

STRATEGIC HOUSING DEVELOPMENT
PLANNING APPLICATION
MATERIAL CONTRAVENTION STATEMENT
FOR LANDS AT BALSCADDEN & FORMER BAILY COURT
HOTEL, HOWTH, CO.DUBLIN

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Balscadden GP3 Limited

DATE
March 2022

LANDS AT BALSCADDEN

Material Contravention Statement

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1 INTRODUCTION

This document seeks to address the issue of material contraventions of the Fingal County Development Plan 2017-2023 (Development Plan), as required under Section 8 of the Planning and Development (Housing) and Residential Tenancies Act 2016. This Statement provides a rationale for An Bord Pleanála, as the consenting authority, to conclude that there is justification for material contravention in relation to Chapter 2 of the Development Plan and a potential material contravention of Section 12.10.

Section 9 (6) of the Planning and Development (Housing) and Residential Tenancies Act, 2016 confirms that An Bord Pleanála may grant permission for a development which materially contravenes a Development Plan, other than in relation to the zoning of land having regard to the considerations specified in section 37(2)(b) of the Act of 2000.

The subject application site comprises lands at Balscadden Road, south of the Martello Tower, and at the Former Baily Court Hotel, Main Street, Howth, Co. Dublin, and therefore falls within the administrative area of Fingal County Council (FCC).

The proposed development will consist of the development of 180 residential units.

This Statement provides a justification for the proposed material contraventions of the above referenced statutory planning documents, in relation to the Local Area Plan: (i) core strategy and, (ii) parking provision.

(i) Core Strategy

- Chapter 2 of the Fingal Development Plan 2017- 2023, as varied by Variation No.2 sets out the Core Strategy and Settlement Strategy for County Fingal. Table 2.2 sets out the Remaining Capacity Residential Units for Howth which has already been exceeded.

(ii) Parking Provision

- Section 12.10 of the Development Plan identifies parking standards for residential development. The *Sustainable Urban Housing, Design Standards for New Apartments* (2020) establish the principle for the re-examination of car parking provision and should be considered over the Development Plan parking standards on a site specific contextual basis.

It is considered therefore, as is set out in this report and the supporting planning application documentation, that sufficient justification exists for An Bord Pleanála to grant permission for the proposed development notwithstanding the

proposed material contraventions having regard to the considerations specified in section 37(2)(b) of the Act of 2000

2 PLANNING AND DEVELOPMENT (HOUSING) AND RESIDENTIAL TENANCIES ACT, 2016 (AS AMENDED)

Under Section 8(1)(a)(iv) of the Planning and Development (Housing) and Residential Tenancies Act 2016, where a proposed development is considered to materially contravene the relevant Development Plan or Local Area Plan (other than in relation to the zoning of the land), then the SHD application must include a statement:

- “(I) setting out how the proposal will be consistent with the objectives of the relevant development plan or local area plan, and*
- (II) where the proposed development materially contravenes the said plan other than in relation to the zoning of the land, indicating why permission should, nonetheless, be granted, having regard to a consideration specified in section 37(2)(b) of the Act of 2000”*

Section 9 (6) of the Planning and Development (Housing) and Residential Tenancies Act, 2016 confirms that An Bord Pleanála may grant permission for a development which materially contravenes a Development Plan or Local Area Plan, other than in relation to the zoning of land as follows:

*(6) (a) Subject to paragraph (b), **the Board may decide to grant a permission for a proposed strategic housing development** in respect of an application under section 4 even where the proposed development, or a part of it, **contravenes materially the development plan** or local area plan relating to the area concerned.*

(b) The Board shall not grant permission under paragraph (a) where the proposed development, or a part of it, contravenes materially the development plan or local area plan relating to the area concerned, in relation to the zoning of the land.

*(c) Where the proposed strategic housing development would materially contravene the development plan or local area plan, as the case may be, other than in relation to the zoning of the land, **then the Board may only grant permission in accordance with paragraph (a) where it considers that, if section 37(2) (b) of the Act of 2000 were to apply, it would grant permission for the proposed development** [Our Emphasis]*

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The proposed material contravention relates only to core strategy, and parking provision, as the zoning of the site permits residential development and associated land uses.

While previous applications included the adjacent HA- High Amenity lands for the purposes of providing landscaping works- these lands have been excluded from the application boundary for the purposes of this Strategic Housing Development application.

There is no material contravention in relation to the zoning of the land, which is for residential use.

3 PLANNING AND DEVELOPMENT ACT, 2000 (AS AMENDED)

As outlined in Section 2 above, the Planning and Development (Housing) and Residential Tenancies Act, 2016 (as amended) sets out at Section 9 (6)(c), that *'where the proposed strategic housing development would materially contravene the development plan or local area plan, as the case may be, other than in relation to the zoning of land, then the Board may only grant permission in accordance with paragraph (a) where it considers that, if section 37(2)(b) of the Act of 2000 were to apply, it would grant permission for the proposed development'*.

Section 37 (2) of the Planning and Development Act 2000 (as amended) states the following in relation to material contravention:

(a) 'Subject to paragraph (b), the Board may in determining an appeal under this section decide to grant a permission even if the proposed development contravenes materially the development plan relating to the area of the planning authority to whose decision the appeal relates.

(b) Where a planning authority has decided to refuse permission on the grounds that a proposed development materially contravenes the development plan, the Board may only grant permission in accordance with paragraph (a) where it considers that—

- i. the proposed development is of strategic or national importance,*
- ii. there are conflicting objectives in the Development Plan or the objectives are not clearly stated, insofar as the proposed development is concerned, or*
- iii. permission for the proposed development should be granted having regard to regional planning guidelines for the area, guidelines under section 28, policy directives under section 29, the statutory obligations of any local authority in the area, and any relevant policy of the Government, the Minister or any Minister of the Government, or*

- iv. *permission for the proposed development should be granted having regard to the pattern of development, and permissions granted, in the area since the making of the development plan.’ [Our Emphasis]*

It follows from the foregoing that it must be established that the proposed development is of “strategic” or “national importance” and that one of the other criteria under (ii), (iii) or (iv) are met. It is considered, in the case of this development that the scheme can be considered under Criteria (iii).

As set out in the following sections of this Statement, the proposed site is considered in light of relevant National Policy and Section 28 Guidelines and is considered to comply with the requirements of both the Guidelines and Section 37 (2) of the Planning and Development Act 2000, and as such An Bord Pleanala should grant permission even if it is of the view that a material contravention has occurred.

4 SITE CONTEXT

The subject site, which measures c.1.43 ha is located between the western side of Balscadden Road and east of Main St / Abbey St., and lies to the south of the Martello Tower, which is a protected structure.

The site is bounded by Balscadden Road to the east and Balscadden Bay. The site is bounded to the south by Asgard Park and to the west by the rear of properties along Main Street and Abbey Street.

The portion of the site adjacent to Balscadden Road was the former Edros site, which has planning permission for 22 no. residential units granted under Reg Ref F14A/0108(E1) as extended, and ABP Ref PL06F.244026.

The site includes the Former Baily Court Hotel which fronts onto Main St., which had permission for 8 no. apartments and 4 no. shops on the site which was granted under Reg Ref F15A/0072 (now expired). Until recently the site known as the ‘Cluxton Lands’ which lies directly to the north of Asgard Park had permission for 6 no. units.

5 JUSTIFICATION FOR MATERIAL CONTRAVENTION

5.1 Proposed Material Contraventions

The development as proposed is considered to materially contravene the following plans:

- Fingal County Development Plan 2107-2023 with regard to the core strategy and potentially in relation to parking provision for apartments as set out.

5.1.1 Core Strategy

Chapter 2 of the Development Plan sets out the Core Strategy and Settlement Strategy for Fingal. It identifies the quantum, location and phasing of development for the Plan period that is consistent with the regionally defined population targets and settlement hierarchy. It reflects the availability of existing services, planned investment, sequential development and environmental requirements (i.e. an evidence based approach in determining the suitability of lands for zoning purposes).

The Core Strategy aligns the Development Plan with the National Planning Framework (NPF) and the Regional Spatial and Economic Strategy (RSES) as amended by Variation No 2¹ to the Fingal Development Plan. This Variation was approved by FCC Councillors in June 2020.

Howth is located in the Metropolitan Area of the Greater Dublin Area (GDA). The Development Plan (as varied) sets out the residential capacity of the wider area in Table 2.8, with the details extracted below relevant to the subject lands:

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		

¹ <https://www.fingal.ie/sites/default/files/2020-07/adopted-variation-2.pdf>

The emphasis of the Development Plan is to continue to consolidate the existing zoned lands and to maximise the efficient use of existing and proposed infrastructure. In this way the Council can ensure an integrated land use and transport strategy in line with national and regional policy.

We note, Objective SS01 aims to: *Consolidate the vast majority of the County's future growth into the strong and dynamic urban centres of the Metropolitan Area while directing development in the hinterland to towns and villages, as advocated by national and regional planning guidance.*

As set out in the Development Plan the Remaining Capacity Residential Units for Howth for the period 2017-2023 is 436 units (as per 2020 Variation No. 2). It should be noted prior to Variation No. 2, the Development Plan Core Strategy set out 16 no. hectares of zoned land capable of accommodating 498 no. units in Howth. Considering the permitted TA06F.306102 (March 2020) for 512 no. residential units at the Techrete Site in Howth (which was considered to exceed the Core Strategy), and the granted proposal for 162 no. residential units at Deer Park in Howth (ABP-310413-21), it is considered that the Core Strategy has been exceeded.

It is noted that Table 2.8 of Variation No. 2 of the Development Plan identifies that there is 14 hectares of land available in Howth for residential development with an associated housing yield of 436 no. units. This is a density of just over 31 units per hectare. Variation No. 2 is thus inconsistent with objectives for efficient land-use and compact growth objectives in the Dublin Metropolitan Area.

Therefore the exceedance of the Core Strategy will give rise to a Material Contravention of the Fingal Development Plan 2017-2023. This is further set out in the Planning Report accompanying this Strategic Housing Development Planning Application to An Bord Pleanála .

5.1.2 Car Parking Provision

The Section 28 Guidelines *Urban Development and Building Height Guidelines* seek to minimise car-parking in accessible locations and to maximise a modal shift to public transport due to proximity to public transport routes, in particular the DART and Dublin Bus at this location.

Car parking provision for apartment and duplex units are in line with Government Guidelines as per *Sustainable Urban Housing, Design Standards for New Apartment (2020)*.

The proposed development provides for 139 no. residents' car parking spaces at a ratio of 0.77 spaces per apartment. The 0.77 spaces per unit is below the Development Plan requirement of 1 per unit however given the density of the proposed residential development, the urban setting of the development, and given the close proximity of Howth Railway Station and the adjacent bus stops,

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this proposed quantum of car parking is considered appropriate and is in accordance with the new national guidelines for reduced parking set out in *Sustainable Urban Housing: Design Standards for New Apartments*.

This is considered further in the accompanying Traffic and Transport Assessment and Travel Plan Report prepared by Waterman Moylan.

In addition high-quality cycle parking and associated facilities are provided in the proposed development with a total of 410 no. cycle spaces provided for residents (319 spaces) and visitors (91 spaces). Residents parking is provided in secure locations, at both basement and at ground level, in addition to visitor spaces located throughout the landscaped open space in the scheme providing easy access for visitors. Bicycle parking provision is also in line with Government Guidelines as set out above, exceeding Fingal Development Plan requirements. This is further set out in the accompanying Waterman Moylan Traffic & Transport Assessment.

The proposed residential development will promote sustainable travel patterns due to its location, layout, design and proximity to the public transport and cycle networks. These are complemented with a Travel Plan and the appointment of a Mobility Manager to promote sustainable travel patterns by residents.

The proposed residential development is located such that it is not considered to have any traffic impact on the existing residential development in the area. The access and internal pedestrian and cycle layout is designed in accordance with relevant standards and includes for good permeability and will promote and facilitate sustainable travel patterns as part of the overall development.

In the context that the National Section 28 Guidelines should be considered on the basis that they post-date the Development Plan standards, it is put forward that the reduction in car-parking provision may be considered a contravention of the Development Plan and whether that is material or not is for consideration by An Bord Pleanála.

5.2 Context for Material Contraventions

The following sections set out the context for the justification of the scheme in terms of meeting the requirements of Section 37 (2) (b) (i) and (iii) by considering the proposed scheme in the context of both National and Local Planning Policy and Guidelines.

5.2.1 Rebuilding Ireland – Action Plan for Housing and Homelessness

Rebuilding Ireland is the Government's Action Plan for Housing and Homelessness, launched in 2016. The Plan's aim is to accelerate housing supply by addressing the needs of homeless people and families in emergency

accommodation, accelerate the provision of social housing, deliver more housing, utilise vacant homes and improve the rental sector.

The Plan contains five key pillars:

- Pillar 1 – Address Homelessness: Provide early solutions to address the unacceptable level of families in emergency accommodation; deliver inter-agency supports for people who are currently homeless, with a particular emphasis on minimising the incidence of rough sleeping, and enhance State supports to keep people in their own homes.
- Pillar 2 – Accelerate Social Housing: Increase the level and speed of delivery of social housing and other State-supported housing.
- Pillar 3 – Build More Homes: Increase the output of private housing to meet demand at affordable prices.
- Pillar 4 – Improve the Rental Sector: Address the obstacles to greater private rented sector delivery, to improve the supply of units at affordable rents.
- Pillar 5 – Utilise Existing Housing: Ensure that existing housing stock is used to the maximum degree possible - focusing on measures to use vacant stock to renew urban and rural areas.

The proposed development at Howth is consistent with Pillar 3 and Pillar 4 as the scheme is proposing to construct 180 no. apartments on a highly accessible site location within the northern suburbs of Dublin City. The scheme also provides for 18 no. Part V social housing units. It is therefore concluded that the exceedance of the Core Strategy as proposed, meets these objectives.

5.2.2 National Planning Framework

The National Planning Framework (NPF) identifies that by 2040 it is expected that an additional one million people will live in Ireland, and an additional two-thirds of a million people will work here. These are huge increases: more people will be travelling to work, school and universities, more buildings will be needed to accommodate them, clean water will be needed for homes, farms and industry, more and better care facilities will be required for the elderly.

One of the key objectives of the NPF relates to compact growth. The plan seeks to carefully manage the sustainable growth of compact cities, towns and villages and to add value and create more attractive places in which people can live and work. The NPF identifies that activating *'strategic areas and achieving effective density and consolidation, rather than more sprawl of urban development'* as a top priority.

With regards to Dublin the NPF identifies that the city needs to *'accommodate a greater proportion of the growth it generates within its metropolitan boundaries and to offer improved housing choice'*.

National Policy Objective 4 in this regards states:

Ensure the creation of attractive, liveable, well designed, high quality urban places that are home to diverse and integrated communities that enjoy a high quality of life and well-being.

National Policy Objective 11 in this regards states:

In meeting urban development requirements, there will be a presumption in favour of development that can encourage more people and generate more jobs and activity within existing cities, towns and villages, subject to development meeting appropriate planning standards and achieving targeted growth.

National Policy Objective 13 in this regards states:

In urban areas, planning and related standards, including in particular building height and car parking will be based on performance criteria that seek to achieve well-designed high quality outcomes in order to achieve targeted growth. These standards will be subject to a range of tolerance that enables alternative solutions to be proposed to achieve stated outcomes, provided public safety is not compromised and the environment is suitably protected.

The NPF requires homes to be located in places that can support sustainable development. This includes places that are accessible to a range of local services, can encourage the use of public transport, walking and cycling, and help tackle climate change. The proposed development is also responding to the existing strong demand in the area and in a location that is highly accessible to both existing local facilities and public transport routes to the City Centre and as such development as proposed in exceedance of the Core Strategy is considered to meet these objectives.

5.2.3 Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009)

The aim of these guidelines is to set out the key planning principles which should guide the delivery of residential development in urban areas. The Guidelines provide guidance on the core principles of urban design when creating places of high quality and distinct identity. The Guidelines recommend that planning authorities should promote high quality design in their policy documents and in their development management process. In this regard, the Guidelines are accompanied by a Design Manual discussed in the section below which demonstrates how design principles can be applied in the design and layout of new residential developments, at a variety of scales of development and in various settings.

The Guidelines reinforce that planning authorities *'should promote increased residential densities in appropriate locations, including city and larger town centres'* and that *'firm emphasis must be placed by planning authorities on the importance of qualitative standards in relation to design and layout in order to ensure that the highest quality of residential environment is achieved'*.

These qualitative standards have been brought through in the Design Manual as referenced above, the County Development Plan and in the Sustainable Urban Housing: Design Standards for New Apartments which have guided the design approach of the scheme. This is set out in detail in the accompanying Design Statement prepared by HJL Architects.

In identifying appropriate locations for increased density the Guidelines note that City and town centres offer *'the greatest potential for the creation of sustainable patterns of development'* and of which in particular brownfield sites should be promoted.

Having regard to the above the Core Strategy of the Development Plan promotes the continued consolidation of the existing zoned lands and to maximise the efficient use of existing and proposed infrastructure. In this way the Council can ensure an integrated land use and transport strategy in line with national and regional policy.

To maximise the return on public transport investment the Guidelines identify that it is important that land use planning underpins the efficiency of public transport services by sustainable settlement patterns – including higher densities – on lands within existing or planned transport corridors- this includes 500 metres walking distance of a bus stop, or within 1km of a light rail stop or a rail station.

This vacant residentially zoned site is located within walking distance of an existing DART station, and is serviced in recently upgraded Bus Connects H3-Spine route.

5.2.4 Sustainable Urban Housing: Design Standards for New Apartments (2020)

The Sustainable Urban Housing Design Standards for New Apartments were approved by the Minister for Housing, Planning and Local Government and published in March 2018, and recently updated in December 2020 (in respect of Shared Accommodation only). The guidelines update previous guidance from 2015 and note that this is done so *in the context of greater evidence and knowledge of current and likely future housing demand in Ireland taking account of the Housing Agency National Statement on Housing Demand and Supply, the Government's action programme on housing and homelessness Rebuilding Ireland and Project Ireland 2040 and the National Planning Framework, published since the 2015 guidelines.*

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The Guidelines note that the NPF projects a need for a minimum of 550,000 new homes, at least half of which are targeted for provision in Ireland's five cities and of particular relevance to this site it notes a shift in Government policy towards securing more compact and sustainable urban development, to enable people to live nearer to where jobs and services are located, which requires at least half of new homes within Ireland's cities to be provided within the current built-up area of each, i.e. on sites within the existing urban 'envelope'.

The Guidelines have been updated, from the previous 2015 Guidelines, to amend and address new areas including:

- Enable a mix of apartment types that better reflects contemporary household formation and housing demand patterns and trends, particularly in urban areas;
- Make better provision for building refurbishment and small-scale urban infill schemes;
- Address the emerging 'build to rent' and 'shared accommodation' sectors; and
- Remove requirements for car-parking in certain circumstances where there are better mobility solutions and to reduce costs.

The subject site represents an important development on highly accessible residentially zoned lands in Howth and as such represents a project that is fully supported by these Guidelines.

The Guidelines identify Central/Accessible Urban Locations which are suited to higher density development. The subject site falls within this category as it is a *'Site within reasonable walking distance to/from high capacity urban public transport stops'*.

Another key update in the 2020 Guidelines is the ability to reduce car parking standards. The Guidelines identify that *'in larger scale and higher density developments, comprising wholly of apartments in more central locations that are well served by public transport, the default policy is for car parking provision to be minimised, substantially reduced or wholly eliminated in certain circumstances'*.

The scheme as proposed includes for car parking at a rate of 0.77 per unit for apartments which is justified given the site's accessibility to public transport and location within Howth Village centre.

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

The *Urban Development & Building Heights Guidelines for Planning Authorities* identify that as reflected in *'the National Planning Framework ... that there is significant scope to accommodate anticipated population growth and development needs, whether for housing, employment or other purposes, by*

building up and consolidating the development of our existing urban areas’ and that ‘securing compact and sustainable urban growth means focusing on reusing previously developed ‘brownfield’ land, building up infill sites (which may not have been built on before) and either reusing or redeveloping existing sites and buildings, in well serviced urban locations, particularly those served by good public transport and supporting services, including employment opportunities’.

The Guidelines reference NPO 13 (from the NPF) which states that *‘in urban areas, planning and related standards, including in particular building height and car parking will be based on performance criteria that seek to achieve well designed high quality outcomes in order to achieve targeted growth. These standards will be subject to a range of tolerance that enables alternative solutions to be proposed to achieve stated outcomes, provided public safety is not compromised and the environment is suitably protected’.*

The Guidelines recognise that in meeting the challenge set out above, new approaches to urban planning and development are required and that securing an effective mix of uses within urban centres is critical. The overall objective of the Guidelines is to give tangible effect to government policy which supports increased building height and density in locations with good public transport accessibility. The Guidelines emphasise the policies of the NPF to greatly increase levels of residential development in urban centres and significantly increase building heights and overall density and to ensure that the transition towards increased heights and densities are not only facilitated but actively sought out and brought forward by the planning process and particularly at Local Authority level and An Bord Pleanála.

As such the proposed scheme, as set out in this Strategic Housing Development Planning Application to An Bord Pleanála, has set out to achieve greater density above current Development Plan core strategy projections of 31 units per hectare.

5.2.6 Fingal County Development Plan 2017-2023

The emphasis of the Fingal Development Plan is to continue to consolidate the existing zoned lands and to maximise the efficient use of existing and proposed infrastructure. In this way the Council can ensure an integrated land use and transport strategy in line with national and regional policy.

We note, Objective SS01 aims to: *Consolidate the vast majority of the County’s future growth into the strong and dynamic urban centres of the Metropolitan Area while directing development in the hinterland to towns and villages, as advocated by national and regional planning guidance.*

Howth is considered a ‘Consolidation Areas within the Gateway’. The policy approach in these areas is *‘to gain maximum benefit from existing transport, social, and community infrastructure through the continued consolidation of the*

city and its suburbs. Future development will happen in a planned and efficient manner utilising opportunities to achieve increased densities where appropriate.'
[Our emphasis.]

6 STATEMENT IN RELATION TO MATERIAL CONTRAVENTION

It is set out in this application that the subject site is capable of readily accommodating the density as proposed here without giving rise to any significant adverse planning impacts from an increased quantum of development for Howth, and with reduced parking provision as set out without compromising on residential amenity.

Notwithstanding this, it is noted that the exceedance of the Core Strategy, constitutes a material contravention. The reduction of parking provision as required under the Fingal County Development Plan may constitute a contravention or material contravention and is included to allow consideration by An Bord Pleanála.

As required in legislation, it is submitted that this can be justified under Section 37(2) (b) (iii) of the Planning and Development Act 2000 (as amended) where the Board may determine under this section, to grant a permission even if the proposed development contravenes materially the LAP / Development Plan relating to the area of the planning authority to whose decision the appeal relates.

(a) 'Subject to paragraph (b), the Board may in determining an appeal under this section decide to grant a permission even if the proposed development contravenes materially the development plan relating to the area of the planning authority to whose decision the appeal relates.

(b) Where a planning authority has decided to refuse permission on the grounds that a proposed development materially contravenes the development plan, the Board may only grant permission in accordance with paragraph (a) where it considers that—

- i. the proposed development is of strategic or national importance,*
- ii. there are conflicting objectives in the Development Plan or the objectives are not clearly stated, insofar as the proposed development is concerned, or*
- iii. permission for the proposed development should be granted having regard to regional planning guidelines for the area, guidelines under section 28, policy directives under section 29, the statutory obligations of any local authority in the area,*

and any relevant policy of the Government, the Minister or any Minister of the Government, or

- iv. *permission for the proposed development should be granted having regard to the pattern of development, and permissions granted, in the area since the making of the development plan.’ [Our Emphasis]*

It follows from the foregoing that it must be established that the proposed development is of “strategic” or “national importance” and that one of the other criteria under (ii), (iii) or (iv) are met. It is considered, in the case of this development that the scheme can be considered under Criteria (iii) as set out in Section 5.

On the basis of the above provisions, we submit that the Board can grant permission for the subject development at the heights and density proposed.

Having regard to sections 37(2)(b)(i) and (iii) of the Planning and Development Act 2000 (as amended) and the following objectives with County, Regional and National guidance:

- *The objectives of Rebuilding Ireland – Action Plan for Housing and Homelessness issued in July 2016, inc. LIHAF Funding secured under Rebuilding Ireland Infrastructure Funds for elements of the permitted development.*
- *Objectives 3a, 3b, 10, 11 and 35 of the National Planning Framework,*
- *Section 5.8 of the 2009 Guidelines for Sustainable Residential Developments in Urban Areas issued in 2009*
- *Objective RPO 4.3 of the Regional Social and Economic Strategy for the Eastern and Midlands Region 2019-2031, and*
- *Objectives SS01 and SS15 of the County Development Plan,*

All of which support denser residential development consisting of apartments on public transport corridors within the built up area of Dublin and its suburbs, as is proposed in this case. It is submitted that despite the proposed and potential contraventions of certain objectives of the Fingal County Development Plan, the proposed development is consistent with the ultimate aims and objectives of the Development Plan and wider region and national strategies and guidelines.

The proposed development is in line with the National Planning Framework, the *Urban Development & Building Heights Guidelines*, and the *Sustainable Urban Housing Design Standards for New Apartments*. The realisation of the objectives of this national guidance necessitates facilitating residential development to a density in appropriate locations, with corresponding reduced parking provision. On the basis of the above provisions, we submit that the Board can grant permission for the subject development as proposed.