



STATEMENT OF RESPONSE TO AN BORD PLEANÁLA PRE-APPLICATION CONSULTATION OPINION

**Proposed Strategic Housing Development
Lands at Back Road & Kinsealy Lane,
Kinsaley, Broomfield, Malahide, Co. Dublin**

Applicant: Birchwell Developments Ltd.

April 2022

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1.0 INTRODUCTION

This Statement of Response accompanies a planning application to An Bord Pleanála for a proposed Strategic Housing Development on lands at Back Road and Kinsealy Lane, Kinsaley, Broomfield, Malahide, Co. Dublin.

Following consultation with Fingal County Council under Section 247 of Planning and Development Act, 2000 (as amended), a request to enter into pre-application consultation with An Bord Pleanála was submitted on 1st December 2020, with An Bord Pleanála subsequently accepting the Section 5 pre-application consultation request. The pre-application consultation meeting was then held remotely via Microsoft Team on 27th April 2021. On 14th May 2021, An Bord Pleanála issued the notice of pre-application consultation opinion for the proposed development, under case reference ABP-308804-20.

Having regard to the above, the opinion states that *“An Bord Pleanála has considered the issues raised in the pre-application consultation process and, having regard to the consultation meeting and the submission of the planning authority, is of the opinion that the documents submitted with the request to enter into consultations constitute a reasonable basis for an application for strategic housing development.”*

The opinion further states that *“pursuant to article 285(5)(b) of the Planning and Development (Strategic Housing Development) Regulations 2017, the prospective applicant is hereby notified that, in addition to the requirements as specified in articles 297 and 298 of the Planning and Development (Strategic Housing Development) Regulations 2017, the following specific information should be submitted with any application for permission”.*

The statement now sets out a response to An Bord Pleanála’s pre-application consultation opinion. This statement of response should be read in conjunction with all drawings and documentation submitted as part of this Strategic Housing Development application.

2.0 REQUESTED SPECIFIC INFORMATION

2.1 Item No. 1 – CGIs and Visualisations

ABP Opinion

“A report, including CGIs, visualisations and cross sections as necessary, which further elaborates upon the relationship of the proposed development with existing development in the area of the site, specifically within the area of the masterplan objective. Details should elaborate upon quantum of development and infrastructure within the area of the masterplan objective, including mix of units, open space, movement hierarchy, water services infrastructure and interaction of the proposed development with the adjoining street network and open space areas.”

Applicant's Response

Digital Dimensions have addressed this response within their CGIs and Visualisations pack, which the Board are invited to refer to. This is suggested to be read in conjunction with the enclosed architectural drawings and Architectural Design Statement prepared by MCORM Architects and the landscape drawings and documentation prepared by Kevin Fitzpatrick Landscape Architecture (KFLA).

Please also refer to Section 3.0 of the accompanying Traffic and Transport Assessment which describes the access and movement to the site for pedestrians, cyclists and vehicles and proximity to public transport. A DMURS Statement is provided in Section 3.2 of the accompanying DMURS Report which outlines the proposed use of roads and open space to create a sense of place while allowing a high level of permeability for the active modes of transport.

Please also refer to a Quality Audit, which has been undertaken by Traffico Road Safety Engineering, and is included in Appendix A of the accompanying DMURS Report. This audit addresses pedestrian, cyclist, and vehicular access and movements. Water services infrastructure is outlined in Sections 2.0, 3.0, and 4.0 in the accompanying Engineering Assessment Report, for foul water, surface water (including attenuation and SuDS systems) and water supply infrastructure, respectively.

In terms of unit mix, the proposed scheme provisions for an overall of 415 no. residential units, offering a variety of unit mix in terms of size and type, as summarised in the Table 1 below.

Table 1. Proposed Residential Mix Statistics

Dwelling Type	Unit Type	No. of Units
Apartments	1 Bed Apartments	37
	2 Bed Apartment	93
	3 Bed Apartments	5
Duplex Units	1 Bed Units	8
	2 Bed Units	14
	3 Bed Units	6
Houses	3 Bed Houses	192
	4 Bed Houses	48
	5 Bed Houses	12
Total	415	

This will provide significant diversity of dwelling types to meet the Development Management Standards of the Fingal Development Plan on the dwelling mix. The proposal also allows for a wide choice of dwelling types meeting the needs of people of all age groups and stages of personal and family life. The mix of unit types is provided in the development in a series of character areas and urban blocks ensuring choice in both unit type and location while maintain a sense of enclosure and belonging by providing clear identifiable residential zones.

Further to provision for a variety of unit types with multiple bed spaces, there is also a significant amount of diversity in terms of size, layout, storage, aspect, room dimensions, etc. within the proposed scheme. This is to ensure that the proposed development provides for various needs of its future residents catering for all age group demographics, also adaptable and flexible for their changing

needs, be it, single professionals, young couples, small young families, older families, the elderly, those looking to downsize, etc.

For further details on the design, unit mix and a detailed breakdown of the proposed development, please refer to the enclosed drawings and Housing Quality Assessment (HQA) prepared by MCORM Architects.

It is submitted that the proposed development provides for an overall of c. 1.35 ha public open space (Class 1 & 2 public open spaces), as specified within the Fingal Development Plan. With respect to the developable site area of 11.1 ha, this would provide for 12% public open space provision which exceeds the threshold envisaged in the Development Plan. Moreover, an overall total of 1,073 sqm of communal open space is provided throughout the residential blocks, which is submitted to be in accordance with the requirements for 2020 Apartment Guidelines. This is summarised in the Table below.

Table 2. Communal Open Space Provision within the Proposed Development

Communal Open Space Provision	Block A & B: 720 sqm
	Block C: 161 sqm
	Block D: 96 sqm
	Block E: 48 sqm
	Block F: 48 sqm
Total	1,073 sqm (0.10 ha)

In addition to the above, each residential unit benefits from the provision of adequately sized private open space in the form of gardens, balconies, or patios/terraces (designed in accordance with quantitative and qualitative standards), with the units at ground floor level provided with appropriate boundary treatments to ensure privacy and security whilst also providing visual interest and distinction between spaces. Appropriate separation distances have been provided between buildings to ensure privacy without compromising internal residential amenity of the apartments.

In terms of movement hierarchy and connection to the street network, the overall Broomfield lands access will be facilitated via two separate access points. The northern access point will be to the north of the overall site connecting to Back Road via Ashwood Hall and Brookfield developments. The other site access point is to the south of the overall Broomfield lands connecting to Hazelbrook and then connecting to the existing junction with Kinsealy Lane. All internal roads are connected and all subject developments can use all access points.

Permeability within the scheme is delivered using an ordered pattern of housing cells with a clearly defined street network and hierarchy. Clear links exist across the entire scheme for vehicles, cycles, and pedestrians. The street network incorporates principal access routes, secondary streets and shared surface homezones allowing all users including visitors to navigate the development with ease. Linking principal areas of open space with pocket parks and associated landscaping features provides clear legibility access the entire scheme. The integration of movement and public space design is considered as an essential driver for a coherent and attractive overall neighbourhood public realm.

In terms of water services infrastructure, this is fully addressed in the Engineering Assessment Report prepared by Waterman Moylan Consulting Engineers, which we invite the Board to refer to.

2.2 Item No. 2 – Core Strategy & Zoning of the Site

ABP Opinion

“Further consideration and/or elaboration of the documents in relation to core strategy and the zoning of the site, with a site layout plan overlaid on the zoning map.”

Applicant’s Response

Outlined in the Core Strategy of the Fingal Development Plan, Malahide has been identified as a Moderate Sustainable Growth Town in the Development Plan. The Development Plan notes that Malahide has experienced population growth in recent years and is served by high capacity public transport links to Dublin City. With an overall total of 88 ha lands zoned for residential in Malahide, it estimates that 1,114 no. residential units can be produced within this town.

However, this has been revised in Variation No. 2 (adopted) to the Fingal Development Plan 2017-2023, which seeks to respond to the changes in National and Regional planning policy, namely the publication of the National Planning Framework (NPF) in 2018 and the Eastern and Midland Regional Assembly (EMRA) Regional Spatial and Economic Strategy (RSES) in 2019.

Under the adopted Variation, Malahide is listed as a ‘Self-Sustaining Town’ with the quantum of residential lands reduced to 75.5 ha, and the remaining capacity for residential units down to 956 no. units of the overall 43,104 units for the County to be delivered over the Plan period (Table 2.4 of the Adopted Variation No. 2 of the Development Plan).

In this instance, a comparison of the foregoing housing delivery target with the dwelling completion in the area is suggested to establish a clear baseline as to evaluate contribution of the proposed scheme to the Development Plan targets and its Core Strategy. Prior to illustrating this comparison, it is important to note that the spatial breakdown of the dwelling completion has only been narrowed down to the Eircode area level by CSO StatBank, and therefore, this scale has been utilised within the following justification. As for the case of Malahide, this area is labelled as Eircode K36 comprising of both Malahide and Donabate.

Table 3. Dwelling Completion in the Eircode K36 Area (Malahide and Donabate Combined)

	2017	2018	2019	2020	2021Q1-2021Q3
New Dwelling Completion	190	311	418	225	88

Source: CSO StatBank

With respect to the above Table, a total of 1,232 no. residential units have been completed over 2017-2021Q3 and within Malahide and Donabate area. Considering that the adopted Variation of the Development Plan provides for a combined housing delivery target of 4,488 no. units for this area (3,532 no. units for Donabate and 956 no. units for Malahide), there is a remained capacity of 3,256 no. residential units to be delivered over 2021Q4-2023 in both towns.

Therefore, it is submitted that the proposed development of 415 units is within the projected housing delivery target for the area, and complies with the objectives of the proposed Variation to promote sustainable development through densification of the existing urban form.

The Variation notes that, *“Self-Sustaining Towns are towns that require contained growth, focusing on driving investment in services, employment growth and infrastructure whilst balancing housing delivery”*. As a Self-Sustaining Town, Malahide has an important role within the Metropolitan Area and should continue to develop as a self-sustaining centre through the provision of a range of facilities to support the existing and new populations. Development in these towns should focus on consolidation and inclusion of policies in relation to improvements in services and employment provision. **Objective ED85** of the Variation to the Development Plan seeks to:

“Ensure that settlements and locations within the Metropolitan Area pursue development policies of consolidation, and maximise their economic strengths and competitive advantages such as tourism and marine sectoral activities in Malahide and Howth, while the lands within the southern part of the County maximise their economic potential through the strong functional linkages to the M50.”

In relation to how to deliver the foregoing target, the vision of the Fingal Development Plan is to grow the County in a long-term sustainable way as it enters a period of economic and population growth. The plan states, *“the emphasis of this 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. [...]. The development of larger areas of residential or mixed-use lands will only take place subject to the necessary infrastructure being available and to this end will be subject to a Local Area Plan. It is through the LAP process that, within the towns and villages, the detailed phasing and distribution of housing will be determined in line with the population and housing targets established at a strategic level.”*

The key tenet of the overall Settlement Strategy is the continued promotion of sustainable development through positively encouraging consolidation and densification of the existing urban built form, and thereby maximising efficiencies from already established physical and social infrastructure.

The proposed development provides for an overall net density of c. 37.4 dwellings per hectare (net developable area is 11.1 hectares when the access road is omitted), in accordance with the objectives of the Development Plan and national policy guidance.

It is submitted that the proposed development at Malahide is consistent with the housing strategy as it will assist in the delivery of housing, of a sustainable density on appropriately zoned lands, in a highly accessible location within the development boundary of Malahide.

The application site is also located within walking distance of a Dublin Bus stop located along R107 Malahide Road to the west of the application site and the R124 Church Road to the east of the application site and is located within 1km (closest point) to 2km (furthest point) of Malahide DART station whilst providing a variety of unit types and mixed tenures for all, in a high-quality, vibrant community setting.

Under the Fingal County Council Development Plan 2017-2023, the subject site is zoned “RA - Residential Area” which seeks:

“Provide for new residential communities subject to the provision of the necessary social and physical infrastructure.”

The vision for the “RA - Residential Area” seeks to:

“Ensure the provision of high quality new residential environments with good layout and design, with adequate public transport and cycle links and within walking distance of community facilities. Provide an appropriate mix of house sizes, types and tenures in order to meet household needs and to promote balanced communities.”

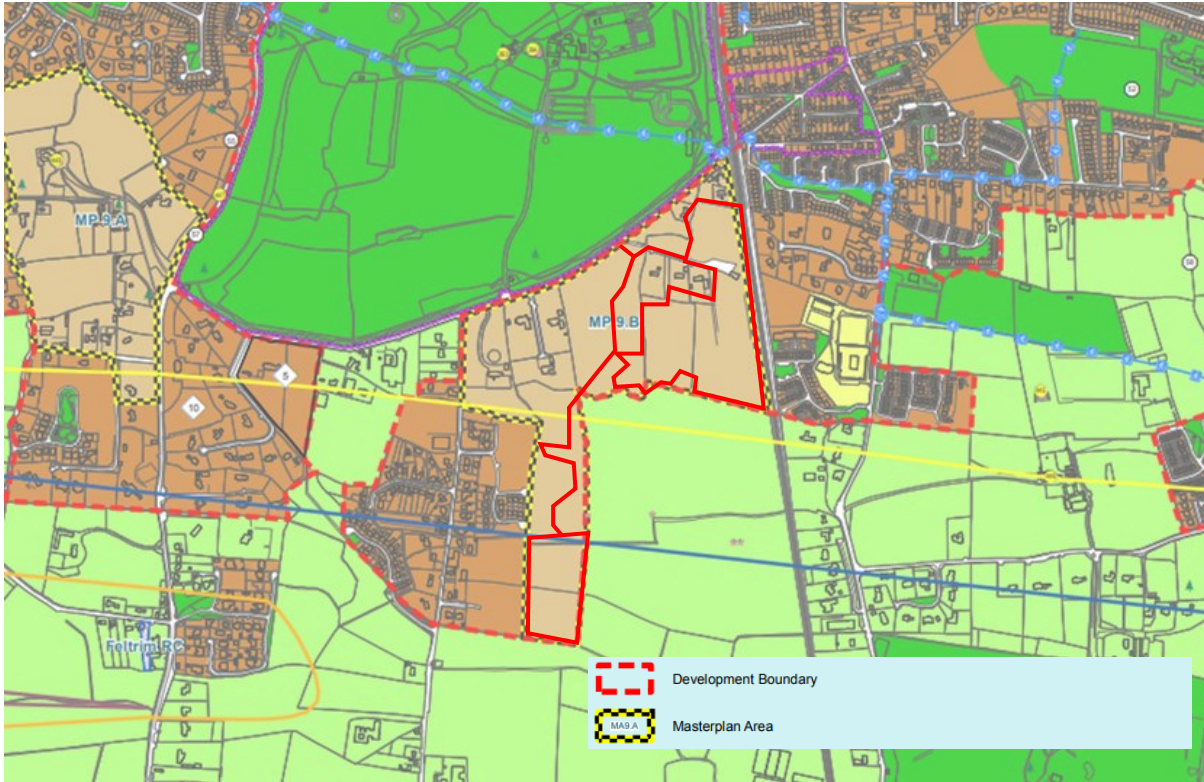


Figure 1. Fingal County Council Land Use Zoning Map, 2017-2023 (Lands outlined in red)

Under the RA zoning, the following uses are permitted in principle:

Uses Permitted in Principle under the RA Land Use Zoning

Amusement Arcade⁹; Bed and Breakfast; Betting Office⁹; Childcare Facilities; Community Facility; Education; Funeral Home/Mortuary⁹; Guest House; Health Centre; Health Practitioner; Hospital; Office Ancillary to Permitted Use; Office ≤ 100sqm⁹; Office >100sq.m. and, 1,000sqm¹¹; Open Space; Place of Worship; Public House⁹; Public Transport Station; Recreational Facility/Sports Club; Residential; Residential Care Home/Retirement Home; Restaurant/Cafe⁹; Retail-Local < 150 sqm nfa; Retail – Convenience ≤ 500 sqm nfa⁹; Retail – Comparison ≤ 500 sqm nfa⁹; Retail – Supermarket ≤ 2,500 sqm nfa⁹; Retirement Village; Sheltered Accommodation; Sustainable Energy Installation; Taxi Office; Traveller Community Accommodation; Utility Installations; Veterinary Clinic.

⁹ In a local centre only

¹¹ Only located in a local centre and of a scale appropriate to that centre

Table 4. Permitted Uses under the RA Land Use Zoning

Therefore, it is submitted that the application site is located on appropriately zoned lands within the development boundary of Malahide, representing the completion of the overall development for the Broomfield lands. Moreover, the proposed development of residential units and 1 no. childcare facility

are permitted in principle under the zoning objectives pertaining to the subject lands. The lands are also subject to a masterplan designation, and such a masterplan has not been prepared nor adopted by Fingal County Council. We invite the Board to refer to the enclosed Zoning Objective Overlay Site Layout Plan (drawing 18034-PL113) prepared by MCORM Architect. Also, refer to the Statement of Material Contravention prepared by Downey.

It is important to note that this Statement of Response to An Bord Pleanála Pre-application Consultation Opinion needs to be read in conjunction with the Statement of Consistency prepared by Downey and submitted under a separate cover as part of the application. The Statement of Consistency follows a list of various statutory and strategic policy documents, including the Development Plan, demonstrating consistency and compliance of the proposed development with the pertinent Development Plan, and the relevant S.28 Guidelines, National and Regional Policy. Also, refer to the enclosed Statement of Material Contravention prepared by Downey, fully addressing the envisaged housing target within the county, the on-going development in the area, and the possible exceeding of the target.

2.3 Item No. 3 – Airport Noise & Public Safety Zone

ABP Opinion

“Further consideration and/or elaboration in relation to all relevant objectives and guidance set out in the development plan addressing noise, specifically relating to airport noise and public safety zones.”

Applicant’s Response

The Fingal Development Plan 2017-2023 seeks to minimise the adverse impact of noise without placing unreasonable restrictions on development and to avoid future conflicts between the community and the operation of the airport. Variation no. 1 of the Development Plan introduces three noise buffer zones for Dublin Airport, replacing the previous Inner Noise Zone and Outer Noise Zone, with Noise Zones A, B, and C.

Objective DA07 of the Fingal Development Variation no. 1 seeks:

“Strictly control inappropriate development and require noise insulation where appropriate in accordance with table 7.2 above within Noise Zone B and Noise Zone C and where necessary in Assessment Zone D, and actively resist new provision for residential development and other noise sensitive uses within Noise Zone A, as shown on the Development Plan maps, while recognising the housing needs of established families farming in the zone. To accept that time based operational restrictions on usage of a second runway are not unreasonable to minimize the adverse impact of noise on existing housing within the inner and outer noise zone.”

With respect to the Dublin Airport Noise Zones and as illustrated in the Figure below, the majority of the subject site is located within the Noise Zone C, and a small portion of the site in the southern ends is located in the Noise Zone B.

It is the Objective of the Fingal Development Plan Variation no. 1 for **Noise Zone C**:

“To manage noise sensitive development in areas where aircraft noise may give rise to annoyance and sleep disturbance, and to ensure, where appropriate, noise insulation is incorporated within the development.

Noise sensitive development in this zone is less suitable from a noise perspective than in Zone D. A noise assessment must be undertaken in order to demonstrate good acoustic design has been followed.

The noise assessment must demonstrate that relevant internal noise guidelines will be met. This may require noise insulation measures.

An external amenity area noise assessment must be undertaken where external amenity space is intrinsic to the development’s design. This assessment should make specific consideration of the acoustic environment within those spaces as required so that they can be enjoyed as intended. Ideally, noise levels in external amenity spaces should be designed to achieve the lowest practicable noise levels.

Applicants are strongly advised to seek expert advice.”

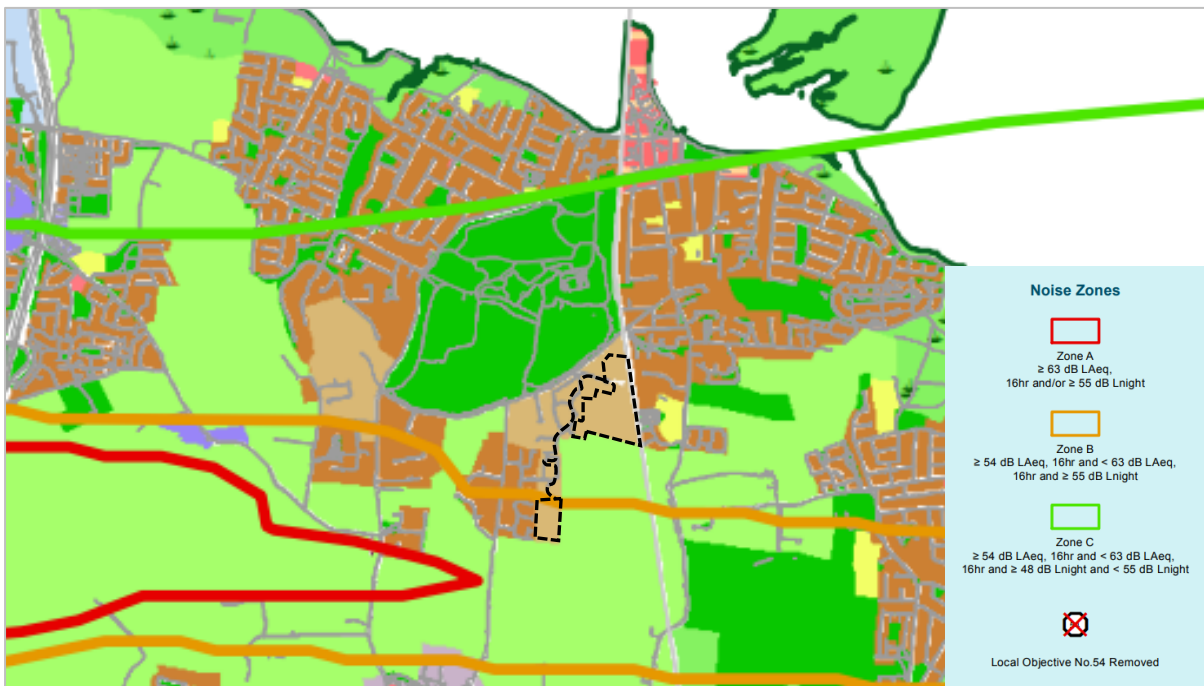


Figure 2. Dublin Airport Noise Zones extracted from the Development Plan (approximate boundaries of the subject site outlined in dashed black line)

It is also the Objective of the Fingal Development Plan Variation no. 1 for **Noise Zone B**:

“To manage noise sensitive development in areas where aircraft noise may give rise to annoyance and sleep disturbance, and to ensure noise insulation is incorporated within the development.

Noise sensitive development in this zone is less suitable from a noise perspective than in Zone C. A noise assessment must be undertaken in order to demonstrate good acoustic design has been followed.

Appropriate well-designed noise insulation measures must be incorporated into the development in order to meet relevant internal noise guidelines.

An external amenity area noise assessment must be undertaken where external amenity space is intrinsic to the developments design. This assessment should make specific consideration of the acoustic environment within those spaces as required so that they can be enjoyed as intended. Ideally, noise levels in external amenity spaces should be designed to achieve the lowest practicable noise levels.

Applicants must seek expert advice.”

On the other hand, the Fingal Development Plan Variation no. 1 outlines Broomfield amongst townlands which **Assessment Zone D** applies:

“To identify noise sensitive developments which could potentially be affected by aircraft noise and to identify any larger residential developments in the vicinity of the flight paths serving the Airport in order to promote appropriate land use and to identify encroachment.

All noise sensitive development within this zone is likely to be acceptable from a noise perspective. An associated application would not normally be refused on noise grounds, however where the development is residential-led and comprises non-residential noise sensitive uses, or comprises 50 residential units or more, it may be necessary for the applicant to demonstrate that a good acoustic design has been followed.

Applicants are advised to seek expert advice.”

This Strategic Housing Development application is accompanied by a detailed noise assessment prepared by AWN Consulting Ltd. which is contained within the EIAR. This assessment demonstrates the proposed development is compliant with the relevant standards in the Fingal Development Plan Variation no. 1, and good acoustic design has been followed in the design process.

Moreover, it has been recognised that the incidence of aircraft accidents is the highest in the immediate vicinity of busy runways. To address the risk of an aircraft accident to people on the ground, Public Safety Zones (PSZ) are established around the runways. PSZs are areas of land at the end of the runways at the busiest airports, within which development is restricted in order to control the number of people on the ground at risk of death or injury in the event of an aircraft accident on take-off or landing. The Fingal Development Plan 2017-2023 provided for this objective as follows: -

Objective DA14 of the Fingal Development Plan seeks to:

“Review Public Safety Zones associated with Dublin Airport and implement the policies to be determined by the Government in relation to these Public Safety Zones.”

The blue lines in the Figure below depict the outer PSZ, whereas the yellow lines represent the inner PSZ. The southern portion of the Broomfield development lies within the outer PSZ.

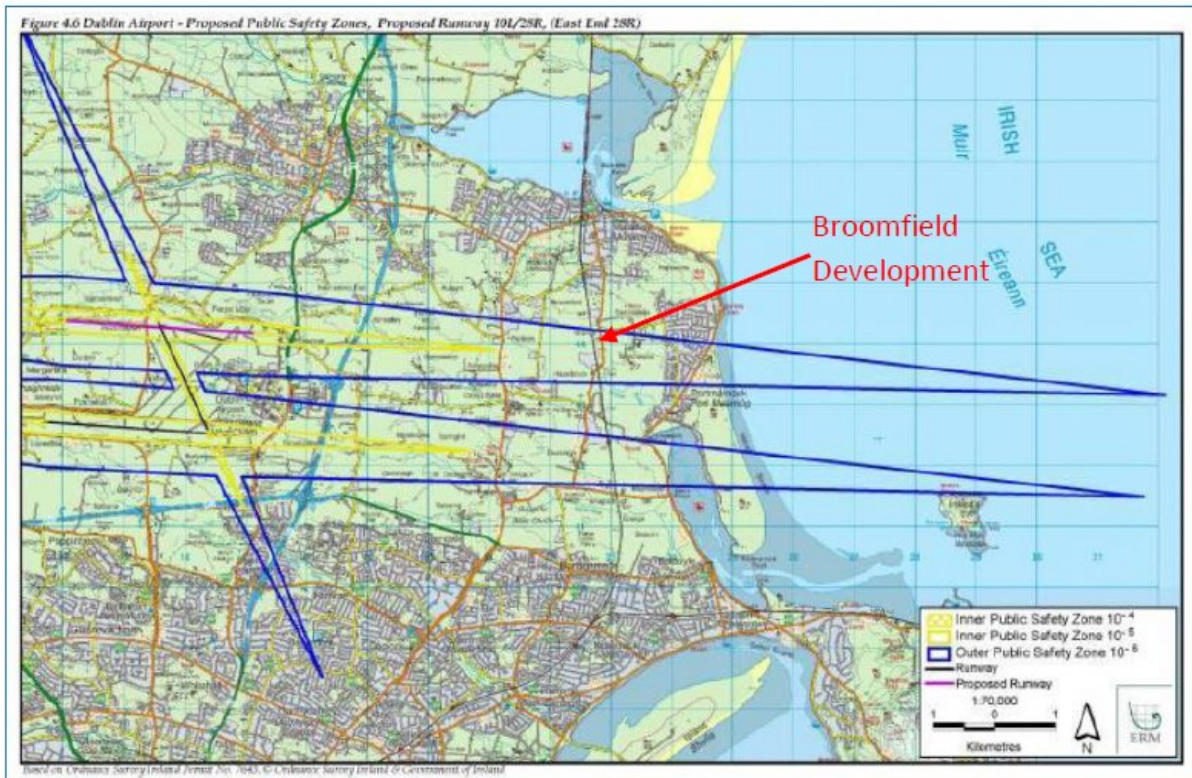


Figure 3. PSZ at Dublin Airport extracted from the Aviation Safety Assessment accompanied by the Application for the Proposed Development

As per the Environmental Resources Management (ERM) Ireland, 2003 *“In some cases, permitted developments are restricted to a maximum density of persons. This density is expressed as the number of persons per half hectare. A half hectare was chosen as this approximates the average maximum aircraft crash area. The maximum density should be applied to any single half hectare within which the proposed development is located.”* And therefore, the southern portion of the Broomfield SHD application site is restricted to a maximum occupancy of 60 persons in any ½ hectare.

This Strategic Housing Development application is accompanied by an Aviation Public Safety Zone Assessment Report prepared by Cyrrus Ltd., which demonstrates:

- The latest layout revision assessed within this report fully complies with the published Aviation Public Safety Zone requirements;
- Of the identified ½ hectare grid squares, none exceed the stated maximum population density of >60 persons per ½ hectare;
- This development does not compromise the population density of pre-existing dwellings;
- Provided that the Fingal Development Plan and Regional Spatial and Economic Strategy (RSES) are implemented as published, the housing occupancy rate in Fingal should decrease over the coming years as more housing stock comes online, thereby ensuring ongoing compliance.

In light of the above, Downey are of the professional opinion that the proposed development complies with the requirements of the Aviation Public Safety Zone, and the provisions for the density stipulated in the ERM report, and therefore, is considered to be consistent with the relevant policy and planning framework. For further details on these specific matters, please refer to the noise and vibration

chapter of the EIAR which has been prepared by AWN Consulting Ltd. as part of this application, and the Aviation Public Safety Zone Assessment Report prepared by Cyrrus Ltd.

2.4 Item No.4 – Permeability of the Site and Connectivity with Kinsealy Lane

ABP Opinion

“Further consideration and/or elaboration in relation to vehicular permeability through the site and connectivity with Kinsealy Lane. Particular regard should be had to the issues raised in the report of the planning authority Transportation Planning Section, report dated 1st December 2020.”

Applicant’s Response

The pre-application consultation request was submitted to An Bord Pleanála in late 2020. The documentation submitted with this request proposed sole vehicular access from Back Road to serve the proposed strategic housing development. However, prior to the tripartite meeting, Fingal County Council issued their recommendation report which states in Appendix 2 Transportation Planning Section report, *“the permeability of the southern section of the proposed development is poor. There are 117 units that are accessed off a single road (road 7). There are two pedestrian tie-in points. However, the southern section of road 8 should tie in with the existing section of road to the west.”*

The tripartite meeting then took place on 27th April 2021 with Fingal County Council and An Bord Pleanála; the applicant and design team were also in attendance. During this meeting, the sole access via Back Road was discussed, with the site’s permeability and connectivity explored in greater detail. Following this meeting, the Board issued their Opinion Letter to include item 4, which reads as above, to specifically address the permeability through the site and connectivity with Kinsealy Lane.

Thus, on foot of Fingal County Council’s recommendation report, dated 1st December 2020, and as referred to in An Bord Pleanála’s opinion letter and indeed the discussions in the tripartite meeting, a vehicular connection is now proposed to connect to Kinsealy Lane via the southern road in Hazelbrook which will allow for improved permeability for the southern site. This will essentially represent a through road from Back Road and Kinsealy Lane, via the existing developments of Ashwood Hall, Brookfield, Hazelbrook, and the proposed development which is subject to this SHD application.

It is noted that the applicant has assessed this proposed southern vehicular access link and confirms that the route through Hazelbrook and the subject site will only be used for local access and not as a short-cut/‘rat-run’ as the internal road layout has been designed in accordance with DMURS to have vertical and horizontal deflections, raised tables at junctions, pedestrian crossings, low radii corners, on-street parking etc., which combined with the meandering nature of the roads, will ensure lower vehicular speeds and therefore not be an attractive route for a short-cut as it would take longer to navigate in terms of both distance and time for vehicles. Please also refer to the accompanying Traffic and Transport Assessment which describes the access and movement through the site for pedestrians, cyclists and vehicles and its proximity to public transport.

In light of the above, Downey are of the professional opinion that the proposed development complies with the requirements of Fingal County Council in relation to vehicular permeability and connectivity with Kinsealy Lane. For further details, please refer to the drawings and documentation prepared by Waterman Moylan Consulting Engineers.

2.5 Item No.5 – Internal Streets Layout

ABP Opinion

“Further consideration and elaboration of the documents as they relate to the design and layout of internal streets, specifically the design of the proposed home zones, car and bicycle parking, and positioning of footpaths relative to parking spaces.”

Applicant’s Response

The layout of the scheme has been designed to promote permeability and openness through the site by providing an interlinked layout and avoidance of cul-de-sac as possible. The proposed street network within the subject lands provides for an appropriate level of accessibility from the subject site to its wider context, as well as an appropriate level of permeability and ease of access within the subject site. Please refer to the drawings prepared by MCORM Architects for further details in this regard.

Please also refer to the Waterman Moylan drawing P002 which now shows revised Homezones as per Fingal County Council’s requirements in their recommendation report dated 1st December 2020. It is proposed to provide suitable material finishes that distinguish Homezones from standard access roads, provide entry treatment and adequate signage and markings which will assist to reduce vehicular speeds. It is noted that shared surface areas will not distinguish between vehicular space and pedestrian space and will be at the one level with no vertical lips/kerbs.

It is proposed to provide a total of 721 car parking spaces and 227 bicycle spaces within the scheme. Please refer to the accompanying Traffic and Transport Assessment for car parking and bicycle parking provisions. All footpaths have been adjusted to ensure adequate space for reverse movement, allowing 11m in total for the parking space and reverse area. Please refer to Waterman Moylan drawings P100 to P103.

2.6 Item No.6 – Sunlight, Daylight, Overshadowing

ABP Opinion

“Further consideration and elaboration of the documents as they relate to sunlight, daylight and overshadowing.”

Applicant’s Response

Digital Dimensions have addressed this response within the detailed Daylight & Sunlight Assessment report prepared under a separate cover and enclosed with this application. To provide a brief overview, the report assesses the impact of the proposed development for daylight and sunlight on

the neighbouring buildings and the quality of daylight and sunlight with the proposed development. Accordingly, there will be minimal impact to the daylight and sunlight to the adjacent dwellings with no perceivable reduction in either daylight or sunlight, and there will be a minimal reduction in the sunlight to any of the adjacent amenity spaces.

In terms of assessing the scheme itself, all the proposed units within the development will exceed the recommendations of the BRE guidelines for quality of daylight. The multi-dwelling unit layouts have been optimised for daylight and sunlight. The proposed amenity spaces will be bright well sunlit places and exceed the recommendations of the BRE guidelines. Overall the results find that any impact on the adjacent residential structures would be minimal and imperceivable. There would be a good quality of daylight in the multi-dwelling units analysed and the amenity areas would have sufficient sunlight to be bright and a pleasant space.

It is also important to note that the design and layout of the apartment blocks is optimised to receive the available sunlight and maximise the number of units with a window wall within 90° of due South at 63%. However due to good orientation of the blocks for sunlight 85% of all units exceed the BRE criteria for sunlight. The proposed development therefore meets the recommendations of the BRE guidelines. For further details in this regard, please refer to the enclosed Daylight & Sunlight Assessment report prepared by Digital Dimensions, enclosed under a separate cover.

2.7 Item No. 7 – Open Space & Landscaping

ABP Opinion

“Further consideration and elaboration of the documents in relation to open space/ landscaping, having regard to the report of the Parks and Green Infrastructure Division dated 1st December 2020, including clarification of the quantum of public open space being provided, hierarchy of open space having regard to the adjoining developments, interaction with existing adjoining open space, details in relation to levels, and boundary treatment to the Greenbelt. The landscaping plan for the site should clearly set out proposals for hard and soft landscaping including street furniture, where proposed, which ensures that areas of open space are accessible, usable and available for all.”

Applicant’s Response

As summarised in the following Table, the proposed development provides for an overall of c. 1.35 ha public open space, comprising of both Class 1 and 2 public open spaces, as specified within the Fingal Development Plan. With respect to the developable site area of 11.1 ha, this amounts for 12% public open space provision which exceeds the threshold envisaged in the Development Plan.

In terms of open space, the proposed development provides for an overall of c. 1.35 ha public open space, comprising of both Class 1 and 2 public open spaces, as specified within the Fingal Development Plan. With respect to the developable site area of 11.1 ha, this amounts for 12% public open space provision which exceeds the threshold envisaged in the Development Plan.

Table 5. Public Open Space Provision within the Proposed Development

Public Open Space Provision	Area 1: 2,940 sqm
	Area 2: 2,250 sqm
	Area 3: 919 sqm
	Area 4: 2,830 sqm
	Area 5: 1,357 sqm
	Area 6: 470 sqm
	Area 7: 414 sqm
	Area 8: 1,350 sqm
	Area 9: 510 sqm
	Area 10: 460 sqm
Total	13,500 sqm (1.35 ha)

The character of the landscape proposed is one of large trees, corpses of native trees, formal clipped hedges, ornamental shrubs and groundcover planting, woodland planting and native hedgerows. The landscape strategy aims to integrate the proposed residential development with the existing landscape and create a network of attractive and useable open spaces while contributing to the local biodiversity. The public green areas are designed as landscape spaces that offer the opportunity for meeting, walking and formal and informal play. It is noted that public lighting has also been considered as part of the landscape design.

The protection and enhancement of existing landscape features, notably existing trees and native hedgerows is submitted to be a significant aspect of the overall strategy. Thus, the design of the development has been carefully considered with the public open space integrated as part of the development proposal that will cater for the residents of the subject site and the immediate local area.

The proposed amenity spaces also benefit from passive surveillance from the proposed residential units and are carefully screened to permit visual transparency between the buildings while maintaining security for residents. Where deemed appropriate corner residential units with gable windows have been located at prominent points to address public areas and further enhance passive surveillance. Landscape design will play an important role in marrying the external amenity spaces together, and creating visual continuity between the scheme and its wider context.

A detailed landscape plan has been prepared by KFLA Landscape Architecture which accompanies the application for the proposed development, and we invite the Board to refer to.

At this juncture, it is also important to note that the aforementioned open space provision does not include the additional 5,425 sqm (0.55ha) Green Route/Cycle Link provided as part of the proposed development or the over-provision of open space for the Ashwood Hall development which is also intended to cater for the proposed development and immediately adjoins this large central area of open space.

Furthermore, the Malahide Castle and Demesne (Class 1 Open Space Area) is located immediately north of the application site, and this extends to over 260 acres of parkland, woodland, playground, walking trails and botanical gardens. It is submitted that given the proximity of the application site to

Ashwood Hall and Malahide Castle and Demesne, the provision of public open space is appropriate in this instance given the excellent provision of public open space facilities in the locality.

Therefore, it is considered that the provision for public open space within the scheme is consistent with the relevant objectives of the Fingal Development Plan. Please refer to the drawings and documentation prepared by KFLA Landscape Architecture for further details in this regard.

2.8 Item No.8 – Trees Treatment

ABP Opinion

“Further consideration and/or elaboration of the documents as they relate to the treatment of existing trees on the site and existing treeline within Ashwood Hall to the west, to include maps and drawings providing clarity regarding trees to be removed, rationale for removal of trees and implications for protection of existing treeline given proximity of proposed dwellings.”

Applicant’s Response

Charles McCorkell Arboricultural Consultancy has fully addressed this item in their arboricultural pack which accompanies the application for the proposed development. This comprises of drawings and an Arboricultural Report comprising of:

- An assessment of the trees, their quality and value in accordance with BS 5837:2012 - Trees in relation to design, demolition and construction;
- The site context and observations on the trees;
- Local planning policies relevant to the consideration of trees on the site;
- The impact of the proposed development upon the tree population in and around the site;
- Methods of reducing impacts on trees; and,
- Measures to be taken to protect trees during the proposed works.

In conclusion, the proposed development is achievable in both arboricultural terms and in relation to local planning policy as it relates to trees. Tree impacts have been assessed and tree protection measures have been specified in accordance with best practice and are sufficient to safeguard retained trees during the proposed works.

The proposed development will require the removal of 46 individually recorded trees, 12 groups of trees/hedgerows, and the partial removal of five groups of trees/hedgerows. Of the 63 survey entries proposed to be removed or partially removed, six trees are of moderate quality and value (B Category), 42 trees and groups of trees/hedgerows are of low quality and value (C Category), and 15 trees are of poor quality (U Category). For further details in this regard, please refer to the enclosed Tree Survey Plans submitted as part of the Arboriculture pack.

Although there is a large number of trees required to be removed to facilitate the development, their loss will not have a significant impact on the wider landscape character of the local surrounding area

due to their limited public amenity value and for the majority, their low and poor quality. There will be an impact on local canopy cover; however, the proposal does include sufficient space for new high-quality tree planting to be carried out that can mitigate this loss.

New-high quality tree planting has been proposed as part of the overall landscape design. This new planting will help to mitigate the loss of trees on the site and can have a positive impact on the amenities and visual appearance of the development and the local surrounding landscape in the future.

It is also submitted that a detailed landscape plan has been designed and forms part of the planning application for the development proposal. This design includes the planting of a large number of new high-quality trees. This proposed new planting will help to mitigate the loss of trees required to be removed and, in the medium to long term can have a positive impact on the character and appearance of the site and the surrounding local landscape.

2.9 Item No. 9 – Flooding & SuDS Strategy

ABP Opinion

“Further consideration and elaboration of the documents as they relate to the risk of flooding, in addition to information relating to SuDS, having regard to the issues raised in the planning authority Water Services report, dated 1st December 2020.”

Applicant’s Response

In response to this item, please refer to accompanying Flood Risk Assessment report for the subject site. Please also refer to Section 3.0 in the accompanying Engineering Assessment report surface water proposals, including attenuation and SuDS systems. Attenuation calculations have been revised to utilise Soil Type 4 as instructed in the FCC opinion report, water services department appendix, surface water section item 3.

During a meeting with Fingal County Council’s Water Services Department and Parks Department on 6th May 2021 (after the SHD Stage 2 tripartite meeting), it was agreed that open swales would be provided along the perimeter of open space to provide above ground treatment of surface water runoff which will also slow down the rate of run off.

At that meeting, it was discussed that underground attenuation tanks are suitable for the subject site due to the shallow nature of the surrounding outfall ditches and restricted open space areas to provide above ground attenuation basins or ponds. It is noted that this is a material contravention of Fingal Development Plan. However, it is also noted that underground tanks will not impede in the usability of the open space which is also an objection of Fingal Development Plan as only 10% of open space can be used for above ground attenuation / SuDS to ensure the usability of open space. The proposed locations of the underground tanks have been co-ordinated with the landscape designs and other underground services. For further details in this regard, please refer to the drawings and documentation prepared by Waterman Moylan Consulting Engineers and KFLA Landscape Architecture.

2.10 Item No. 10 – Housing Quality Assessment

ABP Opinion

“A Housing Quality Assessment which provides the specific information regarding the proposed apartments required by the 2020 Guidelines on Design Standards for New Apartments. The assessment should also demonstrate how the proposed apartments comply with the various requirements of those guidelines, including its specific planning policy requirements and should include a schedule of floor areas for all proposed units, clearly setting out the aspect (single, dual, triple) of each unit.”

Applicant’s Response

The development proposal adheres with the *“Quality Housing for Sustainable Communities; Best Practice Guidelines for Delivering Homes and Sustaining Communities (DEHLG, 2007)”* and *“Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (DEHLG, 2020)”* when assessing proposals for apartment development. Please refer to the drawings, Housing Quality Assessment, and the Architectural Design Statement prepared by MCORM Architects for compliance in this regard.

2.11 Item No. 11 – Building Lifecycle Report

ABP Opinion

“A Building Lifecycle Report for the proposed apartments in accordance with section 6.13 of the 2020 guidelines should be submitted. Particular regard should be had to the requirement to provide high quality and sustainable finishes and details which seek to create a distinct character for the development.”

Applicant’s Response

MCORM Architects have addressed this response by preparing a Building Lifecycle Report enclosed within their architectural pack, which the Board are invited to refer to. Furthermore, MCORM Architects have prepared an Architectural Design Statement comprising details on the finishes and materials proposed within the scheme, submitted as part of the architecture pack enclosed with the application.

It is important to note that the practical implementation of the Design and Material principles has informed design of the building facades, internal layouts and detailing of the proposed apartment buildings. Apartment/Duplex buildings are designed in accordance with the Building Regulations, in particular Part D “Materials and Workmanship”, which includes all elements of the construction. Accordingly, the detail design of both the buildings proposed and all public realm areas has been carefully considered as part of the design process. The detail of how this scheme is put together is vitally important so that the scheme is completed with a quality strong enough for the location. This approach will also ensure that the buildings and public areas are durable and remain high quality in years to come. An overview of the materials proposed for residential units are provided in the sub-section 2.14 of the report.

2.12 Item No. 12 – Accessibility & Universal Design

ABP Opinion

“Universal Access Plan.”

Applicant’s Response

In preparation of the site layout for the development the design the principle of Universal Access for all has been incorporated. The SHD design layout is intended throughout to be usable with a minimum physical effort by all. Public footpaths generally are from level up to a slope of 1 in 20. Where possible all main routes run with the natural contours to ensure use and access for all throughout the development. The internal routes have been carefully linked to surrounding roads, footpaths and sightlines will be linked to ensure that accessibility continues beyond the site boundaries.

The use of varied visual and tactile surfaces as well clearly identifiable dropped kerbs throughout the scheme will assist all users in reading and traversing the development. Communal recreation and active open space areas have where practicable been located within areas of level ground with suitable access to prevent segregation of users based on ability.

The design also provides for persons/users with a wide range of abilities and the intention is to make the design appealing to all end users/residents. This has been reflected in the unit mix of the proposed development. All dwellings and ground floor apartments with own-door access as well as communal entrances into the apartment blocks are accessed at ground floor via a Part M compliant access route from the parking space to the front door.

The residential accommodation offers a wide variety of layouts for different preferences and uses. These layouts cover conventional 2-storey housing of different styles and character and a variety of apartments and duplex accommodation, all being compliant with TGD Part M. For further information regarding compliance with the principles of universal design, please refer to the Universal Access Statement and Design Statement prepared by MCORM Architects and submitted under separate covers.

2.13 Item No. 13 – Community & Social Infrastructure Audit

ABP Opinion

“Social Infrastructure Capacity Assessment including Neighbourhood Centre facilities, School Demand Assessment and Childcare Assessment (including clarity in relation to number of children to be accommodated in accordance with the Childcare Facilities - Guidelines for Planning Authorities 2001).”

Applicant’s Response

Downey have addressed this response within their Planning Pack, which the Board are invited to refer to. This includes preparation of a Social and Community Infrastructure Audit, a Childcare Provision Assessment, and a School Demand Assessment submitted under separate covers. The following highlights the key findings of the aforementioned reports.

With respect to the Social and Community Infrastructure Audit and Childcare Provision Assessment, it is revealed that there is a suitable quantity and available capacity of early childhood care and educational facilities in the surrounding area to cater for the needs of the future residents of the scheme. Regarding the benchmark provision of “1 no. 20 space childcare facility per 75 dwellings” outlined in the Childcare Facilities Guidelines for Planning Authorities, DEHLG (2001), and excluding 1-bedroom units and 50% of the 2-bed units, it is expected 98 no. units to be potentially family-occupied.

$$45 \text{ no. 1-beds} + 32 \text{ no. as 50\% of 2-beds} = 98 \text{ no. units}$$

It is noted that this balance is achieved through demographic assessment of the area, where c. 50% of the households residing in the area are recorded as 1- to 2-person families. This suggests that not all the 2-bedroom dwellings are expected to be family-occupied, instead these are foreseen to be mainly occupied by young professionals or singles. With respect to the Childcare Facilities Guidelines, as illustrated below, provision is therefore required for c. 85 childcare spaces.

$$(317 \text{ no. units} \div 75 \text{ the Guideline threshold}) \times 20 = 84.53 \text{ no. childcare spaces}$$

It is submitted that the proposed development provides for 1 no. childcare facility with a gross floor area of 476 sqm, capable of catering for c. 86 children which is 1 no. childcare space more than what estimated above. For further information, please refer to the enclosed Childcare Provision Assessment Report prepared by Downey.

In terms of primary school needs within the area, it is submitted that there are currently 5,310 school places to cater for primary school population of the area. In 2023, should the population follow the same growth path that 2011-2016 intercensal figures, the demand for primary school places will be 4,123 pupils. An additional of 122 potential pupils is expected to be derived from the proposed scheme. This suggests an overall of 4,245 pupils by 2023, which falls well below the actual enrolment figures mentioned above. In terms of post-primary school needs within the area, there are currently 2,360 school places to cater for post-primary school population of the area. In 2023, should the population follow the same growth path that 2011-2016 intercensal figures, the demand for primary school places will be 1,581 pupils. An additional of 67 potential pupils is expected to be derived from the proposed scheme. This suggests an overall of 1,648 pupils by 2023, which falls well below the actual enrolment figures mentioned above.

In light of the above, it is submitted that the current provision of educational facilities in the area can sufficiently cater the town's future population and the influx of population arising from the proposed development, and therefore, the scheme is considered to be consistent with the relevant policies and guidelines. For further information, please refer to the enclosed School Demand Assessment Report prepared by Downey.

In terms of recreational amenities, there is a significant array and variety of indoor and outdoor recreational facilities and amenities within proximity of the site. Malahide Castle and Parkland is located within accessible distance of the subject site, which provides for a wide range of activities comprising of play areas, sporting facilities, a large children's playground, golf course, sports grounds, and exercise trail. The Talbot Botanic Garden is also located within this Parkland, featured with a café and other facilities.

Furthermore, as part of the overall scheme for the subject lands, the proposed development enjoys areas designated for public open space, which are intended to integrate with the existing outdoor spaces benefiting the lands. As such, the proposed open spaces will serve not only to the future residents of the development, but also to the wider community. The proposed development aims to integrate with the existing network of amenities through a hierarchy of public open spaces which is accessible by pedestrian access points. These pedestrian access points also promote the permeability of the lands and avoid the sense of a 'gated' community from an urban design standpoint. This is in keeping with the overall plan for the lands.

In relation to retail offerings, Malahide Town Centre and notable range of commercial and retail shops are within 2km radius of the subject lands, including several convenience stores and supermarkets. The proximity to the core retail area of Malahide and the range of accessible retailer shops is expected to cater for the influx of new population into the area as well as current residents. However, it is expected that an increase in population to this area acts as a catalyst by creating further demand for the existing commercial sector. In addition, the proposed development enjoys excellent accessibility given the lands' close proximity to a high-frequency bus network and DART Station, both of which offer direct connectivity with Dublin City Centre, which would further support access to community and social infrastructure and services.

In light of the foregoing, Downey are of the considered opinion that there is generally sufficient capacity of community and social infrastructure to cater for the proposed development. The proposed development will also help to sustain the existing facilities, assist in the completion of the wider residential scheme for the Broomfield lands, and support a sustainable development of lands within Malahide. For further information, please refer to the enclosed Social and Community Infrastructure Audit prepared by Downey.

2.14 Item No. 14 – Materials & Finishes

ABP Opinion

"A report that specifically addresses the proposed materials and finishes of buildings, landscaped areas and any screening/boundary treatment. Particular regard should be had to the requirement to provide high quality and sustainable finishes and details which seek to create a distinct character for the development."

Applicant's Response

MCORM Architects have addressed this response within their architectural pack, which the Board are invited to refer to. Furthermore, MCORM Architects have prepared an Architectural Design Statement comprising details on the finishes and materials proposed within the scheme, submitted as part of the architecture pack enclosed with the application. The following provides a synopsis of the details provided on material and finishes proposed as part of this SHD application.

It is submitted that the houses proposed are primarily finished with a high-quality brick finish on all primary elevations facing the street or other public realm areas. As a low maintenance material, a variety of different bricks chosen for different character areas will ensure that the streetscapes

created will retain a high-quality feel for longer. The central environment of apartments and duplexes around the central open space of the scheme will be finished in chailey stock brick, as shown opposite for character area 2. The roofs of the houses will be completed with a dark coloured concrete roof tile to compliment the brickwork & PVC windows add to the high thermal efficiency of each unit and will also be very low maintenance components.

The apartments and duplex units will also be finished in brickwork matching the houses in their respective character areas. Durable materials on management-controlled buildings is even more important as sometimes maintenance depends on sinking funds that are not sufficient to deal with a regular maintenance programme. Balconies will be framed in powder coated mild steel with glazed balustrade guarding's. These details will be colour coordinated with all external joinery presenting a unified aesthetic to the streets the buildings face.

Curtain-wall glazing at apartments are designed with repeating regular modules and with minimum definition of the aluminium transoms and mullions. All glazed elements are located in a way that minimises external facade overshadowing. The framing and the large glass areas sheer reflecting surfaces contrasting with the textured surfaces adjacent. For further details in this regard, please refer to the Architectural Design Statement and drawings prepared by MCORM Architects.

2.15 Item No. 15 – Taking in Charge by the Local Authority

ABP Opinion

“A site layout plan clearly indicating what areas are to be taken in charge by the Local Authority.”

Applicant's Response

The proposed apartments within the scheme will be privately managed by the establishment of a management company. This management company will be responsible for maintaining the external appearance of the apartments, maintaining the internal and external communal spaces, bins management, and communal open space areas, etc. It is also important to note that the public parks and main roads are proposed to be taken in charge by Fingal County Council. For information in this regard, please refer to the enclosed Taking in Charge plans prepared by MCORM Architects.

2.16 Item No. 16 – Waste Management

ABP Opinion

“Waste Management Details.”

Applicant's Response

Enviroguide Consulting and Waterman Moylan Consulting Engineers have addressed this response within their respective packs, which the Board are invited to refer to. The response documentation in this regard includes an Operational Waste Management Plan (OWMP) prepared by Enviroguide

Consulting, and drawings prepared by Waterman Moylan Consulting Engineers which demonstrate the turning movement of refuse vehicles within the proposed scheme.

2.17 Item No. 17 – Waste Management Plan

ABP Opinion

“Site Specific Construction and Demolition Waste Management Plan.”

Applicant’s Response

In response to this item, please refer to updated accompanying Preliminary Construction, Demolition and Waste Management Plan. The plan sets out typical arrangements and measures which may be undertaken during the construction phase of the project in order to mitigate and minimise disruption/disturbance to the area around the site. The purpose of the report is to summarise the possible impacts and measures to be implemented and to guide the Contractor who will be required to develop and implement the Preliminary Construction, Demolition & Waste Management Plan on site during the works. This management plan is indicative only and should not be construed as representing the exact method or sequence in which the construction works shall be carried out.

As is normal practice, the Main Contractor for the project will be responsible for the method in which the construction works are carried out and to ensure that best practices and all legal obligations including Local Authority requirements and Health and Safety legislation are complied with. The main contractor will also be responsible for the design and installation of all temporary works required to complete the permanent works. The plan can be used by the Main Contractor to develop their final construction management plan.

Fingal County Council have requested in their recommendation report, that details of permits and licences for waste transportation and disposal facilities, and expected waste streams and tonnages be provided, however, at this stage of the planning process a Main Contractor for the project is not appointed and this request is considered premature. It may be considered more practical that the Main Contractor’s Construction Waste Management Plan be conditioned for agreement by Fingal County Council (with the requisite permits and licences and waste stream and tonnages included) as part of a grant of planning permission.

2.18 Item No. 18 – Article 299B

ABP Opinion

“The information referred to in article 299B(1)(b)(ii)(II) and article 299B(1)(c) of the Planning and Development Regulations 2001-2018 should be submitted as a standalone document.”

Applicant’s Response

In cases where an application for sub-threshold development is not accompanied by an EIAR, but where there is “significant and realistic doubt in regard to the likelihood of significant effects on the

environment arising from the proposed development”, Article 299B(1)(b)(ii)(II) of the Planning Regulations requires that the must Board satisfy itself that the applicant has provided the following:

(A) the information specified in Schedule 7A,

(B) any further relevant information on the characteristics of the proposed development and its likely significant effects on the environment, and

(C) a statement indicating how the available results of other relevant assessments of the effects on the environment carried out pursuant to European Union legislation other than the Environmental Impact Assessment Directive have been taken into account.

Article 299B(1)(c) of the Planning Regulations indicates that:

The information referred to in paragraph (b)(ii)(II) may be accompanied by a description of the features, if any, of the proposed development and the measures, if any, envisaged to avoid or prevent what might otherwise have been significant adverse effects on the environment of the development.

It is noted that no screening determination was requested or made under Section 7 of the Planning and Development (Housing) and Residential Tenancies Act 2016 (as amended) (the “2016 Act”). Articles 299B and 299C of the Planning Regulations prescribe the requirements for sub-threshold development where no screening determination was made under Section 7 of the 2016 Act. However, the proposed SHD is not considered a sub-threshold development, as the application site extends to c. 12.5 hectares within what can be considered a built-up area, and therefore, it is subject to EIA. Thus, an Environmental Impact Assessment Report (EIAR) has been prepared and accompanies the application.

2.19 Item No. 19 – Statement of Material Contravention

ABP Opinion

“Where the applicant considers that the proposed strategic housing development would materially contravene the relevant Development Plan, other than in relation to the zoning of the land, a statement indicating the plan objective(s) concerned and why permission should, nonetheless, be granted for the proposed development, having regard to a consideration specified in section 37(2)(b) of the Planning and Development Act 2000. Notices published pursuant to Section 8(1)(a) of the Act of 2016 and Article 292 (1) of the Regulations of 2017, shall refer to any such statement in the prescribed format.”

Applicant’s Response

Downey have addressed this response within their planning pack, which the Board are invited to refer to. A Material Contravention Statement is now enclosed with the application. It is important to note that this Material Contravention Statement must be read in conjunction with the Statement of Consistency with Planning Policy and the Supporting Planning Statement prepared by Downey and submitted under separate covers.

Accordingly, these reports outline that the proposed Strategic Housing Development at Back Road and Kinsealy Lane, Kinsaley, Broomfield, Malahide, Co. Dublin, is in accordance with the development management standards set out within the Fingal Development Plan 2017-2023 and Section 28 guidelines, with the possible exception for that of the Dublin airport noise zone, SuDS provision within public open space, playground facilities, trees preservation, car parking provision, masterplan designation, and core strategy and housing targets objectives. These potential material contraventions and their justifications are fully addressed in the Material Contravention Statement, which the Board are invited to refer to.

3.0 NOTIFICATION OF AUTHORITIES

The Board also requested that, pursuant to Article 285(5)(a) of the Planning and Development (Strategic Housing Development) Regulations 2017, the following authorities should be notified in the event of the making of an application arising from this notification in accordance with Section 8(1)(b) of the Planning and Development (Housing) and Residential Tenancies Act 2016:

1. Minister for Housing, Local Government and Heritage
2. An Taisce
3. Irish Water
4. Transport Infrastructure Ireland
5. National Transport Authority
6. Córas Iompair Éireann
7. The Commission for Railway Regulation
8. Iarnród Éireann
9. Irish Aviation Authority
10. Fingal Childcare Committee

Downey can confirm that the above list of bodies has all been notified of the making of this planning application and copies of the relevant correspondence to them are included under separate cover as part of this application to the Board.

4.0 CONCLUSION

This Statement of Response to An Bord Pleanála's Notice of Pre-Application Consultation Opinion indicates how the specific information requested by An Bord Pleanála has been addressed and identifies the source or location of the response within the accompanying planning submission documentation.

The relevant prescribed authorities identified in the pre-application consultation opinion from An Bord Pleanála have also been notified of the submission of the planning application in accordance with Section 8(1)(b) of the Planning and Development (Housing) and Residential Tenancies Act 2016.

The proposals incorporated into the final scheme are considered to result in a high-quality development being presented to An Bord Pleanála for approval. It is submitted that the further

documentation and additional studies undertaken and now being submitted, further support this application for Strategic Housing Development at Broomfield.

In light of the foregoing, it is respectfully submitted that the proposed development is consistent with the proper planning and sustainable development of the area, and is consistent with the relevant national, regional and local planning policies and guidelines.