



FutureAnalytics

Material Contravention Statement

**Proposed Strategic Housing Development
(SHD) at Holybanks, Swords, Co. Dublin**

On behalf of

CAIRN HOMES PROPERTIES LTD.

April 2022

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1.0 Introduction

KPMG Future Analytics, Chartered Planning and Development Consultants, have prepared this Material Contravention Statement on behalf of the applicant, Cairn Homes Properties Ltd. The statement accompanies the planning application for a Strategic Housing Development (SHD) at Estuary West lands, Holybanks, Swords, Co. Dublin.

This Material Contravention Statement has been prepared in accordance with Section 8(1)(iv)(ii) of the Planning and Development (Housing) and Residential Tenancies Act 2016. This statement outlines the justification for granting permission to the proposed residential development on the subject lands having regard to a consideration specified in section 37(2)(b) of the Planning and Development Act 2000, as amended. The report accompanies a 7- year planning application for a proposed Strategic Housing Development made under Section 4 of the Planning and Development(Housing) and Residential Tenancies Act 2016, as amended.

This Statement addresses the issue of material contravention in relation to car parking provision, the number of units within the apartment blocks per lift / stair core and the relationship between SuDS and open space. Whilst Cairn Homes Properties Ltd. are of the view that a material contravention does not arise in relation to the pumping station buffer zone or internal storage areas for apartment units, a precautionary approach to this Statement has nevertheless been adopted and a justification supporting a deviation from these particular standards is clearly set out.

1.1 Subject Site

The subject site has a gross area of c. 14.17 hectares and is located at Holybanks, on the northern fringe of the built-up area of Swords. The site is bound by Glen Ellan Road to the south, Jugback Lane/Terrace to the west, the former Celestica factory site to the east and the Broadmeadow River to the north. The site benefits from a strategic, highly accessible location with connections to quality transport infrastructure including Dublin Airport, an excellent road network (M50/M1), a high-frequency and high-capacity bus network (with public and private bus operators) and the proposed Metrolink which is due to commence planning in early 2022.



Figure.1-1 Subject site and full application areas



Figure 1-2 Scheme set within context of surrounding land uses

1.2 Proposed Development

The proposed scheme is described as follows in the statutory notices:

Cairn Homes Properties Limited intend to apply to An Bord Pleanála a 7-year permission for a strategic housing development (SHD) on a c.14.17 ha (gross) site located within the Estuary West Lands at Holybanks, Swords, Co. Dublin. The main SHD site is bound by Glen Ellan Road to the south, Jugback Lane/Terrace to the west, the former Celestica factory site to the east and the Broadmeadow River to the north. A stormwater storage tank, detailed below, is proposed to be located on a corner site at the

junction of Glen Ellan road and Balheary road. Junction and road improvement works are proposed to the Glen Ellan road / Balheary Road junction and the R132 Dublin Road / R125 Seatown West Roundabout.

The proposed development will consist of a residential scheme of 621 no. units (145 no. 1-bed units, 278 no. 2-bed units, 187 no. 3-bed units and 11 no. 4-bed units) along with ancillary childcare facility (506.5 sq.m) and a range of residential amenity facilities (573 sq.m) including gym, concierge, meeting room and multi-purpose room. The development will include the construction of:

- 118 no. houses comprising: 8 no. 1-bed maisonettes contained within 4 no. 2 storey units; 99 no. 2-storey, 3-bed units (18 no. mid-terrace and 81 no. semi-detached) and 11 no. 2-storey, 4-bed units (semi-detached).*
- 349 no. apartment units (137 no. 1-bed units, 201 no. 2-bed units, and 11 no. 3-bed units) provided within 2 no. blocks ranging in height from 1 no. to 7 no. storeys (over basement level) to the south side of the site along Glen Ellan Road. A single level basement has been provided for Block B and an under-croft area is provided within Block A incorporating parking areas, waste management areas, plant rooms and other ancillary services.*
- 154 no. duplex units that are arranged within 14 no. 3-storey blocks comprising of 77 no. 2-bed units (ground floor) and 77 no. 3-bed units.*
- Apartments and duplexes are provided with balconies/terraces along all elevations and dedicated services / bin store areas.*
- The development will also provide for an ancillary childcare facility (506.5 sq.m), and residential amenity facilities (573 sq.m) including gym, concierge, meeting room and multi-purpose room within the ground floor of Block B.*
- Provision of 705 no. car parking spaces, 856 no. bicycle parking spaces and 21 no. motorbike parking spaces (within basement, under-croft and at surface levels);*
- The landscape proposal includes extensive public open space (10,008 sq.m.), in addition to a new public park measuring 29,400 sq.m as an extension of Broadmeadow Riverside Park to the north of the site.*
- Principal vehicular access to the site is from Glen Ellan Road, with an additional new secondary site entrance provided from Jugback Lane/Terrace. New pedestrian connections are provided to the site from Jugback Lane/Terrace, Glen Ellan Road and the proposed Broadmeadow Riverside Park extension to the north of the site. Further, a segregated pedestrian/cycle path is proposed along a central green spine, connecting Glen Ellan Road in the south with Broadmeadow Riverside Park extension in the north.*
- Junction and road improvement works are proposed to the Glen Ellan road / Balheary Road junction and the R132 Dublin road /R125 Seatown West Roundabout. This will include widening of Balheary Road (South), upgrade works to cycle/pedestrian facilities and for the partial signalisation of R132/R125 junction.*
- The application also contains proposals to upgrade existing Irish Water infrastructure including the construction of a stormwater storage tank proposed to be located on a corner site at the junction of Glen Ellan road and Balheary Road, and an overflow outfall gravity sewer along Balheary Road to the Broadmeadow River.*
- All associated site development works above and below ground including hard and soft landscaping, roads/footpaths/cycle paths, play areas, public art, boundary treatments, lighting, SuDs, pumping station, EV charging points, green roofs, ESB substations and services to facilitate the development.*
- As part of the proposed development, temporary permission (3 no. years) is sought for a single-storey Marketing Suite and associated signage (including hoarding) during the development construction stage.*

2.0 Legislative Context

The Planning and Development (Housing) and Residential Tenancies Act 2016, as amended, has been updated and amended by the Planning and Development (Amendment) (Large-Scale Residential Development) Act 2021 (“2021 Act”). Pursuant to Section 17 of the 2021 Act, where a notice has been issued under Section 6(7)(b) of the Act of 2016 in relation to the proposed strategic housing development and notice of intention to proceed has been notified to An Bord Pleanála, subject to compliance with Part 2 of the Planning and Development (Housing) and Residential Tenancies Act 2016, as amended, an applicant for an SHD can proceed under the existing statutory regime.

The Planning and Development (Housing) and Residential Tenancies Act 2016, as amended gives authorisation to the Board to grant permission in cases where development proposals materially contravene a relevant development plan or local area plan other than in relation to the zoning of the land (as per section 9(6)).

Section 9(6) of the Act on decisions by Board for application under section 4 states:

“(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.”

Having regard to Section 37(2)(b) of the Planning and Development Act 2000 which states:

“2) (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.”

[Emphasis added]

In line with the above legislative provisions, this Statement will aim to establish how the proposed development can be classified to be of strategic and national importance and subsequently why permission should be granted having regard to ministerial guidelines under Section 28 relevant to the proposed development.

The *Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities (2020)* set out the national standards for apartment developments.

In relation to the perceived material contravention pertaining to car parking provision, it is submitted that National policy has evolved to move towards promoting more sustainable modes of travel and encouraging a shift away from reliance on the private car as the principal mode of transport. Notably, with respect to developments in ‘Central and/or Accessible Urban Locations’ (as applies to the subject site), the Apartment Design Guidelines state:

*“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 policies above would be particularly applicable in highly accessible areas such as in or adjoining city cores or at a confluence of public transport systems such rail and bus stations located in close proximity.”* [emphasis added

The position in relation to the contravention surrounding the number of apartment units per lift / stair core within the scheme is strengthened by the provision of Specific Planning Policy Requirement (SPPR) 6 of the Apartment Guidelines which 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.”

Whilst the proposed development falls partly below the Development Plan standard of 8 units per lift / stair core the scheme is compliant with the requirements of the above SPPR.

It should be noted that Section 28(1C) of the Planning and Development Act 2000 (as amended) requires that Planning Authorities and An Bord Pleanála comply with any specific planning policy requirements (SPPR’s) contained within the relevant s28 guidelines. Section 1.20 of the Guidelines state that SPPRs, take precedence over any conflicting, policies and objectives of development plans, local area plans and strategic development zone planning schemes.

It is therefore considered that, whilst the proposed development falls below the car parking and units per core standards as set out in the Development Plan, the Board may grant permission for the proposed development having regard to Section 37(2)(b) of the Act and the provisions of the s28 guidelines.

In terms of the Development Plan requirement limiting the percentage of open space that can accommodate SuDS measures, it is considered that such a requirement conflicts with wider development plan policy that seeks to encourage the implementation of SuDS as part of an integrated

drainage strategy for new developments. In this regard, the Board may grant planning permission for the development in accordance with Section 37(2)(b)(ii) of the Act.

3.0 Background to Scheme

3.1 Introduction

The subject application is for a Strategic Housing Development as defined under the Planning and Development (Housing) and Residential Tenancies Act 2016, as amended consists of 621 dwelling units, a crèche and other associated residential amenities on a strategically located site within the Metropolitan Consolidation town of Swords, in Co. Dublin. This application, proposing in excess of 100 residential units, is eligible to be considered under the provisions of the Planning and Development (Housing) and Residential Tenancies Act 2016, as amended, and the Planning and Development (Strategic Housing Development) Regulations 2017 as a Strategic Housing Development. Moreover, this quantum of residential development is considered to be of strategic national importance, particularly in the current climate of a housing crisis.

The design of the scheme has evolved over the course of extensive engagement with An Bord Pleanála and Fingal County Council. The final proposal embodies the best design and planning outcome for this site, reflecting on the key principles set out within the Estuary West Masterplan Part D while ensuring appropriate response to the high-level strategic objectives set out within the county, regional and national planning policies.

The majority of the subject site is zoned as **Objective ME – Metro Economic Corridor** under the Fingal Development Plan 2017-2023. ME zoning is a specific zoning created to **facilitate high-density mixed-use employment and an appropriate quantum of residential development** along the proposed Metro Link route. The Metro Economic Corridor (ME) zoning objective is intended to:

“Facilitate opportunities for high-density mixed-use employment generating activity and commercial development and support the provision of an appropriate quantum of residential development within the Metro Economic Corridor”.

Underpinning this objective is the vision for the lands to:

“Provide for an area of compact, high intensity/density, employment generating activity with associated commercial and residential development which focuses on the Metro within a setting of exemplary urban design, public realm streets and places, which are permeable, secure and within a high-quality green landscape. Landmark buildings will provide strong quality architectural features, which respect and enhance the character of the area into which they sit. The designated areas will form sustainable districts which possess a high degree of connectivity and accessibility and will be developed in a phased manner subject to the necessary provision of social and physical infrastructure.”

The proposed stormwater storage tank falls within the ME designation located within the MP 8.A lands with the outfall overflow pipeline also falling mostly on ME lands with the outfall point to Broadmeadow River within the High Amenity (HA) land designation. The road upgrade works proposed take place on lands running through and directly adjoining the ME designation.

Objective HA applies to the most northern portion of the site which has an abuttal to the Broad Meadow River. The objective of HA zoning is to:

“Protect and enhance high amenity areas.”

Residential development is identified as ‘**permitted in principle**’ within zoning Objective ME. The proposal, which will provide for an additional 621 no. residential units located in close proximity to

excellent public transport infrastructure, is considered to fully accord with the overarching objective of the zoning designation. Other uses proposed ancillary to the residential use within the scheme include a childcare service, residential amenity facilities (residents' gym, concierge, meeting room and multipurpose room), open space, and essential utility installations include the proposed upgrades to Irish Water infrastructure network, namely the stormwater storage tank and pipeline. Childcare, residential amenity facilities (recreation), open space and utility installations are also listed as 'permitted in principle' uses for ME lands.

The use of the HA zoned lands to the north of the subject landholdings will be retained as communal amenity space contributing to the public open space provision. Open space and recreational use fully align with the intent of the HA zoning designation.

The proposed scheme on this site does not materially contravene the land use zoning designated by Fingal County Council Development Plan 2017-23.

Furthermore, the proposed scheme is compliant with national and regional policy objectives that seek to promote compact urban growth, encourage more efficient use of serviced land, and support the densification of lands within an established urban setting and along high-intensity public transport corridors. The National Planning Framework (NPF) promotes development proposals that offer a more efficient use of land particularly within or contiguous to the existing built footprint. The NPF contains a series of National Policy Objectives that support increased residential densities and building heights at appropriate locations as follows:

NPO 3a: *"Deliver at least 40% of all new homes nationally, within the built-up footprint of existing settlements."*

NPO 11: *"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 meeting appropriate planning standards and achieving targeted growth."*

NPO 33: *"Prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location."*

3.2 Purpose of this Material Contravention Statement

The purpose of this statement is to objectively set out the areas where the proposed development could potentially materially contravene a specific aspect of the Fingal Development Plan 2017. An Bord Pleanála is the competent authority that would determine whether the proposed development would materially contravene a relevant development plan or local area plan. This statement provides justification on why permission should be granted for the proposed development having regard to section 37(2)(b) of the Planning and Development Act, 2000 (as amended), if An Bord Pleanála determines that a material contravention arises.

The proposed development poses potential material contravention with Fingal County Development Plan 2017-23 with respect to the following criteria:

- **Car Parking - Objective DM113**
- **Units per core as per Chapter 12 of the Development Plan- Objective DMS23**
- **SuDs proposed within open spaces - Objective DMS73**

As outlined above, a precautionary approach to the assessment of the following Development Plan

standards as also been adopted should the Board be of the view that a material contravention has occurred in relation to the below:

- **Buffer for pumping station as per Chapter 7 and Chapter 12 of the Development Plan**
- **Individual internal storage spaces – Table 12.2 of the Development Plan**

While it is our view that the proposed development is in accordance with the zoning and wider development control guidance's proposed within the Fingal County Council Development Plan 2017-23, should the Board be minded to deem the proposal to deviate in a material extent from the policies of the statutory Development Plan, the intention of the report is to set out the rationale behind the perceived contraventions and establish the legislative basis allowing the Board to grant permission for the development notwithstanding the material contraventions.

It is our position that in all instances where the scheme deviates from the Development Plan, the proposal complies with Section 28 Guidelines, or up to date best practice guidelines, as per Section 37(2)(2)(b)(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 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"*.

Furthermore, in relation to the Development Plan requirement limiting the percentage of open space that can accommodate SuDS measures, it is considered that such a requirement conflicts with wider development plan policy that seeks to encourage the implementation of SuDS as part of an integrated drainage strategy for new developments. In this regard, the Board may grant planning permission for the development in accordance with Section 37(2)(b)(ii) of the Act.

4.0 Fingal County Council Development Plan 2017-23

The Fingal County Development Plan 2017 – 2023 is the statutory land-use plan governing the subject site. The core strategy of the current County Development Plan designates Swords as a Metropolitan Consolidation Town that aims to be a strong and active urban place with strong transport links. The housing strategy of the Council assigns a total capacity of 15,828 no. new dwelling units within the zoned land bank of Swords. This includes the lands designated within the Estuary West lands in which the subject site is located. A non-statutory Masterplan relates to the lands - the Swords Masterplan: Part D, Estuary West (May 2019) was prepared by a multidisciplinary team working collaboratively with Fingal County Council.

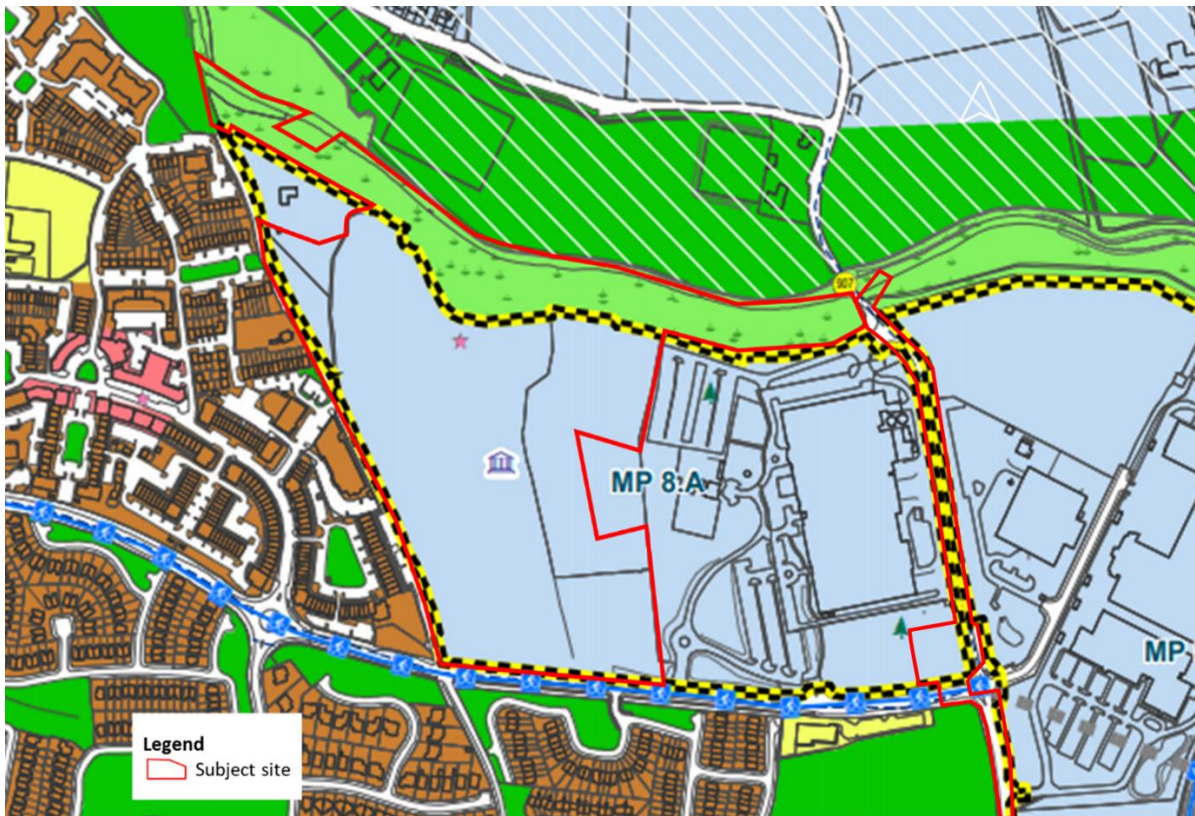


Figure 4-1 Location of the subject site within the Fingal County Development Plan 2017-2023 zoning maps.

The majority of the subject site is zoned as Metro Economic Corridor (ME) within the Estuary West Lands of Swords town. High Amenity (HA) Zoning applies to the most northern portion of the site which has an abuttal to the Broad Meadow River. The proposed scheme on this site does not materially contravene the land use zoning designated by Fingal County Council Development Plan 2017-23. However, the proposal does not align with some of the development management policies of the Development Plan, as listed in the table below:

Table 4.1 List of potential material contravention

Potential MC	Fingal Development Plan 2017-2023 Policy	Proposed development
Parking requirement	Objective DM113 <i>Limit the number of car parking spaces at places of work and education so as to minimise car-borne commuting. <u>The number of car parking spaces at new developments will be in accordance with the standards set out in Table 12.8.</u></i>	Table 12.8 of the current Fingal County Development plan sets out the car parking standards for new developments. As per this requirement, the development would require 1062 spaces. A total of 705 no. parking spaces are included within the proposal resulting in a 1.13 parking ratio provision. Lower parking ratio provision for apartment developments in well accessible locations is acceptable as per Section 4.21 of Ministerial Guidelines-Sustainable Urban Housing: Design Standards for New Apartments 2020.
Units per core	Objective DMS23 <i>Permit up to 8 apartments per floor per individual stair/lift core within apartment schemes.</i>	<p>The majority of apartment buildings provide for a higher amenity of 6-8 units per core per floor. A maximum of 12 units/core is provided along one wing of Block A. This is acceptable under the higher standards set by the Section 28 Ministerial Guidelines- Sustainable Urban Housing: Design Standards for New Apartments 2020 that allows for a maximum of 12 units per core.</p> <p>In addition, Section 12.4 of the Development Plan recognises that there will be certain instances whereby 8 apartments per floor per individual core cannot be achieved and therefore permits a deviation from this standard stating that “<i>where this is not possible, applicants and developers should maximise the number of apartments per floor per stair/lift core.</i>”</p>
SuDS in Open Spaces	Objective DMS73 <i>Ensure as far as practical that the design of SuDS enhances the quality of open spaces. SuDS do not form part of the public open space provision, except where it contributes in a significant and positive way to the design and quality of open space. In instances where the Council determines that SuDS make a significant and positive contribution to open space, a maximum 10% of open space provision shall be taken up by SuDS. The Council will give consideration to the provision of SuDS on existing open space, where appropriate</i>	<p>Policy Objective DMS73 relates to the inclusion of Sustainable urban Drainage Systems within new developments and the ability of such measures to make a positive contribution to the amenity of an area.</p> <p>SuDS features have been incorporated to the linear green spaces where possible, as shown on landscape plans. The drainage scheme proposed will be multifunctional providing amenity and biodiversity benefits. A comprehensive SuDS plan for the proposed development has been prepared by Waterman Moylan in collaboration with Cunnane Stratton Reynolds – please refer to</p>

		<p> Drg. No. P204 and P203 by Waterman Moylan for full details of the SuDs techniques and drainage management measures proposed. Major SuDS interventions proposed include a North Detention Basin and a Central Detention Basin. Landscaping proposals has ensured that the detention basins will be well incorporated within landscape proposals. They are carefully placed so as to add to the quality of open spaces proposed while leaving the major share of the open areas untouched. </p> <p> Whilst circa 19% of residentially zoned open space serves a SuDS function, around 4% of this is allocated to open swales along road edges and around 15% to a detention basin at the north of the linear park. This detention basin is formed within a naturally low lying area where existing depressions and ditches are used, with minimal modifications to levels to achieve the required storage volumes. This light touch approach allows this area to function largely as functional parkland whilst also performing surface water storage functions at times of high rainfall. This approach involved careful collaboration between the landscape architects, ecologist and drainage engineers, to find the most sustainable, ecologically sensitive solution that preserves on-site biodiversity and reduces inputs and effects on the landscape and ecosystem, and is a fundamental principle of the Green Infrastructure strategy for the entire site. </p> <p> It is considered that Policy Objective DMS73 conflicts with wider policy objectives and provisions within the Plan that support the inclusion of SuDS as part of an integrated design led solution to drainage management. The inclusion of an arbitrary figure that would limit the implementation of SuDS measures is also contrary to best practice and national planning policy that seeks to encourage same. </p>
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<p>Buffer to the pumping station</p>	<p>Objective WT12 <i>Establish an appropriate buffer zone around all pumping stations suitable to the size and operation of each station. The buffer zone should be a minimum 35 metres – 50 metres from the noise/odour producing part of the pumping station to avoid nuisance from odour and noise.</i></p>	<p>Policy Objective WT 12 relates to the establishment of a buff zone around pumping stations relevant to their size and operational traits. The inclusion of the word “should” in the policy allows a degree of flexibility for instances whereby a 35 – 50 metre buffer zone would not be appropriate. The spirit of the objective relates to the safeguarding of residential amenities and, the appropriateness of the location of pumping station should be assessed in this regard rather than an arbitrary number that has not taken account of specific site characteristics.</p> <p>The Pumping Station for the development is located at the most optimum position for this essential piece of infrastructure as per the requirements set out by Irish Water. It allows for a buffer zone of 15m to the closest occupied buildings, in accordance with Section 5.5. of the Irish Water ‘Code of Practice for Wastewater Supply’, which establishes a minimum buffer zone of 15m for Type 3 pumping stations.</p> <p>It is therefore submitted that the Development Plan contains a sufficient degree of flexibility to deviate from this suggested buffer zone to align with the Irish Water Code of Practice, and as such a material contravention in this regard is not considered to have occurred.</p>
<p>Internal Storage</p>	<p>A footnote to Table 12.2 states that “<i>no individual storage room within an apartment / duplex should exceed 3.5 sq m.</i>”</p>	<p>In relation to the proposed duplex units, there is a slight increase in the floor area of the internal storage space up to a maximum of 4sq.m for a total of 77 of the 154 units proposed (50%).</p> <p>For the apartments, there are marginal exceedances up to a maximum of 4.2sq/m (with some measuring just 3.6 sqm) in 95 of the 349 units (27%).</p> <p>It is respectfully submitted that such an increase in the provision of internal storage space for some of the apartment and duplex units is marginal and cannot be considered to represent a material contravention of the</p>

		<p>development Plan. However, should the Board be minded to disagree with this assertion, they may grant planning permission for the scheme in accordance with Section 37(2)(b)(iii) of the Act as the s28 Apartment Guidelines specify that such standards are minimums and can therefore be exceeded.</p>
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5.0 Justification for Material Contravention

The proposed development poses potential material contraventions with the Fingal County Development Plan 2017-23 with respect to the following policy objectives:

- **Car Parking - Objective DM113**
- **Units per core - Objective DMS23**
- **SuDs proposed within open spaces - Objective DMS73**

As outlined above, a precautionary approach to the assessment of the following Development Plan standards as also been adopted should the Board be of the view that the Plan does not contain the adequate degree of flexibility that would permit a deviation from these standards:

- **Buffer for pumping station as per Chapter 7 and Chapter 12 of the Development Plan**
- **Individual internal storage spaces – Table 12.2 of the Development Plan**

5.1 Strategic or National Importance

The proposed development involves the provision of 621no. residential units together with associated support services and amenities on strategically located lands. Whilst it should be acknowledged that the term “strategic or national importance” is not expressly defined in planning legislation, the proposed development does meet the thresholds to constitute a strategic housing development. Section 3 of the Planning and Development (Housing) and Residential Tenancies Act 2016 defines Strategic Housing Development as, inter-alia, the “*development of 100 or more houses on land zoned for residential use or for a mixture of residential and other uses.*” The proposed development therefore falls within the definition of a Strategic Housing Development as set out under the 2016 Act and is, by definition, strategic in nature.

The purpose of the 2016 Act which introduced the SHD procedures, is to “*facilitate the implementation of the document entitled Rebuilding Ireland – Action Plan for Housing and Homelessness.*” This document seeks to establish a clear roadmap to tackle homelessness and housing shortages through expediting the planning process and removing unnecessary delays in the delivery of much needed housing. Rebuilding Ireland, the 2016 Act and the recently published “Housing for All” Plan collectively recognise the strategic importance at a national level of large-scale residential developments which will play a key role in tackling existing housing shortages, particularly in our cities.

The ‘Housing for All’ Plan, establishes the overall aim of providing access to well-built homes at affordable prices in places which offer a high quality of life. The Plan outlines four different pathways to achieving the overarching objective that every citizen in the State should have access to good quality homes which are listed below:

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

The Plan sets out the Government’s vision for the housing system over the longer term to enable the delivery of a steady supply of housing in the right locations with economic, social and environmental sustainability built into the system. The need to achieve a housing supply target of 33,000 new homes

each year up to 2030 highlights the strategic role large-scale housing developments, particularly in urban locations where demand is highest, can play in addressing the current housing crisis.

Pathway 3 of the Plan highlights the current issue of supply lagging firmly behind demand and articulates that this issue as being a significant part of the housing problem. In order to correct this issue, housing supply will need to be significantly stimulated which can be achieved through the delivery of residential developments at a scale and intensity appropriate to their site context. The proposed development will result in the delivery of 621no. residential units on underutilised lands in close proximity to high quality public transport.

Following on from the above, a key aim of the NPF is to support development proposals that offer a more efficient use of land, particularly those in established urban areas for the delivery of housing. The subject site is strategically positioned in an established urban area in close proximity to high quality public transport. The NPF outlines the critical role that Dublin plays in the country's competitiveness and consequently encourages the growth of the capital through the delivery of residential and employment-based uses. National Planning Objective 35 highlights the importance of increased residential densities at suitable locations stating the aim to:

“Increase residential density in settlements, through a range of measures including reductions in vacancy, reuse of existing buildings, infill development schemes, area or site-based regeneration and increased building heights.”

The proposed development deliberately seeks to promote increased density on an underutilised site at a strategic location, suitable for residential development. This in turn will contribute positively to achieving housing targets outlined in the NPF through compact growth and urban consolidation of an existing residential setting. The proposed development will contribute to achieving this objective through the delivery of much needed housing that responds directly to housing supply shortage in the area.

Having regard to the above it is considered that the proposed residential development can be classified to be of strategic or national importance.

5.2 Car Parking

The Fingal County Development Plan car parking standards are categorised based on geographic location across two identifiable Zones. The subject site is located within Zone 1 as the site is positioned within 800m of existing Quality Bus Corridor or high-quality bus corridor and in future within 1600m of proposed Metro link. Table 12.8 of the current Fingal County Development plan sets out the car parking standards for new developments. Section 12.10 of the development plan also requires all developments to include:

One space or more per 100 spaces should be reserved for disabled parking bays.

One space or more per 100 spaces should be reserved for electric vehicles with charging facilities.

Objective DM113 *Limit the number of car parking spaces at places of work and education so as to minimise car-borne commuting. The number of car parking spaces at new developments will be in accordance with the standards set out in Table 12.8.*

Table 12.8 - Car Parking Standards

Land Use	Criterion	Proposed	Notes	Category	Norm or Max
House - urban/suburban 1 or 2 bedrooms	Unit	1-2	Within curtilage	Residential	Norm
House - urban/suburban 3 or more bedrooms	Unit	2	Within curtilage	Residential	Norm
House - rural	Unit	2-3	Within curtilage	Residential	Norm
Apartment, townhouse 1 bedroom	Unit	1	Plus 1 visitor space per 5 units	Residential	Norm
Apartment, townhouse 2 bedrooms	Unit	1.5	Plus 1 visitor space per 5 units	Residential	Norm
Apartment, townhouse 3+ bedrooms	Unit	2	Plus 1 visitor space per 5 units	Residential	Norm
Pre-school facilities / creche	Classroom	0.5		Education	Maximum

Figure 5.1 Minimum car parking standards, Fingal County Council Development Plan 2017-23

Overall provision

A total of 705 no. parking spaces are proposed to serve the development resulting in a parking ratio of 1.13. The spaces are broken down as follows:

Crèche

A total of 4 no. spaces with designated drop off areas are proposed for the crèche facility.

Housing Units

At 228 no. spaces (220 no. houses and 8 no. maisonette), car parking provision for the housing units is in alignment with the standards set out in Table 12.8 of the County Development Plan Car which require 1-2 spaces one and two bedroom homes and 2 spaces for homes with 3 or more bedrooms. Disabled parking bays and EV charging bays are provided at double the minimum requirement.

Apartments and Duplexes

Parking provision for apartment and duplex units is 473 spaces amounting to a parking ratio of 0.94. This includes 32 no. visitor spaces, 5 no. car sharing spaces, 14 no. accessible spaces, and 12 no. EV spaces. Of the total car parking spaces provided in the scheme, 155 no. spaces are provided at basement level and 58 no. are provided at under-croft level. Research has shown that each car share vehicle can reduce the number of vehicles on the road by 8-14 vehicles. The total parking spaces required for Apartment units in the scheme as per the parking requirements set within Fingal Development Plan is 503 no. spaces.

When the above standards are applied to the proposed development, a total car parking requirement of 1062 spaces is generated. Such a parking provision is considered overly excessive and starkly at odds with national planning policy that seeks to promote a move towards more sustainable modes of travel and a reduced reliance on the private car.

The applicant accepts that there is a materially contravention with respect to the car parking standards for apartments set out in the Development Plan. However, Section 37(2)(b) of the Planning and Development Act, 2000, as amended states:

*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.***

As per the Section 28 Guidelines - *Design Standards for New Apartments, Guidelines for Planning Authorities*, March 2018, this development meets multiple criteria for reasonable grounds to minimise car parking provision for the apartments. It is a high-density development of c.70 uph on a strategically located site that benefits from proximity to high frequency and high-capacity public transport and strong pedestrian/ cyclist provisions.

Section 4.18 of the Apartments Guidelines 2020 states that *“the quantum of car parking or the requirement for any such provision for apartment developments will vary, having regard to the types of location in cities and towns that may be suitable for apartment development, broadly based on proximity and accessibility criteria”*.

The Holybanks scheme could arguably qualify as a central and/or accessible location and would certainly qualify as an intermediate / urban location. For the former, the default policy is for car parking provision to be minimised, substantially reduced, or wholly eliminated in certain circumstances (Section 4.19). For the latter (an intermediate/ urban location), planning authorities **must consider a reduced overall car parking standard and apply an appropriate maximum car parking standard** (Section 4.20).

The site is well served by Dublin Bus with the bus service routes 41A, 41C, 41X and 43 serving the Glen Ellan Estate (Business Park). Further west at the Jugback Lane – Glen Ellan Road, this point is served by both Dublin Bus (routes 41A, 41C, 41X and 43) and Swords Express routes 500, 500-X, 500-N, 501 and 503) allowing easy access to Dublin City Centre. The Swords Express Service is also available 200m from the site. The proposed development site is immediately adjacent to the high frequency (every 10-15 min) routes serving Applewood (Route X79) and Glen Ellan Road (Route 22) that connects the site with City Centre and UCD. The NTA’s Bus Connects proposals confirm the importance of the Glen Ellen Road as a major growth axis in Swords, itself the fastest growing town in the Dublin area.

A Public Transport Capacity Assessment report prepared by Derry O’Leary, independent Transport Consultant and submitted with this application indicates the bus market at this location is well developed for a strongly growing area and has a uniquely high level of commercial bus operations run by Swords Express that will respond quickly to any growth in demand to capture market share. Furthermore, the future Metrolink station, Estuary Park and Ride is located approximately 600m from the northeast corner of the site, a short walk for residents of approximately 5-10 minutes through the Broadmeadow River Park and proposed extension of the park to the north of the site.

Notwithstanding the above and acknowledging the non-statutory nature of the Estuary West Masterplan, Part D, it is noteworthy that the Masterplan states that:

Within areas highly accessible to public transport (800m to a QBC or high-quality bus service, or 1600m to an existing or planned Luas/DART/Metro/Rail station), the Fingal Development Plan seeks to encourage a mode shift in favour of public transport, by reducing the maximum car parking standard by 50%.

Furthermore, planning permission (ABP-308366) was granted for 278no. apartments at Forest Road,

Swords in February 2021 which materially contravened the parking standards as set out in the Plan. The Inspector concluded that the development was compliant with the parking standards as set out in the Apartment Guidelines and that a provision below the Plan standards was appropriate.

It is considered that the proposed provision of car parking for apartments fully aligns with Section 28 guidance and should therefore not preclude the Board from granting planning permission for the proposed development.

5.3 Units per core

Fingal County Development Plan 2017-23 requires

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

Apartments proposed along the eastern wing of Block A has 12 units arranged with a single stair/lift core within the first, second, third and fourth floors. The development management standards set within the Fingal County Development Plan permit up to 8 apartments per floor per individual stair/lift core within apartment schemes.

Special Planning Policy Requirement (SPPR 6) of the Section 28 Ministerial Guidelines - *Sustainable Urban Housing: Design Standards for New Apartments 2018* allows for a maximum of 12 units per core, as opposed to the previous maximum of 8 within the 2015 guidelines.

The guidelines also emphasise that these are applicable to high density schemes located in central and accessible locations; near to cities and town centres; and close to high quality public transport corridors (Section 3.27). The guidelines acknowledge that maximising number of apartments per lift core would also allow for economic gains such as ensuring service and maintenance charges of future residents to be kept within reasonable levels. SPPR 6 of the Guidelines specify:

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

As per Section 37(2)(b) of the Planning and Development Act, 2000, as amended:

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.

In addition, Section 12.4 of the Development Plan recognises that there will be certain instances whereby 8 apartments per floor per individual core cannot be achieved and therefore permits a deviation from this standard stating that “*where this is not possible, applicants and developers should maximise the number of apartments per floor per stair/lift core.*” It could therefore be reasonably argued that the Development Plan contains sufficient flexibility to permit a deviation from these standards, in which case, a material contravention would not have occurred.

The subject site is strategically located within accessible distance at less than 20minutes walk time of Swords town centre. The proposed density of the scheme (c.70 uph) would allow for the consolidation of these lands along the northern fringe areas of Swords town. The site is therefore eligible to be considered under the maximum provision stated within the Design Standards for New Apartments and hence the proposed development does not materially contravene the Development Plan with

respect to Units per Core arrangement proposed within the scheme, since the development complies with the Section 28 Guidance.

5.4 SuDS in Open Spaces

The preservation of key landscape features and characteristics of the site has guided the landscaping proposals within the scheme. The subject development has included SuDS elements where appropriate within the public open space areas to create water features, green roofs, rainwater harvesting, swales, dry riverbeds etc that are both functional and attractive, enhancing the quality of open spaces proposed within the scheme. The proposed SuDS features would add to the character of the scheme providing functional and attractive landscape features within the scheme. Features such as detention basins would provide significant ecological benefits for the scheme.

Shared pedestrian walkways and cycleways, amenity, informal play spaces exist alongside SuDS features which are carefully distributed, creating a multipurpose, connected linear spine of public open space. The result is a highly permeable and accessible amenity space for residents, creating an attractive pathway through the site and onto the Broadmeadow riverside linear park.



Figure 1.3 Integrated play and SuDS feature

For full details on the SuDS strategy and its integration with landscaping, play and ecological features, please refer to Engineering Assessment Report by Waterman Moylan Consulting Engineers and to Landscaping Specification Report and accompanying drawings. Please refer to Waterman Moylan SuDS Drainage drawings for details of the swales, attenuation pit and detention basins can be seen on Waterman Moylan Drawing 17-088-P211/P212.

Under Objective DSM57A of Fingal County Development Plan 2017-2023, a minimum of 10% of site area is required for use as public open space in residential developments. In accordance with this, an area of 11% (1 ha) within the net area of the site (8.92ha) has been reserved for public open space (POS), as set out in Table 5.7.

Table 5-1 Public Open Space Provision

POS A	c.1904 sq.m
POS B	c.4634 sq.m
POS C	c. 1795 sq.m
POS D	c. 1675 sq.m
Total Public Open Space	c.10,008sqm.



Figure 5-2 Open Space Strategy (Source Drawing No. PL55 Open Space Provision, McCrossan O'Rourke Manning Architects)

Objective DMS73 of the Development Plan states:

Ensure as far as practical that the design of SuDS enhances the quality of open spaces. SuDS do not form part of the public open space provision, except where it contributes in a significant and positive way to the design and quality of open space. In instances where the Council determines that SuDS make a significant and positive contribution to open space, a maximum 10% of open space provision shall be taken up by SuDS. The Council will give consideration to the provision of SuDS on existing open space, where appropriate

Whilst circa 19% of residentially zoned open space serves a SuDS function, around 4% of this is allocated to open swales along road edges and around 15% to a detention basin at the north of the

linear park. This detention basin is formed within a **naturally low-lying area** where existing depressions and ditches are used, with minimal modifications to levels to achieve the required storage volumes. This light touch approach allows this area to function largely as functional parkland whilst also performing surface water storage functions at times of high rainfall. This approach involved careful collaboration between the landscape architects, ecologist and drainage engineers, to find the most sustainable, ecologically sensitive solution that preserves on-site biodiversity and reduces inputs and effects on the landscape and ecosystem and is a fundamental principle of the Green Infrastructure strategy for the entire site.

Guidelines for Planning Authorities on Sustainable residential development, (2009) within Section 4.32 recognises that, “*from the initial design phases to subsequent consideration of planning issues and construction, every effort should be made to incorporate the principles of sustainable urban drainage into new development.*”

The Guidelines ask Planning Authorities to update the requirements and relevant guidance on sustainability such as information on renewable energy, SUDS etc. as the practice evolves to avail of good practice at the relevant time.

As set out in Section 7.2 Water Services of the Development Plan, surface water should be managed in accordance with the Greater Dublin Strategic Drainage Study (GDSDS) policy documents including Drainage for New Developments. This document specifies that surface water run-off should be managed as close to its source as possible, with the re-use of rainwater within the buildings prioritised. Furthermore, the Development Plan identifies that SuDS solutions are best provided at macro level, allowing aggregation of volumes within larger parks and open spaces rather than a fragmented approach (Chapter 3 pg 79) They are considered as vital part of the County’s Green Infrastructure by mitigating flash flooding, slowing down run-off and thereby improving water quality.

In addition, SuDS measures are actively promoted within Fingal Climate Change Action Plan (2019).

Objective GI31 *Ensure the provision of new green infrastructure addresses the requirements of functional flood storage, the sustainable management of coastal erosion, and links with provision for biodiversity, Sustainable Drainage Systems (SuDS) and provision for parks and open space wherever possible and appropriate.*

Objective GI32 *Seek the creation of new wetlands and/or enhancement of existing wetlands through provision for Sustainable Drainage Systems (SuDS).*

Objective GI33 *Seek the provision of green roofs and green walls as an integrated part of Sustainable Drainage Systems (SuDS) and which provide benefits for biodiversity, wherever possible*

Objective DMS16 *Promote and encourage the use of green walls and roofs for new developments that demonstrate benefits in terms of SuDS as part of an integrated approach to green infrastructure provision.*

In summary, we bring to the board’s attention that Objective DMS73 of the Fingal County Development Plan is unduly restrictive in nature and does not reflect the advancement in technology and up-to-date best practices. The proposed SuDS measures on scheme would allow for the sustainable rainwater management while also complementing the natural and aesthetic value of the proposed open spaces. It is considered that Policy Objective DMS73 conflicts with wider policy objectives and provisions with the Plan that support the inclusion of SuDS as part of an integrated design led solution to drainage management.

As such, it is respectfully requested that An Bord Pleanála has regard to the justification set out within this statement and permit the proposed development located on this strategically located site. In accordance with the provisions of Section 37(2)(b)(ii) on the basis that there are conflicting objectives within the development plan.

5.5 Buffer to Pumping Station

Fingal County Development Plan 2017-23 has the following objective:

Objective WT12 *Establish an appropriate buffer zone around all pumping stations suitable to the size and operation of each station. The buffer zone should be a minimum 35 metres – 50 metres from the noise/odour producing part of the pumping station to avoid nuisance from odour and noise.*

The subject lands are served by an existing 600mm diameter foul sewer along Glen Ellen Road to the south of the subject site. This sewer is approximately 9m deep at the site boundary and drains eastwards ultimately out falling to the Swords Wastewater Treatment Plant (WWTP). Despite the depth of the existing foul sewer lines available along Glen Ellen Road it is not possible to drain the entire site by gravity. Therefore, a portion of the site has to be facilitated via a pumping station to enable outfall to the existing foul sewer network.

The site for the pumping station has been carefully chosen to minimise impact to any residential areas, amenities, or open space.

- The proposed pumping station is located adjacent to the proposed Broadmeadow Riverside Park to the north of the site as shown on the landscape plan. It is screened by planting to address Council requirements. From a technical perspective, the ground levels and location at a central position within the scheme are favourable.
- The pumping station is not located within the flood zone. It respects the principles of Objective WQ05 of the Fingal County Development Plan which calls for a 30m wide riparian buffer strip from top of Broadmeadow riverbank to new forms of development.
- IW best practice measures have been adopted in locating the pumping station for the scheme. It allows for a buffer zone of 15m to the closest occupied buildings, in accordance with Section 5.5. of the Irish Water 'Code of Practice for Wastewater Supply', which establishes a minimum buffer zone of 15m for Type 3 pumping stations.

The pumping station will enable the onsite drainage scheme proposed within the scheme to fall by gravity to the 600mm diameter public sewer along Glen Ellen Road. Waterman Moylan Drawing No's 17-088-P200, P201 and P202 show the proposed drainage network for the site.

It is estimated that foul water from 229 units to the north section of the site will need to be pumped to the on-site foul drainage network. The foul water pumping station would be designed for a capacity of 102m³ of foul drainage and rising main. Velocities have been calculated for the 90 mm rising main to achieve the minimum pump rate required to achieve self-cleansing velocity.

We would like to bring to the Board's notice that the design of the scheme adheres to the most up to date design requirements set out by Irish Water as set out in Section 5.5. of the Irish Water 'Code of Practice for Wastewater Supply'. More details on the proposal can be found within the Engineering Assessment Report and the Material Assets: Utilities chapter of the EIAR accompanying this application, as prepared by Waterman Moylan Engineering Consultants.



Figure 5.4 Indicative location of the pump station

The inclusion of the word “should” in policy objective WT12 recognises that there will be instances whereby a 35 – 50 metre buffer zone would not be appropriate. The spirit of the objective relates to the safeguarding of residential amenities and as outlined above, the proposed location of the pumping station has been informed with this in mind. It is respectfully submitted that the appropriateness of the location of pumping station should be assessed in this regard rather than being based on the inclusion of an arbitrary number that has not taken account of specific site characteristics.

The Pumping Station for the development is located at the most optimum position for this essential piece of infrastructure as per the requirements set out by Irish Water. It allows for a buffer zone of 15m to the closest occupied buildings, in accordance with Section 5.5. of the Irish Water ‘Code of Practice for Wastewater Supply’, which establishes a minimum buffer zone of 15m for Type 3 pumping stations.

It is therefore submitted that the Development Plan contains a sufficient degree of flexibility to deviate from this suggested buffer zone and as such a material contravention in this regard is not considered to have occurred.

5.6 Internal Storage

Section 12.4 of the Development Plan establishes the design criteria for residential development within the County. Tables 12.1 and 12.2 set out the quantitative standards for new housing and apartment developments respectively that aim to safeguard the residential amenities of future occupiers.

These standards are largely consistent with the standards identified in Appendix 1 of the Apartment Guidelines. A slight deviation between both occurs in relation to the storage area requirements for new apartments. Whilst the Guidelines establish that storage space requirements are minimums, the Development Plan includes a footnote to Table 12.2 stating that *“no individual storage room within an apartment / duplex should exceed 3.5 sq m.”* In the interests of clarity this footnote is erroneously linked to Table 12.1 which relates to the standards for housing but nevertheless this Statement assumes that the Plan intends that it be applied to Table 12.2.

All new residential units proposed comply with or exceed minimum standards for internal storage in houses and apartments are set out in Section 12.4 (Table 12.1 for Houses and table 12.2 for Apartment and Duplexes) of the current County Development Plan. A minimum of 3 sqm storage has been provided for 1-bed units, similarly a minimum of 6 sqm storage for 2-bed units and a min of 9 sqm is provided for 3-bed units consistent with the requirements of Development Management Standards. Storage facilities provided in the scheme consist of dedicated utility rooms, storerooms within the units.

In relation to the proposed duplex units, there is a slight increase in the floor area of the internal storage space up to a maximum of 4sq.m for a total of 77 of the 154 units proposed (50%). For the apartments, there are marginal exceedances up to a maximum of 4.2sq/m (with some measuring just 3.6 sqm) in 95 of the 349 units (27%).

It is respectfully submitted that such an increase in the provision of internal storage space for some of the apartment and duplex units is marginal and cannot be considered to represent a material contravention of the development Plan. However, should the Board be minded to disagree with this assertion, they may grant planning permission for the scheme in accordance with Section 37(2)(b)(iii) of the Act as the s28 Apartment Guidelines specify that such standards are minimums and can therefore be exceeded.

6.0 Conclusion

As set out within Section 37(2)(b) An Bord Pleánala may permit a development that materially contravene a Development Plan or Local Area Plan, other than in relation to zoning of the land, where one of the criteria are met.

- i) **Section 37(2)(b)(i) - permission for the proposed development should be granted *where the proposed development is of strategic or national importance*** - The proposed development will result in the provision of 621 no. units within a well accessible, and strategically located site. Moreover, this quantum of residential development is considered to be of strategic importance, particularly in the current climate of a housing crisis. Furthermore, the proposed scheme is compliant with national and regional policy objectives that seek to promote compact urban growth, encourage more efficient use of serviced land, and support the densification of lands within an established urban setting and along high intensity public transport corridors.
- ii) **Section 37(2)(b)(ii) *there are conflicting objectives in the development plan, or the objectives are not clearly stated, insofar as the proposed development is concerned*** – It is considered that Objective DMS73 of the Fingal County Development Plan is unduly restrictive in nature and does not reflect the advancement in technology and up-to-date best practices pertaining to drainage management and SuDS. It is considered that Policy Objective DMS73 conflicts with wider policy objectives and provisions with the Plan that support the inclusion of SuDS as part of an integrated design led solution to drainage management.
- iii) **Section 37(2)(b)(ii-iii) - permission for the proposed development should be granted *having regard to regional spatial and economic strategy 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.

This Report has set out a comprehensive and logical justification that supports the proposed development in the context of a material contravention of the Fingal County Development Plan 2017-2023. The ever evolving and changing planning landscape has moved to recognise and accept good practice measures to enable this development on this strategically located site. The proposed scheme will contribute to the delivery of national objectives seeking compact urban growth and provide a sustainable residential community in an established residential setting and it is respectfully submitted that permission be granted on that basis.