



An  
Bord  
Pleanála

**Case Reference:**  
**ABP-307260-20**

---

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

**Notice of Pre-Application Consultation Opinion**

---

**Proposed Development: 705 no. apartments, childcare facility and associated site works. Lands at Fosterstown, 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 and justification of the documents as they relate to the provision of vehicular access from the proposed development onto the R132 having regard to, inter alia, the policies and objectives of Fingal County Council as set out in Fosterstown Masterplan 2019 and the implications for the strategic function of the R132 in terms of Bus Connects and Metrolink crossings which are continuing to be advanced. The justification should include, inter alia, alternatives considered/deliverable if applicable. Should the proposed entrance off the R132 be maintained at application stage then a full Traffic and Transport

Impact Assessment should be submitted indicating, *inter alia*, impact assessment on existing and possible future: pedestrian infrastructure; cycle infrastructure; bus infrastructure; the Metrolink station, and vehicular movement on, and in the vicinity of, the R132. In addition, proposals to provide an interim temporary access from the R132 may wish to be investigated/considered. Any such temporary entrance proposal should include proposals for the closure of the vehicular access and the provision of appropriate public realm works following completion of the Fosterstown Link Road and associated road infrastructure to service the site via the lands to the north as identified in the Fosterstown Masterplan (May 2019). It is advisable that any entrance proposal off the R132 be subject of detailed design consultation with Fingal County Council in conjunction with the NTA and TII.

2. Further consideration of the documents as they relate to the design and heights of the proposed buildings. In addition to the local statutory plans, the submitted documentation should have regard to the Guidelines for Planning Authorities on Building Heights and Urban Development, 2018 including its specific planning policy requirements, and the need to provide a sufficient density of development on the site and a high standard of architectural and urban design and residential amenity particularly with respect to adequate amenity areas and sunlight/daylight access. If it is proposed to materially contravene the provisions of the local area plan, then a statement justifying the contravention is required to be submitted.
3. Further consideration of the documents as they relate to foul water drainage proposals to service the development. The documents should provide details of necessary upgrade works required to facilitate the development to include, *inter alia*: plans and particulars, having regard to the significant wastewater network constraints raised by Irish Water in their report dated 3<sup>rd</sup> July 2020.

Clarity is to be provided concerning who is to deliver the works; the status of any planning and other consents required to deliver the infrastructure; the timelines involved in the delivery of the required infrastructure in the context of the proposed strategic housing development

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. Visual Impact/ CGIs and photomontages, sections and continuous elevations where relevant, of the main elevation treatment including but not restricted to the following:
  - The interface of the development with the R132,
  - Relationship with the riparian corridor along northern site boundary,
  - Public plaza addressing and connecting with future Metrolink station,
  - Relationship between the ground floor and undercroft parking and the treatment along the internal access road.
2. A housing quality assessment which provides specific information regarding the proposed apartments and which demonstrates compliance with the various requirements of the 2018 Guidelines on Design Standards for New Apartments, including its specific planning policy requirements.<sup>2</sup>
3. A building life cycle report in accordance with section 6.3 of the Sustainable Urban Housing: Design Standards for New Apartments (2018).
4. A comprehensive daylight and sunlight analysis addressing existing residential units in proximity to the site and proposed units and open spaces within the development.
5. Submission of a Taking in Charge map.
6. Comprehensive Flood Risk Assessment.
7. Details of Part V provision clearly indicating the proposed Part V units.
8. Childcare demand analysis, including but not restricted to the justification for size of the proposed crèche, having regard to the existing childcare facility in the vicinity of the site, the likely demand and use for childcare places and the

accommodation of additional requirement resulting from the proposed development.

9. Inclusion of a Social and Community Audit of the schools in the vicinity in particular school going children and the accommodation of additional requirement resulting from the proposed development.
10. A landscape and permeability plan of the proposed open space within the site clearly delineating public, semi-private and private spaces, areas to be gated, treatment of interface areas and provision of future connections to adjoining lands.
11. The landscape masterplan shall also identify existing/future pedestrian and cycle path connections to Swords to the north of the site and lands to the south to include Airside Retail Park, in particular, with regard to Bus Connects.
12. Submission of a Traffic and Transport Assessment to include car parking and cycle parking rationale.
13. Statement of compliance with the applicable standards set out in DMURS, and a mobility management plan which justified the proposed provision of parking for cars and bicycles.
14. Details to include plan and cross-section drawings of the proposed reprofiling of Gaybrook Stream.
15. A phasing scheme for the development having regard to the provisions of the Fosterstown Masterplan 2019.
16. The inclusion of all works to be carried out, and the necessary consents to carry out works on lands, within the red line boundary.
17. Where the applicant considers that the proposed strategic housing development would materially contravene the relevant development plan or local area plan, other than in relation to the zoning of the land, a statement indicating the plan objective (s) concerned and why permission should, nonetheless, be granted for the proposed development, having regard to a consideration specified in section 37(2)(b) of the Planning and Development Act 2000. Notices published pursuant to Section 8(1)(a) of the Act of 2016 and

Article 292 (1) of the Regulations of 2017, shall refer to any such statement in the prescribed format.

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. Dublin Airport Authority
4. Irish Aviation Authority
5. Irish Water

**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.

---

Tom Rabbette  
Assistant Director of Planning  
December, 2020