance and respond to the setting of existing archaeological and historic features including burgage plots and tower house sites;*
- *Provide a network of convenient walking and cycling routes whilst reducing the need for car trips;*
- *Protect the amenities of existing dwellings;*
- *Ensure that development is phased in a manner that provides for the required community and parkland facilities either prior to or in tandem with development.*

The vision and plan objectives are consistent with the overarching considerations for the South Dublin County Development Plan.

The Development Plan policy and objectives for Newcastle include the following:

- It is designated as a Small Town in the county settlement hierarchy with a forecasted population of 4,235 in 2022. This is detailed in Table 1.10 of the core strategy which also outlines the land capacity in the area.
- While the settlement of Newcastle retains a village character, the current population exceeds the RPG defined population threshold for a village. The current population of Newcastle is more consistent with that of a Small Town (1,500 – 5,000 persons). The RPG's state that the levels of growth in small towns shall be managed in line with the ability of local services to cater for growth, responding to local demand.
- It is stated that Newcastle has limited public transport provision and social services, and as such, Newcastle is not identified as a growth node. It is stated that settlements such as Newcastle will develop at an incremental pace, based on the delivery of social, physical and transport infrastructure and services. It is stated that the capacity of zoned lands is considered to be largely sufficient to meet long term demand. The zoned lands in Newcastle includes those within the Newcastle LAP which have been built into the projections contained in the core strategy. It is also noted that Table 1.10 states that the Saggart/Rathcoole/Newcastle Sewerage Scheme is required to support long term development to the west of County.

- In accordance with CS 3 Objective 1 of the County Development Plan the LAP sets out the requirements for the phased development of the Plan lands detailing the key social and physical infrastructure necessary to secure the orderly and integrated development of the area.
- The appraisal of community facilities in Chapter 3 (Community Infrastructure) acknowledges the requirement for community floorspace set out under the Newcastle LAP and the planned provision of a Local Park in Newcastle under the LAP to include playgrounds and playing pitches.
- C9 Objective 2 in Chapter 3 states “To support and facilitate the provision of additional post-primary schools in ... Newcastle/Rathcoole...areas.”
- Chapter 3 also acknowledges the requirements for improvements to existing community facilities in Newcastle.
- The South Dublin County Retail Hierarchy outlined in Table 5.1 refers to Newcastle Village as a Level 4 Village Centre. Level 4 centres usually contain one supermarket ranging in size from 1,000 – 2,500 sq.m with a limited range of supporting shops and retail services and possibly other services such as post offices, community centres or health clinics grouped together to create a focus for the local population.
- Chapter 6 sets out an action to investigate future public transport links between Newcastle and Rathcoole.
- The Six Year Road Programme outlined in Table 6.5 refers to the Newcastle Street Network and the formation of a strategic street network providing access throughout the Newcastle LAP lands.
- IE1 Objective 3 in Chapter 7 seeks to support Irish Water in delivering key water service projects including the “construction of a Saggart/Rathcoole/Newcastle Scheme to increase drainage capacity in the west of the County”.

It is apparent from the above and it is the opinion of the Chief Executive that the Newcastle Local Area Plan remains consistent with the objectives and core strategy of the South Dublin County Development Plan 2016 – 2022.

### **3) Securing the Objectives of the Newcastle Local Area Plan 2012**

There are four key strategies, which in turn are accompanied by more specific objectives, set out in the LAP which will assist in realising the vision for the Plan lands:

1. *Green Infrastructure – The Green Infrastructure Strategy will direct the protection and enhancement of the natural and built heritage; the conservation and enhancement of biodiversity; the provision of accessible parks, open spaces and recreational facilities; the sustainable management of water incorporating SUDS features; and the maintenance of sensitive landscapes.*
2. *Accessibility and Movement – The Accessibility and Movement Strategy seeks to reinstate Main Street as the backbone of movement for the Village and to supplement such with a choice of alternative routes for pedestrians, cyclists and vehicles in a manner that links each neighbourhoods directly with the Village Core and with each other either directly or indirectly.*
3. *Land Use and Density – The Land Use and Density Strategy will direct land uses and densities within three revised Character Areas (The Village Core, The Village Expansion Area and The Settlement Edge) in a manner that is sensitive to the historic importance and character of the Village and its hinterland.*
4. *Built Form - The Built Form Strategy will direct the layout of development into a network of village streets, blocks and plots that are sensitive to the Village's historic setting and cultural importance whilst introducing contemporary structures that are responsive to their surroundings.*

The LAP also includes a requirement for planning applications for any building(s), street(s), or space(s) to be accompanied by a masterplan that demonstrates compliance with the above coordinated approach and strategies.

The policies and objectives in the Newcastle LAP are important in ensuring that permitted development is in accordance with the proper planning and sustainable development of the area and that proposed developments are consistent with the phasing requirements and land use, green infrastructure, built form and movement and accessibility frameworks set out in the LAP. In this regard, permitted development has seen some delivery of the Plan objectives. However, given that development of the Plan lands is only partially completed, the full realisation of these objectives remains outstanding in a number of areas:

- In terms of accessibility and movement, linkages between all previously unconnected areas of the Plan land and integration of the lands with existing neighbourhoods has not been fully achieved to date.
- In terms of green infrastructure, a network of corridors, links and green spaces remains to be delivered on the Plan lands to date.
- In terms of land-use, a sustainable mix of residential and supporting retail, commercial and community uses has not been achieved to date.
- In terms of built form, the building distribution and grid layout has not been achieved to date.
- In terms of public spaces, the provision of a linked open space hierarchy has not been achieved to date.



A number of key outcomes included in the phasing strategy are yet to be fully realised including:

- A second primary school.
- Community floorspace.
- Open Space and play facilities to include NEAP's, LEAP's and YCAP's.
- Village Park: Taobh Chnoic and various local and neighbourhood parks.
- Neighbourhood link streets.
- Full East-West and North-South linkages across Plan lands.
- 768 dwellings have been permitted out of a planned 855 - 1098 units. Of these 269 dwellings (35% of permitted) have been built and 32 dwellings are under construction. It is also noted that there is permission for a further 381 dwellings at Ballynakelly which have not commenced with the permission due to expire in November 2017. A decision is pending on some applications at present with the potential for a further 33 dwellings. The map in Appendix 1 illustrates the extent of area of the Plan which is subject to a planning permission, where development has commenced and where development has not commenced.

Overall, the LAP area constitutes approximately 95 hectares. Of this, approximately 74 hectares is zoned for residential purposes (i.e. RES or RES-N), with approximately 41 hectares remaining undeveloped. The RES-N zoned lands are largely undeveloped, with approximately 41 of the 43 ha of the RES-N zoned lands undeveloped<sup>1</sup>. Sites where planning permission has been granted amount to approximately 28 hectares<sup>2</sup>. Therefore, there still remains a substantial quantum of land in the LAP area which does not benefit from planning permission or which is to be built out.

In addition, there are a series of detailed objectives in the Newcastle LAP that have not been secured or have only been partly secured. These include:

#### Land Use Objectives

- To concentrate new commercial and community development including retail floorspace around historical/cultural, civic and retail nodes along Main Street in a manner that contributes to Main Street's vitality and viability and its re-establishment as the Village Core. **(Objective LUD1)**
- That the preferred location for retail and service development along Main Street is around retail nodes situated close to existing businesses. Such development shall be commensurate to the local needs of Newcastle Village and shall comprise a medium sized supermarket (up to 1,500 sq.m net) and small scale flexible use commercial and retail units **(Objective LUD2)**
- Development of the site to the east of St. Finian's Community Hall shall provide for the extension of St. Finian's Hall and the provision of a market square element of parking. This space should be fronted by the extended community centre on its western side and commercial and residential units on its northern and eastern sides. **(Objective LUD3)**

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<sup>1</sup> All figures in this section have been calculated in October 2017.

<sup>2</sup> The total area of sites with planning permission is approximately 28 hectares however, it is noted that this includes approximately 23 hectares at Ballynakelly which was permitted under SD05/0344/EP which is due to expire in November 2017.

- Development of the former public house site at the north-east corner of the junction between Main Street and Hazelhatch Road shall include a sensitively designed gateway feature that announces the approach into Newcastle and its Historic/Cultural quarter. This could include for the incorporation of elements from the former public house structure and any archaeological material found on site. Development of this site shall be sensitive to the setting to the Motte and Saint Finian's Church of Ireland Church and should incorporate views of the Motte and Church, where possible, within the buildings overall design setting. **(Objective LUD5)**
- To encourage a mix of dwelling types and quality designs that will help aid legibility and way-finding throughout the area. **(Objective LUD 17)**

#### Built Form Objectives

- Require planning applications for any building(s), street(s) or space(s) to be accompanied by a masterplan layout drawing that details how the proposed building(s), streets(s) or space(s) fits within the framework for the neighbourhood to which they relate in terms of accessibility and movement; integration of development; density and land use; green infrastructure and built form. These framework elements can be varied in terms of precise location and design provided that they conform to the principles and guidance set out in this Local Area Plan. Existing utilities should be accommodated between blocks and under streets. **(Objective N1)**
- Ensure that each neighbourhood is developed with open ended and integrated pedestrian and cycle routes that link with Main Street and adjacent neighbourhoods. **(Objective N2)**

#### Access and Movement Objectives

- Cycling and walking should be encouraged within and through the Plan Lands by creating an open space ended and integrated network of safe and accessible pedestrian and cycle routes that serve all streets and spaces including existing streets. All existing and new Neighbourhoods shall be afforded direct pedestrian and cyclist access to Main Street and direct or indirect links to each other and community facilities especially schools. **(Objective AM4)**
- To offer choices of routes and help to dissipate vehicular traffic throughout the Plan Lands by providing for multiple vehicular routes and connections to Main Street and Link Streets. This will include a design speed of 30-40 kilometres per hour for Link Streets and 20 Kilometres per hour for Access Streets. **(Objective AM8)**
- To ensure that developments within the Plan Lands is based on a grid layout, new developments will be highly connected and in a format that avails of every possibility of linking into the existing street network and will provide efficient connections to existing local facilities. The connected layout should align to desire lines and link the site to specific destinations especially Main Street. **(Objective AM11)**
- Create open ended routes through existing and new development in a manner that ensures greater permeability and convenient pedestrian access to community facilities, schools, open spaces, shopping facilities, local employment and public transport stops. **(Objective AM13)**

#### Green Infrastructure



- A linked open space hierarchy shall be implemented fully across the Park Lands and all proposed developments shall contribute to the achievement of this integrated Green Infrastructure Network where relevant and at a minimum rate of 14% on A1 zoned lands. Where there is a shortfall in public open space provision, from planned local and neighbourhood parks, this shortfall shall be taken up by pocket parks that are integrated into the design of neighbourhoods. Pocket parks shall be adequately overlooked and shall be easily accessible from surrounding housing but shall not comprise residual open spaces. **(Objective GI1)**
- That a linked SUDS network shall be implemented fully across the Plan Lands in accordance with national and regional SUDS requirements including the Greater Dublin Strategic Drainage Study Initiative and all proposed developments shall contribute to the achievement of this integrated network in order to reduce surface water run-off and to minimise the risk of flooding of the Plan Lands and surrounding lands. This shall include a series of attenuation wetland areas in parklands that will collect surface water from the developed SUDS network prior to feeding the stream system to the north of the village. **(Objective GI13)**

#### Community and Social Infrastructure Objectives

- Development of the Main Street and the Ballynakelly West Neighbourhoods shall each include for the provision of a primary school site (two in total) that accord with the requirements of this Local Area Plan. The Expansion School Site shall adjoin St. Finian's National School with available access from Main Street and the New School Site shall be located adjacent to the planned Countryside Village park and the Ballynakelly Development with available access from the Ballynakelly Development. **(Objective LUD9)**
- Community facilities, which shall include youth specific facilities, shall be provided at a rate of 3 sq.m per 10 dwellings. The provision of community floorspace at, or adjoining, the existing St. Finian's Community Centre and/or the payment of development contributions towards the provision of community floorspace at this location will be sought as an alternative to the piecemeal location of small pockets of floorspace on individual sites. **(Objective LUD12)**
- Development along Main Street shall provide for community floorspace within or around the civic and historic/cultural nodes identified under this Plan using St. Finian's Community Hall as a centre of focus. This should include for the relocation of 130 sq.m of community floorspace permitted as part of the Ballynakelly Development **(Objective LUD13)**

Thus, the achievement of the objectives in the LAP has not progressed significantly to date and cannot be said to have been substantially secured.

**4.0 Statutory Procedure under Section 19 of the Planning and Development Acts 2000-2016.**  
Having sought and received from the Chief Executive:

- 1) The opinion that the local area plan remains consistent with the objectives and core strategy of the relevant development plan; and
- 2) The opinion that the objectives of the local area plan have not been substantially secured; as set out in this Report, it is confirmed that the sending and publishing of the notices may be deferred for a further period not exceeding 5 years from November 2017.

Subsequent to a resolution under Section 19(1)(d) of the Planning and Development Acts 2000-2016, the Planning Authority must publish notification in a newspaper circulating in the area of the Local Area Plan not later than 2 weeks after the resolution is passed. Notice of the resolution must be made available for inspection by members of the public during office hours of the Planning Authority and made available in electronic form including by placing the notice on the authority's website.

### **5.0 Chief Executives Recommendation**

To optimise the opportunities to deliver on the objectives within the Newcastle LAP, it is recommended that the Council approve the procedure to defer the sending of a notice under section 20(3)(a)(i) of the Planning and Development Acts 2000-2016 i.e. notices for making, amending or revoking the Local Area Plans, in accordance with Section 19(1)(d) of the Planning and Development Acts 2000-2016 for the Newcastle Local Area Plan for a further period of 5 years.

It is recommended that the following resolution be approved at the October Council Meeting:

*"That this Council approve the procedure to defer the sending of a notice under section 20(3)(a)(i) of the Planning and Development Act 2000 -2016 i.e. notices for making, amending or revoking the Local Area Plans, in accordance with Section 19(1)(d) of the Planning and Development Acts 2000-2016 for the Newcastle Local Area Plan for a further period of 5 years.*

## Appendix 1 - Planning Permission Update

