



An
Bord
Pleanála

Inspector's Report

ABP-306955-20

Development	Construction of 85 houses and provision of a creche.
Location	Townland of Rowlestown West, Rowlestown, Co. Dublin.
Planning Authority	Fingal County Council
Planning Authority Reg. Ref.	F19A/0626
Applicants	Lomardale Ltd
Type of Application	Permission
Planning Authority Decision	Refuse Permission
Type of Appeal	First Party
Appellants	Lomardale Ltd.
Observers	Tommy Begg DAA Alwyn Byrne Rowlestown Residents Association
Date of Site Inspection	19 th June 2020
Inspector	Dolores McCague

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1.0 Site Location and Description

- 1.1.1. The site is located in the townland of Rowlestown West, Rowlestown, Co. Dublin.
- 1.1.2. The village of Rowlestown is in north Fingal approximately 9km north west of Swords and 9km east of Ashbourne, Co Meath. It is a small, spread out village with limited facilities or services. Such as they are they comprise a primary school, community hall, some commercial units and a church. Notwithstanding the limited scale of the services, there is a significant amount of housing in the settlement.
- 1.1.3. The site is located to the north of Church Road, a local road which now has residential development to the north and rural lands where housing development has been permitted, to the south; all east of the subject site.
- 1.1.4. Although generally flat, the land falls slightly southwards to the Broadmeadow River, which flows eastwards between Church Road and the R125 further south. The regional road follows the course of the river from Ashbourne.
- 1.1.5. What appears to be a recently constructed road to the east, runs north from Church Road, with a spur running west. This road provides access to a cemetery at its northern end and where it extends west forms the northern perimeter and access to a primary school, at the western end of the school a roundabout terminates the road. Here it abuts the subject site which is to the west and north and with other agricultural land, within the same ownership, to the north. The proposed access to the subject site is from this roundabout.
- 1.1.6. A short section of a narrow and old road joins Church Road to the main Ashbourne to Swords road (R125), crossing the Broadmeadow River via Rowlestown Bridge (protected structure). Church Rd runs eastwards some distance before joining a network of roads including one which again crosses southwards over the river at Roganstown Bridge. A short stretch west of the old road's junction with Church Road, it forms a right angled bend and continues north along the western perimeter of the former demesne of Rowlestown House. Here historic buildings are located close to the road and a short length of the subject site, which currently comprises agricultural land, in pasture, bounds the road.
- 1.1.7. The subject site includes a formal gated entrance (formerly the entrance to Rowlestown House) from Church Road, located directly opposite the old narrow road

joining Church Road from the south. It is therefore the focus of this southern access to the settlement, which accords with its former function as the entrance to Rowlestown House. The historic settlement of Rowlestown, north of the river, comprised little more than Rowlestown House and demesne, a constabulary barracks and a Catholic chapel. South of the river historic mapping shows a corn mill (Killossery) and a church in ruins. The OSI.ie aerial photography for 1995 shows that very limited change had occurred to the historic settlement up to that time.

1.1.8. The village is within the Metropolitan area as identified in the Fingal Development Plan.

1.1.9. The site has a stated area of c. 6.2 ha.

2.0 Proposed Development

2.1.1. The proposed development is residential development comprising 85 no. 3-4 bed houses (13 no. terraced, 52 no. semi-detached, 20 no. detached), accessed via existing access road and roundabout north of Rolestown National School; provision of a creche (c. 150 sq.m), open spaces (including new public park), parking areas and pedestrian/cycle connections; all associated site development works, landscaping and boundary treatments, and services provision.

2.1.2. The application is accompanied by:

Correspondence in relation to Part V;

Arboricultural Impact Assessment and Tree Root Protection Plan;

Arboricultural Tree Survey Report;

Bat Survey Report;

Ecological Impact Assessment;

Habitats Directive Screening;

Architectural Heritage Impact Assessment; and

Planning Report.

3.0 Planning Authority Decision

3.1. Decision

The planning authority decided, 21 February 2020, to refuse permission for six reasons:

- 1 contrary to national and regional policy.
- 2 scale, design and relationship with ACE, protected structure Rowlestown House and designated village green in Village Development Framework Plan.
- 3 location of creche would endanger public safety / cause traffic hazard.
- 4 lack of riparian corridor.
- 5 flood risk – has not assessed the watercourse that runs through the site.
- 6 precedent.

3.1.1. The decision was in accordance with the planning recommendation.

3.2. Planning Authority Reports

3.2.1. Planning Reports

- Referring to LAP 2013 now expired.
- Protection of views
 - To protect the following views as indicated on the Local Area Plan map:
 - View from the junction with the R125 looking northwards towards the bridge, the cemetery, the church spire and large groups of trees
 - Views along Church Road to the east and west, of the Church, its railings, the Lawn Gates and roadside house.
 - Views north and south along the lane to Rowlestown House to the northwest west of the village gives a sense of enclosure of a rural lane by trees and hedgerows.
- Development plan objective PM18 - to implement village design frameworks prepared as part of the LAPs.

- Various objective are referred to: Objective RF03, Objective RF16, Objective RF17, SFRA, Objective SW01, Objective SW02, Objective SW07, Objective NH20, Objective NH21, Objective NH22, Objective PM74, Objective PM75, Objective PM76, Objective PM77, Objective DA07, Objective DA10, Objective DMS171, Objective DMS172 and Objective CH25.

3.2.2. Other Technical Reports

3.2.3. Parks and Green Infrastructure Division

The proposed development is very suburban in nature and not in keeping with the character of this rural village and ACE. The previous LAP and Village Framework Plan indicate a 'Village Green' in the southern portion of this site. The purpose of this Village Green is to protect the trees within the ACA and particularly in the vicinity of the Lawn Gates and church Road and to provide an amenity park for the village.

The trees and land in which they are situated form part of the curtilage of the ACA. Residential development should be omitted from this portion of the site. Should any development be permitted, a landscaped buffer should be established along the boundary with Rowlestown House and grounds.

SuDS is unclear – a detention basin is indicated on dwg no 003 Rev A, while an additional lake or water feature is indicated on the Landscape Plans and Site Layout. The full extent of the SuDS proposals to include sections of any swales, ditches and water features is required.

A number of street trees, with a portion of their tree pits located in private property. Revised proposals to make adequate provision for tree pits fully in public realm required.

Whether the area surrounding the creche is public open space or part of the creche, is unclear. It would not be suitable as public open space due to its layout. Further consideration re landscaped buffer along the boundary with Rowlestown House is required.

A playground is required for developments in excess of 50 units.

Suggestions re further information.

3.2.4. The Conservation Officer

The development lands were historically part of the demesne of Rowlestown House but no longer form part of the one land holding. A portion of the development lands are within the boundary for Rowlestown Architectural Conservation Area Rowlestown House. Rowlestown House is an 18th century detached five-bay two-storey over basement house. The Conservation Officer assessed this building for a Section 57 Declaration and it is of special significance as it is one of only a handful of a modest-sized 18th century gentleman's residence in Fingal. Historical sources and early census records indicate that this was the residence of a John Williams Stubbs Esq during much of the 19th century, the McCormack's at the turn of the 20th century and then the Griffin family for almost all of the 20th century. John Rocque's Map of County Dublin dating from 1760 has buildings shown in this vicinity, one of which may be Rowlestown House but this cannot be definitively asserted from the map. However, the building is identifiable on early 19th century historic maps with both Taylor's Map of the Environs of Dublin (1816) and the first edition of the Ordnance Survey maps (published in 1843) showing the house along with its outbuildings and original entrance avenue. The mid-18th century date is supported by the fact that the design of Rowlestown House is very similar to Kinsaley House in the Malahide area which is reputed to have been constructed in 1736 and also Corduff House, near Lusk that dates to c.1750. These houses are all five-bay, two-storey-over-basement houses with timber panelled front doors accessed by a set of steps and with a Gibbs surround to the entrance door comprising of large blocks of stone interrupting the architrave (Gibbs surround is named after the 18th century architect James Gibbs which this door or window opening design is associated with).

Architectural Conservation Area of Rowlestown - the village of Rowlestown has been designated an Architectural Conservation Area (ACA) and a portion of the development lands are within the boundaries of the ACA. The special character of Rowlestown ACA is formed by:

- Dominant Rural Village Character - though located within easy reach of the city of Dublin, Rowlestown has not been engulfed by modern development and retains its characteristic rural village charm. It has a strong rural setting, sited in picturesque rolling landscape, and the relationship between the village and the countryside remains strong.

- **Natural Landscape** - the underlying sloping river valley topography is reflected in the roads that slope to the river in the north-south direction and run more level in the eastwest direction. The topography of the landscape is a defining feature of the village.
- **Archaeological Significance** - Rowlestown traces its origin back through medieval times into prehistory and contains sites which add great depth to its historical interest and value.
- **Morphology of the Village** - the historic road layout of the village derives from a network determined by a river crossing and connections throughout the area.
- **Architectural Significance:** Rowlestown has one work of formal public architecture in St. Brigid's church. Otherwise the architecture includes formal house types of different scale and architectural expression as well as a significant vernacular mill complex at the river. This informal mix of functions is significant in forming an intact and historically authentic architectural setting of informal simplicity and differing scales which defines the character of the village.
- **Architectural Character** - Rowlestown is a typical Irish village in which most houses conform to a simple typology of rendered rubble stone and slate roofs of simple sharp detailing without projecting eaves or barge boards, alongside corrugated-iron replacing earlier thatch. The intrinsic value of the architecture lies in the mix of appealing historic formality and informality, contextual grouping and the survival of early detailing.
- **Vernacular architecture** - the informality of the village is reinforced by the survival of some of its vernacular buildings. A number of these stand gathered at the river and relate the village intimately to the water as well as farm buildings and former cottages around the larger houses. These simple buildings reinforce the character of Rowlestown as a rural village. The rural character of the village is imbued at these locations though vibrant corrugated-iron sheds, rubble stone outbuildings and stone boundary walls.
- **Tree planting** - rows and groups of trees inside and outside of the ACA play an important role in defining the spatial character of Rowlestown. In addition ditches and hedges give strong boundary definition to properties as well as enclosing the public roads.

- Built landscape features - masonry walls which permeate the village contribute strongly to the aesthetic quality of the roads and streets. The surviving gates and boundary railings, and formal property gateways add considerable diversity to the streetscape.
- Social and Cultural Heritage - the intact nature of the fabric of the village, the continuity of uses, and the religious buildings provide valuable insight into the social history of Rowlestown.

Comments on proposed development

The Conservation Officer has major concerns in relation to the development of a housing estate at the numbers proposed and at this location due to the impact this would have on the character of this rural village and ACA. It is the very fact that only limited development has taken place in the past that makes it such an appealing place. The entrance gates and mature trees at Lawn Gates form a very significant vista closer within the village. The previous Local Area Plan for Rowlestown had not foreseen development on these lands, those north of the ACA boundary are outside the Rural Village boundary and the area at the entrance gates to this site was marked as to promote and facilitate the development of a Village Green at The Lawn Gates and to protect the trees within the ACA particularly in the vicinity of the Lawn Gates and Church Road. The Conservation Officer is not supportive of a suburban style housing scheme development in this location as proposed. It is too important a site within the village as a characterful vista point and with Rowlestown House adjoining it. The proposed development makes no effort to establish a buffer between the proposed buildings and the boundary of Rowlestown House but depends on the planting within the grounds of Rowlestown House to screen it. Should any development be permitted in this location it is integral that a buffer area is established along the boundary with Rowlestown House and that this be planted. Also the area to the north and north east of Rowlestown House needs to be carefully designed where a creche, House D22 and terrace B23, B24 and B25 are proposed as there is the potential that views of the area could open up if the large corrugated barn structure in the grounds of Rowlestown House was ever removed.

3.2.5. The Community Culture & Sports Division - no objection to this planning application.

3.2.6. Environmental Health Officer's Air Pollution & Noise Control Unit - no objection subject to conditions: construction hours, construction noise, dust, construction noise limits and general amenity.

3.2.7. Water Services Planning - further information:

- Setback from watercourse,
- Discharge calculations – Qbar 13.7l/s,
- Details and cross sections of proposed culverts.

The flood risk assessment has not assessed the watercourse that runs directly through the site. Expand the fluvial flood risk identification beyond the FEMFRAMS study and consider this watercourse.

3.2.8. Planning & Strategic Infrastructure Department, Community Archaeologist:

Archaeological assessment and impact statement, including geophysical survey and test excavation, under licence should be undertaken.

3.3. **Prescribed Bodies**

3.3.1. IAA – very close to DUB DVOR/DME site and may infringe building restriction area BRA. Per ICAO EUR DOC 015, 'buildings within this BRA have potential for causing unacceptable interference. All building activities in this area should be assessed'. Third party assessment required to ensure the operation of DUB DVOR/DME shall not be compromised.

3.3.2. NTA – assessed based on the Transport Strategy for the Greater Dublin Area 2016-2035 and the National Cycle Manual.

7.1.2 Transport Strategy - To the extent practicable, residential development should be carried out sequentially, whereby lands which are, or will be, most accessible by walking, cycling and public transport – including infill and brownfield sites – are prioritised;

Fingal Development Plan - In the Metropolitan Area growth in villages such as Coolquay, Kinsaley, Rivermeade and Rowlestown will be managed to ensure these centres do not expand rapidly, putting pressure on services and the environment and creating the potential for unsustainable travel patterns.

RF03 - Review the Rowlestown Local Area Plan including an assessment for potential higher densities which may help in the delivery of necessary physical and social infrastructure, particularly road improvements, expanded recreational facilities and local services for the benefit of existing and future residents in Rowlestown.

The proposed variation no. 2 of the Fingal Development Plan aligns the plan with the NPF and RSES. Rowlestown is classified as a rural village in the Metropolitan Area. Table 2.8 – 844 no. dwelling units. 88 no. units to one village out of 5 is quite high.

- Regard should be had to the above principles and policies.
- The subject site is greenfield, over 8km from Swords and Ashbourne where services would need to be accessed. Rowlestown has one shop, a primary school and a creche. All other services will require journeys by car. It is likely that the proposed dwellings will cater for an urban demand.
- The subject site is not served by Dublin Bus. Route 197 provides an hourly service between Ashbourne and Swords.

Due to the isolated location, it is unlikely that provision can be made for walking, cycling and public transport infrastructure and connectivity between the subject site and Swords and or other key destinations. Given the scale of the proposed development it is likely to give rise to an over reliance on the private car for both local and non-local trips across all journey purposes.

3.3.3. Department of Culture, Heritage and the Gaeltacht – re archaeology – large scheme and in an area of high archaeological potential - pre-development testing.

3.3.4. DAA

The site is within zone D and per table 7.1 as it comprises over 50 units objective DA07 applies.

Policy DA07

Further information or conditions:

- Noise environment
- Internal noise levels
- Noise mitigation measures.

3.3.5. IW – conditions.

3.4. Third Party Observations

3.4.1. Third party observations on the application have been read and noted.

4.0 Planning History

None given for the site.

To the east

306182 strategic housing development for the demolition of two existing derelict houses and associated outbuildings and the construction of 130 two storey dwellings on 8.5 ha, granted by the Board in April 2020. That site was identified for development in the LAP. Previously under F07A/1636 on the same site, permission was granted for demolition of existing dwelling and provision of 62 dwellings and crèche. That permission had lapsed.

F19A/0505 – Construction of 73 houses. Additional information requested 17 December 2019.

F19A/0490 - Construction 26 dwellings, a two storey building facing Church Road consisting of 2 one bedroom apartments at 1st floor level over a 129.7sq.m ground floor retail unit; a part three/part four storey nursing home building comprising 90 nursing bedrooms with staff facilities, 7 no. assisted living apartments, a single storey building consisting of 4 no. one bedroom assisted living apartments. Additional information requested 10 December 2019.

F08A/1011/E1 – Permission refused to extend permission for 40 houses. June 2014.

F18A/0522 – Permission for 5 houses. July 2019.

5.0 Policy Context

5.1. National Policy and Guidelines

5.2. Project Ireland 2040 - National Planning Framework, includes:

One of the national core principles to guide the delivery of future housing, at every level of governance, is to tailor the scale and nature of future housing provision to the size and type of settlement.

Relevant objectives, include:

National Policy Objective 15 - Support the sustainable development of rural areas by encouraging growth and arresting decline in areas that have experienced low population growth or decline in recent decades and by managing the growth of areas that are under strong urban influence to avoid over-development, while sustaining vibrant rural communities.

Objective 27 - to ensure the integration of safe and convenient alternatives to the car into the design of our communities, by prioritising walking and cycling accessibility to both existing and proposed developments and integrating physical activity facilities for all ages.

Objective 33 - to prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location.

5.3. Regional Policy

5.3.1. Eastern & Midland Regional Assembly Regional Spatial & Economic Strategy (RSES) 2019-2031

RPO 4.83: Support the consolidation of the town and village network to ensure that development proceeds sustainably and at an appropriate scale, level and pace in line with the core strategies of the county development plans.

5.4. Local Policy

5.4.1. Fingal County Development Plan 2017-2023 is the operative plan.

Relevant provisions include:

Rowlestown is a Village in the metropolitan area in the Development Plan.

The site is zoned RV – ‘Rural Village’ objective to protect the special character of rural villages and provide for improved village facilities.

Rowlestown also has a designated architectural conservation area.

Objective PM18 Implement the existing Village Design Frameworks prepared as part of the Local Area Plans for Ballyboghil, Garristown, Naul, Oldtown, Rivermeade and Rowlestown.

Objective DA07

Strictly control inappropriate development and require noise insulation where appropriate within the Outer Noise Zone, and actively resist new provision for residential development and other noise sensitive uses within the Inner Noise Zone, as shown on the Development Plan maps, while recognising the housing needs of established families farming in the zone. To accept that time based operational restrictions on usage of a second runway are not unreasonable to minimize the adverse impact of noise on existing housing within the inner and outer noise zone.

Objective SW07

Implement the Planning System and Flood Risk Management-Guidelines for Planning Authorities (DoEHLG/OPW 2009) or any updated version of these guidelines. A site-specific Flood Risk Assessment to an appropriate level of detail, addressing all potential sources of flood risk, is required for lands identified in the SFRA, located in the following areas: Courtlough; Ballymadun; Rowlestown; Ballyboghil; Coolatrath; Milverton, Skerries; Channell Road, Rush.

5.4.2. Variation No. 2 to Fingal Development Plan 2017 -2023 adopted on 19thJune 2020.

At its core, the Plan envisages that the future development and growth of Fingal will take place in accordance with an overarching hierarchy of settlement centres. Each identified settlement centre will accommodate an agreed quantum of future development appropriate to its respective position in the hierarchy; Table 2.5 sets out the settlement strategy.

Objective SS02: Ensure that all proposals for residential development accord with the County's Settlement Strategy and are consistent with Fingal's identified hierarchy of settlement centres.

Objective SS02a: Development will be permitted in principle on lands where there is a Local Area Plan or Masterplan in place and only when these lands are substantially developed will permission be granted for the development of lands without such a framework. Should the lands identified within a LAP or Masterplan not

come forward for development in the short term, consideration will be given to other lands.

Objective SS02b: Focus new residential development on appropriately zoned lands within the County, within appropriate locations proximate to existing settlement centre lands where infrastructural capacity is readily available, and they are along an existing or proposed high quality public transport corridors and on appropriate infill sites in the town centres, in a phased manner alongside the delivery of appropriate physical and social infrastructure.

Objective SS03: Identify sufficient lands for residential development in order to achieve the housing and population targets set out in the Core Strategy, with a focus on urban regeneration and compact growth while ensuring that excess lands surplus to this specific requirement are not identified, in order to prevent fragmented development, uneconomic infrastructure provision and car dependent urban sprawl.

Rural Settlement

The strategy is also cognisant of the need to support rural communities and ensure they remain vibrant and self-sustaining through the facilitation of genuine rural generated housing need in a manner which is consistent with Fingal's classification as "an area under strong urban influence", while also balancing the need to minimise encroachment upon viable agricultural lands. This will primarily be achieved through the orderly development of identified rural villages and clusters, recognising the distinction between villages in the Metropolitan Area and those in the rural Core Area. The Council will also promote the re-use and rehabilitation of existing housing stock in rural areas in preference to new build in order to preserve and enhance the distinct character of rural Fingal. Detailed policy governing rural development is contained in Chapter 5 'Rural Fingal'.

Rural Fingal: The villages of Fingal have strong, locally distinctive characteristics, whilst the built village form varies from village to village all are set within a remarkable landscape context. Fingal's villages are also important for their rivers, streams, trees, hedgerows and stone-walling which all contribute to the green infrastructure network throughout the County. The villages, as a collective, are a valuable rural asset to the County that needs to be protected from excessive inappropriate development. Their location within the Metropolitan or Core Area as defined in the RSES is an important determining factor for the scale and type of

development proposed, but of equal importance is preserving the uniqueness of all our villages, acknowledging their contribution to the cultural richness of the County. The Local Area Plan and the Settlement Strategy will work together to consolidate the existing footprint of each village, while achieving the managed development of the village having regard to Government Guidelines set down in the *Sustainable Residential Development in Urban Areas*, 2009, the settlement strategy for rural villages set out in the RSES and the Core Strategy. This expansion will occur in a way which enhances and does not detract from the distinct character of each village.

There are four villages in the Metropolitan Area. These complement and support higher order settlement centres located on the edge of the Metropolitan Area. The future development of Fingal's villages needs careful consideration. In the Metropolitan Area growth in villages such as Coolquay, Kinsaley, Rivermeade and Rowlestown will be managed to ensure these centres do not expand rapidly, putting pressure on services and the environment and creating the potential for unsustainable travel patterns. Objectives for the development of villages are set out in Chapter 5, Rural Fingal.

5.4.3. Rowlestown LAP, now expired, included a Framework plan, which included:

Aerial map of centre of the village, highlighting those areas most characterised by tree coverage and hedgerows. Rowlestown House is circled in white. The white dotted line shows the grand entrance to Rowlestown House: Down and across the bridge, up to Lawn Gates and through the paddock into the front garden. This organisation of land and trees is the most valuable legacy for Rowlestown village and needs to be protected.

The combined CDP policies of green infrastructure and natural heritage provide strong cause to limit development in deference to the value of the landscape, especially the river and margins and the fine mature eighteenth and nineteenth century demesne landscape and hedgerows.

Protection of Landscape around Rowlestown House:

The quality of landscape around Rowlestown House & attendant grounds and this part of the village generally is outstanding and compares with any of the best villages in the region. The case for its protection is compelling. This area is included within the ACA designation and is proposed as a village green.

Architectural Conservation Area:

This is a defined area around the village core within which all new development will be carefully controlled to enhance the architectural heritage of the village.

Housing - Provide for a viable housing alternative to the open countryside.

4.3 New Development in the Village:

New development should strengthen the built form and distinctive character of the village. The LAP identifies 11 no. development areas within the RV zoned area of the village centre and considers the development potential of these lands in terms of scale and densities; proposing a mix of uses, comprising residential, commercial, employment and amenity. It is an objective of this plan that development within the identified areas shall take place in a coordinated manner, adhering to the development parameters set out for each development area in Section 5. In order to achieve this objective, it will be necessary for landowners to co-operate with one another. The development of these lands is likely to occur over a longer period than the lifetime of this LAP.

11.5 Summary of Special Character of ACA: extract from ACA Statement of Character:

Though located within easy reach of the city of Dublin, Rowlestown has not been engulfed by modern development and retains its characteristic rural village charm. It has a strong rural setting, sited in picturesque rolling landscape, and the relationship between the village and the countryside remains strong.

Natural Landscape: The underlying sloping river valley topography is reflected in the roads that slope to the river in the north-south direction and run more level in the east-west direction. The topography of the landscape is a defining feature of the village.

Archaeological Significance: Rowlestown traces its origin back through medieval times into pre-history and contains sites which add great depth to its historical interest and value.

Morphology of the Village: The historic road layout of the village derives from a network determined by a river crossing and connections throughout the area.

Tree planting: Rows and groups of trees inside and outside of the ACA play an important role in defining the spatial character of Rowlestown. In addition ditches and

hedges give strong boundary definition to properties as well as enclosing the public roads.

Built landscape features: Masonry walls which permeate the village contribute strongly to the aesthetic quality of the roads and streets. The surviving gates and boundary railings, and formal property gateways add considerable diversity to the streetscape.

5.5. Natural Heritage Designations

- 5.5.1. The nearest Natura sites are Malahide Estuary SAC (site code 000205) and Malahide Estuary SPA (site code 004025) located c 6.5 & c 6.8 km distance.

5.6. EIA Screening

- 5.6.1. Per the class of development described at 10(b) of Part 2 of Schedule 5 of the planning regulations,

Construction of more than 500 dwelling units

Urban development which would involve an area greater than 2 ha in the case of a business district, 10 ha in the case of other parts of a built-up area and 20 ha elsewhere.

(In this paragraph, “business district” means a district within a city or town in which the predominant land use is retail or commercial use.)

this proposal which is for 85 residential units on a site of c6.2ha. is below the area threshold and number of units threshold.

- 5.6.2. As per section 172(1)(b) of the Planning and Development Act 2000 (as amended), EIA is required for applications for developments that are of a class specified in Part 1 or 2 of Schedule 5 of the 2001 Regulations but are sub-threshold where the Board determines that the proposed development is likely to have a significant effect on the environment. For all sub-threshold developments listed in Schedule 5 Part 2, where no EIAR is submitted or EIA determination requested, a screening determination is required to be undertaken by the competent authority unless, on preliminary examination it can be concluded that there is no real likelihood of significant effects on the environment. This preliminary examination has been carried out and

concludes that, based on the nature, size and location of the development, there is no real likelihood of significant effects on the environment. The need for EIA is, therefore, precluded and a screening determination is not required.

6.0 The Appeal

6.1. Grounds of Appeal

McGill Planning have submitted the first party appeal against the decision to refuse planning permission, it includes:

- Responses to the six refusal reasons.
- Rowlestown is only 10-12 mins drive from Swords TC and a wide range of employment centres and services (Airside Retail and Business Park, Pavillions Shopping Centre, etc;
- Rowlestown is only 10 mins from the planned Metrolink stop and Park & Ride (with 3000 spaces) planned for Estuary north of Swords;
- Rowlestown is served by the public bus route 197 which runs 17 daily services from Ashbourne to Swords (14 at weekends/bank holidays); there are existing bus stops at Oakhill and Lispopple and an additional bus stop to be constructed near the petrol station and cemetery, only 250m from the appeal site.
- Rowlestown is only 15 mins drive from Dublin Airport and various employment centres planned adjacent to the airport.
- Rowlestown is only 10 mins drive from Ashbourne.
- It is well served and self-sustaining in terms of social infrastructure.
- The development would define the northern extent of the village and enclose the new public park and provide a new pedestrian connection from the school.
- The development offers a clear alternative to urban generated rural housing.

6.2. Planning Authority Response

6.2.1. The planning authority have responded to the rebuttal of the grounds of appeal, including:

- Reason 1 – the proposed development combined with other existing approved developments including 306182 would put significant strain on the services and environment of this rural village and have the potential for unsustainable travel patterns contrary to the core strategy.
- Reason 2 – the proposed minor amendments do not sufficiently address their concerns.
- Reason 3 – the proposed amendments do not address their concerns regarding the location of the creche. The omission of the pedestrian access to the local road while likely to dissuade creche users from parking on the local road, would be at the expense of the opportunity of improved permeability for pedestrians and cyclists.
- Reason 4 – a minimum setback of 15m from the bank of the watercourse is required. Road no 2 is within approx. 3m of the watercourse.
- Reason 5 – the FRA is unacceptable as the watercourse is not modelled under the different scenarios 1%, 0.1% AEP and climate change with the proposed development overlain.
- Reason 6 – as revised it would represent insensitive over-development of the site.

6.3. Observations

6.3.1. Observations on the appeal have been received from Tommy Begg, the DAA, Alwyn Byrne, and O'Neill Town Planning on behalf of Rowlestown Residents Association. Issues raised include:

- Re. the now residential/former constabulary barracks: security concerns and proposing conditions re fencing off an area adjoining.
- Re impact on Rowlestown House:

- Impact on historic landscape, and setting of protected structure, within attendant grounds/ parklands, OBJ NH 36.
- ACA
- Rowlestown House is already vulnerable to water ingress. Runoff could lead to further water ingress.
- The design – treescape and streetscape is incongruous in the lawn and attendant parklands of the historic house.
- Loss of historic trees.
- Buffer of 15 metres from protected structure to be maintained.
- Contrary to the Granada convention. Article 4.2 (d) allows compulsory purchase – the Corn Mill is referenced in this regard; as is the attendant grounds of Rowlestown House.
- Contrary to the Architectural Protection Guidelines.
- Amenity
- Tranquility
- Part of the site is unzoned.
- Riparian buffer required
- The No 197 bus does not stop at Rowlestown. The bus that stops at Rowlestown is at 5 hourly intervals.
- Driving times quoted are not achievable.
- The school is at maximum intake capacity.
- Documents titled 'Report on Curtilage, Environs and Setting of Rolestown House, County Dublin' and 'Outline History of Rowlestown House and Setting' and miscellaneous historic documents, have been provided for the Board's information.

6.3.2. The DAA have made an observation re Dublin Airport.

- The site is located within Zone D. They point out that objective DA07, which they quote as:

Strictly control inappropriate development and require noise insulation where appropriate in accordance with 7.1 above within noise zone B and noise zone C and where necessary in Assessment zone D, and actively resist new provision for residential development and other noise sensitive uses within Noise Zone A, as shown on the Development Plan maps, while recognising the housing needs of established families farming in the zone...

seeks to strictly control provision of new residential development in these areas and in the interests of proper planning and sustainable development they request further information or planning condition re:

- The existing and predicted noise environment of the site be fully assessed with consideration for future airport growth.
- The applicant should demonstrate that internal noise levels appropriate for the proposed habitable rooms and creche can be achieved and maintained.
- Appropriate noise mitigation measures should be proposed by the applicant and implemented as required by the Fingal Development Plan 2017-2023

The actual text of objective DA07 is given earlier under the heading Local Policy.

- Supporting the reasons for refusal:
 - Contrary to policy:
 - Misrepresentation by the applicant of the NPF and its relevance to Rolestown. Table 8 states that villages should remain the remit of the statutory plan.
 - Contrary to Rolestown LAP which ran out at the end of last year and has not been revised to date. The intrinsic development objectives for the site have been included in the draft variation of the Fingal County Development Plan 2017-2023.
 - The draft variation, which is in response to Project 2040 and the Regional Spatial and Economic Strategy RSES which revises the Planning Authority's

core strategy has been published. In that document the growth target for Rowlestown has not been increased, thus repudiating any arguments made by the applicants for faster, greater growth, particularly in areas outside the Rowlestown LAP area.

- The area is devoid of all the supporting infrastructure that would make this development sustainable.
- The CDP, LAP and draft variation announce that Rowlestown is not the preferred location for developments of the kind proposed, now or in the next 20 years. The zoning of the lands highlights the mismatch between the proposed development and the objectives of the planning authority for the lands.
- The NPF and Midland East RSES promote dense sustainable development at locations close to large urban centres and employment centres, particularly when they can be served by public transport.
- The growth planned in the LAP for 150 units:
 - 130 have been permitted as Strategic Housing Development and other development proposals within appropriately zoned lands will increase the number of units to 338 (215); over 250% that proposed under the LAP. The proposed development is a material contravention of the statutory plan, Sec 37 applies.
- The application was submitted in 2019 when the Rowlestown LAP was extant.

7.0 Assessment

- 7.1.1. The issues which arise in relation to this appeal are: appropriate assessment, the principle of the development, built heritage, natural heritage, and other issues and the following assessment is dealt with under these headings.

7.2. Appropriate Assessment

7.2.1. In accordance with obligations under the Habitats Directives and implementing legislation, to take into consideration the possible effects a project may have, either on its own or in combination with other plans and projects, on a Natura 2000 site; there is a requirement on the Board, as the competent authority in this case, to consider the possible nature conservation implications of the proposed development on the Natura 2000 network, before making a decision, by carrying out appropriate assessment. The first stage of assessment is screening.

AA Screening Assessment

The proposed development is residential development comprising 85 no. 3-4 bed houses provision of a creche and all associated site development works, and services provision includes connection to mains sewerage.

There are seven European sites located within 15km of the site, as follows:

European Site	Site Code	Relevant QIs & CIs	Direct line Distance
Malahide Estuary SAC	000205	Mudflats and sandflats not covered by seawater at low tide Salicornia and other annuals colonising mud and sand Spartina swards Atlantic salt meadows Mediterranean salt meadows Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes) Fixed coastal dunes with herbaceous vegetation (grey dunes)*	c 6.5 km
Malahide Estuary SPA	004025	Great Crested Grebe Brent Goose Shelduck	c 6.8 km

		<p>Pintail</p> <p>Goldeneye</p> <p>Red-breasted Merganser</p> <p>Oystercatcher</p> <p>Golden Plover</p> <p>Grey Plover</p> <p>Knot</p> <p>Dunlin</p> <p>Black-tailed Godwit</p> <p>Bar-tailed Godwit</p> <p>Redshank</p> <p>Wetlands</p>	
Rogerstown Estuary SAC	000208	<p>Estuaries</p> <p>Mudflats and sandflats not covered by seawater at low tide</p> <p>Salicornia and other annuals colonising mud and sand</p> <p>Atlantic salt meadows</p> <p>Mediterranean salt meadows</p> <p>Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes)</p> <p>Fixed coastal dunes with herbaceous vegetation (grey dunes)</p>	c 6km
Rogerstown Estuary SPA	004015	<p>Greylag Goose</p> <p>Light-bellied Brent Goose</p> <p>Shelduck</p> <p>Shoveler</p> <p>Oystercatcher</p> <p>Ringed Plover</p>	c 7km

		Grey Plover Knot Dunlin Black-tailed Godwit Redshank Wetland and Waterbirds	
Baldoyle Bay SAC	000199	Mudflats and sandflats not covered by seawater at low tide Salicornia and other annuals colonising mud and sand Atlantic salt meadows Mediterranean salt meadows	c 13km
Baldoyle Bay SPA	004016	Light-bellied Brent Goose Shelduck Ringed Plover Golden Plover Grey Plover Bar-tailed Godwit Wetland and Waterbirds	c 13km
Rockabill to Dalkey Island SAC	003000	Reefs Harbour Porpoise	c14 km

7.2.13. Conservation objectives for the SPAs could be summarised as:

To maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA:

7.2.14. Conservation objectives for the SACs could be summarised as:

To maintain or restore the favourable conservation condition of the Annex I habitats and/or the Annex II species for which the SAC has been selected:

7.2.15. As pointed out in the Screening Report, except for Malahide Estuary SAC and SPA, there are no hydrological connections between the application site and designated sites, in addition there is nothing to indicate a connection between the site and the bird species for which the SPA sites have been designated. It is therefore reasonable to screen out the 5 Natura sites which have no hydrological connection from further consideration.

7.2.16. Regarding Malahide Estuary SAC and Malahide Estuary SPA:

A small, unnamed stream flows through the site, which may rise in agricultural land to the north and flows south through the site towards its confluence with the Broadmeadow River at a point 124 m south of the site. The Broadmeadow River flows east to the sea at Malahide Estuary, c7.7km downstream.

7.2.17. The Screening Report states that the construction and operation of the proposed development will have no impacts upon the integrity or the structure of the designated sites identified. There are no individual elements of the proposed project that are likely to give rise to negative impacts on these sites. There are no mitigation measures needed as part of this proposed development to protect the integrity of the Malahide Estuary SAC / SPA. Although a source-pathway-receptor linkage exists between the application site and the designated habitats of Malahide Estuary SAC / SPA, in this instance, the downstream distance of 7.7km is considered sufficient to ensure that no impacts will arise and therefore it concludes that the proposed development will not give rise to any direct, indirect or cumulative impacts upon the designated habitats or species of Malahide Estuary SAC / SPA and the integrity of these sites will be maintained.

7.2.18. The proposed development would be connected to mains sewer (treatment plant at Swords) and therefore, in my opinion the conclusion reached in the screening report is reasonable.

7.2.19. 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 European Site No. 000205 and 004025, or any other European site, in view of the site's Conservation Objectives, and that a Stage 2 Appropriate Assessment is not therefore required.

7.3. The Principle of the Development

- 7.3.1. Rowlestown is a rural village under significant development pressure. Reason number 1 of the planning authority's decision states that the proposed development is contrary to national and regional policy and refers to National Policy Objective 15 to support the sustainable development of rural areas by... managing the growth of areas that are under strong urban influence to avoid over-development. It also refers to Regional Policy Objective PRO 4.83 which seeks to support the consolidation of the town and village network to ensure that development proceeds sustainably and at an appropriate scale, level and pace in line with the core strategies of the county development plans. It also refers to objective PM 18 of the Fingal Development Plan 2017 – 2023 to protect the physical and cultural characteristics of the village in accordance with the Village Design Framework Plan. The reason also states that the development would result in the rapid growth of Rowlestown by one very large site putting pressure on services and the environment and creating the potential for unsustainable travel patterns contrary to the Guidelines for Planning Authorities on Sustainable Residential Development in urban areas. The development would be contrary to objective RF04 which seeks to manage the development of each village, within the RV boundaries 'having regard to the: Government Guidelines set down in the Sustainable Residential Development in urban areas' the settlement hierarchy for rural villages as set out in the Regional Spatial and Economic Strategy (RSES) and the Core Strategy of the Fingal Development Plan.
- 7.3.2. The NTA made an observation to the planning authority on the application, based on the Transport Strategy for the Greater Dublin Area 2016-2035 and the National Cycle Manual. Quoting from the Transport Strategy for the Greater Dublin Area 2016-2035, section 7.1.2 that to the extent practicable, residential development should be carried out sequentially, whereby lands which are, or will be, most accessible by walking, cycling and public transport – including infill and brownfield sites – are prioritised; and that planning should promote walking, cycling and public transport by maximising the number of people living with walking distance of neighbourhood and district centres and public transport services.
- 7.3.3. The National Transport Authority's advice is that due to the isolated location, it is unlikely that provision can be made for walking, cycling and public transport

infrastructure and connectivity between the subject site and Swords and or other key destinations and that given the scale of the proposed development it is likely to give rise to an over reliance on the private car for both local and non-local trips across all journey purposes.

7.3.4. Variation no. 2 to the Fingal Development Plan 2017 – 2023, was adopted (19th June 2020) since the planning authority’s decision on the subject application and also since the Board’s decision on 306182.

7.3.5. The variation amends the core strategy and other provisions of the plan so that it is aligned with the Regional Spatial & Economic Strategy 2019-2031. The alterations include support for housing and population growth within rural towns and villages will help to act as a viable alternative to rural one-off housing, contributing to the principle of compact growth. The NPF and RSES make a distinction between areas under urban influence, i.e. within the commuter catchment of cities and large towns and centres of employment, and rural areas outside these catchments. The Villages in Fingal are located in either the Metropolitan Area or the Core Area. In addition to the villages of Balrothery and Loughshinny (discussed in Chapter 4, Urban Fingal) there are 10 villages in the Plan, designated with RV zoning. The villages of Coolquay, Kinsaley, Rivermeade and Rowlestown are in the Metropolitan area; these as well as Balscadden in the Core Area are considered commuter villages. They are located close to Dublin or on major routes to the city where future growth should be curtailed or safeguarded so that they do not act as a catalyst to facilitate continuing expansion of unsustainable growth patterns.

7.3.6. The variation makes it a requirement that residential development should only take place within the context of a masterplan or LAP. The LAP for Rowlestown has expired. The Board may have found the LAP a useful guide in the recent strategic housing development decision, 306182. It is therefore worth noting that whereas the former LAP identified 11 development areas within the RV zoned area of the village centre with potential for development. The subject site is not one of the identified areas. The subject site is identified as a parkland area and is part of the ACA. No development was envisaged on these lands in the Village Development Framework Plan.

Relevant development plan provisions include:

Objective SS02: Ensure that all proposals for residential development accord with the County's Settlement Strategy and are consistent with Fingal's identified hierarchy of settlement centres.

Objective SS02a: Development will be permitted in principle on lands where there is a Local Area Plan or Masterplan in place and only when these lands are substantially developed will permission be granted for the development of lands without such a framework. Should the lands identified within a LAP or Masterplan not come forward for development in the short term, consideration will be given to other lands.

Objective SS02b: Focus new residential development on appropriately zoned lands within the County, within appropriate locations proximate to existing settlement centre lands where infrastructural capacity is readily available, and they are along an existing or proposed high quality public transport corridors and on appropriate infill sites in the town centres, in a phased manner alongside the delivery of appropriate physical and social infrastructure.

In the Metropolitan Area growth in villages such as Coolquay, Kinsaley, Rivermeade and Rowlestown will be managed to ensure these centres do not expand rapidly, putting pressure on services and the environment and creating the potential for unsustainable travel patterns. Objectives for the development of villages are set out in Chapter 5, Rural Fingal.

Objective PM18 Fingal Development Plan 2017 – 2023 is to implement the existing Village Design Frameworks prepared as part of the Local Area Plans for Ballyboghil, Garristown, Naul, Oldtown, Rivermeade and Rowlestown.

- 7.3.7. As stated in third party observations, substantial housing development has already been permitted in the village.
- 7.3.8. As stated in the NTA observation the proposed development would facilitate continuing expansion of unsustainable growth patterns and the proposed development would be likely to give rise to an over reliance on the private car for both local and non-local trips across all journey purposes.
- 7.3.9. The proposed development is therefore unacceptable in principle and this is a reason for refusal.

7.4. Impact on Built Heritage

- 7.4.1. The archaeological significance of Rowlestown is referred to in the LAP which states that it traces its origin back through medieval times into prehistory and contains sites which add great depth to its historical interest and value. In their submission on the application, the Department of Culture, Heritage and the Gaeltacht recommended pre-development testing regarding archaeology; as did the council's Community Archaeologist. The OSI.ie aerial 2000 orthophoto, which appears to show subsurface concentric circular features at the northern end of the site, would support an argument for prior to consent investigation.
- 7.4.2. The site is located within the ACA, adjoining the protected structure Rowlestown House, and is part of the protected structure's associated historic landscape.
- 7.4.3. The impact on the ACA and protected structure is reason number 2 of the planning authority's decision:
- Having regard to the sensitive nature of the subject site, the overall scale and the design/layout of the proposed development, the relationship of the site to the designated Architectural Conservation Area (including the setting and curtilage of the protected structure Rowlestown House, and the designated Village Green within the Village Development Framework Plan (VDFFP) for Rowlestown, the development would adversely affect the ACA and setting of the protected structure.
- 7.4.4. The Rowlestown LAP and Framework plan refer to 'the grand entrance to Rowlestown House: 'down and across the bridge, up to Lawn Gates and through the paddock into the front garden. This organisation of land and trees is the most valuable legacy for Rowlestown village and needs to be protected.' The Plan, now expired, set out a framework to protect the built heritage including the protected structures, their setting, the designed landscape and the vernacular buildings and structures which together make up this 'characteristic rural village'. 'which compares with any of the best villages in the region'.
- 7.4.5. The Conservation Officer has major concerns in relation to the development of a housing estate at the numbers proposed and at this location due to the impact this would have on the character of this rural village and ACA. It is the very fact that only

limited development has taken place in the past that makes it such an appealing place. The entrance gates and mature trees at Lawn Gates form a very significant vista closer within the village. The previous Local Area Plan for Rowlestown had not foreseen development on these lands, those north of the ACA boundary are outside the Rural Village boundary and the area at the entrance gates to this site was marked as to promote and facilitate the development of a Village Green at The Lawn Gates and to protect the trees within the ACA particularly in the vicinity of the Lawn Gates and Church Road. The Conservation Officer is not supportive of a suburban style housing scheme development in this location as proposed. It is too important a site within the village as a characterful vista point and with Rowlestown House adjoining it.

- 7.4.6. The Parks and Green Infrastructure Division, have reported similar concerns.
- 7.4.7. The development plan states that the villages of Fingal have strong, locally distinctive characteristics, are set within a remarkable landscape context, and are a valuable rural asset to the County that needs to be protected from excessive inappropriate development. Their contribution to the cultural richness of the County is of equal importance to their location within the Metropolitan or Core Area, defined in the RSES, in determining the scale and type of development acceptable; the objective being to preserve the uniqueness of each village.
- 7.4.8. The proposed development would seriously detract from the built heritage including the protected structure Rowlestown House, and the associated designed landscape, and the village setting, and would very seriously detract from the visual amenities of the area; and this is a reason for refusal.

7.5. **Natural Heritage**

- 7.5.1. An Ecological Impact Assessment (EclA) was also submitted with the application, which includes:

Habitats: improved agricultural grassland, hedgerows, treelines, scattered trees and parkland and watercourses. The biodiversity of the site varies from low to moderately important on a local level. The most valuable habitats are the well structured hedgerows, treelines and the mature trees that they

contain. These features range from low to medium biodiversity value on a local level.

In addition to the ecological and biodiversity assessment of the trees and hedgerows within the application site, a separate arboricultural assessment was undertaken which identified 51 individual trees and three separate mixed hedgerows. It should be understood that whilst a tree may be structurally unsound or of low value arboriculturally or in a landscape context its value in an ecological and biodiversity context can remain high, as trees of poor condition can provide value to nesting birds, roosting bats as well as a wide range of invertebrates. They also form important ecological networks and important commuting corridors between areas of high biodiversity value.

The well structured hedgerows and treelines are the most important ecological features on the site – these areas provide important nesting areas and safe commuting corridors for local populations of birds and small mammals, including bats.

Mitigation considered includes: tree removal to be carried out under the guidance of a consultant arborist; and detailed proposals in relation to lighting to mitigate the impact on bats.

A number of trees have been earmarked for removal. Given that bats regularly use trees as roosts, and the high bat potential surrounding many of the trees earmarked for removal, mitigation measures are proposed. Of the total trees (114) 40 have been earmarked for removal. Of these 25 have high bat potential and 15 moderate bat potential. Where tree felling is absolutely necessary, the protocol that should be followed is set out, including: leaving trees for a period following felling and prior to mulching. The report includes some recommendations regarding planting. The conclusion is that the impact will be negative to neutral on local ecological receptors.

A bat report is attached as an appendix to the EclA. A bat activity survey was carried out on the 29th September 2019; likely to represent less activity than during the summer. Table 4 sets out the records during the 2 hour survey: common pipistrelle (372 calls), soprano pipistrelle (1427 calls), Leisler's bat (87 calls) and Natterer's bat (4 calls). The majority of activity occurred in 3 clusters: cluster 1: an old barn just outside the site boundary; cluster 2: a thick

cluster of mature trees and individual specimen mature trees with deformities, it is highly likely that at least some of those earmarked for removal are used by bats; and cluster 3: individual specimen mature trees, it is highly likely that at least some of those earmarked for removal are used by bats.

Mitigation is proposed. They note that the criteria for retention is based on BS 5837:2012: four tree categories A, B C and U (in such a condition that they cannot realistically be retained as living trees in the context of the current land use for longer than 10 years). Given that bats regularly use trees as roosts, and the high bat potential surrounding many of the trees earmarked for removal, considerations and recommendations are set out. The conclusion is that the vast majority of trees and hedgerows will be retained, and positive impacts for bats will be via the supplementary planting of native Irish species and the erection of bat boxes. Certain areas of the site had higher levels of bat activity and this is possibly attributed to a selection of over mature, standing dead and veteran specimen trees being present which have higher potential due to features such as hollow cavities and thick ivy growth. Where bat potential trees are proposed for felling, it is recommended they be retained where possible for potential roosts. Where trees are identified as high or moderate potential for bats, it is recommended they have a bat survey performed the night before felling to ensure no bats are using these trees.

- 7.5.2. The removal of trees to facilitate the proposed development will have a negative impact on the natural heritage of the area. Trees to be removed include trees which may be used as roosts by bats, and their removal, which may be justified by the exigencies of the project, have not been justified in terms of the proper planning and sustainable development of the area. In my opinion the impact on the natural heritage of the area is a reason to refuse permission.

7.6. Other Issues

- 7.6.1. Flood risk and the riparian corridor – reason no. 4 of the planning authority's decision refers to the failure of the layout to provide for an adequate riparian corridor in accordance with objective DMS 171 of the development plan. Reason no. 5 of the planning authority's decision refers to the failure of the applicant to assess the watercourse which runs through the site as part of the Flood Risk Assessment and,

in the absence of such an assessment, the lack of certainty that the proposed development as submitted would not be in an area which is at risk of flooding. While these are issues which would need to be resolved prior to any permission for development on these lands, in my opinion, more appropriate than a refusal would be to afford the applicant the opportunity to address the issues through the further information process, were it not for other reasons for refusal, arising from the fundamental issues of the principle of the development and the impact on the character and built heritage of the village.

7.6.2. Reason No 3 of the planning authority's decision refers to the location of the proposed creche at the end of a home zone and adjacent to a pedestrian access path to the local road; and the absence of parking or set down area and the lack of potential for forward only movements, such that the significant traffic and reversing manoeuvres would endanger public safety in the proposed home zone.

Notwithstanding the importance of this issue, it is considered that it would be more appropriate to afford the applicant the opportunity to address it through the further information process, were it not for the fact that the development is fundamentally unacceptable in principle and with regard to the impact on the character and built heritage of the village.

7.6.3. Both the DAA and IAA have expressed concerns regarding the proximity of the proposed development to Dublin airport. Should the Board be otherwise minded to grant permission the further expert assessments recommended by these bodies should to be addressed.

8.0 Recommendation

8.1.1. In light of the foregoing assessment I recommend that planning permission should be refused for the following reasons and considerations.

9.0 Reasons and Considerations

1 Due to the isolated location, it is unlikely that provision can be made for walking, cycling or public transport infrastructure and therefore the lack of connectivity between the subject site and Swords and or other key destination is likely to give rise to an over reliance on private car use for both local and non-local trips across all journey purposes contrary to national policy, the provisions of the Regional Spatial & Economic Strategy and the Fingal County Development Plan, in particular objective SS03 to prevent car dependent urban sprawl; the proposed development would therefore be contrary to the proper planning and sustainable development of the area.

2 The proposed development, is not founded in the context of a Local Area Plan or Masterplan, would not accord with Objective SS02a of the Fingal County Development Plan, which envisages permission in principle on lands where there is a Local Area Plan or Masterplan in place, and only when these lands are substantially developed will permission be granted for the development of lands without such a framework; the proposed development would therefore be contrary to the proper planning and sustainable development of the area.

3 Acknowledging their contribution to the cultural richness of Fingal, by preserving the uniqueness of its villages is an aim of the development plan. The quality of the village landscape around Rowlestown House is a valuable legacy for the village, where an ACA has been established to protect the village setting, including the organisation of land and trees on this site. The proposed development would seriously detract from the built heritage, the protected structure Rowlestown House, the associated designed landscape and the village setting, would seriously detract from the visual amenities of the area and would therefore be contrary to the proper planning and sustainable development of the area.

4 The proposed development, which would involve the felling of trees with bat potential, where the impact on bats which are protected species has not been

justified, would be contrary to the proper planning and sustainable development of the area.

Planning Inspector

15th July 2020

- 1 Photographs
- 2 Project Ireland 2040, National Planning Framework (NPF), Government of Ireland, 2018, extracts
- 3 Fingal Development Plan 2017-2023, extracts
- 4 Variation no. 2 to Fingal Development Plan 2017-2023, extracts
- 5 Rowlestown Local Area Plan and Framework Plan 2013-2019 (expired), extracts.