



An  
Bord  
Pleanála

## **S. 6(7) of Planning and Development (Housing) and Residential Tenancies Act 2016**

### **Inspector's Report on Recommended Opinion ABP-307260-20**

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<b>Strategic Housing Development</b>	705 no. apartments, childcare facility and associated site works.
<b>Location</b>	Lands at Fosterstown, Swords, Co. Dublin.
<b>Planning Authority</b>	Fingal County Council
<b>Prospective Applicant</b>	Murlyn (Investments) Limited.
<b>Date of Consultation Meeting</b>	27 <sup>th</sup> November 2020
<b>Date of Site Inspection</b>	19 <sup>th</sup> November 2020
<b>Inspector</b>	Irené McCormack

## 1.0 Introduction

Having regard to the consultation that has taken place in relation to the proposed development and also having regard to the submissions from the planning authority, the purpose of this report is to form a recommended opinion as to whether the documentation submitted with the consultation request under section 5(5) of the Planning and Development (Housing) and Residential Tenancies Act 2016 - (i) constitutes a reasonable basis for an application under section 4, or (ii) requires further consideration and amendment in order to constitute a reasonable basis for an application under section 4.

## 2.0 Site Location and Description

- 2.1. The application site approx. 4.4 ha is located to the west side of the Dublin Road in Fosterstown, North Co. Dublin. The site is within the built-up area of Swords approximately 1km south of the Village of Swords and immediately adjacent to an existing residential development known as Boroimhe. Airside Retail Park is on the opposite side of the Dublin Road. The site is located approximately 3km from Dublin airport.
- 2.2. The site is greenfield, consisting of fields under pasture bounded by hedgerows. Its northern boundary is along a stream called Gaybrook. The site includes a section of frontage onto the Dublin Road (the R132) measuring approximately 280m, vehicular access to the site is currently from this Road. The site is bounded by agricultural lands to the north (these lands, together with proposed site, form the overall Fosterstown Masterplan), the existing residential development Boroimhe to the south and west and the Dublin Road to the east.
- 2.3. Site elevation varies, with levels rising from north to south generally.
- 2.4. A proposed route under Bus Connects is located along the R132 / Dublin Road, adjacent to the subject site, while the existing local infrastructure extends to the M1, M50, Port Tunnel, Dublin Airport, The Pavilions Shopping Centre, Airside Retail and Business Park, Swords Business Park – all within 1-5km of the subject site.
- 2.5. The proposed Metrolink route runs immediately to the east of the subject site on the opposite side of the R132, with Fosterstown Metro Station proposed at the opposite site

of the R132 / Dublin Road to the subject site. The Metrolink is envisaged to provide for a high frequency link to Dublin Airport, the City Centre and beyond, providing significant potential capacity for those to be resident at the proposal. Additionally, roads upgrades to the area include upgrading Forest Road and constructing a link road between Forest Road and the Pinnock Hill roundabout, which is located c. 200 metres north of the subject site.

### 3.0 Proposed Strategic Housing Development

3.1. This application is for a 10 year permission for the construction of 705 No. residential units and retail / retail services units, resident amenity facility and a creche together with associated site and infrastructural works to include site clearance, foul and surface water drainage, attenuation tanks, parking spaces, a public car park, public open space, landscaping, street lighting, walls and fences.

3.2. The 705 residential units are proposed to be provided as follows:

Parameters	Site Proposal
No. of residential units	705 179 no. – 1 bedroom(25%) 474 no. – 2 bedroom (67%) 52 no. – 3 bedroom (7%)
Height	4 – 11 storeys
Dual Aspect	Single Aspect 201 units – 29% Multiple Aspect 504 units – 71%
Retail/Commercial	2 units Block 9 – 689sqm Block 4 – 585sqm
Childcare	946.6sqm creche to be provided as part of phase 1
Open Space / Communal Amenity Space	Public Open Space = 13, 415sqm 30% incorporating Green Infrastructure Communal = 6,100sqm
Residential Amenity Facility	Block 11 – 305sqm
Car Parking	442 basement (0.61 per apartment) 58 surface
Bike Parking	1,670
Density	160 per hectare (gross) 245 per hectare (net)
Phasing	2 phases

- 3.3. The proposed development includes for all associated site development works, public open spaces, including alongside the Gaybrook Stream, which will accommodate the provision of pedestrian / cyclist links, hard and soft landscaping, undercroft & surface car parking, bicycle parking, bin storage, public lighting, ESB sub-stations.
- 3.4. In addition, the final SHD application site boundary will be extended to include adjacent lands within the Planning Authority's control, as indicated on the engineering drawings prepared by Waterman Moylan, subject to a letter of consent being received. These additional lands are required to allow for connection to the watermain, foul sewer and the proposed works to the R132 to facilitate the proposed vehicular access.

## 4.0 Policy Context

### *National Policy*

- 4.1. The government published the National Planning Framework in February 2018. Objective 3a is that 40% of new homes would be within the footprint of existing settlements. Objective 11 is there will be a presumption in favour of development that can encourage more people and generate more jobs and activity within existing cities, towns and villages, subject to development meeting appropriate planning standards and achieving targeted growth. Objective 13 is that planning and related standards, including in particular building height and car parking will be based on performance criteria that seek to achieve well-designed high-quality outcomes. Objective 27 is to ensure the integration of safe and convenient alternatives to the car into the design of communities. Objective 33 is the prioritise the provision of new homes where they can support sustainable development at an appropriate scale.
- 4.2. The applicable section 28 guidelines include -
- Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas' (including the associated 'Urban Design Manual')2009
  - Design Manual for Urban Roads and Streets'2013
  - Guidelines for Planning Authorities on Urban Development and Building Heights, 2018. Section 2.11 states that locations with the potential for comprehensive urban development should be identified and provided with appropriate planning frameworks to deal with movement, public realm, design and other issues best addressed at neighbourhood level.
  - Sustainable Urban Housing: Design Standards for New Apartments (2018),

- Childcare Facilities – Guidelines for Planning Authorities

#### 4.3. **Local Policy**

The site is zoned for residential development under the RA objective of the Fingal County Development Plan 2017-2023. Objective SWORDS 6 of the plan refers to the provision of a new road to from the Dublin Road to the Forrest Road. Objective SWORDS 27 refers to a requirement for a masterplan for development at Fosterstown. Such a masterplan was adopted in May 2019. Its provides a layout for development on the lands including the current site with a new road linking an upgraded junction at Pinnock Hill to an upgraded Forest Road, as well as a linear open space along the stream and a site for a primary school in the south-western part of the site. The masterplan specifies that net densities should be between 105- 155 dph and there should be a mix of building types and heights, with 2 and 3 storey houses along the Forest Road and beside existing houses at Boromhe Willows and apartment buildings up to 9 storeys high elsewhere. A phasing scheme is set out which states that development is contingent upon the provision of infrastructure including the link road, junction upgrade and school site. It specifies that 25% of the area could be developed for up to 260 homes before the Metro is provided.

#### 5.0 **Section 247 Consultation(s) with Planning Authority**

A Pre-planning meeting reference 11653 took place on the 25<sup>th</sup> January 2019. It is noted that the meeting was held prior to the draft (and subsequent adoption) of the Masterplan for the Fosterstown Lands. The issues raised are summarised below:

- The initial proposals were presented in concept form.
- Proposal premature pending the Masterplan.
- Access to the site would be informed by the South Fingal Transport Study and developing Metrolink proposals.
- Emerging principles of the draft Masterplan discussed in terms of built form, typologies and density, height, movement and open space.

Full details of the meeting are included in the planning authority's submission.

## 6.0 Planning History

*Site*

None

*Adjoining lands to the north (within Fosterstown Masterplan Lands)*

**ABP 308366-20** – Current SHD application for 298 apartments, childcare facility and associated site works.

**ABP 306219-19** – SHD Pre-App for 995 apartments childcare facility and associated site works

SID/02/08 Railway Order – Metro North

## 7.0 Submission Received

Irish Water :

Irish Water has assessed and has issued a Confirmation of Feasibility for connection(s) to the Irish Water network(s) subject to the following:

*In respect of wastewater;*

There are significant wastewater network constraints in the foul sewer in which this development proposes to connect. Currently Drainage Area Plan (DAP) with hydraulic modelling for the area is in progress which will determine the exact system deficiencies and outline specific required upgrades in the existing Irish Water infrastructure. Early results of this modelling analysis show that an upgrade of the existing DN300mm sewer on Swords by-pass to a DN450mm sewer for 860m is required to facilitate this development.

*In respect of water:*

A connection to the existing network is feasible without capital upgrades to the existing infrastructure.

## 8.0 Forming of the Opinion

- 8.1. Pursuant to section 6(7) of the Act of 2016, regard is had in the forming of the opinion to the documentation submitted by the prospective applicant; the Planning Authority submission and the discussions which took place during the tripartite consultation meeting. I shall provide a brief detail on each of these elements hereunder.

## 8.2. **Documentation Submitted by Applicant**

The prospective applicant has submitted information pursuant to section 5(5)(a) of the Planning & Development (Housing) and Residential Tenancies Act 2016 and Article 285 of the Planning and Development (Strategic Housing Development) Regulations 2017.

The information submitted included the following

### **Planning Reports**

- Planning Report and Statement of Consistency
- Social and Community Infrastructure Audit / Assessment

### **Environmental**

- Environmental Report
- Construction Management Plan, and Construction and Environmental Management
- Archaeological Assessment
- Ecological Impact Assessment, Appropriate Assessment Screening Report and Natura Impact Statement
- Tree Survey and Report, Tree Constraints Plan and Arboricultural Impact Statement

### **Architecture**

- Architectural Drawings, Drawing Schedule, 3D Images, and Schedule of Accommodation
- Architectural Design Statement
- Housing Quality Assessment

### **Engineering**

- Flood Risk Assessment, DMURS compliance, Mobility Management Plan, Engineering Assessment Report, engineering drawings and drawing schedules,
- Traffic Impact Assessment

### **Landscape:**

- Landscape Design Statement, landscape drawings and schedule, Landscape and Visual Impact Assessment Preliminary Statement

### **Other Reports**

- Daylight and Sunlight Analysis, and Photomontages Verified Views booklet

Section 5(5)(b) of the Act of 2016 requires the submission of a statement that, in the prospective applicant's opinion, the proposal is consistent with both the relevant objectives of the development plan or local area plan concerned, and the relevant guidelines issued by the Minister under section 28 of the Act of 2000. This statement has been submitted, as required.

I have reviewed and considered all of the documents and drawings submitted

## 9.0 Planning Authority Submission

- 9.1.1. In compliance with section 6(4)(b) of the Act of 2016 the planning authority for the area in which the proposed development is located, Fingal County Council, submitted a note of their section 247 consultations with the prospective applicant and also submitted their opinion in relation to the proposal. These were received by An Bord Pleanála on 2<sup>nd</sup> July 2020.

Fingal County Council's written opinion includes a description of the site location, record of a pre-planning meeting, planning history, departmental reports, a description of the proposed development, policy context, and an opinion of the planning authority. The content of the report is summarised as follows:

### *Strategic Context*

- Fosterstown has been identified as a location with the potential for comprehensive urban development. It is a key objective of the Fosterstown Masterplan that development in the area be phased to manage the impact. The development site spans both Phase 1 ( Pre-Metrolink no more the 25% of the overall quantum to be constructed and occupied prior to the operation of the Metrolink) and Phase 3. Phase 1 envisages between 240-260 units and the school.
- The development is contingent on essential infrastructure required to be undertaken during phase 1 including the Fosterstown Link Road.

### *Principle of developemnt*

- Principle acceptable subject to clarification of intended retail services and residential amenity facility.

### *Mix of Uses*

- Noted.

### *Design*

- Density – Masterplan sets out between 105-155 units per hectare (net), height – Masterplan 2-3 storeys adjoining existing residential and up to 8 storeys fronting the R132.
- Consultation recommended with Dublin Airport re. building height (11 storeys)
- Design and layout fail to address or enhance the characteristics of the site resulting in a confused sense of placemaking. Limited use of hierarchical height structure and built form and appropriate urban edge along the R132.
- The layout does not afford sufficiency of space to the public realm or suitable designed building addressing and connecting with future Metrolink station.
- There are concerns in respect to both building form, massing and lack of variety.

### *Green Infrastructure including public open space*

- Further details required with respect to riparian corridor, open space, SUD's measures, retention of existing hedgerow and trees and the interface between existing and proposed boundaries. The provision of proposed playing pitches is welcomed. The use of underground storage of surface water under the pitches needs to be reconsidered. Playground to the south of the pitches should be incorporated into the apartment complex which it pertains to.

### *Movement and Transport*

- The proposed new junction onto the R132 is contrary to Transport Objectives set on in Swords Masterplans Part C– Fosterstown. The upgraded of Pinnock Hill junction forms part of a current project being actively advanced by Fingal County Council, the NTA and TII to upgrade all junctions on the R132, provision of three standalone pedestrian crossings, in conjunction with the Metrolink project.
- Car parking insufficient, Bicycle parking is acceptable. A swept path analysis required. Concern raised regarding the amount of perpendicular parking adjacent to the creche.
- The TIA methodology noted however the proposal for a new junction of the R132 contrary to the objectives of the Masterplan. TIA considered unsatisfactory in this regard.

### *Residential Amenity*

- Noting the stated multiple aspect percentage of 71% concern is raised that the tall buildings be reason of their orientation and form may result in the proposal not being able to fully meet the daylight provisions outlined and analysis of overshadowing and , overbearing impacts. The requirement to protect the established residential amenity of the adjoining properties noted. Block no. 3 has no communal open space.
- A Noise assessment is required noting the intermittent noise source from the road and airport traffic

#### *Community Infrastructure*

- Developer to commission a piece of public art.

#### *Water Services*

- IW advised significant network constraints in the foul sewer network. A network assessment required. Additional SUD's measures. Water connection feasible without upgrade.
- Development located in Flood Zone C mitigation measures noted.

#### *Part V*

- 79 units proposed in Block 4 . This exceed the Part V requirements. A greater mix of tenure is encouraged. The proposal will be subject to agreement with the Housing Department.

*Requirement to include EIA,AA, FRA noted.*

#### *Conclusion*

Significant revisions required in the context of the design and layout with respect to the provisions of the Masterplan.

## **10.0 The Consultation Meeting**

- 10.1. A Section 5 Consultation meeting took place on the 20th November 2020, commencing at 9.30am. Representatives of the prospective applicant, the Planning Authority and An Bord Pleanála were in attendance. An agenda was issued by An Bord Pleanála prior to the meeting:
- 10.2. The main topics raised for discussion at the tripartite meeting were based on the Agenda that issued in advance and contained the following issues:

1. Traffic and Transport – Issues raised by raised by the PA. Access and layout, including vehicular access onto the R132, Bus Connects and Metrolink
2. Design Rationale - Compliance with development plan and masterplan, including issues relating to phasing, density, housing mix, height, residential amenity and public realm including interface with adjoining developments, the R132 and the Metrolink station civic space.
3. Issues raised by Parks and Green Infrastructure Division.
4. Drainage- Issues raised by PA and Irish Water.
5. Any other issues

10.3. In relation to the **Traffic and Transport** further consideration/ justification of the documents as the relate to the following where discussed:

- Issues raised in PA Opinion, in particular, proposed access onto the R132.
- PA advised that the proposed new junction onto the R132 is contrary to Transport Objectives set out in the Fosterstown Masterplan.
- Implications for the strategic function of the R132 in terms of Bus Connects and Metrolink crossings which are continuing to be advanced.
- PA advised that the upgraded of Pinnock Hill junction forms part of a current project beings actively advanced by Fingal County Council, the NTA and TII to upgrade all junctions on the R132, provision of three standalone pedestrian crossings, in conjunction with the Metrolink project. A portion of the Fosterstown Link Road forms part of project proposals.
- PA advised that the phasing strategy in the masterplan which is dependent on the delivery of certain infrastructure was deliberate to ensure delivery of housing is consistent with the sustainable planning growth of Swords and does not impact on public transport network.
- Applicant advised that access to the site is a necessary component of the development and that the Fosterstown Link Road is yet to be constructed. The applicant stated that submissions were made during the masterplan consultation process by the applicant to include vehicular access at this location onto the R132 as this was the case prior to the adoption of the masterplan in May 2019.

- Applicant advised that access onto the R132 will not affect the functionality of the R132 and recent Bus Connects consultation drawings indicate a signalled controlled junction at this location.
- Referencing the lands to the north of proposed development part of which is subject to a current SHD application, the applicant states that the layout proposed does not make allowance for connection into this proposed development.
- PA outlined that the masterplan preparation was an objective of the statutory Fingal County Development Plan, the Masterplan has gone through a consultation process and was adopted by the elected members.

10.4. In relation to the **Design Rationale** further consideration/ justification of the documents as the relate to the following where discussed:

- Issues raised in PA Opinion.
- Applicant outlined amendments to the proposed scheme having regard to the issues raised in the PA opinion. Both the PA and ABP advised that the consultation meeting can only have regard to the submitted documentation.
- PA advised that the proposed development does not comply with the masterplan with regard, phasing, density, height and that the masterplan fully aligns with relevant national policy guidelines. Concern expressed regarding the Interface with the R132 noting the considerations of the junction are absent from the policy.
- Applicant outlined that there is strong justification for increased height and density given site location and planned transport proposals and considers that it is unreasonable to tie phase 2 to the delivery of the Metrolink. The lands are suitable to come forward in the short-term having regard to their strategic location.
- Applicant advised that the rationale for the layout of the individual blocks is underpinned by the masterplan and the development is compliant with residential standards.

10.5. In relation to the **Parks and Green Infrastructure** further consideration/ justification of the documents as the relate to the following where discussed:

- Landscaping rationale including design details regarding proposals to address the site topography, existing stream on site, retention of hedgerow and trees and the biodiversity corridor to reflect a linear park with integrated pedestrian and cycling facilities.
- Issues relating to adequate provision of suitably sized active areas within the scheme and the size and boundary treatment associated with the all-weather pitch.
- PA advised that full details required regarding the reprofiling of the stream.

10.6. In relation to **Drainage Issues** further consideration/ justification of the documents as the relate to the following where discussed:

- Concerns raised by the PA and Irish Water relating to significant network constraints in the foul sewer network.
- Applicant advised that they are engaging with Irish Water. Modelling is expected to be completed in a number of months and no application will be made until Irish Water are happy.
- PA advised that FRA to address flooding concerns noting the eastern corner of the site. SUD's measures noted.

10.7. In relation to **AOB** further consideration/ justification of the documents as the relate to the following where discussed

- Adherence to the requirements to appropriately address any Material Contravention of the relevant development plan or local area plan, as applicable.
- Advised to contact Dublin Airport Authority
- Advised that there is no provision for further information at application stage, all details to be submitted at application stage; ensure consistency between documentation submitted by various consultants.
- Both the prospective applicant and the planning authority were given an opportunity to comment and respond to the issues raised by the representatives of ABP. Those comments and responses are recorded in the 'Record of Meeting 307260-20 of 27<sup>th</sup> November 2020 ' which is on file. I have fully considered the

responses and comments of the prospective applicant and planning authority in preparing the Recommended Opinion hereunder

## 11.0 **Assessment**

Based on the entirety of the information before me, it would appear that the proposed development falls within the definition of Strategic Housing Development, as set out in section 3 of the Planning and Development (Housing) and Residential Tenancies Act 2016.

I have examined all of the information and submissions before me including the documentation submitted by prospective applicants, the submissions of the planning authority and the discussions which took place at the tripartite meeting. I have had regard to both national policy, via the section 28 Ministerial Guidelines and local policy via the statutory plans for the area.

### 11.1. **Conclusion**

I recommend that the Board serve a notice on the prospective applicant, pursuant to Section 6(7)(b) of the Planning and Development (Housing) and Residential Tenancies Act 2016, stating that it is of the opinion that the documentation submitted with the consultation request under section 5(5) of the Act:

**requires further consideration and amendment** in order to constitute a reasonable basis for an application under section 4 of the Planning and Development (Housing) and Residential Tenancies Act 2016.

I recommend that the prospective applicant be notified, pursuant to article 285 (5)(b) of the 2017 Regulations, that specified information (as outlined hereunder) be submitted with any application for permission that may follow. I believe the specified information will assist the Board at application stage in its decision making process. I am also recommending that a number of prescribed bodies (as listed hereunder) be notified by the prospective applicant of the making of the application

### 11.2. **Recommended Opinion**

The Board refers to your request pursuant to section 5 of the Planning and Development (Housing) and Residential Tenancies Act 2016. Section 6(7)(a) of the Act provides that the Board shall form an opinion as to whether the documents submitted with the consultation request (i) constitute a reasonable basis for an application under section 4

of the Act, or (ii) require further consideration and amendment in order to constitute a reasonable basis for an application under section 4.

- 11.3. Following consideration of the issues raised during the consultation process, and having regard to the opinion of the planning authority, An Bord Pleanála is of the opinion that the documentation submitted **requires further consideration and amendment to constitute a reasonable basis** for an application for strategic housing development to An Bord Pleanála.

In the opinion of An Bord Pleanála, the following Issues need to be addressed in the documents submitted to which section 5 (5) of the Act of 2016 relates that could result in the constituting a reasonable basis for an application for strategic housing.

1. Further consideration and justification of the documents as they relate to the provision of vehicular access from the proposed development onto the R132 having regard to, inter alia, the policies and objectives of Fingal County Council as set out in Fosterstown Masterplan 2019 and the implications for the strategic function of the R132 in terms of Bus Connects and Metrolink crossings which are continuing to be advanced. The justification should include, inter alia, alternatives considered/deliverable if applicable. Should the proposed entrance off the R132 be maintained at application stage then a full Traffic and Transport Impact Assessment should be submitted indicating, inter alia, impact assessment on existing and possible future: pedestrian infrastructure; cycle infrastructure; bus infrastructure; the Metrolink station, and vehicular movement on, and in the vicinity of, the R132. In addition, proposals to provide an interim temporary access from the R132 may wish to be investigated/considered. Any such temporary entrance proposal should include proposals for the closure of the vehicular access and the provision of appropriate public realm works following completion of the Fosterstown Link Road and associated road infrastructure to service the site via the lands to the north as identified in the Fosterstown Masterplan (May 2019). It is advisable that any entrance proposal off the R132 be subject of detailed design consultation with Fingal County Council in conjunction with the NTA and TII.
2. Further consideration of the documents as they relate to the design and heights of the proposed buildings. In addition to the local statutory plans, the submitted documentation should have regard to the Guidelines for Planning Authorities on

Building Heights and Urban Development, 2018 including its specific planning policy requirements, and the need to provide a sufficient density of development on the site and a high standard of architectural and urban design and residential amenity particularly with respect to adequate amenity areas and sunlight/daylight access. If it is proposed to materially contravene the provisions of the local area plan, then a statement justifying the contravention is required to be submitted.

3. Further consideration of the documents as they relate to foul water drainage proposals to service the development. The documents should provide details of necessary upgrade works required to facilitate the development to include, *inter alia*: plans and particulars, having regard to the significant wastewater network constraints raised by Irish Water in their report dated 3<sup>rd</sup> July 2020.

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

Pursuant to article 285(5)(a) of the Planning and Development (Strategic Housing Development) Regulations 2017, the prospective applicant is informed that the following authorities should be notified in the event of the making of an application arising from this notification in accordance with section 8(1)(b) of the Planning and Development (Housing) and Residential Tenancies Act 2016:

1. National Transport Authority
2. Transport Infrastructure Ireland
3. Dublin Airport Authority
4. Irish Aviation Authority
5. Irish Water

Pursuant to article 285(5)(b)(i) and (ii) of the Planning and Development (Strategic Housing Development) Regulations 2017, the prospective applicant is hereby notified that the following specific information should be submitted with any application for permission:

1. Visual Impact/ CGIs and photomontages, sections and continuous elevations where relevant, of the main elevation treatment including but not restricted to the following:
  - The interface of the development with the R132,

- Relationship with the riparian corridor along northern site boundary,
- Public plaza addressing and connecting with future Metrolink station,
- Relationship between the ground floor and undercroft parking and the treatment along the internal access road.

2. A housing quality assessment which provides specific information regarding the proposed apartments and which demonstrates compliance with the various requirements of the 2018 Guidelines on Design Standards for New Apartments, including its specific planning policy requirements.

3. A building life cycle report in accordance with section 6.3 of the Sustainable Urban Housing: Design Standards for New Apartments (2018).

4. A comprehensive daylight and sunlight analysis addressing existing residential units in proximity to the site and proposed units and open spaces within the development.

5. Submission of a Taking in Charge map.

6. Comprehensive Flood Risk Assessment

7. Details of Part V provision clearly indicating the proposed Part V units.

8. Childcare demand analysis, including but not restricted to the justification for size of the proposed crèche, having regard to the existing childcare facility in the vicinity of the site, the likely demand and use for childcare places and the accommodation of additional requirement resulting from the proposed development.

9. Inclusion of a Social and Community Audit of the schools in the vicinity in particular school going children and the accommodation of additional requirement resulting from the proposed development.

10. A landscape and permeability plan of the proposed open space within the site clearly delineating public, semi-private and private spaces, areas to be gated, treatment of interface areas and provision of future connections to adjoining lands.

11. The landscape masterplan shall also identify existing/future pedestrian and cycle path connections to Swords to the north of the site and lands to the south to include Airside Retail Park, in particular, with regard to Bus Connects.

12. Submission of a Traffic and Transport Assessment to include car parking and cycle parking rationale.

13. Statement of compliance with the applicable standards set out in DMURS, and a mobility management plan which justified the proposed provision of parking for cars and bicycles

14. Details to include plan and cross-section drawings of the proposed reprofiling of Gaybrook Stream.

15. A phasing scheme for the development having regard to the provisions of the Fosterstown Masterplan 2019.

16. The inclusion of all works to be carried out, and the necessary consents to carry out works on lands, within the red line boundary

17. Where the applicant considers that the proposed strategic housing development would materially contravene the relevant development plan or local area plan, other than in relation to the zoning of the land, a statement indicating the plan objective (s) concerned and why permission should, nonetheless, be granted for the proposed development, having regard to a consideration specified in section 37(2)(b) of the Planning and Development Act 2000. Notices published pursuant to Section 8(1)(a) of the Act of 2016 and Article 292 (1) of the Regulations of 2017, shall refer to any such statement in the prescribed format.

**PLEASE NOTE:**

Under section 6(9) of the Planning and Development (Housing) and Residential Tenancies Act 2016, neither the holding of a consultation under section 6, nor the forming of an opinion under that section, shall prejudice the performance by the Board, or the planning authority or authorities in whose area the proposed strategic housing development would be situated, of any other of their respective functions under the Planning and Development Acts 2000 to 2016 or any other enactment and cannot be relied upon in the formal planning process or in legal proceedings.

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Irené McCormack  
Planning Inspector

3<sup>rd</sup> December 2020