

**D C W N E Y**

# **PLANNING STATEMENT**

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

**Applicant: Birchwell Developments Ltd.**

**April 2022**

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## 1.0 INTRODUCTION

Downey, Chartered Town Planners, 29 Merrion Square, D02RW64, have prepared this Planning Statement, on behalf of the applicant, Birchwell Developments Ltd. to accompany a planning application to An Bord Pleanála for a proposed Strategic Housing Development on lands at Back Road and Kinsealy Lane, Kinsaley, Broomfield, Malahide, Co. Dublin.

This application is accompanied by a comprehensive range of documentations which specifically seek to address the requirements of the Planning and Development (Housing) and Residential Tenancies Act 2016, the Planning and Development (Strategic Housing Development) Regulations 2017, items raised by the Planning Authority and An Bord Pleanála during the pre-application consultations, national and regional planning policy and guidelines, and the Fingal County Development Plan 2017-2023.

The proposed development subject to this SHD application provides for construction of a total of 415 no. residential dwellings, comprising 252 no. houses (192 no. 3 beds, 48 no. 4 beds, and 12 no. 5 beds), 28 no. duplex units (8 no. 1 beds, 14 no. 2 beds, and 6 no. 3 beds) and 135 no. apartments (37 no. 1 beds, 93 no. 2 beds, and 5 no. 3 beds), with ancillary amenity facilities, 1 no. childcare facility and associated car parking and bicycle parking, landscaping, boundary treatments, and all associated engineering and site development works necessary to facilitate the development.

The layout of the proposed residential scheme benefits from a variety and diversity of unit mix which will provide for demanded housing, on an inclusive basis, and will achieve robustness, in terms of adaptability and variation over time. The form and buildings envelope of the proposed residential scheme will be three storey duplex blocks and four to five storey apartments which offers a harmonic landscape based on a clear pattern of housing cells arranged around a legible street and open space hierarchy, in which interest areas stand out due to prominent build forms.

The proposed compact urban form allows for apartments and duplex units to be stitched into streetscapes that are legible and characterised by traditional housing to ensure the delivery of a total number of dwellings significant enough to sustain the existing and future road and drainage infrastructure and neighbourhood facilities of Malahide.

Design and materials will be of a high quality and there will be a mixture of unit configurations across the site to avoid a homogenous block appearance and to facilitate the various type of family units that will ultimately occupy the units. It is proposed to provide 45 no. 1-bed units, 107 no. 2-bed units, 203 no. 3-bed units, 48 no. 4-bed units, and 12 no. 5-bed units across a mix of one, two, and three bed apartments and duplexes, and three to five bed houses providing for a mix of units.

This Planning Statement outlines the context of the subject site, the background and rationale of the proposed development and provides a summary as to how it complies with the relevant planning policy and guidelines. It should be read in conjunction with the accompanying detailed documentation prepared by the design, landscape, and engineering teams.

The scheme has been prepared by a multi-disciplinary design team and has been subject to pre-planning consultation with the local authority and An Bord Pleanála. The proposed scheme has evolved and improved as a result of Stage 1 and Stage 2 meetings and numerous internal design team

meetings. This has ensured that a well-considered and appropriate form of development can be developed and that will help to integrate with the future development of the wider Malahide area. The design team is as follows:

- MCORM Architects - Project Architect
- Charles McCorkell - Arboricultural Consultancy
- Kevin Fitzpatrick - Landscape Architecture
- Waterman Moylan - Civil, Structural, Traffic, Mechanical, and Electrical Engineers
- Digital Dimensions - Daylight/Sunlight/Internal Light Analysis, and CGI Consultants
- Cyrrus Ltd. - Aviation Consultants
- Faith Wilson - Ecological Consultant
- Enviroguide Consulting - Environmental Consultants
- Dermot Nelis Archaeology - Archaeology Consultants
- Sabre Electrical Services Ltd. - Public Lighting Consultants
- Downey - Planning Consultant

It is submitted the proposed development offers an efficient use of appropriately zoned lands within the development boundary of Malahide. The subject lands are located in Broomfield, Malahide, Co. Dublin, and within the administrative area of Fingal County Council. With an approximate area of 12.5 ha, the subject site is situated within the existing built-up area of Malahide. Access to the site is currently via an entrance off the Back Road, 0.55km east of the junction between Back Road and Kinsealy Lane. The overall proposed development is divided into 2 no. sites.

The north site is bounded by Ashwood Hall to the west, the Dublin-Belfast rail line to the east, agricultural lands to the south, and by existing properties to the north. The southern site is bounded by the Hazelbrook housing development to the west, Brookfield to the north and agricultural lands to the south and east.

The application site enjoys excellent connectivity to Dublin City Centre via Dublin Bus services that run along Malahide Road, as well as commuter services from Malahide DART Station, which is located circa 1.3km to the northeast of the lands. Malahide train station offering DART services to Dublin City Centre is a 20-minute walk or a 6-minute cycle from the site. Additionally, with the proposed vehicular access routes onto Back Road and Kinsealy Lane, accessibility of the site to the wider area and its internal permeability is expected to notably be enhanced. These routes provide direct access to the Malahide Demesne, also link in the town centre from the southern portion of the lands via Back Road and Church Street.

This report sets out the planning rationale and justification for the proposed development and demonstrates how it accords with the proper planning and sustainable development of the area. This Statement should be read in conjunction with the plans, drawings, and documentation submitted as part of the overall planning pack.

## 2.0 SITE LOCATION & DESCRIPTION

The subject lands are located off the Back Road and Kinsealy Lane, Malahide, in the northern periphery of Dublin and within 12 km distance from its city centre. The subject site is located within the administrative boundaries of Fingal County Council.

It will form the natural extension to two adjoining, existing developments currently under construction by the same applicant (Birchwell Developments Ltd.), namely Ashwood Hall and Brookfield. These two schemes were planned and are being delivered as part of the development of the Broomfield lands which were subject to the objectives of the Broomfield Local Area Plan (LAP) 2010. The proposed development will represent the completion of the developable lands originally envisaged for residential development within the LAP.



Figure 1. Aerial View of the Location of the Subject Site (approximate boundaries of the subject site outlined in red)

Access to the site is currently via an entrance off the Back Road, 0.55km east of the junction between Back Road and Kinsealy Lane. The land uses surrounding the site are generally residential. Malahide Castle and Demesne is located 800m to the north of the subject site and can be accessed via Back Road. To the northeast of the site there is Malahide DART Station at 1.3km and Malahide Beach at 1.8km. Malahide Golf Club is located c.1.5 km to the south of the lands. Malahide village centre is located to the north-east of the subject lands and provides a wide array of shops and services. The site enjoys excellent connectivity to Dublin City Centre via Dublin Bus services that run along Malahide Road, as well as commuter services from Malahide DART Station.

The site subject to this SHD application splits into two distinct areas; the northern lands which are bounded by Ashwood Hall to the west and north, and the southern lands which lie to the east of

Hazelbrook and the south of Broomfield. The surrounding area of the lands is predominately characterised by residential development, with agricultural lands to the south and east.



Figure 2. Aerial View of the Application Site (approximate boundaries of the subject site outlined in red)

### 3.0 PLANNING HISTORY

Downey have carried out an examination of the planning history of the subject site which determined that there has been one number planning application made on the northern portion of the subject lands, as follows:

- **Reg. Ref. F94A/0887** - By order dated 20<sup>th</sup> February 1995, Fingal County Council granted permission to E. M. Hogan for reinstatement of lands incorporating new pitch.

However, as the application site adjoins two neighbouring developments, namely Ashwood Hall and Brookfield, which were subject to the Broomfield LAP 2010 designation area, the following provides an overview of the foregoing applications:

- **Reg. Ref. F13A/0459/PL06F.243863 (Ashwood Hall)** - By order dated 26<sup>th</sup> August 2014, Fingal County Council granted permission to Birchwell Developments Ltd. for 56 no. two storey

dwelling with associated on-curtilage parking, neighbourhood centre containing three retail units, with associated parking and a reserved site for a disability care facility unit and a house unit adapted for special needs (subject to a future planning application). The development will be served via a new vehicular and pedestrian access (replacing existing road junction) from Back Road. The main spine road through this development will link to and serve the Southern Development Area Broomfield LAP lands. The development also includes for pedestrian and cyclists' linkages, landscaping, boundary treatments, ESB sub-station, foul sewer works connecting to Kinsealy Lane, SUDS surface water drainage works together with all other associated site development works necessary to facilitate the development. The works also propose the demolition of three dwellings (one of which is a derelict dwelling). Subsequently, an appeal was lodged on 16<sup>th</sup> September 2014 and a decision to Grant Permission was made by An Bord Pleanála on 10<sup>th</sup> March 2015.

- **Reg. Ref. F13A/0459/E1** - Grant Extension of Duration up to and including 10<sup>th</sup> March 2025.
- **Reg. Ref. F13A/0460/ PL06F.243821 (Brookfield)** - By order dated 20<sup>th</sup> August 2014, Fingal County Council granted permission to Birchwell Developments Ltd. for 80 no. dwellings and associated car parking of which 1 no. dwelling will be utilised as a creche. The development also includes landscaping, boundary treatments, ESB sub-station, foul sewer works connecting to Kinsealy Lane, SUDS surface water drainage works, and all other associated site works necessary to facilitate the development. The proposed development provides for pedestrian and cyclist linkages, emergency, and agricultural access to the adjoining 'RS' zoned lands to the west (residential scheme granted under Reg. Ref. F11A/0386). The development will be accessed via 1 no. vehicular and pedestrian access onto Back Road. Subsequently, an appeal was lodged on 5<sup>th</sup> September 2014 and a decision to Grant Permission was made by An Bord Pleanála on 10<sup>th</sup> March 2015.
- **Reg. Ref. F13A/0460/E1** - Grant an extension of duration up to and including 10<sup>th</sup> March 2025.

It is important to note that the foregoing applications are currently under construction, which gives an indication of the existing context to the proposed residential scheme. It is important to note that there have been minor revision applications on these lands for mainly change of house types, extensions, etc. which are suggested to be beyond the scope of this planning history.

It is understood by Downey that there is a live application for developing a new primary school on lands at Broomfield, Malahide at the time of preparation of this SHD application. Registered under **Reg. Ref. F22A/0105**, this application was lodged to Fingal County Council on 4<sup>th</sup> March 2022, and as per the statutory notice, *"The development comprises the building of a new 2 storey, 16 classroom primary school (roll number 20445D), including a multi-purpose hall, a 2 classroom special education needs unit, an associated staff car park, delivery/drop-off areas, ball courts/playgrounds, a litter bin/storage site, covered parking units for bicycles, boundary treatments, landscaping site lighting, a link to public services and all associated site works. The proposed project encompasses a new site access route to the estate road that already exists."*

To provide for further context to the application site and the wider Broomfield lands, the following represents the planning history to the immediate surroundings of the lands. Noted that these applications are all located to the immediate north of the subject lands.

- **Reg. Ref. F19A/0579** - By order dated 3<sup>rd</sup> February 2020, Fingal County Council granted permission for: (a) Construction of 2 no. 288sqm part two storey/part single storey detached four bedroom dwellings, (each dwelling consists of 141sqm at ground floor level and 147sqm at first floor level); (b) New vehicular entrance to existing road and off-street parking; (c) New soft landscaping to boundaries and freestanding walls surrounding building to define external spaces; and (d) All associated siteworks.
- **Reg. Ref. F19A/0580** - By order dated 5<sup>th</sup> February 2020, Fingal County Council granted permission for: (a) Construction of a 288sqm part two storey, part single storey detached four-bedroom dwelling, (141sqm at ground floor level and 147sqm at first floor level); (b) New vehicular entrance to existing road and off-street parking; (c) New soft landscaping to boundaries and freestanding walls surrounding building to define external spaces; and (d) All associated siteworks.
- **Reg. Ref. F19A/0581** - By order dated 12<sup>th</sup> March 2020, Fingal County Council granted permission for: (a) Construction of a 398sqm part three storey/part single storey detached five bedroom dwelling, (161sqm at ground floor level, 147sqm at first floor level and 90sqm at attic floor level); (b) New vehicular entrance to existing road and off-street parking; (c) New soft landscaping to boundaries and freestanding walls surrounding building to define external spaces; and (d) All associated siteworks.

Furthermore, it is submitted that there is one application regarding infrastructure provision in the area relevant to this application, as follows:

- **Reg. Ref. F21A/0451** - By order dated 12<sup>th</sup> February 2021, Fingal County Council granted permission for proposed upgrades of the existing foul water storage tank to provide for a pumping station with increased storage capacity, new sewer and rising main along Kinsealy Lane with associated interceptions and manholes, boundary treatments, and all associated engineering and site works necessary to facilitate the development.

## 4.0 PRE-APPLICATION CONSULTATION

### 4.1 Pre-application Consultation with Fingal County Council

#### 4.1.1 Formal Section 247 Pre-Planning Consultation

The formal Section 247 Pre-Application Consultation with the Planning Authority required under the Planning and Development (Housing) and Residential Tenancies Act 2016 took place on 25<sup>th</sup> August 2020 remotely via Microsoft Teams. This was logged under Fingal County Council Pre-planning Consultation reference no. PPSHD/012/20. The initial concept design for the application site which were presented at this meeting provided for 477 no. dwellings (comprising 252 no. houses, 48 no. duplex units and 177 no. apartments).

Those in attendance from Fingal County Council consisted of Sean Walsh, Planning (Senior Executive Planner), Carol Hurley, Planning (Executive Planner), Niall Thornton, Roads and Transportation (Executive Engineer), Darragh Sheedy, Roads and Transportation (Executive Engineer), and Mark Finnegan, Parks and Green Infrastructure (Executive Parks Superintendent). The Design Team consisted of Paul O'Rourke, Associate, and Stephan Manning, Architect (MCORM Architects), Mark Duignan, Associate (Waterman Moylan Consulting Engineers), Simone Kennedy, Landscape Architect (KFLA Landscape Architects), John Downey, Director (Downey), and Eva Bridgeman, Director of Planning (Downey), and client's representatives, Bernie Carroll, Richard Wallace, and Daniel Givens (Birchwell Developments Ltd).

This consultation meeting helped to inform the design of the proposed development now being submitted to the Board. The proposal set out during this consultation states that the initial, preferred scheme consisted of a residential scheme comprised of 458 no. units with a net density of c. 41 units per hectare. This consultation resulted in the design team giving further due consideration to internal residential impact and overlooking, density, creation of distinctive character areas across the scheme, accessibility and provision for vehicular access routes, permeability and provision for pedestrian and cycling linkages, residential amenity and site layout, green open spaces and landscaping, etc.

## **4.2 Part V Engagement**

Part V of the Planning and Development Act, 2000 (as amended) applies to the proposed development. In order to reach an agreement regarding compliance with Section 96 of Part V of the Planning and Development Act, 2000 (as amended), the client engaged with the Housing Department of Fingal County Council. In accordance with the Council's requirements and upon sending a booklet of indicative costings to the Department, the client has received a validation letter from Fingal County Council's Housing Department issued on 9<sup>th</sup> December 2021. It is noted that in light of recent Part V amendments following Housing Act 2021 and Housing Circular 28/2021 on Affordable Housing Act 2021, the Part V provision within the scheme does not need to be revisited. Therefore, this would provide for 10% of the overall units proposed, which have been identified on the architectural drawings and detailed schedule of accommodation (Housing Quality Assessment) prepared by MCORM Architects. In accordance with the Council's requirements, indicative costings are enclosed as part of this planning application. A validation letter from Fingal County Council's Housing Department is also enclosed with this planning application. Thus, it is considered that the proposal meets the requirements of Part V of the Planning and Development Act, 2000 (as amended).

## **4.3 Pre-Application Consultation with An Bord Pleanála**

### **4.3.1 Formal Section 5 Pre-application Consultation**

Following consultation with Fingal County Council under Section 247 of Planning and Development Act, 2000 (as amended), a request to enter into pre-application consultation with An Bord Pleanála was submitted on 27<sup>th</sup> November 2020, with An Bord Pleanála subsequently accepting the Section 5 pre-application consultation request. The pre-application consultation meeting was then held virtually via Microsoft Office Teams on 27<sup>th</sup> April 2021.

Those in attendance from An Bord Pleanála consisted of Tom Rabbette (Assistant Director of Planning), Una O'Neill (Senior Planning Inspector), and Helen Keane (Executive Officer). Those in

attendance from Fingal County Council consisted of Sean Walsh, Planning (Senior Executive Planner), Carol Hurley, Planning (Executive Planner), Niall Thornton, Roads and Transportation (Executive Engineer), Darragh Sheedy, Roads and Transportation (Executive Engineer), and Mark Finnegan, Parks and Green Infrastructure (Executive Parks Superintendent). The Design Team consisted of Paul O'Rourke, Associate, and Stephan Manning, Architect (MCORM Architects), Joe Gibbons Associate (Waterman Moylan Consulting Engineers), Simone Kennedy, Landscape Architect (KFLA Landscape Architects), John Downey, Director (Downey), and Eva Bridgeman, Director of Planning (Downey), Christy O'Sullivan (ILPT Consulting Engineers), and client's representatives, Bernie Carroll, Richard Wallace, and Daniel Givens (Birchwell Developments Ltd).

On 14<sup>th</sup> May 2021, An Bord Pleanála issued the notice of pre-application consultation opinion for the proposed development, under case reference ABP-308804-20. Having regard to the above, the opinion states that An Bord Pleanála *“has considered issues raised in the pre-application consultation process, and having regard to the consultation meeting and the submission of the planning authority, is of the opinion that the documents submitted with the request to enter into consultations constitute a reasonable basis for an application for strategic housing development.”*

The opinion further states that *“pursuant to article 285(5)(b) of the Planning and Development (Strategic Housing Development) Regulations 2017, the prospective applicant is hereby notified that, in addition to the requirements as specified in articles 297 and 298 of the Planning and Development (Strategic Housing Development) Regulations 2017, the following specific information should be submitted with any application for permission”* and notes 19 items to be submitted with any application, as follows:

- 1. A report, including CGIs, visualisations, and cross sections as necessary, which further elaborates upon the relationship of the proposed development with existing development in the area of the site, specifically within the area of the masterplan objective. Details should elaborate upon quantum of development and infrastructure within the area of the masterplan objective, including mix of units, open space, movement hierarchy, water services infrastructure and interaction of the proposed development with the adjoining street network and open space areas.*
- 2. Further consideration and/or elaboration of the documents in relation to core strategy and the zoning of the site, with a site layout plan overlaid on the zoning map.*
- 3. Further consideration and/or elaboration in relation to all relevant objectives and guidance set out in the development plan addressing noise, specifically relating to airport noise and public safety zones.*
- 4. Further consideration and/or elaboration in relation to vehicular permeability through the site and connectivity with Kinsealy Lane. Particular regard should be had to the issues raised in the report of the planning authority Transportation Planning Section, report dated 1st December 2020.*
- 5. Further consideration and elaboration of the documents as they relate to the design and layout of internal streets, specifically the design of the proposed home zones, car and bicycle parking, and positioning of footpaths relative to parking spaces.*

6. *Further consideration and elaboration of the documents as they relate to sunlight, daylight and overshadowing.*
7. *Further consideration and elaboration of the documents in relation to open space/landscaping, having regard to the report of the Parks and Green Infrastructure Division dated 1st December 2020, including clarification of the quantum of public open space being provided, hierarchy of open space having regard to the adjoining developments, interaction with existing adjoining open space, details in relation to levels, and boundary treatment to the Greenbelt. The landscaping plan for the site should clearly set out proposals for hard and soft landscaping including street furniture, where proposed, which ensures that areas of open space are accessible, usable and available for all.*
8. *Further consideration and/or elaboration of the documents as they relate to the treatment of existing trees on the site and existing treeline within Ashwood Hall to the west, to include maps and drawings providing clarity regarding trees to be removed, rationale for removal of trees and implications for protection of existing treeline given proximity of proposed dwellings.*
9. *Further consideration and elaboration of the documents as they relate to the risk of flooding, in addition to information relating to SUDS, having regard to the issues raised in the planning authority Water Services report, dated 1st December 2020.*
10. *A Housing Quality Assessment which provides the specific information regarding the proposed apartments required by the 2020 Guidelines on Design Standards for New Apartments. The assessment should also demonstrate how the proposed apartments comply with the various requirements of those guidelines, including its specific planning policy requirements and should include a schedule of floor areas for all proposed units, clearly setting out the aspect (single, dual, triple) of each unit.*
11. *A Building Lifecycle Report for the proposed apartments in accordance with section 6.13 of the 2020 guidelines should be submitted. Particular regard should be had to the requirement to provide high quality and sustainable finishes and details which seek to create a distinct character for the development.*
12. *Universal Access Plan*
13. *Social Infrastructure Capacity Assessment including Neighbourhood Centre facilities, School Demand Assessment and Childcare Assessment (including clarity in relation to number of children to be accommodated in accordance with the Childcare Facilities – Guidelines for Planning Authorities 2001).*
14. *A report that specifically addresses the proposed materials and finishes of buildings, landscaped areas and any screening/boundary treatment. Particular regard should be had to the requirement to provide high quality and sustainable finishes and details which seek to create a distinct character for the development.*
15. *A site layout plan clearly indicating what areas are to be taken in charge by the Local Authority.*
16. *Waste Management Details.*
17. *Site Specific Construction and Demolition Waste Management Plan.*

18. *The information referred to in article 299B(1)(b)(ii)(II) and article 299B(1)(c) of the Planning and Development Regulations 2001-2018 should be submitted as a standalone document.*
19. *Where the applicant considers that the proposed strategic housing development would materially contravene the relevant Development Plan, other than in relation to the zoning of the land, a statement indicating the plan objective(s) concerned and why permission should, nonetheless, be granted for the proposed development, having regard to a consideration specified in section 37(2)(b) of the Planning and Development Act 2000. Notices published pursuant to Section 8(1)(a) of the Act of 2016 and Article 292 (1) of the Regulations of 2017, shall refer to any such statement in the prescribed format.*

For the detailed response to the aforementioned items and to source the requested information within the application documentation, please refer to the Statement of Response to An Bord Pleanála's Pre-Application Consultation Opinion and Supporting Planning Statement prepared by Downey, Architecture Pack prepared by MCORM Architects, Landscape Pack prepared by KFLA Landscape Architects, and Engineering Pack prepared by Waterman Moylan Consulting Engineers.

#### **Further Pre-Application Consultation with Fingal County Council**

At this juncture, it is also important to note that this application now being submitted for a proposed Strategic Housing Development at Broomfield, Malahide is the result of a detailed design review of the proposed development by the applicant and design team following receipt of the Board's Pre-Application Consultation Opinion. It is also the result of further pre-application consultation between the relevant design team consultants and Fingal County Council's Parks and Green Infrastructure, Road and Transportation, and Water Services Department, prior to the formal lodgement of the application. Irish Water were also further consulted prior to lodgement.

## **5.0 DESCRIPTION & MERITS OF THE PROPOSED DEVELOPMENT**

### **5.1 Description of Proposed Development**

The proposed development, as per the description contained within the statutory planning notices, provides for:

*"We, Birchwell Developments Ltd., intend to apply to An Bord Pleanála for permission for a strategic housing development on lands at Back Road and Kinsealy Lane, Kinsaley, Broomfield, Malahide, Co. Dublin. The northern lands are generally bound by Ashwood Hall to the west, and the southern lands are generally bound by Hazelbrook to the west and Brookfield to the north.*

*The development will consist of the demolition of the former rugby clubhouse structure on site and the construction of a total of 415 no. residential units (252 no. houses, 135 no. apartments, and 28 no. duplex units); with 1 no. childcare facility and ancillary residential amenity facilities to be provided as follows:*

- *252 no. residential houses (192 no. 3 bed units, 48 no. 4 bed units, 12 no. 5 bed units) in detached, semi-detached, mid-terraced and end-terraced houses ranging from two to three storey in height;*

- *Apartment Blocks A & B are connected at ground and first floor level sharing an undercroft car park at ground floor level and a landscaped podium garden at first floor level, and contain a total of 110 no. units in 2 no. buildings ranging from one to five storeys in height, with Apartment Block A containing a total of 54 no. units comprising of 14 no. 1 bed units, 39 no. 2 bed units, and 1 no. 3 bed unit, and Apartment Block B containing a total of 56 no. units comprising of 14 no. 1 bed units, 40 no. 2 bed units, and 2 no. 3 bed units, with all units provided with private balconies/terraces; internal bicycle stores, bin stores and plant rooms at ground floor level; and on-street car parking and bicycle parking. Ancillary residential amenity facilities are also proposed including concierge/reception, meeting room, gym, and multi-purpose room;*

- *Apartment Block C containing a total of 25 no. units comprising of 9 no. 1 bed units, 14 no. 2 bed units and 2 no. 3 bed units, with all units provided with private balconies/terraces, in a building four storeys in height; with on-street car parking and bicycle parking; with access to a communal bin store and bike store;*

- *Duplex Block D containing a total of 12 no. units comprising of 6 no. 2 bed units and 6 no. 3 bed units, with all units provided with private balconies/terraces, with a communal bin store and bike store; and 1 no. childcare facility with outdoor play area, all in a building ranging from one to three storeys in height; with residential on-street car parking; and childcare on-street drop-off area, car parking and bicycle parking;*

- *Duplex Block E containing a total of 8 no. units comprising of 4 no. 1 bed units and 4 no. 2 bed units, with all units provided with private balconies/terraces; in a three storey building; with a communal bin store and bike store, and on-street car parking;*

- *Duplex Block F containing a total of 8 no. units comprising of 4 no. 1 bed units and 4 no. 2 bed units, with all units provided with private balconies/terraces; in a three storey building; with a communal bin store and bike store, and on-street car parking.*

*The development will provide for a total of 721 no. car parking spaces within the scheme; a total of 227 no. bicycle spaces serving the apartments, duplexes and childcare facility; proposed use of the existing vehicular access off Back Road (proposed vehicular access via Ashwood Hall and Brookfield) and proposed use of the existing vehicular access off Kinsealy Lane (proposed vehicular access via Hazelbrook); proposed upgrades to public realm including footpaths, landscaping including play equipment, boundary treatments, and public lighting; and all associated engineering and site works necessary to facilitate the development including proposed upgrade of part of the existing foul drainage network in Hazelbrook, and proposed connection and associated works to the existing foul network along Kinsealy Lane which will be upgraded under planning permission Reg. Ref. F21A/0451."*

The key characteristics of the proposed development are set out below for the convenience of the Board:

Table 1. Key Characteristics of the Proposed Development

<b>Overall Site Area Subject to this SHD</b>	12.5 ha
<b>Net Site Area</b>	11.1 ha
<b>No. of Residential Units</b>	415 no.
<i>Houses</i>	252 no.
<i>Duplex Units</i>	28 no.
<i>Apartments</i>	135 no.
<b>HOUSES</b>	
<i>3 Bedroom Units</i>	192 no.
<i>4 Bedroom Units</i>	48 no.
<i>5 Bedroom Units</i>	12 no.
<b>DUPLEX UNITS</b>	
<i>1 Bedroom Units</i>	8 no.
<i>2 Bedroom Units</i>	14 no.
<i>3 Bedroom Units</i>	6 no.
<b>APARTMENTS</b>	
<i>1 Bedroom Units</i>	37 no.
<i>2 Bedroom Units</i>	93 no.
<i>3 Bedroom Units</i>	5 no.
<b>% of Dual Aspect Apartments</b>	60%
<b>Net Density</b>	37.4
<b>Car Parking Spaces</b>	721
<b>Bicycle Parking Spaces</b>	227
<b>Childcare Provision</b>	476 sqm (Catering for c. 86 no. children)
<b>Public Open Space</b>	13,500 sqm (1.35 ha)
<b>Communal Open Space</b>	1,073 sqm

## 5.2 Demolition Works

In order to facilitate the new residential development, the proposed development would also involve a certain amount of demolition works, i.e., demolition of the former rugby clubhouse building on the site. This is outlined in more detail in the Preliminary Construction and Demolition Waste Management Plan, prepared by Waterman Moylan Consulting Engineers, which the Board is invited to refer to.

## 5.3 General Layout

The site layout has been developed in the context of the surrounding built environment and particularly within the context of the wider Broomfield lands. The proposed scheme essentially represents the completion of the developable lands within Broomfield and appears to be a natural extension to the Ashwood Hall and Brookfield developments which are currently under construction and partly occupied. The proposed layout connects well with the existing and/or under construction

developments and links into the street and open space networks already established in the area. The proposed layout also relies on established urban design principles, in order to create people-friendly spaces to socialise and move throughout in an easy and logical way, conceiving the public realm as the extension of the home.

Furthermore, the development is laid out in residential clusters and urban blocks to establish distinct character areas across the lands. The layout of the scheme has been designed to promote permeability and openness through the site and across to the Malahide Demesne and Malahide town centre. Moreover, many well-landscaped pocket parks, smaller open spaces and pedestrian/cycling links are provided throughout to support visual amenity. Existing trees and/or hedgerows have been retained where viable and have been fully integrated into the overall landscape strategy.

The location of the childcare facility is centrally placed in the northern parcel of the development, adjacent to the main park, allowing for an easy drop off for both residents of the scheme and clients from neighbouring schemes that may wish to use the facility, as well as it contributes to increasing the activity in this key point of the scheme.

#### **5.4 Building Height and Form**

The height of the proposed development will range from conventional two-storey housing to three-storey duplex blocks and four to five-storey apartments which offer a harmonic landscape based on a clear pattern of housing cells arranged around a legible street and open space hierarchy, in which interest areas stand out due to prominent build forms.

This variation in height supported by the mix of housing types would also assist in establishing different character areas. It is important to note that the variety and diversity of unit mix would also provide for the variety of housing that is required by the housing market, on an inclusive basis, and achieve robustness, in terms of adaptability and variation over time.

The proposed compact urban form allows for apartments and duplex units to be stitched into streetscapes that are legible and characterised by traditional terraces of housing to ensure the delivery of a total number of dwellings significant enough to sustain the existing and future road and drainage infrastructure and neighbourhood facilities of Malahide.

It is noted that the heights being proposed are suggested to be consistent with national planning guidelines, particularly the *'Urban Development and Building Heights Guidelines for Planning Authorities (December 2018)'*.

#### **5.5 Communal and Public Open Space**

The landscape strategy aims to integrate the proposed residential development with the existing landscape and create a network of attractive and useable open spaces while contributing to local biodiversity. The public green areas are designed as landscape spaces that offer the opportunity for meeting, walking and formal and informal play. The protection and enhancement of existing landscape features, notably existing trees and hedgerows is an important aspect of the overall strategy. The landscape strategy was also informed by the adjoining developments under construction, namely

Ashwood Hall and Brookfield, to form an interlinked well-integrated network of green infrastructure across the Broomfield LAP lands.

In the lands adjoining Ashwood Hall, western open spaces relate with a compacter-built fabric. The envisaged central park is defined by the apartment blocks and the duplex linear block located south side, whilst the landscaped area north side contributes to generating a transition between the principal area of the scheme and its northern edge, with a 4-storey apartment block as a key visual feature that contributes to way-finding throughout the local dynamic and fluid public realm thereby projected. Eastern open spaces relate to the previously designed park of Ashwood Hall development, thus connecting with the neighbouring green infrastructure and, particularly, with Malahide Castle and Gardens. The scheme provides for continuity of the central green spine between Ashwood Hall and this new neighbourhood as it proposes landscaped areas south side that open to the existing agricultural lands, thus generating a positive tension between the Malahide Demesne and the southern built fabric throughout the Back Road adjacent developments.

Along with the aforementioned, the proximity of the Dublin-Belfast railway infrastructure has been taken as an opportunity to propose a linear park adjacent to this infrastructure in the form of a continuous pedestrian and cycle link along its length, as per Fingal County Council objectives at this location. This provides a strong amenity feature, enhances permeability, and creates an attractive landscaped buffer between the buildings proposed and the railway line, which acts as an acoustic barrier and improves the urban image on this edge of the scheme.

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

Table 2. Public Open Space Provision within the Proposed Development

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

A detailed landscape plan has been prepared by KFLA Landscape Architecture which accompanies the application for the proposed development. The design of the development has been carefully considered with the public open space integrated as part of the development proposal that will cater for the residents of the subject site and the immediate local area.

The proposed amenity spaces also benefit from passive surveillance from the proposed residential units and are carefully screened to permit visual transparency between the buildings while

maintaining security for residents. Where deemed appropriate corner residential units with gable windows have been located at prominent points to address public areas and further enhance passive surveillance. Landscape design will play an important role in marrying the external amenity spaces and creating a visual continuity between the scheme and its wider context.

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

Private open space has been provided for all houses by way of private gardens to the rear or side of a house, or balconies/terraces for the apartments. This meets and/or exceeds the requirements of the Fingal County Development Plan as shown on the compliance schedule/residential quality audit provided with this planning application. Note that the provision for private open spaces for the apartments is also in full compliance with the requirements of both the Fingal County Development Plan and Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities 2020.

## 5.6 Density

As outlined earlier, the site subject to this SHD application extends to approximately 12.5 hectares, however, the quantum of developable land to provision for housing and directly associated uses stands at 11.1 hectares.

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). As a general principle and to promote sustainable forms of development, higher residential densities will be promoted within walking distance of town and district centres and high capacity public transport facilities.

With respect to the overall proposed number of units at 415 dwellings, the proposed development provides for a sustainable development with an overall net density of c. 37 dwellings per hectare, on appropriately zoned lands within the development boundary of Malahide and therefore accords with the density requirements of both the Development Plan and national guidelines. This has been calculated according to the provided guidance on the Appendix A of the *"Sustainable Residential Development in Urban Areas and Best Practice Urban Design Guidelines (2009)"*.

- Overall Site Area Subject to this SHD Application: 12.5 ha
- Net Site Area: 11.1 ha
- Net Density:  $415 \text{ units} \div 11.1 \text{ ha} = 37.4 \text{ uph}$

As per, the residential density of the proposed development is in keeping with the DEHLG Guidelines on *"Sustainable Residential Development in Urban Areas and Best Practice Urban Design Guidelines (2009)"* and accompanying Design Manual.

In light of the objectives and constraints associated with the development site, it is considered that the density proposed represents a sustainable and efficient use of the subject lands.

### 5.7 Unit Mix

The proposed scheme provisions for an overall of 415 no. residential units, offering a variety of unit mix in terms of size and type, as summarised in the Table 3 below.

Table 3. Proposed Residential Mix Statistics

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

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

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

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

### 5.8 Car & Bicycle Parking

The proposed development provides for a total of 721 no. car parking spaces, with 227 being provided for the apartment and Duplex units (1.25 car parking spaces per unit). In-curtilage parking is proposed for each of the houses. The creche includes 6 no. pickup and drop off spaces and 10 staff parking which also serve as visitor parking for Apartment Block D during off peak times. It is also noted that there are 7 disabled car parking spaces included in the Apartment/Duplex Blocks. This consists of 1 disabled car parking space per blocks C, D and E with 4 disabled car parking spaces for Blocks A and B.

The Development Plan requires that each dwelling to be provided with 2 no. car parking spaces which is being provided within this scheme. The car parking for apartments and duplex units, however, is provided at a ratio of 1.25 car parking spaces per unit. Thus, the overall car parking provision may be considered to potentially materially contravenes the Fingal Development Plan 2017-2023. For further information in this regard, please refer to the enclosed Statement of Material Contravention prepared by Downey as part of this SHD application.

The proposed development also provides for an overall total of 227 no. bicycle parking spaces with an additional of 5 no. motorbike parking spaces, all provisioned in high quality, safe and accessible locations throughout the scheme. This is submitted to been adequately provided across the scheme, and with regards to the car and bike parking standards set out in the following:

- Fingal Development Plan 2017-2023; and,
- Sustainable Urban housing: design Standards for New Apartments, 2020.

Please refer to the enclosed and Transport Assessment prepared by Waterman Moylan Consulting Engineers for further details on the proposed car parking and bicycle parking to serve the proposed development. Please, also refer to the Statement of Consistency with Planning Policy report prepared by Downey as part of this SHD application.

## 5.9 Residential Amenities

The proposed development will also provide for a purpose-built two-storey detached childcare facility extending to circa 476 sqm to accommodate for approximately 86 no. children within the site with appropriate outdoor play space, drop off facilities, etc. As part of provision for communal amenity spaces, the proposed development will also provide for a stand-alone gym at First Floor level and Concierge located at Ground Floor Level in the Apartment Block A&B.

A Childcare Provision Assessment Report has been prepared by Downey and submitted with this SHD application which demonstrates that there is sufficient capacity within area to cater for the proposed development and that the proposed childcare facility will sufficiently provide an appropriate level of childcare facilities to serve the future residents of the scheme.

Please refer to the enclosed Childcare Provision Assessment Report, School Demand Assessment Report, Community Infrastructure and Social Audit, and the Statement of Consistency with Planning Policy report prepared by Downey for further information in this regard.

## 5.10 Materials & Finish

It is submitted that the houses proposed are primarily finished with a high-quality brick finish on all primary elevations facing the street or other public realm areas. As a low maintenance material, a variety of different bricks chosen for different character areas will ensure that the streetscapes created will retain a high-quality feel for longer. The central environment of apartments and duplexes around the central open space of the scheme will be finished in chailey stock brick, as shown opposite for character area 2. The roofs of the houses will be completed with a dark coloured concrete roof tile to compliment the brickwork & PVC windows add to the high thermal efficiency of each unit and will also be very low maintenance components.

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

Curtain-wall glazing at apartments are designed with repeating regular modules and with minimum definition of the aluminium transoms and mullions. All glazed elements are located in a way that minimises external facade overshadowing. The framing and the large glass areas sheer reflecting surfaces contrasting with the textured surfaces adjacent.

For further details in this regard, please refer to the Architectural Design Statement, Building Lifecycle Report, and drawings prepared by MCORM Architects.

## 6.0 LOCAL PLANNING POLICY CONTEXT

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.

### 6.1 Fingal Development Plan 2017-2023

#### 6.1.1 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 Council Development Plan. The policies and objectives of the Development Plan are underpinned by the following vision:

*“Within the next 25 to 30 years, Dublin will have an established international reputation as one of Europe’s most sustainable, dynamic and resourceful city regions. Dublin, through the shared vision of its citizens and civic leaders, will be a beautiful, compact city, with a distinct character, a vibrant culture and a diverse, smart, green, innovation-based economy. It will be a socially inclusive city of urban neighbourhoods, all connected by an exemplary public transport, cycling and walking system and interwoven with a quality bio-diverse green space network. In short, the vision is for a capital city where people will seek to live, work, experience, invest and socialise, as a matter of choice”.*

#### 6.1.2 Core Strategy

##### ***Fingal Development Plan 2017-2023***

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.

Malahide has been identified as a Moderate Sustainable Growth Town in the Development Plan. The County Plan notes that Malahide has experienced population growth in recent years and is served by high-capacity public transport links to Dublin City.

The vision of the Fingal Development Plan is to grow the county in a long-term sustainable way as it enters a period of economic and population growth. The plan states,

*“The emphasis of this Plan is to continue to consolidate the existing zoned lands and to maximise the efficient use of existing and proposed infrastructure. In this way the Council can ensure an integrated land use and transport strategy in line with national and regional policy. [...]. The development of larger areas of residential or mixed-use lands will only take place subject to the necessary infrastructure being available and to this end will be subject to a Local Area Plan. It is through the LAP process that, within the towns and villages, the detailed phasing and distribution of housing will be determined in line with the population and housing targets established at a strategic level.”*

In this instance, the subject site is located on appropriately zoned lands within the development boundary of Malahide ensuring the development of these lands is consistent with development plan policy. The Development Plan estimates that 1,114 residential units can be produced within Malahide. The proposed development provides for an overall net density of c. 37.4 dwellings per hectare (net developable area is 11.1 hectares when the access road is omitted), in accordance with the objectives of the Development Plan and national policy guidance.

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 Malahide is consistent with the housing strategy as it will assist in the delivery of housing, of a sustainable density on appropriately zoned lands, in a highly accessible location within the development boundary of Malahide. The application site is also located within walking distance of a Dublin Bus stop located along R107 Malahide Road to the west of the application site and the R124 Church Road to the east of the application site and is located within 1km (closest point) to 2km (furthest point) of Malahide DART station whilst providing a variety of unit types and mixed tenures for all, in a high-quality, vibrant community setting.

### ***Fingal Development Plan 2017-2023 Variation no. 2***

This Variation No. 2 (adopted) to the Fingal Development Plan 2017-23 seeks to respond to the changes in National and Regional planning policy, namely the publication of the National Planning Framework (NPF) in 2018 and the Eastern and Midland Regional Assembly (EMRA) Regional Spatial

and Economic Strategy (RSES) in 2019. The NPF includes a National Strategic Outcome (NSO) to achieve compact growth and consolidation of Ireland’s cities as a top priority.

Under the adopted variation, Malahide is listed as a ‘Self-Sustaining Town’ with a remaining capacity of 956 residential units from the overall 34,806 units envisaged for the county. The key tenet of the overall Settlement Strategy is the continued promotion of sustainable development through positively encouraging consolidation and densification of the existing urban built form - and thereby maximising efficiencies from already established physical and social infrastructure.

Town/Village	Remaining Capacity (hectares)	Remaining Residential Units	Metropolitan Core % Land	Metropolitan Core % Units
<b>Metropolitan Area</b>				
<b>Key Town</b>				
Swords	481	14,799		
<b>Dublin City and Suburbs</b>				
Blanchardstown	260	9,306		
Howth	14	436		
Baldoyle/Sutton	29	1498		
Other Settlements*	66.5	2,320		
<b>Other Metropolitan Areas</b>				
Portmarnock	43	1,116		
<b>Self Sustaining Growth Towns</b>				
Donabate	101	3,532		
<b>Self Sustaining Town</b>				
Malahide	75.5	956		
<b>Towns/Villages</b>	<b>92</b>	<b>844</b>		
<b>Total Metropolitan</b>	<b>1,162</b>	<b>34,806</b>	<b>76%</b>	<b>81%</b>

Figure 3. Residential Capacity under Fingal Development Plan 2017-2023, updated as of September 2019

Set out under **Objective SS02** of the Fingal Development Plan, Fingal County Council seeks to:

*“Ensure that all proposals for residential development accord with the County’s Settlement Strategy and are consistent with Fingal’s identified hierarchy of settlement centres.”*

With respect to the timing and sequencing of planning applications in the area, there may be a possible material contravention of the proposed scheme with the Core Strategy of the Development Plan. An overview of the applications on housing provision in the area, mainly lodged through the SHD process, expects that an overall total of 646 no. units to be potentially delivered in Malahide up to 2023. This includes Seamount Road SHD providing for 142 no. dwellings (TA06F.305991 - granted permission on 20/03/2020), Auburn House SHD providing for 368 no. dwellings (TA06F.309907 - in the pre-application stage), Lamorlaye, Back Road SHD providing for 102 no. dwellings (TC06F.310125 - in the pre-application stage), and Streamstown Lane development providing for 34 no. dwellings

(PL06F.301848 - granted permission on 03/12/2018). Thus, there is still a remaining capacity of 310 no. residential units to be delivered in the area. This is further discussed in the Statement of Material Contravention prepared by Downey and enclosed under a separate cover with the application, which we invite the Board to refer to.

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

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

As stated in the adopted variation, *“Malahide is considered a Self-Sustaining Town within the RSES definitions. It is a coastal town with a high quality built and natural environment. Integral to its character and its exceptional amenity offer is Malahide Castle and Demesne and its coastal environment, the tourism offer being enhanced by excellent public transport accessibility. It is envisaged that Malahide will develop as a self-sustaining centre through the provision of a range of facilities to support the existing and new populations. In order for this to be achieved, it is vital that the urban role of Malahide be strengthened, and development consolidated within the town. There is a strong built heritage with four Architectural Conservation Areas (ACAs) in the town. The natural heritage of Malahide Estuary, a European Site, is designated through a Special Area of Conservation (SAC) and a Special Protection Area (SPA) and future development must respect the natural heritage sensitivities.”*

The Development Strategy for Malahide seeks to promote the planned and sustainable consolidation of the existing urban form and the sensitive promotion of amenities. The need to upgrade and support the development of the core as a town centre will be balanced with the need to conserve its appearance as an attractive, historic village settlement and to retain the existing amenities of the area, being cognisant of its proximity to an ecologically sensitive coastline including European Sites.

It is submitted that the proposed development of 415 units complies with the objectives of the variation to promote sustainable development through densification of the existing urban form. In this regard, the lands are served by existing bus stops and indeed are within 1km (closest point) to 2km (furthest point) from Malahide DART Station. The provision of 415 no. units will seek to ensure the objectives for Malahide as a self-sustaining town are achieved, but yet may exceed the remaining capacity of 956 units as set out in the Adopted Variation No. 2 to Fingal Development Plan 2017-2023. This is fully discussed in the Statement of Material Contravention prepared by Downey as part of this SHD application, which we invite the Board to refer to.

### 6.1.3 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 Broomfield is consistent with these criteria. The proposed residential development which incorporates 1 no. childcare facility that is located in an area which benefits from ease of access to the provisioned road with cycling and walking also taken as a key consideration of the proposed scheme. The influx of population arising from the proposed development will increase the critical mass required to further support public transport infrastructure in the area. There is a range of facilities in the immediate vicinity of the subject lands including community facilities, sports clubs, etc. and within the wider Malahide area. A Community and Social Infrastructure Audit, prepared by Downey, also accompanies this SHD application which provides detailed information and assessment of the existing services currently supply the Broomfield 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 zoned Broomfield lands.

### 6.1.4 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.

Some of the policies and objectives in this regard include:

**Objective MT01** – *“Support National and Regional transport policies as they apply to Fingal. In particular, the Council supports the Government’s commitment to the proposed new Metro North and DART expansion included in Building on Recovery: Infrastructure and Capital Investment 2016-2021. The Council also supports the implementation of sustainable transport solutions.”*

**Objective MT02** – *“Support the recommendations of the National Transport Authority’s Transport Strategy for the Greater Dublin Area 2016-2035 to facilitate the future sustainable growth of Fingal.”*

**Objective MT03** – *“Implement Smarter Travel – A Sustainable Travel Future policy and work to achieve the Key Goals set out in this policy.”*

**Objective MT04** – *“At locations where higher density development is being provided, encourage the development of car-free neighbourhoods, where non-motorised transport is allowed and motorised vehicles have access only for deliveries but must park outside the neighbourhood, creating a much better quality public realm with green infrastructure, public health, economic and community benefits.”*

It is submitted that the proposed development at Malahide is consistent with these policies and objectives. This additional development in Malahide will ensure walking and cycling are viable options for the community, with the area also very well served by existing public transport infrastructure (Dublin Bus Stop & DART station located within 1km (closest point) to 2km (furthest point) of application site), all of which will ensure that the future population utilise sustainable public transport and active travel options rather than car transport.

#### 6.1.5 Land Use Zoning

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

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

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

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

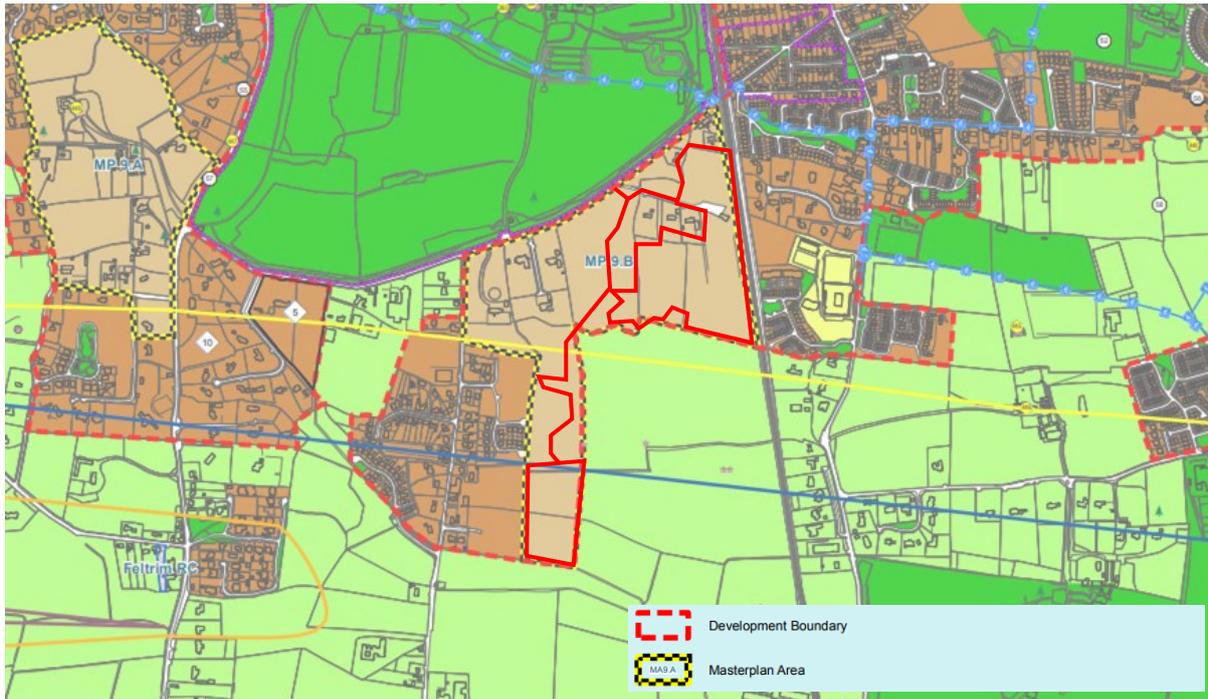


Figure 4. Fingal County Council Land Use Zoning Map, 2017-2023 (Lands outlined in red)

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

**Uses Permitted in Principle under the RA Land Use Zoning**

Amusement Arcade<sup>9</sup>; Bed and Breakfast; Betting Office<sup>9</sup>; Childcare Facilities; Community Facility; Education; Funeral Home/Mortuary<sup>9</sup>; Guest House; Health Centre; Health Practitioner; Hospital; Office Ancillary to Permitted Use; Office ≤ 100sqm<sup>9</sup>; Office >100sq.m. and, 1,000sqm<sup>11</sup>; Open Space; Place of Worship; Public House<sup>9</sup>; Public Transport Station; Recreational Facility/Sports Club; Residential; Residential Care Home/Retirement Home; Restaurant/Cafe<sup>9</sup>; Retail-Local < 150 sqm nfa; Retail – Convenience ≤ 500 sqm nfa<sup>9</sup>; Retail – Comparison ≤ 500 sqm nfa<sup>9</sup>; Retail – Supermarket ≤ 2,500 sqm nfa<sup>9</sup>; Retirement Village; Sheltered Accommodation; Sustainable Energy Installation; Taxi Office; Traveller Community Accommodation; Utility Installations; Veterinary Clinic.

<sup>9</sup> In a local centre only

<sup>11</sup> Only located in a local centre and of a scale appropriate to that centre

Table 4. Permitted Uses under the RA Land Use Zoning

Therefore, the proposed development of residential units and 1 no. childcare facility are permitted in principle under the zoning objectives pertaining to the subject lands.

**6.1.6 Site Specific Objectives and Designations**

**Masterplan**

The subject lands at Broomfield, whilst zoned for residential development, are also located in an area marked M.P 9B (Broomfield Masterplan) and therefore are subject to the preparation of a Masterplan. The Fingal Development Plan 2017-2023 notes that the policies of the Plan will be further developed at a local level through the preparation of Masterplans with further elaboration in relation to the roles of masterplans noting that:

*“Masterplans are assigned to particular areas to ensure the best policy response is in place to facilitate development in a planned, coordinated and sustainable manner.”*

Section 11.3 of the Development Plan sets out that:

*“The preparation of Masterplans will assist in achieving quality developments in terms of, inter alia, urban design, structure, delivery of community/amenity facilities and permeability. The Fingal Development Plan will identify large or key sites that will require the preparation of approved Masterplans and subsequent planning applications will be required to adhere to the approved Masterplans. Masterplans will be subject to a public consultation process and presentation to the Elected Members of the Planning Authority for agreement. The use of Masterplans has not been confined to residentially zoned lands; Masterplans have also been sought for lands intended for other land uses. The Planning Authority considers Masterplans as an effective means of guiding new development and providing essential social and physical infrastructure in a phased and sustainable manner.”*

Objective PM14 of the Fingal County Development Plan 2017 -2023 seeks to:

*“Prepare Masterplans for areas designated on Development Plan maps in co-operation with relevant stakeholders, and actively secure the implementation of these plans and the achievement of the specific objectives indicated.”*

Chapter 3, Section 3.2 of the Development Plan sets out the following guidance on the form that Masterplans should take:

*“Each Masterplan shall consist of a written statement and a plan or series of plans indicating the objectives in such detail, as may be determined by the Planning Authority for the proper planning and sustainable development of the area to which it applies to include, inter alia, the following details:*

- *Proposals in relation to the overall design of the proposed development including house types and mix of housing units, maximum heights, external finishes of structures and the general appearance and design, including that of the public realm.*
- *The types and extent of any proposed development indicating how these uses integrate with surrounding development and land uses.*
- *Proposals in relation to transportation including public transportation and non-motorised modes, vehicular roads layout and access arrangements, loading / unloading provision, the provision of parking spaces and traffic management.*
- *Proposals in relation to the provision of services in the area including the provision of waste and sewerage facilities and water, electricity and telecommunications services, oil and gas pipelines, including storage facilities for oil and gas.*
- *The element of residential development shall include proposals relating to the provision of amenities, facilities and services for the community including crèches and other childcare services, community and resource centres.*
- *The facilitation of public access to the proposed amenity areas located within the Plan boundaries and beyond.*

- *To make provision for sport and recreational infrastructure commensurate with the needs of the development as an integral element of their proposals.”*

Objective Malahide 11 in Chapter 4 of the Development Plan states that it is an objective to:

*“Prepare and/or implement the following Masterplans during the lifetime of this Plan:*

- *Streamstown Masterplan (see Map Sheet 9, MP 9.A)*
- *Broomfield Masterplan (see Map Sheet 9, MP 9.B)”*

To date a Masterplan has not been prepared or adopted for the Broomfield lands by Fingal County Council. This provides that the proposed development may be considered to potentially materially contravene Objective PM14 and Objective Malahide 11 of the Fingal County Development Plan in that a Masterplan has not yet been prepared and/or adopted for the Broomfield lands by Fingal County Council. However, the masterplan area is already largely built out and/or approved at this stage with the exception of the subject site. The making of this application effectively constitutes the masterplan lands as the lands comprise the remaining lands available for development under the Broomfield Masterplan designation. Therefore, with respect to the current circumstances of the lands and by matters of planning permission precedent, Downey are of the professional opinion that the foregoing objectives does not reflect real-time policy. To better demonstrate this, the Fingal Development Plan was adopted back in 2017, with Fingal County Council recently commencing the review process of this Development Plan on 12<sup>th</sup> March 2021. These specific objectives have also been superseded by virtue of planning permission decisions and development that have occurred in the area since 2017. The Statement of Material Contravention enclosed under a separate cover with this application provides the justification for the granting of permission for the development of the lands at Back Road, Broomfield in the absence of the preparation and adoption of the Broomfield Masterplan, which we invite the Board to refer to.

It is also important to note that the layout and supporting documentation enclosed with this application sets out the proposed development’s compliance with the specific objectives for the masterplan which are set out under Objective Malahide 11 including connections to adjoining lands, provision of public open space, etc. The Architectural Design Statement which is enclosed under separate cover sets out the site analysis for the entire masterplan lands. The Masterplan lands include recent development at Ashwood Hall and Brookfield. Since the masterplan was identified in the Fingal Development Plan, many of the sites within the identified masterplan area have already been developed, are subject to live planning applications, or are currently under construction. Please refer to the enclosed supporting documentation which sets out the design principles for the development of the lands in the context of the specific policies and objectives for the lands as set out in the Fingal Development Plan 2017-2023.

#### ***Dublin Airport Noise Zones & Public Safety Zone***

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

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

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

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

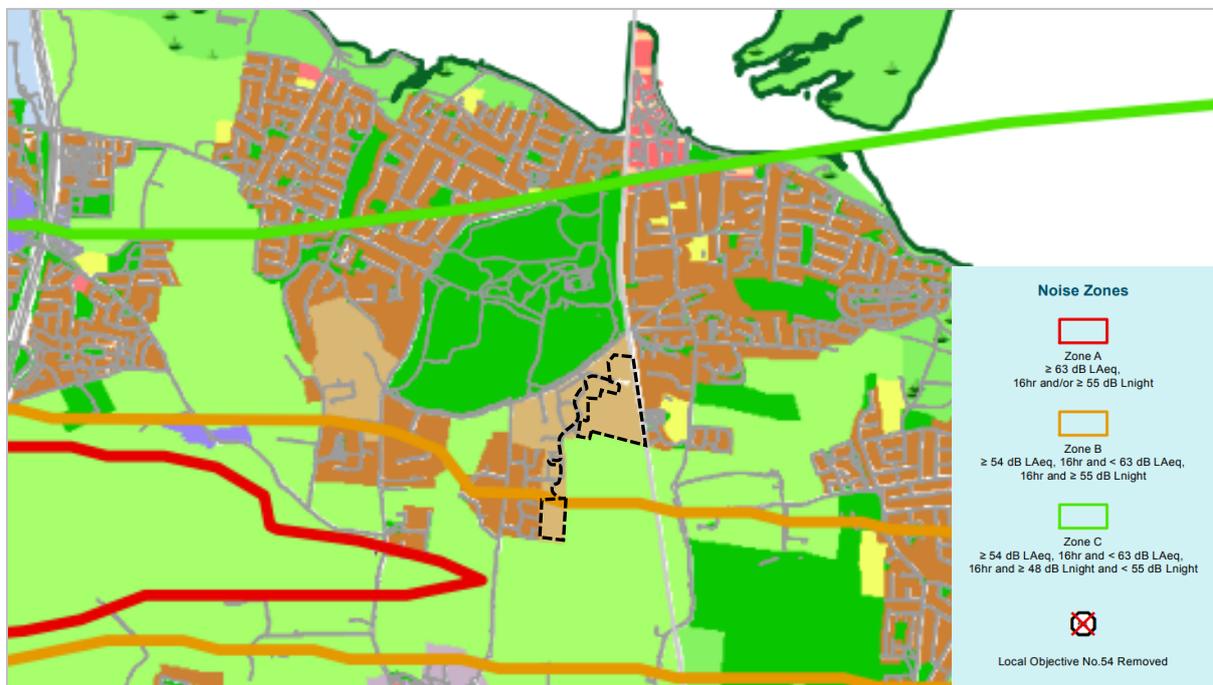


Figure 5. Dublin Airport Noise Zones extracted from the Development Plan (approximate boundaries of the subject site outlined in dashed black line)

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

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

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

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

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

*Applicants are strongly advised to seek expert advice."*

Also, it is the Objective of the Fingal Development Plan Variation no. 1 for **Noise Zone B**:

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

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

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

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

*Applicants must seek expert advice."*

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

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

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

*Applicants are advised to seek expert advice."*

This Strategic Housing Development application is accompanied by a detailed noise assessment prepared by AWN Consulting Ltd. which is contained within the EIAR. This assessment demonstrates the proposed development is compliant with the relevant standards in the Fingal Development Plan Variation no. 1, and good acoustic design has been followed in the design process. Moreover, it has been recognized that the incidence of aircraft accidents is the highest in the immediate vicinity of busy runways. To address the risk of an aircraft accident to people on the ground, Public Safety Zones (PSZ) are established around the runways. PSZs are areas of land at the end of the runways at the busiest

airports, within which development is restricted in order to control the number of people on the ground at risk of death or injury in the event of an aircraft accident on take-off or landing. It is a specific objective to adhere with the following: -

**Objective DA14** – “Review Public Safety Zones associated with Dublin Airport and implement the policies to be determined by the Government in relation to these Public Safety Zones.”

**Objective DA15** – “Take into account relevant publications issued by the Irish Aviation Authority in respect of the operations of and development in and around Dublin Airport.”

**Objective DA16** – “Continue to take account of the advice of the Irish Aviation Authority with regard to the effects of any development proposals on the safety of aircraft or the safe and efficient navigation thereof.”

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

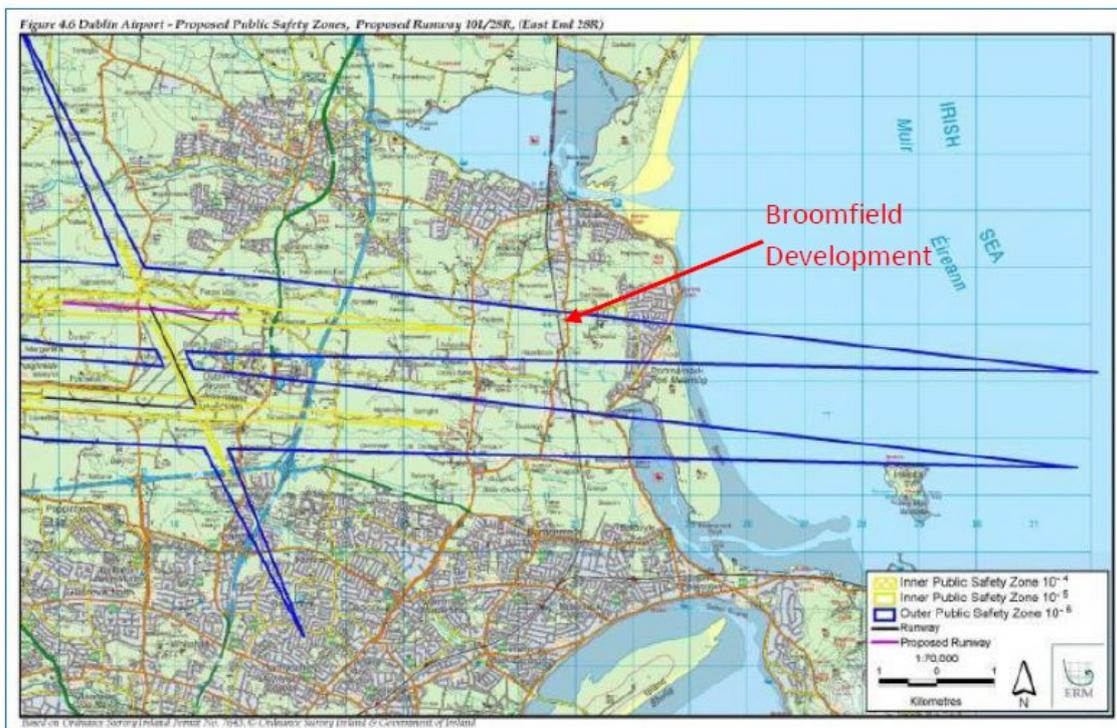


Figure 6. PSZ at Dublin Airport extracted from the Aviation Safety Assessment accompanied by the Application for the Proposed Development

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

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

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

Therefore, Downey are of the professional opinion that the proposed development complies with the requirements of the Aviation Public Safety Zone, and the provisions for the density stipulated in the ERM report, and therefore, is considered to be consistent with the relevant policy and planning framework. For further details in this regard, please refer to the noise assessment prepared by AWN Consulting Ltd. contained within the EIAR and enclosed with the application.

### 6.1.7 Development Management Standards

Chapter 12 of the Fingal County Development Plan sets out development standards and criteria that form 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.

Table 5. Compliance with Chapter 12 – Development Management Standards

Criteria	Compliance
<b>12.1 Background</b>	
<b>Pre-Planning</b>	<p>On 25/08/2020, Downey and the applicant engaged in a pre-application consultation meeting with representatives of Fingal County Council regarding the proposed Strategic Housing Development on lands at Back Road, Broomfield, Malahide, County Fingal.</p> <p>On 27/04/2021, Downey and the applicant engaged in a pre-application consultation meeting with representatives of An Bord Pleanála and Fingal County Council regarding the proposed development as part of a Stage 2 consultation meeting. On 14/05/2021, An Bord Pleanála issued the notice of pre-application consultation opinion for the proposed development, under case reference ABP-308804-20.</p> <p>For the detailed response to this opinion and to source the requested information within the application documentation, please refer to the “Statement of Response to An Bord Pleanála’s Pre-Application Consultation Opinion” prepared by Downey.</p>
<b>12.2 Common Principles for all Planning Applications</b>	
<b>Access for All</b>	<p>It is noted that the design of the proposed development has taken cognisance of people with reduced mobility through the provision of universally accessible dwelling units as well as readily adaptable dwellings.</p>

	<p>It is submitted that inclusivity and access have fully influenced the design of the scheme, as follows:</p> <ul style="list-style-type: none"> <li>- The development will be fully Part M compliant with easy access. Physical and visual barriers have been avoided and full passive surveillance has been designed into overlook all public realm areas. Street layouts, footpath arrangements, street and verge planting combine to allow pedestrians and cyclists easily navigate the scheme through the different character areas proposed and connecting into the adjacent Ashwood and Brookfield schemes currently under construction.</li> <li>- The provision of 1 to 5-bed units in a proportioned mix will include a wide diversity of households, bringing a new inclusive community at Malahide.</li> <li>- An adequate compliance with Part V, 10% of apartments and houses, comprised within the development and including both duplexes and houses, responding to 1-bed, 2-bed, and 3-bed typologies. Please refer to architectural drawings for further detail on the Part V plan.</li> </ul> <p>The proposed development is also submitted to be designed in accordance with the recommendations of 'Buildings for Everyone' 2002 published by the National Disability Authority and Technical Guidance Document M Access and Use of the Building Regulations 2010.</p> <p>For further details in this regard, please refer to Universal Access Statement prepared by MCORM Architects and submitted as part of this application.</p>
<p><b>Green Infrastructure</b></p>	<p>The proposed development provides for an overall of c. 1.35 ha public open space, comprising of both Class 1 and 2 public open spaces, as specified within the Fingal Development Plan. With respect to the developable site area of 11.1 ha, this would provide for 12% public open space provision which exceeds the threshold envisaged in the Development Plan. It is noted that this calculation does not include the additional 0.55 ha Green Route/Cycle Link.</p> <p>The proposed scheme would also benefit from green infrastructure conceived for Ashwood Hall, with intuitive and clear connections, which will be a reference as a central open space when the northern lands are developed, and thus generating a strong relationship between the surrounding green systems and the future internal open space network envisaged. Regarding the southern lands, potential clear linkages with Hazelbrook (West) and Brookfield (North) are observed. A completion of neighbouring urban patterns within this southern subject site, with a reliance on linked landscaped open spaces and pocket parks, is envisioned.</p> <p>Finally, the natural hedgerow and tree boundary along the Dublin-Belfast railway is a promising opportunity to design a linear park which, in addition, would work as an acoustic barrier against train traffic for the adjacent housing cells.</p> <p>For further information in this regard, please refer to the detailed landscaping proposals prepared by KFLA Landscape Architecture.</p>
<p><b>Sustainable Design</b></p>	<p>Efficiency through design has been achieved in the macro scale in terms of layout and site configuration with good attention to detailing of the individual dwelling plan forms providing energy efficiency and reduced lifetime running costs of the overall scheme. Efficient planning and design have also been</p>

	<p>brought into the layouts of the individual dwelling units planned, along with apartments and duplex units.</p> <p>The design brief was set to create an exemplar of sustainable design to ensure all new development can be delivered in a manner that protects and enhances the biodiversity of the local environment, mitigates climate change, and delivers high energy efficiency in accordance with NZEB strategies.</p>
<p><b>Environmental Impact Assessment</b></p>	<p>Given that 415 no. units are proposed and indeed noting that the application site extends to an overall of c. 12.5 hectares within what can be considered a built-up area, an Environmental Impact Assessment Report has been prepared as part of the proposed application. Please refer to the enclosed EIAR which assesses the overall development and is enclosed with this SHD application for the consideration of the Board.</p>
<p><b>Screening for Appropriate Assessment</b></p>	<p>An Appropriate Assessment Screening report has been carried out by Faith Wilson Ecological Consultants as part of this SHD application. A Natura Impact Statement has also been prepared. Please refer to the enclosed Screening Report for Appropriate Assessment and Natura Impact Statement prepared by Faith Wilson Ecological Consultants for further details.</p>
<p><b>12.3 Design Criteria for Urban Development</b></p>	
<p><b>High Quality Urban Design</b></p>	<p>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 <b>Objective DMS03</b> requiring:</p> <p><i>“Submit a detailed design statement for developments in excess of 5 residential units or 300 sqm of retail/commercial/office development in urban areas. The design statement is required to:</i></p> <ul style="list-style-type: none"> <li>▪ <i>Explain the design principles and design concept.</i></li> <li>▪ <i>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.</i></li> <li>▪ <i>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.</i></li> <li>▪ <i>Include photographs of the site and its surroundings.</i></li> <li>▪ <i>Include other illustrations such as photomontages, perspectives, sketches.</i></li> <li>▪ <i>Outline detailed proposals for open space and ensure the provision of open space is designed in from the beginning when designing a new scheme.</i></li> </ul>

	<ul style="list-style-type: none"> <li>▪ <i>Outline a detailed high-quality open space and landscape design plan including specifications, prepared by suitably qualified professionals.</i></li> <li>▪ <i>Outline how Green Infrastructure integrates into the scheme."</i></li> </ul> <p>In accordance with the aforementioned objective, an Architectural Design Statement has been prepared by MCORM Architects which sets out the proposed development's compliance with the 12 Urban Design criteria and how the proposed development accords with the requirements of Objective DMS03. Please refer to the enclosed Architectural Design Statement and associated drawings prepared by MCORM Architects for further information in this regard. Please also refer to the detailed landscaping proposals prepared by KFLA Landscape Architecture.</p>
<b>12.4 Design Criteria for Residential Development</b>	
<b>Residential Zoning</b>	<p>Under the current Fingal County Council Development Plan, the subject site is zoned "RA – Residential Area" which seeks: <i>"Provide for new residential communities subject to the provision of the necessary social and physical infrastructure."</i></p> <p>It is also submitted that the proposed development of residential units and 1 no. childcare facility are permitted in principle under the zoning objectives pertaining to the subject lands.</p> <p>The Fingal Development Plan 2017-2023 states that some RA zoning areas, as the case in this instance, will be subject to either a Local Area Plan or a Masterplan. Thus, it is an objective of the Development Plan to prepare/ implement a Masterplan for Broomfield during the lifetime of the Development Plan under '<b>Objective Malahide 11</b>'.</p> <p>A layout and supporting documentation have been prepared and accompanies this SHD application. The Architectural Design Statement sets out the design principles for the overall lands at Broomfield. It is important to note that the lands at Broomfield subject to this SHD, represent the final developable lands subject to the Masterplan. Also, please refer to the Statement of Material Contravention for further details.</p>
<b>Mix of Dwelling Types</b>	<p>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. In this regard, the proposed development provides for provision 415 no. residential units (525 no. houses, 135 no. apartments and 28 no. duplex units) with ancillary amenity facilities and 1 no. childcare facility provides for a variety of unit types encompassing a mix of one, two and three bed apartments, two, three, four and five bed houses, one, two and three bed duplex units, all of which provide for a mix and variety of units types in accordance with the Development Plan and indeed the mix requirements as set out within the '<i>Design Standards for New Apartments Guidelines for Planning Authorities</i>' and the '<i>Delivering Homes, Sustaining Communities: Statement on Housing Policy</i>'.</p> <p>Whilst there are different apartment unit types and different house unit types provided, in terms of bedroom provision, it is also important to note that within these units, there is a significant amount of diversity in terms of size, layout, storage, aspect, room dimensions, etc. This ensures that the proposed development provides for the various needs of potential future residents and</p>

	<p>that it is a sustainable form of residential development which can cater for all age demographics and is adaptable and flexible for their future needs, be it, single professionals, young couples, small young families, older families, the elderly, those looking to downsize, etc.</p>
<p><b>Residential Density &amp; Height</b></p>	<p>The Development Plan provides that the number of dwellings to be provided on a site should be determined with reference to the <i>'Sustainable Residential Development in Urban Areas – Guidelines for Planning Authorities'</i> (2009). As a general principle and to promote sustainable forms of development, higher residential densities will be promoted within walking distance of town and district centres and high-capacity public transport facilities. In this regard, the proposed development provides for a sustainable development with an overall net density of c. 37.4 dwellings per hectare (net developable area is 11.1 ha when the access road is omitted), on appropriately zoned lands, in a highly accessible location within the development boundary of Malahide and therefore accords with the density requirements of both the Development Plan and national guidelines.</p> <p>It is also noted that the Development Plan requires that Masterplans be prepared by Fingal County Council for the designated lands. The subject lands are designated for the preparation of the Broomfield Masterplan. However, such a masterplan has yet to be prepared for the lands under Objective PM14 and PM15. For further details in this regard, please refer to the enclosed Statement of Material Contravention prepared by Downey.</p>
<p><b>Apartment Development</b></p>	<p>The <i>'Design Standards for New Apartments Guidelines for Planning Authorities'</i> have superseded the design standards for apartments as set out in the Development Plan. With regards to Dual Aspect the proposed development provides for 60% dual aspect units within the proposed apartment units in accordance with Objective DMS20 of the Development Plan.</p> <p>The apartment floor areas are also in accordance with the <i>'Design Standards for New Apartments Guidelines for Planning Authorities'</i> as set out in the enclosed Architectural Design Statement and Housing Quality Assessment (HQA) prepared by MCORM Architects. Please refer to the enclosed report for full details on the proposed development's compliance with standards for apartment developments.</p>
<p><b>Quantitative Standards</b></p>	<p>The development proposal adheres with the Quality Housing for Sustainable Communities; Best Practice Guidelines for Delivering Homes and Sustaining Communities (DEHLG, 2007) and Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (DEHLG, 2018) when assessing proposals for apartment development.</p> <p>Please refer to the Accommodation Schedule and Architectural Design Statement prepared by MCORM Architects for compliance in this regard.</p>
<p><b>Separation Distances</b></p>	<p>Appropriate separation distances between dwellings have been provided. Furthermore, sufficient separation between side gables has also been provided for in accordance with Objective DMS28 &amp; DMS29 of the Development Plan.</p>
<p><b>Daylight, Sunlight and Overshadowing</b></p>	<p>Objective DMS30 of the Development Plan requires that all new residential units comply with the recommendations of <i>'Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice'</i> (B.R.209, 2011) and B.S. 8206 <i>'Lighting</i></p>

	<p>for Buildings, Part 2 2008: Code of Practice for Daylighting’ or other updated relevant documents.</p> <p>For further details in this regard, please refer to the Daylight &amp; Sunlight Assessment as provided for by Digital Dimensions accompanying this SHD application.</p>
<b>Acoustic Privacy</b>	<p>Objective DMS31 of the Fingal County Development Plan requires that sound transmission levels in semi-detached, terraced, apartments and duplex units comply as a minimum with the 2014 Building Regulations Technical Guidance Document Part E or any updated standards.</p> <p>It is submitted that the proposed development will comply with Objective DMS31 of the Development Plan in this regard.</p>
<b>Open Plan Estates</b>	<p>The removal of the exempted development rights is subject to agreement with the Planning Authority and An Bord Pleanála as part of a condition to the granting planning permission.</p>
<b>Gated Communities</b>	<p>Objective DMS32 of the Fingal County Development Plan prohibits proposals that would create a gated community for any new residential developments. It is viewed that the proposed development is not a ‘gated community’ and will adhere with Objective DMS32 of the Development Plan in this instance.</p>
<b>Management Companies and Facilities for Apartment Developments</b>	<p>Outlined in the Development Plan, higher-density apartment type development will require a management company to maintain communal areas. It is a specific objective to adhere with the following: -</p> <p><b>Objective DMS33</b> - Require properly constituted management companies in apartment type schemes are set up and necessary management structures are put in place for the benefit of the residents.</p> <p><b>Objective DMS34</b> - Provide in high density apartment type schemes in excess of 100 units facilities for the communal use of residents as deemed appropriate by the Council.</p> <p><b>Objective DMS35</b> - Require the provision of communal laundry rooms and storage facilities in high density apartment type developments where deemed appropriate.</p> <p>The proposed apartments within the scheme will be privately managed by the establishment of a management company. This management company will be responsible for maintaining the external appearance of the apartments, maintaining the internal and external communal spaces, bins management, etc. It is also important to note that the public parks and main roads are proposed to be taken in charge by Fingal County Council.</p> <p>For information in this regard, please see the enclosed pertaining drawing prepared by MCORM Architects.</p>
<b>Refuse Storage and Bins</b>	<p>The proposed development provides for convenient and well-designed proposals for the storage of refuse. The proposed development provides for several apartments at ground floor level which have own door access in addition to the two storey houses. For further details, please refer to the Housing Quality Assessment (HQA), Bin Storage Plan, and Architectural Design Statement prepared by MCORM Architects.</p>
<b>12.7 Open Space</b>	

<p><b>Public Open Space</b></p>	<p>The proposed development provides for an overall of c. 1.35 ha public open space, comprising of both Class 1 and 2 public open spaces. This includes outdoor play opportunities for children which are accessible to all within the scheme and the wider community. With respect to the developable site area of 11.1 ha, this would provide for 12% public open space provision. It is noted that this calculation does not include the additional 0.55 ha Green Route/Cycle Link.</p> <p>The proposed scheme would also benefit from green infrastructure conceived for Ashwood Hall, with intuitive and clear connections to the park located east side.</p> <p>Malahide Castle and Demesne (Class 1 Open Space Area) is located immediately north of the application site, and this extends to over 260 acres of parkland, woodland, playground, walking trails and botanical gardens.</p> <p>It is submitted that given the proximity of the application site to Malahide Castle and Demesne, the provision of public open space is appropriate in this instance given the excellent provision of public open space facilities in the locality.</p>
<p><b>Private Open Space</b></p>	<p>In accordance with national policy and particularly the Urban Design Manual and new Apartment Guidelines, the proposed development has achieved appropriate separation distances to maintain privacy and protect residential amenity, with design solutions and appropriate landscaping also proposed to protect privacy for residents.</p> <p>It is noted that each residential unit benefits from the provision of adequately sized private open space in the form of gardens, balconies, or patios/terraces (designed in accordance with quantitative and qualitative standards), with the units at ground floor level provided with appropriate boundary treatments to ensure privacy and security whilst also providing visual interest and distinction between spaces.</p> <p>For further information on the private open space proposed as part of this SHD application, please refer to the Architectural Design Statement prepared by MCORM Architects and the landscaping pack for further details.</p>
<p><b>Playground Facilities</b></p>	<p>Outlined in the Development Plan, all residential schemes in excess of 50 units should incorporate playground facilities which should be provided at a rate of 4 sqm per residential unit. It is noted that the proposed development provides for 210 sqm of play areas with formal equipment, 800 sqm of informal play areas, along with a minimum of 2,000 sqm useable kickabout space, which are demarcated on the Landscape drawings prepared by KFLA Landscape Architects. With respect to the broad definition of play area, as specified in the Space for Play; A Play Policy for Fingal, the overall play area provision is submitted to be consistent with the Management Standards of the Development Plan.</p> <p>However, out of an abundance of caution, it has been included in a Material Contravention Statement should it be considered to potentially materially contravene the Fingal Development Plan 2017-2023 by the competent authority in their assessment of the application, which we invite the Board to refer to.</p>
<p><b>12.8 Community Infrastructure, Facilities and Services</b></p>	

<p><b>Childcare Facilities</b></p>	<p>All childcare facilities shall be provided in accordance with the ‘<i>Childcare Facilities: Guidelines for Planning Authorities</i>’ (DEHLG). The proposed SHD development will provide for a purpose-built childcare facility to accommodate approximately 86 children within the site with appropriate outdoor play space, drop off facilities, etc.</p>
<p><b>12.10 Movement and Infrastructure</b></p>	
<p><b>Car Parking Standards</b></p>	<p>The proposed development will be consistent with the standards for car parking with a total of 721 spaces proposed. This includes accessible parking bays, across undercroft and surface level, to serve the overall development (i.e., residents, visitors, and drop-off).</p> <p>The Development Plan requires that each dwelling is to be provided with 2 no. car parking spaces, which is being provided for in this scheme. The car parking for apartments and duplex units is provided at a ratio of 1.25 car parking spaces per unit. This allows for 1 space for each resident and 1 visitor space per 4 dwellings. This is a benchmark given in the Design Standards for New Apartments 2020.</p> <p>In the case of the standalone apartment and duplex buildings, this car parking is accommodated on street broken up by street trees which avoids over dominance of the car in the streetscape. This approach is used at the northern end of the development site and also the southern lands where there is also a combination of standalone duplex and apartments blocks.</p> <p>Please refer to the Traffic and Transport report prepared by Waterman Moylan Consulting Engineers and the Architectural Design Statement prepared by MCORM Architects for further details.</p>
<p><b>Bicycle Parking Standards</b></p>	<p>The proposed development provides considerable secure, covered bicycle parking for the apartment and duplex units as part of the development proposal (227 no. spaces in total). This ensures that future residents and visitors are encouraged to use sustainable modes of transportation. It is considered that the bicycle parking provision as part of the proposed development is consistent with Table 12.9 – Bicycle Parking Standards of the Development Plan.</p> <p>For further information on the bicycle parking, please refer to the Traffic and Transport report prepared by Waterman Moylan Consulting Engineers and Housing Quality Assessment, Architectural Design Statement and associated drawings prepared by MCORM Architects.</p>

## 7.0 ENGINEERING PROPOSALS

Waterman Moylan Consulting Engineers have prepared an engineering pack for the proposed development. This is included under a separate cover. A Confirmation of Feasibility and Statement of Design Acceptance has been obtained from Irish Water confirming that there is capacity within the network to cater for the development and that the design is in accordance with their standards. Furthermore, the Flood Risk Assessment, prepared by Waterman Moylan Consulting Engineers confirms that the site is not within a flood risk area and thus is suitable for residential development.

## 8.0 APPROPRIATE ASSESSMENT SCREENING

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). Faith Wilson Ecological Consultants has prepared a report for Screening for Appropriate Assessment for the proposed development. A Natura Impact Statement (NIS) has also been prepared by Faith Wilson Ecological Consultants for the proposed development. For further information in this regard, please refer to the Appropriate Assessment Screening Report and Natura Impact Statement prepared by Faith Wilson Ecological Consultants.

## 9.0 EIA SCREENING

The requirements for an Environmental Impact Assessment (EIA) of development proposals (projects) are governed by Directive 2014/52/EU, which amends the previous EIA Directive (Directive 2011/92/EU). The primary purpose of an EIA is to ensure that certain projects that are likely to have significant effects on the environment are subjected to an assessment of their likely environmental impacts. The EIA process itself forms part of the planning consenting process and is carried out by the Competent Authority (An Bord Pleanála in this instance).

An EIAR is prepared by and on behalf of an applicant/developer in respect of development proposal / project that they are seeking planning consent/permission. Therefore, the EIAR becomes a central element that informs the Competent Authority's determination of the planning permission. 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. With respect to 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 (the proposed development) comprises a residential development including the provision of 415 no. new residential dwelling units and a childcare facility. Therefore, the Project falls below the stated threshold, and an EIA is not required on this basis.
- **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 (the proposed development) does not include a car park providing 400 no. spaces or more. Furthermore, all car parking being 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. An EIA is not required on this basis.
- **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. 12.5 hectares within what can be considered a built-up area. An EIA is required on this basis and, as a consequence, an EIAR has been prepared to accompany the planning application.

## 10.0 CONCLUSION

This Planning Statement has been prepared to accompany planning application to An Bord Pleanála for a Strategic Housing Development on lands at Back Road, Broomfield, Malahide, Co. Dublin.

The proposed development subject to this SHD application provides for construction of a total of 415 no. residential dwellings, comprising 252 no. houses (192 no. 3 beds, 48 no. 4 beds, and 12 no. 5 beds), 28 no. duplex units (8 no. 1 beds, 14 no. 2 beds, and 6 no. 3 beds) and 135 no. apartments (37 no. 1 beds, 93 no. 2 beds, and 5 no. 3 beds), with ancillary amenity facilities, 1 no. childcare facility and associated car parking and bicycle parking, landscaping, boundary treatments, and all associated engineering and site development works necessary to facilitate the development.

The design of the proposed scheme has been the subject of a full analysis/feasibility study of the proposed site and its surrounding landscape, and it is considered that the proposed development represents a high-quality design whilst optimising the appropriate use of the site. The proposed development is also informed by a series of pre-application meetings with both the Local Authority and An Bord Pleanála, and as the third phase to the development of Broomfield lands designation.

The proposed development will provide for a sustainable residential development on appropriately zoned lands within the development boundary of Malahide, which would promote compact urban growth and a good quality of life. This will support compact growth of the town, and assist in meeting the increasing demand for residential accommodation in Malahide and the overall County.

The proposed development comprises a high-quality scheme of an appropriate scale and of a sustainable residential density reflective of its locational attributes. The Statement of Consistency which accompanies the application demonstrates that the proposed development complies with the relevant national, regional, and local planning policy. Please refer to the enclosed Statement of Consistency which sets out the grounds for the proposed development. Furthermore, the proposal will provide for an effective, efficient, sustainable use of what is a greenfield site in an accessible location. The nature, form and extent of the proposed development has been informed and guided by pre-application consultations with the pertaining Planning Authority and internal departments and the pre-application consultation with An Bord Pleanála.

The proposed dwelling houses and apartment units meet the requirements of Fingal County Council and fully comply with the Fingal County Development Plan 2017-2023, and the '*Sustainable Urban Housing: Design Standards for New Apartments*' Guidelines. All unit types proposed meet the minimum gross floor areas required and meet the aggregate living room, living areas, bedroom areas and storage areas required. Please refer to the accompanying drawings/schedule enclosed with this planning application for a full breakdown of living standards for each unit type. The delivery of 415 no. residential units at this location would add to the sense of community in the area, would represent an appropriate and sustainable land use, and would provide for an appropriate use on an otherwise underutilised site. Please also refer to the Design Statement prepared by MCORM Architects which demonstrates the proposed development's compliance with the relevant planning policy and guidelines.

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 Broomfield represents a high-quality Strategic Housing Development proposal which is now being submitted for the consideration of An Bord Pleanála.