



An
Bord
Pleanála

AN BORD PLEANÁLA	
LDG-	075081-26
ABP-	
24 SEP 2024	
Fee: €	220.00
Type:	CARD
Time:	1202
By:	HAND

Planning Appeal Form

Your details

1. Appellant's details (person making the appeal)

Your full details:

(a) Name

Laura McGivney

(b) Address

The Square, Donabate, Co. Dublin, K36 Y009

Agent's details

2. Agent's details (if applicable)

If an agent is acting for you, please **also** provide their details below. If you are not using an agent, please write "Not applicable" below.

(a) Agent's name

Not applicable

(b) Agent's address

Not applicable

Postal address for letters

3. During the appeal we will post information and items to you **or** to your agent. For this appeal, who should we write to? (Please tick ✓ one box only.)

You (the appellant) at the address in Part 1

☒

The agent at the address in Part 2

☐

Details about the proposed development

4. Please provide details about the planning authority decision you wish to appeal. If you want, you can include a copy of the planning authority's decision as the appeal details.

(a) Planning authority

(for example: Ballytown City Council)

Fingal County Council

(b) Planning authority register reference number

(for example: 18/0123)

LRD0039/S3

(c) Location of proposed development

(for example: 1 Main Street, Baile Fearainn, Co Ballytown)

Lands at Ballymastone, Donabate, Co Dublin

Appeal details

5. Please describe the grounds of your appeal (planning reasons and arguments). You can type or write them in the space below or you can attach them separately.

Attached separately.

Supporting material

6. If you wish you can include supporting materials with your appeal.

Supporting materials include:

- photographs,
- plans,
- surveys,
- drawings,
- digital videos or DVDs,
- technical guidance, or
- other supporting materials.

Acknowledgement from planning authority (third party appeals)

7. If you are making a third party appeal, you **must** include the acknowledgment document that the planning authority gave to you to confirm you made a submission to it.

Fee

8. You **must** make sure that the correct fee is included with your appeal. You can find out the correct fee to include in our Fees and Charges Guide on our website.

Oral hearing request

9. If you wish to request the Board to hold an oral hearing on your appeal, please tick the “yes, I wish to request an oral hearing” box below.

Please note you will have to pay an **additional non-refundable fee** of €50. You can find information on how to make this request on our website or by contacting us.

If you do not wish to request an oral hearing, please tick the “No, I do not wish to request an oral hearing” box.

Yes, I wish to request an oral hearing

☐

No, I do not wish to request an oral hearing

☒

NALA has awarded this document its Plain English Mark

Last updated: April 2019.

The Secretary,
An Bord Pleanála
64 Marlborough Street,
Dublin 1,
D01 V902

The Square,
Donabate,
Co. Dublin
K36 Y009

24th September 2024

Planning Reference: LRD0039/S3

To Whom It May Concern,

It is disappointing that the developer has chosen not to engage in any way with the community before lodging an additional planning application for housing in Donabate. The Community Council is opposed to further housing developments in Donabate without commitment for further community gains. The community council objects to the proposed development on the following grounds:

1. Residential Density

The density of the proposed development of 44.7 units per ha is above the allowable within the Donabate Local Area Plan of 35 units per ha.

The Fingal Development Plan 2023-2029 notes that residential density should be in line with Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas 2009. These standards allow for a density of 30-40 units per ha.

Furthermore, the applicant within the Architectural Design Statement justifies the high density on the proximity to the train station. The Public Transport Capacity Assessment located with Appendix E of the Traffic and Transportation Assessment fails to assess the current capacity constraints on the commuter services. The author is confused as to the provision of existing DART, for clarity, the DART does not serve Donabate. The applicant acknowledges that there will be an increase of 5% in the morning and evening peaks but due to the inadequate assessment of the existing train services on which they rely, they do not realise the service is already oversubscribed. They also appear to rely heavily on DART+ Coastal North, which does not have planning permission and may be 10 years away. The planning application appears to have failed to justify its high density which is in opposition to the standards.

It is the opinion of the Donabate Portrane Community Council that the density of the development is in excess of the standards and too reliant on existing inadequate public transport and the proposed development should therefore, be refused.

2. Creche & Schools

No creche is provided for within this phase of the development and the planning report in section 5.1.9 and the Childcare and Schools Demand Assessment report in section 6.4 refers to phase 1 and phase 3 as meeting the demand for childcare in phase 2. This is simply not acceptable as an application cannot rely on other separate applications or future promises that may not be delivered. Donabate is experiencing a childcare crisis where parents are unable to find spaces for babies particularly places for children under the age of 2. Furthermore, relying on a future phase that may never happen is bad planning and does not meet the needs of the houses as part of this application.

The Schools Demand Assessment report calculates the demand for creche places and school places based on national averages from the 2022 census. Donabate has an extremely young population and using national averages is not an appropriate measure and only gives rise to skewed favourable data for the developer. Given that both small area and town breakdown information is readily available on the CSO website it can be assumed that the author chose not to use a local average and chose a more favourable number.

The developer should use local data either gathered from local creches/schools or from the CSO as the basis for their assessment.

The report assumes a decreasing enrolment in existing school places, given the age breakdown of Donabate in addition to the number of new houses and families moving to the area, this is simply not correct. The report is simply using logic that does not add up and the whole report needs to be reconsidered.

An additional creche should be constructed as part of this development and it should not rely on the existing shortage or any future phases of the scheme. The development should not be granted without an additional creche to serve the site.

The development should not be occupied prior to the completion of the new schools planned for the area. Conditions should be placed on the site that they may not be occupied until additional schools are provided in the local area.

3. Lack of Commercial & Retail Space

No commercial, retail or any additional infrastructure is provided within the development. The additional 364no. units are to rely on already insufficient community resources. There is already a lack of GP places, community spaces, shops, restaurants, police station etc. This application will simply make the situation in Donabate worse.

A dedicated committee has been set up in Donabate to campaign for a much-needed youth and cultural space, no consideration has been given to any such a space in these lands.

The Donabate GP Medical Clinic is not taking on any new patients and is sending patients to Swords due to the extremely high demand.

It is the opinion of the Donabate Portrane Community Council that this application should be refused due to lack of commercial and retail space provided.

4. Traffic Impact Assessment

The application seems to ignore an additional development F24A/0169 that consists of another 98 no. residential units in very close proximity to the Ballymastone development that is subject to this application. The applicant at a minimum in a request for further information should be requested to include the impact of this development on their analysis.

The analysis does not consider the impact of this development on the junction of the Hearse Road and Distributor Road. Given this will soon be the busiest junction in Donabate and will be utilised by all residents of this development leaving the peninsula it appears a rather large omission. The applicant at a minimum in a request for further information should be requested to include the impact of this development on their analysis.

Trip rates have been amended to more favourable rates from the approved Phase 1 to Phase 2 due to different parking standards. The author appears to believe neighbours, potentially only living meters apart, will utilise their cars less because the Fingal Development Plan changed between 2022 and 2023. The author should have retained the trip generation figures from phase 1 as a "worst case scenario" and ensured that the development was not negatively impacting the development instead of massaging trip generation figures to suit the development. The applicant at a minimum in a request for further information should be requested to retain the phase 1 trip generation figures to assess the impact of this development on their analysis.

The development appears to rely heavily on future transport projects such as DART+ Coastal North. The AM & PM peak trains are already over capacity every day. The development should therefore be conditioned that it can not be occupied until such a time as these associated pieces of infrastructure are delivered to avoid making congestion on the transport network even worse.

5. Conclusion

The application is deeply flawed, and it oversimplifies elements in favour of the development. The application then makes claims to the abundance of social infrastructure within Donabate, which is again not true. The addition of houses with no associated infrastructure is making life for the existing residents of Donabate unliveable and needs to be considered by both applicants and the local authorities.

The applicant has not made any attempts to meet or discuss the applications with the local community.

For these reasons, we believe An Bord Pleanála should reverse the decision of Fingal County Council to approve this development, which is in direct contravention to their local area plan.



Donabate Portrane Community Council

Laura McGivney

Chairperson DPCC



Laura McGivney obo Donabate Portrane Community Council
The Square
Donabate
Malahide
Co. Dublin

Date: 27 May, 2024

ACKNOWLEDGEMENT of RECEIPT of SUBMISSION or OBSERVATION on a
PLANNING APPLICATION

THIS IS AN IMPORTANT DOCUMENT!

KEEP THIS DOCUMENT SAFELY, YOU WILL BE REQUIRED TO PRODUCE THIS ACKNOWLEDGEMENT TO AN BORD PLEANALA IF YOU WISH TO APPEAL THE DECISION OF THE PLANNING AUTHORITY. IT IS THE **ONLY** FORM OF EVIDENCE WHICH WILL BE ACCEPTED BY AN BORD PLEANÁLA THAT A SUBMISSION OR OBSERVATION HAS BEEN MADE TO THE PLANNING AUTHORITY ON THE PLANNING APPLICATION.

PLANNING AUTHORITY NAME: FINGAL COUNTY COUNCIL

PLANNING APPLICATION REFERENCE NO. **LRD0039/S3**

A submission/observation has been received from Laura McGivney obo Donabate Portrane Community Council, in relation to the above planning application.

The appropriate fee of €20.00 has been paid. (Fee not applicable to prescribed bodies).

The submission/observation is in accordance with the appropriate provisions of the Planning and Development Regulations, 2001 -2013 and will be taken into account by the Planning Authority in its determination of the planning application.

Joanne Boyle

for Senior Executive Officer

Development:

No1. The construction of 364 no. new residential dwellings consisting of 158 no. houses, 82 no. duplex units and 124 no. apartment units set out follows:

- Construction of 158 no. 2-storey houses (54 no. 2-beds, 99 no. 3-beds, 5 no. 4-beds).
- Construction of 82 no. 2 to 3 storey duplex units (8 no. 1-beds, 33 no. 2-beds, 41 no. 3-beds), with balconies on all elevations.
- Construction of 3 no. apartment blocks, ranging from 3 to 6 storeys in height, with balconies on all elevations, green roofs, and external amenity courtyards, providing a total of 124 no. apartment units (48 no. 1-beds, 66 no. 2-beds, 10 no. 3-beds).

2. The scheme provides c. 17% public open space of the net site area comprising 2 no. small parks and 1 no. pocket park which total c. 13, 646 sq.m. These parks are located centrally within the site providing a series of north-south linear spaces linking to permitted Ballymastone Phase 1 (FCC Ref. LRD0008/S3 & ABP Ref. 315288) to the south.

3. A total of 278 no. car parking spaces are provided (in-curtilage for the houses and in a mix of both on-street and communal car parking areas for apartment and duplex units). A total of 1, 457 no. cycle spaces are provided for residential units (comprising 1, 353 long-stay/ resident spaces and 104 no. short-stay/ visitor spaces).

4. The development provides for vehicular access from The Links Road, Donabate Distributor Road (DDR) and permitted Ballymastone Phase 1 (FCC Ref. LRD0008/S3 & ABP Ref. 315288).

5. A north-south pedestrian/ cycle route is proposed within the site connecting permitted Ballymastone Phase 1 (FCC Ref. LRD0008/S3 & ABP Ref. 315288) and future development lands to

the north. A series of east-west pedestrian/ cycle routes are proposed connecting the site to permitted Ballymastone Recreational Hub to the east (PARTXI/004/21).

6. Proposed new foul pump station located to the north-east of the site.

7. The proposed application includes all site enabling and site development works, landscaping works, PV panels, bin stores, plant, boundary treatments, ESB Substations, lighting, servicing, signage, surface water attenuation facilities and all site development works above and below ground.

An Environmental Impact Assessment Report and a Natura Impact Statement have been prepared in respect of the proposed development.

The application may also be inspected online at the following website set up by the applicant: www.ballymastonelrd2.ie

Location: Lands at Ballymastone, Donabate, Co Dublin

Area: Rush Lusk

Applicant: Glenveagh Living Limited

Application Type: LRD Application

Date Received: 30 April, 2024

THIS IS AN IMPORTANT DOCUMENT!

KEEP THIS DOCUMENT SAFELY, YOU WILL BE REQUIRED TO PRODUCE THIS
ACKNOWLEDGEMENT TO AN BORD PLEANALA IF YOU WISH TO APPEAL THE DECISION OF
THE PLANNING AUTHORITY.

Please note that all planning applications, including submissions/objections will be published on the Council's website.