

D C W N E Y

STATEMENT OF CONSISTENCY WITH PLANNING POLICY

**Proposed Strategic Housing Development
on Lands at Mooretown,
Swords, Co. Dublin**

Applicant: Gerard Gannon Properties

April 2022

TABLE OF CONTENTS

1.0	INTRODUCTION	3
2.0	NATIONAL POLICY AND GUIDELINES	6
2.1	Project Ireland 2040: National Planning Framework.....	7
2.2	Project Ireland 2040: National Development Plan 2021-2030	10
2.3	Rebuilding Ireland, An Action Plan for Housing and Homelessness (2016).....	11
2.4	Housing for All: A New Housing Plan for Ireland	12
2.5	Affordable Housing Act 2021 & Housing Circular 28/2021	12
2.6	The Housing Agency Statement of Strategy 2022-2024	13
2.7	Residential Densities in Towns and Villages (Circular Letter: NRUP 02/2021)	13
2.8	Sustainable Residential Development in Urban Areas and Best Practice Urban Design Guidelines (2009)....	14
2.9	Delivering Homes, Sustaining Communities: Statement on Housing Policy (2007)	16
2.10	Delivering Homes, Sustaining Communities: Statement on Housing Policy (2007)	16
2.11	Sustainable Urban Housing: Design Standards for New Apartments (December 2020)	17
2.12	Urban Development and Building Heights Guidelines for Planning Authorities (Dec 2018).....	20
2.13	Childcare Facilities: Guidelines for Planning Authorities (2001).....	24
2.14	Childcare Facilities operating under the ECCE Scheme (Circular Letter: PL 3/2016)	26
2.15	Space for Play; A Play Policy for Fingal.....	26
2.16	Smarter Travel: A Sustainable Transport Future	27
2.17	Design Manual for Urban Roads and Streets (DMURS)	28
2.18	National Cycle Manual (June 2011)	28
2.19	Retail Planning Guidelines (2012) and Retail Design Manual (2012).....	29
2.20	EIA Directive.....	29
2.21	Bird and Habitats Directive - AA Screening & Natura Impact Statement	31
2.22	The Planning System and Flood Risk Guidelines (2009).....	32
2.23	National Adaptation Framework: Planning for a Climate Resilient Ireland	32
2.24	Climate Action Plan 2019	33
2.25	All-Ireland Pollinator Plan 2021-2025	34
3.0	REGIONAL POLICY AND GUIDELINES.....	34
3.1	Regional Spatial and Economic Strategy	34
3.2	Transport Strategy for the Greater Dublin Area 2016-2035.....	36
4.0	LOCAL PLANNING POLICY	36
4.1	Fingal County Development Plan 2017-2023.....	36
4.2	Oldtown-Mooretown Local Area Plan 2010-2016 (extended to July 2020).....	46
5.0	CONCLUSION	46

© Downey 2022

Downey Planning Document Control			
	Name	Date	Version
Prepared by	Elahe Saki MIPI Consultant Planner	15/03/2022	DRAFT_V01
	Elahe Saki MIPI Consultant Planner	05/04/2022	DRAFT_V01
Approved by	Eva Bridgeman MIPI Director	12/04/2022	FINAL_V02

1.0 INTRODUCTION

Downey, Chartered Town Planners, 29 Merrion Square, Dublin 2, have prepared this Statement of Consistency with Planning Policy, on behalf of the applicant, Gerard Gannon Properties. This statement accompanies a planning application to An Bord Pleanála for a proposed Strategic Housing Development on lands to the south of Rathbeale Road and to the north and south of Main Street and to the east and southeast of Mooretown Distributor Road (Western Distributor Link Road), Mooretown, Swords, Co. Dublin, with associated engineering works on lands locally known as the Celestica/Motorola site, junction of Glen Ellan Road and Balheary Road, and at/on Balheary Road, Swords, Co. Dublin. The proposed development, as per the description contained within the statutory planning notices, provides for:

“We, Gerard Gannon Properties, intend to apply to An Bord Pleanála for a 10 year permission for a strategic housing development at lands to the south of Rathbeale Road and to the north and south of Main Street and to the east and southeast of Mooretown Distributor Road (Western Distributor Link Road), Mooretown, Swords, Co. Dublin, with associated engineering works on lands locally known as the Celestica/Motorola site, junction of Glen Ellan Road and Balheary Road, and at/on Balheary Road, Swords, Co. Dublin.

The development will consist of the construction of a total of 650 no. residential units (265 no. houses, 187 no. apartments, 6 no. triplex units, and 192 no. duplex units [comprising 113 no. duplex ‘house’ units and 79 no. duplex ‘apartment’ units]), 1 no. childcare facility, 5 no. retail units and 1 no. café/restaurant, all of which will be provided as follows:

- *265 no. residential houses (240 no. 3 bed houses, and 25 no. 4 bed houses) in detached, semi-detached, end-terraced, and mid-terraced houses ranging from two to three storey in height;*
- *Duplex Block A containing a total of 12 no. units comprising of 2 no. 1 bed units, 3 no. 2 bed units, and 7 no. 3 bed units, in a building three storeys in height, and all units provided with private balconies/terraces; internal bike store; car parking and bicycle spaces, and bin stores;*
- *Duplex Block B containing a total of 9 no. units comprising of 1 no. 1 bed unit, 2 no. 2 bed units and 6 no. 3 bed units, in a building three storeys in height, and all units provided with private balconies/terraces; internal bike store; 1 no. retail unit at ground floor level with associated signage; car parking and bicycle spaces, and bin stores;*
- *Duplex Block C containing a total of 14 no. units comprising of 3 no. 1 bed units, 3 no. 2 bed units and 8 no. 3 bed units, in a building three storeys in height, and all units provided with private balconies/terraces; internal bike store; car parking and bicycle spaces, and bin stores;*
- *Duplex Block D containing a total of 10 no. units comprising of 1 no. 1 bed unit, 3 no. 2 bed units and 6 no. 3 bed units, in a building three storeys in height, and all units provided with private balconies/terraces; internal bike store; car parking and bicycle spaces, and bin stores;*
- *Duplex Block E containing a total of 12 no. units comprising of 2 no. 1 bed units, 3 no. 2 bed units and 7 no. 3 bed units, in a building three storeys in height, and all units provided with private balconies/terraces; internal bike store; car parking and bicycle spaces, and bin stores;*
- *Duplex Block F containing a total of 9 no. units comprising of 1 no. 1 bed unit, 2 no. 2 bed units and 6 no. 3 bed units, in a building three storeys in height, and all units provided with private*

balconies/terraces; 1 no. retail unit at ground floor level with associated signage; internal bike store; car parking and bicycle spaces, and bin stores;

- *Duplex Block G containing a total of 14 no. units comprising of 3 no. 1 bed units, 3 no. 2 bed units and 8 no. 3 bed units, in a building three storeys in height, and all units provided with private balconies/terraces; internal bike store; car parking and bicycle spaces, and bin stores;*
- *Duplex Block H containing a total of 5 no. units comprising of 2 no. 2 bed units and 3 no. 3 bed units, in a building three storeys in height, and all units provided with private balconies/terraces; car parking and bicycle spaces, and bin stores;*
- *Duplex Block I containing a total of 7 no. units comprising of 2 no. 1 bed units, 1 no. 2 bed unit and 4 no. 3 bed units, in a building three storeys in height, and all units provided with private balconies/terraces; internal bike stores; car parking and bicycle spaces, and bin stores;*
- *Duplex Block J containing a total of 7 no. units comprising of 2 no. 1 bed units, 1 no. 2 bed unit and 4 no. 3 bed units, in a building three storeys in height, and all units provided with private balconies/terraces; internal bike store; car parking and bicycle spaces, and bin stores;*
- *Duplex Block K containing a total of 16 no. units comprising of 5 no. 1 bed units, 2 no. 2 bed units and 9 no. 3 bed units, in a building three storeys in height, and all units provided with private balconies/terraces; internal bike store; car parking and bicycle spaces, and bin stores;*
- *Duplex Block L containing a total of 8 no. units comprising of 1 no. 1 bed unit, 2 no. 2 bed units and 5 no. 3 bed units, in a building three storeys in height, and all units provided with private balconies/terraces; car parking and bicycle spaces, and bin stores;*
- *Duplex Block M containing a total of 8 no. units comprising of 3 no. 2 bed units and 5 no. 3 bed units, in a building three storeys in height, and all units provided with private balconies/terraces; internal bike store; car parking and bicycle spaces, and bin stores;*
- *Duplex Block N containing a total of 4 no. units comprising of 2 no. 2 bed units and 2 no. 3 bed units, in a building three storeys in height, and all units provided with private balconies/terraces; car parking and bicycle spaces, and bin stores;*
- *Duplex Block O containing a total of 11 no. units comprising of 4 no. 1 bed units, 1 no. 2 bed unit and 6 no. 3 bed units, in a building three storeys in height, and all units provided with private balconies/terraces; internal bike store; car parking and bicycle spaces, and bin stores;*
- *Duplex Block P containing a total of 5 no. units comprising of 2 no. 2 bed units and 3 no. 3 bed units, in a building three storeys in height, and all units provided with private balconies/terraces; car parking and bicycle spaces, and bin stores;*
- *Duplex Block Q containing a total of 15 no. units comprising of 1 no. 1 bed unit, 5 no. 2 bed units and 9 no. 3 bed units, in a building three storeys in height, and all units provided with private balconies/terraces; internal bike store; car parking and bicycle spaces, and bin stores;*
- *Duplex Block R containing a total of 7 no. units comprising of 2 no. 1 bed units, 1 no. 2 bed unit and 4 no. 3 bed units, in a building three storeys in height, and all units provided with private balconies/terraces; internal bike store; car parking and bicycle spaces, and bin stores;*
- *Duplex Block S containing a total of 5 no. units comprising of 1 no. 1 bed unit, 2 no. 2 bed units and 2 no. 3 bed units, in a building three storeys in height, and all units provided with private balconies/terraces; car parking and bicycle spaces, and bin stores;*
- *Duplex Block T containing a total of 5 no. units comprising of 1 no. 1 bed unit, 2 no. 2 bed units and 2 no. 3 bed units, in a building three storeys in height, and all units provided with private balconies/terraces; car parking and bicycle spaces, and bin stores;*

- Duplex Block U containing a total of 5 no. units comprising of 1 no. 1 bed unit, 2 no. 2 bed units and 2 no. 3 bed units, in a building three storeys in height, and all units provided with private balconies/terraces; car parking and bicycle spaces, and bin stores;
- Duplex Block V containing a total of 4 no. units comprising of 2 no. 2 bed units and 2 no. 3 bed units, in a building three storeys in height, and all units provided with private balconies/terraces; car parking and bicycle spaces, and bin stores;
- Apartment Block A containing a total of 40 no. units comprising of 10 no. 1 bed units, 24 no. 2 beds, and 6 no. 3 bed triplex units with all units provided with private balconies/terraces, in a building five storeys in height, with internal bicycle stores, bin stores and plant rooms at ground floor level; car parking within the undercroft car park and on-street, and bicycle parking;
- Apartment Block B containing a total of 70 no. units comprising of 24 no. 1 bed units and 46 no. 2 bed units with all units provided with private balconies/terraces, in a building one to five storeys in height, with internal bicycle stores, bin stores and plant rooms at ground floor level; 2 no. retail units at ground floor level with associated signage; car parking within the undercroft car park and on-street, and bicycle parking;
- Apartment Block C containing a total of 8 no. units comprising of 8 no. 2 bed units with all units provided with private balconies/terraces, in a building three to four storeys in height, with internal bin stores and plant rooms at ground floor level; 1 no. retail unit at ground floor level with associated signage; car parking within the shared parking court; bin stores and bike stores; and bicycle parking;
- Apartment Block D containing a total of 8 no. units comprising of 8 no. 2 bed units with all units provided with private balconies/terraces, in a building three to four storeys in height, 1 no. café/restaurant unit at ground floor level with associated signage; car parking within the shared parking court; bin stores and bike stores; and bicycle parking;
- Apartment Block E containing a total of 46 no. units comprising of 3 no. 1 bed units and 43 no. 2 bed units with all units provided with private balconies/terraces, in a building five storeys in height, with internal bicycle stores, bin stores and plant rooms at ground floor level; car parking within the parking court and on-street, and bicycle parking;
- Apartment Block F containing a total of 21 no. units comprising of 6 no. 1 bed units and 15 no. 2 bed units with all units provided with private balconies/terraces, in a building four storeys in height, with internal bicycle stores and bin stores at ground floor level; car parking within the parking court and on-street, and bicycle parking;
- 1 no. childcare facility in a one to two storey building, with associated outdoor play area, car parking and drop-off/visitor parking, bicycle parking, and bin stores.

The development will provide for a total of 991 no. car parking spaces within the scheme; a total of 1141 no. bicycle spaces serving the apartments, triplex units, duplex units, childcare facility and commercial units; proposed new vehicular accesses onto Main Street and onto Mooretown Distributor Road (Western Distributor Link Road) which is partly constructed and also permitted under Reg. Ref. F20A/0096; proposed upgrades to public realm including footpaths, a new pedestrian/cyclist link via Abbeyvale Court, landscaping including play equipment, boundary treatments, and public lighting; and all associated engineering and site works necessary to facilitate the development including the proposed stormwater storage tank and overflow outfall gravity sewer to the Broadmeadow River with associated manholes on lands locally known as the Celestica/Motorola site, junction of Glen Ellan Road

and Balheary Road, and at/on Balheary Road, along with the proposed vehicular/service access onto Balheary Road, Swords.

The application contains a statement setting out how the proposal will be consistent with the objectives of the Fingal Development Plan 2017-2023.

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

An Environmental Impact Assessment Report (EIAR) and a Natura Impact Statement (NIS) have been prepared in respect of the proposed development.”

This Statement of Consistency with Planning Policy has been prepared in accordance with Section 8 (1)(a)(iv) of the Planning and Development (Housing) and Residential Tenancies Act 2016 and in accordance with the requirements of the Planning and Development Regulations 2001-2017 (as amended by Planning and Development (Strategic Housing Development) Regulations 2017) and the “Strategic Housing Development: Section 4 Applications to An Bord Pleanála - Guidance for Applicants” issued by An Bord Pleanála.

This Statement demonstrates that the proposed development is consistent with the relevant national, regional, and local planning policy and guidelines issued under Section 28 of the Planning and Development Act, 2000 (as amended). This Statement should be read in conjunction with the accompanying detailed documentation prepared by the design team.

For details of compliance with the quantitative standards for residential units of “Sustainable Urban Housing: Design Standards for New Apartments”, “Quality Housing for Sustainable Communities Best Practice Guidelines for Delivering Homes Sustaining Communities” and the Fingal County Development Plan 2017-2023, please refer to the Housing Quality Assessment Detailed Schedule of Accommodation prepared by CCK Architects which is included as part of the architectural planning pack.

2.0 NATIONAL POLICY AND GUIDELINES

The key provisions of the national planning policy, including Section 28 Guidelines, as it relates to the proposed development are now set out in the following sections. The key national policy and guidance documents of relevance include:

- Project Ireland 2040: National Planning Framework
- Project Ireland 2040: National Development Plan 2021-2030
- Rebuilding Ireland, An Action Plan for Housing and Homelessness (2016)
- Housing for All: A New Housing Plan for Ireland
- Affordable Housing Act 2021 & Housing Circular 28/2021
- The Housing Agency Statement of Strategy 2022-2024
- Residential Densities in Towns and Villages (Circular Letter: NRUP 02/2021)

- Sustainable Residential Development in Urban Areas and Best Practice Urban Design Manual Guidelines (2009)
- Delivering Homes, Sustaining Communities: Statement on Housing Policy (2007)
- Quality Homes for Sustainable Communities (2007)
- Sustainable Urban Housing: Design Standards for New Apartments (Dec 2020)
- Urban Development and Building Heights Guidelines for Planning Authorities (Dec 2018)
- Childcare Facilities: Guidelines for Planning Authorities (2001)
- Childcare Facilities operating under the ECCE Scheme (Circular Letter: PL 3/2016)
- Space for Play; A Play Policy for Fingal
- Smarter Travel: A Sustainable Transport Future
- Design Manual for Urban Roads and Streets (DMURS)
- National Cycle Manual (June 2011)
- Retail Planning Guidelines (2012) and Retail Design Manual (2012)
- EIA Directive
- Birds and Habitats Directive - Appropriate Assessment
- The Planning System and Flood Risk Guidelines (2009)
- All-Ireland Pollinator Plan 2021-2025
- National Adaptation Framework: Planning for a Climate Resilient Ireland
- Climate Action Plan 2019

2.1 Project Ireland 2040: National Planning Framework

The National Planning Framework is “*the Governments high-level strategic plan for shaping the future growth and development of our country out to the year 2040*”. It is a Framework to guide public and private investment, to create and promote opportunities for our people, and to protect and enhance our environment - from our villages to our cities and everything in between. It is stated within the National Planning Framework that, “*a major new policy emphasis on renewing and developing existing settlements will be required, rather than continual expansion and sprawl of cities and towns out into the countryside, at the expense of town centres and smaller villages*”. It is also stated that there will be an ongoing shift in population and jobs to the east and to the counties around Dublin in particular. The NPF will support the future growth and success of Dublin as Ireland’s leading global city of scale, by better managing Dublin’s growth to ensure that more of it can be accommodated within and close to the city.

According to the National Planning Framework, Dublin needs to accommodate a greater proportion of the growth it generates within its metropolitan boundaries and to offer improved housing choice, transport mobility and quality of life. Dublin’s continued performance is critical to Ireland’s competitiveness.

The NPF states that, “*the long-term vision for Ireland’s housing future aims to balance the provision of good quality housing that meets the needs of a diverse population, in a way that makes our cities, towns, villages and rural areas good places to live now and in the future.*”

It is outlined within the Plan that future homes are required to be located where people have the best opportunities to access a high standard quality of life. In Ireland, the location of housing has taken on

a dispersed and fragmented character which has led to people living further away from their jobs and often being at a sizeable remove from important services such as education and healthcare. It is stated that it is important to *“prioritise the location of new housing provision in existing settlements as a means to maximising a better quality of life for people through accessing services, ensuring a more efficient use of land and allowing for greater integration with existing infrastructure.”*

The NPF has a number of national policy objectives which are relevant to this application, which include:

National Policy Objective 3a: *“Deliver at least 40% of all new homes nationally, within the built-up footprint of existing settlements.”*

National Policy Objective 4: *“Ensure the creation of attractive, liveable, well designed, high quality urban places that are home to diverse and integrated communities that enjoy a high quality of life and well-being.”*

National Policy Objective 6: *“Regenerate and rejuvenate cities, towns and villages of all types and scale as environmental assets, that can accommodate changing roles and functions, increased residential population and employment activity and enhanced levels of amenity and design quality, in order to sustainably influence and support their surrounding area.”*

National Policy Objective 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 development meeting appropriate planning standards and achieving targeted growth.”*

National Policy Objective 13: *“In urban areas, planning and related standards, including in particular building height and car parking will be based on performance criteria that seek to achieve well-designed high-quality outcomes in order to achieve targeted growth. These standards will be subject to a range of tolerance that enables alternative solutions to be proposed to achieve stated outcomes, provided public safety is not compromised and the environment is suitably protected.”*

National Policy Objective 33: *“Prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location.”*

National Policy Objective 35: *“Increase residential density in settlements, through a range of measures including reductions in vacancy, re-use of existing buildings, infill development schemes, area or site-based regeneration and increased building heights.”*

The proposed development will provide for a high-quality mixed-use development which would represent the completion of the developable lands originally envisaged for residential development within the Oldtown-Mooretown LAP, where thus far a combined total of 491 no. dwellings and 2 crèches have been granted planning permission, and of these, 223 dwellings and the creche are under construction. It will also form the natural extension to the two adjoining, existing developments of Abbeyvale and Berwick, which back onto the south and southwest boundary of the lands. Therefore,

the lands are located within a predominately residential area, where the proposed development provides for an overall total of 650 no. dwellings along with 1 no. childcare facility, 5 no. retail units, and 1 no. café/restaurant. The proposed unit mix provides for 265 no. houses (240 no. 3 beds and 25 no. 4 beds), 187 no. apartments, 6 no. triplex units, and 192 no. duplex units (113 no. duplex “house” units and 79 no. duplex “apartment” units).

In relation to residential density, it is submitted that with regard to the developable site area standing at 14.47ha, a net density of 45 units per hectare is envisaged. In terms of building height, it is noted that the scheme is essentially a mid-rise scheme appropriate to its setting on the outskirts of Swords. For the most part, principal streets, edges and open spaces are defined by taller blocks of 3 to 5 storeys, with the highest buildings located to the north side of Main Street and on the eastern edge. The twin landmark buildings in the village centre step from 4 to 3 storeys, in consideration to the permanent buildings planned for the primary school behind (at present, the primary school is in temporary pre-fab accommodation). Long terraces of fine-grained 3-storey duplex units and private houses front the WDLR and the nature park that bellows out as the road curves away from the zoning line. Duplex Blocks A, E, O and N are located as close to the WDLR as possible. Duplex Block N marks the change in direction of the road, and as it veers west, terraces of 3-storey houses continue heights and enclosure along the park edge, tight to the zoning, and terminating in a 4-storey apartment block (Block F) on the highest point of the site. Along the southern boundary to Abbeyvale, the straight run of buildings is book-ended by mirrored Duplex Blocks T and U. Terraces of 2 and 3-storey houses alternate between them, with one 3-storey terrace of Type G and H1 houses closing the T-junction to Central Boulevard, and echoing the landmark buildings of Apartment Block C and D at the northern end of that street. This is submitted to provide a good variation of building heights across the overall site, and the change in level from the southwest corner to the northeast corner will make for an interesting streetscape.

Downey are of the considered opinion that the proposed development is in line with the objectives of the National Planning Framework as it states that, *“to more effectively address the challenge of meeting the housing needs of a growing population in our key urban areas, it is clear that we need to build inwards and upwards, rather than outwards. This means that apartments will need to become a more prevalent form of housing, particularly in Ireland’s cities”*.

The National Planning Framework also states that, *“this is underpinned by ongoing population growth, a long-term move towards smaller average household size, an ageing and more diverse population, greater mobility in the labour market and a higher proportion of households in the rented sector”*. The National Planning Framework also states that, *“while apartments made up 12% of all occupied households in Ireland and 35% of occupied households in the Dublin City Council area in 2016 (census data)”*. It is evident that Ireland is a long way behind European averages in terms of the numbers and proportion of households living in apartments, especially in our cities and larger towns. It is stated within the Project Ireland 2040 plan that, *“in many European countries it is normal to see 40-60% of households living in apartments.”*

Apartment developments have become an increasingly attractive and desirable housing option for a range of household types and tenures, building on and learning from experience to date, and that the economic and regulatory conditions are such that apartment development attracts investment that

will result in greater delivery of apartments in Ireland's cities and towns and other appropriate locations. It is evident that apartment developments are required in urban areas to meet the current demand for housing, particularly in Dublin. It is therefore considered that the provision of 265 no. houses, and 385 no. apartment/duplex/triplex units on the subject site will assist in achieving the objectives of the National Planning Framework.

2.2 Project Ireland 2040: National Development Plan 2021-2030

Project Ireland 2040 National Planning Framework (NPF), which sets the overarching spatial strategy for the next twenty years, includes the National Development Plan, which sets out the ten year investment strategy. The recent Review of the NDP was led by the National Investment Office in the Department of Public Expenditure and Reform and was structured in two phases with associated outputs. The review was founded upon a strongly evidence based approach, building upon the extensive data and analyses that have been produced by the NIO and by the work of IGEES and other policy units across other Government Departments and agencies, including other newly commissioned and targeted research. The NDP sets out funding to underpin key Government priorities. Specifically, allocations will support the realisation of critical goals laid out in Housing for All and will enable a step-change in investment to ameliorate the effects of climate change.

Outlined in the NDP, the key achievements of NPF over 2018-2021 and in relation to housing includes delivery of over 63,000 homes and 26,256 new social housing homes. To underpin NPF population targets, a detailed assessment of structural housing demand identifies demand for almost 400,000 new homes in Ireland between 2020 and 2031, or 33,000 new homes per annum. At city and county level, this is broken down to form a Housing Supply Target (HST) for each local authority area, to guide planning for future development.

The NPF housing supply target has been refined to reflect recent (2020) ESRI research based on NPF population growth, taking into account both existing demand and a legacy of undersupply to date. There is now a need to accommodate around 600,000 new households by 2040, with the Department of Housing planning to deliver an average of 33,000 homes per annum to 2030 including an average of 10,000 new social homes each year and an average of 6,000 affordable homes each year.

Set out in the NDP, public capital investment must, as a top priority, support the delivery and location of the homes that society will need over the next decade and beyond, while also ensuring that in the future the pattern of housing development underpins the development of more compact higher-density cities, towns, and other areas. It is also a priority to enable infill development, with up to 50% of future housing in our cities and major urban centres and 30% elsewhere to be provided within existing built-up areas serviced by existing facilities and along high-capacity public transport corridors.

The proposed development will provide for a sustainable mixed-use development on appropriately zoned lands, which forms part of the overall Oldtown/Mooretown scheme contributing to completion of the developing Mooretown lands. It is therefore considered that the provision 650 no. residential units (265 no. houses and 385 no. apartment/duplex/triplex units) along with 1 no. childcare facility, 5 no. retail units, and a café/restaurant on the subject site will assist in achieving the objectives of the National Development Plan 2021-2030. Furthermore, the proposed development will support the completion of the overall scheme of the area and will provide the population needed to facilitate the

economic growth of Swords. Oldtown-Mooretown, Swords is an emerging attractive area for people to live and work in, supported by high-quality physical and social infrastructure as well as vast recreational amenities within the area.

The proposed development will benefit from the built environment already established within Oldtown-Mooretown lands and surrounding areas of Swords including the network of local streets, public spaces and in particular natural open spaces. The proposed development will also be close to several schools, health services and childcare facilities which will cater for the influx of population arising from the proposed development.

In light of the above, it is submitted that the proposed development is consistent with the National Development Plan in this instance.

2.3 Rebuilding Ireland, An Action Plan for Housing and Homelessness (2016)

'Rebuilding Ireland, an Action Plan for Housing and Homelessness', provides a multi-stranded, action-oriented approach to achieving many of the Government's key housing objectives. The overarching aim of the Plan is to ramp up delivery of housing from its current undersupply across all tenures to help individuals and families meet their housing needs, and to help those who are currently housed to remain in their homes or be provided with appropriate options of alternative accommodation especially those families in emergency accommodation.

The Action Plan comprises of 5 key pillars which are addressing homelessness, accelerating social housing, building more homes, improving the rental sector and utilising existing housing. The Action Plan sets ambitious targets to double the annual level of residential construction to 25,000 homes and deliver 47,000 units of social housing in the period to 2021, while at the same time making the best use of the existing housing stock and laying the foundations for a more vibrant and responsive private rental sector.

Achieving the aim of accelerated delivery will contribute to the following core objectives:

- *Addressing the unacceptable level of households, particularly families, in emergency accommodation;*
- *Moderating rental and purchase price inflation, particularly in urban areas;*
- *Addressing a growing affordability gap for many households wishing to purchase their own homes;*
- *Maturing the rental sector so that tenants see it as one that offers security, quality and choice of tenure in the right locations and providers see it as one they can invest in with certainty;*
- *Ensuring housing's contribution to the national economy is steady and supportive of sustainable economic growth; and,*
- *Delivering housing in a way that meets current needs while contributing to wider objectives such as the need to support sustainable urban and rural development and communities and maximise the contribution of the built environment to addressing climate change.*

The provision of 650 no. residential units on the subject site will help the Government to achieve the objectives of the Housing Action Plan. Thus, it is submitted that the proposed development is consistent with the policy in this regard.

2.4 Housing for All: A New Housing Plan for Ireland

The Housing for All: A New Housing Plan for Ireland states that Ireland's housing system is not meeting the needs of enough of our people, and therefore, it needs to increase new housing supply to an average of at least 33,000 new units per year over the next decade. This will include over 10,000 social homes each year over the next five years, with 9,500 of these being new-builds, and an average of 6,000 affordable homes for purchase or rent. As per, Housing for All provides four pathways to achieving four overarching objectives:

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

Outlined in the Plan, the State must act decisively to increase supply of both private and public housing. An average of 33,000 homes must be provided every year between now and 2030. Increased housing output is needed in all sectors - private, affordable, and social - to meet the needs of people in a wide variety of circumstances. It is submitted that provision of 650 no. residential units on the subject site will help the Government to achieve the objectives of the Housing for All Plan. Thus, it is submitted that the proposed development is consistent with the development framework in this regard.

2.5 Affordable Housing Act 2021 & Housing Circular 28/2021

In July 2021, the Affordable Housing Act 2021 was published, aiming to address problems associated with the high cost of housing for the portion of the population that do not qualify for social housing. Coming to effect from 3rd September 2021, the Housing Circular 28/2021, amends Part V of the Planning and Development Act 2000. The Programme for Government contained commitments in relation to expanding Part V to encompass affordable purchase and cost rental units and introducing affordable homes requirements to Part V. Part 6 of the Affordable Housing Act 2021, which was enacted on 21 July 2021, gives effect to this commitment.

The principal change to Part V made by these amendments is to increase the Part V contribution for new housing developments from 10% social housing to a mandatory 20% requirement, at least half of which must be applied to social housing provision and up to half of which may be applied to affordable and cost rental housing. It is noted that these changes to Part V primarily apply to land purchased on or after 1 August 2021. Any new planning permissions for housing development on that land will have a 20% Part V requirement. However, a 10% Part V requirement will apply where land already has planning permission or was purchased between 1 September 2015 and 31 July 2021 and planning permission is granted before 31 July 2026.

It is considered that the proposed development is consistent with the Affordable Housing Act 2021, Housing Circular 28/2021, and the requirements under Part V of the Act as it is proposed to provide 20% of the housing units for social and affordable housing. For further details, please refer to the enclosed Part V Validation Letter from Fingal County Council with associated indicative costings and layout.

2.6 The Housing Agency Statement of Strategy 2022-2024

Launched in late January 2022, the Housing Agency's Statement of Strategy, outlines how more affordable housing, increasing the supply of social and private homes and addressing social inclusion issues such as homelessness and ageing will be the priorities for the work of The Housing Agency over 2022-2024. The Statement of Strategy frames the work of The Housing Agency under three broad themes:

- Being a centre for housing knowledge;
- Bridging housing supply and demand; and,
- Building capacity for housing.

It also outlines how, over the coming years, the Housing Agency will use research, informed policy insights and data to work *"to achieve a housing system that meets the housing needs of the nation and promotes viable, sustainable communities"*.

The Housing Agency's Strategic Plan 2022-2024 has been framed in the context of supporting Housing for All, the Government's housing plan for Ireland and key trends in the housing system including:

- Diverse and changing housing needs for people living in Ireland.
- Long-term government policy and strategic planning for the Irish housing system.
- A continuing focus on building inclusive, sustainable communities.

It is submitted that the provision of 650 no. residential units on appropriately zoned land under the Fingal Development Plan 2017-2023 would help utilise an existing capacity within the built-up area of Oldtown-Mooretown, Swords, and facilitate meeting the housing target for the area and the overall County. Therefore, it is considered that the proposed development is consistent with the foregoing Strategy in this regard.

2.7 Residential Densities in Towns and Villages (Circular Letter: NRUP 02/2021)

The purpose of this Circular, issued on 21st April 2021, is to provide clarity in relation to the interpretation and application of current statutory guidelines, in advance of issuing updated Section 28 guidelines that will address sustainable residential development in urban areas. It is considered important to address this matter in the context of both the need for significantly increased and more sustainable housing supply throughout Ireland, and national recovery from the Covid-19 pandemic.

Outlined in the Circular, while the *Sustainable Residential Development Guidelines* clearly encourage net densities in the 35-50 dwellings per hectare range within cities and larger towns, net densities of 30-35 dwellings per hectare may be regarded as acceptable in certain large town contexts and net densities of less than 30 dwellings per hectare, although generally discouraged, are not precluded in large town locations.

These "outer suburban" provisions apply to cities and larger towns, and the *Sustainable Residential Development Guidelines* define larger towns as having a population in excess of 5,000 people. Large towns therefore range from 5,000 people up to the accepted city scale of 50,000 people. Given the very broad extent of this range and variety of urban situations in Ireland, it is necessary for An Bord

Pleanála and Planning Authorities to exercise discretion in the application and assessment of residential density at the periphery of large towns, particularly at the edges of towns in a rural context.

Accordingly, the full range of outer suburban density, from a baseline figure of 30 dwellings per hectare (net) may be considered, with densities below this figure permissible subject to Section 5.12 of the Sustainable Residential Development Guidelines. It is also clarified that in certain circumstances, the neighbourhood or district referred to in Section 5.12, may comprise a significant portion of a rural town.

Considering that the Census 2016 recorded a population of 39,248 people for Swords, the town stands within the larger towns category, contributing to the consolidation of the Dublin Metropolitan Area. Accordingly, the proposed development of the subject lands is submitted to strengthen the urban role of Swords and reinforcing the vital role of Swords in the settlement's hierarchy of the County, and therefore, is considered to be consistent with the foregoing Circular.

2.8 Sustainable Residential Development in Urban Areas and Best Practice Urban Design Guidelines (2009)

This document reviews and updates the Residential Density Guidelines (1999), and its aim is to assist both planning authorities and developers in meeting certain standards in the design of residential development. The main objective of the '*Sustainable Residential Development in Urban Areas Guidelines*' is to produce high-quality sustainable developments through providing:

- *Quality homes and neighbourhoods;*
- *Places where people actually want to live, to work and to raise families; and,*
- *Places that work - and will continue to work - not just for us, but for our children and for our children's children.*

The Guidelines state that sustainability is about the integration of schools, community facilities, employment, transport, and amenities with the housing development process in a timely, cost-effective way.

In terms of planning for sustainable neighbourhoods, there is focus on "*planning at the district or neighbourhood scale within larger towns and cities, whether on brownfield or green-field sites*". The Guidelines state that, "*national policy makes it clear that sustainability is not confined to the physical environment. Sustainability also includes the concept of stable, integrated communities, and planning for such communities must embrace both tangible issues - such as the timely provision of school places - and the intangible, such as people's perception of what constitutes an attractive, secure environment in which to rear children. Planning objectives at the district/neighbourhood scale can thus be grouped under four main themes:*

- (a) Provision of community facilities;*
- (b) Efficient use of resources;*
- (c) Amenity/quality of life issues; and*
- (d) Conservation of the built and natural environment."*

The document goes on to state that, "sustainable neighbourhoods require a range of community facilities, and each district/neighbourhood will need to be considered within its own wider locality, as

some facilities may be available in the wider area while others will need to be provided locally”. It then outlines the importance of the provision of schools, community centres, healthcare facilities and district/neighbourhood centres use to the sustainability of communities. The subject site is located within the townland of Mooretown, forming part of the wider Oldtown-Mooretown lands and is located to the south of Rathbeale Road. As it stands, the permitted development in Mooretown includes a combined total of 491 dwellings and two crèches which have been granted planning permission within Phases 1 and 2. Of these, 223 dwellings and the creche are under construction. This proposed development contributed to the completion of developing Mooretown.

In relation to amenity/quality of life issues, *“public open space can have a positive impact on physical and mental well-being as it provides spaces to meet, interact, exercise and relax. It needs to be appropriately designed, properly located, and well maintained to encourage its use. It is one of the key elements in defining the quality of the residential environment. Apart from the direct provision of active and passive recreation, it adds to the sense of identity of a neighbourhood, helps create a community spirit, and can improve the image of an area (especially a regeneration area). Well-designed open space is even more important in higher density residential developments”*. The proposed development provides for 4.3 ha of amenity space (incl. Class 1 and 2 open space) within the proposed scheme whilst being in close proximity to Broadmeadow Park comprising 8.5 ha of high quality public open space, the proposed development would provide for a hierarchy of green open spaces within and around the development site. This would provide for a central park, a pocket park, a nature park, a woodland park, a number of shared green spaces, and trails to serve the residents of Mooretown and the wider area.

The design of the proposed development has placed considerable emphasis on the context of the site and location as well as the surrounding built environment. The proposed development successfully incorporates the criteria of the *‘Urban Design Manual - A Best Practice Guide’* and its 12 criteria, including: *Context, Connections, Inclusivity, Variety, Efficiency, Distinctiveness, Layout, Public Realm, Adaptability, Privacy/Amenity, Parking, and Detailed Design*, of which Planning Authorities are recommended to assess planning applications. It is evident that the form, layout, and architectural and landscaping design of the proposed development have been informed by the development’s place and time. Well-designed homes in the right locations are fundamental to building strong, sustainable communities. Such communities will ensure Ireland’s continued success in attracting and generating investment and improving the quality of life for residents.

Downey are of the considered opinion that the proposed development represents a development that has been carefully and appropriately designed, giving full consideration to its neighbouring properties and will integrate successfully with its environs. The proposed development has had regard to the surrounding environment and carefully assesses the proposal in light of same. The development positively contributes to the character and identity of the surrounding neighbourhood. The proposed scheme is also considered to be of an appropriate density which will help to support efficient public transport. It is submitted that the proposed development would be a positive addition to the surrounding built environment of Mooretown and to the identity of the locality. Furthermore, it is considered that the proposed buildings will meet the aspirations of a range of people and the design and layout of such allows easy access by all. For further information on the proposed development’s

consistency with the *'Urban Design Manual'*, please refer to the Architectural Design Statement (Architects Report) prepared by CCK Architects.

2.9 Delivering Homes, Sustaining Communities: Statement on Housing Policy (2007)

The Department's policy statement *'Delivering Homes, Sustaining Communities'* provides the overarching policy framework for an integrated approach to housing and planning. The statement notes that demographic factors will continue to underpin strong demand for housing, which in turn will present considerable challenges for the physical planning of new housing and the provision of associated services. The quality of the housing environment is recognised as being central to creating a sustainable community. Sustainable neighbourhoods are areas where an efficient use of land, high quality design and effective integration in the provision of physical and social infrastructure combine to create places people want to live in.

The *"Delivering Homes, Sustaining Communities"* policy statement is accompanied by Best Practice Guidelines entitled *"Quality Housing for Sustainable Communities"*. The purpose of these Guidelines is to promote high standards in the design and construction and the provision of residential units and services in new housing developments. Best use of land is encouraged and optimal utilisation of services and infrastructure in the provision of new housing; point the way to cost effective options for housing design that go beyond minimum codes and standards; promote higher standards of environmental performance and durability in housing construction; seek to ensure that residents of a new housing scheme enjoy the benefits of first-rate living conditions in a healthy, accessible and visually attractive environment; and provide homes and communities that may be easily managed and maintained. This planning application is accompanied by an Architectural Design Statement (Architects Report) and a Housing Quality Assessment (HQA) document prepared by CCK Architects, which demonstrate that the proposed development is compliant with the relevant standards in the *'Quality Housing for Sustainable Communities'* document and the Fingal Development Plan 2017-2023.

2.10 Delivering Homes, Sustaining Communities: Statement on Housing Policy (2007)

The aim of these Guidelines is to identify principles and criteria that are important in the design of housing and to highlight specific design features, requirements and standards that have been found, from experience to be particularly relevant. The guidelines set out some recommended standards in terms of space provision and room sizes, etc. The proposed scheme has been cognisant of the need to facilitate a high standard of living for future occupants, while representing a proposal that is conducive to complimenting and augmenting the established residential character of the surrounding area. In this regard it is noted that all of the residential units have been designed to comply with the room standards as set out in these Guidelines, as well as in the County Development Plan. CCK Architects have also prepared an Architect and Urban Designer's Statement for this scheme and is submitted under separate cover. This outlines the rationale behind the design of the scheme and how it will contribute to a positive and attractive residential development. This SHD application is accompanied by a Housing Quality Assessment document, which has been prepared CCK Architects,

which illustrates how the proposed development will comply with the required standards that have been set out in this assessment.

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

The “*Sustainable Urban Housing: Design Standards for New Apartments*” build on the content of the 2015 and 2018 apartment guidance, much of which remains valid, particularly with regard to design quality safeguards such as internal space standards for apartments, internal storage and amenity space. The Guidelines state that, “*in the longer term to 2040, the Housing Agency has identified a need for at least 45,000 new homes in Ireland’s five cities (Dublin, Cork, Limerick, Galway and Waterford), more than 30,000 of which are required in Dublin City and suburbs, which does not include additional pent-up demand arising from under-supply of new housing in recent years*”. It is also stated that it is “*critical to ensure that apartment living is an increasingly attractive and desirable housing option for a range of household types and tenures*.”

The Guidelines also state that, “*aspects of previous apartment guidance have been amended and new areas addressed in order to:*

- *enable a mix of apartment types that better reflects contemporary household formation and housing demand patterns and trends, particularly in urban areas;*
- *make better provision for building refurbishment and small-scale urban infill schemes;*
- *address the emerging ‘build to rent’ and ‘shared accommodation’ sectors; and*
- *remove requirements for car-parking in certain circumstances where there are better mobility solutions and to reduces costs.”*

The Guidelines state that Ireland is a long way behind European averages in terms of the numbers of households living in apartments, especially in our cities and larger towns. Given the gap between Irish and European averages in numbers of households living in apartments and the importance of addressing the challenges of meeting the housing needs of a growing population in our key cities and towns and by building inwards and upwards rather than outwards, apartments need to become the norm for urban housing solutions.

The Guidelines state that, “*ongoing demographic and societal changes mean that in addition to families with children, the expanding categories of household that may wish to be accommodated in apartments include:*

- *Young professionals and workers generally;*
- *Those families with no children;*
- *‘Downsizers’; and,*
- *Older people, in both independent and assisted living settings.”*

The Guidelines identify types of locations that may be suitable for apartment developments. In this regard, it is considered that the proposed development falls within “(3) *Peripheral and/or Less Accessible Urban Locations*” as it meets the criteria for this location in that the site is located approximately within circa 5km of Swords Town Centre and is located within the town’s development boundary and as such is suitable for a net density of 45 units per hectare.

The Guidelines also have specific planning policy requirements (SPPRS), which include:

Specific Planning Policy Requirement 1: *“Apartment developments may include up to 50% one-bedroom or studio type units (with no more than 20-25% of the total proposed development as studios) and there shall be no minimum requirement for apartments with three or more bedrooms. Statutory development plans may specify a mix for apartment and other housing developments, but only further to an evidence-based Housing Need and Demand Assessment (HNDA), that has been agreed on an area, county, city or metropolitan area basis and incorporated into the relevant development plan(s).”*

Specific Planning Policy Requirement 3: *“Minimum Apartment Floor Areas:*

- *Studio apartment (1 person) 37 sqm*
- *1-bedroom apartment (2 persons) 45 sqm*
- *2-bedroom apartment (4 persons) 73 sqm*
- *3-bedroom apartment (5 persons) 90 sqm”*

In this regard, the proposed development at Mooretown (subject to this application) provides for 265 no. houses (240 no. 3 beds and 25 no. 4 beds), 187 no. apartments, 6 no. triplex units, and 192 no. duplex units (113 no. duplex “house” units and 79 no. duplex “apartment” units), all with associated car parking spaces, areas of amenity space, and 1 no. childcare facility, 5 no. retail units, a café/restaurant. It is considered that the overall quality of the facilities provided throughout the proposed scheme are appropriate and of high-quality, thus providing an enhanced standard of amenity for the future residents of the scheme. The development provides residents with the required level of amenity as outlined within the Guidelines. Furthermore, the proposed development contributes to the completion of the overall residential scheme on the subject lands and will support the completion of the same. Downey Planning are of the professional opinion that the proposed development complies with the SPPRs of the *“Sustainable Urban Housing: Design Standards for New Apartments”* Guidelines. This SHD application includes a Housing Quality Assessment prepared by CCK Architects.

A detailed daylight, sunlight and internal light analysis report, and Building Lifecycle Report will be submitted with the SHD application in accordance with Chapter 6 of the Guidelines. The proposed development will help to meet the current demand for apartment type developments. For further information in this regard, please refer to the enclosed architectural drawings and detailed Housing Quality Assessment schedules prepared by CCK Architects, which provide confirmation that the proposed development is consistent with the design standards of these Guidelines.

The Guidelines also note the following with regard to aspect of units under Specific Planning Policy Requirement 4 which states:

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

- (i) *A minimum of 33% of dual aspect units will be required in more central and accessible urban locations, where it is necessary to achieve a quality design in*

response to the subject site characteristics and ensure good street frontage where appropriate.

- (ii) In suburban or intermediate locations, it is an objective that there shall generally be a minimum of 50% dual aspect apartments in a single scheme.*
- (iii) For building refurbishment schemes on sites of any size or urban infill schemes on sites of up to 0.25ha, planning authorities may exercise further discretion to consider dual aspect unit provision at a level lower than the 33% minimum outlined above on a case-by-case basis, but subject to the achievement of overall high design quality in other aspects."*

In this regard, the minimum requirement for dual aspect units is 50%. The proposed development provides for a minimum of 70% dual aspect units and therefore accords with the aforementioned Guidelines. For further information in this regard, please refer to the enclosed Housing Quality Assessment (HQA) and drawings prepared by CCK Architects.

In terms of Children's Play areas, the proposed development has considered the recreational needs of children and incorporates children play equipment as part of the communal amenity space within the scheme. As stated within the Guidelines,

"Children's play needs around the apartment building should be catered for:

- *within the private open space associated with individual apartments;*
- *within small play spaces (about 85-100 sqm) for the specific needs of toddlers and children up to the age of six, with suitable play equipment, seating for parents/guardians, and within sight of the apartment building, in a scheme that includes 25 or more units with two or more bedrooms; and,*
- *within play areas (200-400 sqm) for older children and young teenagers, in a scheme that includes 100 or more apartments with two or more bedrooms."*

In accordance with Management Standards of the Development Plan, playground provision is to be provided at a rate of 4 sqm per dwelling, which is 2,600 sqm. Doyle O'Troithigh Landscape Architects have developed a proposal to provide 14 different play areas throughout the scheme, along with a MUGA which was requested by the Parks Department of Fingal County Council. The play provision includes natural play, incidental play, formal playgrounds, callisthenics units and then play areas designed for the needs of very small children and their parents and guardians within the communal open space provided for apartments and duplex units.

As such, it is submitted that the proposed development is consistent with the Guidelines in this instance. For further details, please refer to the enclosed landscape drawings prepared by Doyle & O'Troithigh Landscape - Architecture, and Urban Design & Architectural Statement prepared by CCK Architects.

In relation to bicycle and car parking requirements, a total of 991 no. parking spaces are proposed for this development. Therefore, the overall car parking proposed for the proposed scheme is below standards set out in the Development Plan, which requires a total of 1,235 car parking spaces. Thus,

the overall car parking provision may be considered to potentially materially contravenes the Fingal Development Plan 2017-2023. This is fully addressed in the Statement of Material Contravention prepared by Downey, which we invite the Board to refer to.

In relation to the bicycle parking provision, an overall total of 1,141 cycle parking spaces is proposed, with 910 no. spaces for residents, 231 no. spaces for visitors, and 12 no. spaces to serve the creche and 6 no. spaces to serve the retail/café. The cycle parking proposed for the residents is submitted to be in line with the requirements set out in the 2020 Apartment Guidelines. It is also submitted that the cycle parking for visitors and for the non-residential units comply or exceed the requirements of the Development Plan.

Specific Planning Policy Requirement	Compliance
SPPR1 (Housing Mix)	In compliance
SPPR2 (Building Refurbishment and Urban Infill Development on sites up to 0.25ha)	Not Applicable; SPPR1 applies to the entire development
SPPR3 (Minimum Apartment Floor Areas)	In compliance with the standards
SPPR4 (Dual Aspect Ratios)	In compliance with the requirements
SPPR5 (Floor to Ceiling Height)	In compliance with the requirements
SPPR6 (Lift and Stair Cores)	In compliance with the required quantum
SPPR7 (Specific BTR Developments)	Not Applicable
SPPR8 (Qualified as BTR Developments)	Not Applicable

Table 1. Compliance with Specific Planning Policy Requirements

2.12 Urban Development and Building Heights Guidelines for Planning Authorities (Dec 2018)

The “*Urban Development and Building Heights, Guidelines for Planning Authorities*” are intended to set out national planning policy guidelines on building heights in relation to urban areas, building from the strategic policy framework set out in the National Planning Framework 2040 (NPF). This document recognises that in recent years local authorities, through the statutory plan processes, have begun to set generic maximum height limits. However, such limits if inflexibility and unreasonably applied, can undermine national policy objectives to provide more compact urban forms as outlined in the National Planning Framework and instead can continue unsustainable patterns of development.

These Guidelines reinforce that, “*a key objective of the NPF is therefore to see that greatly increased levels of residential development in our urban centres and significant increases in the building heights and overall density of development is not only facilitated but actively sought out and brought forward by our planning processes and particularly so at local authority and An Bord Pleanála levels.*”

Section 1.10 of the Guidelines states, “*the rationale... for consolidation and densification in meeting our accommodation needs into the future must also be applied in relation to locations that development plans and local area plans would regard as city and town centre areas*”. It continues, “*in*

such areas, it would be appropriate to support the consideration of building heights of at least 6 storeys at street level as the default objective, subject to keeping open the scope to consider even greater building heights by the application of the objectives and criteria laid out in Sections 2 and 3 of these guidelines, for example on suitably configured sites, where there are particular concentrations of enabling infrastructure to cater for such development, e.g. very significant public transport capacity and connectivity, and the architectural, urban design and public realm outcomes would be of very high quality.”

Section 1.11 states, “these guidelines therefore set out national planning policy that:

- *Expand on the requirements of the National Planning Framework; and*
- *Applies those requirements in setting out relevant planning criteria for considering increased building height in various locations but principally (a) urban and city-centre locations and (b) suburban and wider town locations.”*

The proposed development at Mooretown is submitted to be essentially a mid-rise scheme appropriate to its setting on the outskirts of Swords. For the most part, principal streets, edges and open spaces are defined by taller blocks of 3 to 5 storeys, with the highest buildings located to the north side of Main Street and on the eastern edge. Therefore, it is submitted that the proposed development is consistent with these objectives and with the physical and social infrastructure already in place can easily accommodate the proposed apartment heights of 4-5 storeys.



Figure 1. Building Heights Diagram (source: CCK Architects)

The following Special Planning Policy Requirements are contained within the Guidelines and are relevant to the proposed development:

SPPR1: *“In accordance with Government policy to support increased building height and density in locations with good public transport accessibility, particularly town/city cores, planning authorities shall explicitly identify, through their statutory plans, areas where increased building height will be actively pursued for both redevelopment, regeneration and infill development to secure the objectives of the National Planning Framework and Regional Spatial and Economic Strategies and shall not provide for blanket numerical limitations on building height.”*

The proposed development is situated within the wider Oldtown-Mooretown lands and comprises the third phase of a wider residential scheme within Mooretown. It is located within close proximity to the R125 regional road, with the new Distributor Link Road located to the western boundaries of the application site. These provide the lands to be capable of supporting taller buildings and increased density.

SPPR2: *“In driving general increases in building heights, planning authorities shall also ensure appropriate mixtures of uses, such as housing and commercial or employment development, are provided for in statutory plan policy. Mechanisms such as block delivery sequencing in statutory plans could be utilised to link the provision of new office, commercial, appropriate retail provision and residential accommodation, thereby enabling urban redevelopment to proceed in a way that comprehensively meets contemporary economic and social needs, such as for housing, offices, social and community infrastructure, including leisure facilities.”*

The proposed development seeks to provide for a mixed-use development that is surrounded by a wide range of uses. As part of the scheme, a childcare facility is proposed. There are numerous retails, health, community and commercial facilities within the vicinity of the subject site, as well as a number of recreational amenities including parks and sports clubs. A Community and Social Infrastructure Audit prepared by Downey Planning is enclosed with this request and provides an overview and assessment of existing infrastructure and facilities within Mooretown that ensures compliance with the aforementioned specific planning policy. It is noted that the proposed development also provides for 1 no. childcare facility, 5 no. retail units, and a café/restaurant.

SPPR3: *“It is a specific planning policy requirement that where;*

- (A) 1. An applicant for planning permission sets out how a development proposal complies with the criteria above, and*
- 2. the assessment of the planning authority concurs, taking account of the wider strategic and national policy parameters set out in the National Planning Framework and these guidelines;*

Then the planning authority may approve such development, even where specific objectives of the relevant development plan or local area plan may indicate otherwise.”

It is respectfully submitted that the following document outlines how the proposal is consistent with the relevant national, regional, and local planning policy as it pertains to the site and its environs, and as such the development accords with SPPR 3. As per, this SHD application has adhered to the Development Management Criteria set out within the Guidelines, which outline the specific criteria a planning must meet when proposing increased height. Within section 3.0 Building Height and the Development Process four criteria are set out in 3.2 Development Management Criteria which the applicant must demonstrate to the Planning Authority/An Bord Pleanála when making a planning application, this application satisfies that:

1. At the scale of the relevant city/town

- The site is within the development boundary of Swords and is served by various public bus routes.
- This development has been carefully modulated to respect the character of the area and residential amenity of neighbouring properties. It successfully integrates and enhances the public realm of the locality having regard to the surrounding area and existing residential developments. All such considerations have been made during the design process which has involved a multi-disciplinary team, which includes Ecologists, Architects, Landscape Architects, Engineers, Archaeologists, etc.
- A positive contribution has been made towards achieving densities within this locality, which is predominantly characterised by low density suburban style development. The unit mix provides a good choice for future residents and caters for a broad range of housing requirements within the housing market, namely first-time buyers, singles, downsizers, and retirees.

2. At the scale of district/ neighbourhood/ street

- The proposed height will help to create and add visual interest in this area, while protecting views in the wider area, as confirmed within the Landscape/LVIA chapter of the EIAR.
- It is respectfully considered that the proposal introduces a high-quality development at an appropriately zoned site. The proposed development responds appropriately to the massing and scale of the residential pattern and scale in Swords and creates a strong sense of place through the introduction of key buildings at various character nodes within the scheme.
- A positive contribution has been made towards integrated and cohesive house and apartment design in this emerging area of Swords.

3. At the scale of the site/building

- As submitted within the Specific Site Assessments, the form, massing and height of proposed development has been carefully modulated to maximise access to natural daylight, ventilation and views and minimise overshadowing and loss of light.
- The design of the houses, duplexes and apartments is bespoke for this site in terms of the palette of materials and provision of public and communal open space to create an attractive public realm.

It is submitted that this SHD application contains sufficient reports, documentation, plans and justification to support the proposed development and outlines how the development is in accordance with the relevant planning policies and guidelines pertaining to the area. Such documents include architectural plans and elevations, Design Statement (Architects Report), DMURS statements, Traffic

Assessment, EIAR report, planning reports, and engineering reports, which we invite the Board to refer to.

SPPR4: *“It is a specific planning policy requirement that in planning the future development of greenfield or edge of city/town locations for housing purposes, planning authorities must secure:*

1. *The minimum densities for such locations set out in the Guidelines issued by the Minister under Section 28 of the Planning and Development Act, 2000 (as amended), titled “Sustainable Residential Development in Urban Areas (2007)” or any amending or replacement Guidelines;*
2. *A greater mix of building heights and typologies in planning for the future development of suburban locations; and*
3. *Avoid mono-type building typologies (e.g. two storey or own-door houses only), particularly, but not exclusively so in any one development of 100 units or more.”*

The proposed development provides for 265 no. houses (240 no. 3 beds and 25 no. 4 beds), 187 no. apartments, 6 no. triplex units, and 192 no. duplex units (113 no. duplex “house” units and 79 no. duplex “apartment” units), along with 1 no. childcare facility, 5 no. retail units, and a café/restaurant. This provides for a net density of 45 units per hectare for the proposed scheme (650 units on 14.47 hectares). It is respectfully submitted that the density proposed is in accordance with the national guidelines referred to in SPPR 4.

Specific Planning Policy Requirement	Compliance
SPPR1 (building height and density)	In compliance
SPPR2 (building height and mix of uses)	In compliance
SPPR3 (assessment of planning applications)	In compliance in light of content of application submission
SPPR4 (development of greenfield/edge of city/town centre sites)	In compliance

Table 2. Compliance with Specific Planning Policy Requirements

In light of the above, it is considered that the proposed development is consistent with the requirements of these guidelines on building heights for urban developments. The proposed development steps in height from 1 to 5 storeys with cognisance given to existing built environment in the vicinity of the subject site and the provision of appropriate separation distances. The existing lands at Mooretown are zoned for development and are serviced with road and public transport infrastructure. Therefore, the proposed residential development can be achieved on the lands in accordance with the aforementioned policy guidelines.

2.13 Childcare Facilities: Guidelines for Planning Authorities (2001)

Government policy on childcare is to increase the number of childcare places and facilities available and to improve the quality of childcare services for the community. These Guidelines for Planning

Authorities on Childcare Facilities provide a framework to guide both local authorities in preparing development plans and assessing applications for planning permission, and developers and childcare providers in formulating development proposals. The following definition of Childcare is included in the Guidelines:

“In these Guidelines, “childcare” is taken to mean full day-care and sessional facilities and services for pre-school children and school-going children out of school hours. It includes services involving care, education, and socialisation opportunities for children. Thus services such as pre-schools, naíonraí (Irish language playgroups), day-care services, crèches, playgroups, and after-school groups are encompassed by these Guidelines. Conversely childminding, schools, (primary, secondary and special) and residential centres for children are not covered by these Guidelines.”

For housing schemes, the Guidelines provide a benchmark provision of 1 no. 20 space childcare facility per 75 dwellings. The threshold for provision should be established having regard to existing location of facilities and the emerging demography of the area where new housing is proposed. The recommendations provided within the Guidelines must be considered in the context of the ‘Sustainable Urban Housing: Design Standards for New Apartments’ (2020), which state that:

“Notwithstanding the Department’s Planning Guidelines for Childcare Facilities, which are currently subject to review and recommend the provision of one childcare facility (equivalent to a minimum of 20 child places) for every 75 dwelling units, the threshold for provision in apartment scheme should be established having regard to the scale and unit mix of the proposed development and the existing geographical distribution of childcare facilities and the emerging demographic profile for the area.”

As recommended in the Guidelines, a maximum of 9 no. childcare facilities providing for 173 no. spaces would be required as part of the proposal to cater for the influx of population arising from the proposed scheme. It is worth noting that as stated within the apartment guidelines, *“one-bedroom or studio type units should not generally be considered to contribute to a requirement for any childcare provision and subject to location, this may also apply in part or whole, to units with two or more bedrooms”*.

As such, only 8 no. childcare facilities (153 no. child spaces in total) would be required to cater for the proposed development. The proposed scheme provides for 1 no. childcare facility of 512 sqm capable of accommodating circa 102 children. This would also be complemented by the proposed childcare facility provisioned as part of the forthcoming application on Oldtown lands (by the same applicant - Case Ref. ABP-307498-20), which will provide for 1 no. childcare facility capable of accommodating circa 102 children and is submitted to be in excess of what was initially projected to suffice the proposed scheme. Therefore, this is considered to be sufficient to cater for the proposed development.

In light of the above, it is submitted that the proposed development is consistent with the Childcare Facilities Guidelines. For Further information in this regard, please refer to the enclosed Childcare Provision Assessment enclosed with this SHD application.

2.14 Childcare Facilities operating under the ECCE Scheme (Circular Letter: PL 3/2016)

The purpose of this Circular, issued on 31st March 2016, is to revise the Childcare Facilities Guidelines for Planning Authorities 2001, and having regard to the extension of the ECCE scheme and the associated increased demands on childcare facilities with effect from September 2016, planning authorities are hereby requested to:

- Expedite all pre-planning application consultation requests from Childcare facility providers in relation to proposals to extend opening hours, to increase capacity or to provide new facilities.
- Expedite, insofar as is possible, consideration of all planning applications or Section 5 declaration submissions in respect of childcare facilities in order to facilitate the expansion of required capacity as appropriate.

The Childcare Facilities Guidelines for Planning Authorities 2001 outline general planning related standards for childcare facilities. Planning Authorities are advised that the Child Care (Pre-School Services) Regulations 2006 set out a range of childcare related standards for childcare facilities as stipulated by the Department of Children and Youth Affairs. The Child and Family Agency, also known as TUSLA, is responsible for inspecting pre-school services under, and enforcing compliance with, the afore-mentioned 2006 Regulations.

In light of the foregoing, planning authorities are requested to exclude matters relating to childcare facility standards outlined in Appendix 1 of the Childcare Facilities Planning Guidelines 2001 - including the minimum floor area requirements per child - from their consideration of planning applications relating to childcare facilities and to solely focus on planning related considerations that fall within the remit of the Planning and Development Act 2000, as amended, in the determination of such planning applications.

It is submitted that a creche with a gross floor area of 512 sqm, with an approximate capacity of 102 childcare spaces, is also proposed as part of the scheme. The is located in this focussed village centre, where it and the new shops will build on a growing 'buzz' of activity already generated by the new primary and secondary schools. Situated on the corner of Main Street and Road 1, the proposed creche is suggested to enjoy a visible and accessible location. It has a distinctive building form and closes the vista at the T-junction of Road 15 with Main Street and forms an edge to the southwest corner of the West Square in the village centre. Therefore, it is suggested that the proposed development is consistent with Circular PL 3/2016.

2.15 Space for Play; A Play Policy for Fingal

"Space for Play; A Play Policy for Fingal", the best practice policy guidelines developed by the Council's Parks & Green Infrastructure Division aims to provide a framework for the provision of safe, accessible, inclusive, natural, and engaging play spaces for all children and adolescents up to the age of 17. Fingal County Council currently manages a network of play spaces on Council managed land ranging from playgrounds of various scales in local and regional parks, to Multi Use Games Areas (MUGA), and skate parks. The Play Policy will provide the basis on which the current and future play provision throughout the County will be developed to the highest quality in line with international best practice.

Outlined in the policy guidelines, it is Fingal County Council's policy that Play facilities shall be provided at a rate of 4 sq. m per residential unit. All residential schemes in excess of 50 units shall incorporate play facilities clearly delineated on the planning application drawings and demarcated and built, where feasible and appropriate, in advance of the sale of any units.

In accordance with the foregoing policy, the playground provision is to be provided at a rate of 4 sqm per dwelling, which is 2,600 sqm. Doyle O'Troithigh Landscape Architects have developed a proposal to provide 14 different play areas throughout the scheme, along with a MUGA which was requested by the Parks Department of Fingal County Council. The play provision includes natural play, incidental play, formal playgrounds, callisthenics units and then play areas designed for the needs of very small children and their parents and guardians within the communal open space provided for apartments and duplex units.

2.16 Smarter Travel: A Sustainable Transport Future

In summary, 'Smarter Travel: A Sustainable Transport Future' states that, "to achieve the vision of a sustainable transport system, individual lifestyles will have to change and collectively we will have to work progressively on a range of solutions which deal with apparently conflicting goals: economic growth, reduced emissions, less use of motorised transport and better accessibility."

The 5 key goals of this transport policy are as follows:

- *Improve quality of life and accessibility to transport for all and, in particular, for people with reduced mobility and those who may experience isolation due to lack of transport;*
- *Improve economic competitiveness through maximising the efficiency of the transport system and alleviating congestion and infrastructural bottlenecks;*
- *Minimise the negative impacts of transport on the local and global environment through reducing localised air pollutants and greenhouse gas emissions;*
- *Reduce overall travel demand and commuting distances travelled by the private car; and,*
- *Improve security of energy supply by reducing dependency on imported fossil fuels.*

It is considered that the proposed development complies with 'Smarter Travel: A Sustainable Transport Future'. The Mooretown LAP lands are currently served by various bus services which serve a number of bus stops distributed across the area. The subject site is located approximately 800 metres from R125 Rathbeale Road and closest bus stops (currently served by Dublin Bus Route 41B and Go-Ahead Bus Route 197). Additionally, with the extension of the new Distributor Link Road to the western boundaries of the subject site, accessibility of the site to the southern parts and eventually Brackenstown Road would provide for an increased level of bus services (currently served by Dublin Bus Routes 41, 41C, 41X, 196, 500, 500X, 503, and 507). These routes provide direct access to Dublin City Centre from the proposed development.

The proposed development also provides considerable secure bicycle parking for future residents and visitors to again encourage use of sustainable modes of transportation. This can also be noted within the scheme with an enhanced permeability and connectivity to adjoining sites. It is evident that the

proposed scheme's main aim is to facilitate and support the use of sustainable transport, particularly by facilitating connectivity within the lands.

Therefore, it is considered that the proposed development is consistent with this national transport policy and will assist in its implementation. Please refer to the enclosed Traffic and Transport Assessment prepared by Waterman Moylan Engineering Consultants for further details in this regard.

2.17 Design Manual for Urban Roads and Streets (DMURS)

The '*Design Manual for Urban Roads and Streets*' (DMURS) 2013 and as updated in 2019, sets out design guidance and standards for constructing new and reconfigured existing urban roads and streets. It also sets out practical design measures to encourage more sustainable travel patterns in urban areas. The engineering assessment report prepared by Waterman Moylan Engineering Consultants provide further details in respect of the compliance of the proposed development with the provision of DMURS. Please refer to the pertaining documents prepared by Waterman Moylan Engineering Consultants for further information in this regard.

2.18 National Cycle Manual (June 2011)

The '*National Cycle Manual*' 2011 embraces the Principles of Sustainable Safety as this will offer a safe traffic environment for all road users including cyclists. It offers guidance on integrating the bike in the design of urban areas. The Manual challenges planners and engineers to incorporate cycling within transport networks more proactively than before.

Outlined in the Manual, many residential and access streets already offer a high quality of service to cycling. Cycling two-abreast on quiet, interesting, well-surfaced streets and roads can be attractive to cyclists. In many cases there is no physical infrastructure involved, other than the self-evident and self-enforcing nature of the environment.

The Manual also gives guidance on the minimum number of spaces which should be provided initially at new private and public facilities in urban areas. For housing developments, this is stated to be:

- 1 no. private secure bicycle space per bed space (note - design should not require bicycle access via living area), minimum 2 spaces; and
- 1 visitor bicycle space per two housing units.

The following gives an overview of the varying characteristics of parking at residential areas that should be considered in determining the most appropriate parking facility.

- Convenience is essential for frequently used bicycles, and preferably not via living areas;
- Private parking should accommodate residents and visitors; and,
- Shared parking facilities can be suitable for multiple dwellings (e.g. apartment complex).

It is submitted that connections in the proposed development have been addressed by provision of high standard and prioritised cycle infrastructure throughout the scheme and its wider context. All internal roads in the proposed development are designed for a speed limit of 30kph with typically 5.0m wide carriageways and footpaths along both sides. All intersections within the development itself will be priority junctions with raised tables where appropriate. The low design speeds and traffic

calming measures will ensure the safe operation of these junctions and a safe/secure environment for pedestrians and cyclists. For further information in this regard, please refer to the enclosed Traffic and Transport drawings and documentation prepared by Waterman Moylan Engineering Consultants for further details in this regard.

2.19 Retail Planning Guidelines (2012) and Retail Design Manual (2012)

The Retail Planning Guidelines, which were first issued in 2000 and subsequently revised in 2005, and subsequently the third iteration of the Guidelines were published in 2012 accompanied by the Retail Design Manual (2012), providing the strategic policy framework for the spatial distribution of new retail development. Therefore, the Guidelines provide a comprehensive framework to guide both local authorities in preparing development plans and assessing applications for planning permission, and retailers and developers in formulating development proposals.

The guidelines specifically state that local retail units such as corner shops or shops located in local or neighbourhood centres serving local residential districts perform an important function in urban areas. Where a planning authority can substantiate the local importance of such units in defined local centres, they should safeguard them in development plans, through appropriate land-use zoning. Development management decisions should support the provision of such units, particularly where they encompass both food-stores and important non-food outlets such as retail pharmacies, and have significant social and economic functions in improving access to local facilities especially for the elderly and persons with mobility impairments, families with small children, and those without access to private transport. The guidelines identify five key objectives, of equal weight, which are as follows:

- to ensure that in future all Development Plans incorporate clear policies and proposals for retail development,
- to facilitate a competitive and healthy environment for the retail industry of the future,
- to promote forms of development which are easily accessible, particularly by public transport and in a location which encourages multi-purpose shopping, business and leisure trips,
- to support the continuing role of town and district centres, with
- a presumption against large retail centres located adjacent or close to existing, new or planned national roads/motorways.

The Guidelines clearly acknowledge that it is critical for the proper planning and sustainable development of an area that new retail development is located at the optimum location having regard to the type of retail offering and the context of the existing environs. It is submitted that the proposed scheme comprises of 5 no. retail units and a café/restaurant which will cater for the local needs of future residents.

2.20 EIA Directive

The EIA Directive was transposed into Irish Planning legislation on 1st September 2018. Section 172(1) of the Planning and Development Act 2000 (as amended) sets out the requirement for EIA. This current proposed project has been screened for EIA by the European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018).

The EIA Directives list those projects for which an EIA is mandatory (Annex I) and those projects for which an EIA may be required (Annex II). Annex I projects are listed in Part 1 of Schedule 5 of the Planning and Development Regulations 2001 as amended (“the Regulations”). The Project is not listed within Part 1 of Schedule 5 of the Regulations and therefore mandatory EIA is not required under Annex 1. Concerning Part 2 of Schedule 5 (Annex II) Projects, the relevant thresholds relating to the subject proposal are outlined below:

- **Class 10(b)(i) “Construction of more than 500 dwelling units.”:** This project comprises a residential development including the provision of 650 no. new residential dwelling units. Therefore, the Project exceeds the stated threshold, and an EIA is required in this context.
- **Class 10(b)(ii): “Construction of a car-park providing more than 400 spaces, other than a car-park provided as part of, and incidental to the primary purpose of a development.”:** The Project does not include a car park providing 400 no. spaces or more. Furthermore, all car parking is provided within the project is incidental to the primary purpose of the residential development. Therefore, the car parking element of the project does not fall within this Class of Regulations.
- **Class 10(b)(iv): “Urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere”:** In this instance, the application site extends to c. 18.378 hectares within what can be considered a built-up area. Therefore, the project exceeds this threshold, and an EIA is required on this basis.

Additionally, the requirement for an EIAR in this instance was triggered by the legacy of the Oldtown-Mooretown LAP 2010-2016 (extended up to July 2020 and expired since) which pertained to the subject lands. The LAP contained two statements, which had implications for the requirement of an EIAR. The LAP referred to an E.I.S. which is what an EIAR was formerly known as. The first statement in question, referred to in Section 4 of the plan relating to phasing and implementation was as follows:

“An E.I.S for the developments shall be prepared and submitted, as determined by the Planning Authority. The EIS shall be submitted with every planning application”.

The second statement of interest is set out in Section 4.1 of the LAP, provided guidance on the phasing programme for development of the LAP, as follows:

“No one application for residential development shall be greater than 250 units”.

Furthermore, due to the location of the subject lands, the on-going delivery on the Oldtown-Mooretown lands and the potential cumulative impact it can have, an EIA is required, and thus an Environmental Impact Assessment Report has been prepared to accompany this planning application.

- *The European Community Directive on Environmental Impact Assessment (No 85/337/EEC);*
- *The European Community Directive (97/11/EC) amending Directive 85/337/EEC on the assessment of the effects of certain public and private projects on the environment;*
- *The Planning and Development Act, 2000 (as amended);*
- *The Planning and Development Regulations 2000 (as amended);*
- *European Commission, Guidelines for the Assessment of Indirect and Cumulative Impacts as well as Impact Interactions (May 1999);*

- *European Commission, Guidance on EIA Screening (June 2001);*
- *European Commission, Guidance on EIA Scoping (June 2001);*
- *Environmental Protection Agency (EPA), Guidelines on the information to be contained in Environmental Impact Statements (March 2002);*
- *EPA, Advice Notes on Current Practice (in the preparation of Environmental Impact Statements) (September 2003);*
- *EPA, Guidelines on the Information to be contained in Environmental Impact Assessment Reports (August 2017);*
- *EPA, Advice notes for preparing Environmental Impact Statements Draft (September 2015);*
- *European Commission, Guidance on Integrating Climate Change and Biodiversity into Environmental Impact Assessment (April 2013)*
- *Circular Letter PI 1/2017: Implementation of Directive 2014/52/EU on the effects of certain public and private projects on the environment (EIA Directive)*
- *The European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 (S.I. No. 296 of 2018); and*
- *The Guidelines for Planning Authorities and An Bord Pleanála on Carrying Out Environmental Impact Assessment (August 2018).*

The European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 (S.I. No. 296 of 2018) transpose the requirements of the 2014 EIA Directive into Irish Planning Law. On 1st September 2018, the provisions of the Regulations came into effect. This EIAR has been prepared in light of these EIAR Regulations and has also with specific regard to the ‘*Guidelines for Planning Authorities and An Bord Pleanála on Carrying Out Environmental Impact Assessment*’ which were published in August 2018.

2.21 Bird and Habitats Directive - AA Screening & Natura Impact Statement

The proposed development has been screened for Appropriate Assessment in accordance with the requirements of Article 6(3) of the EU Habitats Directive (92/32/EEC). Altamar Marine & Environmental Consultancy has prepared a report for Screening for Appropriate Assessment for the proposed development. This screening report has evaluated the proposed development on lands at Mooretown to determine whether or not significant negative impacts on Natura 2000 sites are likely to arise by virtue of its construction and use.

The screening report concludes that in the absence of mitigation measures there is potential for silt laden material and pollution to enter the Malahide Estuary SAC and Malahide Estuary SPA via surface water drainage and proximate drainage ditches. Acting on a strictly precautionary basis, NIS is required in respect of the effects of the project on the Malahide Estuary SAC and Malahide Estuary SPA, because it cannot be excluded on the basis of best objective scientific information following screening, in the absence of control or mitigation measures, that the plan or project, individually and/or in combination with other plans or projects, will have a significant effect on the named European Site/s. The report also concludes that an NIS or Stage 2 Appropriate Assessment is not required for the effects of the project on all other listed Natura sites within and sites beyond 15km, because it can be excluded on the basis of the best objective scientific information following screening that the plan or project,

individually and/or in combination with other plans or projects, will have a significant effect on the European Site/s.

The NIS demonstrates that construction on the application site will create localised light and noise disturbance that will not impact on Natura 2000 sites. Also, mitigation measures must be in place to ensure that there are no significant impacts on the surface water that leads to Malahide Estuary SAC and Malahide Estuary SPA. Concluded by the report, following the implementation of the mitigation measures outlined, the construction and presence of this development would not be deemed to have a significant impact. No significant impacts are likely on Natura 2000 sites, alone or in combination with other plans and projects based on the implementation of mitigation measures.

For further information in this regard, please refer to the Appropriate Assessment Screening and Natural Impact Statement Report prepared by Altemar Marine & Environmental Consultancy.

2.22 The Planning System and Flood Risk Guidelines (2009)

These Guidelines require the planning system at all levels to avoid developments in areas at risk of flooding, particularly floodplains, except where there are no suitable alternative sites available in areas at lower risk that are consistent with the objectives of proper planning and sustainable development. Where such development has to take place, in the case of urban regeneration for example, the type of development has to be carefully considered and the risks should be mitigated and managed through location, layout and design of the development to reduce flood risk to an acceptable level. Applicants are advised to carefully examine their development proposals to ensure consistency with the requirements of these Guidelines including carefully researching whether there have been instances of flooding or there is the potential for flooding on specific sites and to carry out a site-specific flood risk assessment. In accordance with these Guidelines, Waterman Moylan Engineering Consultants have carried out a flood risk assessment of the subject site. The site has been assessed in accordance with the Flood Risk Management Guidelines, with appropriate mitigation measures proposed such as SuDs design, attenuation ponds, overland flood routing, appropriate floor levels, and regular inspections. Therefore, it is considered that the proposed development is consistent with the requirements of this national flood risk management policy. For further information in this regard, please refer to the enclosed Flood Risk Assessment prepared by Waterman Moylan Engineering Consultants.

2.23 National Adaptation Framework: Planning for a Climate Resilient Ireland

In accordance with the '*Climate Action and Low Carbon Development Act 2015*', this National Adaptation Framework (NAF) specifies the national strategy for the application of adaptation measures in different sectors and by local authorities in their administrative areas in order to reduce the vulnerability of the State to the negative effects of climate change and to avail of any positive effects that may occur.

This NAF and its successors will set out the context to ensure local authorities, regions and key sectors can assess the key risks and vulnerabilities of climate change, implement climate resilience actions and ensure climate adaptation considerations are mainstreamed into all local, regional and national policy making.

The 'Built Environment and Spatial Planning' section within this Framework recognises that, *"climate change considerations need to be taken into account as a matter of course in planning-related decision making processes and that the deepening of adaptation considerations in the planning and building standards processes is considered the most appropriate way of increasing the resilience of the built environment"*.

Furthermore, *"effective planning reduces vulnerability to the negative effects of climate change by integrating climate considerations into decision making in order to avoid inappropriate forms of development in vulnerable areas and promoting compact development in less vulnerable areas"*. It is important to mention that this Framework envisions 'flood resilience' and 'access to wildlife and green space' as no-regret benefits of effective adaptation which would continue to be worthwhile regardless of future climate scenarios.

As such, the proposed development has taken into consideration the context of the site and it can be noted that an assessment of Flood Risk has been prepared by Waterman Moylan Engineering Consultants, with appropriate mitigation measures proposed such as SuDs design, attenuation ponds, overland flood routing, etc. Thus, the proposed development with access to high-quality green communal space and introduction of best practice energy efficiency measures as required to meet the Energy Strategy and Building Regulations and promoting a compact urban form for 'less vulnerable areas' is consistent with this national framework.

2.24 Climate Action Plan 2019

Climate disruption is already having diverse and wide-ranging impacts on Ireland's environment, society, economic and natural resources. The Climate Action Plan 2019 sets out an ambitious course of action over the coming years to address this issue. The Plan clearly identifies the nature and scale of the challenge. It outlines the current state of play across key sectors including Electricity, Transport, Built Environment, Industry and Agriculture and charts a course towards ambitious decarbonisation targets. The Plan sets out governance arrangements including carbon-proofing policies, establishment of carbon budgets, a strengthened Climate Change Advisory Council and greater accountability to the Oireachtas.

The Plan clearly recognises that Ireland must significantly step up its commitments to tackle climate disruption. The leadership role both the Government and public bodies can play in taking early action on climate is fundamental to achieving our decarbonisation goals. The Plan notes that the built environment accounted for 12.7% of Ireland's greenhouse gases in 2017. It is important that we improve the energy efficiency of our buildings, including our homes, workplaces, and schools by meeting higher energy performance standards and by increasing retrofit activity. This will not only reduce Ireland's dependence on fossil fuels, but will also improve our living standards by making our buildings more comfortable, healthier, safer, and less costly to heat.

Our buildings are 70% reliant on fossil fuels, including oil fired boilers; over 80% of our homes and other buildings assessed for their BER have a rating of C or worse; and the current annual retrofit activity for existing stock is far too limited (approximately 23,000, mainly shallow, retrofits). A hierarchy of the most cost effective investments underpin this, including:

- Improving the fabric of buildings
- District heating in commercial buildings
- Switching from oil burners to heat pumps
- Setting new building standards.

As such, the proposed development has taken into consideration the Climate Action Plan and measures have been included within the design of the development to reduce carbon emissions in line with the requirements of the Action Plan.

2.25 All-Ireland Pollinator Plan 2021-2025

The All-Ireland Pollinator Plan is a shared plan of action which is to bring about a landscape where pollinators can flourish over 2021-2025. To achieve this, the Plan sets out six objectives; (1) Making farmland pollinator friendly, (2) Making public land pollinator friendly, (3) Making private land pollinator friendly, (4) All-Ireland Honeybee Strategy, (5) Conserving rare pollinators, and (6) Strategic coordination of the Plan.

Accordingly, the planting has been selected to ensure resilient planting establishes well and offers variety throughout the seasons. A select number of species which are already present in the hedgerows on site have been included within the planting species mix. By including species which are already present on the site lands, and flourish in the local micro-climate; this is considered a practical and a respectful approach with regard to a species selection. It is proposed that much of the appropriate ornamental shrubs, for more highly maintained zones, shall be under-planted with bulb species to offer 'flurries' of colour from early to late spring. Leaf colour, bark tone and berries shall all be considered for the scheme which allows for good contrast and again, seasonal variation. To the grass amenity areas, the planting of large swathes of bulbs many of the open spaces and pocket parks will provide colour in early through to late spring. This will reduce the grass cutting maintenance for a period of time when bulb planting is developing right through to senescence. This reduced mowing regime would also be encouraged under the previously referenced 'All-Ireland Pollinator Plan 2021-2025.' Please refer to the Landscape Design Report prepared by Doyle & O'Troithigh Landscape - Architecture for further details on inclusion of the Plan guidelines within the proposed landscape of the scheme.

3.0 REGIONAL POLICY AND GUIDELINES

The key provisions of the regional planning policy as it relates to the proposed development are now set out in the following sections. The key regional policy of relevance includes:

- Regional Spatial and Economic Strategy for the Eastern and Midland Region 2019-2031; and,
- Transport Strategy for the Greater Dublin Area 2016-2035.

3.1 Regional Spatial and Economic Strategy

The Regional Spatial and Economic Strategy (RSES) was published by the Eastern and Midland Regional Assembly. The RSES outlines the long-term regional level strategic planning and economic framework in support of the National Planning Framework for the period 2019-2031. The RSES identifies regional assets, opportunities, pressures, and constraints and provides a framework for investment to better

manage spatial planning and economic development throughout the Eastern & Midland Region. The RSES is tasked with the development of planning policy for future housing needs in the region upon consideration of the availability of land, resources, environment, and infrastructure capacity.

In conjunction with the NPF, the RSES predicts Dublin City and Suburbs to experience continued population growth over the period 2019-2031 with a predicted increase of 220,000. The NPF targets 50% of all housing to be provided within or contiguous to the built-up area of Dublin city and suburbs. In order to combat and provide for compact residential development, the RSES outlines a number of key Regional Policy Objectives that pertain to the NPF targets. The key Regional Policy Objectives applicable to the development proposal is the following:

Regional Policy Objective (RPO) 5.4 - *“Future development of strategic residential development areas within the Dublin Metropolitan area shall provide for higher densities and qualitative standards as set out in the ‘Sustainable Residential Development in Urban Areas’, ‘Sustainable Urban Housing; Design Standards for New Apartments’ Guidelines, and ‘Urban Development and Building Heights Guidelines for Planning Authorities.’”*

Regional Policy Objective (RPO) 5.5 - *“Future residential development supporting the right housing and tenure mix within the Dublin Metropolitan Area shall follow a clear sequential approach, with a primary focus on the consolidation of Dublin and suburbs, and the development of Key Metropolitan Towns, as set out in the Metropolitan Area Strategic Plan (MASP) and in line with the overall Settlement Strategy for the RSES. Identification of suitable residential development sites shall be supported by a quality site selection process that addresses environmental concerns.”*

The proposed development is located on already serviced zoned lands, comprises the third phase of a wider residential scheme for the area, and provides for a residential development in close proximity to a wide range of services and amenities. It is submitted that the provision of a high-quality residential development consisting of 265 no. houses (240 no. 3 beds and 25 no. 4 beds), 187 no. apartments, 6 no. triplex units, and 192 no. duplex units (113 no. duplex “house” units and 79 no. duplex “apartment” units) within this SHD application will assist in achieving the aforementioned objectives and it also complies with the pertaining policies and standards. For further details on how the proposed development is in accordance with these policies, please refer to the Housing Quality Assessment (HQA) and Architectural Design Statement prepared by CCK Architects which are included as part of the architectural planning packs.

In relation to Settlement Strategies, Regional Policy Objectives (RPO) 4.1 and 4.2 of the RSES set out the rationale and basis for preparing these strategies. RPO 4.1 states:

“In preparing Core Strategies for development Plans, Local Authorities shall determine the hierarchy of settlements in accordance with the hierarchy, guiding principles and typology of settlements in the RSES, within the population projections set out in the National Planning Framework to ensure that towns grow at a sustainable and appropriate level, by setting out a rationale for land proposed to be zoned for residential, employment and mixed-use development across the Region. Core strategies shall also be

developed having regard to the infill/brownfield targets set out in the National Planning Framework, National Policy Objectives 3a-3c.”

RPO 4.2 states:

“Infrastructure investment and priorities shall be aligned with the spatial planning strategy of the RSES. All residential and employment developments should be planned on a phased basis in collaboration with infrastructure providers so as to ensure adequate capacity for services (e.g. water supply, wastewater, transport, broadband) is available to match projected demand for services and that the assimilative capacity of the receiving environment is not exceeded.”

It is submitted that the proposed development on existing zoned, serviced lands within Swords will adhere with the policies and objectives of the Regional Spatial and Economic Strategy for the Eastern & Midland Regional Assembly area and will contribute to providing additional housing units and employment opportunities within the existing envelop of Dublin City and Suburbs.

3.2 Transport Strategy for the Greater Dublin Area 2016-2035

This transport strategy provides a framework for the planning and delivery of transport infrastructure and services in the Greater Dublin Area (GDA). The purpose of the Strategy is: *“To contribute to the economic, social and cultural progress of the Greater Dublin Area by providing for the efficient, effective and sustainable movement of people and goods.”*

The core of the strategy seeks the better integration of land use planning and transport planning. This can be achieved through the consolidation of development into higher order centres. In terms of the provision of housing, the strategy seeks to directly enable the sustainable development of strategically important residential sites, particularly in Metropolitan Dublin, where demand is highest.

The proposed development at Mooretown, Swords, which seeks to complete the overall Mooretown residential scheme, is considered an appropriate form of development in the context of supporting the vision and objectives of the Transport Strategy for the Greater Dublin Area 2016-2035.

4.0 LOCAL PLANNING POLICY

This section of the report provides an account of the relevant local planning policy framework pertaining to the application site and proposed development, all of which is contained within the Fingal Development Plan 2017-2023 and the Oldtown-Mooretown Local Area Plan 2010-2016 (as extended).

4.1 Fingal County Development Plan 2017-2023

4.1.1 Overarching Considerations

The subject site is located within the functional area of Fingal County Council. The development of the site is therefore informed by the policies and objectives of the Fingal County Development Plan. It is submitted that the Development Plan, and in particular the County Core Strategy, is updated with NPF/RSES population targets for the Dublin Region and Fingal County Council, however the proposed

variation does not contemplate changes, but in fact facilitates achieving the updated population targets for Swords and the overall County.

4.1.2 Core Strategy & Housing Strategy

The purpose of the Core Strategy is to articulate a medium-to-longer term quantitatively based strategy for the spatial development of the area of the Planning Authority and in doing so, to demonstrate that a Development Plan and its policies and objectives are entirely consistent with national and regional policies and strategies.

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 that, *“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.”*

In this instance, the subject site forms part of the Oldtown and Mooretown lands in Swords. The design principles that informed the proposed layout reflected the urban design objectives of the since expired LAP for the area thus ensuring the development of these lands is consistent with earlier phases. The proposed development forms part of a wider residential scheme for the Mooretown lands granted under Reg. Ref. F15A/0183 (Phase 1), Reg. Ref. F16A/0505 (Phase 2), Reg. Ref. F18A/0701 (Phase 1A), Reg. Ref. F18A/0751 (Phase 1B), and Reg. Ref. F19A/0029 (Phase 1C). The proposed scheme comprises the third phase of the overall development for the Mooretown lands.

Outlined in the Variation No. 2 of the Development Plan, Swords currently provides for a significant employment base, reflecting its location proximate to the M1, M50 and Dublin Airport. The Development Strategy for the town is of consolidation, active land management, employment generation and residential development centred around regeneration of the town centre and high-quality public transport in the form of Metrolink and Busconnects. Development will be appropriately managed through the provision of LAPs and Masterplans. Having regard to the status of the Key Town designation and the ongoing delivery of housing within Swords, a 15% increase in population is appropriate.

With regards to the housing strategy as set out within the Development Plan, there are three core principles which inform and guide the core strategy which are as follows:

- *“To ensure Fingal County Council provides for the development of sufficient housing to meet its obligations as set out in the Regional Planning Guidelines.*
- *To identify the existing and likely future need for housing in the area of the Development Plan.*
- *To ensure that sufficient zoned lands are provided to meet the needs of the different categories of households.”*

It is submitted that the proposed development at Mooretown is consistent with the Variation No. 2 of the Development Plan, as well as housing strategy as it will assist in the delivery of housing, of a sustainable density, within a wider residential scheme granted under Reg. Ref. F15A/0183, Reg. Ref. F16A/0505, Reg. Ref. F18A/0701, Reg. Ref. F18A/0751, and Reg. Ref. F19A/0029, within close proximity to a public transport corridor, whilst providing a variety of unit types and mixed tenures for all, in a high-quality, vibrant community setting.

4.1.3 Sustainable Neighbourhoods and Communities

In terms of sustainable communities and urban design in residential developments, the Development Plan states that, *“successful areas are places where people want to live, work and visit”*. The Development Plan emphasises several characteristics that attractive places have in common:

- *“Include a range of facilities focused in a consolidated area with a critical mass of attractions and make best use of the already established investment in the built environment; these attractions include a mix of shops as well as a wide range of financial, professional and government services together with cultural, entertainment and leisure facilities.*
- *Include a thriving local residential population which adds to the vitality and vibrancy of the area as it ensures activity outside of standard retail and office opening hours.*
- *Are easily accessible by a range of transport modes including cycling and walking, have sufficient good quality short stay car parking close to the core area, have good transport linkages within the centre, and have efficient arrangements for delivery of goods.*
- *Present an attractive amenity in terms of the built environment and streetscape, streets and public spaces which are considered clean and safe, and have a sense of local identity and character, all of which greatly enhances the attraction of the centre.*
- *Have the vision and mechanisms in place to build on these existing assets, can overcome problems, adapt to both market and consumer needs and can secure appropriate and necessary improvements where required.*
- *Encourage and facilitate sustainable lifestyles and livelihoods.”*

It is submitted that the proposed development at Mooretown is consistent with these criteria. The proposed residential development which incorporates 1 no. childcare facility (519 sqm), 5 no. retail units, and a café/restaurant is located in an area which benefits from ease of access to a range of transport modes (including bus) with cycling and walking also a key consideration of the proposed development. The influx of population arising from the proposed development will increase the critical mass required to further support public transport infrastructure. There is a range of facilities in the immediate vicinity of the subject lands including community facilities, sports clubs, etc. and within the wider Swords area. A Community and Social Infrastructure Audit, prepared by Downey Planning, also accompanies this SHD application request which provides detailed information and assessment on the existing infrastructure currently serving the Mooretown lands. The design of the proposed development provides for an attractive development with a sense of character and place that will integrate the proposed development with the surrounding area and assist in the completion of the wider residential scheme for the Oldtown-Mooretown lands.

4.1.4 Movement and Transport

In relation to movement and infrastructure, the Development Plan states that a safe, efficient, effective, and sustainable transportation system is essential to the future economic, social, and physical development of Fingal. The Development Plan seeks to:

- *“Promote and facilitate movement to, from, and within the County of Fingal, by integrating land use with a high quality, sustainable transport system that prioritises walking, cycling and public transport.”*
- *Provide an appropriate level of safe road infrastructure and traffic management, in particular to support commercial and industrial activity and new development.*
- *Work with all relevant stakeholders to seek a reduction in greenhouse gas emissions from transport.”*

The Plan notes that the integration of land-use and transport involves locating trip intensive land uses (such as high-density housing, offices, and comparison retail) near high capacity public transport (such as DART, Metro, Luas, and Bus Rapid Transit). It benefits the land uses by providing high quality public transport for the greatest number of residents and employees. It benefits public transport by providing sufficient customers within its catchment to sustain the high cost of public transport infrastructure and services.

Allowing higher density development to occur along public transport corridors increases the number of people within the walking catchment of the public transport service, which in turn increases the patronage of the service, and leads to an increase in its financial and economic viability and positive environmental impact. In this instance, the proposed development provides for a residential development of sustainable density within close proximity to high-frequency public transport in accordance with objectives set out within the Development Plan including:

Objective MT05: *“Integrate land use with transportation by allowing higher density development along higher capacity public transport corridors.”*

Objective MT08: *“Control on-street parking in the interests of the viability, vitality and amenity of commercial centres by maximising the supply of short stay parking for shoppers, while providing appropriate levels of long-term parking within a reasonable distance for employees.”*

Objective MT13: *“Promote walking and cycling as efficient, healthy, and environmentally friendly modes of transport by securing the development of a network of direct, comfortable, convenient and safe cycle routes and footpaths, particularly in urban areas.”*

Objective MT19: *“Design roads and promote the design of roads, including cycle infrastructure, in line with the Principals of Sustainable Safety in a manner consistent with the National Cycle Manual and the Design Manual for Urban Roads and Streets.”*

Objective MT22: *“Improve pedestrian and cycle connectivity to stations and other public transport interchanges.”*

Objective MT37: *“Implement traffic calming on particular roads and in appropriate areas of the County, especially residential areas, to reduce vehicle speeds in the interests of road safety and residential amenity. Ensure that where appropriate, traffic calming is included as a pre-condition as part of the development of all new estates or extensions to existing estates.”*

It is submitted that the proposed development at Mooretown is consistent with these policies and objectives. The completion of this area of the Oldtown-Mooretown lands and wider area will ensure walking and cycling are viable options for the community, with the area also very well served by existing public transport infrastructure all of which will ensure that the future population utilise sustainable public transport and active travel options rather than car transport. This is outlined further in the enclosed Traffic and Transport Assessment prepared by Waterman Moylan Engineering Consultants.

4.1.5 Land Use Zoning

Under the Fingal County Development Plan 2017-2023, the subject site is zoned “RA - Residential Area” and therefore aims to:

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

The vision for this objective 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”.

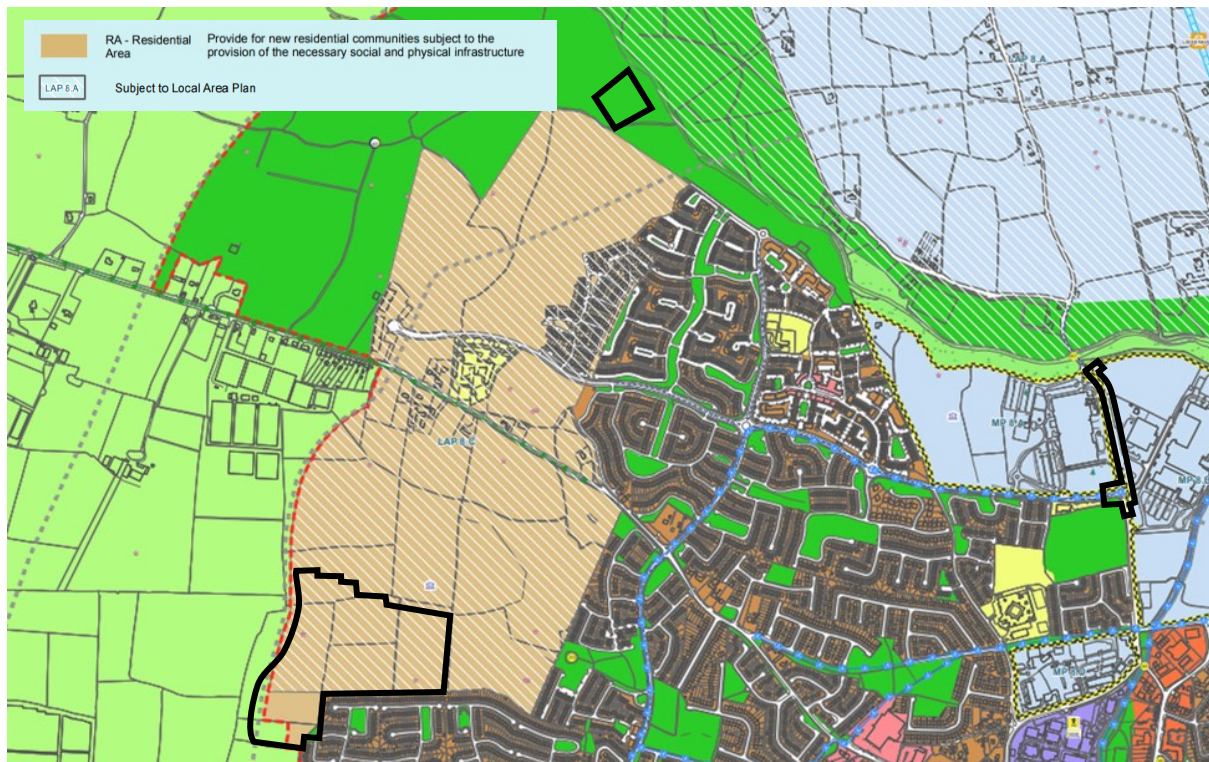


Figure 2. Land Use Zoning Map Extracted from the County Development Plan (application site outlined in black)

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 3. Permitted Uses under the RA Land Use Zoning

Therefore, the proposed mixed-used development providing for residential, community amenity, and retail/commercial services are permitted in principle under the zoning objectives pertaining to the subject lands.

It is also noted that the Class 1 open space lands to the north are zoned **OS-Open Space** –

“To preserve and provide for open space and recreational amenities”.

The proposed open space in this area is therefore permitted in principle under this zoning designation.

The proposed storage tank site is zoned **ME-Metro Economic Corridor** –

“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”.

The tank can be considered essential infrastructure and has been designed in conjunction with Irish Water. It will not only facilitate the connection requirement of this subject application but will also have the capacity to allow for continued development in the Oldtown/Mooretown catchment.

4.1.6 Development Standards

Chapter 12 of the Fingal County Development Plan sets out development standards and criteria that from the policies and objectives of the Development Plan to ensure that development occurs in an orderly and efficient manner and that it is in accordance with proper planning and sustainable development. The following section assesses the main set of standards and criteria required for high-quality, sustainable development:

(A) High Quality Urban Design

The Development Plan defines several objectives to support high quality urban design. It will allow the creation of accessible places where people want to live, work, and spend time. It is the policy of the Council to ensure all development is of a high-quality design and promotes the achievement of accessible, safe and sustainable built and natural environments, which reflect the special character and heritage of the County and its varied townscapes and landscapes. Design principles are based on

the ‘Sustainable Residential Development in Urban Areas - Guidelines for Planning Authorities’ and ‘Best Practice Urban Design Manual’, which contains twelve design principles to be applied to all developments with Objective DMS03 requiring:

Objective DMS03: *“Submit a detailed design statement for developments in excess of 5 residential units or 300 sq. m of retail/commercial/office development in urban areas. The design statement is required to:*

- *Explain the design principles and design concept.*
- *Demonstrate how the twelve urban design criteria (as per the 'Urban Design Manual - A Best Practice Guide') have been taken into account when designing schemes in urban areas. Each of the twelve criteria is of equal importance and has to be considered in an integrated manner.*
- *Outline how the development meets the Development Plan Objectives, and the objectives of any Local Area Plan, Masterplan, Urban Centre Strategy, Framework Plan or other similar Plan affecting the site.*
- *Include photographs of the site and its surroundings.*
- *Include other illustrations such as photomontages, perspectives, sketches.*
- *Outline detailed proposals for open space and ensure the provision of open space is designed in from the beginning when designing a new scheme.*
- *Outline a detailed high-quality open space and landscape design plan including specifications, prepared by suitably qualified professionals.*
- *Outline how Green Infrastructure integrates into the scheme.”*

In accordance with the aforementioned objective, an Architectural Design Statement as been prepared by CCK Architects which sets out the proposed developments compliance with the 12 urban design criteria and how the proposed development accords with the requirements of Objective DMS03 of the pertaining Development Plan.

(B) Dwelling Mix

The Development Plan states that the dwelling mix in any residential scheme should provide a balanced range of dwelling types and sizes to support a variety of household types. The proposed development consists of 265 no. houses (240 no. 3 beds and 25 no. 4 beds), 187 no. apartments, 6 no. triplex units, and 192 no. duplex units (113 no. duplex “house” units and 79 no. duplex “apartment” units). In this regard, the proposed development provides for a mix of units in accordance with the Development Plan and the mix requirements as set out within the ‘Sustainable Urban Housing: Design Standards for New Apartments’ Guidelines.

(C) Density

The Development Plan provides that the number of dwellings to be provided on a site should be determined with reference to the ‘Sustainable Residential Development in Urban Areas - Guidelines for Planning Authorities’ (2009). Section 5.11 of the Guidelines encourages a net residential density in

the range of 35-50 units/hectare for the subject lands. It also states that densities less than 30 dwellings per hectare should generally be discouraged in the interests of land efficiency. In this regard, the proposed development provides for a net density of 45 units per hectare (650 units on 14.47 hectares) and therefore accords with the density requirements of both the Development Plan and national guidelines.

(D) Apartment Developments

The ‘Sustainable Urban Housing: Design Standards for New Apartments’ Guidelines have superseded the design standards for apartments as set out in the Development Plan. With regards to Dual Aspect the proposed development provides for a minimum of 70% dual aspect units in accordance with Objective DMS20 of the Development Plan.

The apartment floor areas are also in accordance with the ‘Sustainable Urban Housing: Design Standards for New Apartments’ as set out in the enclosed Architectural Design Statement (Architects Report) prepared by CCK Architects and generally exceed the minimum standard. Please refer to the enclosed report for full details on the proposed developments compliance with standards for apartment developments.

(E) Daylight, Sunlight and Overshadowing

Objective DMS30 of the Development Plan requires that all new residential units comply with the recommendations of the ‘Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice’ (B.R.209, 2011) and ‘BS 8206-2:2008 Lighting for Buildings, Code of Practice for Daylighting’ or other updated relevant documents. This planning application is accompanied by a Daylight Sunlight Assessment report prepared by Waterman Moylan Engineering Consultants, which demonstrate that the proposed development complies with aforementioned guidelines and accords with the BRE recommended daylight levels.

(F) Refuse Storage and Bins

The proposed development provides for refuse storage areas to rear gardens for those units benefiting of access to a rear garden (detached, semi-detached or end of terrace). Bin storage for mid-terrace houses is provided in the front gardens. Bins will generally be located behind a short screen and a soft landscaped strip where on-curtilage parking is provided. If on-street parking is proposed, the front gardens allow for landscape screening between the bins and the front railings. Communal bin stores are provided for the apartment buildings in enclosed spaces ensuring that refuse storage and bins are in accordance with Objective DMS36 of the Development Plan. Please also refer to the Operational Waste Management Plan prepared by Enviroguide Consulting.

(G) Landscaping/Open Space

The Development Plan states that for all developments with a residential component, the overall standard for public open space provision is 2.5 hectares per 1000 population. In this regard, Objectives PM52 and DMS57:

*“Require a minimum public open space provision of 2.5 hectares per 1000 population.
For the purposes of this calculation, public open space requirements are to be based on*

residential units with an agreed occupancy rate of 3.5 persons in the case of dwellings with three or more bedrooms and 1.5 persons in the case of dwellings with two or fewer bedrooms.”

There is significant public open space in the vicinity of the subject site. The proposed development provides for a total of 4.3 ha of amenity space (incl. Class 1 and 2 open space) within the overall scheme to serve the proposed and existing units. This includes 2.6ha of Class 1 and 1.7ha of Class 2 open space. The subject site is also within proximity to Broadmeadow Park which comprises 8.58 ha of high quality public open space, the future Regional Park providing an additional 22 ha of open space, as well as the Rathbeale Archaeological Park to serve the residents of Mooretown and the wider area. The design of the proposed development has also sought to ensure that the public have access across the site with permeability and links a key criterion in the design evolution of the proposed development with pedestrian and cycle links provided throughout the scheme. This is detailed further within the Architectural Design Statement (Architects Report) and Landscape Design Report enclosed with this SHD application. It is important to note that the Regional Park is considered critical infrastructure within the pertaining Development Plan and thus represents a significant additional open space to be enjoyed by the future occupants of the proposed scheme, as indicated in Objective SWORDS 6 below.

Objective SWORDS 6 - *“Prioritise the early construction of the following critical infrastructure:*

- *The Western Distributor Road,*
- *The Fosterstown Link Road,*
- *The ‘Green link’ across the Ward River Valley,*
- *The Highfield Link Road,*
- *The two new roads (The Western and Eastern Avenues included as per the adopted Local Area Plan for Barrysparks) through the Barrysparks MC and adjoining HT zoned lands (These roads link the R132 and the proposed Airside - Drinan Link Road to the south), and*
- *Develop a Regional Park (of circa 65 ha) immediately west of Oldtown, and adjoining and ultimately extending into the Broadmeadow River Valley Linear Park, to serve Swords and its hinterland, and to comprise active recreational and passive activities, commensurate with the Council’s vision for the emerging city of Swords, subjecting the proposal to Screening for Appropriate Assessment, in particular the cumulative impacts of increased access to European Sites.”*

Apartment schemes must provide for communal open space, which is a critical environmental resource as a ‘breathing space’ and for meeting the amenity needs of residents. It may be in the form of accessible sheltered roof gardens, communal landscaped areas at ground level or at podium level where commercial or retail uses occupy the ground floor. Communal open space has been provided throughout the scheme for the enjoyment of residents.

In terms of private open space, the Development Plan states that, *“private open space associated with apartments and duplexes is important to ensure a suitable level of amenity for occupiers. Balconies and terraced areas are the primary form of private open space for apartment and duplex type schemes.*

Whilst private and communal amenity space may adjoin each other, there should generally be a clear distinction with an appropriate boundary treatment and/or a 'privacy strip' between the two."

Each apartment unit within the proposed development has been provided with adequately sized balconies or patios/terraces which have been designed in accordance with the pertaining quantitative and qualitative standards, with appropriate boundary treatments to ensure privacy and security.

Please refer to the enclosed schedule of accommodation prepared by CCK Architects which sets out the private and communal open space provided within each block, and to the enclosed landscaping documents prepared by Doyle & O'Troithigh Landscape - Architecture for further details regarding the landscape scheme for the proposed development.

(H) Childcare Facilities

The provision of childcare facilities is considered an important factor for economic and social wellbeing. The Council will seek to facilitate the provision of childcare facilities in appropriate locations throughout the County and may require their provision in accordance with the provisions of the DoEHLG 'Childcare Facilities Guidelines for Planning Authorities' (2001). The following objective of the Development Plan pertains to the proposed development:

Objective PM76: *"Require as part of planning applications for new residential and commercial developments that provision be made for appropriate purpose-built childcare facilities where such facilities are deemed necessary by the Planning Authority."*

As part of the scheme, the proposed development provides for a 512 sqm childcare facility which can accommodate circa 102 pre-school children. This would also be supported by the proposed childcare facility provisioned as part of the forthcoming planning application on Oldtown lands (by the same applicant - Case Ref. ABP-307498-20), which will provide for 1 no. childcare facility of 519 sqm capable of accommodating circa 102 children and is submitted to be excess of what was initially projected to suffice the proposed scheme. Therefore, this is considered to be sufficient to cater for the proposed development. Please refer to the Community & Social Infrastructure Audit, Childcare Provision Assessment report, and School Demand Assessment report prepared by Downey for further details on the childcare and educational facilities to serve the proposed development.

In light of the above, it is submitted that the proposed development is consistent with the Childcare Facilities Guidelines and the requirements for the Fingal County Development Plan 2017- 2023.

(I) Car and Bicycle Parking Standards

It is submitted that a total of 991 no. car parking spaces are proposed. It is submitted that the overall car parking proposed for the proposed scheme is below standards set out in the Development Plan, which requires a total of 1,235 car parking spaces. Thus, the overall car parking provision may be considered to potentially materially contravenes the Fingal Development Plan 2017-2023. This is fully addressed in the Statement of Material Contravention prepared by Downey, which we invite the Board to refer to.

In relation to the bicycle parking provision, an overall total of 1,141 cycle parking spaces is proposed, with 910 no. spaces for residents, 231 no. spaces for visitors, and 12 no. spaces to serve the creche

and 6 no. spaces to serve the retail/café. The cycle parking proposed for the residents is submitted to be in line with the requirements set out in the 2020 Apartment Guidelines. It is also submitted that the cycle parking for visitors and for the non-residential units comply or exceed the requirements of the Development Plan. It is noteworthy to mention that the proposed development is located in an area served by good public transport which, as planned under BusConnects programme, is projected to be upgraded with more frequent and reliable routes. Moreover, cycle and pedestrian facilities in the locality are new (along R125 Rathbeale Road, Western Distributor Road and Glen Ellan Road) with good connections to bus stops and local amenities. Within the 15-minute cycle band from the site there are several retail, leisure, sports, and employment facilities available.

Therefore, based on the above and on the guidelines for parking as set out under the *'Sustainable Urban Housing: Design Standards for New Apartments'* Guidelines, the proposed car parking is considered appropriate to serve the subject development as it meets criteria to minimise car parking provisions, such as being served by public transport facilities and being close to a potential town centre and employment areas.

Please refer to the Traffic and Transport Assessment prepared by Waterman Moylan Engineering Consultants for further details on the proposed car parking and bicycle parking to serve the proposed development.

4.2 Oldtown-Mooretown Local Area Plan 2010-2016 (extended to July 2020)

The subject site forms part of the Oldtown and Mooretown lands in Swords, which were previously informed by the Oldtown-Mooretown Local Area Plan 2010-2016. The LAP had also been extended for a further five years from the 13th of July 2015 up to the 12th of July 2020. This final phase of the lands has been designed and proposed within the spirit of the Plan. As such, the proposed scheme is considered to comply with the vision and aims of the since expired LAP and pertaining planning guidelines for the application site in the context of the wider Oldtown-Mooretown lands.

5.0 CONCLUSION

This Statement demonstrates that the proposed development complies with the relevant national, regional, and local planning policy. It is submitted that the proposed development will provide an appropriate form of development on the subject lands that are already serviced and zoned for residential development which permit in principle residential use and other complementary land uses such as the childcare facility proposed. The proposed development will provide for an effective, efficient, sustainable use of what would be the third phase of a wider residential scheme within Mooretown which is a highly accessible location very well served by public transport and amenities/facilities.

In light of the above, it is respectfully submitted that the proposed development is consistent with the proper planning and sustainable development of the area in which it is located as expressed in national, regional and local planning policy and Guidelines issued under Section 28 of the Planning and Development, 2000 (as amended), and as such, it is considered that the proposed development at Mooretown represents a high-quality Strategic Housing Development proposal which is now being submitted for the consideration of An Bord Pleanála.