



An
Bord
Pleanála

Inspector's Report

ABP-306585-20

Development	Construction of hotel, comprising 104 bedrooms, demolition of an existing, two storey, pitched roof building within the sites.
Location	76 Main Street, Swords, Co. Dublin
Planning Authority	Fingal County Council
Planning Authority Reg. Ref.	F19A/0527
Applicant	TrueFiction Limited
Type of Application	Permission
Planning Authority Decision	Refuse permission (4 no. reasons)
Type of Appeal	First Party
Appellant	TrueFiction Limited
Date of Site Inspection	05/05/2020
Inspector	Conor McGrath

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1.0 Site Location and Description

- 1.1. The appeal site is located at the southern end of Swords Main Street, opposite the Garda Station and the Main Street frontage of the Pavillions shopping centre. The site, with a stated area of 0.137ha, has frontage of approx. 23m to Main Street and extends for up to 73m toward Well Road to the west. The site is currently occupied by a two storey commercial premises fronting Main Street, and rear car park. The site is generally level and hard paved. Between the rear boundary wall of the car park and the footpath on Well Road there is a difference in levels of approx. 5-6m, comprising a vegetated slope. The frontage to Well Road is formed by a high stone wall. The junction of Well Road and Church Road lies to the west.
- 1.2. To the north of the site on Main Street is *The Borough* hotel and public house, which is a protected structure. This is set back from the street behind a surface car park and courtyard. To the south of the site at the corner of Well Road and Main Street is a single-storey paint and wallpaper showroom and car park. To the rear of *The Borough*, on Well Road, lands are occupied by a modern venue and brewery, the Chalk Bar.

2.0 Proposed Development

The proposed development comprises the demolition of existing structures on the site and construction of a 104-bedroom hotel over four-storeys generally, with two levels of basement car parking. At ground floor level, the development provides limited catering / café facilities. Access to the basement car park is to be from Well Road, which will accommodate 52 no. spaces. On this frontage, the development is provided as three storeys of accommodation over double height function room and car park entrance. It is proposed to provide a pedestrian route along the southern side of the hotel toward the rear boundary.

3.0 Planning Authority Decision

3.1. Decision

The planning authority decided to refuse permission for the proposed development for 4 no. reasons, as follows:

1. The development is contrary to the urban design guidelines laid down in the Swords Masterplan 2009 by way of insensitive design, poor street animation, overly bulky scale and mass, over-bearance on neighbouring properties (RPS No. 357 being a protected structure) and Well Road to the rear/west. As such, the development is contrary to Objective Swords 4 which seeks to promote the development of lands within Swords town centre in accordance with the principles and guidance laid down in the Master Plan and Objective Swords 2 which seeks to promote the development of active ground floor uses and limiting the expansion of certain non-retail and inactive street frontages. As such the proposed development would seriously injure the amenities of the area.
2. No set-down/ layby area is proposed to the front or rear elevation of the site along Main Street or Well/Church Road. The provision of an insufficient set-down area on a busy Regional Road (R836) serving a mixed-use development would give rise to traffic congestion in this area and endanger public safety by reason of traffic hazard.
3. The development is premature pending the agreed design of the proposed link road (indicated in the Development Plan i.e. Main Street to Brackenstown Road). In addition, the proposed pedestrian footpath along the southern boundary appears incomplete with no linkage to Well Road to the west.
4. The proposed development by reason of its position directly abutting the relatively narrow footpath and its excessive height of over 18m would seriously injure the amenities of the area. In addition the proposed development would infringe the existing building line along Church Road.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The design and scale is not sympathetic to the adjoining protected structure and streetscape of Main Street and Church Road which have different character. Hotel use is permissible in principle. The difference in levels increases over-bearance and massing especially to the rear. No roof plan or details of plant is provided, while external finishes are not fully detailed. Discrepancies in elevation drawings require clarification. The northern pedestrian walkway would have an uncomfortable cavernous effect. Engineering drawings are incorrectly scaled. Proposed north facing courtyards would be of limited value to hotel users. No sunlight / daylight analysis of impacts on properties to the north has been submitted.

Function rooms are provided with an opening to the adjoining lands to the north and clarity is required with regard to the extent of the landholding. Upper floor balconies may create issues of overlooking. There is a lack of animation to the southern elevation and the proposed southern pedestrian link stops short of Well Road, failing to achieve permeability / connectivity. The design does not comply with section 3.4 of the Swords Masterplan.

Proposed rear elevation design does not engage with the Well Road area or respect the building line or scale in this area. The block immediately adjoins and overhangs the footpath. Height should be reduced and a set-back from the footpath provided. The development would result in loss of potential for active frontage to the southern and western elevations. No access to the hotel from the west is provided. No set-down / loading area, bicycle parking or delivery entrance is provided. Substantial redesign would be required to facilitate the proposed link road through the site.

Overall use is welcomed, however, the visual appearance is insensitive to this location and protected structures. Elevation, scale and access and animation to Church Road is not acceptable. Refusal recommended.

3.2.2. Other Technical Reports

- Conservation Officer: New contemporary insertions into this street should develop a consistency in form, finish and proportions to relate better to their

setting and each other. Church Road was the historic ecclesiastical core of the settlement.

A taller scale building on this site should be of simple design, not overly dominant to the Borough school. The design and materials are questionable, creating a heavy and prominent expression to the building. Details of materials / finishes are insufficient. There are inconsistencies between plans and elevations. The Church Road elevation should be scaled down. A suite of visualisations should be submitted given the potential for significant visual impacts. Clarification or amendment sought in relation to a range of matters.

- **Transportation Planning:** Parking provision is adequate given future provision of Metro Link and bus services linking to the airport. A future road link would have to be accommodated through the site, and provision for this road is inadequate. The scheme should be amended to accommodate delivery of the link road or the matter should be resolved by way of a separate application.
- **Water Services:** Refer to Irish Water. No objection to surface water drainage proposals subject to condition.
- **Environment and Water Services:** Conditions recommended.
- **Archaeologist:** No objection on archaeological grounds.
- **Environmental Health Officer:** Acceptable, subject to conditions.
- **Environmental Health, Air & Noise Unit:** Acceptable subject to conditions.
- **Parks and Green Infrastructure:** No objection subject to conditions.

3.3. Prescribed Bodies

- **Fáilte Ireland:** Additional hotel accommodation is required to meet anticipated demand. The proposed development is supported in principle.
- **Dept. of Culture, Heritage and the Gaeltacht:** Conditions recommended regarding pre-development archaeological testing of the site.
- **Irish Water:** No objection.
- **Inland Fisheries Ireland:** No objection subject to conditions.

3.4. Third Party Observations

One third party submission was received on the application which raised the following issues:

- Uncertainty regarding the relationship of the function room with the adjoining lands to the north.
- Impact on traffic on Church Road and inadequate sightlines at the car park entrance due to parking along adjoining roads.
- Possible additional basement ventilation requirements in the future.
- Deficiencies in public notices regarding licensed nature of the premises.

4.0 Planning History

4.1. Subject site:

- PA ref. F01/0916: Permission granted for existing structures on the appeal site.

4.2. Adjoining sites:

- ABP ref. ABP-306771-20: Concurrent Strategic Housing application for demolition of existing buildings and construction of 172 no. apartments, childcare facility and associated site works southwest of the appeal site at the site of the former Lord Mayor's Public House, with frontage to Main St and Church Road.
- PA ref. F18A/0428 ABP ref ABP-302724-18: Permission refused for an aparthotel (109 no. units) and associated works at no. 6 Malahide Road, east of the appeal site, on the basis of inadequate provision for car parking, deliveries and set-down/ pick-up, overdevelopment, and substandard accommodation and lack of detail demonstrating use solely for tourist related purposes.
- PA ref. F15A/0308: Permission granted for a new brewery building, bar (347m²) and associated works to the south of the existing Old Schoolhouse (Protected Structure), to the north of the appeal site – The Chalk Bar. Submissions on the file suggest that this is now in use as a music venue.

5.0 Policy Context

5.1. Fingal County Development Plan 2017-2023

The appeal site is zoned MC – Major Town Centre – protect, provide for and or improve major town centre facilities. Hotel use is permissible in this zone.

The town centre area is identified as a zone of Archaeological Potential. The site is traversed by a proposed road line running west from Main Street.

Chapter 4 sets out the development strategy and objectives for Swords, including:

Objective SWORDS 1: Encourage a range and quality of retail, commercial, civic, cultural, leisure, community and other services commensurate with the role of Swords Town Centre as a Metropolitan Consolidation Town.

Objective SWORDS 2: Retain the Main Street as the core of the town centre, protect and enhance its character and ensure that any future new commercial and retail development reinforces its role as the core area of the town centre, by promoting the development of active ground floor uses

Objective SWORDS 4: Promote the development of lands within Swords town centre in accordance with the principles and guidance laid down in the Swords Master Plan (January 2009).

These objectives are reflected in the Economic Development Policies of the plan ED40, ED41 ED53, ED54.

Objective ED58: Promote and facilitate tourism as one of the key economic pillars of the County's economy and a major generator of employment and to support the provision of necessary significant increase in facilities such as hotels, aparthotels, tourist hostels, cafes and restaurants, visitor attractions, including those for children.

Objective MT41: Seek to implement the Road Improvement Schemes indicated in Table 7.1 within the Plan period, subject to assessment against the criteria set out in Section 5.8.3 of the NTA Transport Strategy for the GDA, where appropriate and where resources permit. Reserve the corridors of the proposed road improvements free of development.

Table 7.1 includes the Swords-Brackenstown Link running east-west through the site.

5.2. Swords Masterplan 2009

This plan is integrated into the County Development Plan under Swords Objective 4.

The appeal site is located within the Historic Town Core / Main Street Development Area. Within this area, backlands to the west of Main Street (fronting the Ward River Walk) and key strategic infill sites are identified in the Masterplan and present an opportunity for future redevelopment.

Section 3.4.1 sets out urban design principles for the Retail/Commercial Core, these include:

- Land use: Promoting active ground floor uses along Main Street.....and ...aim to diversify the current evening economy offer.
- Safety and Security: The backland areas east and west of Main Street are vulnerable in terms of safety and security. Buildings should front onto streets and laneways should be well lit and in certain cases covered by CCTV.
- Protected Structures: The Town Centre is a sensitive area for new architecture, where the public realm quality is more noticeable. New buildings and public realm improvements should compliment the existing protected structures, historic streetscape and high quality of architecture.
- Urban Grain: Use existing urban grain dimensions to guide new development. For the retail/commercial core maintain the prevailing building width of 8m-10m to the western edge of Main Street and a width of 15-20m to the eastern edge. New development can address this grain through facade design with variations in the facade composition to echo the historical grain pattern.
- Quality of Building Frontage and Orientation: To the backlands west of Main Street propose new infill development with a positive orientation and frontage to the River Ward.
- Building Height and Massing: Main Street has developed with buildings of two storeys. The prevailing roof height should generally be maintained. Flat roofed

infill development should be rejected especially at the western edge of Main Street. The consistent storey heights should not be broken by inappropriately tall buildings.

Backland areas adjacent to the River Ward to the west of Main Street are the most suitable area for buildings of up to five storeys (approx 16m), given its topography relative to the Main Street. Proposals should be subject to a visual assessment to ensure that the integrity of the Main Street is not compromised.

- Architectural Features: Design principles are identified including Building Proportion, Roofs and Chimneys and Shop fronts. This includes the avoidance of flat roofs to the western edge of Main Street.

The appeal site includes part of Opportunity Site no. 4 for which building heights of 2/3 storeys fronting Church Road / Well Road are identified, stepping down to the northwest.

Section 10.0 sets out the Town Centre Heights Strategy noting 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 Main Street.

5.3. Urban Development and Building Heights Guidelines for Planning Authorities

- 5.3.1. It is Government policy that building heights must be generally increased in appropriate urban locations. There is therefore a presumption in favour of buildings of increased height in town / city cores and in other urban locations with good public transport accessibility. The Guidelines identify broad principles to be considered for buildings taller than prevailing building heights in urban areas and criteria for consideration at the level of the City / town, district / neighbourhood / street and the site / building.

5.4. Natural Heritage Designations

The appeal site is not designated for any nature conservation purposes. The closest sites are Broadmeadow Estuary SAC (000205) and SPA (004025) approx. 1.5km northeast of the appeal site. Other coastal and marine sites are located within 5-7km of the appeal site, however, these are not directly connected to the site.

5.5. EIA Screening

The appeal site comprises approx. 0.137ha, located within the established town centre of Swords. The site is served by existing mains water and sewerage services. The development does not exceed the thresholds for EIA set out in Schedule 5 of the regulations.

Having regard to the limited nature and scale of the proposed development and the absence of any significant environmental sensitivity in the vicinity / the absence of any connectivity to any sensitive location, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

6.0 The Appeal

6.1. Grounds of Appeal

TrueFiction Limited make the following points in their appeal against the decision to refuse permission for the proposed development, which appeal was accompanied by revised design proposals for the proposed development:

- This underutilised site is in an area that has undergone or will be subject to redevelopment in the near future.
- There is demand for hotels, which are a key component to regeneration of central areas, strengthening the attractiveness of the town centre.
- A 4-storey development is justified on this site having regard to the current urban environment and guidelines on building height.

- Reason no. 1 does not reflect the surrounding pattern of development and the potential for redevelopment in the area.
- Ground floor café use can be relocated to a more prominent position to add visual interest on the street.
- Goods, service vehicles and bicycle parking will be accommodated in the basement car park, however, revised proposals include a lay-by on Main Street.
- It was considered that the link road was unlikely on feasibility grounds.
- Pending a feasibility study on the road, revised proposals provide a 5m set-back along the southern boundary. The proposed southern pedestrian link will be provided to Well Road.
- If the route is dropped during the appeal period, the original scheme should be considered for permission.
- The difference in levels on the site dictate the form and layout of basement car parking and the design of the Well Road elevation.
- Scale and bulk to the Well Road elevation can be mitigation by omission of the third / top floor level and setting back the building line by 5m.
- Alternatively, a reduced parking requirement to 28 no. spaces would obviate the need for the second basement level and reduction in building height by one floor to 15m above pavement level.
- The building line on Church Road varies and the development should not have to adhere strictly to the line of the adjoining venue.
- Revised plans show the top floor on the Main Street frontage set-back 3m to read as a three-storey development.
- No plant will be provided at roof level.
- The revisions will result in the loss of 32 no. bedrooms (31%), substantially reducing the scale and mass of development.

6.2. Planning Authority Response

Fingal Co. Co. comment as follows on the first party appeal:

- The planning authority concur that the proposed use would contribute positively to the commercial mix.

- The revised proposals do not satisfactorily respond to the site context, presenting a blank ground floor façade to the new pedestrian footpath and do not address how it will respond to the change in levels across the site.
- This pedestrian route does not appear to be a through route to Well Road.
- A significant redesign, working with the grain of the landscape and streetscape, should be undertaken.
- The revisions do not respond to the established urban design guidelines for Swords Main Street.

7.0 **Assessment**

7.1. It is proposed to consider the appeal under the following broad headings:

- Land Use and Development Principle
- Design and Layout
- Access and Permeability
- Revised Design Proposals

7.2. **Land use and Development Principle**

7.2.1. The appeal site is located within the town centre, on lands zoned for Major Town Centre uses, wherein hotel use is permissible in principle. The applicants have outlined the case for hotel use in the town and the current lack of such accommodation in the area. Fáilte Ireland have indicated their support for the development in principle and the planning authority raise no objection in principle to the proposed use. The provision of a hotel in the centre of this large and growing town does appear to be an appropriate and acceptable use. The site is currently underutilised and existing structures thereon are not of particular merit. The redevelopment of the site is therefore regarded as appropriate.

7.3. **Design and Layout**

- 7.3.1. The site occupies a relatively important position at the southern end of the town centre, opposite the Malahide Road junction and immediately adjoining *The Borough*, a protected structure described in the NIAH as being of regional architectural, artistic and social interest. The set-back of this protected structure from the street give added prominence to existing structures on the appeal site. Along with the *Colourtrend* site to the south, the appeal site is one of the few potential redevelopment sites with significant frontage to Main Street. The site is also somewhat complex, given the relatively narrow width and difference in levels between the eastern and western road frontages.
- 7.3.2. The scale of development proposed for the site is significant. The block rises to four-storeys across the majority of the site, with high levels of site coverage and plot ratio for this location. Given the town centre location these would not necessarily be unacceptable, however, such scale of development would require a high standard of design and layout. I note also the specific design guidelines set out in the Swords Masterplan and the objectives of the development plan in this regard.
- 7.3.3. To the north of the site, the Borough is set back 23-27m from the boundary with Main Street and immediately adjoins the appeal site. The structure is elevated above street level such that it is effectively three-storey equivalent in height. The modern rear extension is two-storeys in height and does not feature in views from Main Street.
- 7.3.4. The proposed hotel extends approx. 20m east of the front of the protected structure toward Main Street, with a standard parapet height across the block approx. 4m higher than the ridge height of the Borough. While the northern elevation does address the courtyard of the Borough, I consider that the treatment of this elevation is over-elaborate. I do not concur with the submitted architectural design statement that the break-up of the block satisfactorily mitigates impacts of the development and consider that the overall mass and scale of the development would have an overbearing impact on the adjoining protected structure and would negatively impact on streetscape. Existing buildings on the site have an increased prominence due to the increase in levels on Main Street from north to south and the set-back of adjoining structures. In terms of streetscape, the height and form of the block would comprise an unduly dominant feature on the street and would not accord with the guidance set out in the masterplan for the town centre area.

- 7.3.5. While it is suggested that the separation from the protected structure and its courtyard will prevent overshadowing of the adjoining courtyard to the north, no studies of light and shadow impacts have been produced. I note that the proposed northern courtyard areas within the development site would suffer from their orientation in terms of daylight and sunlight. Similarly, the pedestrian route proposed along the northern site boundary would not constitute an attractive or user-friendly route, having regard to its width and the height of adjoining structures and walls.
- 7.3.6. The height of the hotel block steps down toward its western end. Given the prevailing ground levels, the frontage to Well Road would comprise three storeys of bedroom accommodation over double height car park entrance and function room accommodation. While this is regarded as the most appropriate location for an entrance to lower level car parking having regard to the levels on the site, this would detract from the treatment of this elevation and the level of active frontage which can be achieved. Revisions to the design and scale of this opening would be appropriate. At third floor level on the western elevation, a *Roof Terrace Pavillion* is identified on the plans, however, details of elevations and in terms of its function are deficient. It appears to serve as a lobby to the stairs on the south-western corner of the block.
- 7.3.7. The relationship with Well Road is regarded as poor. The proposed five-storey block extends to the inside of the adjoining footpath, beyond adjoining development to the north. Upper floor bedroom balconies overhang the footpath which is regarded as inappropriate, while the proposed car park entrance opens directly onto the pavement. I do not consider that there is an established building line on Church road which must be adhered to, however, an additional set-back from this frontage would be appropriate in the context of the scale of the block. I note that there is a current strategic housing application for development on lands to the west of Church Road, whose development would change the character of that road.
- 7.3.8. There is no public access to the hotel from Well Road. Function room accommodation faces onto the road, although the level of interaction with the road is low. Operationally, the positioning of this accommodation within the hotel would appear to be less than optimal in terms of accessibility. The layout provides what appears to be a fire exit opening onto the adjoining lands to the north, which lands lie outside the development site boundary. This exit conflicts with an existing external

stairway on the adjoining lands. Elevation drawings refer to links to the adjoining brewery site, with levels and circulation to be reviewed, however, no details in this regard are provided. I note that this was raised in third party observations on the planning application.

- 7.3.9. In conclusion, I would concur with the decision of the planning authority in this case and consider that the proposed development by reason of its scale and mass fails to have satisfactory regard to its context and would be detrimental to the streetscape and amenities of the area. The proposals would not accord with the urban design guidance set out in the Swords Masterplan 2009. I do not consider that the development satisfies the criteria of the Urban Development and Building Heights Guidelines at the scale of district / neighbourhood / street or of the site / building.
- 7.3.10. I consider that the level of design and material specification provided with the application in respect of this significant town centre intervention could be significantly improved in order to assist in the assessment of the proposal and additional contextual drawings / photomontages would be of particular assistance in this regard.
- 7.3.11. The appeal site is constrained and I note the development potential of the adjoining lands to the south. There would be merit in the consideration of a combined redevelopment proposal for these lands which could deliver a more efficient use of the lands and a consistency of design approach. It is recognised that this would be outside the remit of this case, however.

7.4. Access and Permeability

- 7.4.1. It is an objective of the development to provide a road link east-west across the site between Main Street and Brackenstown Road, across the Ward River. The plans lodged with the planning authority provide for an approx. 2.5-3m set back from the southern site boundary to accommodate such a route, which is overhung by upper floor hotel bedroom balconies. This is indicated as a pedestrian route between Main Street and Well Road, however, the route does not connect to ground levels on Well Road and is therefore effectively a cul-de-sac. It is clear from planning authority reports that this is not a sufficient reservation for this road link, which had previously

been advised to the applicants. The level of animation / interaction with this pedestrian route is low.

- 7.4.2. Correspondence on the file indicates that this road link is to be the subject of a feasibility study to determine its requirements, including its required width. The final levels of this road are not clear and where any material variation from existing ground levels on the appeal site was required, this may impact on the layout of development on the site. I would therefore consider that pending completion of this feasibility study, the proposed development would be premature and would potentially compromise the achievement of this development plan objective.
- 7.4.3. The development provides 52 no. basement car parking spaces, equating to one space for every two bedrooms. This is below the development plan standard of one space per bedroom, however, it was considered acceptable by the planning authority on the basis of its town centre location and proximity to existing and proposed public transport services, including Metro North. In this context, I would not regard the development as unacceptable.
- 7.4.4. Well Road is one way on the approach to Main Street, being two way on its northern end north, and the volumes of traffic travelling north along this road are limited. Access to the proposed car park will therefore be via Church Road, turning onto Well Road. The proposed car park entrance is located approx. 25m from the off-set junction of Well Road and Church Road. 45m sightlines are indicated in a northerly direction along Church Road. Visibility in a southerly direction along Well Road is deficient, however, having regard to the volumes of traffic travelling north along this road and the prevailing traffic speeds at this location, it is not considered that sightlines would be unacceptable. A greater set-back from the footpath edge would provide improved visibility and wait times for traffic exiting the car park, however.

7.5. Revised Design Proposals

- 7.5.1. I note the revised floor plans and elevation drawings accompanying the first-party appeal, which seek to address the planning authority reasons for refusal. These revisions include the following:

- A reduction of 32 no. bedrooms from 104 to 72 no. bedrooms.

- Third floor accommodation on the Main Street / eastern elevation is set-back by 4-6m.
- A set-back of 5m from the southern site boundary to provide for the proposed link road.
- A set-back of 5m from the Well Road boundary.
- A new-set down area is provided on the Main Street frontage.
- The Well Road frontage / western elevation is reduced in height by one floor.
- Amendments to the northern courtyard areas.

7.5.2. Comment:

The proposed revisions are considered to be significant in nature and scale. I note that there are inconsistencies in the scale and stated dimensions in the submitted plan and elevation drawings. The revised northern elevations do not reflect other submitted drawings. I note that no section drawings or basement level plans are provided in relation to the revised scheme. Having regard to these shortcomings, I do not consider that these proposals provide an adequate basis for a decision in this case. Notwithstanding this conclusion, I would make the following comments on these revisions:

- The revisions do provide for some improvements in terms of streetscape, however, the overall mass and bulk remain inappropriate, particularly adjacent to this protected structure and a more significant level of redesign remains appropriate for this location.
- The revised set-back from the southern boundary would appear to be sufficient to accommodate the proposed link road, however, pending clarity on levels on the proposed link road, the relationship with the proposed development remains unclear.
- While it is indicated in the appeal submission that the southern pedestrian link will be continued to Well Road, this is not shown on the plans and it is not clear how this would be achieved. This route remains as a cul-de-sac.

- The level of interaction with, and animation along, the southern elevation at street level remains low and while the appeal submission suggests otherwise, the layout of the Day Café does not interact with or not relate to the Main Street.
- On the northern elevation at the Chalk Bar, the issue of the proposed fire escape opening onto adjoining third-party lands to the north and potential conflict with an existing external staircase has not been resolved.
- While it is indicated that the ownership boundary extends to the inside of the public footpath, the plans do not reflect this. The new set-down area pushes the footpath area back into the site which will be partly overhung by upper floor balconies, which is regarded as inappropriate. I would raise a general concern with proposals for bedroom balconies to overhang pedestrian footpaths below and in the event of any decision to grant permission on the site I would recommend that this be subject to condition.

8.0 Appropriate Assessment Screening

- 8.1. The appeal site is located within Swords Town Centre and is currently in commercial use. The proposed development is to connect to mains water and sewerage services, discharging to Swords wastewater treatment plant. I note that this plant was subject to significant upgrade years in recent years and that the licencing of the plant by the EPA is itself subject to appropriate assessment. I note that Irish Water raised to no objection to the proposed development.
- 8.2. The site is almost completely hard paved currently and there is no evidence of current attenuation of flows from the site. The development proposes the storage and attenuation of discharge to greenfield rates, which should result in an overall reduction in peak flows from the site.
- 8.3. The appeal site is not designated for any nature conservation purposes. The closest European sites are Malahide Estuary SAC (000205) and SPA (004025) approx. 1.5km northeast of the appeal site. Other coastal and marine sites are located within 5-7km of the appeal site, however, these are not connected to the appeal site. The

site does not contain any habitats of conservation interest and does not function as an ex-situ roosting or foraging site for species of conservation interest.

- 8.4. It is reasonable to conclude that on the basis of the information on the file, which I consider adequate in order to issue a screening determination, that the proposed development, individually or in combination with other plans or projects would not be likely to have a significant effect on Malahide Estuary SAC (000205) and SPA (004025), or any other European site, in view of the site's Conservation Objectives, and a Stage 2 Appropriate Assessment and submission of a NIS is not therefore required.

9.0 Recommendation

- 9.1. That permission be refused for the proposed development.

10.0 Reasons and Considerations

1. The appeal site is subject to an objective of the Fingal County Development Plan 2017 – 2023 to provide a road linking Swords Main Street with Brackenstown Road. Having regard to the topography of the area and the difference in levels across the site, it is considered that the proposed development would be premature pending the determination of the layout and levels of this road and the relationship with the site. Furthermore, the proposed pedestrian footpath along the southern boundary fails to provide a satisfactory linkage to Well Road to the west. The proposed development would, therefore, contravene Objective MT41 of the development plan and would be contrary the proper planning and sustainable development of the area.
2. Objective SWORDS 4 of the Fingal County Development Plan 2017 – 2023 promotes the development of lands within Swords town centre in accordance with the principles and guidance laid down in the Swords Master Plan (2009). The appeal site is located in the retail / commercial core of Swords Town Centre as defined by that Master Plan. Having regard to the form, mass and

scale of the proposed hotel, the development would negatively impact on streetscape in the town centre and would have negative and overbearing impacts on the adjoining protected structure, The Old Borough, and lands to the west. The proposed development would therefore be contrary to the urban design guidelines laid down in the Swords Masterplan and the objectives of the development plan for the area. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Conor McGrath
Senior Planning Inspector

10/06/2020