

An Bord Pleanála



Inspector's Report

PL06F.245438

DEVELOPMENT

Description: Demolition of existing detached office building and the erection of a five-storey structure containing 16 apartments and a retail unit with all associated site works.

Address: 27 Main Street, Swords.

PLANNING APPLICATION

Planning Authority: Fingal County Council
Planning Authority Reg. No: F15A/0304
Applicant: J. Coffey Development (Ireland) Ltd.
Application Type: Permission
Planning Authority Decision: Refuse

APPEAL

Appellant: J. Coffey Development (Ireland) Ltd.
Types of Appeal: 1st Party –v- Refusal
Observers: None
Date of Site Inspection: 25/11/2015

INSPECTOR: Paul Caprani

1.0 INTRODUCTION

PL06F.245438 relates to a first party appeal against the decision of Fingal County Council to issue notification to refuse planning permission for the demolition of an existing detached office building and the erection of a building containing 16 apartments and a retail unit together with associated site works. Planning permission was refused for five reasons relating to grounds of visual amenity, the provision of substandard private amenity space within the development, traffic congestion, inadequate information in relation to drainage infrastructure and contravention of Development Plan standards in respect of floor to ceiling heights within the development. The decision of Fingal Co. Council was subject to a first party appeal.

2.0 SITE LOCATION AND DESCRIPTION

The appeal site is located on the eastern side of Main Street, Swords. It is bounded to the north and to the south by two separate buildings. In the case of the adjacent site to the south, the building to the front facing onto Main Street comprises of a hairdressing salon at ground floor level, restaurant at first floor level and offices above. A four-storey office building is located to the rear of this building fronting onto Fosters Way, a thoroughfare that runs parallel to Main Street.

Likewise two buildings are located adjacent to the northern boundary of the site. A two-storey former residential structure fronts onto Main Street. The building dates from the early 20th century and appears to have been originally constructed to accommodate residential development but has subsequently been changed to accommodate retail development in the form of three separate units at ground floor level and office development overhead. A more recently constructed building is located to the rear and this three-storey structure exclusively accommodates offices at first and second floor level. A citizens information's office and restaurant is located at ground floor level. The building to the rear accommodates a mansard roof with windows at first and second floor level along its southern elevation.

Fosters Way, the public road which runs along the rear boundary of the site, accommodates perpendicular parking along both sides of the road. Much of the land on the eastern side of the road to the rear is undeveloped and is currently used for on site public car parking.

The site itself incorporates a regular rectangular shape and extends the full length of the block between the main street and Fosters Way to the rear. The site is over 50 metres in length and approximately 11 metres in width. It has a stated area of 0.601 hectares (601 metres).

The site currently accommodates a 1930s style two-storey former residential structure which now according to the information contained on file appears to be used as offices. The building appeared to be vacant at the time of my site inspection. The building incorporates a pitched roof with an A-shaped projecting gable with circular bay windows at ground and first floor level on the northern side of the front elevation. The ground floor incorporates a red brick exterior while the first floor is finishes in a pebble dash cladding. A narrow side passageway runs along the northern elevation while the southern elevation is contiguous to the site boundary. The rear garden which is over 30 metres in length is currently undeveloped and overgrown.

3.0 PROPOSED DEVELOPMENT

Planning permission is sought for the construction on the following:

- The construction of two basement levels (basement and lower basement level). Each of the basement levels is to accommodate 14 car parking spaces together with apartment storage area (20 square metres). A car lift to the rear of the site at Fosters Way is to provide access to each level.
- At ground floor level it is proposed to provide a retail unit to the front of the building fronting onto Main Street (307 square metres). A 1.2 metre wide laneway adjacent to the northern boundary of the site is to provide access to stairwells and a lift down to basement level as well as access to storage areas (bin storage, bike store and general store) located along the northern boundary to the rear of the site at ground floor level. An internal landscaped courtyard (185 sq.m) is to be provided at ground floor level.
- Floors 1-4 above accommodate apartments. The apartments are set out in two separate blocks (one to the front of the site and one to the rear). Each of the blocks accommodates eight apartments, two apartments on each floor. The apartments incorporate an almost identical layout with some small variations in the bedroom sizes.

The kitchen and living accommodation together with private balconies overlook the communal open space area while the bedrooms are located to the rear (looking onto Main Street and Forster's Way). The bedroom sizes range between 11.7 and 14 square metres. The living/dining room accommodation are between 19 and 20 square metres while the kitchens are between 7.3 and 7.5 square metres in size. Balconies are to be provided overlooking the internal public open space and for each of the bedrooms on the eastern rear elevation.

- In terms of public open space the internal garden area amounts to 185 square metres. In terms of private open space the balcony areas for each of the apartments range between 10 and 13.7 square metres in size.
- The apartments are accessed via a central stairwell and lift within the communal open space and a walkway is provided at each level above the open space area.
- The five storey building rises to a height of just over 15 metres. The external finishes include brickwork, panelling, and triple glazed windows and glass and steel handrails for the balcony areas. Full details of the external finishes are indicated on drawing PL-04.

4.0 PLANNING AUTHORITY'S DECISION

The application was lodged with the Planning Authority on 29th June 2015.

A report from the **Water Services Division** states that there is insufficient information in relation to surface water drainage. A report from **Irish Water** also requests that the further information be submitted. A report from the **RPA** states that the proposed development falls within an area set out for the Metro North Section 49 Scheme and that if the above application is successful a supplementary condition under the provisions of Section 49 should apply.

A report from the **Transportation Section** notes that while the proposed development complies with the car parking requirements set out in the Development Plan, it is stated that accessibility to the spaces is very restricted. However as the proposal is located in the town centre with

on street pay and display and good public transport - visitor parking associated with the development could be omitted bringing the required parking quantum to 24 parking spaces.

Concern is expressed that the proposed car lift would lead to congestion at the site entrance, and visibility for drivers and pedestrians at the proposed entrance is very restricted and this would cause a traffic hazard. Additional information is required including a revised car park layout with access to the car park via a ramped system as opposed to a car lift system.

A report from the **Environmental Health Officer** states that the proposed development is acceptable subject to conditions.

The **Planner's Report** sets out the site location and description, the proposed development and the planning history associated with the site. Reference is also made to the policies and provisions contained in the Fingal Development Plan and the Swords Master Plan 2009. It notes that the proposed development does not comply with Objective UD01 which requires a design appraisal for all developments in excess of five residential units. The report notes that in general, the proposed development is in compliance with room standards however the floor to ceiling heights are below the requirements set out in the Development Plan. Concern is also expressed in relation to the limited storage space provided for each of the apartments. Private and public open space provision is deemed to be acceptable. However the suitability of the amenity space is deemed to be unacceptable with very little sunlight penetration.

The proposed development is also contrary to the Swords Master Plan which provides for an indicative height strategy of one to three storeys on the Main Street and three to five storeys on the Fosters Way. It is noted that very little detail is given with regard to the elevational treatment as this is particularly important having regard to the prominence of the site in the context of Main Street. It is concluded that the proposed development should be refused permission on the basis of the substandard nature of private open space provision and the impact on the visual amenity of the area as well as issues in relation to traffic hazard/congestion and non-compliance with the Sanitary Services Acts. Fingal County Council issued notification to refuse planning permission for five reasons which are set out below.

1. *Having regard to the existing pattern and form of development on Main Street, Swords it is considered that the proposal to provide a five-storey mixed use block on the subject site would be at variance with the character of the area and would be visually obtrusive when viewed from the Main Street. The proposed scale and height of the structure would in out of keeping with the neighbouring structures along this carriageway and would fail to integrate in a satisfactory manner with the established form of development along this section of Main Street. The proposal would result in a development which would be visually obtrusive at this location and would as a consequence, seriously injure the visual amenities of the area and be contrary to the proper planning and sustainable development of the Main Street in Swords.*

2. *The location of public areas of open space and private balconies centrally within the site, would by reason of their location and relationship to existing neighbouring properties, result in the provision of substandard private amenity space which would be poorly lit and which would suffer from prolonged overshadowing. The residential element of the Scheme would therefore be afforded poor levels of amenity which as a consequence would seriously injure the amenities of future residences and would be contrary to the proper planning and sustainable development of the area.*

3. *The proposed development would be substandard having regard to;*
 - (a) *the restricted levels of intervisibility between drivers and pedestrians at the proposed site entrance at Fosters Way and;*
 - (b) *the failure of the applicant to demonstrate that the development may be appropriately serviced by a car lift without resulting in prolonged periods of congestion during both the operation of this feature and during times of maintenance. As a consequence, the development as proposed gives rise to the potential to create traffic hazard at this proposed site entrance and the creation of an unacceptable level of traffic congestion on Fosters Way.*

4. *The proposed development does not comply with Objective RD14 of the Fingal Development Plan 2011-2017 which requires a minimum floor to ceiling height of 2.7 metres in apartment units except in cases where the relaxation in height can be strongly justified in terms of high quality of design where it can be demonstrated to be*

appropriate. The proposed development provides for floor to ceiling heights of 2.45 metres to serve apartment units. The proposed development would contravene materially an objective indicated in the Fingal Development Plan and would provide for a substandard level of residential amenity.

5. *The applicant has failed to demonstrate to the satisfaction of the Planning Authority that the development may be appropriately connected to existing drainage infrastructure. Having regard to the lack of adequate information submitted with respect to the proposed foul sewer and surface water drainage system for this development, the development as proposed would be prejudicial to public health and contrary to the proper planning and sustainable development of the area.*

5.0 PLANNING HISTORY

One appeal history file is attached. Under reg. ref. P0F.220837 Fingal County Council issued notification to grant planning permission for the demolition of the existing house on site and to construct a mixed use development comprising of two retail units at ground floor and basement level, two restaurant units at first floor level and office units at second and third floor level with an additional office unit to the front of the building fronting onto Main Street at fourth floor level. The decision of Fingal County Council to issue notification to grant planning permission was subject of a third party appeal. One of the issues raised in the third party appeal was the impact of the proposed development on the internal amenity of the existing offices to the immediate north by way of overshadowing, loss of natural light and visual intrusion. The Inspector recommended that the decision of the Planning Authority be overturned and planning permission be refused for the proposed development. However the Board upheld the decision of the Planning Authority and granted planning permission for the proposed development.

Details of two planning applications relating to the premises fronting onto Main Street to the south of the subject site are also contained in a pouch to the rear of the file. Details of other planning applications in the area are also referred to in the Planner's Report.

6.0 GROUNDS OF APPEAL

The decision was subject to a first party appeal. The grounds of appeal are outlined below.

In terms of height and mass, it is stated that the proposal is taken from the precedent set in the previous grant of planning permission under PL06F. 220837. The impact on the streetscape in terms of the overall size and mass is appropriate. The proposal should be seen in the context of the existing building to the immediate south. The elevational treatment breaks down the overall size and scale of the building by introducing brick elements and balcony spaces. The elevations in this instance are well considered and add to the architectural streetscape of the Main Street. The existing house on site represents an anomaly within a modern town centre. Reference is also made to the civic offices to the north which are taller than the application proposed. It is reiterated that a positive decision was given in respect of the previous application on site which was of a greater height than that currently proposed.

In respect of the second reason for refusal, it is stated that the internal courtyard is an open area in excess of 22 metres between opposing windows. This is the normal separation distance for most planning authorities including Dun Laoghaire Rathdown County Council and Fingal County Council. The applicants have successfully designed this type of inner courtyard in other developments and it represents a good urban public space.

With regard to the car access lift, it is stated that this proposal is in line with European standards and has been used elsewhere in the city. Reference to the back-up of traffic does not appear to be based on facts. Fosters Way is a street that exists to provide parking and does not act as a main thoroughfare and therefore the back-up referred to would be no greater than the access through a ramp. However if there is a requirement for a second lift to be installed this could be facilitated.

The apartments are designed to have a floor to ceiling height of 2.45 metres which is above normal floor to ceiling height for this type of use and it is considered that extending this height will result in little, if any, benefit for the day to day uses of the building.

The last reason for refusal relates to drainage. It states that the layout of drains are in line with the agreed layout under the previous application granted under PL06F.220837.

By way of conclusion it is stated that the proposal constitutes good and sustainable planning and development. The proposal provides for 16 residential units substantially in accordance with Development Plan objectives for apartments and commercial units in the area. The distance between the blocks in this instance is in excess of the normal distance required between residential units and the open space contained within the development represents good urban space. It is stated that the other reasons for refusal cited can likewise be readily overcome. The Board is therefore recommended to grant planning permission.

7.0 APPEAL RESPONSES

Fingal County Council submitted a response to the grounds of appeal and it is summarised as follows:

The previous grant of planning permission on site (F6A/0198 – PL06F220837) related purely to a commercial development and this is a residential development. Residential amenity is therefore a key consideration in such development. The proposal gives rise to excessive overshadowing which would provide a poor level amenity for future residents. The constraints of the site do not allow an increase in separation distance between residential units.

Subsequent to the previous grant of planning permission, Fingal County Council adopted the Swords Strategic Vision in 2008 and the Swords Master Plan in 2009. The Master Plan shows an indicative height strategy of 1-3 storeys for development along the Main Street and heights of 3-5 storeys to the rear. Fosters Way (to the rear of the site) is intended to be developed as a high quality urban streetscape and not just an access route to car parking in the area. It is important to ensure that adequate vehicle/pedestrian visibility is provided in the interest of safety. While a proposed infill development is welcomed on the site, it is crucial that the level of residential amenity afforded to residents is of a high standard which complies with Development Plan standards. In the event that the appeal is successful, the Council requests that a financial contribution be made in accordance with the Council's Development Contribution Scheme.

7.1 Observation

An observation was received from Transport Infrastructure Ireland. It states that if the Board are to overturn the decision of the planning authority and grant planning permission for the proposed development, a Supplementary Contribution as adopted for the Metro North Scheme under the provisions of S. 49 of the Act should be applied in this instance.

8.0 DEVELOPMENT PLAN PROVISION

The site is governed by the Fingal Development Plan 2011-2017. The site is governed by the zoning objective "MC" '*to protect, provide for and improve major town centre facilities*'. The vision under this zoning objective is to consolidate the existing major towns in the county (Blanchardstown, Swords and Balbriggan). The aim is to further develop these centres by densification of appropriate commercial and residential developments ensuring a mix of commercial, recreational, civic, cultural, leisure, residential uses and urban streets while delivering a quality urban environment which will enhance the quality of the life of the resident, visitor and work is alike. In order to deliver this vision and to provide a framework for sustainable development, master plans will be prepared for each centre in accordance with the Urban Fingal Chapter objectives.

Section 7.4 relates to residential development in urban areas.

Objective UC01 seeks to develop a hierarchy of high quality vibrant and sustainable urban centres including the development and enhancement of Swords as the county town of Fingal.

In terms of apartment sizes two bedroom apartments (accommodating four persons) need to have a minimum gross floor area of 73 square metres, a minimum main living room of 13 square metres, a minimum total bedroom area of 25 square metres and a minimum storage area of 7 square metres.

High levels of daylight and sunlight should be provided for good levels of amenity for residents. Objective OD13 requires the development to comply with BER Guidelines (1991).

Objective OD14 requires a minimum floor to ceiling height of 2.7 metres in apartment units except in cases that a relaxation in height can be strongly justified in terms of high quality design where it can be demonstrated to be appropriate.

In terms of private open space, Objective OS 40 requires a private balcony roof terrace or winter gardens for all apartments and duplexes above ground floor level with a minimum 2.5 square metres per bed space and a minimum of 5 square metres per apartment.

9.0 SWORDS MASTER PLAN

The Swords Master Plan was adopted in 2009. The most important criteria set out in the Master Plan in the context of the current application and appeal before the Board relates to the indicative height strategy for the various streets within the town Section 3 of the Master Plan sets out policies in relation to the traditional town centre. It seeks to encourage quality design and to create a new coherent architectural language for Swords that respects the town centre. In terms of building height and massing, it is noted that traditionally Swords is developed to consistent building heights of 2-3 storeys creating appealing unity about the town as a whole.

Section 10.3 of the Plan sets out the heights and massing strategy for town centre key areas. The historic town core and civic quarters states that the design of all new developments along the existing Main Street are to respect the existing parapet heights of 1-3 storeys however this height may graduate to 3-5 storeys away from the Main Street with frontage onto Fosters Way/New Street and the new river walk where topographical changes allow increase in height.

10.0 PLANNING ASSESSMENT

I have read the entire contents of the file and have had particular regard to the reasons for refusal issued by Fingal County Council and the grounds of appeal contesting these reasons for refusal. I consider the pertinent issues in determining the application and appeal before the Board as are follows:

- Height and scale of proposed development.
- Amenity space provided.

- Traffic Considerations
- Internal layout of apartments
- Services

10.1 Height and Scale of the Proposed Development

The grounds of appeal argue that the previous decision issued by both Fingal County Council (Reg. Ref. 06A/0198) and by An Bord Pleanála (under Reg. Ref. PL06F.220837) provides a relevant precedent for a building on the size and scale proposed on the subject site.

It is important to note that the decision issued by both the Planning Authority and the Board was made prior to the adoption of the Master Plan for Swords. It was a policy in both the previous Development Plan and the current plan for Fingal that master plans be prepared for the three largest towns in the county (Swords, Blanchardstown and Balbriggan). The master plan for Swords was adopted in 2009. Section 10.3 of this Master Plan quite clearly indicates in respect of building heights that the design of all new developments along the existing Main Street are to respect the existing parapet heights of 1-3 storeys. I would consider such a policy to be appropriate in design terms having regard to the fact that Main Street, on the whole, comprises of predominantly two-storey buildings which in many cases utilise the traditional older commercial and residential buildings fronting onto the Main Street.

Having regard to the height and scale of the contiguous buildings to the subject site a reasonable case could be made for incorporating a three-storey structure on the subject site however I consider a five-storey structure to be contrary to the overall vision set out in the Master Plan. The Master Plan does offer scope to permit a larger quantum of development to the rear of the site facing onto Forster's Way. The elevation to the rear of the site therefore could accommodate a building in excess of three storeys.

Overall therefore I would agree with the Planning Authority's conclusion that the development as proposed would be visually obtrusive and set an undesirable precedent for infill development along Swords Main Street. The Planning Authority's first reason for refusal is therefore deemed to be a valid reason for refusal in my opinion.

10.2 Amenity Space

The second reason for refusal cited by the Planning Authority refers to the lack of quality public amenity space provided as part of the development. The adjacent buildings on either side of the site which are three to four storeys in height will significantly exacerbate overshadowing and reduce sunlight penetration to the proposed internal courtyard. The size and scale of the buildings to the south will be particularly problematic in this regard. While no detailed shadow casting analysis has been undertaken, there can be little doubt that, having regard to the close proximity of high buildings to the immediate south together with the five-storey nature of the apartment blocks proposed at either end of the subject site, large scale sunlight penetration onto the ground floor of the inner courtyard would only occur during the midday period during the summer months.

The grounds of appeal make reference to similar type developments which have been permitted in Dublin City Council and Dun Laoghaire Rathdown County Council. The photographs incorporated into the appeal submission indicate that the residential blocks in question are three storeys in height and not five storeys. It also appears that the buildings in the vicinity of the site are of a similar three-storey height and not of three to four storey height as in the case of the appeal. While it is not altogether clear from the photographs incorporated into the text in the grounds of appeal which are used as an illustration as to how a courtyard amenity may be acceptable, it appears that the internal dimensions of the courtyard used in the example, may be somewhat greater than the 11 metres. The 11 meter width in the case of the current appeal site appears to offer less potential for sunlight and daylight penetration at ground floor level. It should also be noted that the proposed development seeks to incorporate elevated walkways at each level to serve the apartments and these walkways are located centrally above the open space area. This will further reduce and exacerbate problems associated with sunlight and daylight penetration.

In conclusion therefore I would concur with the Planning Authority that the communal open space provided, while meeting quantitative standards, would not meet qualitative standards in providing a bright spacious inner courtyard amenity area due to the restricted dimensions of the courtyard together with the close proximity of large buildings surrounding the site.

With regard to overlooking, the grounds of appeal argue that the proposal complies with the standards set out in National Guidelines for Sustainable Residential Development in Urban Areas and also comply

with the standards set out in the Development Plan, namely meeting the separation distance of 22 metres between opposing windows. The Board will note in this instance that the separation distance between opposing windows meet the minimum criteria of 22 metres, however the separation distance is somewhat reduced to circa 18.1 metres between opposing balconies. Furthermore I note that objective OS35 of the Fingal Development Plan seeks to ensure a minimum standard of 22 metres between directly opposing first floor windows however the Development Plan Objective goes on to state that, in the case of residential development of over two storeys, minimum separation distance shall be increased in instances where overlooking or overshadowing occurs. The proposed development in this instance is five storeys and having regard to the level of overshadowing which will occur and the direct orientation of opposing windows between habitable rooms and private outdoor balconies, I consider a case could be made for increasing the separation distances in the upper floors above the minimum standard of 22 metres in this instance. Therefore in my view issues in relation to overlooking further diminish the amenity associated with future occupants of the development.

10.3 Traffic Considerations

The third reason for refusal expresses concerns in relation to the restricted levels of intervisibility between drivers and pedestrians at the proposed site entrance on Fosters Way. The second part of the reason expresses concerns in respect of the proposed car lift which could give rise to congestion issues during peak times or during a breakdown/routine maintenance of the car lifts. I note the report from the Transportation Planning Section of Fingal County Council. While this report expressed concerns in relation to access to the proposed basement car parking, it did not recommend a refusal of planning permission on these grounds but merely requested further information. I would agree with the concerns expressed by the Transportation Planning Section. The proposed lift would lead to congestion at the site entrance during peak periods and it is likely that traffic would have to queue, either within the car park, or on the carriageway in order to obtain access out of or egress into/out of the basement levels during peak periods. Visibility issues for drivers egressing the car park could also give rise to pedestrian driver conflict. The transport department suggest that the option of a standard access ramp with all parking on one level should be explored. However it is not at all apparent whether this option would provide a viable alternative to car parking arrangements having regard to the inherent constraints of the site and the amount of space that would be used up by internal ramps providing

access to car parking spaces. In the absence of viable car parking and access arrangements been provided, I would consider that the parking and traffic arrangements as proposed to be unacceptable and I would recommend that this reason for refusal be retained.

10.4 Internal Layout of Apartments

The fourth reason for refusal states that the proposed development does not comply with Objective RD14 of the Fingal Development Plan 2011-2017 which requires a minimum floor to ceiling height of 2.7 metres. In the case of the current application and appeal, the proposed development provides a floor to ceiling height of 2.45 metres.

The proposed development meets the internal space requirements and minimum room sizes set out in Table RD02 and RD03 of the Fingal Development Plan. However the minimum standards are only marginally exceeded in the case of the proposed two bedrooled apartments. Policy objective RD14 requires a minimum floor to ceiling height of 2.7 metres in apartment units except in the cases where a relaxation in height can be strongly justified in terms of high quality design or where it can be demonstrated to be appropriate. I have argued above my assessment and the overall design gives rise to adverse amenity issues, particularly in terms of access to daylight and sunlight and overshadowing issues. The reduction in the minimum floor to ceiling height from a specified standard of 2.7 metres in the Development Plan to 2.45 metres in this instance would only exacerbate these problems and cannot in my view be justified in this instance. Having regard to the site constraints and the quantum of development proposed, a reduction of floor to ceiling heights is not justified in this instance and therefore contravenes objective RD14 of the Development Plan.

10.5 Services

The final reason for refusal cited by the Planning Authority refers to inadequate information with regard to drainage infrastructure, in the absence of such information, it is therefore considered that the proposed development would be prejudicial to public health. I note the contents of both the Water Services Section by Fingal County Council and the report on file submitted from Irish Water. Both reports, rather than recommending a refusal of permission in this instance, considered that further information should be sought. Neither report expressed concerns in relation to the capacity of the infrastructure to cater for the

proposed development but merely sought further details as to how the development was to be serviced with regard to surface water infrastructure and foul drainage infrastructure. I further note that under the previous application which was granted by the Board (PL06F.220837) no such concerns were expressed in relation to water and drainage infrastructure. If the Board are minded to grant planning permission in this instance it would be more appropriate in my view to seek additional information regarding the issues raised in the reports issued by Irish Water and the Water Services Department rather than recommending refusal of planning permission on the grounds of adequate drainage structure.

CONCLUSIONS AND RECOMMENDATIONS

Arising from my assessment above I consider the decision of the Planning Authority to issue notification to refuse planning permission should be upheld by the Board for reasons relating to visual amenity, residential amenity and traffic considerations.

DECISION

Refuse planning permission for the proposed development based on the reasons and considerations set out below.

REASONS AND CONSIDERATIONS

1. It is considered that the proposed development by virtue of its overall size and scale would be at variance with the character of Swords Main Street and would be visually obtrusive and out of keeping with the size and scale of existing buildings along Main Street. The proposed development would therefore be visually obtrusive at this location and would seriously injure the visual amenities of the area. Furthermore the proposal would be contrary to the stated policy of the Planning Authority as set out in the Swords Master Plan (2009) which seeks to restrict heights of buildings to 1 to 3 stories along this section of the Main Street. The proposed 5 storey block would exceed the stated aims of the Master Plan and would therefore be contrary to the proper planning and sustainable development of the area.

2. It is considered that the proposed layout and design of the proposed apartment development would produce a cramped and substandard form of development with inadequate floor to ceiling heights within the individual apartments and would provide substandard communal open space for the occupants of the proposed apartments by reason of excessive overshadowing and inadequate daylight and sunlight penetration. The proposed development would therefore seriously injure the amenities of occupants of the proposed apartment blocks and would be contrary to the proper planning and sustainable of the area.
3. Having regard to the prominent location of the site and the established built form and character of Swords Main Street it is considered that the proposed development consisting of a five-storey building would be incongruous in terms of design and would be out of character with the streetscape and would set an undesirable precedent for future development in the area.
4. It is considered that the proposed development would endanger public safety by reason of a traffic hazard because of the poor vision splayed afforded to traffic egressing onto Fosters Way from the proposed car lift to service the development. Furthermore queuing for the proposed car lift for traffic accessing the basement car park associated with the proposed development could give rise to on-street traffic congestion and would therefore interfere with the operation and free flow of traffic along Fosters Way. The proposed development is therefore contrary to the proper planning and sustainable development of the area.

Paul Caprani,
Senior Planning Inspector.

9th December, 2015
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