
Statement of Response to Pre-application Consultation Opinion

Residential Development

**The Lord Mayor's Public House, Main Street,
Swords, Co. Dublin**

Jacko Investments

February 2020



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1.0 Introduction

Hughes Planning and Development Consultants, 70 Pearse Street, Dublin 2, have prepared this Statement of Response to Pre-application Consultation Opinion on behalf of our client, Jacko Investments, to accompany a planning application to An Bord Pleanála for a proposed Strategic Housing Development at The Lord Mayor's Public House, Main Street, Swords, Co. Dublin. Following consultations with Fingal County Council, a request to enter into pre-planning consultations with An Bord Pleanála was submitted and a pre-planning consultation meeting was facilitated on 16th December 2019.

An Bord Pleanála subsequently issued a Notice of Pre-Application Consultation Opinion on 7th January 2020, which identified 3 no. items to be addressed, in order for the application to constitute the reasonable basis for a Strategic Housing Application. These 3 no. items were as follows:

1. **Surface Water Management and Flood Risk**

Further consideration of documents as they relate to the design rationale/justification for the proposed development strategy of the lands as they relate to surface and storm water management for the development lands and the risk for displaced or increased discharge of waters downstream in the Broadmeadow River and the identification of a portion of the site on Flood Zone A and B lands. Any surface water management proposal should be considered in tandem with any Flood Risk Assessment, which should in turn accord with the requirements of 'The Planning System and Flood Risk Management Guidelines' (including the associated 'Technical Appendices') and include hydraulic modelling where considered appropriate. All proposed SUDs features will enhance/contribute to a sense of place. Computer Generated Images and cross-sections should be submitted to show changes in levels and inter alia, the interface of boundary treatments and SUDs to public open spaces/streetscape.

Further consideration of these issues may require an amendment to the documents and/or design proposals submitted.

2. **Movement and Transportation**

Further consideration and/or justification of the documents as they relate to the specific objectives for Swords in the Fingal Development Plan in respect of connectivity and movement for pedestrians, cyclists and motorists within and through the site in particularly connecting the cultural quarter to the River Ward Valley.

Consideration should be given to the future road link identified in the Fingal Development Plan between Main Street and the Brackenstown Road along the northern end of the development site and whether the proposal may compromise the delivery of this future road link including a bridge if required.

Consideration should also be given to the recommendations of the Fingal South Transportation Study 2019 including, inter alia, the movement of pedestrian and cyclists along Church Road having particular regard to the current lack of footpaths at this location, site context and the difference in levels between the public road and site.

Further consideration of these issues may require an amendment to the documents and/or design proposals.

3. **Layout and Urban Design Response**

Further justification or if considered necessary further consideration of the documents as they relate to the proposed layout and urban design response visa-a-vis integration with the general area and achievement of the vision and objectives provided for within the Swords Masterplan.

The Swords Masterplan 2009 provides that "applications which propose deviations from the Masterplan Guidance must be set within a detailed urban design rationale and in the context of

the urban design appraisal and guidelines set out within the Masterplan before they can be considered favourably". Should the existing design strategy be maintained then a written response should be submitted that addresses/responds to the concerns raised by the planning authority in their opinion and which demonstrates that the proposed urban design strategy supports the achievement of the vision and objectives of the Swords Masterplan.

Further consideration of these issues may require an amendment to the documents and/or design proposal submitted.

The Board also requested, pursuant to article 285(5)(b) of the Planning and Development Act 2000 (As amended by the Residential Tenancies Act 2016), the provision of the following specific information:

1. *A statement justifying the quantum of proposed residential use versus the proposed retail floor space having regard to the land-use zoning objective 'Major Centre' for this site and consideration as to whether the dominance of residential use at this location is appropriate and/or would impact on the vitality and viability of Swords town centre. You should consider the use of vitality and viability health check assessment to inform the statement of justification. Annex 2 of the 'Guidelines for Planning Authorities, Retail Planning 2012' may be of assistance in this regard.*
2. *A contextual layout plan which indicates the layout of adjoining developments, photomontages and cross section at appropriate intervals for the proposed development including details of how the proposed development interfaces with contiguous lands and adjoining roads in particular Forest and Church Road.*
3. *Details demonstrating that the qualitative and quantitative standards of the proposed residential units having specific regard to the provisions of Specific Planning Policy Requirements contained in inter alia the Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities, 2018.*
4. *All existing utilities that may traverse the site including any proposal to culvert/reroute/underground existing drains/utilities should be clearly identified on a site layout plan.*
5. *A site layout plan indicating pedestrian and cycle connections through the development plans including the river front.*
6. *A construction and demolition waste management plan should be provided.*
7. *A Building Life Cycle Report as pre Section 6.13 of the Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities 2018.*
8. *A site layout plan indicating all areas to be taken in charge.*
9. *A management plan for the proposed development including clarity regarding access to and through the development to public amenity areas.*
10. *Information referred to in article 299B(1)(b)(ii)(II) and article 299B(1)(c) of the Planning and Development Regulations 2001-2018.*
11. *An Appropriate Assessment screening report and/or Natura Impact Statement if considered necessary, which should consider inter alia the issue of surface water management and flood risk (as outlined in Item 1 of the Opinion) and in-combination effects of relevant Natura 2000 sites.*

Further to the above, the Board's Notice of Pre-Application Consultation Opinion set out the statutory bodies to be notified of the making an application, pursuant to section 8(1)(b) of the Planning and Development (Housing) and Residential Tenancies Act 2016. They are as follows:

1. Irish Water

2. The Minister for Arts, Heritage, Regional, Rural and Gaeltacht Affairs
3. The Heritage Council
4. An Taisce – the National Trust for Ireland
5. Transport Infrastructure Ireland
6. National Transport Authority
7. Local Childcare Committee

A copy of the current application has been sent to the prescribed bodies identified by the Board. Copies of the applicable cover letters are enclosed with the application.

2.0 Response to Issues Raised

The following sets out how the applicant and design team have addressed the 3 no. issues raised in the Board's Notice of Pre-Application Consultation Opinion to ensure the subject application constitutes a reasonable basis for an application for strategic housing development.

2.1 Item No. 1 – Surface Water Management and Flood Risk

The Board required the following in relation to surface water management and flood risk:

Further consideration of documents as they relate to the design rationale/justification for the proposed development strategy of the lands as they relate to surface and storm water management for the development lands and the risk for displaced or increased discharge of waters downstream in the Broadmeadow River and the identification of a portion of the site on Flood Zone A and B lands. Any surface water management proposal should be considered in tandem with any Flood Risk Assessment, which should in turn accord with the requirements of 'The Planning System and Flood Risk Management Guidelines' (including the associated 'Technical Appendices') and include hydraulic modelling where considered appropriate. All proposed SUDs features will enhance/contribute to a sense of place. Computer Generated Images and cross-sections should be submitted to show changes in levels and inter alia, the interface of boundary treatments and SUDs to public open spaces/streetscape.

Further consideration of these issues may require an amendment to the documents and/or design proposals submitted.

2.1.1 Applicants Response to Item No. 1

The Flood Risk Assessment, prepared by JBA Consulting, and Engineering Services Report and associated drawings, prepared by CORA Consulting Engineers, which accompany this application address the above items.

Further to the above, cross-sections illustrating changes in levels and inter alia, the interface of boundary treatments and SUDs to public open spaces/streetscape, feature in the Engineering Drawing No. 0007, prepared by CORA Consulting Engineers, and Landscape Drawing Nos. 0100, 0104 and 0105, prepared by Mitchell + Associates, which accompany the application. In addition, the Architectural Design Statement accompanying the application, prepared by Aughey O'Flaherty Architects, includes a number of computer-generated images which illustrate the changes in levels across the site as well as the developments interface with the adjacent public open spaces and streetscape.

2.2 Item No. 2 – Movement and Transportation

The Board required the following in relation to the movement and transportation serving the proposed development:

Further consideration and/or justification of the documents as they relate to the specific objectives for Swords in the Fingal Development Plan in respect of connectivity and movement for pedestrians, cyclists and motorists within and through the site in particularly connecting the cultural quarter to the River Ward Valley.

Consideration should be given to the future road link identified in the Fingal Development Plan between Main Street and the Brackenstown Road along the northern end of the development site and whether the proposal may compromise the delivery of this future road link including a bridge if required.

Consideration should also be given to the recommendations of the Fingal South Transportation Study 2019 including, inter alia, the movement of pedestrian and cyclists along Church Road having particular regard to the current lack of footpaths at this location, site context and the difference in levels between the public road and site.

Further consideration of these issues may require an amendment to the documents and/or design proposals.

2.2.1 Applicants Response to Item No. 2

The Fingal Development Plan 2017-2023 sets out the following objectives for Swords in respect of connectivity and movement for pedestrians, cyclists and motorists within and through the site:

Objective SWORDS 7	<i>Promote the development of Swords as a multi-modal transportation hub.</i>
Objective SWORDS 11	<i>Provide for a comprehensive network of pedestrian and cycle ways, linking housing to commercial areas, to the town centre and to Metro stops and linking the three water bodies (the Ward River Valley, the Broadmeadow River Valley and the Estuary) to each other subject to Screening for Appropriate Assessment if required.</i>
Objective SWORDS 15	<i>Develop an appropriate entrance to the Ward River Valley from the town of Swords so that access to the amenities of the valley is freely and conveniently available to the people of Swords.</i>
Objective MT13	<i>Promote walking and cycling as efficient, healthy, and environmentally-friendly modes of transport by securing the development of a network of direct, comfortable, convenient and safe cycle routes and footpaths, particularly in urban areas.</i>
Objective MT14	<i>The Council will work in cooperation with the NTA and adjoining Local Authorities to implement the Greater Dublin Area Cycle Network Plan subject to detailed engineering design and the mitigation measures presented in the SEA and Natura Impact Statement accompanying the NTA Plan.</i>
Objective MT22	<i>Improve pedestrian and cycle connectivity to stations and other public transport interchanges.</i>

Further to this, as shown in the Zoning Map No. 8 excerpt included in Figure 1.0 overleaf, the Fingal Development Plan 2017-2023 seeks to introduce a cycle route along the subject site's western and northern boundaries and a link road between Main Street and the Brackenstown Road which traverses the northern part of the subject site. In addition to this, Zoning Map No. 8 also shows the route proposed for the Greater Dublin Area Cycle Network which is not proposed in immediate proximity to the subject site, rather further north of the subject site.

We would argue that the subject development has been designed having regard to the above-mentioned objectives as:

- The subject proposal includes a pedestrian and cycle link along the site's northern boundary as well as through the site, consistent with Objective SWORDS 11;
- The subject proposal also includes a generous separation distance between buildings C and D, as well as a landscape area and totem sign, which creates the entrance to the Ward River Valley

from Main Street, sought by Objective SWORDS 15, as well as a link to the proposed cultural quarter on the opposite side of Main Street; and

- The northern part of the subject site is devoid of development in the subject proposal, as illustrated in Figure 2.0 below, and therefore the proposed development will not restrict the introduction of a link road, including a bridge, between Main Street and Brackenstown Road sought the Fingal Development Plan 2017-2023.

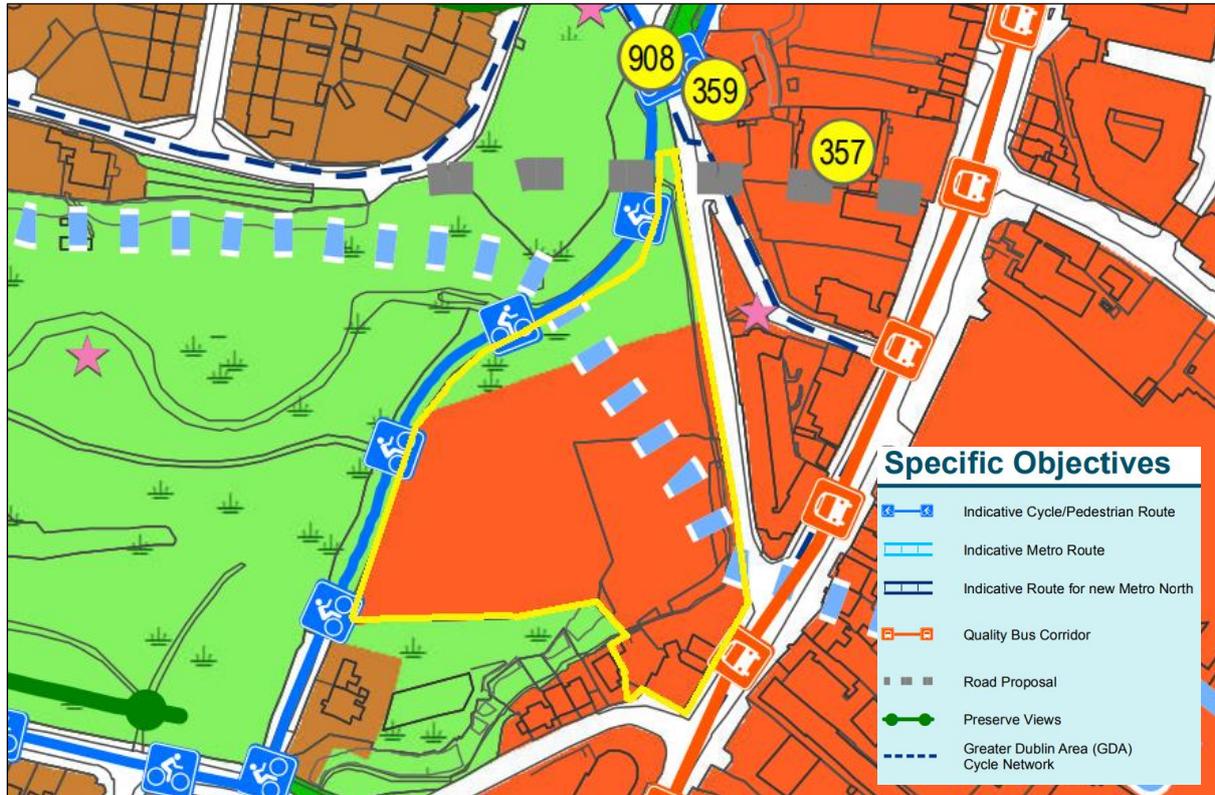


Figure 1.0 Zoning Map No. 8 of the Fingal Development Plan 2017-2023 showing the subject site outlined in yellow



Figure 2.0 Proposed site plan with link road between Main Street and Brackenstown Road sought the Fingal Development Plan 2017-2023 indicated by dashed grey line

In September 2017, Fingal County Council commissioned Systra Ltd. to undertake the South Fingal Transport Study. The South Fingal Transport Study is a study of the transport network in South Fingal recommending key transport infrastructure and outline levels of land use development that will enable its sustainable growth leading up to the delivery of MetroLink and beyond. The Fingal South Transportation Study was published in 2019. The published study focused on three particular areas, including Swords, with 3 no. South Fingal Transport Study Sub-Reports being prepared. The Swords Sub-Report focussed on Swords and uses a range of population and employment data, in combination with transport modelling, to examine issues and recommend improvements to the transport networks. The following recommendations made in relation to Swords are relevant for consideration in relation to the subject proposal.

Similar to the the Fingal Development Plan 2017-2023, the South Fingal Transport Study Sub-Report for Swords (more specifically, the Swords Short Term Recommendations Map (Local) included at Figure 17), also seeks the creation of a link road between Main Street and the Brackenstown Road which traverses the northern part of the subject site. It also seeks the introduction of segregated cycle lanes on Main Street and Brackenstown Road, including part of Church Road as illustrated in the excerpt in Figure 3.0 below.

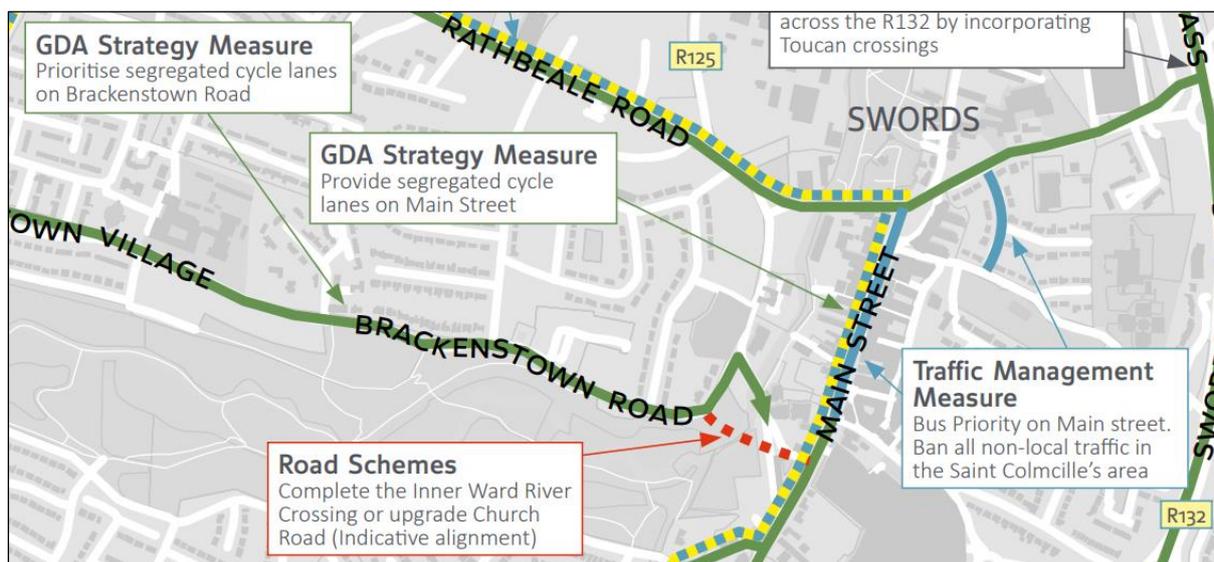


Figure 3.0 Swords Short Term Recommendations Map (Local) included at Figure 17 in the South Fingal Transport Study Sub-Report for Swords

SFTS Recommendation 4 goes on to state the following:

A realignment and widening of the existing narrow Church Road on the western side of Main Street and creation a junction with Brackenstown Road could achieve the desired impact without building an additional river crossing. Alternatively, a new route such as that proposed as the Inner Ward River Crossing would have a similar mitigating effect. Route option development should take cognisance of DMURS, the future function of Main Street and associated traffic calming in the area.

The section of Church Road included in the Brackenstown Road segregated cycle lanes does not flank the subject site's boundary and we would anticipate that such a segregated cycle lane would tie in with the cycle lane proposed along the street further north (illustrated with the blue dashed line included in the plan excerpt contained in Figure 1.0 above).

The subject proposal includes the installation of a 2 metre wide footpath on the western side of Church Road inside the current site boundary, immediately north-east of the realigned Glebe Stream. At the Pre-Application Consultation, Fingal County Council indicated that a further feasibility study would need to take place to inform the specifics of the segregated cycle lane in this area. The Applicant is willing to

have further discussions with the Planning Authority in relation to the detailed design of the various roadway improvements and Glebe Stream realignment following the grant of Planning Permission for the development and would not be opposed to the Board including a condition requiring further consultation with the Planning Authority in this regard. Such a condition could be worded as follows (or similar):

Proposals for footpaths, the Glebe Stream diversion and landscaping where the subject site abuts Church Road shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

2.3 Item No. 3 – Layout and Urban Design Response

The Board required the following in relation to layout and urban design of the proposed development:

Further justification or if considered necessary further consideration of the documents as they relate to the proposed layout and urban design response visa-a-vis integration with the general area and achievement of the vision and objectives provided for within the Swords Masterplan.

The Swords Masterplan 2009 provides that “applications which propose deviations from the Masterplan Guidance must be set within a detailed urban design rationale and in the context of the urban design appraisal and guidelines set out within the Masterplan before they can be considered favourably”. Should the existing design strategy be maintained then a written response should be submitted that addresses/responds to the concerns raised by the planning authority in their opinion and which demonstrates that the proposed urban design strategy supports the achievement of the vision and objectives of the Swords Masterplan.

Further consideration of these issues may require an amendment to the documents and/or design proposal submitted.

2.3.1 Applicants Response to Item No. 3

The subject proposals consistency with the Swords Masterplan 2009 is consider in the Statement of Consistency & Planning Report, prepared by Hughes Planning and Development Consultants, which accompanies this application. The Architectural Design Statement, prepared by Aughey O'Flaherty Architects, also outlines how the proposed scheme has been designed having regard to the Swords Masterplan 2009.

3.0 Statement of Response to Specific Information Required

The following sets out how the applicant has addressed the Board's request for additional specific information in respect of the proposed development.

3.1 Justification Statement regarding the Quantum of Proposed Uses

The application is accompanied by a Use Mix Justification Statement, prepared by Hughes Planning and Development Consultants, which include justification for the quantum of proposed residential use versus the proposed retail floor space having regard to the land-use zoning objective 'Major Centre' for this site and consideration as to whether the dominance of residential use at this location is appropriate and/or would impact on the vitality and viability of Swords Town Centre.

3.2 Contextual Layout Plan, Photomontages and Cross Sections

The application is accompanied by layout plans (including contextual information), photomontages, and cross sections, prepared Aughey O'Flaherty Architects. Cross sections have also been prepared by CORA Consulting Engineers and Mitchell+ and accompany the application.

3.3 Assessment against the provisions of Specific Planning Policy Requirements contained in inter alia the Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities, 2018

The Statement of Consistency & Planning Report, prepared by Hughes Planning and Development Consultants, which accompanies this application includes an assessment of the proposed development against the qualitative and quantitative standards included in the Specific Planning Policy Requirements contained in inter alia the Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities, 2018. Further to this, Aughey O'Flaherty Architects have prepared a Housing Quality Assessment (featuring within the Accommodation Schedule Booklet), which outlines compliance with the various qualitative and quantitative standards.

3.4 Site Layout Plan regarding Existing Utilities and Proposal to Culvert/Reroute/Underground Existing Drains/Utilities

The Existing Site Plan, prepared by Aughey O'Flaherty Architects, which accompanies the application details existing utilities on site including the existing culverts featuring. Details of the proposals to culvert/reroute/underground existing drains/utilities are indicated in the Proposed Site Plan, prepared by Aughey O'Flaherty Architects, as well as the Landscape Masterplan, prepared by Mitchell + Associates, which accompany the application.

3.5 Site Layout Plan Indicating Pedestrian and Cycle Connections

Pedestrian and cycle connections provided within and adjacent to the development are indicated in the Landscape Masterplan, prepared by Mitchell + Associates, which accompanies the application. Existing and proposed cycle connections in the immediate vicinity of the site are also detailed in the Traffic Assessment and Mobility Report, prepared by CORA Consulting Engineers which accompanies the application.

3.6 Construction and Demolition Waste Management Plan

The application is accompanied by a Preliminary Construction & Demolition Waste Management Plan, prepared by CORA Consulting Engineers.

3.7 Building Life Cycle Report

The application is accompanied by a Lifecycle Report, prepared by Apleona.

3.8 Site Layout Plan indicating all Areas to be Taken in Charge

The application is accompanied by a Proposed Taking in Charge Site Plan (Drawing No. P0.104), prepared by prepared by Aughey O'Flaherty Architects, which indicates all areas to be taken in charge.

3.9 Details regarding Management of the Scheme including Clarity regarding Access to and through the Development to Public Amenity Areas

The Statement of Consistency & Planning Report, prepared by Hughes Planning and Development Consultants, which accompanies this application provides clarity regarding access to and through the development to public amenity area in Section 6.13.10.

3.10 Information referred to in article 299B(1)(b)(ii)(II) and article 299B(1)(c) of the Planning and Development Regulations 2001-2018

The Statement of Consistency & Planning Report, prepared by Hughes Planning and Development Consultants, which accompanies this application includes the information referred to in article 299B(1)(b)(ii)(II) and article 299B(1)(c) of the Planning and Development Regulations 2001-2018 in Section 8.0.

3.11 Appropriate Assessment screening report and/or Natura Impact Statement

The application is accompanied by a Natura Impact Statement, prepared by Altemar Environmental Consultants. This statement considers inter alia the issue of surface water management and flood risk (as outlined in Item 1 of the Opinion) and in-combination effects of relevant Natura 2000 sites.

4.0 Conclusion

This report sets out how the various issues raised by An Board Pleanála, in their Notice of Pre-Application Consultation Opinion, in relation to the proposed residential development at the site of the former Lord Mayor's Public House, Main Street, Swords, Co. Dublin.

The layout and design changes incorporated into the final scheme are considered to result in improvements to the overall development and ensure that a high-quality residential development will be provided.

It is therefore submitted that the proposed development is consistent with the proper planning and sustainable development of the area, and is consistent with all relevant national, regional and local planning policies and guidelines.



Kevin Hughes MIPI MRTPI
Director
for HPDC.