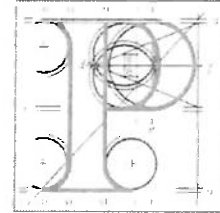


Our Case Number: ABP-319343-24

Planning Authority Reference Number: LRD0006/S3

Your Reference: Dean Swift Property Holdings Unlimited Company



**An
Bord
Pleanála**

Hughes Planning & Development Consultants
85 Merrion Square South
Dublin 2
D02 FX60

Date: 15 May 2024

Re: Ten year planning permission for a large scale residential development (LRD): construction of 564 no. dwelling units and all associated works.
Lands off Flemington Lane, Balbriggan, Co. Dublin (flemingtonlaneLRD.ie)

Dear Sir / Madam,

I have been asked by the Board to refer to your letter of 26th April 2024.

Please note that section 131 of the Planning and Development Act, 2000, (as amended) specifically precludes the Board from issuing a notice under this section to the applicant for permission in the case of an LRD appeal.

Yours faithfully,

Patrick Buckley
Executive Officer
Direct Line: 018737167

ADHOC

Teil
Glaó Áitiúil
Facs
Láithreán Gréasáin
Ríomhphost

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64 Sráid Maoilbhríde
Baile Átha Cliath 1
D01 V902

64 Marlborough Street
Dublin 1
D01 V902



AN BORD PLEANÁLA	
LDG-	_____
ABP-	_____
26 APR 2024	
Fee: €	<u>n/a</u> Type: _____
Time: <u>16.14pm</u>	By: <u>Hand.</u>

The Secretary,
An Bord Pleanála,
64 Marlborough Street,
Rotunda,
Dublin 1
(D01 V902)

Date: 26th April 2024

Re: Ten year planning permission for a large scale residential development (LRD): construction of 564 no. dwelling units and associated works.
Address: Lands off Flemington Lane, Balbriggan, Co. Dublin (flemingtonlaneLRD.ie)
Applicant: Dean Swift Property Holdings Unlimited Company
Fingal County Council Reference No: LRD0006/S3
An Bord Pleanála Reference No: ABP-319343-24

Dear Sir/Madam,

We refer to the above reference Large-Scale Residential Development (LRD) and the subsequent First Party Appeal submitted on behalf of Dean Swift Property Holdings Unlimited Company under ABP- 319343-24. We understand following a review of Fingal County Councils online planning registry that further comments on this First Party Appeal have been submitted to the Board by Fingal County Council, in a letter dated 16th April 2024 (Please see Appendix A).

Whilst we have not yet received correspondence from the Board in relation to this matter, we are of the opinion that it is appropriate in the interests of justice and due process, that the Applicant be given the opportunity to provide a response to this recent Fingal County Council submission.

Having regard to the above, we would be obliged if the Board could confirm by response if the Applicant may be permitted to provide a response to the Planning Authority's submission dated 16th April 2024.

Should you have any queries or require any further information, please do not hesitate to contact the undersigned.

We look forward to hearing from you in due course.

Yours sincerely,

Kevin Hughes MIPI MRTPI
Director
For HPDC



Appendix A: Further comment on First Party Appeal (ABP-319343-24) submitted to An Bord Pleanála by Fingal County Council in a letter dated 16th April 2024.



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

Our Ref. LRD0006/S3

Your Ref. ABP-319343-23

16th April, 2024

**Re: Ten year planning permission for a large scale residential development (LRD):
construction of 564 dwelling units and all associated works.
Lands off Flemington Lane, Balbriggan, Co. Dublin.**

Dear Sir/Madam,

I refer to your correspondence dated 21st March, 2024 regarding the above application.

The Planning Authority's comments are as follows:

The Planning Authority has reviewed the documents lodged as part of the first party appeal to An Bord Pleanála in relation to ABP-319343-24. This includes documentation set out in appendices, including a draft Deed of Transfer.

The Planning Authority remains of the view that the development as presented in the LRD application gives rise to a number of concerns and would be deficient in the timely delivery and phasing of necessary and supporting infrastructure and would fail to contribute to achievement of enhanced connectivity and sustainable travel opportunities in the wider northwest Balbriggan area. Therefore, the scheme would result in a substandard, poor-quality environment for future residents.

The Planning Authority also considers that matters of concern raised at the time of LRD Opinion, and which informed the finding that the application did not constitute a reasonable basis on which to make an application for permission, remained unresolved in the application process. Such matters included the resolution of the southern alignment and layout of the C-Ring/Spine Road, achievement of wider connectivity, as well as the establishment of phasing arrangements to ensure the timely delivery of public open spaces and housing in an orderly manner.

Furthermore, and as required under Section 177V of the Planning and Development Act 2000, as amended, a competent authority shall only give consent having determined that a development would not adversely affect the integrity of a European site. Having regard

the information provided as part of the application, particularly in relation to the impact of the development on qualifying interests, insufficient information was available to the Planning Authority to enable it to determine whether the proposed development individually, or in combination, with other plans or projects would not adversely affect the integrity of nearby European Sites or their qualifying species.

An Bord Pleanála is respectfully requested to uphold the decision of the Planning Authority.

In the event that this appeal is successful, provision should be made in the determination for applying a financial contribution and/or Bond in accordance with Fingal County Council's Section 48 Development Contribution Scheme.

Yours faithfully,

Deirdre

Deirdre Fallon,
A/Senior Planner.

Date: 17th April 2024