



An  
Bord  
Pleanála

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

**Inspector's Report on  
Recommended Opinion  
ABP-312149-21**

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<b>Strategic Housing Development</b>	224 no. apartments, creche and associated site works.
<b>Location</b>	Pinnock Hill, Fosterstown North, Swords, Co. Dublin.
<b>Planning Authority</b>	Fingal County Council
<b>Prospective Applicant</b>	Castlestar (Swords) Limited
<b>Date of Consultation Meeting</b>	01/04/2022
<b>Date of Site Inspection</b>	25/03/2022
<b>Inspector</b>	Conor McGrath

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## 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

This irregularly shaped site comprises a stated area of 1.46ha located on the southern side of Swords. The site is bounded by the R132 to the east, beyond which is the extensive surface carpark serving Airside Retail Park. To the south the site is bounded by the L2300 and by two and three-storey residential development in the Boromhe estate area to the north and east. The lands are generally level and previous detached houses on the site have been removed in the past. The site is currently overgrown.

## 3.0 Proposed Strategic Housing Development

The proposed development provides a total of 224 no. apartments in five blocks. Blocks A1 and A2 are located parallel to the northern site boundary.

- Block A1: 16 no. units over 3-storeys with a creche facility at ground floor level.
- Block A2: 17 no. units over 3 storeys with a 4 storey bookend along the R132.

Blocks B1 B2 & B3 rise up to 9-storeys, with the highest point at the southeastern corner of the site. A podium level communal amenity space over undercroft parking connects the three blocks.

- Block B1: 40 no. units over 3 – 5-storeys.
- Block B2: 77 no. units over 5 – 8-storeys.
- Block B3: 74 no. units over 5 – 9-storeys.

A single vehicular access is proposed from Boroimhe Oaks Road to the east. An area of public open space is proposed on the eastern side of the site, adjoining the Boroimh development and access road. 153 no. car parking spaces are provided at surface and undercroft level.

Key development parameters include:

<b>Site area</b>	1.46 gross / 1.43 net
<b>Units</b>	224
<b>Density</b>	156.6 / ha net
<b>Plot Ratio</b>	1.59 net
<b>Site Coverage</b>	45% net
<b>Building Heights</b>	3 – 9-storeys
<b>Dual aspect</b>	55.4%
<b>Public open space</b>	11% 1510-sq.m.
<b>Communal open space</b>	2075-sq.m. / 9.26-sq.m. / unit
<b>Car parking</b>	153 (incl creche parking) (0.68/unit) 86 undercroft & 67 surface spaces
<b>Cycle parking</b>	362 <ul style="list-style-type: none"> <li>• 30 surface level visitors space,</li> <li>• 6 to serve the creche</li> <li>• 326 secure residential spaces</li> </ul>
<b>Other uses</b>	<b>Creche (170-sq.m.)</b>

<b>1-bed</b>	<b>2-bed</b>	<b>3-bed</b>	<b>Total</b>
110 (49%)	106 (47%)	8 (3.6%)	224

#### 4.0 Relevant Planning History

PA ref. F05A/1806 ABP ref. PL06F 220598: Permission refused in 2007 for modifications to a previously approved development (Reg. Ref. F03A/0889), consisting of the demolition of 3 no. dwellings and associated buildings and the construction of 133 dwellings.

PA ref. F03A/0839: Permission granted in 2003 to demolish a 2-storey house, outbuildings and boundary wall facing Swords Road and Boroimhe Link Road and construct 23 no. dwelling units.

PA ref. F02A/0033: Permission refused for demolition of 2-storey house and outbuildings and construction of 41 no. apartments.

**On adjoining lands:**

PA ref. SID/02/08 ABP ref. 06F.NA0003: This relates to an application for a railway order for the 'Construction, operation and maintenance of a light railway' to the west of the R132.

ABP ref. ABP-308366-20: Permission granted for a Strategic Housing Development comprising 278 no. apartments, childcare facility and associated site works on lands to the north of the subject site at Fosterstown North and Cremona.

PA ref. F18A/0306: Permission granted for 36 residential units to the south of the L2300 / Boroimhe distributor Road, to the to the west and the Texaco service station on the old N1. An appeal under ABP-303369-19 was withdrawn.

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

Application documentation refers to a pre-planning consultation meeting with the planning authority on 15/12/2020. It is reported that the main items discussed included the following:

- Application site boundary.
- Zoning objectives (RS).
- Design rationale including building line, housing mix, height and density, interaction with adjoining lands, parking design, permeability.
- Residential amenity, existing and future.
- Trees and hedgerows.
- Design of public open space.
- Transport and parking including Bus Connects requirements, traffic impacts, parking provision.
- Surface water drainage.

## **6.0 Planning Policy**

### **6.1. National and Regional Planning Policy**

#### **6.1.1. Project Ireland 2040 - National Planning Framework**

National Strategic Outcome 1 is identified as Compact Growth, recognising the need to deliver a greater proportion of residential development within existing built-up areas. Activating these strategic areas and achieving effective density and consolidation, rather than sprawl of urban development, is a top priority.

Objective 3A seeks the delivery of at least 40% of all new housing in existing built-up areas of cities, towns and villages on infill and/or brownfield sites.

Objective 11 favours development within existing cities, towns and villages, subject to appropriate planning standards and achieving targeted growth

Objective 13 provides that, in urban areas, planning and related standards will be based on performance criteria that seek to achieve well-designed high-quality outcomes in order to achieve targeted growth.

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

#### **6.1.2. Rebuilding Ireland – Action Plan for Housing and Homelessness 2016**

The overarching aim of the Plan is to increase the delivery of housing, from its current undersupply across all tenures, to help individuals and families meet their housing needs. The Plan identifies a target to double the number of residential dwellings delivered annually by the construction sector and to provide 47,000 social housing units in the period up to 2021.

Five pillars for action Pillar 3: Build More Homes, which seeks to increase the output of private housing to meet demand at affordable prices. The key action is to double housing output over the Plan period.

#### **6.1.3. Housing for All - A New Housing Plan for Ireland (Sept 2021)**

The stated aim is to provide access to a home to purchase or rent at an affordable price, built to a high standard and in the right place, offering a high quality of life. The plan identifies the need for construction of an average of 33,000 homes per annum nationally until 2030 to meet the targets outlined in the National Planning Framework. Four overarching objectives are identified:

- Supporting Homeownership and Increasing Affordability.
- Eradicating Homelessness, Increasing Social Housing Delivery and Supporting Social Inclusion.
- Increasing New Housing Supply; and
- Addressing Vacancy and Efficient Use of Existing Stock.

The Pathway to Increasing New Housing Supply includes a focus on the adequate supply of serviced zoned lands to meet housing need, at required densities.

#### **6.1.4. Regional Spatial and Economic Strategy for the Eastern and Midland Region (2019)**

The primary objective of the Strategy is to support the implementation of Project Ireland 2040 and the economic and climate policies of the Government by providing a long-term strategic planning and economic framework for the Region.

The Dublin region is identified as a global gateway to Ireland and the Dublin-Belfast Corridor is the largest economic agglomeration on the island of Ireland and part of the trans-European transport network. Capacity constraints in housing and infrastructure must be addressed to ensure continued competitiveness as a national economic driver.

RPO 3.2 - Promote compact urban growth - targets of at least 50% of all new homes to be built, to be within or contiguous to the existing built-up area of Dublin city and suburbs and a target of at least 30% for other urban areas.

RPO – 4.1 – Settlement Hierarchy – Local Authorities to determine the hierarchy of settlements in accordance with the hierarchy, guiding principles and typology of settlements in the RSES.

RPO 4.2 – Infrastructure – Infrastructure investment and priorities shall be aligned with the spatial planning strategy of the RSES.

The aim of the Metropolitan Area Strategic Plan is to deliver strategic development areas to ensure a steady supply of serviced development lands to support Dublin's sustainable growth.

The spatial strategy for Dublin City and Suburbs is to support the consolidation and re-intensification of infill/brownfield sites to provide high density and people intensive uses within the existing built-up area and ensure that the development of future development areas is co-ordinated with the delivery of key water and public transport infrastructure.

Swords is identified as a Key Towns in the metropolitan Area. These comprise large economically active service and/or county towns that provide employment for their surrounding areas and with high-quality transport links and the capacity to act as growth drivers to complement the Regional Growth Centres.

Key priorities are to promote compact growth and enhanced public realm in the town centre along with the planned sequential development of Swords.

RPO 4.28: Support the continued development of Swords as a vibrant Key Town with a thriving economy; an integrated public transport network; an attractive and highly accessible built environment with the highest standards of housing, employment, services, recreational amenities and community facilities.

RPO 4.32: Encourage transition towards sustainable and low carbon transport modes in Swords through the provision of high quality walking and cycling permeability offering direct routes to local destination and public transportation hubs

## 6.2. **S.28 Ministerial Guidelines**

Having considered the nature of the proposal, the receiving environment, the documentation on file, including the submission of the planning authority and other authorities, I am of the opinion that the most directly relevant section 28 Ministerial Guidelines are:

- Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities (2020).



- Urban Development and Building heights, Guidelines for Planning Authorities (2018).
- Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, (2009), and the associated Urban Design Manual.
- Design Manual for Urban Roads and Streets (DMURS).
- National Cycle Manual.
- The Planning System and Flood Risk Management Guidelines for Planning Authorities (2009).
- Childcare Facilities – Guidelines for Planning Authorities.
- Architectural Heritage Protection Guidelines for Planning Authorities.

### 6.3. Local Planning Policy

#### **Fingal County Development Plan 2017-2023**

The subject site is zoned RS – Residential - Provide for residential development and protect and improve residential amenity.

There is a protected structure (mid-18th century triangular milestone.) on the eastern site boundary and the site is traversed by the (previous) indicative route for the Metro North project. Indicative cycle pedestrian routes are identified along the R132 to the east and the L2300 to the south.

The site is located in Airport Noise Zone C for which the objective is, To manage noise sensitive development in areas where aircraft noise may give rise to annoyance and sleep disturbance, and to ensure, where appropriate, noise insulation is incorporated within the development.

Swords is identified as a Key Town in the settlement strategy, which identifies the following objectives:

- Objective SS01 - Consolidate the vast majority of the County's future growth into the strong and dynamic urban centres of the Metropolitan Area .....
- Objective SS01a - Support ... and promote development consistent with the Outcome of Compact Growth as outlined in the NPF and in the RSES.

- Objective SS01b - Consolidate within the existing urban footprint, by ensuring of 50% of all new homes within or contiguous to the built up area of Dublin City and Suburbs and 30% of all new homes are targeted within the existing built-up areas to achieve compact growth of urban settlements.....
- Objective SS02 - Ensure that all proposals for residential development accord with the County's Settlement Strategy .....
- Objective SS12 - Promote the Key Town of Swords and the Metropolitan Area of Blanchardstown, respectively, as Fingal's primary growth centres for residential development in line with the County's Settlement Hierarchy
- Objective SS15 - Strengthen and consolidate existing urban areas adjoining Dublin City through infill and appropriate brownfield redevelopment in order to maximise the efficient use of existing infrastructure and services.
- Objective SS16 - Examine the possibility of achieving higher densities in urban areas .... where such an approach would be in keeping with the character and form of existing residential communities or otherwise appropriate ....

Objective PM38: Achieve an appropriate dwelling mix, size, type, tenure .....

Objective PM40: Ensure a mix and range of housing types are provided in all residential areas to meet the diverse needs of residents.

Objective PM41: Encourage increased densities at appropriate locations whilst ensuring that the quality of place, residential accommodation and amenities for either existing or future residents are not compromised.

Objective PM42 - The Guidelines for Planning Authorities 'Sustainable Urban Housing: Design Standards for New Apartments', 2015 are required to be applied....

Objective DMS23 - Permit up to 8 apartments per floor per individual stair/lift core within apartment schemes.

Objective DMS30 - Ensure all new residential units comply with the recommendations of Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice (B.R.209, 2011) and B.S. 8206 Lighting for Buildings, Part 2 2008: Code of Practice for Daylighting or other updated relevant documents.

Objective DMS57 - Require a minimum public open space provision of 2.5 hectares per 1000 population.

## 7.0 Submissions Received

**Irish Water:** A Confirmation of Feasibility was issued to the applicant. In respect of Wastewater, the applicant must prioritize a gravity network solution within the development. Approx. 40m of network extension, funded by the applicant, is required to a connection point at the Dublin Road. A new water supply connection is feasible without infrastructure upgrade.

## 8.0 Forming the Opinion

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.

### 8.1. Documentation Submitted

The prospective applicant has submitted information pursuant to section 5(5) of the Planning & Development (Housing) and Residential Tenancies Act 2016 and Article 285 of the Planning and Development (Strategic Housing Development) Regulations 2017. The documentation submitted with this pre-application consultation request is set out in Appendix 1 to this report.

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 relevant guidelines issued by the Minister under section 28 of the Act of 2000. Section 5(6) requires that where the proposed development would materially contravene the development plan or local area plan, other than in relation to the zoning of the land, then the statement provided for the purposes of subsection (5)(b)(i) shall indicate why, in the prospective applicant's opinion, permission should nonetheless be

granted, having regard to a consideration specified in section 37(2)(b) of the Act of 2000.

A Statement of Consistency under S.5(5) has been submitted, which considers compliance with the provisions of the following policy documents:

- National Planning Framework 2040.
- Housing for All.
- Sustainable Urban Housing: Design Standards for New Apartments; Guidelines for Planning Authorities 2020.
- Urban Development and Building Height Guidelines (2018);
- Regional Spatial and Economic Strategies – Eastern & Midlands Regional Assembly (2019-2031).
- Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009), and the accompanying Urban Design Manual.
- Delivering Homes, Sustaining Communities (2008) and the accompanying Best Practice Guidelines- Quality Housing for Sustainable Communities.
- Design Manual for Urban Roads and Streets (2013).
- Guidelines for Planning Authorities on Childcare Facilities (2001).
- Transport Strategy for the Greater Dublin Area 2016 – 2035.
- BusConnects – Transforming City Bus Services (2018).
- The Planning System and Flood Risk Management (2009);
- Birds and Habitats Directive – Appropriate Assessment.
- Fingal County Development Plan 2017-2023

The application identifies potential material contraventions of the County Development Plan in respect of:

- Car parking provision
- Stair core ratio
- Open space provision

A statement under section 5(6) is submitted in this regard which concludes that while the development materially contravenes the provisions of the development plan, the

development does meet the national standards set out in relevant S.28 Guidelines and the Board are therefore requested to permit the proposed development.

## 8.2. Planning Authority Submission

A submission from Fingal County Council was received by An Bord Pleanála on the 14/01/2022 in accordance with Section 6(4)(b) of the 2016 Act, which includes the following:

- A statement of the planning authority’s opinion.
- Pre-application meeting notes.
- Details of relevant planning applications in the area.
- Copies of internal technical reports from the Transportation Planning Section, Conservation Officer, Parks and Green Infrastructure Division and Water Services division.

The statement of the planning authority’s opinion makes the following points:

- The extent of the application is substantially different from that presented at S.247 consultation meeting.
- The principle of residential development of significant height and density is generally acceptable having regard to National, Regional and Local policy.
- While the site is suitable for significant density and height, the proposal exceeds the capacity of the site.
- The application should demonstrate that the expectation of delivery of high volume public transportation infrastructure is reasonable.
- The proposal is insufficiently developed to form the basis of an application.
- The opportunities and challenges of the site are not addressed in a manner consistent with development plan goals of placemaking and quality urban design.
- The development on this elevated site will result in a very dominant feature visible from considerable distances.
- The impact of the bulk and massing has not been addressed.

- Notwithstanding the need for higher densities and height on the site, the proposed 9-storey block is excessive and would set a poor precedent for development facing the R132.
- The proposed height will impact on future residential amenity in terms of daylight and sunlight and development plan objectives in this regard are not met.
- The development will have overbearing, overshadowing and overlooking impacts on adjoining residential properties.
- Increased separation distances are required to the north and west.
- The massing of Block B2 facing the R132 should be broken up.
- A reduction in height to adjoining residential development is required.
- A strong urban edge facing the road network is required, but there is a limited setting for a corner building of the scale of Block B3.
- The ground floor of Block 3 should read as distinct from upper floors.
- The height, scale and proximity of Block B2 to the road edge is excessive and would appear monolithic when viewed from the east / R132.
- There appear to be conflicts with the Bus Connects reservation and the roadside boundary treatment is unclear.
- The quality of proposed external terrace / amenity spaces and the provision of defensible space is queried.
- Some open space areas lack adequate supervision.
- Landscaping details are required. Existing hedgerows and trees should be retained as well as the protected structure on the eastern site boundary.
- The quality of pedestrian and cycle linkages across the site should be improved.
- High quality materials will be required.
- An increased proportion of 3-bed apartments should be provided.
- Development plan standards for apartment development should be achieved.
- A full acoustic design statement will be required.
- Regard should be had to the shortage of school places in the area.
- Increased open space provision is required, or consideration should be given to a levy in lieu of any shortfall.
- Car and cycle parking provision is deficient and the design of surface carparking should be reviewed. Creche parking / set-down provision is inadequate.
- Further assessment of traffic impacts is required.

- Further information, discussion and design revisions are required in relation to:
  - Permeability through the site.
  - The response of layout and design to its context, including response to the R132 and L2300 and adjacent residential developments.
  - The distribution of height & density across the site.
  - The aspiration of quality placemaking.
  - The importance of hedgerow and tree retention.
  - The protection of cultural heritage.
  - The specific requirements outlined in the internal section reports.
  - The pepper potting of Part V housing throughout the scheme.
- Detailed consultation with NRA and TII is required to ensure the proposal does not compromise future consents for public transportation infrastructure provision.

### 8.3. The Consultation Meeting

A Section 5 Consultation meeting was held on 01/04/2022, commencing at 10am, via Microsoft Teams. 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 and the main topics raised for discussion at the tripartite meeting were as follows:

1. Design strategy – including height and massing of development, open space.
2. Transportation and parking.
3. Residential Amenity.
4. Protected Structures
5. AOB

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 ABP-312149-21’ 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.

In relation to the Design strategy – including height and massing of development, open space, An Bord Pleanála sought clarification and further elaboration of the documents and justification for the proposed development in respect of the following:

- Clarification of proposed tenure of the development.
- The design strategy, particularly in relation to the height and massing of development, having regard to the concerns raised by the planning authority.
- The relationship with the R132 and the proposed Bus Connects reservation.
- The design of the pedestrian connection through the site to the R132.
- The design of proposed public open spaces and relationship with their proposed function as SUDS features.

In relation to Transportation and Parking, An Bord Pleanála sought clarification and further elaboration of the submitted documents in respect of the following:

- The nature of the proposed Bus Connects reservation along the southern boundary of the site.
- The relationship with development plan objectives relating to the previous Metro North route traversing the site.
- The strategy in respect of the quantum, design and layout of car parking provision and whether consideration was given to basement level parking.
- The level of cycle parking provision relative to guidelines standards.
- The impact of traffic movements on the surrounding road network.

In relation to the Residential Amenity, An Bord Pleanála sought clarification and further elaboration of the submitted documents in respect of the following:

- The assessment of potential noise impacts on residential amenity.
- The design and treatment of the interface with the R132, having regard both to the interim period and the longer-term Bus Connects requirements.
- The design and supervision of open spaces.



In relation to the Protected Structures, An Bord Pleanála sought clarification of the submitted documents in respect of the following:

- The potential impact on the adjoining protected structure.
- The treatment of the boundary to the R132, adjoining the protected structure.

In relation to the Any Other Business, the planning authority commented positively on the design of the proposed SUDS solution.

## 9.0 Conclusion and Recommendation

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

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.

Having regard to the above, 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 **constitutes a reasonable basis for an application** under section 4 of the Planning and Development (Housing) and Residential Tenancies Act 2016.

I would recommend that the prospective applicant also 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.

## 10.0 Recommended Opinion

An Bord Pleanála 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.

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 **would constitute a reasonable basis for an application for strategic housing development to An Bord Pleanála**

Pursuant to article 285(5)(b) of the Planning and Development (Strategic Housing Development) Regulations 2017, the prospective applicant is hereby notified that, in addition to the requirements as specified in articles 297 and 298 of the Planning and Development (Strategic Housing Development) Regulations 2017, the following specific information should be submitted with any application for permission:

1. Detailed plan and section drawings showing the relationship between the proposed development and the existing and future alignment of roads, footpaths and cyclepaths along the R132 to the east.

The application should describe how satisfactory levels of residential amenity will be achieved and maintained for ground floor units along the eastern boundary to the R132, having regard to their proximity to this busy corridor. The application should provide for an appropriate building set-back from the existing and future road and footpath alignment, and an appropriately designed defensible space. Any boundary features should be clearly described in the application.

2. Further detail of the design of proposed pedestrian connections from, and through the site, to the R132, in terms of convenience, safety and accessibility.

3. An assessment of the relationship of the proposed development with, and potential impact on, the adjoining protected structure to the east. Any mitigation measures required to protect this structure at construction and operational stage shall be clearly described.
4. A full Acoustic Design Statement which shall clearly describe any recommended mitigation measures, and their effectiveness in achieving satisfactory levels of residential amenity.
5. In respect of transportation and parking:
  - a) A report addressing the matters raised in the report of the Fingal County Council Transportation Planning Section.
  - b) A review of the design and layout of car parking on the site, including the dominance of surface car parking, and compliance with the provisions of DMURS in this regard.
  - c) A Quality Audit in accordance with Advice Note 4 of DMURS.
  - d) Details of the quantum and design of bicycle parking / storage, having regard to the provisions of the guidelines on Sustainable Urban Housing: Design Standards for New Apartments, as well as DMURs and the National Cycle Manual. The design of such parking / storage should consider relevant access and operational requirements.
6. A report that specifically addresses the proposed materials and finishes to the scheme, including specific detail of external finishes, landscaping and paving, pathways, entrances and boundary treatments. Particular regard should be had to the requirement to provide high quality, durable and sustainable finishes which have regard to the context of the site.
7. A Building Lifecycle Report in accordance with section 6.13 of the Sustainable Urban Housing, Design Standards for New Apartments, Guidelines for Planning Authorities (2020) guidelines which should consider external materials on all elevations. The report shall also address the management and maintenance of public spaces and access routes to the development.
8. The application should include a comprehensive daylight and sunlight assessment examining the proposed dwelling units and amenity / open spaces,

as well as potential impacts on daylight and sunlight to adjoining properties. In preparing such assessment regard should be had to the provisions of section 3.2 of the Urban Development and Building Heights Guidelines for Planning Authorities (2018) and to the approach outlined in guides like the BRE 'Site Layout Planning for Daylight and Sunlight' (2nd edition) or BS 8206-2: 2008 – 'Lighting for Buildings – Part 2: Code of Practice for Daylighting'.

The assessment should provide a comprehensive view of the performance of the entire development in respect of daylight provision. Where any alternative, compensatory design solutions in respect of daylight are proposed, these should be clearly identified and justified, and their effect appropriately described and / or quantified. The assessment should demonstrate that due regard was had to any screening to balconies or windows proposed to address potential overlooking of adjoining properties.

9. Drawings which clearly identify the areas intended to be taken in charge by the Local Authority, if any.
10. The information referred to in article 299B(1)(b)(ii)(II) and article 299B(1)(c) of the Planning and Development Regulations 2001-2018 unless it is proposed to submit an EIAR at application stage.

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. Irish Water
2. NTA
3. TII
4. DAA
5. IAA
6. Fingal Childcare Committee

7. An Taisce
8. Heritage Council
9. An Comhairle Ealaíonn
10. Minister for Housing, Local Government and Heritage

**PLEASE NOTE:**

Under section 6(9) of the Planning and Development (Housing) and Residential Tenancies Act 2016, 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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Conor McGrath  
Senior Planning Inspector

19/04/2022

## **Appendix 1 Documentation accompanying the S.5 request.**

- Application Form, incl letter from Irish Water and landowner Letter of Consent.
- Relevant fee.
- Cover Letter.
- Part V Pack.
- Cover Letter to Fingal County Council.
- Statement of Consistency.
- Community and Local Needs Audit.
- Statement of Material Contravention.
- Architectural Design Statement, Housing Quality Assessment and Schedule of Accommodation.
- Architectural drawings.
- Landscape Design Statement & landscape masterplan drawing.
- LVIA Scoping Report.
- Engineering Report, Issue Sheet and drawings.
- Outline Construction Management Plan.
- Transportation Assessment Report (incl. Preliminary Mobility Management Plan, DMURS Statement of Consistency and Stage 1 Road Safety Audit).
- Archaeological Assessment Report.
- Daylight and Sunlight Assessment Report
- CGI's and Verified Views.
- Building Lifecycle Report.
- Operational Management Plan.
- Preliminary Construction and Operational Waste Management Plan.
- Flood Risk Assessment.
- Initial Noise Assessment.
- Micro-Climate Assessment Reports.
- EIA Screening Report.
- Ecological Assessment.
- Appropriate Assessment Screening Report.
- Outdoor Lighting Report, Issue Sheet and Public Lighting Layout drawing.
- Energy and Sustainability Report.