

Planning
Application to
An Bord
Pleanála

Planning
Report &
Statements of
Consistency
including
Response to
An Bord
Pleanála
Opinion

Proposed Strategic
Housing Development

Phase 1D at
Portmarnock South
Local Area Plan Lands,
Portmarnock, Co.
Dublin

For Quintain
Developments Ireland
Limited

NOVEMBER 2021

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1 INTRODUCTION

We, Stephen Little & Associates, Chartered Town Planners & Development Consultants, 26 / 27 Upper Pembroke Street, Dublin 2, D02 X361, are instructed by Quintain Developments Ireland Limited, with an address at Fitzwilliam Court, Leeson Close, Dublin 2 (the Applicant) to prepare this Strategic Housing Development (SHD) Planning Application Report.

The development to which this Strategic Housing Development (SHD) Planning Application relates, involves a proposal for 172no. residential units, public open space, provision of a new road to connect with Moyne Road to the south and all associated and ancillary site development, infrastructural, landscaping and boundary treatment works. The proposal therefore amounts to SHD in our professional opinion (See Section 1.3 of this Report). A Site Layout Plan, prepared by Burke Kennedy Doyle Architects shows the lands in question and is enclosed with this submission.

This is the third SHD proposal put forward by the Applicant in respect of their overall lands at Portmarnock South. An Bord Pleanála (ABP) have previously granted permission for development under ABP Reg. Ref. 300514-17 (150no. units) and ABP Ref. 305619-19 (153no. units). Fingal County Council have previously granted permission for a further development under FCC Reg. Ref. F13A/0248 (101no. units); prior to the introduction of the SHD legislation. The same approach to those successful applications has been taken here.

A Site Location Map outlining the lands subject of the proposed works (in red) and extent of land ownership (in blue) has been prepared by Burke Kennedy Doyle Architects, and is enclosed with this SHD Planning Application (Dwg. No. 6158B-P-001 'Site Location Map' refers).

This Planning Application Report accompanies an SHD Planning Application to An Bord Pleanála, made under Section 4 of the Planning & Development (Housing) and Residential Tenancies Act 2016, as amended (hereafter referred to as 'the SHD Act').

The SHD Planning Application is made following consultation with An Bord Pleanála, undertaken in accordance with the provisions of Sections 5 and 6 of 'the SHD Act', and having regard to the Board's written 'Pre-Application Consultation Opinion' dated 11 August 2021.

This Planning Application Report addresses the requirements of 'the SHD Act' and associated Planning & Development Regulations 2001 (as amended), to include a written statement to the effect that, in the Applicant's opinion, the proposed development: -

- Is consistent with the relevant objectives of the Development Plan.
- Is consistent with the relevant Specific Planning Policy Requirements (SPPRs) of the relevant Section 28 Ministerial Guidelines.
- Responds to the Board Opinion issued at the conclusion of Pre-Planning Consultation.

The Planning Application is also accompanied by a separate report that addresses: -

- A Justification of Material Contravention of the Development Plan.

The inclusion of the above Report as part of the Planning Application is referenced in the statutory notices, as is the requirement.

This Report addresses the issues that required further consideration and amendment, and the specific information requested, as set out in the Board's Opinion, dated 11 August 2021. It also addresses the following planning policy context: -

- National Planning Framework, Ireland 2040 (NPF).
- Eastern & Midlands Regional Spatial & Economic Strategy (RSES) and Dublin Metropolitan Area Spatial Plan (DMASP).
- Smarter Travel – A Sustainable Transport Future, A New Transport Policy for Ireland 2009 – 2020.
- Fingal County Council Development Plan 2017 – 2023 (hereafter referred to as the Development Plan).
- Portmarnock South Local Area Plan 2013 (as Extended) (hereafter referred to as the LAP).

- Other relevant national and regional planning strategies, objectives and planning design guidelines for achieving sustainable urban residential development in the Dublin area.

Enclosed is a Part V Proposal Letter, dated 2 November 2021, prepared by Stephen Little & Associates, Chartered Town Planners & Development Consultants (on behalf of Quintain Developments Ireland Limited), and associated the Part V layout and detail of unit mix is included within the Architectural Rationale, prepared by Burke Kennedy Doyle Architects. These identify how the Applicant proposes to comply with Section 96 of the Planning & Development Act 2000 (as amended), as agreed in principle with Fingal County Council (FCC) Housing Department. A Part V Validation Letter from FCC Housing Department, dated 22 September 2021 is also enclosed.

Letters of consent accompany the SHD Planning Application. The proposed development includes works on lands outside the control of the Applicant. These letters of consent give consent from these landowners to the making of this planning application on their lands (Please refer to Section 4 of this Report). It is worth highlighting that the lands on which the residential development itself is proposed, i.e. the dwellings, is located on lands controlled by the Applicant. This is particularly relevant when it comes to the Affordable Housing Act 2021.

The likely significant effects of the proposed development on the environment have been examined in the preparation of the Environmental Impact Assessment Report (EIAR) and Natura Impact Statement (NIS) which accompany the SHD Planning Application. The EIAR and NIS is detailed in the statutory notices, as is the requirement under the SHD Act.

In accordance with the statutory regulations, we confirm that the sum of €42,360.00 as the appropriate fee in this instance. The SHD Application Fee has been paid by Electronic Fund Transfer – remittance is enclosed as proof of payment.

The Planning Application Report & Statement of Consistency should be read in conjunction with the planning application plans and particulars submitted with this application (see Enclosures list at the end of this Report and individual Drawing / Document Schedules).

1.1 Brief Description of Proposed Development

The application site is located at lands in the townlands of Drumnigh, Maynetown and Portmarnock, Portmarnock, Co. Dublin. The proposed 'Phase 1D' development will generally comprise: -

- 172no. residential units consisting of 22no. duplex / apartments and 150no. houses ranging in heights between 1.5 and 3 storeys.
- Provision of public open space including Skylark Park and extension to Railway Linear Park and Townland Boundary Linear Park.
- Vehicular access to serve the development is proposed off the existing / under construction access points on roads serving the St. Marnock's Bay development.
- A new vehicular road is proposed to serve the proposed development which will connect with Moyne Road. The permanent road includes the provision of a new junction with Moyne Road and SuDS features to control surface water run-off.
- Upgrade of existing temporary foul water pumping station and storage tank to increase capacity.
- All associated and ancillary site development, infrastructural, landscaping and boundary treatment works.

1.2 Definition of Strategic Housing Development

We consider the development now being proposed to be Strategic Housing Development as defined by the Section 3 of the Planning & Development (Housing) and Residential Tenancies Act 2016, as amended.

Section 3 of the Act confirms, *inter alia*, that: -

““strategic housing development” means—

(a) **the development of 100 or more houses on land zoned for residential use or for a mixture of residential and other uses,**

(b) *the development of student accommodation units which, when combined, contain 200 or more bed spaces, on land the zoning of which facilitates the provision of student accommodation or a mixture of student accommodation and other uses thereon,*

(ba) *development—*

(i) *consisting of shared accommodation units that, when combined, contain 200 or more bed spaces, and*

(ii) *on land the zoning of which facilitates the provision of shared accommodation or a mixture of shared accommodation thereon and its application for other uses,*

(c) *development that contains developments of the type to which all of the foregoing paragraphs, or any two of the foregoing paragraphs, apply, or”,*

(d) *the alteration of an existing planning permission granted under section 34 (other than under subsection (3A)) where the proposed alteration relates to development specified in paragraph (a), (b) or (c),*

each of which may include other uses on the land, the zoning of which facilitates such use, but only if —

i) **the cumulative gross floor area of the houses or student accommodation units, or both, as the case may be, comprises not less than 85 per cent, or such other percentage as may be prescribed, of the gross floor space of the proposed development or the number of houses or proposed bed spaces within student accommodation to which the proposed alteration of a planning permission so granted relates, and**

ii) **the other uses cumulatively do not exceed —**

I) *15 square metres gross floor space for each house or 7.5 square metres gross floor space for each bed space in student accommodation, or both, as the case may be, in the proposed development or to which the proposed alteration of a planning permission so granted relates, subject to a maximum of 4,500 square metres gross floor space for such other uses in any development, or*

II) *such other area as may be prescribed, by reference to the number of houses or bed spaces in student accommodation within the proposed development or to which the proposed alteration of a planning permission so granted relates, which other area shall be subject to such other maximum area in the development as may be prescribed;”*

(* **SLA bold text emphasis identifies qualifying criteria for the proposed development**)

The site of the residential accommodation is zoned objective ‘Objective RA (Residential Area)’, under the Fingal County Development Plan 2017 – 2023: -

‘RA’ (Residential Area): *“To provide for new residential communities in accordance with approved local area plans and subject to the provision of the necessary social and physical infrastructure.”*

The proposed residential use is permissible in principle on Objective RA lands and meets the criteria under Section 3(a) above. The number of units proposed in this case exceed 100no. units and therefore that criteria is met also. There is no non-residential floor space proposed.

For the reasons and considerations outlined above, we are of the professional opinion that the proposal before the Board represents Strategic Housing Development.

Note: The proposed access road extends south from the planned residential development across lands zoned ‘OS’ (Open Space) toward Moyne Road located south of the residential development. The lands zoned ‘OS’ (Open Space) include a Specific Objective for a ‘Road Proposal’ on the land use zoning maps in the Development Plan and also in the LAP for the lands. The proposed road follows the alignment identified for the ‘Primary Route’ set out in the LAP. That alignment differs from the indicative alignment for the road shown in the Development Plan. On that basis, it is considered that the proposed permanent vehicular access road is permissible on these lands. This is discussed further under Planning Context (Section 11 of this Report).

1.3 Circulation to Prescribed Bodies

We acknowledge receipt of the Board's Opinion, dated 11 August 2021, together with the list of Prescribed Bodies which the Bord have requested be circulated with a copy of the application.

We enclose herewith as part of this SHD Planning Application a copy of the Cover Letters to the relevant Prescribed Bodies in this case, being: -

- Irish Water.
- The Commission for Railway Regulation.
- Iarnrod Eireann.
- Transport Infrastructure Ireland.
- The National Transport Authority.
- Fingal County Childcare Committee.
- Irish Aviation Authority.
- Dublin Airport Authority.
- Department of Education and Skills.

1.4 Compliance with Planning Regulations (Site Notice)

Article 292 of the Regulations of 2017 requires the applicant to erect a site notice. The following advices is set out on ABP website regarding site notices: -

*"The notice is to be inscribed or printed in indelible ink on a white background, affixed on rigid, durable material and secured against damage from bad weather and other causes. **The notice shall be inscribed or printed in indelible ink on a yellow background where the subject SHD application is made within 6 months from the date of the making of a valid application under section 34 of the Act of 2000 or section 4 of the Act of 2016 in respect of the same land or structure.**"*

Part of the site boundary (red line) of the proposed development overlaps with a valid planning application submitted to FCC (FCC Reg. Ref. F21A/0389 – Irish Water Pumping Station, Registered: 19 July 2021). As this SHD Planning Application is being submitted within 6 months of the aforementioned valid planning application submitted to FCC, **yellow site notices** have been erected at the site. This is in accordance with the advice set out on the ABP website for such instances.

2 SITE DESCRIPTION & CONTEXT

2.1 Site Description

The subject site represents the next phase of a plan led phased development in this part of Portmarnock. It is located in an area identified for development under the Portmarnock South Local Area Plan, 2013 (LAP). The site is located in the townlands of Portmarnock and Maynetown, Portmarnock, Co. Dublin. The LAP lands are generally bounded by Station Road to the north, Coast Road and the Baldoyle Road to the east, Moyne Road to the south and the Dublin – Belfast Train Line to the west.

The subject site consists of 1no. site. The gross area of the application site in this case is approximately 11.05 Ha. The extent of the subject site for the 172no. proposed housing units is generally bounded by existing 'St. Marnock's Bay' residential development (Phase 1A & Phase 1B – 'Dún Sí') and permitted Phase 1C (ABP-305619-19 refers) to the north, the Dublin – Belfast train line to the west and former agricultural lands to the east and south within the townlands of Drumnigh, Maynetown and Portmarnock, Portmarnock, Co. Dublin.



Figure 1: Extract from Google Maps showing the extent of the application site outlined in red (Overlay by SLA).

2.2 Existing & Planned Uses

As outlined in section 2.1 of this Report, the subject site adjoins Phase 1A (completed) and Phase 1C (under construction) of the development known as 'St. Marnock's Bay'. The proposed development will constitute Phase 1D of St. Marnock's Bay.

The majority of the subject site consists of greenfield lands most recently in use as agricultural lands. A temporary car park and temporary marketing suite (FCC Reg. Ref. F18A/0435 refers) exist to the northwest of the existing 'Dún Sí at St. Marnock's Bay' (Phase 1B).

The subject site is to be developed to provide 172no. residential units, connected to the St. Marnock's Bay (Phase 1A) and 'Dún Sí at St. Marnock's Bay' (Phase 1B) developments and the permitted Phase 1C development by existing and proposed roads. These proposed uses accord with the uses envisioned at these locations in the LAP.

2.3 Recent Planning History

The following is an outline of the relevant planning history of the subject site based on planning searches of the Fingal County Council online web-based planning search. The Portmarnock LAP lands are been developed incrementally in accordance with the provision of the LAP. There have been a number of recent planning permissions for residential development in proximity to the proposed development and these are detailed below.

2.3.1 FCC Reg. Ref. F13A/0248 – Phase 1A

Permission was sought by Sherman Oaks Ltd. for development comprising 101no. dwellings including 56no. 3 bedroom, 2 storey houses, 25no. 4 bedroom, 2 storey houses, and 21no. 4 bedroom, 3 storey houses, vehicular access onto Station Road, extension to the existing footpath and cycle along Station Road, 51no. car parking spaces to be associated with the future Portmarnock South local centre, all associated site development works, landscaping, boundary treatments, open spaces and surface water treatment areas.



Figure 2: Extract from the Site Layout Plan submitted with FCC Reg. Ref. F13A/0248. (i.e. Phase 1A).

A Notification of Decision to Grant Permission was issued by FCC on 24 March 2014. The Decision was appealed to An Bord Pleanála by Third Party. The appeal was subsequently withdrawn.

Permission was granted by FCC on 29 July 2014 and provided for an equivalent net residential density of 30no. units per Ha. The residential development associated with this application is now completed and occupied and is called 'St. Marnock's Bay'.

2.3.2 ABP Reg. Ref. 300514-17 – Phase 1B

Permission was obtained by St. Marnock's II Designated Activity Company & Clear Real Estate Investments plc under the Strategic Housing Development provisions for a development consisting of 150no. residential units (52no. duplex / apartments, 98no. houses). The application also sought permission for vehicular access off Station Road, 2no. areas of open space, integration of development with a Protected Structure (RPS No. 0475), cycle / walking route along Station Road, a detention pond, a temporary foul water pumping station and wastewater storage tank and a regional wetland area located to the east alongside Strand Road.

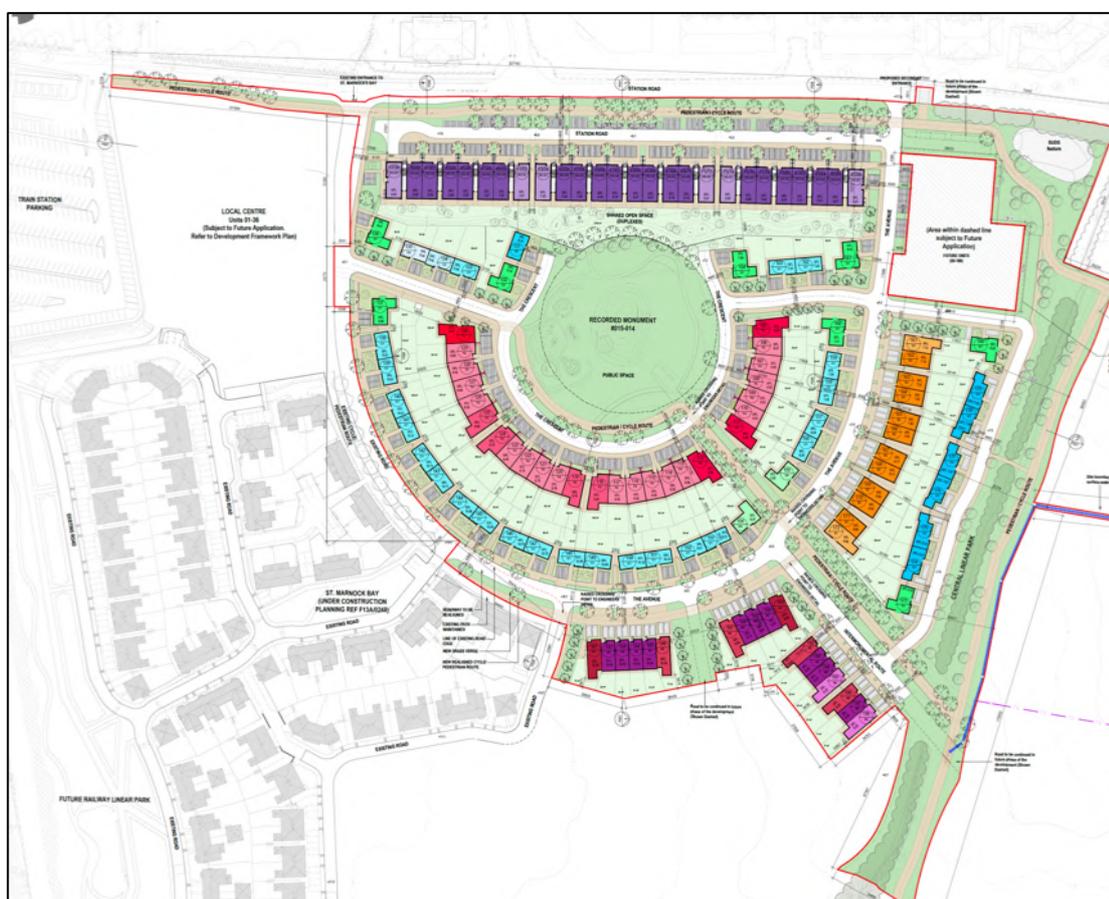


Figure 3: Extract from Site Layout Plan submitted as part of ABP Ref.: ABP-300514-17 (i.e. Phase 1B).

Permission was granted by ABP on 23 March 2018. The residential development associated with this application is now almost completed. It is worth noting that all houses are completed with 6no. units remaining to be occupied.

2.3.3 ABP Ref. 305877-19 – Amendments to Phase 1B

Permission was obtained by St. Marnock’s II Designated Activity Company under Section 146B of the Planning and Development Act, 2000, as amended for minor amendments to the development permitted under ABP Ref: ABP-300514-19. The amendments, consisted of alterations to house types for house No. 196 – 198.

Permission was granted by ABP on 23 December 2019.

2.3.4 ABP Ref. 305619-19 – Phase 1C

Permission was obtained by St. Marnock’s II Designated Activity Company under the Strategic Housing Development provisions for a development consisting 153no. residential units (113no. houses and 40no. apartments), 3no. retail units, cafe, restaurant, medical unit and associated site works all on a site of approximately 4.6 Ha.





Figure 4: Extract from Site Layout Plan for ABP-305619-19 (i.e. Phase 1C).

Permission was granted on 30 January 2020 subject to 34no. conditions. A series of Planning Compliance submissions have been made to the Planning Authority in order to address the necessary Conditions attached to the Permission in this case. This will enable the development of these permitted dwellings to commence. Construction work has commenced on this Phase 1C site under approved site commencement notices issued from Fingal County Council.

2.3.5 FCC Reg. Ref. F18A/0435 – Temporary Marketing Suite

Retention Permission was sought by St Marnock's II Designated Activity Company & Clear Real Estate Investments plc for a period of 3 years for the completion of a single storey marketing suite building and retention of an existing surface car park.

Permission for a period of 3 years was granted by FCC on 22 October 2018.

The Marketing Suite has now been relocated to an area east of the Phase 1B – See Section 2.3.8 below.

2.3.6 FCC Reg. Ref. F19A/0400 – Irish Water Wastewater Pumping Station

Permission was sought by Irish Water on 30 August 2019 for a new wastewater pumping station and associated network infrastructure, including a gravity sewer and rising main connections. On 22 June 2020, a decision to grant permission was made by Fingal County Council on this application. An appeal has subsequently been lodged on 17 Jul 2020.

Permission was refused by An Bord Pleanála on 02 December 2020.

Irish Water have since submitted a new permanent pumping station proposal to FCC – See Section 2.3.10 below.

2.3.7 FCC Reg. Ref. F20A/0568 – Irish Water Wastewater Pumping Station

Permission was sought by Irish Water on 9 November 2020 for a new wastewater pumping station and associated network infrastructure. In order to resolve the capacity deficiency, Irish Water are proposing to decommission the existing Portmarnock Bridge Pumping Station and transfer foul flows to the proposed Portmarnock South Pumping Station in the townland of Maynetown, located approximately 0.1km south of Portmarnock Village.

The application has since been Withdrawn on 7 January 2021 on the basis the application was linked to FCC Reg. Ref. F19A/0400.

2.3.8 FCC Reg. Ref. F20A/0604 – Temporary Marketing Suite

Retention permission has been sought by St. Marnock's II Designated Activity Company on 25 November 2020 for a Marketing Suite and associated access arrangements and landscaping.

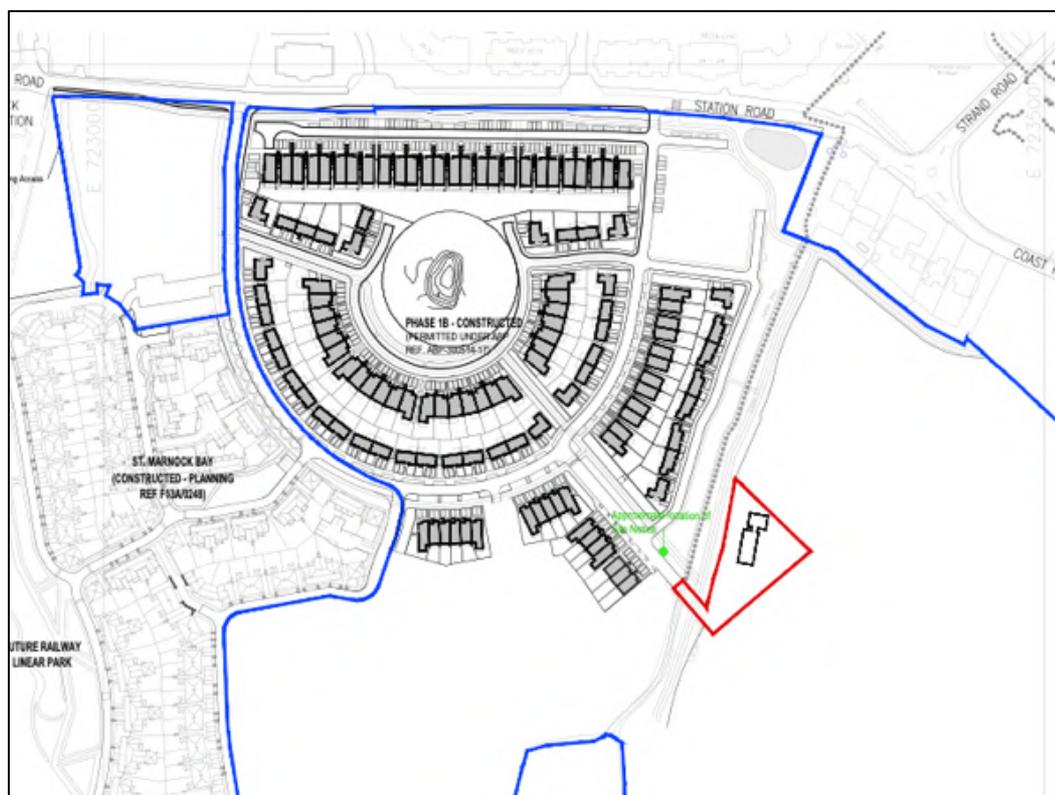


Figure 5: Extract from Site Location Map for FCC Reg. Ref. F20A/0604, showing the proposed development.

Permission was granted by FCC on 22 March 2021.

2.3.9 FCC Reg. Ref. F20A/0700 – Temporary Construction Haul Road

Permission was sought by Quintain Developments Ireland Limited on 22 December 2020 for a Construction Haul Road including a temporary junction onto Moyne Road.

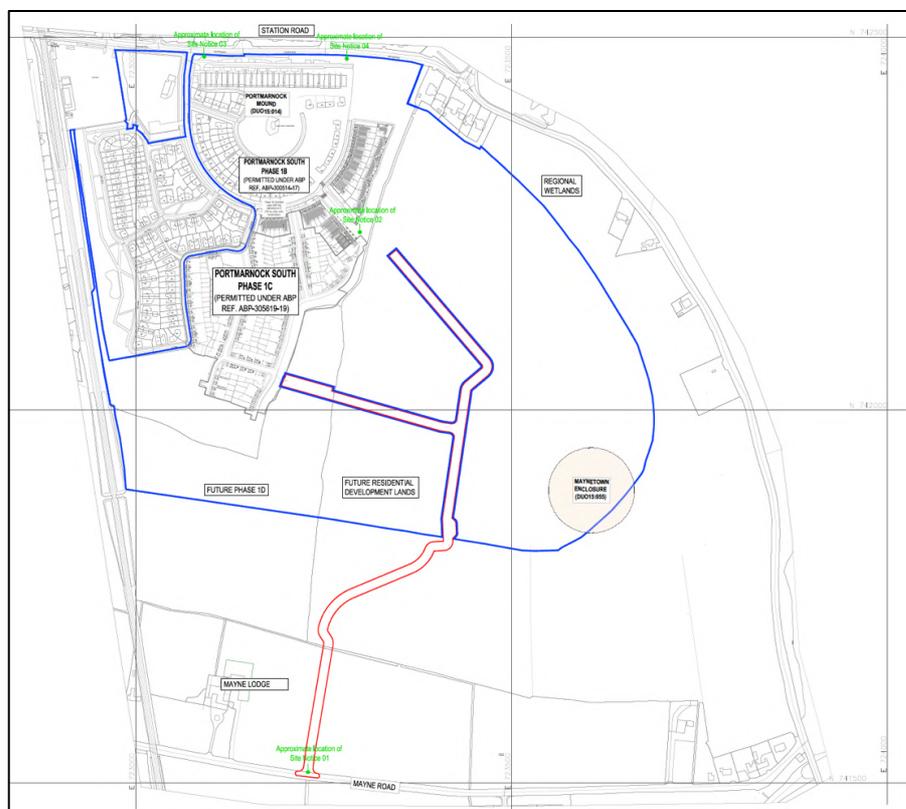


Figure 6: Extract from Site Location Map for FCC Reg. Ref. F20A/0700.

Permission was granted by FCC on 3 March 2021. The Haul Road is under construction and will be completed in December 2021.

The permitted construction haul road will facilitate the construction of the permitted Phase 1C development (ABP Ref. ABP-305619- 19 refers) and future phases on the Portmarnock South LAP lands (including the proposed Phase 1D – subject of this submission). The construction haul road will remove all construction vehicles related to current and future construction works from Station Road. This will result in a significantly improve situation with regard to pedestrian usability and safety, traffic congestion and in turn enhance the general amenity of Station Road.

2.3.10 FCC Reg. Ref. F21A/0389 – Irish Water Wastewater Pumping Station

Permission was sought by Irish Water on 19 July 2021 for a Wastewater Pumping Station. The proposal generally comprised of modification of Portmarnock Bridge pumping station including decommissioning of redundant above and below ground plant and equipment, including the demolition of the control building; provision of a below ground emergency overflow screening chamber with mechanical screen; new control kiosk required to control the mechanical screen; retention of the existing wet well. Gravity sewer connection beneath the Sluice River linking the proposed pumping station and the modified Portmarnock Bridge 'pumping' station. Completion of rising main connection to North Fringe Sewer. Decommissioning of foul rising main within Strand Road and Coast Road. Site entrances works for proposed pumping station, new and replacement boundary fencing, ground level alterations, landscaping and site drainage. All other associated site development works as required to facilitate the development.

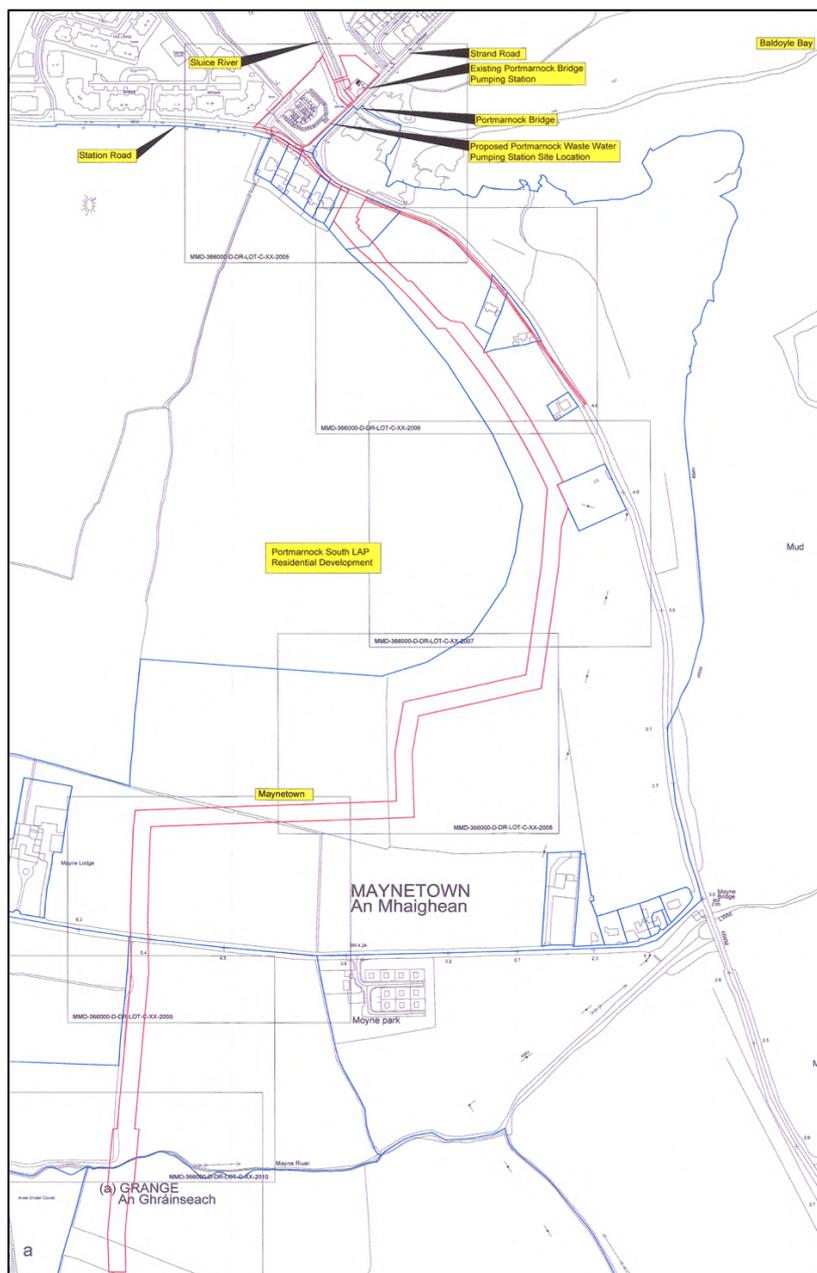


Figure 7: Extract from Key Plan for 1:500 Layouts for FCC Reg. Ref. F21A/0389.

FCC requested Further Information on 10 September 2021. At the time of making this SHD Planning Application a response to the Further Information request has not yet been submitted to FCC.

2.3.11 ABP Ref. 311164-21 – Amendments to Phase 1C Local Centre

Permission was sought by St. Marnock’s II Designated Activity Company on 16 August 2021 for Alterations to previously permitted development ABP Ref: ABP-300514-19, as amended by ABP Ref: ABP-305877-19 to include the amalgamation of unit no. 2 and unit no. 3 and the inclusion of an area for provision of an off-licence.



Figure 8: Extract from the Proposed Local Centre Plan, prepared by Burke Kennedy Doyle showing the proposed amalgamated unit with area for off-licence demarcated for ABP Ref: ABP Ref. 311164-21.

A decision is expected from ABP by 20 December 2021.

2.3.12 ABP Ref. 311164-21 – Amendments to Phase 1C House Types

Permission was sought by St Marnock’s II Designed Activity under section 146B of the Planning and Development Act 2000, as amended, to alter previously permitted development ABP-300514-19, as amended by ABP-305877-19. The amendments included the amalgamation of unit 2 and 3 and inclusion of an area for provision of an off-licence.

A decision is expected from ABP by 20 December 2021.

2.3.13 Planning History Summary

The principle of residential development has been established on these lands. The Portmarnock LAP lands are being developed incrementally in accordance with the provision of the LAP.

3 THE APPLICANT

We wish to confirm that the Applicant in this case is Quintain Developments Ireland Limited, the required details of which are as follows: -

Name: Quintain Developments Ireland Limited.
Address: Fitzwilliam Court, Leeson Close, Dublin 2, D02 YW24.
Telephone: 087 232 7918.
Email: dkellegher@quintain.ie.

4 APPLICANTS LEGAL INTEREST

4.1 Ownership

The Applicant does not own the lands being proposed for the residential development in this instance. Letters of consent have been provided by the Applicant as set out below.

4.2 Letters of Consent

- **Fingal County Council**

A letter of consent is provided by Fingal County Council (attached herewith). These lands are located to the south of the Portmarnock Real Estate Developments Limited landholding toward Moyne Road.

- **Portmarnock Real Estates Developments Limited**

A letter of consent is provided by Portmarnock Real Estate Developments Limited (attached herewith). These lands are located to the east and west of the townland boundary.

5 AGENT

This Pre-Application Consultation has been co-ordinated by Stephen Little & Associates, Chartered Town Planners and Development Consultants under a Design Team led by Burke-Kennedy Doyle, Architects.

For the purposes of this SHD Planning Application, details of the agent are set out below for the convenience of the Board: -

Name: Stephen Little & Associates, Chartered Town Planners & Development Consultants.
Address: 26/27 Upper Pembroke Street, Dublin 2 D02 X361.
Telephone: 01-676 65 07.
Email: info@sla-pdc.com.

Arising from the Covid-19 emergency, there remains a high level of remote working being undertaken at Stephen Little & Associates. The principal means of contacting the office should therefore be via email.

5.1 Design Team

The following sets out a list of consultants that have been involved in the preparation of the proposal to date: -

- **Stephen Little & Associates Chartered Town Planners & Development Consultants** – Provide guidance from a town planning perspective and co-ordination of the pre-planning and planning application for the SHD to An Bord Pleanála.
- **Burke Kennedy Doyle Architects** – Preparation of the Development Framework for the LAP lands and the detailed layout and design of the proposed development.
- **JB Barry & Partners Consulting Engineers** – Provision of guidance on road and drainage design, flooding and other infrastructural requirements of the proposed development including liaising with Irish Water and FCC (Roads and Water Services Department) as appropriate.
- **Brady Shipman Martin Landscape Architects and Environmental Consultants** – Preparation of the landscape masterplan, visual impact (including Photomontages) and guidance on conservation and ecology. Preparation of an Natura Impact Statement (with additional specialist input) including liaising with the National Parks and Wildlife Service and Parks and Heritage Department in FCC.
- **John Morris Arborist** – Preparation of Arboricultural Assessment and Tree & Hedgerow Survey / drawings.
- **IN2 Engineering Design Partnership** – Preparation of a Daylight / Sunlight Analysis.
- **CYRRUS Limited (Aviation Safety Specialists)** – Provision of specialist advise with regard airport safety requirements and assessment of density with regard airport safety restrictions including liaising with the Irish Airport Authority and Dublin Airport Authority.
- **AWN Consulting** – Preparation of a waste management plans.

JAK Consulting Engineers – Preparation of a public lighting scheme, Energy & Sustainability Report and Building Lifecycle Report for the proposed development.

5.2 EIAR Team

The following lists the expert consultants involved in the preparation of the Environmental Impact Assessment Report for the proposed development: -

- **Stephen Little & Associates Chartered Town Planners & Development Consultants** – Preparation and co-ordination of EIAR and preparation of and EIAR chapters relating to Population and Human Health.
- **JB Barry & Partners Consulting Engineers** – Preparation of EIAR Chapter relating to Land, Soils and Geology, Water, Material Assets (Transportation) and Material Assets (Utilities).
- **Brady Shipman Martin Landscape Architects and Environmental Consultants** – Preparation of EIAR Chapter relating to Biodiversity and Landscape & Visual Impact Assessment.
- **AWN Consulting** – Preparation of EIAR Chapter relating to Material Assets (Waste), Air (Noise & Vibration) and Climate (Air Quality & Climate Change).
- **IN2 Engineering Design Partnership** – Preparation of EIAR Chapter relating to Climate (Daylight and Sunlight).
- **JAK Consulting Engineers** – Preparation of EIAR Chapter relating to Material Assets (Utilities).
- **Courtney Deery Archaeology and Heritage Consultants** – Preparation of EIAR Chapter relating to Cultural Heritage (Archaeological and Architectural). Also, provided guidance on the Archaeological constraints associated with the proposed development including liaising with the Department of Arts, Heritage and the Gaeltacht, National Monument Service and the County Archaeologist.

The individual consultants involved from each firm and their qualifications are contained in the EIAR.

6 PRIOR CONSULTATION IN RESPECT OF PROPOSED STRATEGIC HOUSING DEVELOPMENT

6.1 An Bord Pleanála Pre-Application Consultation

A Pre-Application Consultation meeting was held on the 9 July 2021 under Section 6 of the SHD Act. This was attended by representatives from An Bord Pleanála, Fingal County Council, the Applicant and Design Team.

At the outset the applicant fully acknowledges the ‘without prejudice’ nature of pre-planning consultation. The following sections are provided for the Board’s information only. The Board will have its own record of FCC S. 247 minutes of meetings that took place on 11 March 2021, and of the subsequent Pre-Planning Report of the Council’s Chief Executive, signed by Sean Walsh Senior Executive Planner, Colm McCoy Senior Planner and Caroline Kelly Administrative Officer on 10 September 2021 and submitted in advance of the Pre-Application Consultation meeting

The Board issued its formal Opinion on 11 August 2021, identifying the issue requiring further consideration within the planning application, including: -

- Wastewater proposals to service the proposed development including details of the upgrades proposed to the temporary plumbing station.

The Board’s Opinion also listed specific information that should be submitted with this application.

A response to the Board Opinion is included at Section 7 of this Report. This includes cross reference to the relevant plans and particulars submitted with the SHD Planning Application that further describe, illustrate and / or analyse the revised scheme.

We refer the Board otherwise to the plans and particulars submitted with the application which are set out in the Enclosures List at the end of this Report, which detail all relevant material submitted and relevant to the consideration of the revised scheme subject of this SHD Planning Application.

6.2 Section 247 Consultations with Fingal County Council

We can confirm that a formal Section 247 Pre-Planning Meeting was held with the Planning Authority on the 11 March 2021. The formal request for this Section 247 Consultation was issued to the Planning Authority by email dated 19 February 2021 submitted by Stephen Little & Associates.

That meeting was attended by the following officials of the Planning Authority: -

- Sean Walsh – Senior Planner, Planning Department.
- Kathy Tuck, Executive Planner, Planning Department.
- Mark Finnegan, Senior Executive Parks Superintendent, Parks Department.
- Niall Thornton, Senior Executive Engineer, Transportation Department.
- Linda Lally – Senior Executive Engineer, Transportation Department.
- Darragh Sheedy – Executive Engineer, Water Services

At the S. 247 consultation, the Planning Authority provided its recommendations of the key planning and design issues that it considered should be taken into account in the SHD Application to the Board. The principle issues included: -

- **Moyne Road Junction / Roads:** FCC Parks noted the removal of hedgerow and requirement for new planting. Sightlines are to be provided to reduce the need for some temporary traffic measures although permanent sightlines are not required. Layout consistent with DMURS.
- **Drainage:** FCC Planning requests an updated CoF from Irish Water.
- **Landscape:** FCC Parks concerned about red line boundary going through open space south of the boundary, concerned how edge will be managed/treated. Applicant confirms it conforms to the zoning line and not in land ownership.

- **Tree Survey & Hedgerow Plan:** FCC Parks requests surveys and protections measures, notes the eastern hedgerow worth keeping and include replacement hedgerow where possible to improve continuity. FCC Parks looking for correlation between street trees and car parking, have them in public realm rather than private property to prevent residents from cutting them down. Concern regarding garden layout to the west of the proposal. Concerned some of the gardens have boundary walls adjoining up to 3no. adjoining gardens, needs to be rationalised.
- **Duplex Units:** FCC Planning seeking elevation treatment for duplex units. Looking for a deviation from stairs externally. FCC preference for them to be hidden. FCC Transportation suggests parking for duplex not forward, not ideal from a taking in charge perspective. Put footpath on the edge of the road, easier to be Taking in Charge. Parking spaces can then remain private and can incorporate SuDs measures into these.
- **Part V:** FCC Planning request Part V to be dispersed throughout site and not just in one block.
- **General Design:** Southern houses with balconies are deemed acceptable. Concern regarding red brick houses in Maynetown. Terraced units to the west of Duplex, need to consider bin / bicycle storage area and as well as the required level of parking.
- **Density:** Limitations placed by Airport Safety Zone need to be adhered to. Overall, the layout presented is acceptable.

It is our understanding that Fingal County Council will submit its minutes of the S. 247 meetings to An Bord Pleanála upon notification of pre-application consultation request and request for the Planning Authority's report in advance of the SHD tripartite consultation meeting. We would refer the Board also to the FCC meeting minutes as evidence of the S. 247 consultation with the Applicant.

We do however acknowledge the 'wholly without prejudice' nature of these Pre-Planning Consultations.

6.3 Previous FCC Meetings

The meeting held on the 4 November 2020 was a Pre-Planning Meeting held with the Planning Authority regarding the Portmarnock South Construction Haul Road (FCC Reg. Ref. F20A/0700 refers) and Phase 1D.

It is envisaged that dialogue with the Planning Authority will continue up to just prior to the SHD Planning Application being submitted.

In addition to the above formal Pre-Planning Meetings, there were a number of meetings held with officials from the individual FCC Departments throughout this process including Parks, Water Services, Transportation and Archaeology. This included meetings with the Housing Department also to discuss the provision of Part V units on site.

6.4 Other Consultations

In addition to discussions with the Planning Authority, a number of pre-Planning Consultation meetings, or correspondences were undertaken with other bodies.

6.4.1 Irish Water

JB Barry and Partners, Consulting Engineers held a number of meetings with Irish Water. These meetings centred around the co-ordination between the planned new Pump Station by Irish Water and the development subject of this SHD Planning Application submission.

In addition, JB Barry and Partners Consulting Engineers submitted a Pre-Connection Enquiry to Irish Water and received a Confirmation of Feasibility (CoF) from Irish Water, dated 23 October 2019. FCC subsequently requested an updated CoF as part of the SHD Pre-Planning engagement.

A subsequent bespoke CoF from Irish Water was received by JB Barry and Partners Consulting Engineers on 4 October 2021 which confirms connection to the foul network is feasible subject to certain upgrade works being carried out to the temporary pumping station (these upgrade works are included as part of this SHD Planning Application). Furthermore, the CoF confirms that connection to the water supply network is feasible without any infrastructure upgrades to facilitate the proposed development.

Finally, we refer the Board further to the Statement of Design Acceptance, dated 23 November 2021, in respect of the proposed development, which demonstrating compliance with Irish Water Standards and confirmation that connection to the Irish Water network is feasible.

6.4.2 Department of Arts, Heritage and the Gaeltacht

Courtney Deery, Heritage Consultants have been in on-going dialogue with National Monuments Service of the Department of Culture, Heritage and the Gaeltacht with regard existing archaeological features on site.

6.4.3 Other Prescribed Bodies

We note that the Prescribed Bodies identified in the Board's Opinion, dated 11 August 2021, and in Section 1.3 of this Report, will otherwise be notified of the SHD Planning Application and invited to make submissions.

7 APPLICANTS RESPONSE TO AN BORD PLEANÁLA OPINION

In accordance with Section 6(7) of the Planning and Development (Housing) and Residential Tenancies Act 2016, and Article 285(5)(b) of the Planning and Development (Strategic Housing Development) Regulations 2017, the Board has set out its written Opinion, dated 11 August 2021, on whether the documents submitted at pre-application consultation stage constitute a reasonable basis for a Strategic Housing Application. It sets out also its Opinion on the issues that require further consideration or justification, and any specific information that is necessary to accompany the application.

Article 297(3) provides: -

“(3) Where, under section 6(7) of the Act of 2016, the Board issued a notice to the prospective applicant of its opinion that the documents enclosed with the request for pre-application consultations required further consideration and amendment in order to constitute a reasonable basis for an application for permission, the application shall be accompanied by a statement of the proposals included in the application to address the issues set out in the notice.”

Before proceeding to set out the details of the characteristics of the overall proposed development now before the Board (see Section 9 below), the statement of proposals referred to under Article 297(3) required in response to the Board’s Pre-Application Consultation Opinion is set out in this overall Section.

This should be read in conjunction with the plans and particulars that accompany the application which provide a further illustration and / or written analysis and justification of the proposed design response to the specific issues raised by the Board. We cross reference the relevant material in the responses below for the convenience of the Board.

We can confirm that in making this SHD Planning Application the Applicant will have issued notification to the Prescribed Bodies identified in the Board’s Opinion, inviting submissions on the application (see cover letters enclosed with application). We refer the Board also to Section 1.3 of this Planning Application Report for a list of the prescribed bodies that have been notified.

7.1 Amendment to Proposed Scheme Following An Bord Pleanála Pre-Planning Consultation

The proposal as part of the SHD Planning Application broadly consist of 172no. residential units and all associated and ancillary site development works.

Adjustment have been made to the scheme following the Pre-Application Consultation (9 July 2021) and in response to the design issues raised in the Board’s Opinion dated 11 August 2021. In broad terms, the key change are as follows: -

- Site boundary amended to include the temporary Pumping Station constructed in Phase 1B to facilitate upgrade works to serve the proposed development as an interim measure pending delivery of the planned upgrade to the Portmarnock Bridge Pump Station.
- Site boundary amended to include larger area for the SuDs features associated with the new permanent road to connect with Moyne Road.
- Minor changes have occurred to landscaping and there have been minor adjustments to road layouts but these are not considered significant in nature.

The Architectural Rationale outlines the holistic design response to the planning design issues raised by the Board. It has been prepared by Burke Kennedy Doyle Architects, with input from the core design team including JB Barry & Partners, Consulting Engineers, Brady Shipman, Built Environment Consultants and Stephen Little & Associates, Chartered Planners & Development Consultants.

7.2 Response to Issues Raised

7.2.1 Issue 1 – Water and Wastewater Proposals

Further consideration / amendment of documents as they relate to water and wastewater 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 network constraints raised by Irish Water in their report dated 18th June 2021 and in the report of the Planning Authority’s Water Services Department dated 24th May 2021. In the event that Irish Water infrastructure is not available, a justification should be submitted that seeks to address the potential negative impact of the development on the existing infrastructure, in particular the temporary pump station and clarify any upgrades that may also be required to allow additional connections to this pump station.

(SLA bold font emphasis)

Applicant’s Response

We refer the Board in the first instance to the Water Services Report and the Surface Water and Foul Drainage Drawings, prepared by J.B Barry & Partners Consulting Engineers. These documents and drawings set out the detail in relation to water and drainage infrastructure requirements and design proposals for this scheme.

There has been extensive dialogue between Irish Water and JB Barry & Partners Consulting Engineers in relation to wastewater proposal to service the proposed development. Due regard has been given to the issues raised by both Irish Water and FCC as part of the Pre-Planning consultation for the proposed development.

As part of the SHD Planning Application for Phase 1B (Dún Sí) JB Barry & Partners Consulting Engineers liaised with Irish Water and it was demonstrated that there was sufficient capacity within the existing Mayne Road Pumping Station to cater for that development, notwithstanding the provisions of the LAP. The provision of a temporary private 24 hour storage tank, which will be removed once the permanent solution is operational was agreed. A Certificate of Feasibility issued by Irish Water at the time of making the SHD Planning Application for Phase 1B to confirm the above was acceptable in principle.

This process was repeated for Phase 1C (ABP Ref. 305619-19 refers), whereby additional spare capacity was confirmed. A Certificate of Feasibility was issued by Irish Water at the time of making the SHD Planning Application for Phase 1C as the principle had been established.

Subsequent to receipt of the permission for Phase 1C under ABP Ref. ABP-305619-19, JB Barry & Partners Consulting Engineers submitted a Pre-Connection Enquiry to Irish Water and received a Confirmation of Feasibility (CoF) from Irish Water, dated 23 October 2019 in respect of the planned Phase 1D development.

FCC subsequently requested an updated CoF as part of the SHD Pre-Planning engagement for Phase 1D. Irish Water in turn requested a re-submission of the pre-connection enquiry as it was in excess of 12 months old, for their review to confirm that no significant changes have occurred to the Irish Water wastewater network in the last 18 months, which would influence the feasibility assessment. The pre-connection enquiry form was re-submitted in April 2021.

A bespoke CoF from Irish Water was received by JB Barry and Partners Consulting Engineers on 4 October 2021 which confirms connection to the foul network is feasible subject to certain upgrade works being carried out the temporary pumping station (these upgrade works are included as part of this SHD Planning Application). The upgrades broadly include: -

- Additional operational storage (6 – 12 hours).
- Telemetry and PLC upgrades (to allow the 3no. pumping stations to communicate with one another e. Existing Portmarnock Bridge Pumping Station, Mayne Road Pumping Station and St. Marnock’s Temporary Pumping Station).
- Full detail of the upgrades provided in the Water Services Report and Interim Pumping Station Drawings, prepared by JB Barry and Partners Consulting Engineers.

The Applicant have been in contact with Irish Water regarding the delivery of the new Pumping Station required to serve the Portmarnock South lands in the longer term. This dialogue has been to impress upon Irish Water of the urgent need for the project and to ensure that the Irish Water project has regard to the subject proposals and also to ensure the proposals are co-ordinated in design terms to the extent necessary. The envisaged timeline for delivery of the new Irish Water Portmarnock Bridge Pumping Station is c. 2025.

It is intended to connect the foul sewerage from the proposed 172no. residential units of the development to the existing foul sewer network in the Portmarnock South LAP lands. The connection will be to the permitted Phase 1C development, which is currently under construction, immediately to the north of the proposed Phase 1D development.

The network discharges to an existing temporary pumping station adjacent to Station Road (constructed under the Phase 1B Development – ABP Ref: ABP–300514-17 refers) from where it is pumped to a gravity line which discharges to an existing foul sewer in Coast Road. This sewer discharges to the Mayne Bridge Pumping Station from where it is pumped to the North Fringe Sewer

The proposed new foul sewer network is shown in principle on accompanying drawing 21205-JBB-00-XX-DR-C-04001 to 04005 incl. Ultimately, all foul flow from the Portmarnock South LAP lands will discharge by gravity to a proposed new Irish Water Pumping Station adjacent to Portmarnock Bridge from where it will be pumped directly to the North Fringe Sewer, south of Mayne River.

When the new Irish Water Pumping Station is operational (subject to planning permission being granted for same) all flows from the existing Phase 1A and 1B developments, the Phase 1C development currently under construction, this proposed Phase 1D and all future phases will be permanently diverted to the new pumping station.

The temporary pumping station, associated pipework and 24-hour emergency storage will then be decommissioned. The proposed new Irish Water pumping station and associated works are consistent with the requirements set out for disposal of foul effluent in Section 9.2, Wastewater Network and Treatment of the LAP.

As such, the concerns raised by Irish Water and FCC have been addressed and the CoF received from Irish Water on which confirms connection to the foul network is feasible subject to certain upgrade works being carried out the temporary pumping station. The upgrade works to the temporary pumping station form part of the proposed development.

Planning Authority's Water Services Department Report

For clarity we set out below the other issue raised by FCC Water Services Department in relation to flooding, surface water and water supply. The concerns raised regarding wastewater are clearly addressed above.

The main items which featured in the Planning Authority's Water Services Department Report came under the following headings:

Flooding

We refer the Board to the Flood Risk Assessment (FRA), prepared by JB Barry & Partners Consulting Engineers.

The FRA confirms that the application site is located in Flood Zone C. The finished floor levels (FFL) of the proposed dwellings are between +8.75mOD to +14.9mOD which is significantly greater than the recommended minimum FFL of +4.73mOD. Access covers to the upgraded interim foul pumping station's storage tank and pumping chamber will also be set at a minimum of +4.73mOD. Therefore, the proposed development is appropriately mitigated from risk of flooding from the High End Future Scenario (HEFS).

We refer the Board to Dwg. Nos. 21205-JBB-00-XX-DR-C-04014 to 04018 inclusive 'Overland Flow' which sets out the predicted flood routing for the proposed development, as requested by FCC Water Services Department.

Surface Water

We refer the Board to the Water Services Report and the Surface Water Drawings, prepared by JB Barry & Partners Consulting Engineers.

The SuDS strategy adopted for this development provides a comprehensive approach to the management of storm water on the site. SuDS measures proposed, within the curtilage of dwellings (source controls), include the following: -

- Permeable paving for private driveways.
- Filter drains in patio areas and back gardens, where applicable.
- Water butts for the individual housing units for car washing, garden and plant watering.

SuDS measures proposed, within the wider application site (site controls), include the following: -

- Bio-retention areas within public open spaces.
- Swales running parallel to road carriageways / footpaths.
- Filtration trenches running parallel to road carriageways / footpaths / hard landscaping areas.
- Silt and Hydrocarbon interceptors for road carriageways / carpark areas.

The storm water network has been designed to cater for the existing Phases 1A and 1B, Phase 1C currently under construction, this Phase 1D and all future phases of the entire development.

Water Supply

We refer the Board to the Water Services Report and the Surface Water Drawings, prepared by JB Barry & Partners Consulting Engineers.

It is proposed to connect the proposed development to the existing watermain network in the Portmarnock South LAP lands which is ultimately fed from a 450mm extension from the North Fringe Watermain.

A bespoke CoF from Irish Water was received by JB Barry and Partners, Consulting Engineers on 4 October 2021 which confirms that connection to the water supply network is feasible without any infrastructure upgrades to facilitate the proposed development.

Overall, following extensive dialogue with Irish Water the main concerns regard capacity within the wastewater network to facilitate the proposed development have been robustly addressed. The other concerns raised by FCC Water Services Department have also been clearly addressed as part of the design process. The proposed development will therefore not result in any significant effects in relation to wastewater, surface water, water supply or flooding.

7.3 Response to Information Requested

7.3.1 Item 1 – Residential Density

Notwithstanding the sites location in the outer safety zone for Dublin Airport demonstrate and / or justify the suitability of the proposed site to accommodate the proposed residential density with regard to the previously approved developments on the LAP lands, the provisions of the current Fingal County Development Plan, the Portmarnock South Local Area Plan 2013 – 2019 (as extended) and relevant national and regional planning policy.

Applicant's Response

We refer the Board in the first instance to the Aviation Public Safety Zone Assessment, prepared by Cyrrus Limited, Aviation Consultants.

The proposed development lies within the Outer Public Safety Zone associated with Runway 28L at Dublin International airport. Residential development within Public Safety Zones is limited a maximum density of 60no. residents in any half hectare area.

Cyrrus Limited, Aviation Consultants have been advising on this important matter to ensure that the densities proposed adhere to the limits applicable within this Outer Public Safety Zone as dictated by the Environmental Resource Management (ERM) Report (2003). There is a continual balance to be struck in seeking to attain the density provided for within the LAP and still adhering to the public safety provisions set out in the ERM Report. We have assumed that the public safety provisions would take precedence. Further detail is contained in the Aviation Public Safety Zone Assessment, prepared Cyrrus Limited, enclosed with this submission.

The LAP contains a number of references to unit numbers and density that are worth considering in the context of this issue, as follows: -

Introduction

1.3.6 Green Infrastructure and Landscape Strategy

*"The Green Infrastructure and Landscape Strategy devised for the Portmarnock South LAP lands allows for the absorption of **up to 1200 residential units** on these lands whilst protecting the essence of the existing landscape and fulfilling the green infrastructure objectives of the Fingal Development Plan."*

Policy and Statutory Context

2.1.1 Fingal Development Plan Core Strategy

*"The total number of units allocated for the Portmarnock South LAP area **c. 1200 units** is fully consistent with the Core Strategy of the Fingal Development Plan and the RPGs 2010-2022."*

2.2.4 Land Use Zoning Objectives Relating to Portmarnock South

"Objective RA: Provide for new residential communities in accordance with approved local area plans and subject to the provision of the necessary social and physical infrastructure."

"Objective OS (Open Space): Preserve and provide for open space and recreational amenities"

2.2.5 Local Objectives relating to the Plan Lands

*"Densities are limited by the outer public safety zone requirement that '**no single half hectare plot should accommodate more than 60 persons**' (Environmental Resources Management (ERM) Report, 'Proposed Public Safety Zones for Dublin Airport dated February 2005 refers)."*

*"408: **Density** shall be in accordance with (draft) public safety zones recommended by the Government."*

Strategic Vision and Aims of the LAP

4.2 Development Strategy Overview

*"The residential (RA) zoned lands within the Local Area Plan have the potential to achieve up to approximately **1200 residential units** based upon a density of **c. 42 units per hectare** which accords with airport safety zone criteria. This would equate to a potential population of **c. 3360 persons**..."*

*To reflect the environmental and visual sensitivities of the plan lands traversed with many townland boundaries **as well as the airport public safety zone density restrictions**, flexibility regarding achievable maximum density across the plan lands is provided in this LAP...*

*an **average minimum density of 35 units per hectare** with an **average maximum density of 42 units per hectare** shall be considered to comply with the sustainable objectives of the LAP.”*

Summary of LAP in relation to Density / Capacity

It is clear from the LAP that the following parameters are in place regarding ultimate capacity of the entire zoned ‘RA’ lands: -

- Up to 1,200no. residential units can be accommodated.
- Equivalent to 3,360no. people.
- That ‘no single half hectare plot should accommodate more than 60 persons’.
- The average maximum density can be 42no. units per Ha.

In particular it is worth highlighting the LAP advises that: -

*“The residential (RA) lands... have the potential to achieve up to approximately 1200 residential units based upon a density of c. 42 units per hectare which **accords with airport safety zone criteria.**”*

The net developable area excludes the Central Linear Park, Skylark Park, Railway Linear Park, landscaped southern edge of site, Inter-Monument Route, primary link road to the south and secondary road link to junction with primary road where not servicing units in this phase. This is consistent with the methodology set out in Appendix A of the Sustainable Residential Development in Urban Areas 2009 for the calculation of net density and consistent with the approach also Phase 1B (ABP Ref. ABP-300514-17 refers) and Phase 1C (ABP Ref. ABP-305619-19 refers).

The proposed development achieves a net density of c. 32.3no. units per Ha. The site is located in the Outer Public Safety Zone of Dublin Airport, in accordance with the airport safety zone criteria set out in the Development Plan. We confirm that Cyrrus Limited have reviewed the layout of the residential component of the proposed development with regard to the residential density restrictions required in accordance with these criteria. As such, the current layout is compliant with the requirement of no more than 60no. persons per 0.5 Ha.

The process utilised by Cyrrus Limited to determine the population density of the proposed development is consistent with the methodology employed for Phase 1A, Phase 1B and Phase 1C previously. Through an iterative process occupancy points are allocated to each dwelling and a density heat map is generated.

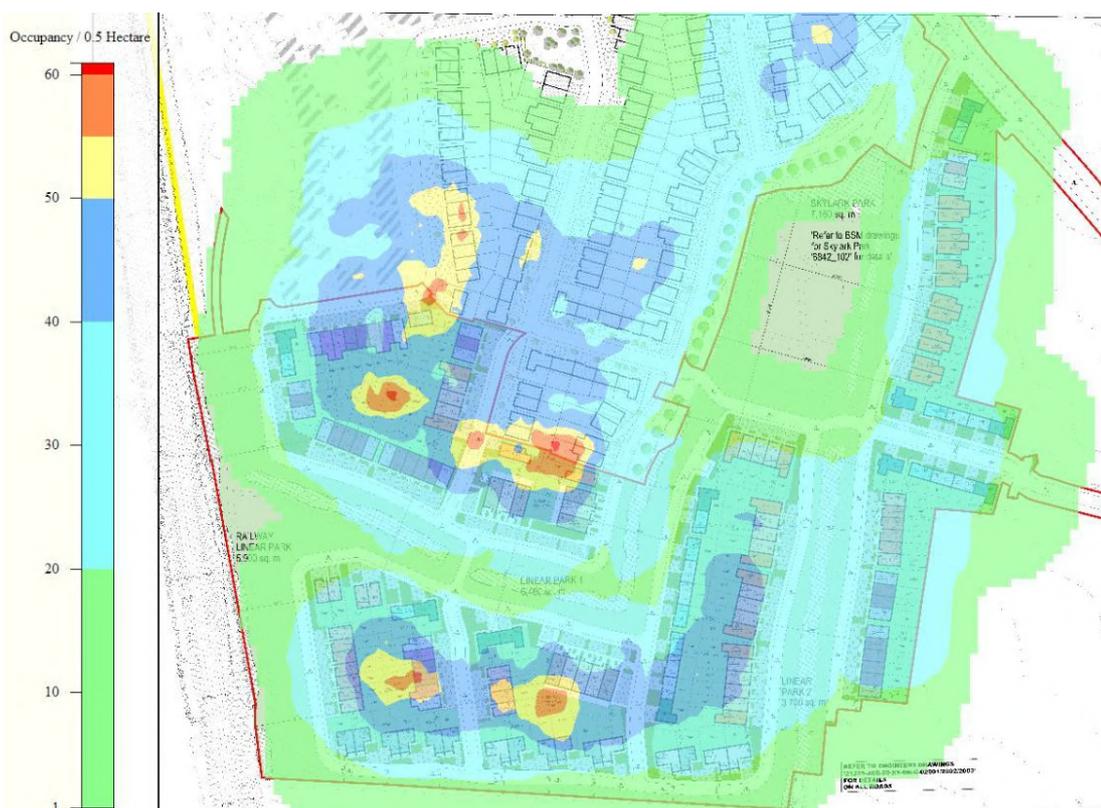


Figure 9: Extract from the Aviation Public Safety Zone Assessment, prepared by Cyrrus Limited showing the 'density heatmap' for the proposed development.

Half Hectare grids are placed over the areas where population density is indicated as being highest (red / orange) to determine the actual population per half hectare using occupancy points. This analysis generally concludes that: -

"Of the identified ½ hectare grid squares, none exceed the stated maximum population density of >60 persons per ½ hectare.

This development does not compromise the population density of earlier phases of the development or pre-existing dwellings.

...The total residential occupancy is expected to be 461 persons based on an occupancy rate of 2.68 per dwelling. This results in an average residential population density of 43.25 persons per ½ hectare over the whole site."

From the perspective of aviation safety, it can be clearly demonstrated that the proposed layout does not exceed the requirement of 60no. persons per half hectare.

Furthermore, with LAP sets out a number of requirements in relation to building height, views and transition to open space located to the south and east of the LAP lands.

In Section 7.2 – Character Areas of the LAP it is set out with regard the Skylark Park Area that *"care also needs to be taken to preserve the views from higher ground"*.

We refer the Board to the EIAR Chapter 12: Landscape & Visual Impact Assessment, prepared by Brady Shipman Built Environment Consultants. Generally, the EIAR chapter set out that when the development becomes operational: -

"The Proposed Development is situated south of the existing Phase 1A, Phase 1B and Phase 1C (under construction) and is primarily located to the west of the townland boundary hedgerow. The townland hedgerow will be incorporated within public open space 'Skylark Park' and associated linear parks.

Therefore, this is one of the least visible areas of the LAP development lands – with views confined to properties within Phase 1A, Phase 1B and Phase 1C to the north as well as from the lands (agricultural, landscape buffer areas) immediately south of the Phase 1D area.

Development proposed to the east of the townland boundary / Skylark Park is located in a visually more open setting. However, these residential properties will be eventually subsumed into the build-out of the wider masterplan for the residential zoned lands. Properties, which define the southern limited of the Phase 1D residential development will be more visible from the south and have been specifically designed as ‘edge properties’ with a distinctive design and material finish. The southern leading edge of the Phase 1D development will be visible from Moyne Road in the vicinity of the proposed permanent road connection, and in views north from lands further south of Moyne Road, including Racecourse Park.

The Proposed Development, including the road connection to Moyne Road, is fully consistent with the objectives and requirements of the Portmarnock South LAP.

*The sensitivity of the receiving visual environment and the Magnitude of Change are considered Medium. **The visual impact of the Operational Phase is assessed as being of Moderate Positive Medium to Long-term Significance.***

Section 7.4 – Building Height of the LAP sets out with regard the southern edge of the LAP lands onto the ecological buffer zone / open space lands that heights should be no more than one and a half storeys.

The southern edges of the LAP lands mark the transition to more expansive open space area to the south, therefore, the building height and scale of development need to reflect the sensitivity of this edge. The proposed development along this edge includes a 1.5 / 2 storey house type to create an appropriate edge in terms of scale.

We refer the Board to the Architectural Rationale, prepared by Burke Kennedy Doyle which sets out the appropriateness of the proposed dwelling along the southern edge of the proposed development as a suitable edge condition in the context of the adjoining landscape / surroundings.

The general provisions of the National Planning Framework – Ireland 2040 and the Regional Spatial and Economic Strategy (RSES) for the East and Midlands to promote sustainable densities in proximity to public transport are acknowledged. In the context of this application site the key driving factor with regard density is adherence to aviation safety requirements. As set out above the proposed layout is first and foremost in accordance with the aviation provision and the layout is subsequently tailored to the existing condition of the surrounding area. As such, the net density of c. 32.3no. units per Ha is appropriate in this context.

Overall, on the basis that the proposed layout is within the limits of the aviation restrictions and the scale of development towards the southern edge is suitably reduced the net density of the Phase 1D proposal is considered appropriate in this context. Furthermore, we would add that FCC have noted during Pre-Planning Consultation that the proposed density in the context of the overall LAP lands is acceptable also.

7.3.2 Item 2 – Design Rationale Report

A report that addresses and provides a clear design rationale for the proposed design and layout, character areas, materials and finishes of the proposed development including specific detailing of finishes and frontages for the proposed duplex blocks, and the maintenance of same. Particular regard should be had to the requirement to provide high quality, robust and sustainable finishes and details which seek to create a distinctive character for the development.

Applicant’s Response

We refer the Board to the Architectural Rationale, prepared by Burke-Kennedy Doyle Architects which demonstrates how the proposed development provides a clear design rationale in terms of design and layout, character areas, materials and finishes of the proposed development including specific detailing of finishes and frontages for the proposed duplex blocks, and the maintenance of same. The following is a breakdown how each of the requirements has been met.

Design

The materials used in the design of this scheme reflect the rich history of industry in Portmarnock. Station Road historically had a local brick works and lime kiln which is reflected upon by the use of brick and self-coloured render throughout the scheme. These materials are used differently on each residential unit type to inform the character of each area within the development framework plan.

Further information on the design rationale for this scheme can be found within Architectural Design Rationale, prepared by Burke Kennedy Doyle Architects and the Landscape Design rationale Report, prepared by Brady Shipman Martin Built Environment Consultants. An approach has been outlined to the development of the street elevations in terms of place making and the character areas through a combination building form, elevation materials and hard and soft landscape. The design of the individual units seeks to provide a robust range of unit types and sizes to reflect the needs of a range of households, living arrangements and economic situations. Passive surveillance of adjoining public and private space has been a key driver in design development through the maximization of active frontages and the siting of entrances and windows.

Layout

The proposed layout of the site creates a series of natural routes following desire lines established in the Local Area Plan. In many cases pedestrians and cyclists are provided with dedicated landscaped routes which deviate from the street pattern for improved security and safety. These routes link together the green spaces within the development and offer the opportunity for encounters away from the roadways.

A hierarchy of roads and routes following the principles of DMURS ensures that traffic speeds are minimised and that the pedestrian is favoured. Secondary roads have incorporated curves to slow traffic and offset junctions creating a safer route for cyclists and pedestrians.

Access to the units are along the streets to maximise activity and provide passive surveillance of the surrounding space. The proposed parklands: Railway Linear Park, Skylark Park and the Townland Boundary Parks, provide open space and creates markers in amongst the residential streets.

Character Areas

The proposed character areas in this phase of the development include: -

- Central Character Area (continuation).
- Skylark Character Area.
- Maynetown Character Area (first Section).
- Southern Edge Condition (within Skylark).

The Central Character Area of Phase 1C currently under construction, uses a light brown / cream coloured brick alongside white render finishes and a feature brick panel around the front door of each unit. It is proposed to continue this material palette in Phase 1D for the extension of the Central Character Area.

Phase 1D also includes two new areas of different character, 'Skylark' and 'Maynetown' which will also have their own material palettes to differentiate them from the rest of the development. It is proposed that Skylark will have a material palette of grey brick and white / grey render, while Maynetown will be a predominantly light brown brick character area. A sub-character group is proposed for the 'Southern Edge Condition', adjoining the ecological buffer zone. This area will utilise a material palette of white and coloured render with some grey brick accents, to provide a suitable visual boundary and act as a transition to the other material colours of the blocks to the north.

Materials and Finishes

A series of sub character areas are defined by their location within the development and the site conditions at these locations. A variety of Architectural treatments are proposed for each of these areas guided by a common palette of materials. The materials used in the design of this scheme reflect the rich history of industry in Portmarnock. Station Road historically had a local brick works and lime kiln which is reflected upon by the use of brick and self-coloured render throughout the scheme. These materials are used differently on each residential unit type to inform the character of each area within the development framework plan.

Maintenance

The practical implementation of the Design and Material principles has informed design of building facades, internal layouts and detailing of the proposed buildings. Both aesthetics and durability played a central role in the design process, with the element of durability directly linked with the need and associated expense for the maintenance, upkeep or potential replacement of the selected materials. This design approach has been applied in equal part to both the external building envelope and the landscaping scheme. Further detail is contained in the Life Cycle Report prepared by JAK Consulting Engineers, enclosed with this SHD Planning Application.

7.3.3 Item 3 – Taking In Charge & Delivery of Public Open Spaces

A site layout plan indicating what areas, if any, are to be taken in charge by the planning authority, and the phased delivery of such public open spaces.

Applicant's Response

We refer the Board in the first instance to the Taking In Charge drawings, prepared by Burke Kennedy Doyle Architects. These drawings indicate the areas of the proposed development to be taken in charge, mainly every areas except for the units and private gardens.

We refer the Board to the Construction & Environmental Management Plan, prepared by Quintain Developments Ireland Limited which sets out the construction programme and phasing associated with the proposed development. With regard to phasing, the following is set out: -

- The proposed development will be built out entirely in one main construction programme. Development is expected to commence in late Q2 2022.
- The public open spaces within the scheme comprise Skylark Park and the Central Linear Park and Railway Linear Park together with the Inter-monumental Route / Primary Link Road to Moyne Road to the south.
- The plan is to service the construction of the area from west to east. All Park areas will be built in sequence with housing construction, and the Inter-monumental route and primary link road will be constructed at the later stages of the construction programme. The proposed Part V units are located throughout the application site, and they will be completed in sequence together with all other housing and public open spaces.

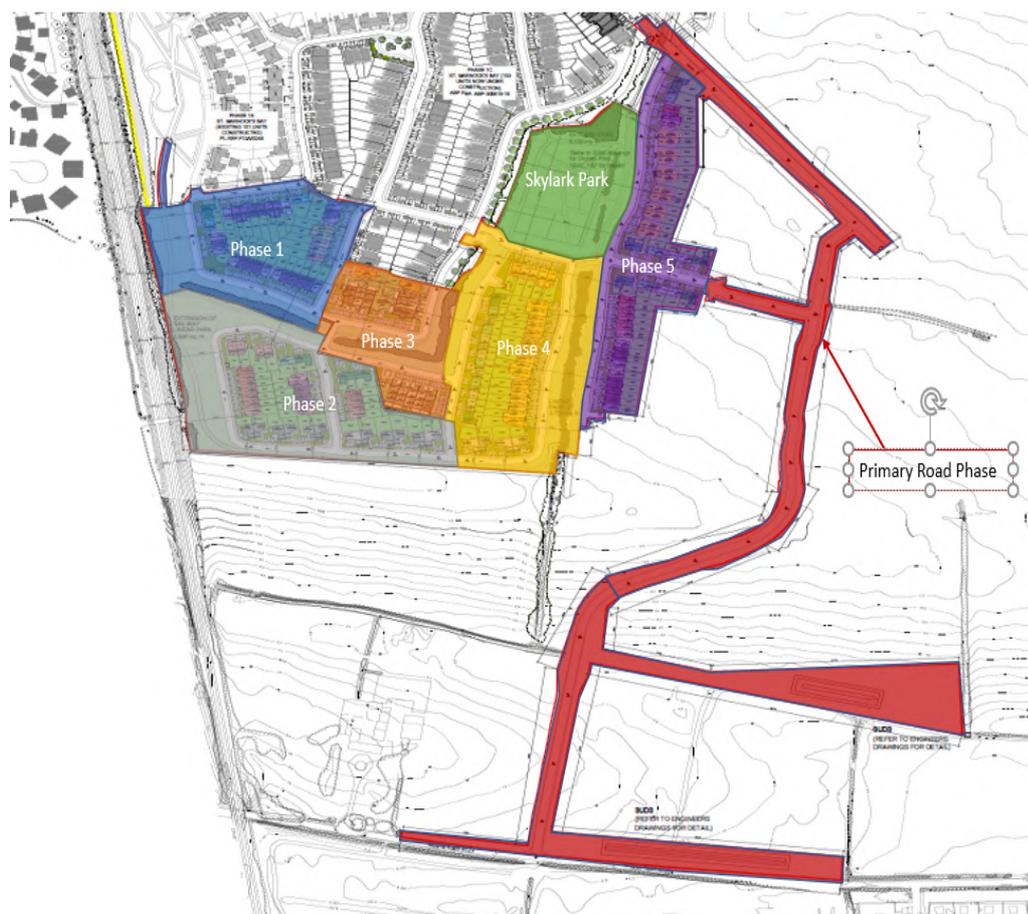


Figure 10: Extract from the Construction & Environmental Management Plan, prepared by Quintain Developments Ireland Limited showing the indicative site construction phasing plan.

7.3.4 Item 4 – Childcare Demand Report

Childcare Demand Report, which identifies demand for childcare places likely to be generated by the proposal and existing facilities in the vicinity to cater for such demand.

Applicant's Response

At the outset, we would highlight that Section 8.2 of the LAP identifies the following restriction with regard to childcare and school provision: -

*"As the lands are located within the Outer Public Safety Zone of Dublin Airport, schools and **childcare facilities cannot be included within the LAP lands.**"*

Notwithstanding, we refer the Board to the Social Infrastructure Audit, prepared by Stephen Little & Associates Chartered Town Planners & Development Consultants which sets out the existing childcare provision within proximity to the proposed development. The Report generally concludes that: -

There are 5no. existing childcare facilities within approximately 342no. childcare spaces within c. 1.5km of the subject site. There is 1no. permitted childcare facilities within approximately 34no. childcare spaces within c. 1.5km of the subject site. And a further 3no. permitted childcare facilities within approximately 293no. childcare spaces between 1.5 – 3km radius of the subject site.

...

... it is considered that there is more than adequate capacity within existing childcare facilities in proximity to the proposed development, taking into account future capacity of permitted childcare facility in proximity to the proposed development to cater for childcare demand generated by the proposed development."

7.3.5 Item 5 – School Demand Report

School Demand Report, which identifies demand for school places likely to be generated by the proposal and the capacity of existing schools in the vicinity to cater for such demand.

Applicant’s Response

At the outset, we would highlight that Section 8.2 of the LAP identifies the following restriction with regard to childcare and school provision: -

*“As the lands are located within the Outer Public Safety Zone of Dublin Airport, schools and **childcare facilities cannot be included within the LAP lands.**”*

The LAP also highlights that there are new school developments (on-going at the time of publication of the LAP) within the developing areas to the south of the site. These are identified in Section 8.2 of the LAP, which states:-

“There are additional schools within the developing ‘North Fringe’ within the administrative area of Dublin City Council to the west of the rail line including Belmayne Educate Together and Saint Francis of Assisi National Primary Schools both of which are currently in temporary accommodation but for which permanent sites have been identified within Clongriffin-Belmayne. A site has been reserved for a 16 classroom primary school within the Baldoyle-Stapolin LAP lands as well as an additional site in Clongriffin.”

Notwithstanding, we refer the Board to the Social Infrastructure Audit, prepared by Stephen Little & Associates Chartered Town Planners & Development Consultants which identifies demand for school places likely to be generated by the proposal and the capacity of existing schools in the vicinity to cater for such demand. The Report generally concludes that: -

“There are 10no. Primary Schools and 8no. Post-Primary Schools within the local area (as defined by the LAP). Given the existing capacity of Primary and Post-Primary School places identified in the LAP (3,981no. and 5,064no. respectively) the projected population of school going age of the proposed development represents a small proportion of existing capacity.

In general, enrolment figures for both Primary and Post Primary schools are set to decline, which suggests a corresponding increase in existing capacity within schools over time within the catchment area.

Furthermore, based on the information available on Planned School Provision the DoE are actively engaged with the existing schools within the catchment area to improve / expand the facilities. Also, 2no. schools are set to be delivered in the catchment area within the next 6 years.”

7.3.6 Item 6 – Sunlight / Daylight / Overshadowing Assessment

A Sunlight / Daylight / Overshadowing analysis showing an acceptable level of residential amenity for future occupiers and existing residents, which includes details on the standards achieved within the proposed residential units, in private and shared open space, and in public areas within the development and in adjacent properties. This report should address the full extent of requirements of BRE209/BS2011, as applicable.

Applicant’s Response

We refer the Board in the first instance to the Sunlight and Daylight Analysis Report, prepared by IN2 Engineering Design Partnership Limited. This report assesses the predicted sunlight and daylight availability to the duplexes within the proposed development and the proposed amenity areas. IN relation to the duplexes, it is generally concluded that: -

*“...the overall summary of ADF’s determined for all duplex apartments (Type J and K) within the Proposed Development, at each floor level. It can be seen that **89%** of Kitchen / Living / Dining areas, Living Rooms, Kitchen / Dining areas and Bedrooms assessed (totalling 78 of 88 rooms) were determined to be compliant based on the following compliance, in accordance with BS.8206-2: 2008”.*

Kitchen / Living / Dining areas (KLD's) in the ground floor 2 bed apartments were determined to achieve Average Daylight Factor (ADF) values in the region of 1.3% to 1.4%, below the minimum 2.0% ADF required for these spaces (10no. units). The Apartment Guidelines (2020) advise that: -

“Where an applicant cannot fully meet all of the requirements of the daylight provisions above, this must be clearly identified and a rationale for any alternative, compensatory design solutions must be set out, which planning authorities should apply their discretion in accepting taking account of its assessment”.

As such, the following **compensatory design solutions** have been incorporated into the design of each of these 10no. ground floor 2 bed apartments in Duplex Block 1, 2 and 3: -

- Ground floor terrace to the rear is c. 19 sq. m, significantly greater than the minimum required (7 sq. m required).
- Communal amenity areas are well in excess of requirements. Where Blocks 1 & 2 require c. 96 sq. m, c. 429 sq. m is provided, and where c. 80sqm is required in Block 3, c. 330 sq. m is provided.
- All duplex apartments have direct aspect onto the Linear Park, a major local amenity.

The above clearly demonstrates that the duplexes with the proposed development generally meet the requirement sets out in the BRE 209 and with BS.8206-2: 2008. Where certain rooms fall marginally short of the required standards suitably compensatory measures have been provided. Therefore, all the duplex units are in accordance with the standards set out in the Apartment Guidelines (2020).

The Sunlight and Daylight Analysis Report, prepared by IN2 Engineering Design Partnership Limited also provides an assessment of sunlight access to the public and semi-private amenity spaces within the opposed development. The assessment concludes that *“all amenity spaces were predicted to be compliant with BRE Best Practice Guidance, receiving good sunlight in 100% of their areas...”*.

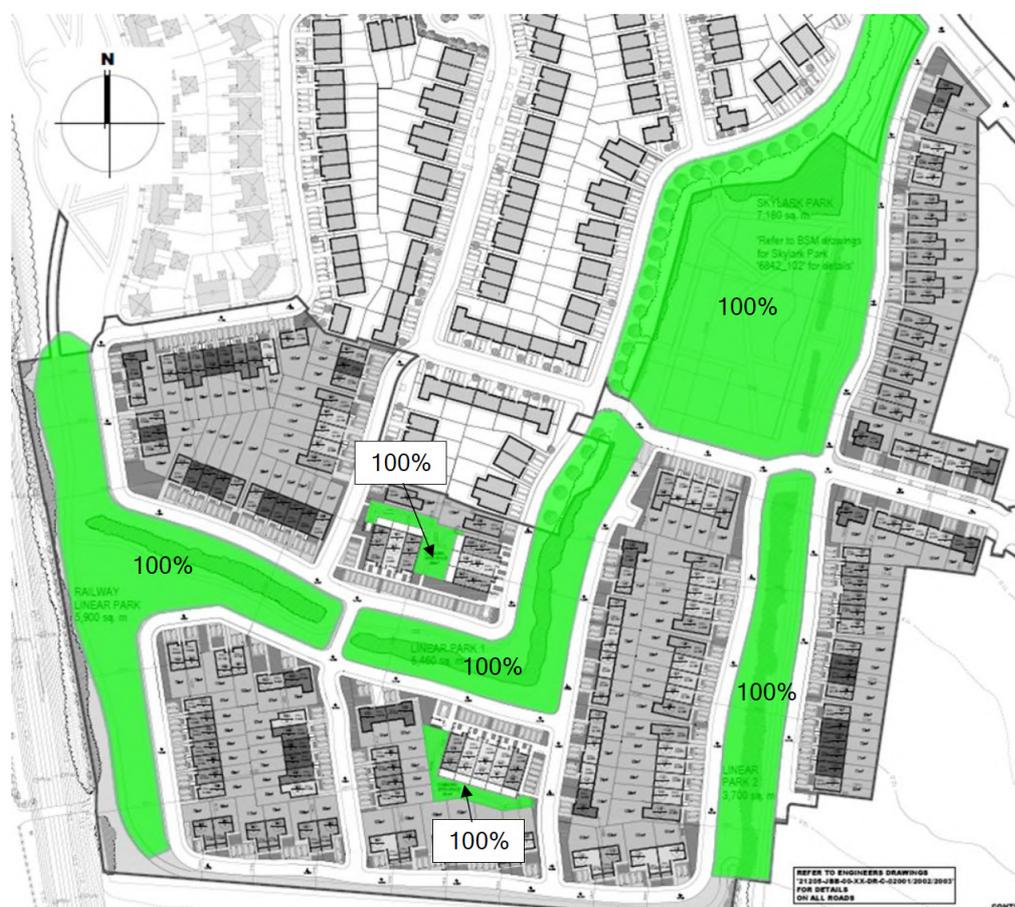


Figure 11: Extract from the Sunlight and Daylight Analysis Report, prepared by IN2 Engineering Design Partnership Limited showing the amenity area sunlight availability.

Furthermore, we refer the Board to the EIAR Chapter 10: Daylight & Sunlight, prepared by IN2 Engineering Design Partnership Limited. Generally, the EIAR chapter sets out that when the development becomes operational the: -

“...proposed development is not predicted to cause overshadowing existing buildings outside the Application Site, and therefore the potential impact of the proposed development on these buildings is determined to be imperceptible.”

The analysis provided in relation to daylight and sunlight both within the proposed development and on adjoining development that shows that no significant negative impacts arise.

7.3.7 Item 7 – Phasing Plan

A phasing plan for the proposed development, includes the phasing arrangements for the delivery of the public open spaces and Part V provision.

Applicant’s Response

We refer the Board to the response set out in Section 7.3.3 of this Report.

7.3.8 Item 8 – Transportation Planning Section Issues Report

A report addressing the issues raised in the planning authority’s Transportation Planning Section’s report.

Applicant’s Response

We refer the Board to Appendix 1 of the Traffic & Transport Assessment, prepared by JB Barry & Partners Consulting Engineers which addresses the issues raised by FCC Transportation Planning Section as part of the Pre-Planning Consultation.

7.3.9 Item 9 – Parks and Green Infrastructure Division Issues Report

A report addressing the issues raised in the planning authority’s Parks and Green Infrastructure Division dated 14th June 2021.

Applicant’s Response

We refer the Board to Section 6 – Appendix of the Landscape Design Rationale Report, prepared by Brady Shipman Martin Built Environment Consultants which addresses the issues raised by FCC Parks and Green Infrastructure Division as part of the Pre-Planning Consultation.

7.3.10 Item 10 – Material Contravention Statement

A material contravention statement, in respect to any and all elements of the development that may materially contravene the Local Area Plan and Development Plan objectives or policies applicable to the site.

Applicant’s Response

We refer the Board to the separate Material Contravention Statement, prepared by Stephen Little & Associates, Chartered Town Planners and Development Consultants, which accompanies this application. Summary details in respect of this document are provided in Section 13 of this Report.

7.3.11 Item 11 – Article 299B Statement

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.

Applicant's Response

An EIAR has been submitted with this SHD planning Application (See Section 15 of this Report for an overview). Therefore, the information referred to in article 299B(1)(b)(ii)(II) and article 299B(1)(c) of the Planning and Development Regulations 2001 – 2018 is not required.

8 DEVELOPMENT FRAMEWORK

Prior to arriving at this point in the development of a design for these lands, the Applicant has engaged with the Planning Authority in a process whereby the requirements of the LAP were tested in order to arrive at a Development Framework for the entire lands controlled by the Applicant.

We would highlight that the Local Area Plan governing the development of these lands does not require the preparation of a Development Framework, or masterplan of any kind. The Applicant and the Planning Authority agreed mutually that it would assist all parties understanding of any new development how that might relate to the intended future development on the lands.

We refer the Board to the Architectural Rationale Statement, prepared by Burke Kennedy Doyle Architects, enclosed with this application that details the site analysis and assessment of the requirements of the Portmarnock South LAP in advance of arriving at the framework for the lands. The Landscape Design Rationale, prepared by Brady Shipman Martin Landscape and Built Environment Consultants is also relevant in this regard.

The Development Framework was devised over several months and following multiple Pre-Planning meetings with the Planning Authority prior to the submission of Phase 1B (ABP Ref. ABP-300514-17 refers). Drawing Nos. 6158B-P-002 and 6158B-P-003 'Development Framework Plan', prepared by Burke Kennedy Doyle Architects is enclosed with this submission to assist the Board in gaining an appreciation of the wider context of the application.



Figure 12: Extract from Draft Development Framework Plan for the LAP lands prepared by Burke Kennedy Doyle Architects.

The development now being proposed is for a part of the lands covered by the Development Framework. Drawing No. 6158B-P-003 'Development Framework Plan-Site Boundary', prepared by Burke Kennedy Doyle Architects is enclosed with this application. This drawing highlights for the Board how the red line of this proposed development corresponds to the overall Development Framework.

For ease of reference the Drawing No. 6158B-P-003 outlines, the current proposal (Phase 1D) and the previous permitted development (Phase 1C) which is currently under construction and Phase 1A and Dún Sí (Phase 1B) which are now constructed and occupied. This clearly demonstrates the logical and sequential approach being taken to develop these lands at Portmarnock South. Furthermore, this demonstrates that the proposals now before the Board have been carefully considered and co-ordinated in the context of the wider future development of these lands.

The proposed development also represents a sequence of development that is entirely consistent with the approach to these lands set out on the LAP.

The Development Framework provides a basis for discussion with the Planning Authority / An Bord Pleanála for future phases of development and has assisted both the Planning Authority / An Bord Pleanála and Applicant in understanding the issues arising.

The Development Framework provides for some 1,100no. units overall across the entire zoned lands at Portmarnock South. The density of development being provided across those lands as a whole amounts to between 35 – 42no. dwellings per Ha which aligns with the requirements of the Local Area Plan.

9 PARTICULARS OF THE PROPOSED STRATEGIC HOUSING DEVELOPMENT

The proposed Phase 1D development will comprise generally of the following: -

- 172no. residential units consisting of 22no. duplex / apartments and 150no. houses ranging in heights between 1.5 and 3 storeys.
- Provision of public open space including Skylark Park, extension to Railway Linear Park and extension of Townland Boundary Linear Parks.
- Vehicular access to serve the development is proposed off the existing / under construction access points on roads serving the St. Marnock's Bay development.
- A new vehicular road is proposed to serve the proposed development which will connect with Moyne Road. The permanent road includes the provision of a new junction with Moyne Road and associated ancillary works including SuDs features to control surface water run-off.
- Upgrade of existing temporary foul water pumping station and storage tank to increase capacity.
- All associated and ancillary site development, infrastructural, landscaping and boundary treatment works.

Key Site Statistics	
Total Number of Units	172no. units
Gross Floor Area (Residential only)	c. 20,690 sq. m
Gross Site Area	c. 11.05 Ha
Net Site Area	c. 5.33 Ha
Net Density	c. 32.3no. units per Ha
Unit Mix	3 Bed Houses: 94 (54.7% of total units) 4 Bed Houses: 56 (32.6% of total units) Duplex / Apts: 22 (12.8% of total units)
Plot Ratio (Net Site Area)	0.21
Site Coverage (Net Site Area)	25%

9.1 Proposed Residential Development

Within the 172no. residential units being proposed in this case, there are some 27no. varieties of dwelling types being proposed. The following tables identifies the extent of housing and duplex accommodation envisaged within the scheme. For clarity, duplex units are considered as apartments and are included in that table as a result.

Houses			
House Type	No. of Units	GFA (m ²) / Unit	Min. Size – Guidelines 2007
A1 – 3-bedroom	6	108.6	92
A2 – 3-bedroom	19	108.6	92
A3 – 3-bedroom	7	108.6	92
A4 – 3-bedroom	7	117.6	92
A5 – 3-bedroom	3	117.6	92
A6 – 3-bedroom	1	117.6	92
B1 – 3-bedroom	7	110.6	92
B2 – 3-bedroom	11	110.6	92
B3 – 3-bedroom	4	110.6	92

C1 – 3-bedroom	9	118.0	92
C2 – 3-bedroom	8	117.4	92
C3 – 3-bedroom	1	118.6	92
D1 – 4-bedroom	9	141.0	110
D2 – 4-bedroom	2	142.0	110
F1 – 4-bedroom	11	134.4	110
F2 – 4-bedroom	5	135.6	110
F3 – 4-bedroom	2	146.5	110
F4 – 4-bedroom	5	146.4	110
F5 – 4-bedroom	17	147.8	110
G – 3-bedroom	11	114.0	92
H – 4-bedroom	5	147.0	110
Total	150		
Duplex			
Unit Type	No. of Units	GFA (m²) / Unit	Min. Size – Guidelines 2020
Type J1 – 2-Bed Apartment	4	78.5	73
Type J2 – 2-Bed Apartment	5	78.5	73
Type J3 – 2-Bed Apartment	2	83.5	73
Type K1 – 3-Bed Duplex	4	114.4	90
Type K2 – 3-Bed Duplex	5	114.4	90
Type K3 – 3-Bed Duplex	2	114.4	90
Total	22		
Overall Total	172		

It can be seen from both Tables, that the houses and apartments proposed in this case are significantly larger than the 'minimum' standards provided for by the Guidelines.

These details can also be found in the Schedule of Areas (SoA) and Housing Quality Assessment (HQA), together with the House Type drawings (See Duplex & House Type Layout Brochure) prepared by Burke Kennedy Doyle Architects enclosed with this submission.

9.2 Residential Density

The proposed development achieves a net density of c. 32.3no. units per Ha. The site is located in the Outer Public Safety Zone of Dublin Airport, in accordance with the airport safety zone criteria set out in the Development Plan. We confirm that Cyrrus Limited have reviewed the layout of the residential component of the proposed development with regard to the residential density restrictions required in accordance with these criteria. As such, the current layout is compliant with the requirement of no more than 60no. persons per 0.5 Ha.

Please refer to Section 7 of this Report which sets out a comprehensive response to the issues raised in the An Bord Pleanála Opinion which regard the density of the proposed development.

9.3 Proposals to Integrate with Surrounding Land Uses

The northern portion of the subject site bounds on to Station Road. The land uses on the opposite side of the road are residential in nature. The proposed development responds appropriately to the 2 – 3 storey scale of development along Station Road.

To the north-west of the application site is the existing Irish Rail car park. Appropriate measures to integrate the St. Marnock's Bay development with the existing car park were agreed as part of the previous Phase 1A (FCC Ref. F13A/0248 refers) and Phase 1B (ABP Ref. ABP-300514-17 refers) applications. These measures already provide for 2no. access points from the St. Marnock's Bay scheme to the car park, at Station Road and from the north of the Phase 1A scheme respectively.

The proposed development will immediately adjoin the existing / permitted St. Marnock's Bay housing developments. This next phase of development (Phase 1D) is intended to fully integrate that existing / permitted development in to the wider neighbourhood at Portmarnock South.

9.4 Landscape Proposals

The landscape proposals in this case have been designed by Brady Shipman Martin, Landscape and Built Environment Consultants having regard to the provisions of the Portmarnock South Local Area Plan 2013 (as Extended).

The public realm will provide unique features to distinguish the proposed development, such as the integration of the townland hedgerow boundary with Skylark Park. Furthermore, an extensive quantum of Class 1 public open space (approx. 107 Ha) in the form of the Regional Park land has been provided in Phase 1A (FCC Reg. Ref. F13A/0248 refers) to the east and south of the LAP lands.

We refer the Board to the enclosed Report entitled Landscape Design Rationale Report and Dwg. No. 301 'Overall Landscape Masterplan', prepared by Brady Shipman Martin Built Environment Consultants which provides a more details regarding this.

9.5 Water Services

In the first instance, we refer the Board to the Water Services Report, prepared by JB Barry and Partners Consulting Engineers for further detail.

Wastewater

As per Section 11.6 of the LAP, the general guidance with regard phasing notes that the Irish Water Pumping Station and associated outfall will need to be commissioned following the completion of the first 100no. units (Objective WW1).

Phase 1A (Reg. Ref. F13A/0248 refers) consists of 101no and Dún Sí – Phase 1B (ABP Ref.: ABP-300514-17 refers) consists of a further 150no. units are now completed and occupied. Phase 1C (ABP Ref. ABP-305619-19 refers) is currently under construction and consists of 153no. units and a small Local Centre (retail / café / restaurant units and a medical / community unit).

As part of the SHD Planning Application for Phase 1B JB Barry & Partners Consulting Engineers liaised with Irish Water and it was demonstrated that there was sufficient capacity within the existing Mayne Road Pumping Station to cater for that development, notwithstanding the provisions of the LAP. The provision of a temporary private 24 hour storage tank, which will be removed once the permanent solution is operational was agreed. A Certificate of Feasibility issued by Irish Water at the time of making the SHD Planning Application for Phase 1B to confirm the above was acceptable in principle.

This process was repeated for Phase 1C (ABP Ref. 305619-19 refers), whereby additional spare capacity was confirmed. A Certificate of Feasibility was issued by Irish Water at the time of making the SHD Planning Application for Phase 1C as the principle had been established.

Subsequent to receipt of the permission for Phase 1C under ABP Ref. ABP-305619-19, JB Barry & Partners Consulting Engineers submitted a Pre-Connection Enquiry to Irish Water and received a Confirmation of Feasibility (CoF) from Irish Water, dated 23 October 2019 in respect of the planned Phase 1D development.

FCC subsequently requested an updated CoF as part of the SHD Pre-Planning engagement for Phase 1D. Irish Water in turn requested a re-submission of the pre-connection enquiry as it was in excess of 12 months old, for their review to confirm that no significant changes have occurred to the Irish Water wastewater network in the last 18 months, which would influence the feasibility assessment. The pre-connection enquiry form was re-submitted in April 2021.

A bespoke CoF from Irish Water was received by JB Barry and Partners Consulting Engineers on 4 October 2021 which confirms connection to the foul network is feasible subject to certain upgrade works being carried out the temporary pumping station (these upgrade works are included as part of this SHD Planning Application). The upgrades broadly include: -

- Additional operational storage (6 – 12 hours).
- Telemetry and PLC upgrades (to allow the 3no. pumping stations to communicate with one another e. Existing Portmarnock Bridge Pumping Station, Mayne Road Pumping Station and St. Marnock's Temporary Pumping Station).
- Full detail of the upgrades provided in the Water Services Report and Interim Pumping Station Drawings, prepared by JB Barry and Partners Consulting Engineers.

The Applicant have been in contact with Irish Water regarding the delivery of the new Pumping Station required to serve the Portmarnock South lands in the longer term. This dialogue has been to impress upon Irish Water of the urgent need for the project and to ensure that the Irish Water project has regard to the subject proposals and also to ensure the proposals are co-ordinated in design terms to the extent necessary. The envisaged timeline for delivery of the new Irish Water Portmarnock Bridge Pumping Station is c. 2025.

It is intended to connect the foul sewerage from the proposed 172no. residential units of the development to the existing foul sewer network in the Portmarnock South LAP lands. The connection will be to the permitted Phase 1C development, which is currently under construction, immediately to the north of the proposed Phase 1D development.

The network discharges to an existing temporary pumping station adjacent to Station Road (constructed under the Phase 1B Development – Planning Ref: ABP-300514-17 refers) from where it is pumped to a gravity line which discharges to an existing foul sewer in Coast Road. This sewer discharges to the Mayne Bridge Pumping Station from where it is pumped to the North Fringe Sewer

The proposed new foul sewer network is shown in principle on accompanying drawing 21205-JBB-00-XX-DR-C-04001 to 04005 incl. Ultimately, all foul flow from the Portmarnock South LAP lands will discharge by gravity to a proposed new Irish Water Pumping Station adjacent to Portmarnock Bridge from where it will be pumped directly to the North Fringe Sewer, south of Mayne River.

When the new Irish Water Pumping Station is operational (subject to planning permission being granted for same) all flows from the existing Phase 1A and 1B developments, the Phase 1C development currently under construction, this proposed Phase 1D and all future phases will be permanently diverted to the new pumping station.

The temporary pumping station, associated pipework and 24-hour emergency storage will then be decommissioned. The proposed new Irish Water pumping station and associated works are consistent with the requirements set out for disposal of foul effluent in Section 9.2, Wastewater Network and Treatment of the LAP.

It is recognised that this proposal deviates from the LAP (Objective WW1). However, in the circumstances where Irish Water are satisfied there is existing capacity to cater for an additional 172no. dwellings without further works being required.

Surface Water Drainage

The storm water network has been designed to cater for the existing Phases 1A and 1B, Phase 1C currently under construction, this Phase 1D and all future phases of the entire development.

The regional wetland provides attenuation (delivered as part of Phase 1B) with outflows restricted for the 1 year, 30 year and 100 year critical storm events.

The SuDS strategy adopted for this development provides a comprehensive approach to the management of storm water on the site. SuDS measures proposed, within the curtilage of dwellings (source controls), include the following: -

- Permeable paving for private driveways.
- Filter drains in patio areas and back gardens, where applicable.
- Water butts for the individual housing units for car washing, garden and plant watering.

SuDS measures proposed, within the wider application site (site controls), include the following: -

- Bio-retention areas within public open spaces,
- Swales running parallel to road carriageways / footpaths,
- Filtration trenches running parallel to road carriageways / footpaths / hard landscaping areas,
- Silt and Hydrocarbon interceptors for road carriageways / carpark areas.

Water Supply

It is proposed to connect the proposed development to the existing watermain network in the Portmarnock South LAP lands which is ultimately fed from a 450mm extension from the North Fringe Watermain.

A bespoke CoF from Irish Water was received by JB Barry and Partners Consulting Engineers on 4 October 2021 which confirms that connection to the water supply network is feasible without any infrastructure upgrades to facilitate the proposed development.

Site Specific Flood Risk Assessment

We refer the Board to the Flood Risk Assessment carried out in accordance with the Flood Risk Management Guidelines, prepared by JB Barry and Partners Consulting Engineers. This Report concludes that the site is not at risk from flooding.

9.6 Transportation

We refer the Board to the Traffic and Transport Assessment, prepared by JB Barry & Partners, Consulting Engineers which provides a more detailed discussion.

Access

The entire development will be served by three new priority controlled junctions providing direct access from the external road network. Two of these junctions are on Station Road and exists and are operational and one on Moyne Road. The two priority controlled junctions on Station Road are situated 250m apart. The western junction of the two will provide the main access to the development and includes a right turning lane into the development.

The priority junction on Moyne Road is proposed as part of this Phase 1D of the development. We refer the Board to the Road Drawings, prepared by JB Barry & Partners, Consulting Engineers for further details.

Car Parking

The proposed development includes the provision of 345no. car parking spaces. All parking within the development will comply with the Fingal Development 2017 – 2023.

Bicycle Parking

The proposed development includes the provision of 30no. bicycle parking spaces to serve the 22no. duplexes, in excess of the Fingal Development Plan 2017 – 2023 minimum requirement.

Bicycle parking for all houses will be provided on curtilage and in rear gardens where units have direct access to rear gardens.

9.7 Public Lighting & Site Services

We refer the Board to the Public Lighting Layout Plan, prepared by JAK Consulting Engineers. This should be read in conjunction with the Public Lighting Report also prepared by JAK Consulting Engineers.

The public lighting has been co-ordinated with the landscaping scheme presented by Brady Shipman Built Environment Consultants. Furthermore, due consideration has been given to the potential ecological impact of the lighting scheme proposed. The potential impact is fully considered as part of the Chapter 6: Biodiversity of the EIAR, prepared by Brady Shipman Built Environment Consultants.

9.8 Childcare / Community Facility

Having regard to concerns regarding the Outer Public Safety Zone associated with Dublin Airport, we note that the Portmarnock South LAP stipulates that ‘no childcare facilities be provided within the lands’ as a result of this. Specifically, in Section 4.2 of the LAP it states, inter alia, that: -

“As the lands are located within the Outer Public Safety Zone of Dublin Airport, schools and childcare facilities are not permitted uses within the RA (residential) zoning of the LAP lands. Childcare and education facilities are also not permitted within the open space zoned lands, therefore these community facilities are not proposed as part of this LAP. Such facilities exist and are proposed within the adjoining areas, which will also need to accommodate the future needs of residents of the plan area.”

Furthermore, the 2003 ERM Report in to developments within the Outer Public Safety Zones states at Table 6.1 of the 2003 ERM Report, there is the possibility to provide a space of ‘limited use’ which has a restriction of no more than 220 persons per half hectare. That would equate to a restriction of 4.5 people per 100 sq. m of floor area. In addition, the ERM Report clarifies that this must be a space where the use does not exceed (approximately) a maximum of 12 hours in any one week. There would not appear therefore to be an opportunity for a practical, usable community facility in this case in the form of a room within a building.

We would note that no childcare or community facility is being proposed for this development.

9.9 Sustainability & Energy Statement

A Sustainability & Energy Statement, prepared by JAK Consulting Engineers is enclosed with this application. This analysis determined an energy and servicing strategy to enable compliance with the standards set out under the following: -

- Building Regulations Technical Guidance Document Part L 2019.
- EU Directive for Near Zero Energy Buildings.

9.10 Archaeology Strategy

We refer the Board in the first instance to the EIAR Chapter 16: Cultural Heritage (Archaeological & Architectural), prepared by Courtney Deery Archaeology & Cultural Heritage. No significant impacts are predicted, subject to appropriate mitigation measures as identified in the EIAR.

As part of Phase 1A, Phase 1B and 1C (Reg. Ref. F13A/0248, ABP Ref. ABP-300514-17 and ABP Ref. 305619-19 respectively), archaeological monitoring that was carried out and a number of archaeological features were identified. Details of this were submitted as Planning Compliance to the Planning Authority in the recent past. Courtney Deery, Archaeologists were undertaking the monitoring in that case.

There been ongoing discussions between Courtney Deery and Christine Baker (County Archaeologist) and the National Monuments Section of the Department of Arts, Heritage and the Gaeltacht with regard the excavations occurring on site.

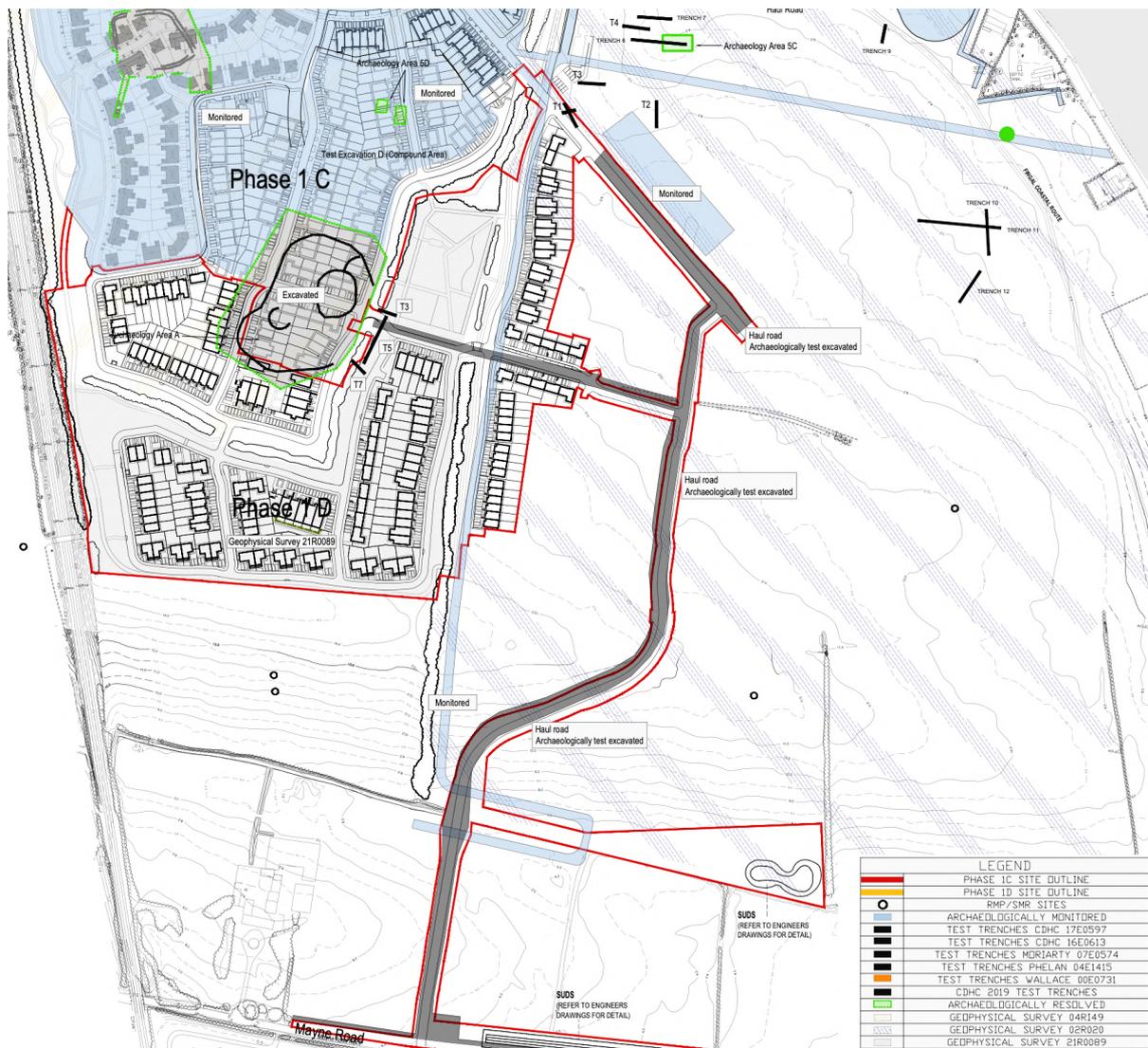


Figure 13: Proposed development with the identified archaeological features identified. The blue and green areas on this map correspond areas which have archaeologically resolved and monitored. Phase 1D has been subject of a geophysical survey. (Extract from Dwg. 6158B-P-015 'Archaeology Overly', prepared by Burke Kennedy Doyle Architects.

During the archaeological monitoring undertaken for the Phase 1A works, a find in the form of a potential double ditch enclosure was located south of the proposed development on the western side of the existing townland boundary within Growth Area 1, together with another smaller feature in the north-east corner of the next phase of housing. Due to the extent of these Archaeological features it was proposed to fully excavate the sites with the aim to record the findings prior to any works commencing here. An appropriate buffer around this area has been provided to ensure that no works occur in proximity to this feature until the appropriate archaeological mitigation is complete.

Excavations as part of the construction works of Phase 1B were monitored and this area has now been fully resolved with any archaeological features identified recorded.

Excavations as part of the construction works of Phase 1C were monitored and this area has now been fully resolved with any archaeological features identified recorded.

Excavations as part of the works to provide the temporary construction haul road (FCC Reg. Ref. F20A/0700 refers) were monitored and this area has now been fully resolved with any archaeological features identified recorded. Further details of these archaeological assessments can be found in the material accompanying this SHD Planning Application prepared by Courtney Deery Archaeology & Cultural Heritage.

9.11 Construction & Environmental Management Plan

An outline Construction & Environment Management Plan (CEMP), prepared by Quintain Developments Ireland Limited is enclosed with this SHD Planning Application. This details how the construction phase will be managed with minimal impacts on the environment or the surrounding community.

We confirm that a fully comprehensive CEMP (to be prepared by the appointed Contractor), to implement the requirements of the CEMP will be submitted to the Planning Authority for its approval in advance of any works commencing on site, should the Board grant permission for the proposed development.

9.12 Construction & Demolition Waste Management Plan

A Construction and Demolition Waste Management Plan, prepared by Awn Consulting is enclosed with this SHD Planning Application as an appendix to the EIAR. The plan aims to ensure maximum recycling, reuse and recovery of waste with diversion from landfill, wherever possible. It also seeks to provide guidance on the appropriate collection and transport of waste from the site to prevent issues associated with litter or more serious environmental pollution (e.g. contamination of soil and/or water).

9.13 Operational Waste Management Plan

An Operational Waste Management Plan, prepared by Awn Consulting is enclosed with this SHD Planning Application and as an appendix to the EIAR. This plan provides a strategy for storing, handling, collecting and transporting wastes generated at the subject site in accordance with the current legal and industry standards. The plan aims to ensure maximum recycling, reuse and recovery of waste with diversion from landfill, wherever possible, and provides guidance on the appropriate collection and transport of waste to prevent issues associated with litter or more serious environmental pollution. The plan estimates the type and quantity of waste to be generated from the proposed development during the operational phase and provides a strategy for managing the different waste streams.

9.14 Part V

Subsequent to dialogue between FCC Housing and the Applicant, a Part V proposal has been prepared. The FCC Housing Department confirmed in principle that the proposal contained in this submission are in order. A Part V Validation Letter from FCC has been enclosed within this submission.

We enclose herewith a Part V Proposal, prepared by Stephen Little & Associates Chartered Town Planners & Development Consultants (on behalf of the Quintain Developments Ireland Limited), together with a Part V Layout which is included as part of the Architectural Rationale, prepared by Burke Kennedy Doyle Architects.

10 STRATEGIC PLANNING CONTEXT – STATEMENT OF CONSISTENCY

10.1 National Planning Framework – Ireland 2040

The National Planning Framework (NPF) recommends the consolidation of City’s development and growth within the M50 and canals to create a more compact urban form. The NPF sees 40% of all new homes nationally being located within the existing built up area of existing settlements.

The NPF marks a shift away from allowing urban sprawl, to more brownfield and infill urban development, focussed on integrated investment in and use of quality public transport focussed development and other essential services, to deliver a denser and sustainably compact urban form.

This means encouraging more people, jobs and activity generally within our existing urban areas, rather than mainly ‘greenfield’ development and requires a change in outlook. In particular, it requires well-designed, high quality development that can encourage more people, and generate more jobs and activity within existing cities, towns and villages.

This requires that development meets appropriate design standards to achieve targeted levels of growth. It also requires active management of land and sites in urban areas.

Objective 72a requires Planning Authorities to apply a standardised tiered approach to zoning of land and Appendix 3 of the NPF ‘A Methodology for a Tiered Approach to Land Zoning’ sets out a two-tier approach to land use zoning. The following is set out in relation to Tier 1: Serviced Zoned Land: -

“Tier 1: Serviced Zoned Land

*This zoning comprises lands that are **able to connect to existing development services**, i.e. road and footpath access including public lighting, foul sewer drainage, surface water drainage and water supply, for which **there is service capacity available**, and can therefore accommodate new development.*

*These lands will **generally be positioned within the existing built-up footprint of a settlement or contiguous to existing developed lands**. The location and geographical extent of such lands shall be determined by the planning authority at a settlement scale as an integral part of the plan-making process and shall include assessment of available development services.*

*Inclusion in Tier 1 will generally require the lands to be **within the footprint of or spatially sequential within the identified settlement**.”*

Applicant’s Response

The proposed development is strategically located on greenfield lands within walking distance of high frequency, high capacity public transport in the form of commuter rail and DART services at Portmarnock Train Station. The site is serviceable and well connected to the road network. The site forms part of the Portmarnock South development lands, which have long been identified as a prime location for future residential development at a sustainably high density.

The proposed scheme features a variety of dwelling types designed to a high standard, and with easy access to a wide range of existing, permitted and now proposed amenities of which future residents can avail. It is submitted to the Board that the proposed development is compliant with the policies of the National Planning Framework whilst also adhering to the aviation safety requirements in relation to density as set out in the LAP.

10.2 Regional Spatial and Economic Strategy for Midlands & East

The Regional Spatial and Economic Strategy (RSES) for the Eastern and Midlands Regional Assembly (EMRA) came into effect on 28 June 2019. The RSES provides regional level strategic planning policy for the eastern and midland region in line with the NPF. The Region includes Dublin and its metropolitan area. The RSES contains the following elements: -

- Spatial Strategy – to manage future growth and ensure the creation of healthy and attractive places to live, work, study, visit and invest in.

- Economic Strategy – that builds on the region’s strengths to sustain a strong economy and support the creation of quality jobs that ensure a good living standard for all.
- Metropolitan Plan – to ensure a supply of strategic development areas for the sustainable growth and continued success and competitiveness of the Dublin metropolitan area.
- Investment Framework – to prioritise the delivery of key enabling infrastructure and services by government and state agencies.
- Climate Action Strategy – to accelerate climate action, ensure a clean and healthy environment and to promote sustainable transport and strategic green infrastructure.

Applicant’s Response

The proposed development is strategically located at lands at Portmarnock South, which are along the Dublin-Belfast Corridor, in close proximity to high frequency urban rail transport and have long been identified as a suitable location for residential development. At this location the proposed scheme is representative of plan-led development, that delivers significant additional housing in a range of house types in a consolidated, accessible urban neighbourhood. Proposed housing development will be supported by ancillary and associated community facilities, public open space.

Notwithstanding the density constraints imposed for public safety reasons, the location of these lands in close proximity to public transport represents an efficient use of zoned lands and expenditure in to the public transport system.

10.3 Smarter Travel – A Sustainable Transport Future, A New Transport Policy for Ireland 2009 – 2020

This document represents a new transport policy for Ireland for the period from 2009 – 2020. Overall the transport policy document has the following aims: -

- To reduce overall travel demand.
- To maximise the efficiency of the transport network.
- To reduce reliance on fossil fuels.
- To reduce transport emissions.

To improve accessibility to transport, the Policy recognises progress made under the National Spatial Strategy (now superseded by the National Planning Framework) and the Regional Planning Guidelines (which will be superseded by the Regional Spatial and Economic Strategies when adopted) in promoting integrated transport and spatial planning. These strategies recognise the need for more compact, walkable urban areas that support investment in good quality public transport under Transport 21.

Applicant’s Response

The proposed development accords with the provisions of this policy document, as outlined in the Traffic and Transport Assessment, prepared by JB Barry & Partners Consulting Engineers, which accompanies this SHD Planning Application.

10.4 Section 28 Ministerial Guidelines

The following Statements of Consistency sets out how the proposed development is consistent with the Section 28 Ministerial Guidelines.

10.4.1 Sustainable Residential Guidelines in Urban Areas (Cities, Towns, Villages) (2009)

Chapter 5 of the Guidelines generally sets out that that planning authorities should promote increased residential densities in appropriate locations and the objective should be the achievement of an efficient use of land appropriate to its context, while avoiding the problems of over-development.

Applicant's Response

Having regard to the location of the subject lands within the Outer Public Safety Zone of Dublin Airport, notwithstanding its location adjacent to Portmarnock Train Station (where a minimum net density of 50no. unit per Ha would be encouraged), the over-riding requirement is to ensure that the density of development provided on these lands adheres to the findings of the 2003 ERM Report, which sets as its upper limit for development within such zones a density of 60no. persons for each half hectare.

Cyrrus Limited have been advising to ensure that the densities proposed adhere to the limits applicable within this Outer Public Safety Zone. There is a continual balance to be struck in seeking to attain the density provided for within the LAP and still adhering to the public safety provisions set out in the ERM Report. As such, the current layout is compliant with the requirement of no more than 60no. persons per 0.5 Ha.

Please refer to Section 7 of this Report which sets out a comprehensive response to the issues raised in the An Bord Pleanála Opinion which regard density of the proposed development.

The proposed development also provides a high quality layout. All units will meet the requirements for unit sizes, have access to private open space and be built to a specification that they are energy efficient. The layout will encourage walkability by the incorporation of dedicate cycle / walking routes that increase connectivity within the development and to the wider context. The proposed layout will also ensure that all units are not more than 150m away from a public open space.

We refer the Board to the Architectural Rationale, prepared by Burke Kennedy Doyle Architects which provides an overview of the factors which have informed the proposed layout of the scheme.

10.4.2 Urban Design Manual – A Best Practice Guide (2009)

The following table provides an overview of the '12 Design Criteria' contained within the Urban Design Manual (2009), which are relevant to the proposed development. A response as to how the proposed development adheres to each of the criteria is also set out.

Criteria	Applicant's Response
1. Context	<ul style="list-style-type: none"> The proposal retains and integrates the existing townland boundary with the adjoining proposed Skylark Park. As part of Phase 1A (FCC Reg. Ref. F13A/0248) a comprehensive Conservation Management Plan was submitted to the Planning Authority which set out the measure to address the open spaces to the east and south of the LAP land (ecological buffer zones). This will continue to be implemented with no amendments proposed to same as part of this proposal. Those significant public open space lands are in the process of being transferred to the County Council.
2. Connections	<ul style="list-style-type: none"> The proposed development is located c.650m from Portmarnock Rail Station which is approximately 10 – 12 minutes walking distance from southern most part of the proposed development. A link across the front of Station Road which connects the Rail Station with the Councils approved Portmarnock to Baldoyle Cycle way provides additional connectivity and has already been delivered in an earlier phase. Multiple access points from the wider Portmarnock South development to the Rail Station are being accommodated, in conjunction with the Phase 1A and Phase 1B developments. The internal cycle / walking routes converge at the Local Centre which is adjacent the Train Station which will encourage and facilitate more walking and or cycling within the proposed development.

3. Inclusivity	<ul style="list-style-type: none"> The proposed development has been designed to be universally accessible for all. As detailed above, provision has been made to facilitate pedestrian and cycle access to Portmarnock Rail Station.
4. Variety	<ul style="list-style-type: none"> There is a range of apartments / duplexes and houses (semi-detached and terraced) in 2 bed, 3 bed and 4 bed formats in properties ranging in height from 1.5 to 2 storeys. The unit sizes range from 78.5 sq. m to 147.8 sq. m in size. The range of unit types and sizes being provided will facilitate a mix of family types and tenures emerging in this location. A range of public open spaces will also be provided. These will include the integration of the natural features of the townland boundaries with the proposed Skylark Park. In addition, pathways and cycle ways are provided through the development. The open space lands to the north of the site will include Skylark Park, and farther south along the Linear Park to the active recreation space to the south. 2no. Linear Parks are also to be included within this application.
5. Efficiency	<ul style="list-style-type: none"> The proximity of Portmarnock Train Station will increase the attractiveness of the use of public transport. This is further supported by an emphasis within the layout of the proposed development and existing / permitted St. Marnock's Bay development to include dedicated cycle / walking routes, which provide convenient and direct access to the Local Centre and linear park, amongst other destinations. All dwellings within the proposed development will be constructed to meet the current Part L Building Regulation with regard energy efficiency. Preliminary BER Certificates will be prepared for each house type to demonstrate compliance with the standards and submitted as part of the planning application. The layout of the proposed development will maximise orientation to maximise the provision of south facing gardens and the added benefits of passive solar gain for individual units.
6. Distinctiveness	<ul style="list-style-type: none"> The layout of the proposal has been heavily influenced by the existing characteristics and unique setting of the lands in question, such as the townland boundaries within the extents of the proposed site. These features have been actively integrated into the proposed development to create distinguishing features that can support the creation of a sense of place which are specific to the area and reflect the character of the area. Preliminary studies were undertaken of the visibility of the lands from surrounding areas in order to maximise the views from the scheme to coastal areas.
7. Layout	<ul style="list-style-type: none"> The street network is designed to adhere to the provisions set out in the Design Manual for Urban Roads and Streets (2013). It is intended that the road layout supports a reduction in traffic congestion, making it more conducive for those who wish to walk or cycle. Street trees are being introduced where possible along the network of streets in order to create people friendly places with distinctive character to aid legibility. The public open space provision is consistent with the hierarchy of open space proposed in Table 5.1 of the LAP.
8. Public Realm	<ul style="list-style-type: none"> The layout of the proposed development maximises the use of passive surveillance. Public open space and dedicated cycle / walking routes benefit from passive surveillance which will encourage their use and provide an effective deterrent for anti-social behaviour. The road layout is intended to reduce the speed of cars through the use of horizontal traffic calming measures. Parking will generally be within the curtilage of dwelling and where this is not possible (e.g. duplexes on Station Road) parking has been integrated with the overall landscape treatment and 'softened' where possible with planting and other landscaping features.
9. Adaptability	<ul style="list-style-type: none"> The proposed units are adaptable to meeting appropriate accessibility standards and are capable of internal modification to meet the changing household needs. All private open spaces including rear gardens, communal spaces and private balconies meet the requirements of the Development Plan. Car parking meets the requirements of the Development Plan and is integrated into the layout of all the proposed houses and adequate parking is provided adjacent all duplex and apartment.

	<ul style="list-style-type: none"> All units within the proposed development have been designed to meet Part L energy efficiency standards.
10. Privacy & Amenity	<ul style="list-style-type: none"> Private and communal open space will meet the requirements of the Development Plan. The appropriate acoustic insulation will be specified for all units within the proposed development. An Inward Noise Assessment will be carried out to ensure that the appropriate acoustic standards are met as the proposed development lies within the Dublin Airport Noise Safety Zone. Details of this assessment will form part of the planning application. Units will be laid out and orientated toward all major open spaces area to ensure that passive surveillance is maximised. All duplex / apartments are dual aspect. Storage space will be provided within all units and will meet the requirements of the Development Plan and the appropriate Guidelines.
11. Parking	<ul style="list-style-type: none"> Car parking meets the requirements of the Development Plan and is integrated into the layout of all the proposed houses (in-curtilage) and adequate parking is provided adjacent all duplex and apartment. Car parking has been integrated within the overall landscape treatment and ‘softened’ where possible with planting and other landscaping features. Bicycle storage will be provided within all apartment and duplexes to meets the requirements of the Development Plan. It is envisaged that bicycle storage will be easily catered for within the rear gardens of all houses.
12. Detailed Design	<ul style="list-style-type: none"> The layout of the proposed development has been influenced by the existing townland boundary with Skylark Park, within the extents of the subject site. The overall layout is permeable and improves walkability and connectivity between Portmarnock Train Station and the proposed development as well as existing areas such as Portmarnock Village. The character of the proposed development will match that of what has been permitted under Phase 1A, Phase 1B and Phase 1C developments, including buff colour finishes on external walls and new brick variations to the various character areas within the scheme. The height of buildings will be predominantly 1.5 to 2 storey. Public Realm will provide unique features to distinguish the proposed development which include the integration of the townland hedgerow boundary and Skylark Park. This proposal will include 2no. linear parks also. Furthermore, an extensive Class 1 public open space in the form of the Regional Park land has been provided in Phase 1A.

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

The Guidelines contain a number of ‘*Specific Planning Policy Requirements*’ (SPPR). These specific planning policy requirements contained in these new Guidelines take precedence over policies and objectives of development plans, local area plans and strategic development zone planning schemes. This section intends to demonstrate the compliance of the proposed development with the SPPRs.

Due to the particular maximum achievable density constraints applicable to the subject site (as outlined throughout this Report), the proposed residential development consists predominantly of houses. The proposal contains 22no. duplex units, to which the standards of the Apartment Guidelines (2020) are applicable.

10.4.3.1 Apartment Mix (SPPR 1)

Specific Planning Policy Requirement 1 of the Apartment Guidelines, states: -

“Apartment developments may include up to 50% one-bedroom or studio type units (with no more than 20-25% of the total proposed development as studios) and there shall be no minimum requirement for apartments with three or more bedrooms. Statutory development plans may specify a mix for apartment and other housing developments, but only further to an evidence-based Housing Need and Demand Assessment (HNDA), that has been agreed on an area, county, city or metropolitan area basis and incorporated into the relevant development Plan(s).”

Applicant's Response

The proposed development is compliant with Specific Planning Policy Requirement 1 of the Apartment Guidelines, for the following reasons: -

- No studio or 1 bed units are proposed are proposed.
- Approx. 50% of the duplex units are two bedroom units and range in size between 78.5 – 83.5 sq. m in area. Approx. 50% of the duplex units are three bedroom units and are 114.4 sq. m in area (based on 22no. duplex / apartment units in total).
- The variety of possible duplex accommodation proposed is capable of catering for households ranging in size between 3 – 4 people in line with the provisions of the New Apartment Guidelines (2020). Given average household sizes now well below 3 persons per household, there will add to the mix of family housing being provided here.

The proposed duplex unit mix of 2-bed and 3-bed units is supported by the guidance and SPPRs set out in the New Apartment Guidelines (2020), which specify that no minimum requirement shall apply in respect of the provision of apartments with three or more bedrooms.

10.4.3.2 Flexibility of Unit Mix (SPPR2)

Specific Planning Policy Requirement 2 of the Apartment Guidelines, states: -

"For all building refurbishment schemes on sites of any size, or urban infill schemes on sites of up to 0.25ha:

Where up to 9 residential units are proposed, notwithstanding SPPR 1, there shall be no restriction on dwelling mix, provided no more than 50% of the development (i.e. up to 4 units) comprises studio-type units;

Where between 10 to 49 residential units are proposed, the flexible dwelling mix provision for the first 9 units may be carried forward and the parameters set out in SPPR 1, shall apply from the 10th residential unit to the 49th;

For schemes of 50 or more units, SPPR 1 shall apply to the entire development."

Applicant's Response

The proposed development is greater than 50no. units at a site area greater than 0.25Ha. The provisions of SPPR 2 apply and are complied with as outlined above.

10.4.3.3 Apartment Floor Area (SPPR 3)

Specific Planning Policy Requirement 3 that the following minimum floor areas are achieved for apartments: -

Minimum Apartment Floor Areas	
Studio	37 sq. m
One bedroom	45 sq. m
Two bedroom (3 person)	63 sq. m
Two bedroom (4 person)	73 sq. m
Three bedroom	90 sq. m

Applicant's Response

All duplex / apartments in the proposed development will exceed the minimum floor area requirements set out the Guidelines. A HQA, prepared by Burke Kennedy Doyle Architects, confirms this. The Table below highlights the difference in size of the units when compared to the minimum standards.

Apartments / Duplexes			
Unit Type	No. of Units	GFA (m ²) / Unit	Min. Size – Guidelines 2020
Type J1 – 2-Bed Apartment	4	78.5	73
Type J2 – 2-Bed Apartment	5	78.5	73
Type J3 – 2-Bed Apartment	2	83.5	73
Type K1 – 3-Bed Duplex	4	114.4	90sq.m
Type K2 – 3-Bed Duplex	5	114.4	90sq.m
Type K3 – 3-Bed Duplex	2	114.4	90sq.m
Total	22		

10.4.3.4 Safeguarding Higher Standards

It is a policy requirement of the Guidelines that the majority of all apartments in any proposed scheme of 10 or more apartments shall exceed the minimum floor area standard for any combination of the relevant 1, 2 or 3 bedroom unit types, by a minimum of 10% (any studio apartments must be included in the total, but are not calculable as units that exceed the minimum by at least 10%).

Applicant's Response

All duplex / apartments in the proposed development will meet the floor area requirements set out the Guidelines. A HQA, prepared by Burke Kennedy Doyle Architects, is enclosed with this submission for reference, which shows the majority of the units are at least 10% greater than the minimum size required.

10.4.3.5 Dual Aspect (SPPR 4)

Specific Planning Policy Requirement 4 sets out that the minimum number of dual aspect apartments that may be provided in any single apartment scheme. In suburban or intermediate locations it is an objective that there shall generally be a minimum of 50% dual aspect apartments in a single scheme.

Specific Planning Policy Requirement 4 (SPPR4) of the Apartment Guidelines states: -

"In relation to the minimum number of dual aspect apartments that may be provided in any single apartment scheme, the following shall apply: -

(i) A minimum of 33% of dual aspect units will be required in more central and accessible urban locations....

*(ii) In **suburban or intermediate locations, it is an objective that there shall generally be a minimum of 50% dual aspect apartments in a single scheme.***

(iii) For building refurbishment schemes on sites of any size or urban infill schemes on sites of up to 0.25ha, planning authorities may exercise further discretion ..."

Applicant's Response

The site is considered a suburban or intermediate location in the context of the Guidelines. Of the 22no. apartments and duplex / apartments, 100% are dual aspect. A HQA, prepared by Burke Kennedy Doyle Architects, shows the proportion of dual aspect apartments.

10.4.3.6 Floor to Ceiling Height (SPPR 5)

The Guidelines advise that the minimum floor to ceiling height must accord with the Building Regulations requirement of 2.4m. However, Specific Planning Policy Requirement 5 sets out that ground level apartment floor to ceiling heights shall be a minimum of 2.7m.

Specific Planning Policy Requirement 5 (SPPR5) states: -

“Ground level apartment floor to ceiling heights shall generally be a minimum of 2.7m and shall be increased, either at ground level only or in conjunction with all floors in an apartment block or building, in certain circumstances. For building refurbishment schemes on sites of any size or urban infill schemes on sites of up to 0.25 ha, planning authorities may exercise discretion on a case-by-case basis, subject to overall design quality.”

Applicant’s Response

As illustrated on the enclosed Duplex Block drawings prepared by Burke Kennedy Doyle Architects, the ground floor apartments have a general floor to ceiling height of 2.775m, thus complying with the above standard.

10.4.3.7 Lift and Stair Core (SPPR 6)

Specific Planning Policy Requirement 6 (SPPR 6) states: -

“A maximum of 12 apartments per floor per core may be provided in apartment schemes. This maximum provision may be increased for building refurbishment schemes on sites of any size or urban infill schemes on sites of up to 0.25ha, subject to overall design quality and compliance with building regulations.”

Applicant’s Response

No lifts are proposed within the duplex blocks, therefore, this SPPR is not applicable.

10.4.3.8 Build to Rent Apartments (SPPR 7 & 8)

Specific Planning Policy Requirement 7 & 8 relate to the provision of Build-to-Rent Apartments.

Applicant’s Response

The development proposed is not a designated Build to Rent scheme.

10.4.3.9 Other Design Standards for New Apartments

Private & Communal Open Space

As per the Guidelines, the minimum requirement for private amenity space is as follows: -

Minimum Floor Areas for Private Amenity Space	
Studio	4 sq. m
One bedroom	5 sq. m
Two bedroom (4 person)	7 sq. m
Three bedroom	9 sq. m
Minimum Floor Areas for Communal Amenity Space	
Studio	4 sq. m
One bedroom	5 sq. m
Two bedroom (4 person)	7 sq. m
Three bedroom	9 sq. m

Applicant's Response

Each duplex is provided with a private balcony / terrace which exceeds the above requirements, as demonstrated in the apartment Floor Plans and HQA prepared by Burke Kennedy Doyle Architects that accompany this SHD Planning Application.

Based on the Guidelines' standards set out in the table above, the 22no. duplexes proposed would require a minimum communal amenity space quantum of c. 176 sq. m.

The communal amenity space provided as part of the proposed development provided in 2no. ground level gardens / landscaped areas adjoining the duplexes. The total amount of communal open space provided as part of the proposed development amounts to c. 759 sq. m. which comfortably exceeds the standards set out in the Guidelines.

We refer the Board to the Site Layout Plans, prepared by Burke Kennedy Doyle Architects and the Landscape Plans, prepared by Brady Shipman Martin Built Environment Consultants for further details on the layout and treatment of these spaces.

Car Parking

Though not included in a Specific Planning Policy Requirement (SPPR) of the Apartment Guidelines, we consider that it is worth noting the recommendations of the Guidelines in terms of car parking provision, as they relate to the proposed development.

The Guidelines set out the following broad proximity and accessibility considerations for Apartments are generally defined under the following categories: -

- 'Central and / or Accessible Urban Locations'.
- 'Intermediate Urban Locations'.
- 'Peripheral and / or Less Accessible Urban Locations'.

In the context of car parking provision, as the subject site is not within a central location, does not adjoin a city core and is not at a confluence of public transport systems, it is considered that the subject lands fall in to the 'Intermediate Urban Location' category which is defined as: -

"In suburban / urban locations served by public transport or close to town centres or employment areas and particularly for housing schemes with more than 45 dwellings per hectare net (18 per acre), planning authorities must consider a reduced overall car parking standard and apply an appropriate maximum car parking standard."

Applicant's Response

The Fingal County Development Plan standards in respect of the apartment units are: -

- 1.5no. spaces per unit in the case of 2-bed apartments / duplexes.
- 2no. spaces per unit in the case of 3-bed apartments / duplexes.
- 1no. Visitor space per 5no. units.

This would amount to c. 46no. car parking spaces for the proposed 22no. apartments and duplex / apartments. There are 47no. car parking spaces to be provided.

The proposed development is proposed to be served by 345no. car parking spaces. We refer the Board to the accompanying Traffic & Transport Assessment, prepared by JB Barry & Partners Consulting Engineers, for more information in this regard.

Bicycle Parking

The Guidelines set out with regard to bicycle parking that new development proposals in central urban and public transport accessible locations and which otherwise feature appropriate reductions in car parking provision are at the same time comprehensively equipped with high quality cycle parking and storage facilities for residents and visitors.

Generally, 1no. dedicated bicycle space per bedroom and 1no. visitor bicycle space per 2no. units is required. Bicycle parking should be easily accessible and provided within a dedicated facility.

Applicant's Response

30no. bicycle parking spaces are proposed to be provided in secure facilities to serve the 22no. duplexes, in excess of the Development Plan minimum requirement. We refer the Board to the accompanying Traffic & Transport Assessment, prepared by JB Barry & Partners Consulting Engineers, for more information in this regard.

10.4.4 Quality Housing for Sustainable Communities (2007)

In the case of these Guidelines, there are no specific objectives, or policies set out to which to refer. As a result, we have identified the aspects of the Guidelines we feel are most relevant and identified a response.

Typical Dwelling Sizes

Having regard for Table 5.1 of the Guidelines (below) with regard the space provision and room sizes for typical dwellings, all houses within a proposed development must adhere to these standards.

Table 5.1: Space provision and room sizes for typical dwellings

DWELLING TYPE	TARGET GROSS FLOOR AREA	MINIMUM - MAIN LIVING ROOM	AGGREGATE LIVING AREA	AGGREGATE BEDROOM AREA	STORAGE
	(m ²)	(m ²)	(m ²)	(m ²)	(m ²)
Family Dwellings - 3 or more persons					
4BED/7P House (3 storey)	120	15	40	43	6
4BED/7P House (2 storey)	110	15	40	43	6
4BED/7P House (1 storey)	100	15	40	43	6
4BED/7P Apartment	105	15	40	43	11
3BED/6P House (3 storey)	110	15	37	36	6
3BED/6P House (2 storey)	100	15	37	36	6
3BED/6P House (1 storey)	90	15	37	36	6
3BED/6P Apartment	94	15	37	36	10
3BED/5P House (3 storey)	102	13	34	32	5
3BED/5P House (2 storey)	92	13	34	32	5
3BED/5P House (1 storey)	82	13	34	32	5
3BED/5P Apartment	86	13	34	32	9
3BED/4P House (2 storey)	83	13	30	28	4
3BED/4P House (1 storey)	73	13	30	28	4
3BED/4P Apartment	76	13	30	28	7

Applicant's Response

All houses in the proposed development will meet the minimum floor area requirements set out the Guidelines. A HQA, prepared by Burke Kennedy Doyle Architects, confirms this. The Table below highlights the difference in size of the units when compared to the minimum standards.

Houses					
Unit Type	No. of Units	GFA (m ²) / Unit	No. of Bedrooms	No. of Bedspaces	Min. Size – Guidelines 2007
House Type A1	6	108.6	3	5	92
House Type A2	19	108.6	3	5	92
House Type A3	7	108.6	3	5	92
House Type A4	7	117.6	3	5	92
House Type A5	3	117.6	3	5	92
House Type A6	1	117.6	3	5	92
House Type B1	7	110.6	3	5	92
House Type B2	11	110.6	3	5	92
House Type B3	4	110.6	3	5	92
House Type C1	9	118.0	3	5	92
House Type C2	8	117.4	3	5	92
House Type C3	1	118.6	3	5	92
House Type D1	9	141.0	4	7	110
House Type D2	2	142.0	4	7	110
House Type F1	11	134.4	4	6	100
House Type F2	5	135.6	4	6	100
House Type F3	2	146.5	4	6	110
House Type F4	5	146.4	4	6	100
House Type F5	17	147.8	4	6	100
House Type G	11	114.0	3	5	92
House Type H	5	147.0	4	7	110
Total	150				

10.4.5 Urban Development & Building Heights Guidelines for Planning Authorities (2018)

The Urban Development and Building Heights Guidelines (2018) were published by the Minister for Housing, Planning and Local Government under Section 28 of the Planning and Development Act 2000 (as amended).

The Building Height Guidelines acknowledge that a key objective of the NPF is to promote an increase in prevailing building height and overall density, in order to achieve more compact urban growth. Increased building height and development density are not only to be facilitated, but actively sought out and brought forward by the planning processes. The Fingal County Development Plan 2017 – 2023 was made before these Guidelines were published.

The Guidelines therefore set out a number of Specific Planning Policy Requirements (SPPR) that Planning Authorities and An Bord Pleanála are required to have regard to in carrying out their functions.

There are four SPPRs set out in the Building Height Guidelines. SPPRs 1, 2 & 4 relate to the role of Planning Authorities in promoting greater building height at appropriate locations as part of its forward planning function.

Specific Planning Policy Requirement 3 provides the ability for the Planning Authority or An Bord Pleanála, “to approve such development, even where specific objectives of the relevant development plan or local area plan may indicate otherwise”.

In this instance what is being proposed is a development comprising of a mix of houses and duplexes that range in height between 1.5 – 3 storeys. There does not appear to us to be any conflicting policies or objectives in the Development Plan or LAP that would preclude these heights. As such, we do not consider that SPPR 3 is applicable in this case either.

The Guidelines set out under Section 3.4 – Building Height in Suburban / Edge Locations (City and Town) that these locations are characterised by newer housing developments outside city and town centres and inner suburbs and typically now include town-houses (2 – 3 storeys), duplexes (3 – 4 storeys) and apartments (4 storeys upwards). Such developments deliver medium densities, in the range of 35 – 50no. dwellings per Ha net and provide an adequate mix of units. This mix addresses the need for more 1 and 2 bedroom units in line with wider demographic and household formation trends. The Guidelines note that this form of development, where well designed and integrated, also facilitate the development of an attractive street-based traditional town environment.

Applicant’s Response

The proposed development is considered to be compliant with the Building Height Guidelines recommendations for suburban / edge locations. The appropriate net density for the site is achieved having regard for the aviation safety restrictions as well as building heights in accordance with the LAP and a mix of units for this type of location consistent the established surrounding character of the area.

10.4.6 The Planning System and Flood Risk Management (2009)

These guidelines require the planning system to avoid development in areas at risk of flooding, particularly floodplains, unless there are proven wider sustainability grounds that justify appropriate development and where the flood risk can be reduced or managed to an acceptable level without increasing flood risk elsewhere.

The Guidelines adopt a sequential approach to flood risk management when assessing the location for new development based on avoidance, reduction and mitigation of flood risk; and incorporate flood risk assessment into the process of making decisions on planning applications and planning appeals.

Applicant’s Response

A Flood Risk Assessment, prepared by JB Barry & Partners Consulting Engineers has been set out in accordance with the Planning System and Flood Risk Management Guidelines for Local Government (2009) and accompanies this SHD Planning Application submission.

The Flood Risk Assessment generally concludes that the development is not vulnerable to flooding.

10.4.7 Design Manual for Urban Roads and Streets (2013)

The stated objective of Design Manual for Urban Roads and Streets (DMURS) is to achieve better street design in urban areas. This will encourage more people to choose to walk, cycle or use public transport by making the experience safer and more pleasant. It will lower traffic speeds, reduce unnecessary car use and create a built environment that promotes healthy lifestyles and responds more sympathetically to the distinctive nature of individual communities and places. The implementation of DMURS is intended to enhance how we travel to and from business; enhance how we interact with each other and have a positive impact on our enjoyment of the places to and through which we travel.

Applicant's Response

We refer the Board to the Statement of Consistency – DMURS, prepared by JB Barry & Partners Consulting Engineers which sets out the rationale for the proposed road design of the scheme.

The proposed development submitted with this SHD Planning Application submission is consistent with both the principles and guidance outlined within the Design Manual for Urban Roads and Streets (DMURS) 2013. The scheme proposals are the outcome of an integrated design approach that seeks to implement a sustainable community connected by a well-designed street which delivers safe, convenient and attractive networks.

10.4.8 Childcare Facilities, Guidelines for Planning Authorities (2001)

Section 2.4 of the Guidelines set out general standards for the land use planning issues related to childcare provision in Ireland. In relation to 'New Communities / Larger New Housing Developments', it is noted that: -

"Planning authorities should require the provision of at least one childcare facility for new housing areas unless there are significant reasons to the contrary or where there are adequate childcare facilities in adjoining developments."

The Guidelines outline that crèche provision should be made on the basis of 20no. childcare spaces for every 75no. dwellings permitted in a scheme.

Applicant's Response

A Childcare Facility is not included as part of the proposed development.

Having regard to concerns regarding the Outer Public Safety Zone associated with Dublin Airport, we note that the Portmarnock South Local Area Plan (LAP) 2013 stipulates that 'no childcare facilities be provided within the lands' as a result of this. Specifically, in Section 4.2 of the LAP it states (*inter alia*) that: -

"As the lands are located within the Outer Public Safety Zone of Dublin Airport, schools and childcare facilities are not permitted uses within the RA (residential) zoning of the LAP lands".

In Section 8.2 – Educational / Childcare Facilities of the LAP it is noted that there are a number of crèches and Montessori schools at key locations within the vicinity of the plan lands.

In this particular case, the comprehensive assessment undertaken by the Planning Authority in preparing the Local Area Plan has resulted in a conclusion that no childcare facilities may be provided on these lands.

Arising from the above it is our opinion that the proposal is consistent with the relevant Guidelines in this regard.

Notwithstanding, we refer the Board to the Social Infrastructure Audit, prepared by Stephen Little & Associates Chartered Town Planners & Development Consultants which provides an overview of the childcare capacity in the area adjoining the proposed development.

11 STATUTORY PLANNING CONTEXT – STATEMENT OF CONSISTENCY

11.1 Fingal County Development Plan 2017 – 2023

The Fingal County Development Plan 2017 – 2023 (the Development Plan) came into effect on the 16 March 2017 and is the statutory land-use plan governing the subject lands at this time. This has been the subject of a number of Variations; most notably Variation No. 2.

This Statement of Consistency is understood to be intended to provide the Board with adequate comfort that the provisions of the Statutory Development Plan have been taken in to account in devising the draft proposals. Equally, it is understood that it is not intended to provide the Board with a detailed assessment of the wide ranging detailed design standards relating to residential development.

In preparing this Statement of Consistency, we are conscious that there is a statutory Local Area Plan for the Portmarnock South lands (Portmarnock South Local Area Plan 2013 – As Extended) (hereafter the LAP). That LAP provides a more site specific set of parameters that need to be adhered to in any design response.

In completing this exercise, we have compiled a List of Objectives, quoted the text in italics and provided the *Applicant's Response* to this beneath each Objective in turn.

11.1.1 Introduction & Strategic Context (Chapter 1)

Strategic Policy 6

Consolidate development and protect the unique identities of the settlements of Howth, Sutton, Baldoyle, Portmarnock, Malahide, Donabate, Lusk, Rush and Skerries.

Applicant's Response

The proposed development forms part of a larger parcel of land which is zoned for residential use within the Development Plan and the LAP.

The proposed development will support the consolidation of Portmarnock by providing compact residential development, which is contiguous with the existing residential development on the Portmarnock South lands and in close proximity to Portmarnock Train Station. The residentially zoned land is contained within a network of green infrastructure which creates a definitive edge to the overall development and has been carefully considered as part of the LAP process.

11.1.2 Core Strategy & 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.

Applicant's Response

The proposal includes the development of 172no. residential units, approximately 15% of the remaining units allocated for Portmarnock (as of September 2019) under the provisions of the Core Strategy, as outlined in the below extract from Table 2.4 of the Development Plan as amended by adopted Variation No. 2 (July 2020): -

Table 2.4 Total Residential Capacity provided under Fingal Development Plan 2017 – 2023, updated as of September 2019

Town/Village	Remaining Capacity (hectares)	Remaining Residential Units	Metropolitan Core % Land	Metropolitan-Core % Units
Metropolitan Area				
Key Town				
Swords	481	14,799		
Dublin City and Suburbs				
Blanchardstown	260	9,306		
Howth	14	436		
Baldoyle/Sutton	29	1498		
Other	66.5	2,320		
Settlements*				
<i>Other Metropolitan Areas</i>				
Portmarnock	43	1,116		
Self Sustaining Growth Towns				
Donabate	101	3,532		
Self Sustaining Town				
Malahide	75.5	956		
Towns/Villages	92	844		
Total Metropolitan	1,162	34,806	76%	81%

The total residential capacity for Portmarnock as set out in Table 2.4 of the Development Plan, is 43 Ha, which can accommodate 1,116no. potential residential units. Since the adoption of the 2017 – 2023 Development Plan, planning permission has been secured for: -

- ABP Ref. ABP-300514-17 (Phase 1B) – 150no. units.
- ABP Ref. ABP-305619-19 (Phase 1C) – 153no. units and a small local services centre.
- Reg. Ref. F14A/0132 (ABP Ref. PL06F.244401) – 270no. residential units (under construction). This site is located to the west of the Portmarnock lands on the western site of the Dublin – Belfast Train line.
- Reg. Ref. F15A/0258 – 121no. residential units (under construction). This site is located on the northern site of Station Road, opposite the permitted Local Centre (Phase 1C).

Overall, the development of the Portmarnock lands in conjunction with the sites in proximity will provide a sufficient number of residential development to meet the targets set out in the Development Plan as summarised in the below table.

Phase / Area	No. Units Permitted / Proposed
Phase 1B (Completed)	150no. units
Phase 1C (Under Construction)	153 no. units
Phase 1D (Currently Proposed)	172no. units
Reg. Ref. F14A/0132	270no. unit
Reg. Ref. F15A/0258	121no. unit
Total	Approx. 866no. units
Total set out in the Core Strategy	1,116no units

Table 1: Existing, Permitted and Proposed residential development within proximity of the proposed development.

The proposed development supports the appropriate growth of Fingal County by ensuring that development takes place on residentially zoned land within Portmarnock, which is a ‘Consolidation Area within the Metropolitan Area’. The proposed development is therefore consistent with the Settlement Hierarchy, as outlined in Table 2.5 of the Development Plan as amended by adopted Variation No. 2: -

Table 2.5 Fingal Settlement Hierarchy

Metropolitan Area	Core Area
Dublin City and Suburbs Consolidation Area Blanchardstown Baldoyle Castleknock Clonsilla Howth Mulhuddart Village Sutton Santry (Incl. Ballymun) Balgriffin & Belcamp Charlestown & Meakstown	
Key Town Swords	
Other Metropolitan Areas Portmarnock	
Baskin	
Self Sustaining Growth Town Donabate	Self Sustaining Towns Balbriggan Lusk
Self Sustaining Town Malahide	Rush Skerries
Towns and Villages Portrane Coolquay Kinsealy Rivermeade Rowlestown	Other Core Towns and Villages Balrothery Loughshinny Ballyboghil Naul Balscadden Oldtown Garristown Ballymadun
Rural – Clusters and Rural Area See Chapter 5 entitled 'Rural Fingal' for a full list of rural clusters	

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.

Applicant's Response

The proposed development is strategically appropriate, being representative of sustainable greenfield development at zoned and serviceable lands. The proposed development forms part of a larger parcel of land which is zoned for residential use within the Development Plan and the LAP. Furthermore, the site is within walking distance of high frequency, high capacity public transport in the form of commuter rail and DART services at Portmarnock Train Station.

11.1.3 Placemaking**Objective PM37**

Ensure a holistic approach, which incorporates the provision of essential and appropriate facilities, amenities and services, is taken in the design and planning of new residential areas, so as to ensure that viable sustainable communities emerge and grow.

Applicant's Response

This SHD Planning Application follows on from Phase 1A (FCC Reg. Ref. F13A/0248), Phase 1B (ABP Ref. ABP-300514-17) and Phase 1C (ABP Ref. ABP-305619-19) respectively where a significant amount of amenities have been proposed and implemented.

Phase 1A included the northern extent of the Railway Linear Park which has been implemented. Phase 1B included the provision of the Recorded Monument open space (including a playground) which is now implemented also. Phase 1C will deliver the Local Centre (including retail / café / restaurant units and a medical / community unit which is now under construction.

This application includes the provision for Skylark Park and 2no. Linear Parks and a connection to Railway Park to the west of the proposed development.

Objective PM38

Achieve an appropriate dwelling mix, size, type, tenure in all new residential developments.

Applicant's Response

A variety of unit types and sizes are proposed within this development. The proposed development provides a range of family-friendly house types, including 3 and 4-bed two storey houses (semi-detached and terraced) and 3 bed duplex units. It also delivers units appropriate to smaller 1 – 3 person households, in accordance with the recommendations of the NPF and RSES, and the Apartment Guidelines (2020).

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.

Applicant's Response

The proposed scheme involves the construction of a high quality development that would be in keeping with the character and scale of the surrounding development.

Objective PM43

Have regard to 'Sustainable Urban Housing: Design Standards for New Apartments' (2007) (or any update or revision of these standards) when assessing apartment developments.

Applicant's Response

We refer the Board to Section 10.4.3 of this Report for a detailed response in relation to how the development of the lands at Portmarnock South comply with Sustainable Urban Housing: Design Standards for New Apartment, Guidelines for Planning Authorities (2020).

Objective PM60

Ensure public open space is accessible, and designed so that passive surveillance is provided.

Applicant's Response

The public open space proposed provides a high level of amenity for future residents which is passively overlooked by the residential units proposed and complies with the standards set out in the Development Plan and other Guidelines. The proposed layout is permeable and provides a range of walking and cycling connections within the development, with adjoining phases and will facilitate connections to future phases.

We refer the Board to the accompanying Landscape Design Rationale Report and Landscape Drawings, prepared by Brady Shipman Martin Built Environment Consultants for further detail.

11.1.4 Urban Fingal***Objective Portmarnock 7***

Prepare and/or implement a Local Area Plan for lands at Portmarnock South to provide for strategic development of the area as a planned sustainable mixed use residential development subject to the delivery of the necessary.

Applicant's Response

The LAP has been prepared by Fingal County Council. Section 11.2 of this Report sets out the way in which the proposed development is compliant with and secures the implementation of the LAP.

11.1.5 Movement & Infrastructure***Objective MT13***

Promote walking and cycling as efficient, healthy, and environmentally-friendly modes of transport by securing the development of a network of direct, comfortable, convenient and safe cycle routes and footpaths, particularly in urban areas.

Applicant's Response

All roads and streets have been designed having regard for the Design Manual for Urban Roads and Streets (DMURS) 2013 which places emphasis on pedestrian and cyclists having priority within the proposed development.

We refer the Board to the Statement of Consistency – DMURS, prepared by JB Barry & Partners Consulting Engineers which sets out the rationale for the proposed road design of the scheme.

Furthermore, we refer the Board to the Stage 1 – Road Safety Audit, prepared by JB Barry & Partners Consulting Engineers which assessed the road safety implication of the proposed development.

Objective DA10

Restrict development which would give rise to conflicts with aircraft movements on environmental or safety grounds on lands in the vicinity of the Airport and on the main flight paths serving the Airport, and in particular restrict residential development in areas likely to be affected by levels of noise inappropriate to residential use.

Applicant's Response

The layout of the proposed development is consistent with the density requirements as set out in the Environmental Resources Management (ERM) Report, Proposed Public Safety Zones for Dublin Airport (2003).

An assessment of the residential densities within the proposed site has been carried out by Cyrrus Limited and has established that no single half hectare plot should accommodate more than 60 persons.

Please refer to Section 7 of this Report which sets out a comprehensive response to the issues raised in the An Bord Pleanála Opinion which regard the density of the proposed development.

Furthermore, we refer the Board to the EIAR Chapter 11: Air (Noise & Vibration), prepared by AWN Consulting Limited which addresses potential impacts relating to noise. Appropriate mitigation measure are identified in relation to inward noise including glazing and vent specifications.

11.1.6 Cultural Heritage (Chapter 10)

Objective CH02

Favour the preservation in situ or at a minimum preservation by record, of archaeological sites, monuments, features or objects in their settings. In securing such preservation the Council will have regard to the advice and recommendations of the National Monuments Service of the Department of the Arts, Heritage, Regional, Rural and Gaeltacht Affairs.

Applicant's Response

As part of Phase 1A (FCC Reg. Ref. F13A/0248), Phase 1B (ABP Ref. ABP-300514-17) and Phase 1C (ABP Ref. ABP-305619-19) of the St. Marnock's Bay extensive archaeological investigations have been carried out with archaeological finds preserved by record. Further excavations were carried out as part of the site preparation works associated with the temporary construction haul road (FCC Reg. Ref. F20A/0700).

It is intended as part of the proposed development that further archaeological excavations will take place and resolution of any archaeological findings will be addressed in consultation with Fingal County Council (Christine Baker, County Archaeologist) and the National Monuments Service of the Department of the Housing, Local Government and Heritage.

We refer the Board to the EIAR Chapter 16: Cultural Heritage (Archaeological & Architectural), prepared by Courtney Deery Archaeology & Cultural Heritage. No significant impacts are predicted, subject to appropriate mitigation measures as identified in the EIAR.

11.1.7 Land Use Zoning Objectives (Chapter 11)

The subject site is zoned both 'RA' (Residential Area) and 'OS' (Open Space), the objectives of which aim to: -

Objective RA:

"Provide for new residential communities in accordance with approved local area plans and subject to the provision of the necessary social and physical infrastructure".

Objective OS:

"Preserve and provide for open space and recreational amenities".

The vision for 'OS' zoned lands is as follows: -

'Provide recreational and amenity resources for urban and rural populations subject to strict development controls. Only community facilities and other recreational uses will be considered and encouraged by the Planning Authority.'

This is identified on the land use zoning maps for the Portmarnock lands (grey dashed line – Figure 14 above). These lines on Map 9 of the Development specifically state that the alignments are indicative (Local Area Objective 88 – See below). It is submitted that the proposed new permanent road which will follow the alignment of the permanent road identified in the Portmarnock South Local Area Plan (2013 – As Extended) is permissible on the lands zoned ‘OS – Open Space’ on that basis.

The 2no. small attenuation ponds proposed are associated with the permanent road connection with Moyne Road. The attenuation ponds are ancillary to the functioning of the new road to control surface water run-off.

The 2no. small attenuation ponds proposed are an amenity feature which forms part of the wider open space area designated to the south of the LAP lands. Open space is permitted in principle on lands zoned OS – Open Space. The attenuation ponds will be landscaped and integrated into the existing open spaces and on that basis is considered consistent with the zoning objective. This is consistent with the approach taken with the Regional Wetland which was constructed in Phase 1B which was granted planning permission by An Bord Pleanála under ABP Ref. ABP-300514-17.

Local Objectives

Local Area Objective 79 states that: -

“The visual impact on the Greenbelt of this new housing in Portmarnock will be minimised by its siting, design and by planting.”

Applicant’s Response

In plotting the site contours two key site features become apparent. The first is the fact that the recorded monuments are linked along a ridge line which is broadly level across the site and this in turn gives rise to key views to the East and South. This alignment is defined as the Inter Monumental route in the LAP and forms the landscaped circulation spine for the overall development. The second is that there is a substantial fall across the site along Station Road to a low point at the eastern end.

The edge treatment to the southern boundary of the Skylark character area is for one and half to two storey houses along this edge facing out onto the open lands / ecological buffer to the south. This unit provides a height transition from the ecology buffer zone to the two storey and three storey elevations and streets to the north. The land here is high up with views back across to Howth and South Dublin. To take advantage of this unique condition, the Type G & H units along this edge are three and four bedroom semidetached units with a one and half storey height, utilising rooflights to the low roof at the rear portion of the house and an open projecting gable end as a feature to the front of the house. This projecting gable provides some shelter to the terrace at the front while opening up to the views to the south. Overall, the development is designed to site into the landscape which utilises the contours of the existing site to incorporate additional building height without impact on the surrounding views.

We refer the Board to the accompanying Landscape Design Rationale Report, Landscape Drawings and EIAR Chapter 12: Landscape & Visual Impact Assessment prepared by Brady Shipman Martin Built Environment Consultants for further detail in this regard.

Local Area Objective 88 states that: -

“This road improvement route is not fixed or indicative. It could be along existing Moyne Road alignment or another alignment.”

Applicant’s Response

The proposed permanent road which will connect with Moyne Road is consistent with the indicative alignment identified in the LAP (see section 11.2.2 below). As such the proposed road is consistent with this Local Objective.

11.1.8 Development Management Standards (Chapter 12)**Objective DMS24**

Require that new residential units comply with or exceed the minimum standards as set out in Tables 12.1, 12.2 and 12.3.

Applicant's Response

We refer the Board to the Schedule of Accommodation, Housing Quality Assessment, Site Layout Plans, House Type Drawings and Duplex Block Drawings, prepared by Burke Kennedy Doyle Architects enclosed with this application, which sets out how the proposed development meets or exceeds the minimum standards as set out in Tables 12.1, 12.2 and 12.3.

Objective DMS28

A separation distance of a minimum of 22 metres between directly opposing rear first floor windows shall generally be observed unless alternative provision has been designed to ensure privacy. In residential developments over 3 storeys, minimum separation distances shall be increased in instances where overlooking or overshadowing occurs.

Applicant's Response

The proposed development has been carefully designed to adhere to the separation distance requirements of the Development Plan. This standard is of relevance to housing blocks, in which the rear facades oppose each other. The depths of the back gardens of these houses meet or exceed 11m, thus ensuring a minimum separation distance of 22m.

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.

Applicant's Response

We refer the Board to the Sunlight and Daylight Analysis, prepared by IN2 Engineering Design Partnership, which accompany this SHD Planning Application.

Please refer to Section 7 of this Report which sets out a comprehensive response to the issues raised in the An Bord Pleanála Opinion including compliance with relevant daylight and sunlight standards.

Objective DMS87

Ensure a minimum open space provision for dwelling houses (exclusive of car parking area) as follows: - 3 bedroom houses or less to have a minimum of 60 sq. m of private open space located behind the front building line of the house. - Houses with 4 or more bedrooms to have a minimum of 75 sq. m of private open space located behind the front building line of the house. Narrow strips of open space to the side of houses shall not be included in the private open space calculations.

Applicant's Response

Private open space is provided for all residential units in the form of rear gardens for the houses and balconies for the duplex / apartments. The provision of private open space meets or exceeds the relevant requirements set out in the Development Plan and in the Apartment Guidelines (2020) in all instances.

We refer the Board to the HQA, Site Layout Drawings, House Type Drawings and Duplex Block Drawings, prepared by Burke Kennedy Doyle Architects which identifies the private open space provisions.

Objective DMS57

Require a minimum public open space provision of 2.5 hectares per 1000 population. For the purposes of this calculation, public open space requirements are to be based on residential units with an agreed occupancy rate of 3.5 persons in the case of dwellings with three or more bedrooms and 1.5 persons in the case of dwellings with two or fewer bedrooms.

Objective DMS57A

Require a minimum 10% of a proposed development site area be designated for use as public open space.

The Council has the discretion for the remaining open space required under Table 12.5 to allow provision or upgrade of small parks, local parks and urban neighbourhood parks and / or recreational / amenity facilities outside the development site area, subject to the open space or facilities meeting the open space 'accessibility from homes' standards for each public open space type specified in Table 12.5.

The Council has the discretion for the remaining open space required under Table 12.5 to allow provision or upgrade of Regional Parks in exceptional circumstances where the provision or upgrade of small parks, local parks and urban neighbourhood parks and / or recreational / amenity facilities is not achievable. This is subject to the Regional Park meeting the open space 'accessibility from homes' standard specified in Table 12.5.

Table 12.5 Open Space Hierarchy and Accessibility

Type of Public Open Space	Areas	Accessibility from homes	Note
Pocket Parks (Class 2 as per Development Contribution Scheme) Facilities for smaller children, but not necessarily formal play facilities. Have an important visual and social function also. Pocket parks must not be to the side or back of houses and must be adequately overlooked.	Between 500 sq m – 0.2 hectares	Every home within 150m walking distance	Provide pocket parks in all cases. No contributions in lieu
Small Parks (Class 2 as per Development Contribution Scheme) Depending on their size, these will accommodate playground facilities, kick about areas, and passive recreation.	Between 0.2 – 2 hectares	Within 400m walking distance of homes	
Local Parks (Class 1 as per Development Contribution Scheme) Accommodate playground facilities and a number of playing fields. Passive recreational and biodiversity areas will also be accommodated in these parks.	Between 2 hectares – 20 hectares.	400 metres.	
Urban Neighbourhood Parks (Class 1 as per Development Contribution Scheme). A wide variety of facilities and uses can be provided here due to their size. Biodiversity areas will also be accommodated in these parks.	Between 20 hectares – 50 hectares	Within 1km	
Regional Parks (Class 1 as per Development Contribution Scheme) Provide for a large range of uses. Formal and informal play areas, passive recreation areas, biodiversity areas and often a distinct attraction will be available on site.	Over 50 hectares	Within 5km	

Applicant's Response

We refer the Board in the first instance to the accompanying Landscape Design Rationale Report and Landscape Drawings, prepared by Brady Shipman Martin Built Environment Consultants for further detail.

We review the proposed public open space below in the context of the provisions of Objectives DMS57 and DMS57A of the Development Plan, which require that a minimum of 10% of an application site area is provided as public open space as well as a minimum provision of open space per head of population.

Proposed Public Open Space (Phase 1D)

This application includes the proposed provision of **c. 25,370 sq. m** of public open space, as follows: -

- Skylark Park: **c. 8,150 sq. m**
- Railway Linear Park Extension: **c. 6,990 sq. m**
- Northern & Central Linear Parks (integrating existing townland hedgerow feature): Pocket Park: **c. 10,230 sq. m**

The above identified development would generate a public open space requirement of 1.45 Ha on the basis of a population calculation. As can be seen above, this exceeds the minimum requirements outlined in Objective DMS57.

The above identified public open space amounts to **more than 10%** of the overall site area (c. 11.05 Ha), thus exceeding the minimum requirements outlined in Objective DMS57A.

As part of the Pre-Planning Consultation, FCC stated that the linear parks could not be considered as open space provision for the purposes of the open space calculations. We would note that the provision of open spaces is consistent with what was proposed as part of Phase 1B (ABP Ref. ABP-300514-17) in so far as it was considered acceptable by An Bord Pleanála that the Linear Park was included within the provision for public open space. We note also that the hedgerows are identified within the areas of open space shown in the LAP.

Notwithstanding, when the area of Skylark Park and Railway Linear Park Extension are taken in isolation the public open space provision is c. 15,140 / 1.51 Ha. As such, based on the calculation of open space per head of population (Objective DSM57 – requires 1.45 Ha¹) the proposed development meets this requirement.

Furthermore, it is important to be aware that the proposed development will be served by a substantial amount of public open space which has already been provided in a variety of forms as part of the Phase 1A and Phase 1B (existing) and Phase 1C (under construction) as required by the LAP. There are also further additional areas around the monument to the south in Growth Area 2 that will further supplement this public open space provision.

Existing and Permitted Public Open Space (Phases 1A, 1B & 1C)

A number of areas of public open space were permitted and developed as part of the Phase 1A (Reg. Ref. F13A/0248), Phase 1B (ABP Ref. 300514-17) and Phase 1C (ABP Ref. 305619-19) planning applications at St. Marnock's Bay. In total, these amount to a further **c. 27,600 sq. m** of public open space as follows: -

- Railway Linear Park: **c. 12,000 sq. m**
- Landscaped area over Recorded Monument: **c. 5,600 sq. m**

¹ 161no. 3 / 4 units x 3.5 = 563.5. 11no. 2 bed units x 1.5 = 16.5. Total population = 580no. people.
2.5 Ha / 1000no. Population = 0.0025 Ha per person.
Open Space Calculation: 580no. people x 0.0025 Ha = 1.45 Ha

- Linear Park (integrating existing townland hedgerow feature): **c. 8,300 sq. m**
- Civic Plaza (Local Centre): **c. 1,700 sq. m**

The 4no. above-referenced areas of permitted public open space all fall within a 5-minute walking distance of the residential units now proposed (as illustrated in Landscape Dwg. No. 304 'Wider Context – Open Space & Greenways', prepared by Brady Shipman Martin Built Environment Consultants). In conjunction with this, the proposed development includes 'Skylark Park' as per the phasing requirements of the LAP. The future residents of the proposed development will thus have easy access to a wide variety of high quality open spaces, provided in a variety of forms and sizes to meet the varying needs of residents.

The existing, permitted and proposed areas of public open space amount to **c. 57,070 sq. m** in total. This amounts to **c. 19.68%** of the Phase 1A, 1B, 1C and 1D sites (which are c. 29.07 Ha in total), which comfortably exceeds the minimum requirements of Development Plan Objectives DMS57 and DMS57A.

Furthermore, as part of Phase 1A (Reg. Ref. F13A/0248 refers) an extensive quantum of Class 1 public open space (c. 107 Ha) in the form of ecological and landscape buffer areas has been provided to the east and south of the Local Area Plan lands. In particular, this included: -

- Provision of c.18 Ha of ecological and landscape buffer areas (along the Coast Road and Moyne Road) to the east and south of the residential zoned lands.
- Provision of c.8.5 Ha as a formal Bird Quiet Zone.
- Provision of c.1 Ha of additional grassland as foraging for overwintering birds within the Murragh lands.
- These lands are identified on Landscape Dwg. No. 304 'Wider Context – Open Space & Greenways', prepared by Brady Shipman Martin Built Environment Consultants.

Prior to these lands being transferred to the Council (in accordance with the Phase 1A grant of permission), the Developer undertook extensive works to make the lands fit for purpose. These works were carried out in agreement with FCC and the NPWS, and all works were carried out in accordance with a Conservation Management Plan for the lands, which was agreed and submitted to the Planning Authority in compliance with Condition 6 of the grant of permission for Phase 1A.

A coastal pedestrian / cycle path has been provided by FCC in the eastern portion of these Class 1 open space lands to the east of the proposed development. A connection from that facility to the St. Marnock's Bay development and on to the Portmarnock Rail Station was provided for in the Phase 1B (connection being competed). This connectivity will ensure that the Class 1 lands will be easily accessible to further residents of the proposed residential development and subsequent future phases of development.

These lands are subject to an application to An Bord Pleanála under Section 177AE of the Planning and Development Act 2000 (as amended) to carry out a park development project at the Racecourse Park located between Baldoyle and Portmarnock, Co. Dublin. The proposal is to include: -

- 4.5km of new walking and cycling routes including a bridge over the Mayne river and the repair to the railway underpass.
- Public lighting along key walking and cycling routes.
- Expanding the existing car park to cater for up to 161no. car parking spaces.
- Upgrading and expanding the existing playground.
- A Skate park and Teenage Adventure Playground.
- A Multi use games area.
- A dog run.
- A Bowls green.
- Four grass football pitches.

- A viewing platform.
- Tracing of circular archaeological feature through soft landscaping and removal of existing fence.
- Extension of existing reedbed south of Mayne river and creation of new brackish grassland north of Mayne river.
- All landscaping works in the park.

This new substantial park amenity will be within c. 1 – 5 km of the proposed development (and wider LAP lands) once completed.



Figure 15: Extract from Fingal County Council website showing the landscape masterplan as part of the application to An Bord Pleanála under Section 177AE of the Planning and Development Act 2000 (as amended). Phase 1D shown indicatively with yellow star (Overlay by SLA). Note: planned Moyné Road access road is shown in this plan also.

Class 1 & Class 2 Open Space Provision

The Development Plan notes that “in general this shall be provided at a ratio of 75% Class 1 and 25% Class 2”. We note in this regard that the provision of Class 1 Open Space in excess of c. 107 Ha has already been allocated at Portmarnock South, as per the requirements of the LAP. It is accepted that this provision sufficiently addresses the Development Plan requirements for Class 1 Open Space for all existing, permitted, proposed and future residential development at the Portmarnock South LAP lands. We refer the Board to Dwg. No. 304 ‘Wider Context – Open Space & Greenways’, prepared by Brady Shipman Martin Built Environment Consultants for an illustration of this Class 1 Open Space provision.

The below figure sets out the public open space calculations / provision for the existing (Phase 1A & 1B), permitted (Phase 1C) and proposed (Phase 1D). To date, the combined developments have an overall requirement for **11,813 sq. m** of Class 2 Open Space. The combined residential development (existing, permitted and proposed) provide of **57,070 sq. m** of Class 2 Public Open Space, therefore, far exceeds the minimum requirements of Objective DMS57.

Residential Mix - Phases 1A, 1B, 1C & 1D Combined						
	1-bed	2-bed	3-bed	4-bed		Total Units / Site Area
No. of Units	0	63	328	185		576 / 290,700
Occupancy Fig.	1.5	1.5	3.5	3.5		
Occupancy Rate	0	94.5	1148	647.5		
Phase 1B Total Occupancy Rate					1890	
Combined Open Space Requirement						
Sq.m of open space per person					25	sq. m
Public Open space person requirement					47250	sq. m
10% of the subject site					29070	sq. m
Class 2 - (25% of open space)					11813	sq. m
Class 1 - (75% of open space)					35438	sq. m
Combined Proposed Open Space						
Class 2 - (25% of provision) on site					57070	sq. m
Class 1 - (75% of provision)					Land Transfer	

Figure 16: Summary of the provision of Class 2 Open Space at Phase 1 of the Portmarnock South development, in the context of the requirements of the relevant Development Plan objectives.

Conclusion

The above demonstrates that there is a significant provision of public open space at the Portmarnock South Phase 1 lands (existing, permitted and proposed), which exceeds the minimum requirements of Development Plan objectives DMS57 and DMS57A, and would be sufficient to serve the proposed residential units.

Application	Approximate Site Area (Ha)	Public Open Space (sq. m)	Percentage of Site Area	Shortfall / Surplus
Phase 1A	5.83	13,000	22%	+ 12%
Phase 1B	7.59	13,900	18%	+ 8%
Phase 1C	4.6	4,750	10%	+ 0.3%
Phase 1D	11.05	25,370	23%	+ 13%
Total	29.07	57,070	19.6%	+ 9.6%

Table 2: Public Open Space provision in the context of the requirements of DMS57 and DMS57A (including Linear Parks).

11.2 Portmarnock South Local Area Plan (2013 – As Extended)

The design of the proposed development on these lands has been guided by the LAP that was adopted by Fingal County Council for these lands. We confirm that the Council have extended the life of this LAP until May 2023.

11.2.1 Green Infrastructure

In confirming to the Board that the policy guidance of Section 5 of the LAP has been taken into account, we would note at this juncture that the planning application will be accompanied by (*inter alia*) the following documentation, which will comprehensively address many of the policy objectives set out in Section 5: -

- A Conservation Management Plan.
- A Tree and Hedgerow Survey and associated Arborist's Report.
- A Tree Planting Plan.
- Natura Impact Statement.
- A Construction Management Plan.
- A SUDS Strategy.
- A Public Lighting Plan.

Objective GI 2

Promote the development of a series of green routes / green linear corridors that connect amenity and open space areas with new and established communities

Applicant's Response

The proposed layout is permeable and provides a range of walking and cycling connections within the development, with adjoining phases and will facilitate connections to future phases.

The proposed layout includes 2 no. linear parks which interconnect with the proposed Skylark Park and also connect to the existing norther portion of Railway Linear Park.

We refer the Board to the accompanying Landscape Design Rationale Report and Landscape Drawings, prepared by Brady Shipman Martin Built Environment Consultants for further detail.

Objective GI 3

Comply with the objectives relating to biodiversity, open space and green infrastructure set out in the current Fingal Development Plan.

Applicant's Response

The proposal is compliant with the objectives relating to biodiversity, open space and green infrastructure set out in the current Development Plan. SuDs infrastructure is incorporated and integrated into the proposed landscape.

We refer the Board to the accompanying Landscape Design Rationale Report and Landscape Drawings, prepared by Brady Shipman Martin Built Environment Consultants for further detail.

Objective GI 4

Demonstrate in each planning application, how the Green Infrastructure and Landscape Strategy set out in Figure 5.1 has influenced the layout of development and in particular, how it is reflected in the design and layout of open spaces, linear parks and green routes.

Applicant's Response

The proposed development represents a continuation of the development of the Portmarnock South LAP lands as part of the St. Marnock's Bay development, in line with the holistic vision for development of these lands contained in the LAP. The proposed development continues to facilitate the implementation of the LAP's 'Green Infrastructure and Landscape Strategy'. In particular, it retains the townland boundary hedgerow between the residential development and Skylark Park.

We refer the Board to the accompanying Landscape Design Rationale Report and Landscape Drawings, prepared by Brady Shipman Martin Built Environment Consultants for further detail.

Objective GI 8

Promote the conservation and enhancement of biodiversity having regard to the objectives of the Fingal Development Plan, the Fingal Biodiversity Action Plan and the Fingal Heritage Plan while allowing for appropriate development, access and recreational activity.

Applicant's Response

The retention of townland boundaries is proposed to integrate these features as part of the development. Minimal interventions are proposed to facilitate road and pedestrian / cycle connections as per the provision of the LAP. The townland boundary will be supplemented with additional native mature planting. Overall, this will support the implementation of the Green Infrastructure and Landscape Strategy as set out in the LAP.

We refer the Board to the accompanying Landscape Design Rationale Report and Landscape Drawings, prepared by Brady Shipman Martin Built Environment Consultants for further detail.

Objective GI 9

Protect existing trees, hedgerows, townland boundaries and watercourses which are of amenity, historic or biodiversity value and ensure that proper provision is made for their protection and management in future development proposals in accordance with the Green Infrastructure and Landscape Strategy.

Applicant's Response

A full tree survey and Arboricultural Impact Assessment has been completed for this site by John Morris Arboricultural Consultancy Ltd. The Report generally concludes that: -

"The proposed layout will require the minor loss of main arboricultural features or characteristics of the Site and as such the magnitude of impact will range within the category of low.

To mitigate the removal of these features it is proposed to plant a diverse mix of new trees and shrubs across the Site, that will significantly increase canopy cover in the local landscape and improve species diversity.

The benefits provided by this new planting will increase year on year, therefore reducing the magnitude of impact and creating a significant improvement on the pre-development baseline. To accelerate the timeframe over which these benefits are realised, it is proposed to a range of trees that will include extra heavy and semi-mature standards."

We refer the Board to the Arboricultural Impact Assessment & Method Statement, prepared by John Morris Arboricultural Consultancy which includes appended Tree Constraints, Tree Impacts & Tree Protection drawings.

Objective GI 13

Ensure that sufficient information is provided as part of development, plan or project proposals to enable Appropriate Assessment screening to be undertaken and to enable a fully informed assessment of impacts on biodiversity to be made.

Applicant's Response

We refer the Board to the Natura Impact Statement, prepared by Brady Shipman Martin Built Environment Consultants. The Report generally concludes that: -

"[The] Natura Impact Statement has considered the potential impacts of a proposal by Quintain Developments Ireland Ltd for development of 172 residential units (Portmarnock Phase 1D) on the integrity of the relevant European sites.

This report concludes on the best scientific evidence that it can be clearly demonstrated that no elements of the project will result in any impact on the integrity or Qualifying Interests/Special Conservation Interests of any relevant European site, either on their own or in-combination with other plans or projects, in light of their conservation objectives.

It is considered that this Natura Impact Statement provides sufficient relevant information to allow the Competent Authority (An Bord Pleanála) to carry out an AA Screening, and if necessary an Appropriate Assessment, and to reach a determination that the proposed development will not affect the integrity of any of the relevant European sites under Article 6 of the Habitats Directive (92/43/EEC) in light of their conservation objectives."

Objective GI 17

Ensure that the existing topography of the lands is incorporated into the design concept and layout with minimal variations to existing ground levels, in as far as is practicable, in development schemes.

Applicant's Response

The proposed development will work with the contours of the site to avoid the necessity for excessive cut or fill of the site. We refer the Board to the Architectural Rationale, prepared by Burke Kennedy Doyle Architects for further detail in relation to the factors influencing the proposed layout of the scheme.

Objective GI 18

Ensure trees, hedgerows and other features which demarcate townland boundaries are preserved and incorporated into the design of developments.

Applicant's Response

The retention of townland boundaries is proposed to integrate these features as part of the development. Minimal interventions are proposed to facilitate road and pedestrian / cycle connections as per the provision of the LAP. The townland boundary will be supplemented with additional native mature planting. Overall, this will support the implementation of the Green Infrastructure and Landscape Strategy as set out in the LAP.

We refer the Board to the accompanying Landscape Design Rationale Report and Landscape Drawings, prepared by Brady Shipman Martin Built Environment Consultants for further detail.

Objective GI 25

Integrate provision for biodiversity with public open space provision and sustainable water management measures (including SuDS) where possible and appropriate.

Applicant's Response

SuDS infrastructure is incorporated and integrated into the proposed landscape. The surface water ponds / green swales will create an attractive green zone for biodiversity.

We refer the Board to the accompanying Landscape Design Rationale Report and Landscape Drawings, prepared by Brady Shipman Martin Built Environment Consultants for further detail.

Objective GI 26

Protect as yet undiscovered archaeological sites or features that survive subsurface in accordance with National Monument Legislation.

Applicant's Response

We refer the Board to the EIAR Chapter 16: Cultural Heritage (Archaeological & Architectural), prepared by Courtney Deery Archaeology & Cultural Heritage. No significant impacts are predicted, subject to appropriate mitigation measures as identified in the EIAR.

Objective GI 29

Provide an integrated network of open spaces, pocket parks, linear parks and green routes through the implementation of the Green Infrastructure and Landscape Strategy.

Applicant's Response

A number of significant public open spaces are proposed as part of the development. These include: Skylark Park, the extension of Railway Linear Park, and the extent ion of the Townland Boundary Parks.

We refer the Board to the accompanying Landscape Design Rationale Report and Landscape Drawings, prepared by Brady Shipman Martin Built Environment Consultants for further detail.

Objective GI 35

Ensure every home within a new residential scheme is located within 100 metres walking distance of a pocket park, small park, local park, urban neighbourhood park or regional park.

Applicant's Response

We refer the Board to Diagram 4 of the Architectural Rationale, prepared by Burke Kennedy Doyle Architects. This illustrates that the proposed development is compliant with the LAP in respect of walking distance of parks. The development includes a Skylark Park and 2no. Linear Parks with a connection to Railway Linear Park.

Objective GI 36

Ensure that a minimum 10% of the proposed development site area shall be designated for use as public open space.

Applicant's Response

c. 22.7% of the total site area (consisting of Skylark Park – c. 8,150 sq. m, Railway Linear Park extension – 6,690 sq. m and Townland Boundary Linear Parks – 10,230 sq. m) is provided as public open space (c. 1.85 Ha), which is based on the overall site area of c. 11.05 Ha.

In addition, the proposed development is within walking distance of a significant public open spaces located to the east and south of the Portmarnock LAP lands which were transferred to FCC as part of Phase 1A (FCC Reg. Ref. F13A/0248). These lands are subject to an application to An Bord Pleanála under Section 177AE of the Planning and Development Act 2000 (as amended) to carry out a park development project at the Racecourse Park located between Baldoyle and Portmarnock, Co. Dublin.

Please refer to Section 11.1.8 of this Report which sets out a comprehensive response to the provision of public open spaces associated with the proposed development and future development of the LAP lands.

Objective GI 37

Provide a children's playground within the proposed small park. [Skylark Park]

Applicant's Response

Skylark Park is proposed as part of the scheme and this will include a playground. Another playground is provided within the extension of Railway Linear Park.

We refer the Board to the accompanying Landscape Design Rationale Report and Landscape Drawings, prepared by Brady Shipman Martin Built Environment Consultants for further detail.

Objective GI 38

Ensure the timely completion of the open space network and green routes as set out in the Green Infrastructure and Landscape Strategy through the phasing strategy in the LAP.

Applicant's Response

This development will assist in the delivery of the Portmarnock South open space network by incorporating the adjoining townland hedgerow boundary with Skylark Park into the development. The provision of Skylark Park, 2no. townland boundary linear parks and the extension to Railway Linear Park form part of the proposed development.

We refer the Board to the accompanying Landscape Design Rationale Report and Landscape Drawings, prepared by Brady Shipman Martin Built Environment Consultants for further detail.

Objective PL 1

Implement the hierarchy of light intensities as set out in Figure 5.10 Light Intensity Zones for the plan lands to ensure that environmental impact is minimised as far as possible in development schemes.

Applicant's Response

A Public Lighting Plan setting out compliance with the Light Intensity Zones has been prepared by JAK Consulting Engineers and accompanies this SHD Planning Application.

11.2.2 Movement and Transport

The LAP identifies the indicative internal street network and movement strategy (LAP Figure 6.4). The LAP sets out that: -

“The primary street runs through the plan lands generally in a north-south direction with a secondary east-west spur linking to the external road network of Station Road to the north and Moyne Road to the south. These streets will play a major role in terms of access and circulation and will link all neighbourhoods within the plan area.”

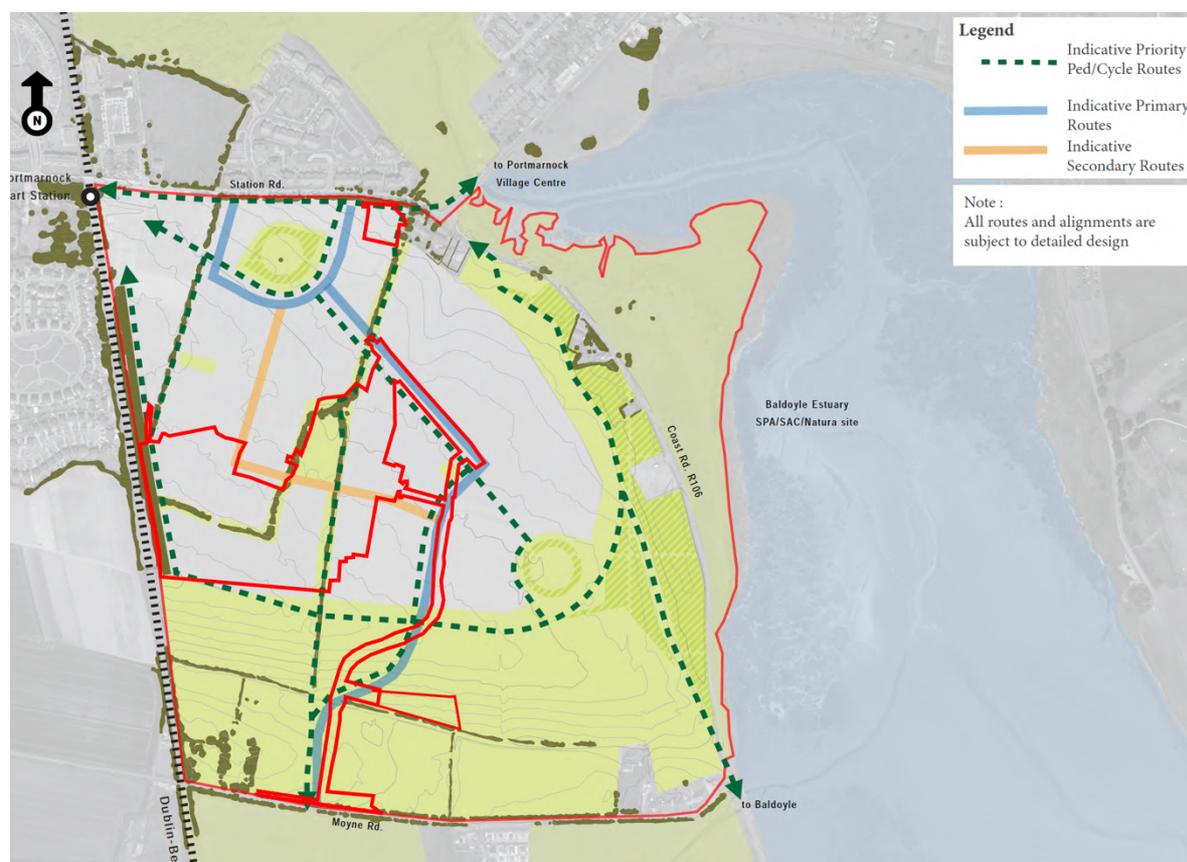


Figure 17: Extract from Figure 6.4 of the LAP – the Site outlined in red (Overlay by SLA).

It is considered that the proposed permanent road which will connect with Moyne Road is consistent with the alignment identified in the LAP.

Objective TM 9

Provide a clear, safe and legible network of cycling and pedestrian routes within the LAP lands that will link key destinations, including local shops, services, schools, Portmarnock train station and other important local destinations and amenities and which will also provide linkages to the GDA Cycle Network.

Applicant's Response

The proposed development will be afforded contiguous dedicated cycle / pedestrian connection with (*inter alia*) Portmarnock Train Station, the coastal cycle route and the permitted Local Centre, by way of internal cycle / walkways.

We refer the Board to the accompanying Traffic & Transport Assessment and Roads / Cycle Track Drawings, prepared by JB Barry & Partners Consulting Engineers for further detail.

Objective TM 14

Detailed design proposals for the primary and secondary streets is required at Urban Design Appraisal stage to include detailed provisions in relation to carriageway widths, surface treatments of cycleways, footpaths, integration of green route where applicable, road pavement, landscaping, street lighting and building interface.

Applicant's Response

Consideration has been given to the detail and layout of streets within the proposed development. We refer to the Site Layout Plan and Street Section Drawings, prepared by Burke Kennedy Doyle Architects to illustrate this.

Combined Services Drawing, provided by both JB Barry Consulting Engineers and Brady Shipman Martin Built Environment Consultants show how the services were co-ordinated appropriately to maximise the potential for landscaping.

Further detail with regard surface finishes and landscaping is set out in the Landscape Design Rationale Report and Landscape Drawings, prepared by Brady Shipman Martin Built Environment Consultants.

Objective TM 15

Ensure that new applications are consistent with the principles for street design set out in the Design Manual for Urban Roads and Streets 2013.

Applicant's Response

The proposed application is consistent with the principles for street design set out in the Design Manual for Urban Roads and Streets 2013.

We refer the Board to the Statement of Consistency – DMURS, prepared by JB Barry & Partners Consulting Engineers which sets out the rationale for the proposed road design of the scheme.

Objective TM 16

Seek well integrated design solutions for adequate car parking within the design and layout of schemes with particular attention to visitor parking.

Applicant's Response

The parking for the house units is to the front or side of each unit and parking is located within the curtilage of the unit. Parking will be provided to the front/side of the duplex units in close proximity to the unit entrances. The parking bays will be constructed with permeable paving throughout the scheme. There will be 45no. car parking spaces for duplex units and 300no. car parking spaces for houses.

We refer the Board to the accompanying Traffic & Transport Assessment, prepared by JB Barry & Partners Consulting Engineers for further detail.

Objective TM 17

Require the provision of cycle parking facilities in new commercial, retail, community facilities etc., in accordance with the standards set out in the Fingal Development Plan.

Applicant's Response

The apartment and duplex units are allocated bicycle parking within the bike parking enclosure located adjacent to the duplex units, in adherence to Development Plan standards. A total of 22no. bicycle parking spaces are provided for duplex units and a further 8no. bicycle spaces are provided for visitor spaces for duplex units. This brings the total number of bicycle spaces to 30no. bicycle spaces. Spaces will be provided for residents in 2no. secure bike stores and spaces will be provided for visitors via Sheffield Stands.

We refer the Board to the accompanying Traffic & Transport Assessment, prepared by JB Barry & Partners Consulting Engineers for further detail.

11.2.3 Community, Social, Employment and Tourism Infrastructure

Objective CF 1

Promote well designed, accessible urban neighbourhoods throughout the LAP area that are well served by local facilities and public transport.

Applicant's Response

A well connected and walkable layout ensures connectivity between key areas such Portmarnock Village and Portmarnock Train Station via Station Road cycle / walkway. The proposal will see the development of a multiple parks throughout the development and cycleways/walkways for connectivity which will cater for the daily needs of residents within the development.

We refer the Board to the accompanying Traffic & Transport Assessment and Roads / Cycle Track Drawings, prepared by JB Barry & Partners Consulting Engineers for further detail.

Objective CF 2

Ensure access for all to community and social infrastructure within and adjoining the plan area for community integration.

Applicant's Response

The development provides for a range of pedestrian and cycle connections to the surrounding neighbourhood, thereby enabling ease of access for future residents to the community and social infrastructure in the area.

Objective CF 7

Seek to create safe and useable open spaces within residential character areas through overlooking and passive surveillance.

Applicant's Response

Skylark Park and the 2no. proposed linear parks will be overlooked by both house and duplex units which will create safe and usable open spaces through overlooking and passive surveillance.

Further detail with regard surface finishes and landscaping is set out in the Landscape Design Rationale Report and Landscape Drawings, prepared by Brady Shipman Martin Built Environment Consultants.

11.2.4 Infrastructure & Services**Objective WW 1**

Ensure that all required drainage infrastructure including the installation and commissioning of the pump station and network are completed and operational following the completion of the first 100 dwellings and prior to the commencement of further development.

Applicant's Response

Please refer to Section 7 of this Report which sets out a comprehensive response to the issues raised in the An Bord Pleanála Opinion which regard to wastewater capacity.

Objective SW 5

Ensure urban areas are designed to accommodate surface water flood flow at times of extreme events through the dual use of roads and pathways as flood conveyance channels and appropriate areas (parkland, car parks, large paved areas, etc.) are used as temporary flood ponding areas.

Applicant's Response

The storm water network has been designed to accommodate flows for the 1:1, 1:30 and 1:100 year critical storm events without flooding.

We refer the Board to the Waster Services Report, prepared by JB Barry & Partners Consulting Engineers for further detail in relation to surface water management.

11.2.5 Phasing & Implementation

The proposed development of 172no. dwellings, when combined with the 404no. existing / permitted dwellings in Phases 1A, 1B and 1C, results in a total of 576no. dwellings on the Portmarnock South lands. As such, the quantum of permitted and proposed development (576no. dwellings) means that the combined schemes are close to reaching the end of Phase 1 of Growth Area 1 in terms of meeting the requirements set out in the table below.

The following tables set out how the proposed development is in compliance with LAP Table 11.6 requirements for each phase of the development: -

Phase 1		
Growth Area 1	Phase 1: 1 – 300	Applicants Response
Open Space & Recreational Amenity (Green Infrastructure Elements)	<i>Linear park from Station Road extending to north of 'Skylark Park' and associated 20 meter minimum landscape corridor completed.</i>	Linear Park under construction as part of ABP Ref. ABP-300514-17 (Phase 1B).

Growth Area 1	Phase 1: 1 – 300	Applicants Response
Local Services	<i>Small Services Centre commenced.</i>	Local Centre under construction as part of ABP Ref. ABP-305619-19 (Phase 1C).
Growth Area 1	Phase 1: 1 – 300	Applicants Response
Water & Drainage	<i>Prior to the occupation of any new dwellings on site the applicant shall ensure that the existing pumping stations have been appropriately assessed (including Appropriate Assessment, as applicable) and upgraded to provide for any additional load, which shall in any event not exceed 100 residential units.</i>	As part of the Phase 1A proposals at Portmarnock South, JB Barry Consulting Engineers undertook this assessment.
	<i>The continued use of the existing pumping stations at Portmarnock Bridge and/or Moyne Road shall be considered an interim situation to serve no more than 100 additional dwellings and the applicant / developer shall demonstrate compliance with this in the making of any planning applications for these lands.</i>	Foul water arising at the proposed development will be directed to the existing Mayne Road Pumping Station. Through dialogue with Irish Water it has been established that the existing pumping station has adequate capacity to deal with the discharge from the proposed development. As part of the dialogue with Irish Water upgrades are required to the temporary pumping station constructed in Phase 1B. These upgrade works form part of the proposed development.
	<i>Pumping Station and associated outfalls completed and operational following the completion of the first 100 dwellings and prior to the commencement of further development.</i>	Foul water arising at the proposed development will be directed to the existing Mayne Road Pumping Station. Through dialogue with Irish Water it has been established that the existing pumping station has adequate capacity to deal with the discharge from the proposed development. As part of the dialogue with Irish Water upgrades are required to the temporary pumping station constructed in Phase 1B. These upgrade works form part of the proposed development.
	<i>Internal network of foul sewer, surface water sewer and water mains completed. Pipe line corridor shall be incorporated within internal road network and vehicular crossing points where it traverses the linear park.</i>	The internal foul and surface water sewer network to be developed commensurate to each phase of development.
	<i>SuDS device on north eastern corner of plan lands completed.</i>	The Regional Wetland was completed under ABP Ref. ABP-300514-17 (Phase 1B).
	<i>Regional SuDs wetland pond completed as part of the required Habitat Protection Measures prior to the commencement of development, unless otherwise agreed and subject to Appropriate Assessment screening to ensure all downstream habitats and open habitat used by qualifying interest birds are protected.</i>	The Regional Wetland was completed under ABP Ref. ABP-300514-17 (Phase 1B).
Growth Area 1	Phase 1: 1 – 300	Applicants Response
Movement & Transport	<i>Compliance commensurate with and as required by the scale of development permitted: -</i>	

	<i>Priority pedestrian / cyclist green route east of the railway line and link to Portmarnock train station completed.</i>	This has been provided as part of Phase 1A (Reg. Ref. F13A/0248).
	<i>Priority pedestrian / cyclist green route adjacent to Station Road and link to Portmarnock train station completed.</i>	This has been provided under ABP Ref. ABP-300514-17 (Phase 1B).
	<i>Temporary pedestrian link to open space lands to the east.</i>	This is to be provided as part of a future proposal.
	<i>Pedestrian crossing on Station Road completed.</i>	A pedestrian crossing has been provided for on Station Road under ABP Ref. ABP-300514-17 (Phase 1B).
	<i>Vehicular access points as indicated on the LAP map onto Station Road completed.</i>	The access point adjacent Portmarnock Train Station was developed as part of Phase 1A (Reg. Ref. F13A/0248). The second access point onto Station Road (towards Baldoyle Estuary) have been provided under ABP Ref. ABP-300514-17 (Phase 1B).
	<i>Relevant section of Primary Route connecting to Station Road and street network completed.</i>	On completion of the development permitted under ABP Ref. ABP-300514-17 (Phase 1B), all of the Primary Route in Growth Area 1 will be provided including all associated internal streets. The remainder of the primary route is proposed as part of this planning application.
	<i>Hole in the Wall Rd Upgrade. Realignment of the Hole in the Wall Road with Drumnigh Rd on the R123 to create a new four arm crossroads junction commenced.</i>	We understand that these works have been completed by Fingal County Council.
	<i>R107 Malahide Rd Realignment Phase 1 (Clare Hall Junction) Enhance capacity of Clare Hall Junction as phase 1 of the R107 Malahide Rd upgrade or provide other improvements as may be informed by the North East Dublin Transportation Study or any updated studies in consultation with the NTA and/or NRA.</i>	We understand that these works have been completed by Fingal County Council.
Phase 2		
Growth Area 1	Phase 2: 301 – 600	Applicants Response
Open Space & Recreational Amenity (Green Infrastructure Elements)	<i>Linear Park and associated 20 metre minimum landscape corridor linking to Station Road and Moyne Road fully completed.</i>	Northern extent of Linear Park under construction as part of ABP Ref. ABP-300514-17 (Phase 1B). Southern extent of Linear Park to edge of residentially zoned lands forms part of the proposed development.
	<i>'Skylark Park' completed.</i>	Skylark Park to be included as part of this Planning Application.
	<i>Children's playground within 'Skylark Park' completed.</i>	Skylark Park to be included as part of this Planning Application.
	<i>Eastern section of inter-monument green axis completed.</i>	Part of inter-monumental route under construction as part of ABP Ref. ABP-300514-17 (Phase 1B). Next section of route forms part of the proposed development.
Growth Area 1	Phase 2: 301 – 600	Applicants Response

Local Services	<i>Small Services Centre completed.</i>	Being developed as part of ABP Ref. ABP-305619-19 (Phase 1C).
Growth Area 1	Phase 2: 301 – 600	Applicants Response
Water & Drainage	<i>Internal network of foul sewer, surface water sewer and water mains completed.</i>	The internal foul and surface water sewer network to be developed commensurate to each phase of development.
	<i>Surface Water Management systems completed.</i>	The Regional Wetland was completed under ABP Ref. ABP-300514-17 (Phase 1B).
Growth Area 1	Phase 2: 301 – 600	Applicants Response
Water & Drainage	<i>Priority pedestrian / cycle green route alongside the Linear Park linking to Station Road and Moyne Road completed.</i>	Cycle route has been partly completed under ABP Ref. ABP-300514-17 (Phase 1B), ABP Ref. ABP-305619-19 (Phase 1C) and is proposed with this planning application.
	<i>Pedestrian crossing on Moyne Road completed.</i>	To be provided by FCC.
	<i>Internal Street Network of this phase completed.</i>	The internal road network to be developed commensurate to each phase of development.
Phase 3		
Growth Area 2	Phase 3: 601 – 900	Applicants Response
Open Space & Recreational Amenity (Green Infrastructure Elements)	<i>Completion of inter-monument green axis to southern National Monument [RMP Ref. DU015:055] Maynestown Enclosure.</i>	To form part of the next phase of development.
Growth Area 2	Phase 3: 601 – 900	Applicants Response
Water & Drainage	<i>Internal network of foul sewer, surface water sewer and water mains completed.</i>	The internal foul and surface water sewer network to be developed commensurate to each phase of development.
	<i>Surface Water Management systems completed.</i>	The Regional Wetland was completed under ABP Ref. ABP-300514-17 (Phase 1B).
Growth Area 2	Phase 3: 601 – 900	Applicants Response
Water & Drainage	<i>Completion of Primary Route connecting to Moyne Road through open space lands and associated pedestrian / cycle links.</i>	The Primary Route connecting to Moyne Road form part of this planning application.
	<i>Internal Street network of this phase completed.</i>	The internal road network to be developed commensurate to each phase of development.

*Compliance commensurate with and as required by the scale of development permitted.

It is noted from the Portmarnock South Local Area Plan that “*planning applications for each Growth Area shall be in accordance with the phasing set out in this section*”.

The proposed development (Phase 1D) forms the next logical and sequential step in the development of Growth Area 1 as set out in the phasing requirements of the Portmarnock South LAP. The remainder of the units will be located directly east to form a build edge to Skylark Park and the Linear Park extending south. The rationale for this minor deviation from the LAP phasing is as follows: -

- This proposed configuration with the Skylark Park at its centre, is a more logical and efficient design layout to ensure efficient construction delivery of housing for residents in this development, with a new estate access road to be opened to Mayne Road as part of the design.

- A phase of c. 172no. units will be delivered over a 2+ year build programme and the strong market demand and future housing needs will ensure easy absorption of this velocity of housing delivery at St Marnock's Bay.
- Development will front onto Skylark Park from all sides improving passive surveillance much sooner than provided for in the LAP.
- From a construction point of view, there is improved continuity and less impact from having to extend haul roads.

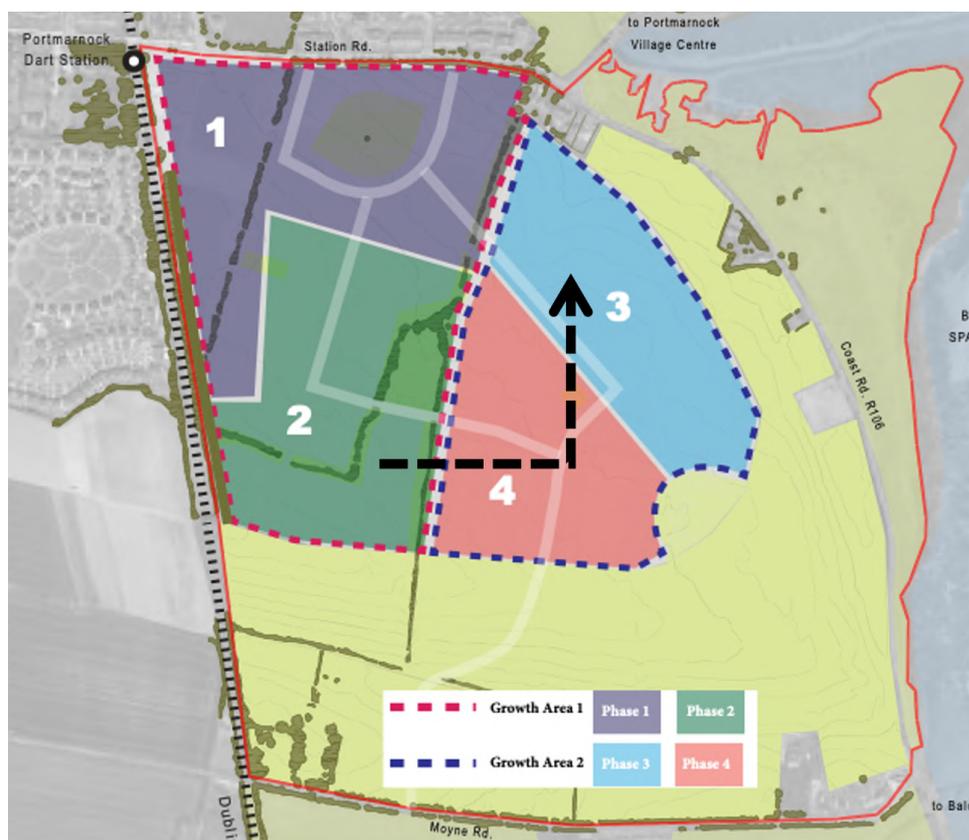


Figure 18: Growth Areas and Phasing – Extract taken from Portmarnock South Local Area Plan – Phasing and Implementation. Indicative direction of future development shown with dashed line arrow (Overlay by SLA).

As part of the Pre-Planning Consultation, the Planning Authority noted their support in principle of this minor deviation from the phasing within the LAP, subject to final detailed assessment of the SHD Planning Application.

We refer the Board to the Material Contravention Statement, prepared by Stephen Lite & Associates which considered this deviation from the phasing set out in the Portmarnock LAP.

Furthermore, Section 11.3 of the LAP states, inter alia, that: -

“Planning applications for residential development shall not generally exceed 150 units to facilitate detailed assessment of each application, unless clear justification for exceeding this number or demonstrated by the developer on a case by case basis and avoiding piecemeal or remote parcels of development.”

An Economic Statement, prepared by Savills (Commercial) Ireland Limited provides a rationale for the development of 172no. residential units.

12 ADDITIONAL SUPPORTIVE PLANNING POLICY

We wish to highlight to the Board that the below guidelines do not require a Statement of Consistency response. However, they have been included in this Report to further support the proposed development.

12.1 Rebuilding Ireland – Action Plan For Housing And Homelessness 2016

The overarching aim of this Action Plan is to ramp up delivery of housing from its current undersupply across all tenures to help individuals and families meet their housing needs. It sets ambitious targets to double the annual level of residential construction to 25,000no. homes and deliver 47,000no. units of social housing in the period to 2021, while at the same time making the best use of the existing housing stock and laying the foundations for a more vibrant and responsive private rented sector.

The plan has 5 key pillars: Pillar 1 – address homelessness; Pillar 2 – accelerate social housing; Pillar 3 – build more homes; Pillar 4 – improve the rental sector and Pillar 5 – utilise existing housing. Pillars 3 & 4 are particularly relevant in terms of the subject site, as they seek to increase the output of private housing to meet demand and to address the obstacles to greater private rented sector delivery, to improve the supply of units at affordable rents.

The action related to Pillar 3 is to deliver 25,000no. units per annum in the period until 2021. The proposed development supports the delivery of this action.

The proposed development is consistent with Pillar 3 to build more residential units. The overall development provides for c. 172no. new residential units, adding significantly to the housing stock of Portmarnock, providing a broad variety of types and tenures to cater to the increasing demand in the area.

12.2 National Development Plan 2018 – 2027

The National Development Plan (NDP) sets out the investment priorities that will underpin the implementation of the NPF. This will guide national, regional and local planning and investment decisions in Ireland until 2040 in order to cater for an increasing population. The plan sets out the government's commitment to invest €116 Billion over this period.

Ten National Strategic Outcomes are outlined in the NPF. In alignment with the NPF, the NDP sets out the new configuration for public capital investment over the next ten years to secure the realisation of each of the National Strategic Outcomes. This is to improve the way public capital investment is planned and co-ordinated in a modern and growing society, leading to improved public services and quality of life. The 10 National Strategic Outcomes of the NPF & NDP are: -

1. Compact Growth.
2. Enhanced Regional Accessibility.
3. Strengthened Rural Economies and Communities.
4. Sustainable Mobility.
5. A Strong Economy, supported by Enterprise, Innovation and Skills.
6. High-Quality International Connectivity.
7. Enhanced Amenity and Heritage.
8. Transition to a Low-Carbon and Climate-Resilient Society.
9. Sustainable Management of Water and other Environmental Resources.
10. Access to Quality Childcare, Education and Health Services.

Of the ten National Strategic Outcomes, the most relevant to the proposed development are Compact Growth and Sustainable Mobility.

Compact Growth aims to secure the sustainable growth of more compact urban and rural settlements supported by jobs, houses, services and amenities, rather than continued sprawl and unplanned, uneconomic growth. This requires streamlined and co-ordinated investment in urban, rural and regional infrastructure by public authorities to realise the potential of infill development areas within our cities, towns and villages. This will give scope for greater development densities in areas that are centrally located.

To help achieve compact growth the government is establishing an Urban Regeneration and Development fund, aimed at among other things, docklands and quays regeneration, city centre renewal and brownfield development facilitation.

To achieve the National Strategic Outcome of Sustainable Mobility, the NDP envisages investment of €8.6 billion in key transport projects up until 2027. Included in these transport projects are Metro Link Dublin, Bus Connects Dublin and the electrification and expansion of the DART.

The proposed development is an incremental extension of residential development on serviced lands as envisaged by the LAP. As such, the proposed development is supported by the NDP objective for Compact Growth. It is also supported by the objective for Sustainable Mobility, in that it is served by excellent public transport, cycle and pedestrian infrastructure.

13 JUSTIFICATION FOR MATERIAL CONTRAVENTION

As confirmed in Section 10 of this Report, the lands are zoned in the Fingal Development Plan as: -

'RA' (Residential Area): *"To provide for new residential communities in accordance with approved local area plans and subject to the provision of the necessary social and physical infrastructure."*

'OS' (Open Space): *"Preserve and provide for open space and recreational amenities"*.

The zoning of the site promotes residential use and open space.

Thereafter, the Housing & Residential Tenancies Act 2016, provides that the Board may grant permission for an SHD proposal even where it would materially contravene the relevant development plan, other than in relation to the zoning of land, subject to meeting certain criteria. In addition, where *Specific Planning Policy Requirements* of the relevant Development Plan differ from those set out in Section 28 Guidelines, then the Section 28 Guidelines shall, to the extent that they so differ, apply instead of the provisions of the Development Plan.

In the case of the proposed development at the Portmarnock South Phase 1D site, there have arisen some inconsistencies between the objectives of the current Fingal Development Plan 2017 – 2023 and the more recent national and regional planning policy published since the local statutory plans were adopted. Notably, this relates to the following aspects of the proposed development: -

- **Density:** The proposed development has an overall density of 32.3 units per Ha. It is noted the minimum density is considered to be 35no. units per hectare with an average maximum density of 42no. units per hectare. This is to comply with the sustainable objectives of the LAP.

The development provides the highest density possible while taking account of the limits set by Airport Authorities Outer Safety Zone. As part of the initial site layout development, a review was undertaken to ensure compliance with the 'ERM – Public Safety Zones Report'. Each block was reviewed to ensure no 0.5Ha had an occupancy greater than 60 persons. The resulting site density is 32.3no. units per Ha.

- **Drainage Infrastructure:** The Certificate of Feasibility provided by Irish Water confirms that the proposed development can be facilitated subject to upgrade works being carried out on the temporary on-site pumping station connecting to Mayne Road Pumping Station. This will be decommissioned once permission for the permanent Portmarnock Pumping Station is operation with connection then being provided to the permanent solution. As such, the proposed development is not in accordance with Objective WW1 – Drainage Infrastructure (Permanent pumping station and associated outfall to be commissioned).
- **Development Phasing:** The proposed development (Phase 1D) forms the next logical and sequential step in the development of Growth Area 1 as set out in the phasing requirements of the Portmarnock South LAP. The remainder of the units will be located directly east to form a build edge to Skylark Park and the Linear Park extending south. The LAP sets out that Growth Area 2 – Phase 3 is identified as the next sector for development.

The role of the competent authority (the Planning Authority / An Bord Pleanála) is recognised in deciding on the matter of whether or not the proposed development represents a material contravention of the objectives of the Development Plan or Local Area Plan in this case.

We would propose to fully set out how we believe this development meets the criteria set out in the Act as to how the Board could consider these issues to be a Material Contravention, and will also set out the rationale in support of the planning argument for approving same.

In this regard, we refer the Board to the accompanying Material Contravention Statement, prepared by Stephen Little & Associates Chartered Town Planners & Development Consultants, which provides further justification for the material contraventions of the Development Plan and Local Area Plan respectively.

14 SCREENING FOR APPROPRIATE ASSESSMENT

We refer the Board to the Natura Impact Statement, prepared by Brady Shipman Martin Built Environment Consultants. The Report generally concludes that: -

“[The] Natura Impact Statement has considered the potential impacts of a proposal by Quintain Developments Ireland Ltd for development of 172 residential units (Portmarnock Phase 1D) on the integrity of the relevant European sites.

This report concludes on the best scientific evidence that it can be clearly demonstrated that no elements of the project will result in any impact on the integrity or Qualifying Interests/Special Conservation Interests of any relevant European site, either on their own or in-combination with other plans or projects, in light of their conservation objectives.

It is considered that this Natura Impact Statement provides sufficient relevant information to allow the Competent Authority (An Bord Pleanála) to carry out an AA Screening, and if necessary an Appropriate Assessment, and to reach a determination that the proposed development will not affect the integrity of any of the relevant European sites under Article 6 of the Habitats Directive (92/43/EEC) in light of their conservation objectives.”

15 ENVIRONMENTAL IMPACT ASSESSMENT REPORT

The development as proposed is a scheme of 172no. residential units. As such, we consider that the most appropriate criteria to consider as to whether or not an Environmental Impact Assessment Report (EIAR) is required is under Schedule 5, Part 2 of the Planning & Development Regulations 2001, as amended and is as set out in Item 10 (b) – Infrastructure Projects: -

- Construction of more than 500no. dwelling units.
- Construction of a car-park providing more than 400no. spaces, other than a car-park provided as part of, and incidental to the primary purpose of, a development.
- Construction of a shopping centre with a gross floor space exceeding 10,000 sq. m.
- 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.)

The proposed number of residential units is 172no. in combination with the permitted Phase 1C (153no. units – A BP Ref. 305619-19 refers) and the future development of the remainder of the LAP lands (c. 507no. units) the cumulative number of units amounts to c. 832no. in total and therefore falls within the threshold requiring an EIAR as it comprises of 500no. dwellings or more. Furthermore the site area the proposed development is c. 11.05 Ha and therefore above the threshold requiring an EIAR a combined area greater than 10 Ha.

As such, an EIAR is submitted to An Bord Pleanála with this SHD Planning Application.

15.1 Extent of the EIAR

Given the nature and scale of the proposed development an EIAR will be prepared to accompany the planning application for this SHD to An Bord Pleanála. The EIAR is being co-ordinated by Stephen Little & Associates, Chartered Town Planners and Development Consultants with specialist input from the following: -

- JB Barry & Partners Consulting Engineers, responsible for the following EIAR Chapters: -
 - Land, Soil & Geology.
 - Water.
 - Material Assets (Transportation).

- AWN Consulting, responsible for the following EIAR Chapters: -
 - Climate (Air Quality & Climate).
 - Air (Noise & Vibration).
 - Material Assets (Waste).
- Brady Shipman Martin, responsible for the following EIAR Chapter: -
 - Biodiversity.
 - Landscape and Visual Impact Assessment.
- IN2 Engineering Design Partnership, responsible for the following EIAR Chapter: -
 - Climate (Shadow / Daylight / Sunlight Analysis).
- Courtney Deery Heritage Consultants, responsible for the following EIAR Chapter: -
 - Cultural Heritage (Archaeological & Architectural Heritage).
- JB Barry & Partners Consulting Engineers and JAK Consulting Engineers, responsible for the following EIAR Chapter: -
 - Material Assets (Utilities).
- Stephen Little & Associates Chartered Town Planners & Development Consultants, responsible for the following EIAR Chapters: -
 - Description of Proposed Development.
 - Examination of Alternatives.
 - Population & Human Health.
 - Examination of Alternatives.
 - Summary of Mitigation and Residual Effects.
 - Summary of Cumulative Impacts and Interactions.

16 CONCLUSION

It is our considered professional planning opinion that the development subject of this submission should be supported by the Board on the grounds that: -

- It is in line with the aspirations of the Core Strategy for Fingal County.
- The design of houses and duplex / apartments within the scheme generally exceed the standards set out in the relevant S.28 Ministerial Guidelines.
- The proposed scheme involves the construction of a high quality development that would be in keeping with the character and scale of the surrounding properties and it is considered that the development will be respectful to its setting.
- The application includes proposals for high quality public realm in a variety of forms, which will add to the existing provision of open space and amenities in the local area, and which is passively overlooked by the apartments and complies with the standards set out in the Development Plan and other Guidelines.
- The layout of the proposal has been influenced by the natural features on site including the existing townland boundary and incorporate those features to form part of a distinctive high quality public realm.
- The Environmental Impact Assessment Report and Natura Impact Statement accompanying the SHD Planning Application confirms that there will be no significant impact on the environment resulting from the proposed development.
- The proposed development is generally consistent with the policies and provisions of the Development Plan, LAP and other associated national Guidelines.

We confirm that we act for the Applicant in this case and would ask that all future correspondence in relation to this planning application be directed to this office

17 ENCLOSURES

The following are enclosed with this SHD Planning Application: -

1. Planning Application Fee (Electronic Fund Transfer – €42,360.00).
2. SHD Planning Application Form.
3. Newspaper Notice.
4. Site Notice.
5. Letter of Consent from Fingal County Council, dated 15 November 2021.
6. Letter of Consent from Portmarnock Real Estate Developments Ltd., dated 18 November 2021.
7. Confirmation of Feasibility Statement from Irish Water dated 4 October 2021; also included in the Water Services Report, prepared by JB Barry & Partners Consulting Engineers.
8. Statement of Design Acceptance from Irish Water, dated 23 November 2021; also included in the Water Services Report, prepared by JB Barry & Partners Consulting Engineers.
9. Confirmation from Environmental Impact Assessment Portal.
10. Part V Proposal Letter dated 2 November 2021, prepared by Stephen Little & Associates Chartered Town Planners & Development Consultants on behalf of the Applicant (Part V Layout included in Architectural Rationale, prepared by Burke Kennedy Doyle Architects).
11. Planning Application Planning Report & Statement of Consistency (including Response to An Bord Pleanála Opinion), prepared by Stephen Little & Associates Chartered Town Planners & Development Consultants.
12. Material Contravention Statement, prepared by Stephen Little & Associates Chartered Town Planners & Development Consultants.
13. Environmental Impact Assessment Report, co-ordinated by Stephen Little & Associates Chartered Town Planners & Development Consultants.
14. Social Infrastructure Audit, prepared by Stephen Little & Associates Chartered Town Planners & Development Consultants.
15. Architect's Drawings, prepared by Burke Kennedy Doyle Architects (see schedule of drawings attached with each bundle).
16. Architectural Rationale, prepared by Burke Kennedy Doyle Architects.
17. Schedule of Areas, prepared by Burke Kennedy Doyle Architects.
18. Housing Quality Assessment, prepared by Burke Kennedy Doyle Architects.
19. Landscape Drawings, prepared by Brady Shipman Martin Landscape and Built Environment Consultants (see schedule of drawings attached with each bundle).
20. Landscape Design Rationale Report, prepared by Brady Shipman Martin Landscape and Built Environment Consultants.
21. Arboricultural Impact Assessment & Method Statement (incl. Tree Survey Drawings), prepared John Morris Arboricultural Consultancy.
22. Engineering Drawings (including Roads and Drainage, prepared by JB Barry & Partners Consulting Engineers (see schedule of drawings attached with each bundle).
23. Water Services Report, prepared by JB Barry & Partners Consulting Engineers.
24. Flood Risk Assessment, prepared by JB Barry & Partners Consulting Engineers.
25. Statement of Consistency with Ministerial Guidance – Flood Risk, prepared by JB Barry & Partners Consulting Engineers.

26. Traffic and Transport Assessment, prepared by prepared by JB Barry & Partners Consulting Engineers.
27. Statement of Consistency with Ministerial Guidance – DMURS, prepared by JB Barry & Partners Consulting Engineers.
28. Stage 1 Road Safety Audit, prepared by JB Barry & Partners Consulting Engineers.
29. Natura Impact Statement, prepared by Brady Shipman Martin Landscape and Built Environment Consultants.
30. Construction & Environmental Management Plan, prepared by Quintain Developments Ireland Ltd.
31. Aviation Public Safety Zone Assessment, prepared by Cyrrus Limited.
32. Sunlight and Daylight Analysis, prepared by IN2 Engineering Design Partnership.
33. Sustainability & Energy Statement, prepared by JAK Consulting Engineers.
34. Life Cycle Report, prepared by JAK Consulting Engineers.
35. Public Lighting Report, prepared by JAK Consulting Engineers.
36. Public Lighting & Site Service Drawings, prepared by JAK Consulting Engineers (see schedule of drawings attached with each bundle).
37. Economic Statement, prepared by Savills Commercial and Property Consultants.
38. Copy of Cover Letter sent to Prescribed Bodies with copy of Strategic Housing Development Planning Application.
39. Copy of Cover Letter sent to Fingal County Council with copy of Strategic Housing Development Planning Application.

Stephen Little & Associates are committed to progressing and achieving sustainable development goals.

**Chartered Town
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Development
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