

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

Date: 8th April 2022

Dear Sir / Madam,

RE: SHD APPLICATION IN RESPECT OF A PROPOSED STRATEGIC HOUSING DEVELOPMENT CONSISTING OF 345 NO. RESIDENTIAL UNITS, A CHILDCARE FACILITY, OPEN SPACE AND ALL ASSOCIATED INFRASTRUCTURE ON A SITE IN THE TOWNLANDS OF MILVERTON, TOWNPARKS AND HACKETSTOWN, SKERRIES, CO. DUBLIN

Introduction

On behalf of the applicant, the Land Development Agency, we hereby submit this Strategic Housing Development application to An Bord Pleanála in respect of a proposed SHD residential development on lands at Milverton, Townparks and Hacketstown, Skerries, Co. Dublin.

This proposal falls under the definition of Strategic Housing Development as set out under Section 3 of the Planning and Development (Housing) and Residential Tenancies Act 2016 (as amended) as it is a proposed development 'of 100 or more houses on land zoned for residential use or for a mixture of residential and other uses'.

Proposed Development

The proposed development comprises a residential development at Milverton, Skerries, Co. Dublin. The proposed development comprises 345 no. residential units comprising of 84 no. 1-bed units, 104 no. 2-bed units (68 no. 2-bed apartments and 36 no. 2-bed duplexes), 157 no. 3-bed units (118 no. 3-bed duplexes and 39 no. 3 - bed houses) ranging in height from 2 no. – 4 no. storeys. The application site is c. 6.7 hectares. The nett development area amounts to 6.9 ha. which equates to a residential net density of circa. 52 uph. The proposed development will also provide for 1 no. creche facility (377 sqm).

Location

The subject site is located to the south of Skerries town centre in an area known as Hacketstown in the Milverton, Townparks and Hacketstown, Skerries, Co. Dublin. The subject lands are accessed via Golf Links Road to the south and Ballygossan Park Phase 1 to the

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John Spain Associates Ltd. trading as John Spain Associates. Directors: J. Spain, S. Spain.
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north. The site is bound by the Dublin – Belfast railway line to the west, the Golf Links Road to the east and south, and by individual houses to the east and south.

The total lands amount to some 6.7 ha of greenfield lands which are currently in use for agriculture.

The site is served by an existing access from the Golf Links Rod which links the site to Skerries town centre to the North. The site is within 850m (10 minute walking distance) of Skerries train station.

The lands immediately North of the site have been recently completed under Reg Ref: F11A/0309/E1, which has permission to build 103 no. dwellings plus a crèche in Phase 1. Proposals for Phase 2 are currently being prepared by the site owners and will be subject of a separate SHD application to An Bord Pleanála.

The subject site is not located within/ near any Architectural Conservation Areas, and there are no protected structures on site. However, the site is located within 1 km of Skerries Islands Special Protection Area which is a Natura 2000 site.

The subject lands are located within the ‘Coastal Character Type’ of the landscape character types. This landscape character type forms the eastern boundary of the County and contains a number of important beaches, islands and headlands that together create a landscape of high amenity and landscape value.

Land Use Zoning

The subject site is located within the administrative boundary of Fingal County Council and is therefore subject to the policies and objectives of the Fingal County Development Plan 2017-2023.

The subject site is zoned Residential Area (RA) with the objective “*Provide for new residential communities subject to the provision of the necessary social and physical infrastructure*” in the Fingal County Development Plan 2017 – 2023.

It is noted that both residential and childcare uses proposed as part of this planning application are permitted in principle under the zoning objective.

Consultation with Planning Authority under Section 247

The SHD process comprises three mandatory stages including Stage 1 which is a consultation with the Planning Authority (under section 247 of the Planning & Development Act, 2000, as amended).

A formal pre-application meeting was held at in Fingal County Council offices on 30th January 2020 and 6th July 2020 via Microsoft Teams. It is considered that the comprehensive suite of documents submitted with this pre-application consultation request address the matters raised by Fingal County Council at the Section 247 meeting.

A summary of the pre-application consultation undertaken by the Applicant with Fingal County Council under Section 247 has been included in this consultation request in the accompanying Statement of Consistency and Planning Report.

ABP's Consultation Opinion & Section 5 SHD - Pre-Application Consultation Meeting with the Board (Tri-Partite Meeting)

A tripartite pre-application meeting with representatives of the Board and the local Planning Authority was undertaken via Microsoft Teams on the 10th December 2020. The discussions during the course of the meeting focused on the following:

1. Design Strategy and Unit Typology
2. Layout, DMURS and Surface Parking
3. Open Space and Connectivity
4. Environmental Considerations

The discussions during the course of the tripartite meeting have informed the final application, and robust justification provided for aspects of the scheme which were discussed.

The Opinion of An Bord Pleanála issued on the 26th of January 2020. The Board's Opinion stated that having regard to the consultation meeting, the submission of the Planning Authority, and the documentation submitted with the pre-application request, the pre-application request represented a reasonable basis for an application for strategic housing development.

The Opinion also set out fifteen items of specific information which should be submitted with any application for permission. In this regard, we refer the Board to the Statement of Response to the Board's Opinion prepared by John Spain Associates, which sets out a concise response to each of the items of specific information requested, and directs the reader to the relevant documents in the application pack, which respond in full to the requirements set out by the Board at pre-application stage.

Drawings, Plans and Particulars

This SHD application is accompanied by architectural, landscape, civil engineering and public lighting drawings. The full list of enclosures is set out below. Each drawing pack is accompanied by a schedule of drawings as required under the SHD application form.

Statement of Consistency with Planning Policy

A stand-alone Statement of Consistency with Planning Policy and Planning Report, prepared by John Spain Associates, accompanies this application, demonstrating that the proposal is consistent with the relevant guidelines issued under Section 28 of the Planning and Development Act 2000 (as amended), the Fingal County Development Plan 2017-2023.

Material Contravention Statement

As set out within the public notices for the application, the application contains a statement indicating why permission should be granted for the proposed development, having regard to a consideration specified in Section 37(2)(b) of the Planning and Development Act, 2000, as amended, notwithstanding that the proposed development materially contravenes a relevant development plan or local area plan other than in relation to the zoning of the land.

As set out within the Material Contravention Statement submitted herewith, it is considered that the proposed development may represent a material contravention in relation to the car parking provision, open space, removal of hedgerows and play provision.

The Material Contravention Statement provides a justification that the Board may have regard to in the event that the development is considered to represent a Material Contravention of

the County Development Plan or the Local Area Plan for the area. The proposed development does not represent a material contravention in relation to the zoning of land, as the subject site is zoned to facilitate the proposed uses.

Environmental Impact Assessment Report

An Environmental Impact Assessment Report and a Non-Technical Summary have been prepared for and accompany this planning application.

In this context the following topics/issues have been reviewed and addressed in the context of the proposed development:

- Introduction and Methodology,
- Project Description and Alternatives Examined,
- Population and Human Health,
- Archaeology and Cultural Heritage,
- Biodiversity,
- Landscape and Visual Impact, including Photomontages,
- Land and Soils,
- Water,
- Air Quality and Climate,
- Noise and Vibration,
- Material Assets - Utilities
- Material Assets – Waste
- Material Assets – Roads, traffic and Transportation;
- Risk Management
- Interactions,
- Principle Mitigation and Monitoring Measures,
- Non-Technical Summary.

In accordance with the requirements of the Regulations the following copies have been provided to the relevant parties:

- 2 no. hard and 3 no. soft copies to An Bord Pleanála
- 6 no. hard and 3 no. soft copies to the Planning Authority

Copies to the 8 no. prescribed authorities listed in the Board's Opinion on the proposed application, noting that some prescribed bodies requested soft copies only. A copy of the notification letters issued to the prescribed bodies is included for information purposes.

EIA Portal

Appendix 1 of this cover letter comprises of a copy of a confirmation notice email from the Department of Housing, Planning and Local Government EIA Portal, stating that the information provided to the portal has been uploaded to the EIA Portal on the 6th April under Portal ID number 2022064.

Application Site Boundary

Please note that the application site boundary has been provided in .dwg format on CD ROM with all geometry referenced to ITM as specified in the SHD Application Form.

Irish Water Requirements

The applicant, and the project Consulting Engineer DBFL, have undertaken consultation with Irish Water prior to the lodgement of this application. A Confirmation of Feasibility has been received from Irish Water following the Pre-Connection Enquiry (PCE) in relation to the proposed development which states that “*Based upon the details that you have provided with your pre-connection enquiry and on the capacity currently available in the network(s), as assessed by Irish Water, we wish to advise you that, subject to a valid connection agreement being put in place, your proposed connection to the Irish Water network(s) can be facilitated*”.

The Applicant confirms that all water and foul drainage services will be designed and installed in accordance with Irish Water standards.

A Statement of Design Acceptance has also been received from Irish Water in respect of the proposed development. A copy of the Statement of Design Assessment correspondence is included as part of the application.

Prescribed Bodies

As required in the Board’s Consultation Opinion a copy of the application has been sent to the prescribed bodies set out below. Several prescribed bodies have stated that they would prefer to receive a soft copy of the planning application documentation only. These are noted below.

1. Minister for Culture, Heritage and the Gaeltacht (Built Heritage and Nature Conservation)
2. The Heritage Council
3. An Taisce
4. Irish Water
5. Transport Infrastructure Ireland
6. National Transport Authority
7. Córas Iompair Éireann
8. The Commission for Railway Regulation
9. Iarnród Éireann
10. Fingal Childcare Committee

Fee

The requisite fee of **€67,564.40** (including EIAR fee), has been paid to An Bord Pleanála via EFT for a proposed Strategic Housing Development application as prescribed in the Strategic Housing Development Fee Schedule on the website of the Board. Please see Appendix 4 of the Application form for confirmation of receipt of fee.

The fee has been calculated on the basis of the 345 no. residential units proposed, and the 377 sqm of floorspace (childcare facility) forming part of the development. The resident’s amenities are ancillary to the residential element of the scheme, and do not constitute a separate use.

Enclosures

The following documentation accompanies this SHD application in accordance with the Planning and Development (Housing) and Residential Tenancies Act 2016, as amended and the Planning and Development (Strategic Housing Development) Regulations 2017:

- Application Form in respect of a Strategic Housing Development and attachment (letters of Consent, Correspondence from Irish Water, Part V Pack, Confirmation of Receipt of Fees);
- Copy of Site Notice prepared by John Spain Associates;

- Original Newspaper notice prepared by John Spain Associates;
- EIAR portal notification prepared by John Spain Associates;
- Letters to Prescribed Bodies prepared by John Spain Associates;
- Soft copy of application documentation (disc);
- Site Boundary DWG file (on disc);
- Cover Letter to ABP prepared by John Spain Associates (JSA) (including letter of support from Noonan Construction and EIAR Portal Confirmation);
- Cover Letter to FCC prepared by John Spain Associates (JSA);
- Statement of Consistency with Planning Policy prepared by John Spain Associates (JSA);
- Statement of Material Contravention prepared by John Spain Associates (JSA);
- Statement of Response to An Bord Pleanála's Opinion, prepared by John Spain Associates (JSA);
- Community Infrastructure Audit prepared by John Spain Associates (JSA);
- Environmental Impact Assessment Report and Non Technical Summary (prepared by John Spain Associates (JSA), and other consultants);
- Architectural Drawings, Schedules, Urban Design & Architectural Design Statement, HQA and Drawing Register prepared by OMP Architects;
- Building Lifecycle Report prepared by OMP Architects
- Landscape Design Statement and drawings prepared by Bernard Seymour Landscape Architects (BSLA);
- Arboricultural Impact Assessment, Method Statements & Plans prepared by John Morris Arboricultural Consultancy;
- Engineering Services Report, issue sheet and associated drawings prepared by DBFL Consulting Engineers;
- Site Specific Flood Risk Assessment prepared by DBFL Consulting Engineers;
- Construction and Environmental Management Plan prepared by DBFL;
- Waste Classification & Groundwater Assessment Report prepared by Ground Investigations Ireland;
- Ground Investigations Report prepared by Ground Investigations Ireland;
- Traffic and Transport Assessment Report, issue sheet and associated drawings prepared by DBFL Consulting Engineers;
- Mobility Management Plan prepared by DBFL Consulting Engineers;
- DMURS Compliance Statement prepared by DBFL Consulting Engineers;
- Stage 1 Road Safety Audit prepared by Bruton Consulting Engineers;
- External Lighting Planning Compliance prepared by Axiseng
- Part L Planning Compliance prepared by Axiseng
- Daylight and Sunlight prepared by Axiseng
- Site Services Layout drawing prepared by Axiseng
- Operational Waste Management Plan prepared by TMS;
- Verified Photomontages prepared by Modelworks;
- Appropriate Assessment Screening Report and Natura Impact Statement prepared by Altemar Ltd.

We trust that the documentation as submitted meets the requirements of the Planning and Development (Housing) and Residential Tenancies Act 2016, and specifically the Planning and Development (Strategic Housing Development) Regulations 2017 as they relate to SHD applications, and the guidance documents issued by An Bord Pleanála.

In preparing this application we have had regard to the issues raised during pre-application consultation with Fingal County Council, the Opinion of An Bord Pleanála, and the requirements of relevant Section 28 Guidelines and the Fingal County Development Plan 2017-2023.

Six no. hard copies, and three no. soft copies, of this application have been sent to Fingal County Council as the appropriate planning authority in which the proposed Strategic Housing Development (SHD) is located.

If you require any additional information, please do not hesitate to contact us.

Yours faithfully,



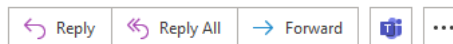
John Spain Associates

APPENDIX 1 – EIA PORTAL CONFIRMATION

EIA Portal Confirmation Notice Portal ID 2022064



Housing Eiaportal <EIAportal@housing.gov.ie>
To David Ferguson



Wed 06/04/2022 13:00

You replied to this message on 06/04/2022 13:00.

Dear David,

An EIA Portal notification was received on 06/04/2022 in respect of this proposed application. The information provided has been uploaded to the EIA Portal on 06/04/2022 under EIA Portal ID number 2022064 and is available to view at <http://housinggovie.maps.arcgis.com/apps/webappviewer/index.html?id=d7d5a3d48f104ecbb206e7e5f84b71f1>.

Portal ID: 2022064

Competent Authority: Fingal County Council

Applicant Name: Land Development Agency

Location: Hacketstown, in the Townlands of Milverton, Townparks and Hacketstown, Skerries, Co. Dublin

Description: The proposed development comprises 345 no. residential units, open space, creche, car and bicycle parking and associated infrastructure.

Linear Development: No

Date Uploaded to Portal: 06/04/2022

Regards,

Hugh Wogan,

EIA Portal team

An Roinn Tithíochta, Rialtais Áitiúil agus Oidhreacht
Department of Housing, Local Government and Heritage

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www.gov.ie/housing




**An Roinn Tithíochta,
Rialtais Áitiúil agus Oidhreacht**
Department of Housing,
Local Government and Heritage

APPENDIX 2– LETTER OF SUPPORT FROM NOONAN CONSTRUCTION



The Noonan Construction Co. Ltd.

13 Mellifont Avenue,
Dun Laoghaire, Co. Dublin.
Tel: 280 1197, Fax: 280 1206

email: info@noonanconstruction.ie 
www.noonanconstruction.ie

Eamonn Reidy,
The Land Development Agency,
2nd Floor Ashford House
Tara Street Dublin 2
Dublin
D02 VX67.

8th April 2022

Re: Proposed Strategic Housing Development at Hacketstown, Skerries, Co. Dublin

Dear Eamonn,

On behalf of Noonan Construction Co. Ltd., I wish to confirm that, as part owner of the land covered by the application for Advance Infrastructure, which is currently the subject of an appeal to An Bord Pleanála (Ref. ABP- 3212189-21), we give our consent to, subject to the grant of permission for these advance infrastructure works, the Land Development Agency undertaking the permitted works on behalf of both parties, in accordance with the existing joint agreement between the relevant landowners.

Yours sincerely,

Kieran Noonan
Noonan Construction

Registered Office: 13 Mellifont Avenue, Dun Laoghaire, Co. Dublin, Reg. No. 28165. VAT No. 9D51206 R.
Directors: K. Noonan B. Comm. F.C.A. (Managing), B.J. Cahill B.A. (Secretary), N. Noonan BSc. (Mgmt.) M.A., M. Roche Dip.C.Eng. M.I.E.I.