



An  
Bord  
Pleanála

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

### Notice of Pre-Application Consultation Opinion

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**Case Reference: ABP-312149-21**

**Proposed Development: 224 no. apartments, creche and associated site works. Pinnock Hill, 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 constitute a reasonable basis for an application for 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. Detailed plan and section drawings showing the relationship between the proposed development and the existing and future alignment of roads, footpaths and cycle paths along the R132 to the east.

The application should describe how satisfactory levels of residential amenity will be achieved and maintained for ground floor units along the eastern boundary to

the R132, having regard to their proximity to this busy corridor. The application should provide for an appropriate building set-back from the existing and future road and footpath alignment, and an appropriately designed defensible space. Any boundary features should be clearly described in the application.

2. Further detail of the design of proposed pedestrian connections from, and through the site, to the R132, in terms of convenience, safety and accessibility.
3. An assessment of the relationship of the proposed development with, and potential impact on, the adjoining protected structure to the east. Any mitigation measures required to protect this structure at construction and operational stage shall be clearly described.
4. A full Acoustic Design Statement which shall clearly describe any recommended mitigation measures, and their effectiveness in achieving satisfactory levels of residential amenity.
5. In respect of transportation and parking:
  - (a) A report addressing the matters raised in the report of the Fingal County Council Transportation Planning Section.
  - (b) A review of the design and layout of car parking on the site, including the dominance of surface car parking, and compliance with the provisions of DMURS in this regard.
  - (c) A Quality Audit in accordance with Advice Note 4 of DMURS.
  - (d) Details of the quantum and design of bicycle parking / storage, having regard to the provisions of the guidelines on Sustainable Urban Housing: Design Standards for New Apartments, as well as DMURs and the National Cycle Manual. The design of such parking / storage should consider relevant access and operational requirements.
6. A report that specifically addresses the proposed materials and finishes to the scheme, including specific detail of external finishes, landscaping and paving, pathways, entrances and boundary treatments. Particular regard should be had to the requirement to provide high quality, durable and sustainable finishes which have regard to the context of the site.
7. A Building Lifecycle Report in accordance with section 6.13 of the Sustainable Urban Housing, Design Standards for New Apartments, Guidelines for Planning

Authorities (2020) guidelines which should consider external materials on all elevations. The report shall also address the management and maintenance of public spaces and access routes to the development.

8. The application should include 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. Where any alternative, compensatory design solutions in respect of daylight are proposed, these should be clearly identified and justified, and their effect appropriately described and / or quantified. The assessment should demonstrate that due regard was had to any screening to balconies or windows proposed to address potential overlooking of adjoining properties.

9. Drawings which clearly identify the areas intended to be taken in charge by the Local Authority, if any.

The information referred to in article 299B(1)(b)(ii)(II) and article 299B(1)(c) of the Planning and Development Regulations 2001-2018 unless it is proposed to submit an EIAR at application stage.

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, as amended:

1. Irish Water
2. National Transport Authority
3. Transport Infrastructure Ireland
4. Dublin Airport Authority
5. Irish Aviation Authority
6. Fingal Childcare Committee
7. An Taisce
8. Heritage Council
9. An Comhairle Ealaíonn
10. Minister for Housing, Local Government and Heritage

**PLEASE NOTE:**

Under section 6(9) of the Planning and Development (Housing) and Residential Tenancies Act 2016, as amended, 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 2020 or any other enactment and cannot be relied upon in the formal planning process or in legal proceedings.

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Stephen O'Sullivan  
Assistant Director of Planning  
April 2022