



An  
Bord  
Pleanála

**Case Reference:  
ABP-306219-19**

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**Planning and Development (Housing) and Residential Tenancies Act 2016**

**Notice of Pre-Application Consultation Opinion**

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**Proposed Development: 995 no. apartments, creche and associated site works.**

**Fosterstown (North) Swords, Co. Dublin.**

An Bord Pleanála has considered the issues raised in the pre-application consultation process and, having regard to the consultation meeting and the submission of the planning authority, 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.

An Bord Pleanála considers that the following issues need to be addressed in the documents submitted that could result in them constituting a reasonable basis for an application for strategic housing development.

1. Further consideration of the documentation as it relates to the requirements of Article 6 of the Habitats Directive and Natura 2000 sites. The documentation should include an appropriate assessment screening report and, if the applicant considers that the proposed development is likely to have a significant effect on any Natura 2000 site, a Natura Impact Statement. The documentation should include the specific information regarding the application site, its circumstances, the proposed development and the Natura

2000 network that is necessary to apply the tests for screening and/or appropriate assessment that are set out in legislation and case law. The information should address the proposed works to roads as well as the proposed housing. Irrelevant or repetitive information or that of an administrative nature only should not be included. The information should be set out clearly and precisely and should provide an objective basis for any stated conclusions.

2. Further consideration of the documentation as it relates to compliance with the applicable standards set out in DMURS and the National Cycle Manual. Assertions of compliance with general principles are insufficient in this regard. The documentation should demonstrate compliance with specific requirements, including -
  - The requirement for permeable street networks under section 3 of DMURS, including the advice against cul-de-sacs in section 3.3.1 and on block sizes in section 3.3.2. The treatment of the Forest Road and the limited number of junctions upon it should be revisited in this regard, as should the potential for permeability with future development on the neighbouring land to the east. The advice against large roundabouts in urban areas stated at section 4.4.3 should be respected.
  - The advice against shared pedestrian and cycle facilities at section 1.9.3 of the National Cycle Manual; the specifications for cycle tracks and lanes at section 4.3; the advice regarding the treatment of cyclists at major junctions throughout section 4; the requirement for priority of cycle tracks/lanes over minor roads at priority junctions set out in section 4.9; and the construction details for cycle tracks at section 5.6.

Furthermore, Pursuant to article 285(5)(b) of the Planning and Development (Strategic Housing Development) Regulations 2017, the prospective applicant is hereby notified that, in addition to the requirements as specified in articles 297 and 298 of the Planning and Development (Strategic Housing Development) Regulations 2017, the following specific information should be submitted with any application for permission:

1. A transport impact assessment report that describes the likely impact of the proposed development on the surrounding area and its transport infrastructure. In particular the report should address the potential impact on the Metrolink and BusConnects projects and the Cycle Network Plan for the Greater Dublin Area. The report should also give an account of consultations with the NTA and TII.
2. A housing quality assessment which provides the specific information regarding the proposed apartments required by the 2018 Guidelines on Design Standards for New Apartments. The assessment should also demonstrate how the proposed apartments comply with the various requirements of those guidelines, including its specific planning policy requirements.
3. A report demonstrating compliance with the Guidelines for Planning Authorities on Urban Development and Building Heights issued by the minister in December 2018 in accordance with SPPR3 of those guidelines
4. An analysis of the daylight and sunlight that would be available to dwellings and open spaces with reference to the BRE guidance on the subject.
5. A phasing scheme for the development which would indicate how open space and access for the proposed housing would be provided in a timely and orderly manner.
6. A Site Specific Flood Risk Assessment Report. The prospective applicant is advised to consult with the relevant technical section of the planning authority prior to the completion of this report which should describe this consultation and clarify if there are any outstanding matters on which agreement has not been reached with regard to surface water drainage.

7. Details of the finishes and materials on the proposed buildings, and of proposed boundary and surface treatments and landscaping throughout the development.
8. A draft construction management plan
9. A draft waste management plan

Also, pursuant to article 285(5)(a) of the Planning and Development (Strategic Housing Development) Regulations 2017, the prospective applicant is informed that the following authorities should be notified in the event of the making of an application arising from this notification in accordance with section 8(1)(b) of the Planning and Development (Housing) and Residential Tenancies Act 2016:

1. National Transport Authority
2. Transport Infrastructure Ireland
3. Irish Water
4. Irish Aviation Authority
5. DAA
6. Fingal County Childcare Committee
7. The Minister for Culture, Heritage and the Gaeltacht,
8. The Heritage Council
9. An Taisce — the National Trust for Ireland

**PLEASE NOTE:**

Under section 6(9) of the Planning and Development (Housing) and Residential Tenancies Act 2016, neither the holding of a consultation under section 6, nor the forming of an opinion under that section, shall prejudice the performance by the Board, or the planning authority or authorities in whose area the proposed strategic housing development would be situated, of any other of their respective functions under the Planning and Development Acts 2000 to 2016 or any other enactment and cannot be relied upon in the formal planning process or in legal proceedings.

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Tom Rabbette

Assistant Director of Planning

March, 2020