

## **PLANNING STATEMENT AND STATEMENT OF CONSISTENCY**

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**Proposed Modifications to Permitted SHD ABP-313361-22  
(via LRD process)**

**Lands to the East of Kinsealy Lane,  
& to the South of Back Road,  
Kinsaley, Broomfield, Malahide, Co. Dublin**

**Applicant: Birchwell Developments Ltd.**

**July 2025**

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## PART A – PLANNING REPORT

### 1 INTRODUCTION

DOWNEY, Chartered Town Planners, 29 Merrion Square, D02 RW64, have prepared this Planning Statement, on behalf of our client and the applicant, Birchwell Developments Ltd., to accompany an LRD Planning Application for proposed modifications to a previously permitted Strategic Housing Development permitted under Ref. **ABP-313361-22** on lands to the east of Kinsealy Lane and to the south of Back Road, Kinsaley, Broomfield, Malahide, Co. Dublin. The proposed development, as per the description contained within the statutory planning notice, provides for:

*"We, Birchwell Developments Ltd., intend to apply for permission for development on lands to the east of Kinsealy Lane and to the south of Back Road, Kinsaley, Broomfield, Malahide, Co. Dublin. The development will consist of proposed modifications to the previously permitted Strategic Housing Development (SHD) (87 no. units permitted under Ref. ABP-313361-22, and under construction) which includes proposed modifications to the previously permitted House Types C, C1, C2, & D (61 units in total) with such amendments including extension of the rear first floor over the ground floor to omit the single storey lean-to extension and associated elevational changes, and all associated works necessary to facilitate the development."*

This Planning Statement outlines the context of the subject site, planning history, relevant planning context and illustrates the proposed minor alterations to the permitted House Type C, C1, C2 & D. It is noted that the Planning Statement should be read in conjunction with the accompanying Statement of Consistency in Part B and detailed documentation submitted, as well as that of the granted parent planning permission (**ABP-313361-22**).

### 2 SITE LOCATION & DESCRIPTION

The subject lands are located to the east of Kinsealy Lane and to the south of Back Road, Kinsaley, Broomfield, Malahide, in the northern periphery of Dublin and within 12km distance from Dublin City Centre. The subject site is located within the administrative boundaries of Fingal County Council.

The subject site will form the natural extension to the adjoining Brookfield development and Ashwood Hall development further north, which are under construction by the same applicant (Birchwell Developments Ltd.) These schemes were planned and are being delivered as part of the development of the Broomfield lands which were subject to the now expired objectives of the Broomfield Local Area Plan (LAP) 2010.

The application site represents the most southerly site of the Broomfield lands and construction of the granted parent planning permission of 87 no. units (ABP-313361-22) has recently commenced on the site. This application seeks to modify some of the permitted house types associated with this permission.

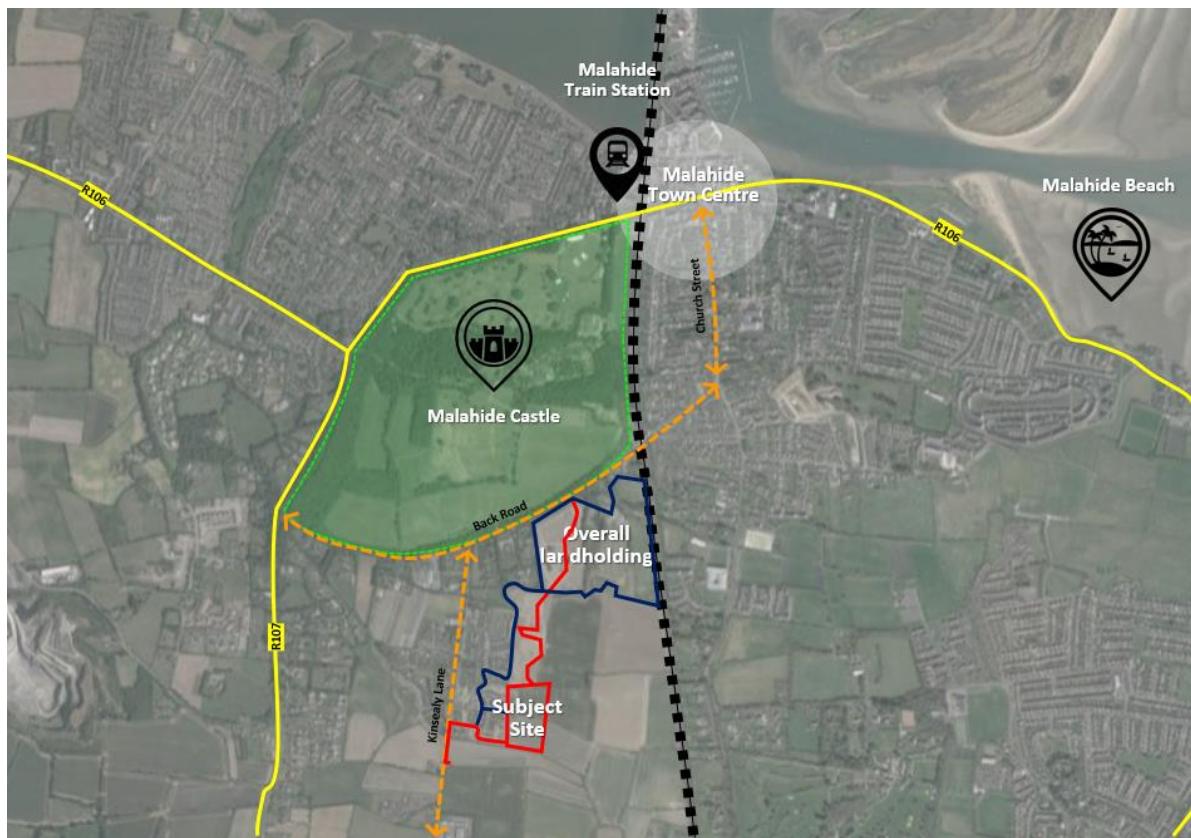


Figure 1. Aerial View of subject site and its wider context

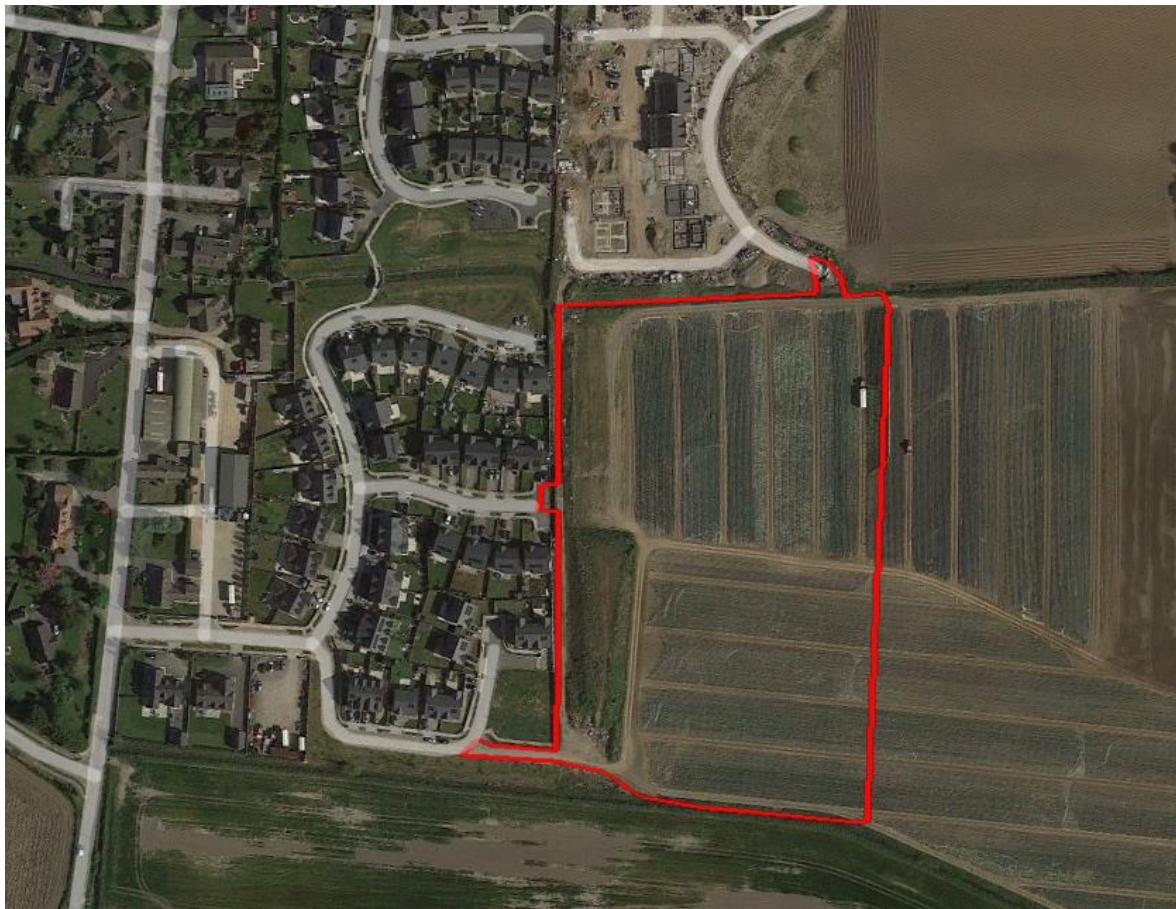


Figure 2. Aerial View of the Subject Site (approximate boundaries of the site outlined in red)

Access to the site is currently to the north through Brookfield and to the west through Hazelbrook. The land uses surrounding the site are generally residential. Malahide Castle and Demesne are 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 located at c. 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 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.

### 3 PLANNING HISTORY

DOWNEY have carried out a comprehensive examination of the planning history pertaining to the subject site and its adjoining area, which determined that there have been a number of planning applications made on these lands. An overview of the most relevant planning history pertaining to the subject site and its wider context is provided below.

#### 3.1 Subject Site

**Reg. Ref. SHD/012/20 - ABP-313361-22:** By Order dated 4<sup>th</sup> July 2024, An Bord Pleanála released a split decision to grant and refuse planning permission regarding the Broomfield SHD application. This includes granted planning permission for 87 no. residential units on the southern portion of the lands at Back Road and Kinsealy Lane and a refusal on the northern portion of the lands at this location. The applicant is implementing this permission on the southern lands (now subject to this modifications application to planning permission). The refused section of this application on the northern lands does not relate to this planning statement or application as the applicant moved forward with an LRD application for the northern portion of their landholdings at this location in more recent months (application ref. LRD0043/S3E), seeking the demolition of the former rugby clubhouse structure on site and the construction of a total of 297 no. residential units (211 no. houses, 40 no. apartments, and 46 no. duplex units); with 1 no. childcare facility, 1 no. café/restaurant, 1 no. retail unit and 1 no. yoga studio. This permission was granted by Fingal County Council on 24<sup>th</sup> January 2025, but was then subject to a third-party appeal. This appeal has since been withdrawn, with a Final Grant Decision issued on 3<sup>rd</sup> June 2025.

Additionally, the applicant successfully secured a second permission for the southern portion of the lands. This decision came after an anticipated decision on the SHD application was delayed beyond the expected date of August 5, 2022. As a result, the applicant chose to pursue a Section 34 planning application for this part of their landholdings. The following provides an overview of this permission:

**Reg. Ref. F23A/0586** – On 24<sup>th</sup> January 2024, the planning application was registered in Fingal County Council, with the purpose for constructing 74 no. residential units (70 no. houses and 4 no. duplex units), all of which will be provided as follows:

- *70 no. houses (51 no. 3-bed houses and 19 no. 4-bed houses) in detached, semi-detached, end-terraced, and mid-terraced houses, all two storeys in height, with external bin stores and bike stores to front of mid-terraced units;*

- *Duplex Block A containing a total of 4 no. units comprising of 2 no. 1-bed units and 2 no. 2-bed units in a building three storeys in height, and all units provided with private balconies/terraces, with a communal bin store and bike store.*

*The development will provide for a total of 160 no. car parking spaces; bicycle parking; 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); 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, proposed connection and associated works to the existing foul network along Kinsealy Lane which will be upgraded under planning permission Reg. Ref. F21A/0451, and a temporary construction access road from Kinsealy Lane to the south of the lands to facilitate construction.*

*A Natura Impact Statement (NIS) has been prepared and is submitted to the planning authority with the application. The Natura Impact Statement (NIS) is available for inspection or purchase at a fee not exceeding the reasonable cost of making a copy during office hours at the Planning Authority.”*

However, the applicant is implementing the SHD permission on the southern lands for 87 no. units (now subject to this LRD amendment application) and not the application granted under Reg. Ref. F23A/0586.

### 3.2 Surrounding Lands

**Reg. Ref. F13A/0460 / PLO6F.243821 (Brookfield Development)** – By Order dated 10<sup>th</sup> March 2015, An Bord Pleanála upheld the decision of Fingal County Council and 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. A large number of applications have since been lodged seeking for alterations to the parent permission, mainly to house types and extensions etc.

**Reg. Ref. F13A/0460/E1** – By Order dated 6<sup>th</sup> February 2020, Fingal County Council granted permission for the extension of duration of the permission up to and including 10<sup>th</sup> March 2025.

Furthermore, it is submitted that there is one application regarding infrastructure provision in the area relevant to the parent permission of this application (**ABP-313361-22**), 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.

**LRD0043/S3E** – By Order dated 24<sup>th</sup> January 2025, Fingal County Council granted planning permission for; Large-scale Residential Development on lands to the south of Back Road and to the east of Kinsealy

Lane, Kinsaley, Broomfield, Malahide, Co. Dublin. The development will consist of the demolition of the former rugby clubhouse structure on site and the construction of a total of 297 no. residential units (211 no. houses, 40 no. apartments, and 46 no. duplex units); with 1 no. childcare facility, 1 no. café/restaurant, 1 no. retail unit and 1 no. yoga studio.

The application was appealed to An Bord Pleanála (now An Coimisiún Pleanála) by a third party, this has since been withdrawn and Fingal County Council issued the Final Grant on 3<sup>rd</sup> June 2025. The applicant is now in the process of submitting planning compliances for this application, with the intention of implementing this decision.

**Reg. Reg. F24A/1059E** - This planning application is currently still under review. By Order dated 29<sup>th</sup> January 2025, Fingal County Council requested Additional Information to be submitted in support of the application for the proposed development which will consist of a retail supermarket of 1,397sq.m. net retail floor area (1,693sq.m. gross floor area) (including ancillary off-licence) and associated delivery bay, store and staff service area, plant rooms, ESB substation/switch room, elevational signage, external bin store, trolley bay, associated car parking including EV parking and accessible parking, motorcycle parking, bicycle parking, landscaping, boundary treatments and all associated engineering and site works necessary to facilitate the development. A temporary foul water pumping station is also proposed as part of the development.

The applicant has since responded to this Additional Information Request, however, on 12<sup>th</sup> May 2025, Fingal County Council requested Clarification of Additional Information. The applicant has since responded to this request with a decision due mid-August.

## 4 PRE-APPLICATION CONSULTATION

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

#### 4.1.1 4.1.1 First Section 247 Pre-Planning Meeting with Fingal County Council Ref No. LRD0061/S1

The first Pre-Application Consultation with the Planning Authority required under the Section 247 of the Planning and Development Act, 2000 (as amended), took place on the 9<sup>th</sup> of January 2025 @14.30 via Microsoft Teams.

Attendees included Nico Regadera, FCC LRD Unit, Aoife Dunne, FCC Housing Department, Carol Hurley, FCC Planning Department, Eva Bridgeman (DOWNEY), Paul O'Rourke (MCORM Architects), Gary Plunkett and Richie Wallace (Applicant Representatives).

The meeting was to discuss the proposed alterations to House Type C, C1 & C2 previously permitted under the Strategic Housing Development of 87 no. residential units, (permitted under **ABP-313361-22**) and all associated site works necessary to facilitate the development.

## PLANNING STATEMENT

Back Road & Kinsealy Lane, Kinsale, Broomfield, Malahide, Co. Dublin



**Figure 3. Proposed House Types C & C1 discussed in pre-planning meeting with the Council**



**Figure 4. Proposed House Types C & C2 discussed in pre-planning meeting with the Council**

Advised by the Council, the design team have revised the drawings of the proposed amendments in order to ensure a more cohesive and policy-aligning design. The design also guarantees that the proposed amendments will not produce any undue over-looking or over-shadowing of surrounding properties. For further details in this regard, please refer to the Design Statement and Architectural Drawings prepared by McCrossan O'Rourke Manning Architects.

#### 4.1.2 Section 32B LRD Pre-Application Meeting with Fingal County Council Ref. No. LRD0061/S2

The second Pre-Application Consultation with the Planning Authority required under the Section 32B of the Planning and Development Act, 2000 (as amended), took place on the 8<sup>th</sup> of April 2025 @14.30 via Microsoft Teams.

Attendees included David Karibov and Carol Hurley, FCC Planning Department, Eva Bridgeman and Bailee Eastlake (DOWNEY), Paul O'Rourke (MCORM Architects), Gary Plunkett and Richie Wallace (Applicant Representatives).

The meeting was to discuss the proposed alterations to House Type C, C1, C2 & D previously permitted under the Strategic Housing Development of 87 no. residential units, (permitted under ABP-313361-22) and all associated site works necessary to facilitate the development.

Advised by the Council's opinion (submitted under separate cover of this application), the design team have provided an updated and clear site layout plan, with clearly marked permitted and proposed development and provided the same unit number order for permitted and proposed. Additionally, information on how the development takes into account for Airport Noise Zones and Outer Public Safety Zones is provided within this report.

#### 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 is currently engaging with the Housing Department of Fingal County Council on the permitted SHD. As this planning application is an amendment to the previously granted **SHD/012/20 (ABP-313361-22)** and there is no increase to the number of units proposed for the development, the 10% Part V rate will continue to apply.

### 5 DESCRIPTION OF THE PROPOSED DEVELOPMENT

The proposed development seeks only minor amendments to previously permitted House Type C, C1, C2 & D, which was granted as part of the parent permission **ABP-313361-22**, The proposed development's description as contained within the statutory planning notices, provides for:

*"We, Birchwell Developments Ltd., intend to apply for permission for development on lands to the east of Kinsealy Lane and to the south of Back Road, Kinsaley, Broomfield, Malahide, Co. Dublin. The development will consist of proposed modifications to the previously permitted Strategic Housing Development (SHD) (87 no. units permitted under Ref. ABP-313361-22, and under construction) which includes proposed modifications to the previously permitted House Types C, C1, C2, & D (61 units in total) with such*

*amendments including extension of the rear first floor over the ground floor to omit the single storey lean-to extension and associated elevational changes, and all associated works necessary to facilitate the development.”*

Notably, the overall development previously granted under parent permission **ABP-313361-22** will remain the same with the exception of minor amendments to House Type C, C1, C2 & D. The other approved houses as per **ABP-313361-22** will remain unchanged together with all other aspects of that permission.

The proposed amendments to House Types C, C1, C2 & D (61 units total) include alterations to the first-floor extended areas to remove the lean-to to facilitate construction sequencing in relation to the removal of the previously shown Ground Floor lean-to roof to the rear of the relevant units.

## 6 CONSISTENCY WITH PLANNING POLICY

Under the parent permission **ABP-313361-22**, the following relevant national, regional, and local planning policies were considered and adhered to:

The list of National Planning Policy Documents included below, since the initial approval of the parent permission, have been replaced or revised with updated versions. As such, Part B of this report outlines the consistency with all relevant planning policies for this amendment application.

### 6.1 National Planning Policy

- Project Ireland 2040: National Planning Framework
- Housing for All – A New Housing Plan for Ireland (2021)
- Delivering Homes, Sustaining Communities Best Practice Guidelines – Quality Homes for Sustainable Communities (2007)
- The National Climate Action Plan 2019-2024
- Sustainable Residential Development and Compact Settlement Guidelines for Planning Authorities (2024);
- Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (including the associated ‘Urban Design Manual – A Best Practice Guide’) (2009);
- Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (including the associated ‘Urban Design Manual – A Best Practice Guide’) (2009);
- Part V of the Planning and Development Act 2000: Guidelines (2017);
- Sustainable Urban Housing: Design Standards for New Apartments (2023);
- Urban Development and Building Heights – Guidelines for Planning Authorities (December 2018);
- Design Manual for Urban Roads and Streets (DMURS) (2019);
- Guidelines for Planning Authorities on ‘The Planning System and Flood Risk Management (2009);
- ‘Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities’ (2009);
- EIA Directive (2014/52/EU).

## 6.2 Regional Planning Policy

- Regional Spatial and Economic Strategy for the Eastern and Midland Region 2019-2031
- Transport Strategy for the Greater Dublin Area 2022-2042

## 6.3 Local Planning Policy

- Fingal County Development Plan 2023 – 2029

### 6.3.1 6.3.6 Land Use Zoning

Under the Fingal County Development Plan 2023-2029, the subject site is zoned “RA - Residential Area” and therefore aims to:

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

The vision for this objective seeks to:

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

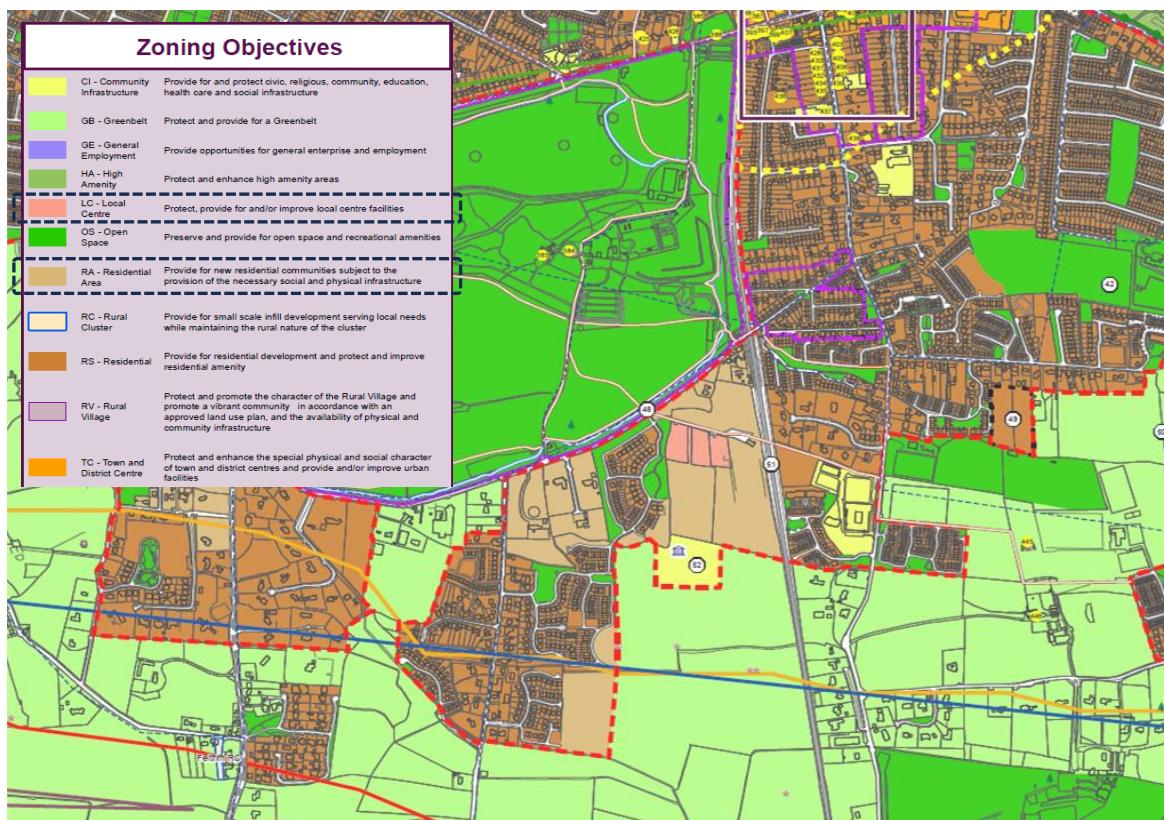


Figure 5. Zoning Objective of the Subject Lands extracted from Fingal Development Plan 2023-2029

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

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

Bed and Breakfast, Childcare Facilities, Community Facility, Education, Funeral Home/Mortuary, Guest House, Health Centre, Health Practitioner, Hospital, Office Ancillary to Permitted Use, Office  $\leq$  100 sqm, Office  $>$  100 sqm and  $<$  1,000 sqm, Open Space, Place of Worship, Public House, Public Transport Station, Recreational/Sports Facility, **Residential**, Residential Care Home/ Retirement Home, Restaurant/Café, Retail – Local  $<$  150 sqm nfa, Retail – Convenience  $\leq$  500 sqm nfa, Retail – Comparison  $\leq$  500 sqm nfa, Retail – Supermarket  $\leq$  2,500 sqm nfa, Retirement Village, Sheltered Accommodation, Sustainable Energy Installation, Taxi Office, Traveller Community Accommodation, Utility Installations, Veterinary Clinic.

*Table 1. Permitted Uses under the RA Land Use Zoning*

As outlined above and as per the granted parent permission **ABP-313361-22**, the proposed minor alterations in this application are also permitted in principle under the zoning objectives pertaining to the subject lands. Thus, matters of zoning, density, access, sustainability, car parking, cycle parking, waste and recycling, landscaping and elements of an environmental nature shall not be changed from that of the permission **ABP-313361-22**.

## 7 ENVIRONMENTAL CONSIDERATIONS

DOWNEY would like to note that a full Environmental Impact Assessment Report (EIAR) has been previously approved under planning permission Ref. **ABP-313361-22**. As this LRD application is to amend minor architectural elements of approved House Type C, C1, C2 & D under SHD application **ABP-313361-22**, it is considered that the previously accepted EIAR is sufficient evidence for determination of this LRD amendment application. DOWNEY respectfully invites Fingal County Council to review the EIAR prepared and approved under parent permission **ABP-313361-22**.

## 8 CONCLUSION

This Planning Statement has been prepared, on behalf of our client and the applicant, Birchwell Developments Ltd., to accompany an LRD planning application for minor alterations to House Type C, C1, C2 & D approved under parent permission **ABP-313361-22**, with no other changes to any other residential units and elements approved under the parent permission **ABP-313361-22**. It is considered that the proposed alterations to the development as per the parent permission, provide for a sustainable residential development on appropriately zoned lands, in an accessible location within the development boundaries of Malahide, which would promote compact urban growth and a good quality of life. This will further support compact growth of the town itself and assist in meeting the increasing demand for residential accommodation in Malahide and the overall County.

In light of the above, it is 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 represents a high-quality residential development which is now being submitted for the consideration of Fingal County Council.

## PART B – STATEMENT OF CONSISTENCY WITH PLANNING POLICY

### 1 INTRODUCTION

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

### 2 NATIONAL PLANNING POLICY

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

- Project Ireland 2040: National Planning Framework First Revision (2025);
- The National Climate Action Plan (2025);
- Sustainable Residential Development and Compact Settlement Guidelines for Planning Authorities (2024);
- Housing for All – A New Housing Plan for Ireland (2021);
- Design Manual for Urban Roads and Streets (DMURS) (2019);
- Urban Development and Building Heights – Guidelines for Planning Authorities (December 2018).
- Part V of the Planning and Development Act 2000: Guidelines (2017);
- EIA Directive (2014/52/EU).

#### 2.1 Project Ireland 2040: National Planning Framework First Revision

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

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

In relation to the proposed house type alterations, the following NPF National Policy Objectives relevant to the application are outlined below:

**National Policy Objective 12:** *"Ensure the creation of attractive, liveable, well designed, high quality urban places that are home to diverse and integrated communities that enjoy a high quality of life and well-being."*

**National Policy Objective 22:** *"In urban areas, planning and related standards, including in particular building height and car parking will be based on performance criteria that seek to achieve well-designed high-quality outcomes in order to achieve targeted growth."*

The proposed alterations to House Type C, C1, C2 & D will provide for greater variety of house types within the development, facilitate construction sequencing and maintain consistency with the permitted SHD scheme, where the principles and fundamentals of the previously permitted development are met and carried through. The alterations to House Types C, C1, C2 & D contribute to *"the creation of attractive, liveable, well designed, high quality urban places"* where the demand of the market is being provided for, creating greater inclusion of housing needs within the wider Dublin area. The alterations to House Types C, C1, C2 & D continue to provide for high quality housing that contribute to and accords with the 'Sustainable Residential Development and Compact Settlement Guidelines, 2024'.

DOWNEY are of the considered opinion that the proposed development is in line with the objectives of the National Planning Framework where diverse house types are provided to meet the varied needs of the population.

## 2.2 Housing for All – A New Housing Plan for Ireland (2021)

The Housing for All – A New Housing Plan for Ireland (2021) provides a multi-stranded, action-oriented approach to achieving many of the governments key housing objectives. The plan aims to deliver 300,000 new homes by 2030 and focuses on four key pathways – supporting homeownership and increasing affordability, eradicating homelessness and increasing social housing delivery, increasing new housing supply and addressing vacancy and efficient use of existing housing stock, much like its predecessor (Rebuilding Ireland, An Action Plan for Housing and Homelessness, 2016).

DOWNEY are of the considered opinion that the alterations to House Type C, C1, C2 and D have remained consistent with that previously permitted, with no proposed changes to the provisions of Part V and where the permitted 87 no. houses (total of development permitted under **ABP-313361-22**) will continue to help the government to achieve the objectives of the housing plan. As the number of houses proposed remains the same and only minor alterations to house types is occurring, it is submitted that the development will remain consistent with that previously permitted and again, consistent with the current policy of Housing for All – A New Housing Plan for Ireland (2021).

## 2.3 Sustainable Residential Development and Compact Settlement Guidelines for Planning Authorities (2024)

Adopted in January 2024, the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities, outlines national planning policies focuses on sustainable residential growth and development of compact settlements in both urban and rural areas. These guidelines, which replace the 2009 Sustainable Residential Development in Urban Areas Guidelines, have been updated to reflect current government policies and broader economic, social and environmental considerations. They align with the NPF and provide detailed guidance on settlement growth priorities, residential density, urban design and placemaking. Additionally, the guidelines introduced flexible development standards to support a wider range of housing options tailored to the specific context of various settlement sizes, from cities to smaller towns and villages.

The Sustainable Residential Development and Compact Settlement Guidelines sets out policy and guidance in relation to planning and development of urban and rural settlements, with a focus on sustainable residential development and the creation of compact settlements. They build on and update previous guidance to take account of current government policy and economic, social and environmental considerations.

The guidelines set out 4 SPPR's to assist in the delivery of new developments, the SPPR's have been outlined and assessed below in Table 1.

*Table 1: SPPR's For Sustainable Residential Development and Compact Settlement Guidelines for Planning Authorities (2024)*

Specific Planning Policy Requirements	Assessment
<p><b>SPPR 1: Separation Distances</b></p> <p>It is a specific planning policy requirement of these Guidelines that statutory development plans<sup>15</sup> shall not include an objective in respect of minimum separation distances that exceed 16 metres between opposing windows serving habitable rooms at the rear or side of houses, duplex units or apartment units above ground floor level. When considering a planning application for residential development, a separation distance of at least 16 metres between opposing windows serving habitable rooms at the rear or side of houses, duplex units and apartment units, above ground floor level shall be maintained. Separation distances below 16 metres may be considered acceptable in circumstances where there are no opposing windows serving habitable rooms and where suitable privacy measures have been designed</p>	<p>The house type modifications still exceed the minimum separation distances under this SPPR.</p>

into the scheme to prevent undue overlooking of habitable rooms and private amenity spaces. There shall be no specified minimum separation distance at ground level or to the front of houses, duplex units and apartment units in statutory development plans and planning applications shall be determined on a case-by-case basis to prevent undue loss of privacy. In all cases, the obligation will be on the project proposer to demonstrate to the satisfaction of the planning authority or An Bord Pleanála that residents will enjoy a high standard of amenity and that the proposed development will not have a significant negative impact on the amenity of occupiers of existing residential properties. This SPPR will not apply to applications made in a Strategic Development Zone until the Planning Scheme is amended to integrate changes arising from the SPPR. Refer to Section 2.1.2 for further detail.

**SPPR 2 - Minimum Private Open Space Standards for Houses**

It is a specific planning policy requirement of these Guidelines that proposals for new houses meet the following minimum private open space standards: 1 bed house 20 sq.m 2 bed house 30 sq.m 3 bed house 40 sq.m 4 bed + house 50 sq.m A further reduction below the minimum standard may be considered acceptable where an equivalent amount of high quality semi-private open space is provided in lieu of the private open space, subject to at least 50 percent of the area being provided as private open space (see Table 5.1 below). The planning authority should be satisfied that the compensatory semi-private open space will provide a high standard of amenity for all users and that it is well integrated and accessible to the housing units it serves. Apartments and duplex units shall be required to meet the private and semiprivate open space requirements set out in the Sustainable Urban Housing: Design Standards for New Apartments,

No changes are proposed to the minimum private open space for the proposed house type alterations.

<p>Guidelines for Planning Authorities 2023 (and any subsequent updates). For building refurbishment schemes on sites of any size or urban infill schemes on smaller sites (e.g. sites of up to 0.25ha) the private open space standard may be relaxed in part or whole, on a case-by-case basis, subject to overall design quality and proximity to public open space. In all cases, the obligation will be on the project proposer to demonstrate to the satisfaction of the planning authority or An Bord Pleanála that residents will enjoy a high standard of amenity. This SPPR will not apply to applications made in a Strategic Development Zone until the Planning Scheme is amended to integrate changes arising from the SPPR. Refer to Section 2.1.2 for further detail.</p>	
<p><b>SPPR 3 - Car Parking</b> It is a specific planning policy requirement of these Guidelines that:</p> <ul style="list-style-type: none"> <li>(i) In city centres and urban neighbourhoods of the five cities, defined in Chapter 3 (Table 3.1 and Table 3.2) car-parking provision should be minimised, substantially reduced or wholly eliminated. The maximum rate of car parking provision for residential development at these locations, where such provision is justified to the satisfaction of the planning authority, shall be 1 no. space per dwelling.</li> <li>(ii) In accessible locations, defined in Chapter 3 (Table 3.8) car- parking provision should be substantially reduced. The maximum rate of car parking provision for residential development, where such provision is justified to the satisfaction of the planning authority, shall be 1.5 no. spaces per dwelling.</li> <li>(iii) In intermediate and peripheral locations, defined in Chapter 3</li> </ul>	<p>No changes are proposed to car parking for the proposed house type alterations.</p>

<p>(Table 3.8) the maximum rate of car parking provision for residential development, where such provision is justified to the satisfaction of the planning authority, shall be 2 no. spaces per dwelling</p> <p>Applicants should be required to provide a rationale and justification for the number of car parking spaces proposed and to satisfy the planning authority that the parking levels are necessary and appropriate, particularly when they are close to the maximum provision. The maximum car parking standards do not include bays assigned for use by a car club, designated short stay on-street Electric Vehicle (EV) charging stations or accessible parking spaces. The maximum car parking standards do include provision for visitor parking. This SPPR will not apply to applications made in a Strategic Development Zone until the Planning Scheme is amended to integrate changes arising from the SPPR. Refer to Section 2.1.2 for further detail.</p>	
<p><b>SPPR 4 - Cycle Parking and Storage</b></p> <p>It is a specific planning policy requirement of these Guidelines that all new housing schemes (including mixed-use schemes that include housing) include safe and secure cycle storage facilities to meet the needs of residents and visitors. The following requirements for cycle parking and storage are recommended:</p> <p>(i) Quantity – in the case of residential units that do not have ground level open space or have smaller terraces, a general minimum standard of 1 cycle storage space per bedroom should be applied. Visitor cycle parking should also be provided. Any deviation from these standards shall be at the discretion of the planning authority and shall be justified with respect to factors such as location, quality of facilities proposed, flexibility for future</p>	<p>No changes are proposed to cycle parking and storage for the proposed house type alterations.</p>

<p>enhancement/ enlargement, etc. It will be important to make provision for a mix of bicycle parking types including larger/heavier cargo and electric bikes and for individual lockers.</p> <p>(ii) Design – cycle storage facilities should be provided in a dedicated facility of permanent construction, within the building footprint or, where not feasible, within an adjacent or adjoining purpose-built structure of permanent construction. Cycle parking areas shall be designed so that cyclists feel safe. It is best practice that either secure cycle cage/compound or preferably locker facilities are provided.</p>	
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The proposed alterations to House Type C, C1, C2 & D have been assessed against the SPPR's as a part of this Planning Statement and Statement of Consistency and remains consistent with that previously permitted under **ABP-313361-22**.

With respect to the above, DOWNEY are of the considered opinion that the alterations to House Type C, C1, C2 & D have been carefully considered, appropriately designed and give full consideration to the relevant planning policy.

## 2.4 Urban Development and Building Heights – Guidelines for Planning Authorities (December 2018)

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

The proposed alterations to House Type C, C1, C2 & D are consistent with the objectives outlined in Table 2 below.

Table 2: SPPR's for Urban Development and Building Heights - Guidelines for Planning Authorities

Specific Planning Policy Requirements	Assessment
<b>SPPR 1</b> In accordance with Government policy to support increased building height and density in locations with good public transport accessibility, particularly town/city cores, planning authorities shall explicitly identify, through their statutory plans, areas where increased building height will be actively pursued for both redevelopment, regeneration and infill development to secure the objectives of the National Planning Framework and Regional Spatial and Economic Strategies and shall not provide for blanket numerical limitations on building height.	In compliance. Changes proposed remain in compliance with SPPR 1.
<b>SPPR 2</b> In driving general increases in building heights, planning authorities shall also ensure appropriate mixtures of uses, such as housing and commercial or employment development, are provided for in statutory plan policy. Mechanisms such as block delivery sequencing in statutory plans could be utilised to link the provision of new office, commercial, appropriate retail provisions and residential accommodation, thereby enabling urban redevelopment to proceed in a way that comprehensively meets contemporary economic and social needs, such as for housing, offices, social and community infrastructure, including leisure facilities.	In compliance. No proposed changes.
<b>SPPR 3</b> It is a specific planning policy requirement that where; (a) 1. An applicant for planning permission sets out how a development proposals complies with the criteria above; and 2. the assessment of the planning authority concurs, taking account of the wider strategic and national policy parameters set out in the National	In compliance in light of content of this application submission.

<p>Planning Framework and these guidelines;</p> <p>Then the planning authority may approve such development, even where specific objectives of the relevant development plan or local area plan may indicate otherwise.</p> <p>(b) In the case of an adopted planning scheme the Development Agency in conjunction with the relevant planning authority (where different) shall, upon the coming into force of these guidelines, undertake a review of the planning scheme, utilising the relevant mechanisms as set out in the Planning and Development Act 2000 (as amended) to ensure that the criteria above are fully reflected in the planning scheme. In particular the Government policy that building heights be generally increased in appropriate urban locations shall be articulated in any amendment(s) to the planning scheme</p> <p>(c) in respect of planning schemes approved after the coming into force of these guidelines these are not required to be reviewed.</p>	
<p><b>SPPR 4</b></p> <p>It is a specific planning policy requirement that in planning the future development of greenfield or edge of city/town locations for housing purposes, planning authorities must secure:</p> <ol style="list-style-type: none"> <li>1. the minimum densities for such locations set out in the Guidelines issued by the Minister under Section 28 of the Planning and Development Act 2000 (as amended), titled “Sustainable Residential Development in Urban Areas (2007)”.</li> <li>2. A greater mix of building heights and typologies in planning for the future development of suburban locations; and</li> </ol>	<p>In Compliance.</p> <p>No proposed changes.</p>

3. Avoid mono-type building typologies (e.g. two-storey or own-door houses only), particularly, but not exclusively so in any one development of 100 units or more.

In light of the above, it is considered that the proposed development is consistent with the requirements of these guidelines on building heights for urban developments. The proposed alterations to House Type C, C1, C2 & D will remain 2-storeys in height and remain consistent with that previously permitted under **ABP-313361-22**.

DOWNEY are of the considered opinion that the proposed alterations to House Type C, C1, C2 & D have been carefully considered, appropriately designed and give full consideration to the relevant planning policy.

### 3 REGIONAL POLICY

The key provisions of the regional planning policy as it relates to the proposed alterations to House Types C, C1, C2 & D are now set out in the following sections. The key regional policy of relevance includes:

- Regional Spatial and Economic Strategy for Eastern and Midlands Region 2019-2031.

#### 3.1 Regional Spatial and Economic Strategy for the Eastern and Midland Region 2019-2031

The Regional Spatial and Economic Strategy (RSES) was published by the Eastern and Midlands Regional Assembly. The RSES outlines the long-term regional level strategic planning and economic framework in support of the NPF for the period of 2019-2031. The RSES identifies regional assets, opportunities, pressures, and constraints and provides a framework for investment to better manage spatial planning and economic development throughout the Eastern and Midland Region. The RSES is tasked with the development of planning policy for future housing needs, in the region upon consideration of the availability of land, resources, environment, and infrastructure capacity.

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

The proposed alteration to House Type C, C1, C2 & D provides for increased varied housing typologies on offer at the Broomfield lands. The proposed alterations will remain consistent with that previously permitted under **ABP-313361-22**. Therefore, it is submitted that the proposed alterations to House Type C, C1, C2 & D will further remain consistent with the Regional Spatial and Economic Strategy for the Eastern and Midlands Region.

## 4 LOCAL PLANNING POLICY

This section of the report provides an account of the relevant local planning policy framework pertaining to the proposed alterations to House Type C, C1, C2 & D, all of which is contained within the Fingal Development Plan 2023-2029.

### 4.1 Fingal Development Plan 2023-2029

The subject site is located within the functional area of the Fingal County Council. The development of the site is therefore informed by the policies and objectives of the Fingal County Development Plan. The policies and objectives of the Development Plan are underpinned by the following strategic vision:

*"Fingal will embrace healthy placemaking and economic prosperity through building cohesive and sustainable communities, where our cultural, natural and built environment is protected.*

*Fingal will continue to be a County of distinctive environmental, historical and cultural assets and local communities, with sustainable development fostering a high-quality of life for those who live, work and visit here. A sustainable future for the County will be based on the interdependence of the themes of economic growth, social progress and environmental quality with the aim of increasing the County's self-reliance and resilience.*

*This plan will ensure that the continued growth of the County in a sustainable way and ensure the County continues to develop as a series of well-serviced, well-connected towns, villages and communities and a low carbon economy. In working to deliver all of this, we are committed to engaging with stakeholders, including local communities and residents to develop better solutions to the complex challenges we face and provide an improved quality of life for all."*

Relevant sections, policies and objectives have been assessed and outlined below and demonstrate the proposed alterations to House Type C, C1, C2 & D are consistent with the Fingal County Development Plan 2023-2029 and its overarching goals.

#### 4.1.1 Sustainable placemaking and quality homes

In terms of sustainable communities and urban design in residential developments, the Development Plan states that, *"healthy placemaking seeks to promote quality of life through the creation of healthy and attractive places to live, work, visit, invest and study in"*. In this regard, the following policies and objectives have been assessed as relevant to the proposed alterations to House Type C, C1, C2 & D.

**Policy SPQHP10 – Support Compact Growth:** *Support the implementation of and promote development consistent with the National Strategic Outcome of Compact Growth as outlined in the NPF and the Regional Strategic Outcome of Compact Growth and Regeneration as set out in RSES.*

**Objective SPQHO11 – Housing Need:** *Ensure that adequate and appropriate housing is available to meet the needs of people of all incomes and needs including marginalised groups within our communities, including but not limited to, Traveller households, older*

persons, people with disabilities, and the homeless, through an appropriate mix of unit types, typologies and tenures provided in appropriate locations and in a manner appropriate to specific needs.

**Policy SPQHP13 – Housing Strategy:** Ensure that the Housing Strategy recognises the diverse needs of all of Fingal's citizens meeting insofar as is feasible their diverse accommodation needs.

**Policy SPQHP29 – Housing for All:** Support the initiatives proposed under Housing for All – A New Housing Plan for Ireland in providing for Fingal's requirements for social affordable and cost-rental housing provision within Fingal, including with a focus on the development of publicly owned sites with support from state agencies where appropriate and the preparation of Local Authority Delivery Action Plans.

**Policy SPQHP35 – Quality of Residential Development:** Promote a high quality of design and layout in new residential developments at appropriate densities across Fingal, ensuring high-quality living environments for all residents in terms of the standard of individual dwelling units and the overall layout and appearance of developments. Residential developments must accord with the standards set out in the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, DEHLG 2009 and the accompanying Urban Design Manual – A Best Practice Guide and the Sustainable Urban Housing; Design Standards for New Apartments (DHLGH as updated 2020) and the policies and objectives contained within the Urban Development and Building Heights Guidelines (December, 2018). Developments should be consistent with standards outlined in Chapter 14 Development Management Standards.

**Objective SPQHO31 – Variety of Housing Types:** Encourage the creation of attractive, mixed use and sustainable residential communities which contain a wide variety of housing and apartment types, sizes, tenures and typologies in accordance with the Fingal Housing Strategy, the HNDA with supporting community facilities, amenities and services.

It is submitted that the proposed alterations to House Type C, C1, C2 & D are consistent with the above-mentioned criteria. The proposed alterations continue to support compact growth where it remains consistent with National and Regional strategic outcome of compact growth. The proposed alterations will contribute to a greater diversification of housing variety to meet a greater level of housing needs while continuing to provide for high-quality housing during a housing crisis.

The proposed alterations continue to support the housing strategy of Fingal and Housing for All schemes with no proposed changes to the number of dwellings, rather, providing for variety and diversity in the dwellings provided to more accurately meet market demands and housing requirements.

The proposed alterations to House Type C, C1, C2 & D provides for attractive, well-designed house types that continue to support the character of the area, that will continue to integrate well with the existing neighbourhood and surrounding area of Broomfield.

#### 4.1.2 Dublin Airport

Chapter 8 Dublin Airport, details operations of Dublin Airport and its surrounding lands where it intersects with airport operations. The proposed alterations to House Type C, C1, C2 & D are located within the Zone B for airport noise and within the Outer Public Safety Zone of Dublin International Airport. Relevant Policies and Objectives for Airport Noise and Outer Public Safety Zone are outlined below.

##### **Noise**

With the location of the proposed development comes “*the need to minimise the adverse impact of noise without placing unreasonable restrictions on development and to avoid future conflicts between the community and the operations of the airport*”. Three zones have been identified within the Fingal Development Plan (Zone A, B and C), Zone B states the following:

Zone	Indication of Potential Noise Objective		
	Exposure	during	Airport
	Operations		
<b>B</b>	≥ 54 and < 63 dB LAeq, 16hr and ≥ 55 dB Lnight		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.

**Policy DAP6 – Health of Residents and Aviation Noise:** Protect the health of residents affected by aviation noise, particularly night-time noise.

**Objective DAO11 – Requirement for noise insulation:** Strictly control inappropriate development and require noise insulation where appropriate in accordance with Table

8.1 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 in 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 the runways are not unreasonable to minimise the adverse impact of noise on existing housing within the inner and outer noise zone.

it is considered that the development as previously permitted is consistent with the policies and objectives outlined in Chapter 8 of the Fingal Development Plan, where the health of residents from aviation noise is protected and reduced through effective levels of insulation and glazing within the dwellings of the development. The proposed modifications to House Types C, C1, C2 & D will remain consistent with that previously permitted and achieve the policies and objectives outlined above with the same level of insulation and glazing considered acceptable under permission **ABP-313361-22**, with appropriate conditions.

#### ***Outer Public Safety Zone***

Dublin's Airports Public Safety Zones show an Inner Public Safety Zone and an Outer Public Safety Zone on accordance with the guidance set out in the Environmental Resources Management [ERM] Report 2005.

**Objective DAO18 – Safety:** promote appropriate land use patterns in the vicinity of the flight paths serving the Airport, having regard to the precautionary principles, based on existing and anticipated environmental and safety impacts of aircraft movements.

It is considered that the development as previously permitted, with the proposed modifications to House Type C, C1, C2 & D, remains/is consistent with the appropriate land use within the Outer Public Safety Zone of Dublin Airport as considered acceptable under permission **ABP-313361-22**. A report produced by Cyrrus for Aviation Public Safety Zone Assessment was submitted as part of the parent permission. The proposed modifications are considered minor in nature and essentially non-material changes to the overall development. Changes are being proposed to these house types for ease of construction by extending the first floor over the permitted ground floor rear single storey to omit the lean-to extension to provide for a flush rear elevation, resulting in only a minor increase to the internal floor area of each house ranging between c.8sq.m.-10sq.m depending on the house type.

At this juncture, it must be noted that the proposed modifications solely and specifically concern modifications to some of the permitted house types. All other aspects of the parent permission now under construction will be delivered in accordance with that parent permission i.e. the approved footprint, positioning, amenities (such as car parking, bin and bicycle storage, and private gardens), vehicular access, boundary treatments, and essential infrastructure like drainage, public lighting and landscaping. Fingal County Council are respectfully invited to refer to the Aviation Public Safety Zone Assessment submitted and approved under the parent permission for this development.

#### **4.1.3 Development Management Standards**

Chapter 14 of the Fingal Development Plan sets out development standards and criteria that from the policies and objectives of the Development Plan to ensure that development occurs in an orderly and

efficient manner and that 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 3: Development Management Standards; Fingal Development Plan (2023-2029)*

Criteria	Development Plan Requirements & Compliance of the Proposed Development
<b>14.1 Introduction</b>	
<b>14.1.1 Pre-Planning</b>	<p>Section 247 of the planning and Development act, 2000 (as amended) provides a formal procedure for applicants to seek Pre-Planning guidance from the Planning Authority in relation to proposed developments.</p> <p><i>As outlined in Section 4 of this Statement, on the 9<sup>th</sup> January 2025, the design engaged in a pre-application meeting with representatives from Fingal County Council regarding the proposed house type alterations. In addition to liaison with departmental sections of the Council, this informed the revised scheme to provide design adjustments for greater policy-alignment and cohesion and to reduce undue overlooking.</i></p> <p><i>Following the Section 247 Pre-Planning meetings, a Stage 2 LRD Pre-Planning meeting was held on 8<sup>th</sup> April 2025. Following this meeting, Fingal County Council issued their formal opinion on 30<sup>th</sup> April 2025. A full statement of response to this opinion has been provided by DOWNEY and submitted under separate cover of this application.</i></p>
<b>14.2 Key Principles for all Planning Applications</b>	
<b>14.2.1 Universal Access</b>	<p>The Council recognises the need for universal equality of access to all aspects of the built and external environment as an essential prerequisite of equal opportunity and the development of an inclusive society. Development proposals, including all new large-scale developments, whether they relate to new buildings, public realm works, changes of use or alterations to existing buildings, must be designed to meet the mobility needs and convenience of all, and incorporated inclusive design principles particularly for vulnerable groups such as the elderly and persons with disabilities.</p> <p><i>It is noted that the design of the proposed alterations are minor in nature and will not impact the previously permitted universally accessible dwellings units or the readily adaptable dwellings. It is submitted the proposed alterations to House Type C, C1, C2 &amp; D are consistent with that previously permitted and have been designed with inclusivity and access which have fully influenced the design changes.</i></p>
<b>14.2.2 Healthy Placemaking</b>	<p>Healthy placemaking is a combined approach to planning, design and management of public spaces. Good placemaking design will ensure the success of local areas and spaces which will promote activity and provide vitality to an area, positively contributing to public health and wellbeing. It is essential that new developments have regard to good healthy placemaking principles to create climate resilient environments in which people want to engage, resulting in sustainable, well designed, and strong communities.</p>

	<p><i>It is noted that the design of the proposed alterations are minor in nature and will not impact the previously permitted design of the residential development nor will it impact the provisions of unique environments for residents such as public and communal open spaces.</i></p>
<b>14.3 Assessments Required for Particular Projects</b>	
<b>14.3.1 Environmental Impact Assessment</b>	<p>The Planning and Development Regulations, 2001 (as amended), set out the mandatory thresholds for specified classes of development in which the preparation of an Environmental Impact Assessment applies. An EIA may need to be carried out even if the development is below the mandatory thresholds as set out in the regulations based on the potential impact on the environment.</p> <p><i>An EIAR has been submitted, assessed and accepted under the previously permitted parent permission (ABP-313361-22).</i></p>
<b>14.3.2 Screening for Appropriate Assessment</b>	<p>Under Article 6 of the Habitats Directive there is a requirement to establish whether, in relation to plans and projects, if Appropriate Assessment (AA) is required. If, following screening, it is considered that AA is required, the proponent of the plan or project must prepare a Natura Impact Statement.</p> <p><i>An Appropriate Assessment has been carried out and accepted under the previously permitted development (ABP-313361-22). Due to the minor nature of the proposed alterations to House Type C, C1, C2 &amp; D no additional assessment has been considered necessary.</i></p>
<b>14.4 Sustainable Placemaking and Quality Homes</b>	
<b>14.4.2 High Quality Urban Design</b>	<p>Design principles shall be based on the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas 2009 and Urban Design Manual – A Best Practice Guide 2009. These guidelines set out twelve design principles that are to be applied in future development schemes. Outlined in Objective DMS05 of the Development Plan, the Council seeks to ensure: All medium to large scale planning applications (in excess of 5 residential units or 300sqm of retail/ commercial/office development in urban areas) or as otherwise required by the Planning Authority shall be accompanied by a Design Statement to address the contextual and design issues which have been taken into consideration as part of the scheme. A Design Statement shall:</p> <ul style="list-style-type: none"> <li>• Explain the design principles and design concept of the scheme.</li> <li>• Demonstrate how the twelve urban design criteria (as per the Urban Design Manual – A Best Practice Guide) have been considered when designing schemes in urban areas. Each of the twelve criteria is of equal importance and must be considered in an integrated manner.</li> <li>• Outline how the development meets the Development Plan Objectives, and the objectives of any Local Area Plan, Masterplan, Framework Plan, or other similar Plan affecting the site.</li> <li>• Include photographs of the site and its surroundings.</li> <li>• Include other illustrations such as photomontages, perspectives, sketches.</li> </ul>

	<ul style="list-style-type: none"> <li>Outline detailed proposals for open space and ensure the provision of open space is designed in from the beginning when designing a new scheme.</li> <li>Outline a detailed high quality open space and landscape design plan including specifications, prepared by suitably qualified professionals.</li> <li>Outline how Green Infrastructure integrates into the scheme.</li> <li>Demonstrate how the proposed scheme contributes in a positive manner to the public realm and to the local context.</li> <li>Provide detail in relation to all intended finishing materials to be applied throughout the scheme, including an overall materials palette demonstrating suitability for the scheme, its context and the streetscape.</li> </ul> <p><i>It is submitted that an Urban Design Statement has been prepared by MCORM Architects, which we respectfully invite the Council to refer to for further details.</i></p>
<b>14.4.3 Ensuring Accessibility for All</b>	<p>In order to ensure that all new development is inclusive and accessible, the Council will have regard to the Universal Design Guidelines for Homes in Ireland and Housing Options for our Ageing Population-Policy Statement and the National Disability Authority's Building For Everyone: A Universal Design Approach 2012 and will seek best practice standards in terms of accessibility. Developers will be required to comply with Part M of the Building Regulations – Access and Use.</p> <p><i>It is submitted that the proposed scheme has been designed cognisant of Section 28 Guidelines, including Universal Design Guidelines and requirements of Part M of the Building Regulations. No changes to accessibility are proposed for the alterations to House Type C, C1, C2 &amp; D as a part of this application.</i></p>
<b>14.6 Design Criteria for Residential Development in Fingal</b>	
<b>14.6.1 Design and Layout</b>	<p>As outlined in the Development Plan, “applications for residential development are required to demonstrate compliance with room sizes, dimensions and overall floor areas set out in national guidance documents including:</p> <ul style="list-style-type: none"> <li>Quality Housing for Sustainable Communities – Best Practice Guidelines, 2007,</li> <li>Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas 2009 and Urban Design Manual – A Best Practice Guide 2009,</li> <li>Sustainable Urban Housing: Design Standards for New Apartments 2020.</li> </ul> <p>To demonstrate compliance with the housing and apartment standards set out below, all planning applications shall be accompanied by a ‘Schedule of Accommodation’ in line with the requirements of the Sustainable Urban Housing: Design Standards for New Apartments 2020.</p> <p><i>It is submitted that a Schedule of Accommodation has been prepared by MCORM Architects as part of the Architectural Pack, submitted under separate cover of this planning application, which we respectfully invite the Council to refer to. Accordingly, all alterations to House Types C, C1, C2 &amp; D meet and/or</i></p>

	<p><i>exceed the minimum standards of room sizes, dimensions, and overall floor areas set out in the relevant planning and development policy and guidelines.</i></p>
<b>14.6.2 Mix of Dwellings</b>	<p>Stated in the Development Plan, “all residential schemes are required to provide for a mix which reflects existing, and emerging household formation, housing demand patterns and trends identified within the specific area of the site and/or within the County as a whole. Applications shall include:</p> <ul style="list-style-type: none"> <li>• A dwelling mix providing a balanced range of dwelling types and sizes to support a variety of households.</li> <li>• A detailed breakdown of the proposed unit type and size including a percentage split between one-, two-, three- and four-bedroom units.</li> <li>• A statement outlining how the scheme has been designed to meet the needs of older people/or persons with a disability and/or lifetime homes.</li> <li>• On smaller infill sites, a mix of dwellings which contribute to the overall dwelling mix in the locality.”</li> </ul> <p><i>It is submitted that the proposed alterations to House Types C, C1, C2 &amp; D at the Broomfield Lands provides for a mix of housing types. The mix of housing types provided at the scheme will be in line with that previously permitted under (ABP-313361-22). It is submitted that a balance mix and type of dwellings are provided within the scheme. For further information in this regard, please refer to the enclosed Architectural Pack prepared by MCORM Architects and that considered acceptable under the previously permitted permission.</i></p>
<b>14.6.3 Residential Density</b>	<p>In general, the density and number of dwellings to be provided within residential schemes should be determined with reference to Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas 2009. Development should also be consistent with the policies and objectives set out in Chapter 3 Sustainable Placemaking and Quality Homes and should promote appropriate densities, having regard to factors including the location of the site, accessibility to public transport and the principles of sustainability, compact growth and consolidation.</p> <p><i>It is submitted that the proposed alterations to House Type C, C1, C2 &amp; D will maintain the same unit numbers and density as that previously permitted under ABP-313361-22. This is noted as the appropriate occupancy density as per the Aviation Public Safety Zone Assessment. This has been previously achieved through the relevant planning and development policy, as well as liaison with the Council via the previously permitted application ABP-313361-22.</i></p>
<b>14.6.4 Residential Standards</b>	<p>The minimum size of habitable rooms for houses/apartments/and flats shall conform with appropriate National guidelines/ standards in operation at the date of application for planning permission. Outlined in Objective DMSO19 of the Development Plan, the Council seeks to:</p> <p>“Require that applications for residential developments comply with all design and floor area requirements set out in:</p> <ul style="list-style-type: none"> <li>• Quality Housing for Sustainable Communities – Best Practice Guidelines 2007,</li> </ul>

	<ul style="list-style-type: none"> <li>Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas 2009, the companion Urban Design Manual – A Best Practice Guide, DEHLG 2009,</li> <li>Sustainable Urban Housing: Design Standards for New Apartments 2020.”</li> </ul> <p>In addition, as stated in Objective DMSO20 of the Development Plan, “All planning applications for residential development shall be accompanied by a Schedule of Accommodation to demonstrate compliance with housing and apartment standards.”</p> <p>Also, Objective DMSO21 of the Development Plan, “Require that all planning applications for residential development include floor plans for each room indicating typical furniture layouts and door swings.”</p> <p><i>The proposed alterations to House Type C, C1, C2 &amp; D has been designed cognisant of relevant planning and development policy, as well as Section 28 Guidelines. For further details in this regard, please refer to the Architectural Drawings, Schedule of Accommodation, and Urban Design Statement prepared by MCORM Architects, enclosed under separate cover application.</i></p>
<b>14.8 Housing Development/Standards</b>	<p><b>14.8.1 Floor Areas</b></p> <p>Outlined in the Development Plan, “The minimum size of habitable rooms for houses shall conform with dimensions as set out in Quality Housing for Sustainable Communities: Best Practice Guidelines for Delivering Homes Sustaining Communities 2007 or the appropriate National Guidelines standards in operation at the date of lodging the application for planning permission.”</p> <p><i>DOWNEY notes that all proposed alterations to House Type C, C1, C2 &amp; D comply with habitable room requirements of the Development Plan. For further details, please refer to the Architectural Drawings, Schedule of Accommodation, and Urban Design Statement prepared by MCORM Architects.</i></p>
<b>14.8.2 Separation Distances</b>	<p>Set out in Objective DMSO26 of the Development Plan, the Council seeks to: “Ensure a separation distance of at least 2.3 metres is provided between the side walls of detached, semi-detached and end of terrace units. (Note: This separation distance may be reduced on a case-by-case basis in relation to infill and brownfield development which provides for the regeneration of under-utilised lands and subject to the overall quality of the design and the schemes contribution to the streetscape. A statement demonstrating design mitigation and maintenance arrangements shall be submitted in such cases).”</p> <p><i>Separation distances for the proposed House Type C, C1, C2 &amp; D remain consistent with that previously permitted under (ABP-313361-22) and with the aforementioned Objective DMSO26. Appropriate re-design of the proposed alterations has been undertaken as requested by Fingal County Council after the Section 247 Stage 1 pre-application meeting. For further details in this regard, please refer to the Architectural Drawings and Urban Design Statement prepared by MCORM Architects and submitted under separate cover of this application.</i></p>

## 5 CONCLUSION

DOWNEY, Charted Town Planners, 29 Merrion Square, Dublin 2, D02 RW64, have prepared this Planning Statement and Statement of Consistency with Planning Policy on behalf of our client and the applicant, Birchwell Developments Ltd., to accompany an application for proposed alterations to House Type C, C1, C2 & D of the previously permitted Strategic Housing Development (SHD) under **ABP-313361-22** on lands to the east of Kinsealy Lane and to the south of Back Road, Kinsaley, Broomfield, Malahide, Co. Dublin.

The proposed development subject to this LRD Amendment Application is for alterations to House Types C, C1, C2 & D which include alterations to the first-floor extended areas to remove the lean-to, to facilitate construction sequencing in relation to the removal of the previously shown Ground Floor lean-to roof to the rear.

The design of the proposed alterations has been the subject of a full analysis of the proposed dwellings, and it is considered that the proposed alterations will represent a high-quality design whilst optimising house types available at the development once completed. The proposed alterations have been informed by Section 247 pre-application meetings with the Local Authority in addition to a Stage 2 LRD Pre-Planning Meeting, with an opinion letter provided by Fingal County Council. DOWNEY have prepared a Statement of Response to this opinion letter which is submitted under separate cover and ensures that the subject proposal now being submitted has followed the guidance of the local authority.

The proposed alterations comprise of a high-quality design of an appropriate scale and remains consistent with that previously permitted under permission **ABP-313361-22**. The Statement of Consistency outlines the proposed alterations are in line with relevant National, Regional and Local policy and guidance in the foregoing levels.

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 Act, 2000 (as amended), and as such, it is considered that the proposed alterations continue to represent a high-quality residential development. DOWNEY trust that the enclosed plans and particulars pertaining to this application are in order and look forward to a favourable decision from Fingal County Council.