DOWNEY

# ENVIRONMENTAL IMPACT ASSESSMENT REPORT (EIAR)

## Proposed Large-scale Residential Development

## Lands at Back Road & Kinsealy Lane, Kinsaley, Broomfield, Malahide, Co. Dublin

**Applicant: Birchwell Developments Ltd.**

**November 2024**

# TABLE OF CONTENTS


| Chapter | Title |
|---|---|
| 1.0 | Introduction |
| 2.0 | Project Description & Alternatives Considered |
| 3.0 | Planning & Development Context |
| 4.0 | Population & Human Health |
| 5.0 | Biodiversity |
| 6.0 | Land & Soils |
| 7.0 | Water |
| 8.0 | Air |
| 9.0 | Noise & Vibration |
| 10.0 | Climate |
| 11.0 | Material Assets - Traffic & Transport |
| 12.0 | Material Assets – Built Services & Waste Management |
| 13.0 | Cultural Heritage |
| 14.0 | Landscape & Visual Impact |
| 15.0 | Interactions and Cumulative Effects |
| 16.0 | Summary of Mitigation & Monitoring Measures |

# 0.0 NON-TECHNICAL SUMMARY

## 0.1 Introduction

Birchwell Developments Ltd. (the applicant) is applying to Fingal County Council for planning permission for construction of 297 no. residential units, comprising 211 no. houses (14 no. 2 beds, 156 no. 3 beds, 39 no. 4 beds, and 2 no. 5 beds), 46 no. duplex units (9 no. 1 beds, 14 no. 2 beds, and 23 no. 3 beds), 40 no. apartments (23 no. 1 beds, 14 no. 2 beds, and 3 no. 3 beds); 1 no. childcare facility; 1 no. café/restaurant; 1 no. retail unit; 1 no. yoga studio; and all associated site infrastructure and engineering works necessary to facilitate the development. A temporary foul water pumping station is also proposed as part of the development, all on lands located to the south of Back Road and to the east of Kinsealy Lane, Kinsaley, Broomfield, Malahide, Co. Dublin (the application site).

The planning application is made to Fingal County Council as a Large-Scale Residential Development (LRD) application.

The application site extending to 9.95 hectares falls in what can be considered a built-up area. On this basis and with respect to Schedule 5, Part 2 of the the Planning and Development Regulations, 2001 (as amended), the development proposal requires an Environmental Impact Assessment (EIA). The requirement for an EIA in this instance is also triggered by the live application(s) in the vicinity of the site, and within the overall landholding in the ownership of our client (the applicant) and the potential cumulative impact they can have with concurrent or forthcoming applications.

This EIAR has been prepared under the following assessment chapters:

*Chapter 1.0 Introduction*
*Chapter 2.0 Project Description & Alternatives Considered*
*Chapter 3.0 Planning & Development Context*
*Chapter 4.0 Population & Human Health*
*Chapter 5.0 Biodiversity*
*Chapter 6.0 Lands & Soil*
*Chapter 7.0 Water*
*Chapter 8.0 Air*
*Chapter 9.0 Noise & Vibration*
*Chapter 10.0 Climate*
*Chapter 11.0 Material Assets - Traffic & Transport*
*Chapter 12.0 Material Assets - Built Services & Waste Management*
*Chapter 13.0 Cultural Heritage*
*Chapter 14.0 Landscape & Visual Impact*
*Chapter 15.0 Interactions & Cumulative Effects*
*Chapter 16.0 Summary Mitigation & Monitoring Measures*

The EIAR is being prepared by a team of consultants led by DOWNEY. The table below provides information on the members of the EIA study team and their respective inputs.

| Name | Role |
|---|---|
| **DOWNEY**<br>**(John Downey, Planning Consultant/Managing Director, BA (Hons), MRUP, MBA, MIPI, MRTPI – 20 plus years' experience;**<br>**Eva Bridgeman, Planning Consultant/Director BA (Hons), MRUP, MIPI – 14 plus years' experience;**<br>**Elahe Saki, Senior Planner BA (Hons), MUD, MRUP, MIPI)** | EIAR Project Managers,<br>Planning Consultants<br><br>Preparation of following EIAR chapter:<br>▪ Introduction<br>▪ Description of the Project & Alternatives Considered<br>▪ Planning & Development Context<br>▪ Population & Human Health<br>▪ Interactions<br>▪ Summary Mitigation & Monitoring Measures |
| **MCORM Architects**<br>**(Shane Walsh MRIAI) – 20 plus years' experience** | Architects and Masterplanners<br><br>Preparation of following EIAR chapters:<br>▪ Description of the Project & Alternatives Considered<br>▪ Summary Mitigation & Monitoring Measures |
| **Waterman Moylan Consulting Engineers**<br>**(Mark Duignan, Associate Engineer, MA BAI CEng MIEI) – 20 plus years' experience** | Preparation of following EIAR chapters:<br>▪ Land & Soils<br>▪ Water<br>▪ Material Assets - Traffic & Transport<br>▪ Material Assets - Built Services & Waste Management<br>▪ Summary Mitigation & Monitoring Measures |
| **KFLA Landscape Architects**<br>**(Simone Kennedy MILI) – 20 plus years' experience**<br>**(Matthew Mulvey MILI)** | Preparation of following EIAR chapter:<br>▪ Landscape & Visual Impact<br>▪ Summary Mitigation & Monitoring Measures |
| **Dermot Nelis Archaeology – 20 plus years' experience** | Preparation of following EIAR chapter:<br>▪ Cultural Heritage<br>▪ Summary Mitigation & Monitoring Measures |
| **Faith Wilson Ecological Consultant – 20 plus years' experience** | Preparation of following EIAR chapter:<br>▪ Biodiversity<br>▪ Summary Mitigation & Monitoring Measures |
| **DKP International**<br>**(Gerard (Craig) van Deventer C.ENG., BE. (Mech)., H. Dip. CIOB., MCIBSE) – 20 plus years' experience** | Preparation of following EIAR chapter's:<br>▪ Air<br>▪ Noise & Vibration<br>▪ Climate<br>▪ Summary Mitigation & Monitoring Measures |

## 0.2 DESCRIPTION OF PROJECT & ALTERNATIVES CONSIDERED

### 0.2.1 The Site

The subject lands are located off Back Road and Kinsealy Lane, 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 Ashwood Hall development, which is under construction/nearing completion by the same applicant (Birchwell Developments Ltd.). Together with Brookfield, these schemes were planned and are being delivered as part of the development of the Broomfield lands which were subject to the objectives of the now expired Broomfield Local Area Plan (LAP) 2010. The proposed development will represent the completion of the northern section of the undeveloped portion of the lands, originally envisaged for residential development within the LAP.

*Figure 0-1. Aerial View of subject site and its wider context*

The site under this LRD application encompasses approximately 9.95ha (gross) and represents the northern portion of a larger landholding owned by the applicant. With the recent approvals for developments on the southern portion of these lands (Reg. Ref. F23A/0586 and ABP-313361-22), this site stands as the final piece required to complete the development of the Broomfield lands.

The subject site is generally bordered by the railway track to the east, Ashwood Hall to the west, and agricultural lands to the south. Additionally, part of this area (zoned "*CI – Community Infrastructure*") is currently subject to a live school planning application under F24A/0541E. The surrounding area is predominantly characterised by residential developments and agricultural land, providing a blend of urban and rural elements.

*Figure 0-2. Aerial View of the Subject Site (approximate boundaries of the site outlined in red)*

The application site itself is composed of irregularly shaped fields, with the northern section partially framed by existing field boundaries marked by trees and hedgerows. This natural landscape feature contributes to the site's overall character and will be considered in the development process to ensure a harmonious integration with the surrounding environment.

It is important to note that Malahide Demesne, the castle, and gardens, are located immediately to the north of the site on the opposite side of Back Road, which has created a sylvan character of the landscape forming part of the site. Furthermore, the agricultural lands to the south have provided a strong visual amenity for the residents in the area, with a significant number of the dwellings in the area having a pleasant aspect overlooking these lands.

### 0.2.2 The Baseline Scenario

The baseline scenario including a description of the current receiving environment has been considered as part of this EIAR through the collection and collation of data, tests, site visits, desktop reviews, etc., including analytical data for traffic, noise levels, surface water quality, etc. A description of the existing environment is presented in each relevant section for the various environmental chapters.

The application lands are located at Back Road and Kinsealy Lane, Kinsaley, Broomfield, Malahide, in the northern periphery of Dublin and within the administrative boundaries of Fingal County Council. The surrounding land uses are generally residential with Malahide Castle and Demesne located 800m to the north of the land and accessed via Back Road. To the northeast of the site there is Malahide DART Station at 1.3km and Malahide Beach at 1.8km. Malahide village centre is located to the north-east of the subject lands and provides a wide array of shops and services. The application site is provided across irregular shaped fields, partly framed by existing field boundaries of trees and hedgerow, and residential developments.

The proposed development appears to be a natural extension to two existing developments currently under construction/nearing completion by the same applicant, namely Ashwood Hall and Brookfield. These two schemes are being developed as part of the Broomfield Lands which were subject to the objectives of the Broomfield LAP 2010 (now expired).

### 0.2.3 The Development

Birchwell Developments Ltd. (the applicant) intend to apply to Fingal County Council for planning permission for the following development proposal, as described in the statutory notices:

> *"FINGAL COUNTY COUNCIL – NOTICE OF LARGE-SCALE RESIDENTIAL DEVELOPMENT (LRD) APPLICATION TO FINGAL COUNTY COUNCIL - We, Birchwell Developments Ltd., intend to apply for permission for a 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, to be provided as follows:*
>
> - *211 no. residential houses (14 no. 2 bed units, 156 no. 3 bed units, 39 no. 4 bed units, and 2 no. 5 bed units) in semi-detached, mid-terraced and end-terraced houses ranging from two to three storey in height, all with associated car parking and private gardens;*
> - *Apartment Block A & Duplex Block B are connected at ground and first floor level sharing an undercroft car park at ground floor level and a communal landscaped podium garden at first floor level, and contain a total of 58 no. units in 2 no. buildings ranging from one to four storeys in height, with Apartment Block A containing a total of 40 no. units comprising of 23 no. 1 bed units, 14 no. 2 bed units, and 3 no. 3 bed units, and Duplex Block B containing a total of 18 no. units comprising of 9 no. 1 bed units and 9 no. 3 bed units, with all units provided with private balconies/terraces; internal bicycle stores, bin stores, bulk stores and plant rooms at ground floor level; and on-street car parking and bicycle parking;*
> - *Duplex Block C containing a total of 8 no. units comprising of 4 no. 2 bed units and 4 no. 3 bed units, with all units provided with private balconies/terraces, in a building three storeys in height; with on-street car parking; communal open space and access to an external bin store and bike store;*
> - *Duplex Block D containing a total of 12 no. units comprising of 6 no. 2 bed units and 6 no. 3 bed units, with all units provided with private balconies/terraces, in a building three storeys in height; with on-street car parking; communal open space access and to an external bin store and bike store;*
> - *Duplex Block E containing a total of 4 no. units comprising of 2 no. 2 bed units and 2 no. 3 bed units, with all units provided with private balconies/terraces; in a building*

*one to three storeys in height; with on-street car parking; communal open space and access to an external bin and bike store;*

- *Duplex Block F containing a total of 4 no. units comprising of 2 no. 2 bed units and 2 no. 3 bed units, with all units provided with private balconies/terraces; in a building one to three storeys in height; with on-street car parking; communal open space and access to an external bin and bike store;*
- *1 no. two storey detached childcare facility building, with associated external play area; on-street drop-off car parking, and staff car parking, with access to a shared, external bin and bike store and short stay bicycle and motorcycle parking;*
- *1 no. single to two storey detached commercial building, containing 1 no. café/restaurant unit with associated outdoor seating area, 1 no. retail unit, and 1 no. yoga studio; on-street loading bays, with access to a shared, external bin and bike store and short stay bicycle and motorcycle parking.*

*The development will also provide for a total of 426 no. car parking spaces, 7 no. motorcycle spaces, and a total of 1,218 no. bicycle spaces within the scheme; bin and bike stores; ESB sub-stations; proposed use of the existing vehicular access off Back Road (proposed vehicular access via Ashwood Hall); proposed upgrades to public realm including footpaths, landscaping including play equipment, boundary treatments, public lighting; 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. (Part of the lands formed part of a site previously intended for houses permitted under the Ashwood Hall permissions Refs. F13A/0459 (PL06F.243863), F13A/0459/E1). An Environmental Impact Assessment Report (EIAR) and a Natura Impact Statement (NIS) have been prepared in respect of the proposed development."*

### 0.2.4 Alternatives Considered

This EIAR has considered the following alternatives to the development proposal:

1. **Do Nothing Scenario:** A "Do Nothing" scenario would be inconsistent with the RA and LC land-use zonings applicable to the site, as well as with the associated objectives outlined in the Development Plan, which are intended to facilitate new residential development and provide local center facilities respectively. Given the site's strategic location within Malahide, along with its access to public transport and mobility options, failing to develop these lands would significantly undermine the quality of the urban landscape and hinder the potential for a mix of sustainable uses and amenities for both current and future residents. Moreover, the unmet demand for housing within the Malahide area, driven by future population growth projections, would exacerbate issues related to housing availability and affordability. Therefore, the "Do Nothing" scenario is not considered a viable alternative for these lands, as it would fail to address critical housing needs and contribute to the sustainable development of the area. Furthermore, to not develop these zoned and serviced lands would be inconsistent with national planning policy as set out in the National Planning Framework, Regional Spatial Economic Strategy and Urban Development and Building Height Guidelines.

2. **Alternative Uses:** The subject site is located within the functional area of Fingal County Council. As such, the development of the site is informed by the policies and objectives of the Fingal County Council Development Plan 2023-2029. Under the current Development Plan, the majority of the subject lands are zoned as *"RA – Residential Area"* with a portion of the lands to the west zoned "*LC – Local Centre*". That said, any future development on the lands is limited within the scope of the pertaining land use zoning. The proposed development has been developed with regards to the matrix of uses associated with RA and LC land use zoning, whereby the proposal is permitted in principle uses under the pertaining zoning objectives.

3. **Alternative Designs and Layouts:** Given the applicant's control of the landholding subject to this project, the existing, under construction, and planned infrastructure/development in place, and the zoning of the lands, there were no major alternative uses or processes that were considered reasonable. The alternatives to the proposed development considered during the course of the preparation of this EIAR were related to the overall layout and internal roads pertaining to the proposed scheme. The design of the proposed project has evolved throughout the pre-application consultation process, resulting in various alterations to the proposal. It is worth noting that the proposal may continue to develop following the application submission and continued consultation with relevant stakeholders. The main environmental issues that have most informed the chosen design relates to the impact on trees and hedgerows, as well as visual impact. Although a fresh approach has been taken in developing the lands under the LRD compared to the SHD submitted on the overall landholding at this location (ABP-313361-22), it is crucial to note that the Design Team thoroughly reviewed the Inspector's Report associated with the SHD decision. This review, along with extensive follow-up consultation with the Council under the LRD process, ensured that all relevant concerns have been appropriately addressed in the current LRD proposal.

Further information on the alternatives considered as part of this EIAR is provided in Chapter 2 of this EIAR.

## 0.3 Planning Policy

Chapter 3 of this EIAR considers in detail the planning policy and legislative context of the site, development proposal and this EIA at European, national, regional, and local levels. This chapter of the EIAR also considers the planning history of the scheme and the surrounding area. For the purposes of this Non-Technical Summary, this section will consider the site's zoning policy contained in the Fingal Development Plan 2023 to 2029. Under current Development Plan, the majority of 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".*

It is noted that a portion of the lands at western boundaries are zoned "***LC – Local Centre***" with an objective to: *"Protect, provide for and/or improve local centre facilities."* The vision for this objective seeks to: *"Provide a mix of local community and commercial facilities for the existing and developing*

*communities of the County. The aim is to ensure local centres contain a range of community, recreational and retail facilities, including medical/ dental surgeries and childcare facilities, at a scale to cater for both existing residential development and zoned undeveloped lands, as appropriate, at locations which minimise the need for use of the private car and encourage pedestrians, cyclists and the use of public transport. The development will strengthen local retail provision in accordance with the County Retail Strategy."*

The uses proposed as part of this development are permitted under the pertaining zoning objectives. The proposed development is in accordance with relevant national, regional, and local planning policy documents.

## 0.4 Population & Human Health

This section of the EIAR has been prepared by DOWNEY. The subject site and proposed development were examined in terms of the impact on the human environment in the general area. The proposed development will have a positive impact on population, in that it caters for predicted future increase in population for the Malahide area.

**Methodology**

The assessment was carried out by way of site visits and desktop research of the demographic profile of the area, assessment of community and social infrastructure facilities, employment, educational and commercial facilities in the area.

**Receiving Environment**

The proposed development is located within the Kinsaley Electoral Division (ED), appearing as an extension to the Malahide East and Malahide West ED's. The Table below shows the population change within these ED's defined as the receiving environment of this assessment. The latest Census results show that the population of the receiving environment stood at 25,890 in April 2022, an increase of 2,691 (+11.6%) since April 2016.

*Table 0-1. Population Change in the Catchment Area over 2016-2022*

| Area | 2016 | 2022 | Actual Change | % Change |
|---|---|---|---|---|
| **Kinsaley ED** | 9,621 | 11,470 | +1,849 | +19.2% |
| **Malahide West ED** | 6,149 | 6,014 | -135 | -2.2% |
| **Malahide East ED** | 7,429 | 8,406 | +977 | +13.2% |
| **Total** | **23,199** | **25,890** | **+2,691** | **+11.6%** |

*Source: CSO StatBank*

**Potential Impact of Proposal**

**Construction Phase**

The construction of this project, like any project, has potential to give rise to an impact on health and safety of human beings if construction activities are not managed appropriately.

**Operation Phase**

The proposed development will see an increase in population from the operation phase of the development. This will support an increase in economic activity in the area and employment. This will take place close to people's homes and public transportation. This is seen as a positive impact. The development will generate an increase in traffic and noise, which will have a slight and permanent impact on human health, if not mitigated.

**Remedial/Mitigation Measures**

**Construction Phase**

Measures to address such health and safety considerations will be addressed in the Construction Management Plan, including Construction Traffic Management Plan for the development, which shall be agreed with the Planning Authority pending a grant of permission is obtained.

**Operation Phase**

No mitigation or remedial measures are required in relation to population or human health during the operational phase of the development.

**Predicated Impact of Proposal**

**Construction Phase**

The development will have a positive and temporary impact on employment during the construction phase, providing significant construction sector and related employment over the construction period of the development.

**Operation Phase**

The development will have a positive and long-term impact in terms of community and recreational facilities in that it will provide areas of green amenity space and will contribute to the critical mass needed to support community and recreational facilities in the wider area. There will be a change in the density of the land use pattern of the site although the use itself is currently residential. This is seen to be a neutral impact.

**Monitoring**

In terms of population and human health, measures to avoid negative impacts have been a key consideration in the design evolution of the buildings and the overall layout of the proposed project. Conditions will be attached to any grant of planning permission to ensure compliance in this regard. Building Regulations will also be adhered to during the construction phase to ensure a fully compliant development is constructed. Health & Safety requirements, which are site-specific to the proposed project, will be carried out by the Project Manager on site. Impacts from Air Quality, Noise and Vibration, Climate, and Traffic and Transport and monitoring measures in this regard are addressed in the relevant chapters of this EIAR.

## 0.5 Biodiversity

An assessment of the potential impacts of the construction and occupation of a housing development on lands at Broomfield on biodiversity has been carried out. To establish the current baseline terrestrial biodiversity within the planning boundary and adjacent areas, a series of site visits and specialist surveys were completed. The baseline was also informed by previous surveys of adjoining lands which have been developed as part of Phase 1. The surveys included terrestrial ecology and habitat surveys, invasive plant species surveys, bird surveys, bat surveys and mammal surveys. Other sources of information used to inform the baseline included information held by the National Biodiversity Data Centre (NBDC), Bat Conservation Ireland, BirdWatch Ireland and the National Parks and Wildlife Service.

The habitats present within the lands are typical of what was the farmed landscape of North Dublin which has since been abandoned. Habitats present include areas of dry meadows and grassy verges, former areas of soil and disturbed ground which have revegetated, hedgerows, treelines, earthen banks, drainage ditches, scrub, and the former rugby club building. No legally protected species of plant was recorded on the site. A stand of Japanese knotweed within the lands has been treated since 2018. Other non-native invasive species recorded on the site include Butterfly bush and Canadian fleabane.

These lands support a diversity of common countryside birds and animal species including bats, foxes, rabbit and potentially may still be visited by badger. The former rugby club building, which had previously been used by bats several years ago has been damaged by arson and no longer offers suitable roosting locations for them.

Mitigation measures to avoid or ameliorate impacts on biodiversity within the site include protection measures for retained vegetation and habitats, protection measures for birds, bats, and other fauna, and a proposed naturalisation of the drainage ditch at the southern end of the site, as well as measures for tackling invasive species, soil handling and the use of native species in landscaping proposals within the development.

The overall impact on flora and fauna within the site is deemed moderate negative as they have been undeveloped for many years and offered ecological structure and diversity. They provide habitat for wildlife in what is becoming an increasingly urbanised area along Back Road. This will be permanently lost and altered through their development for residential purposes. However the land is zoned for Residential Development and is identified as such within the Fingal County Council Development Plan. As such residential development will occur on this site and the environment on the site will change as a result. The proposed development retains and enhances some of the natural features of the site where possible and includes positive planting proposals which will add some diversity to the site which will favour some common countryside species which will remain on site.

A report for screening for appropriate assessment has been prepared which accompanies the planning application.

## 0.6 Land & Soil

### 0.6.1 Introduction

This section of the Environmental Impact Assessment Report (EIAR) has been prepared by Waterman Moylan Consulting Engineers and provides a Non-technical Summary of the assessment of the impact that the proposed mixed use residential development of lands at Northern Broomfield, Malahide, Co. Dublin will have on the surrounding soil and geology within the vicinity of the site. It also sets out mitigation and remedial measures and methods of monitoring once the development is operational.

### 0.6.2 Assessment Methodology

A desktop study was carried out to assess existing data from the Geological Survey of Ireland (GSI). This information was supplemented by a review of geotechnical Site Investigations carried out within the Broomfield sites by Site investigations Ltd. in March 2021. A further Site investigation report was also consulted, this report was undertaken in April 2020 by Ground Investigations Ireland Ltd. and was conducted in the location where there was known to be an area of historical in-fill. These comprehensive ground investigations assessed the soil, rock, and groundwater conditions across the site.

The details of the review of these documents has formed the basis for the identification of potential effects and mitigation/remedial measures, which are discussed in the following sections in a non-technical manner.

### 0.6.3 Receiving Environment

The subject site is located at Broomfield, Malahide, Co. Dublin. A topographic survey of the area indicated that the north site generally slopes uniformly from north-east to south, from a height of 20.500m to 11.500m OD Malin, with an existing dry ditch system along the south-east boundary, and a ditch to the south-west.

The site is primarily greenfield in nature. The northern portion of the site was formerly home to Malahide Rugby Club and thus there are on-site structures in the form of the former clubhouse and associated buildings. These structures have been heavily vandalised, including serious fire damage, and their demolition is included as part of the subject application.

A review of historic maps for the locality indicate that the lands have historically been used for agricultural purposes.

As part of the ground investigation reporting, Various tests, including Waste Acceptance Criteria (WAC) testing, were carried out on soil samples obtained. The depth of topsoil on-site is generally 0.3m deep. The area and volume of historic infill was determined as this will need to be disposed of appropriately off-site. It has been calculated that the collective volume of historic in-fill material to be excavated and disposed of is 17,280m$^3$, based on an area of 11,520m$^2$ and average depth of 1.5m.

An invasive species (Japanese knotweed) has been found on-site. Once its presence was identified the area surround the knotweed was immediately fenced off to avoid accidental disturbance.

The groundwater vulnerability of the site is considered to be high to extreme.

### 0.6.4 Characteristics of Proposed Development

The site is bound the east by the Dublin-Belfast rail line, to the south by Agricultural fields, to the west by the Ashwood Hall residential development, and to the north by individual residential units fronting Back Road. The proposed development is primarily residential in nature also includes the construction of a creche, café, pharmacy, yoga studio and all other services required for the development.

The proposed development, with respect to soils and geology, includes excavation of road and building foundations, excavation for drainage sewers and utilities, minor regrading and landscaping and disposal of any surplus excavated soils including any contaminated material. The proposed road layout is as per Waterman Moylan drawings number 18-091-P3100, P3110 and P3111 with typical cross sections as per P3120. The drainage layouts can be seen on Waterman Moylan drawings number P3200, P3210 and P3211. The watermain layouts can be seen on Waterman Moylan drawings number P3300, P3310 and P3311.

### 0.6.5 Potential Impacts

The removal of topsoil during earthworks and the construction of roads, services, and buildings, in particular road and building foundations, will expose subsoil to weathering and may result in the erosion of soils during adverse weather conditions. Surface water runoff from the surface of the excavated areas may result in silt discharges to the Hazelbrook stream. Excavations for foundations, remaining roadworks and services will result in a surplus of subsoil. Surplus subsoil will be used in fill areas where applicable.

Dust from the site and from soil spillages on the existing road network around the site may be problematic, especially during dry conditions. Accidental oil or diesel spillages from construction plant and equipment, in particular at refuelling areas, may result in oil contamination of the soils and underlying geological structures. Construction traffic may also lead to compaction of soil in a very limited area during the development of the structures and access roads.

During the operational stage of the development, it is not envisaged that there will be any ongoing impacts on the underlying soil as a result of the proposed development.

### 0.6.6 Potential Cumulative Impacts

It is not anticipated that potential cumulative impacts will be generated on land, soils, and geology during the construction or operation phases, or in the event of future developments adjacent to the site should they implement the appropriate mitigation measures.

### 0.6.7 Mitigation Measures (Remedial or Reductive Measures)

Building and road levels are designed to minimise the cut and fill balance. Nonetheless, given the proposed design levels, it is anticipated that there will be a surplus of soil to be removed from these locations, but is envisaged to be utilised elsewhere on-site. Surplus subsoil and rock that may be required to be removed from site will be deposited in approved fill areas on-site or to an approved waste disposal facility.

Where contaminated soils are encountered during the works, they will be excavated and disposed of off-site in accordance with the Waste Management Acts, 1998-2006, and associated regulations and guidance. Wheel wash facilities at the construction entrances and regular cleaning of the adjoining road network will prevent the build-up of soils from the development site on the existing public roads.

Dampening down measures with water sprays will be implemented during periods of dry weather to reduce dust levels arising from the development works.

Measures will be implemented throughout the construction stage to prevent contamination of the soil and adjacent watercourses from oil and petrol leakages. During excavation works, temporary sumps will be used to collect any surface water run-off thereby avoiding of standing water within the building foundation trenches and other excavations. Silt traps, silt fences and tailing ponds will need to be provided by the contractor where necessary to prevent silts and soils being washed away by heavy rains during the course of the construction stage.

After implementation of the above measures, the proposed development will not give rise to any significant long term adverse impact. Moderate negative impacts during the construction stage will be short term only in duration.

Within the development, landscaped areas will be topsoiled and planted in accordance with the proposed landscaping plan. Following completion of these reinstatement works, no significant adverse impacts on the soils and geology of the subject lads are envisaged.

A comprehensive drainage network will be constructed to ensure that the lands drain effectively following their reshaping/re-profiling. The drainage system shall incorporate sustainable urban drainage systems to delay and attenuate surface water flows prior to discharge.

### 0.6.8 Predicted Impact

With the protective measures noted above in place during excavation works, any potential impacts on soils and geology in the area will be minimised.

The proposed development will result in a surplus of excavated material, which may contain contaminants. Any contaminated material will be exported to an approved licensed waste facility.

No significant adverse impacts on the soils and geology of the subject lands are envisaged.

### 0.6.9 Monitoring

Monitoring during the construction stage is recommended, including monitoring surface water discharging to the existing drainage network, monitoring cleanliness of the adjoining road network and to ensure prevention of oil and petrol spillages.

### 0.6.10 Do Nothing Scenario

The ground conditions will remain as they currently are.

### 0.6.11 Risks to Human Health

A potential risk to human health due to the associated works during the construction is the direct contact, ingestion, or inhalation of receptors (i.e., construction works), with any soils which may potentially contain low level hydrocarbon concentrations from site activities (potential minor leaks, oils, and paint).

No human health risks associated with long term exposure to contaminants (via direct contact, ingestion, or inhalation), resulting from the proposed development are anticipated.

### 0.6.12 Reinstatement

Trenches opened during construction will be backfilled with subsoil to reinstate existing ground levels. Upon completion no impact is foreseen.

### 0.6.13 Interactions

Any potential rock breaking will generate noise and excavations on site will give rise to dust. From review of the Site Investigation reports, it is not anticipated that rock breaking will be necessary.

## 0.7 Water

### 0.7.1 Introduction

This section of the Environmental Impact Assessment Report (EIAR) has been prepared by Waterman Moylan Consulting Engineers and provides a Non-technical Summary of the assessment of the impact that the proposed residential development on lands at Broomfield North, Malahide, Co. Dublin will have on the surface water, groundwater, foul water, water supply network, and flood risk in the vicinity of the site, during both the construction and operation phase of the proposed development.

It also sets out mitigation and remedial measures and methods of monitoring to reduce the impact of the proposed development.

### 0.7.2 Assessment Methodology

The following information sources were used in the assessment of the local hydrology and hydrogeological aspects of the proposed development site.

- Geological Survey of Ireland (GSI) Website
- Environmental Protection Agency
- Office of Public Works (OPW) National Flood Hazard Mapping
- OPW Catchment Flood Risk and Management Studies
- Fingal County Council Drainage Record Maps
- Ordinance Survey Mapping
- Topographical Survey
- Site investigation reports and soakaway testing
- Irish Water confirmation of feasibility letter

### 0.7.3 Receiving Environment

The subject lands are located at Broomfield North, Malahide, Co. Dublin. The subject site is bound to the west by Ashwood Hall Residential development, to the east by the Dublin-Belfast Rail line, the north by existing residential units fronting onto the Back Road, and to the south by agricultural land.

The subject site is primarily accessed via the existing junction to Back Road serving the Ashwood Hall residential development. An additional access will be provided for the southern site via the Hazelbrook residential development.

A topographic survey of the area indicated that the subject site generally slopes uniformly from north-east to south, from a height of 20.500m to 11.500m OD Malin, with an existing dry ditch system along the south-east boundary, and ditch to the south-west.

The existing dry ditch on the southern boundary of the north site serves the subject site only due to topography, water flowing to this ditch is percolated locally and there is no direct connection to any watercourse. The drainage ditch to the south-west eventually connects to the Hazelbrook stream. Hazelbrook stream is a tributary of the Sluice River with an ultimate outfall to Baldoyle Bay.

The location of the subject sites is as indicated in Figure 1 below.

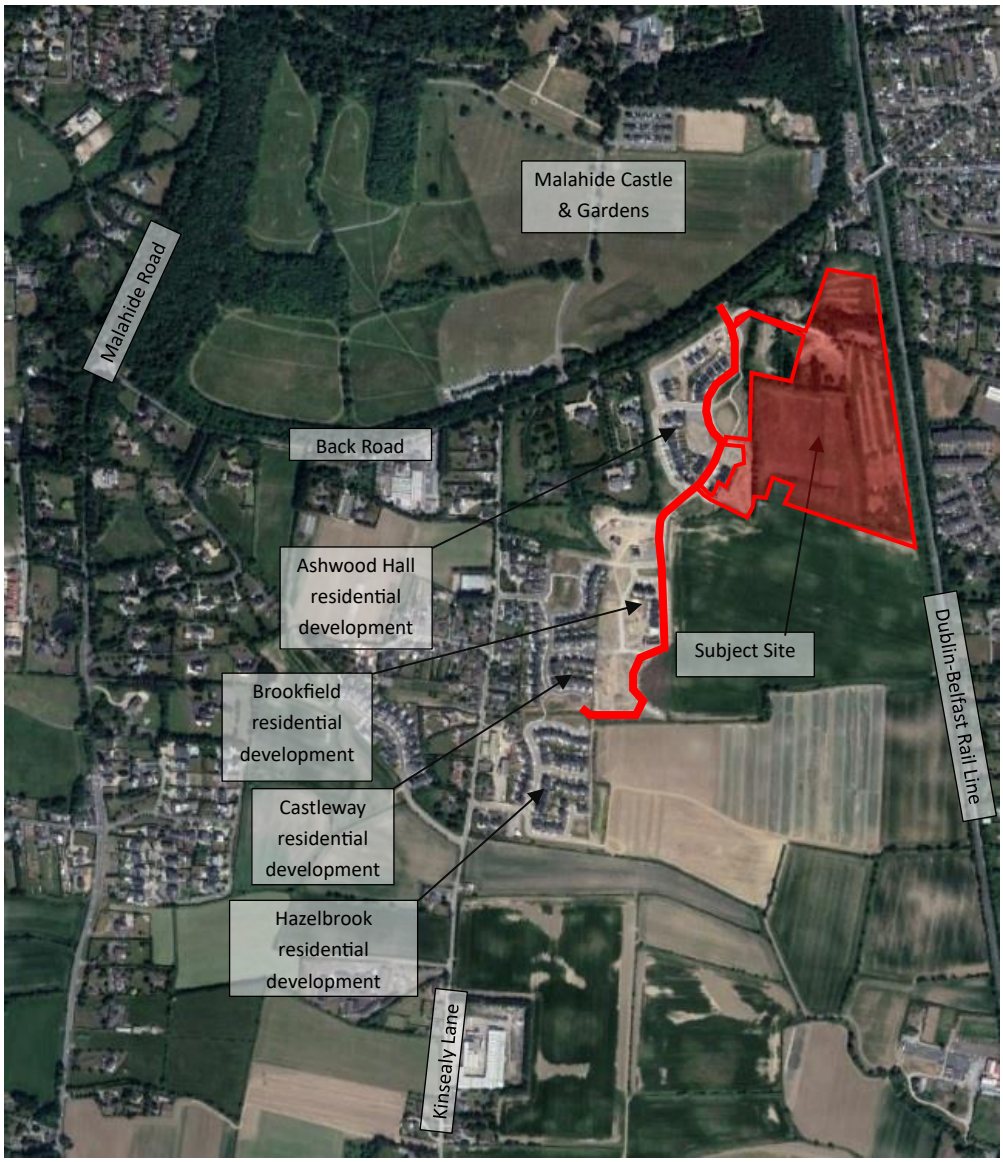



*Figure 1 | Site Location (Source: Google Earth)*

It is proposed to drain wastewater from the proposed development in a south-westerly direction to the existing foul water infrastructure within the adjacent Ashwood Hall and Brookfield residential development. These existing foul networks have been sized accordingly, with spurs already constructed, in anticipation of the proposed development. Letters of consent to connect to these

adjacent developments have been obtained. The proposed foul drainage network has been designed and sized in accordance with the Irish Water code of Practice for Wastewater Infrastructure and Standard Details.

These existing developments currently flow to the Connolly Avenue pumping station. The Connolly Avenue pumping station has capacity constraints and Uisce Eireann has a project underway which will provide the necessary capacity. This upgrade project is scheduled to be completed by Q1 2029 (this may be subject to change). The Uisce Eireann Confirmation of Feasibility letter advised that connection could be completed as soon as possibly practicable after the upgrade project is completed. In the Interim the development may be accommodated by providing a Temporary Pumping Station with 24Hr Storage in the development. The proposed Temporary Pumping Station, please refer to Waterman Moylan drawing 18-091-P3215. For the proposed foul drainage layout, and existing foul water networks in adjacent Ashwood Hall estates, and subsequent route to the Castleway pumping station, please refer to Waterman Moylan drawing numbers 18-091-P3200, P3210 and P3211.

Similarly to the foul network, it is proposed to connect the proposed development to the existing watermains in the adjacent development. It is proposed to upsize the existing watermain spur from watermain in Back Road to the north and to provide another 2 no. connections to the adjacent Ashwood Hall residential development to the west. The spurs in the adjacent Ashwood Hall development have been designed and located in anticipation of these connections from the proposed development. Letters of consent have been obtained from the adjacent development owners permitting these proposed connections. The proposed internal watermain layout, and the existing networks can be seen on Waterman Moylan drawing numbers 18-091-P3300, P3310 and P3311 Watermain Layout.

It is proposed to construct a surface water drainage network that will service and attenuate the development internally before discharged at greenfield rates via 2no. headwalls to the existing ditch running along the site southern boundary. For surface water drainage layout and attenuation strategy can be seen on Waterman Moylan drawing numbers 18-091-P3200, P3210 and P3211.

### 0.7.4 Potential Impacts of the Proposed Development

The potential impacts of the proposed development from both a hydrology (surface water), and hydrogeology (groundwater) perspective at construction and operational stages are outlined as follows:

Significant amounts of site stripping and excavation will be required in order to construct the development. When the site has been stripped, layers of sub-soil will be exposed to weathering and there will be potential for erosion due to rainfall and subsequent runoff. The erosion of soil can lead to sediments being washed into the receiving watercourses /sewers at higher rates of runoff.

There is also potential during the development's construction stage that contaminants from cement/concrete be washed into the receiving watercourses/sewers.

There is a risk of pollution of groundwater/watercourses/soils by accidental spillage of oils/diesel from temporary storage areas or where maintaining construction equipment.

Foul water could be connected to the surface water drainage network resulting in the contamination of the receiving watercourses. Furthermore, if there is damage to any foul pipes, there is potential for contaminants to seep into the groundwater.

The construction of the proposed development has potential to cause a slight, adverse, temporary, residual impact on receiving watercourses/groundwater.

The proposed development will result in increased impermeable areas and there is potential for an increase in risk of higher rates of surface water runoff leading to increased downstream flooding.

There is a potential impact for the discharge of contaminants from the proposed development and road surfaces to the surrounding drainage sewers. These would include particulates, oil, soluble extracts from the bitumen binder etc. The quality of runoff from the site would be dependent on the time of year, weather, particulate deposition from the atmosphere and any gritting or salting carried out by the Local Authority. The time of year has a major bearing on the quality of storm water run-off, in particular the first rains after a prolonged dry period where accumulated deposits of rubber, particulates, oils, etc. are, washed away.

There is potential for leaks in the foul network to result in contamination of the groundwater.

Accidental spills of fuels/hydrocarbons and washing down into the drainage pipe network has the potential to impact on the receiving hydrogeology.

The operation of the proposed development has the potential to cause a slight, adverse, temporary, residual impact on receiving watercourses/groundwater.

There is a potential for Watermain leaks which would increase the volume of water permeating through the underground soil strata.

Mitigation measures are discussed later in this chapter.

### 0.7.5 Potential Cumulative Impacts

There are no anticipated cumulative impacts arising from the proposed development in relation to water other than those noted in the section above.

### 0.7.6 Do Nothing Scenario

In this scenario, surface water runoff would continue to be discharges at existing unrestricted discharge rates. The receiving watercourses and groundwater aquifers would remain in their current state and there would be no change. There would be no increase in loading to the foul water network, nor any increase in demand to the water supply network.

### 0.7.7 Risks to Human Health

There is a risk to Human Health should the ground water or the existing water supply become contaminated during the construction or operational stages, and the water is consumed. In order to mitigate these risks, the measures outlined below will be adopted.

### 0.7.8 Mitigation Measures

<u>Construction Stage</u>

A Construction Management Plan has been prepared for this application and is included under a separate cover. It is considered that the Construction Management Plan (CMP) will be updated by the appointed contractor. In order to minimise the potential impact of the construction phase of the

proposed development on the surrounding surface water and groundwater environs, the following construction stage mitigation measures are to be included in the plan and be implemented in full.

- The contractor will appoint a suitably qualified person to oversee the implementation of measures for the prevention of pollution to the receiving surface water environment.
- To minimise the adverse effects, the prevailing weather conditions and time of year is to be taken into account when the site development manager is planning the stripping back of the site.
- Site stripping will be minimised as far as practicable.
- Settlement ponds/silt traps will be provided to prevent silt runoff into the existing sewers/watercourses during the drainage works.
- Regular testing of surface water discharges will be undertaken at the outfall from the subject lands. The location for testing and trigger levels for halting works will be agreed between the project ecologist and the site foreman at the commencement of works.
- Where silt control measures are noted to be failing or not working adequately, works will cease in the relevant area. The project ecologist will review and agree alternative pollution control measures, such as deepening or redirecting trenches as appropriate, before works may recommence.
- All fuels and chemicals will be bunded, and where applicable, stored within double skinned tanks/containers with the capacity to hold 110% of the volume of chemicals and fuels contents. Bunds will be located on flat ground a suitable distance from any watercourse or other water conducting features, including the cut off trenches.
- Foul and surface water pipes will be carefully laid so as to minimise the potential for cross connections which results in contamination of receiving watercourses.
- Site personnel inductions are to be conducted such that all site personnel are made aware of the procedures and the best practices in relation to the management of surface water runoff and ground water protection.
- Where possible, precast concrete units are to be used to avoid on-site “wet” mix concrete usage. In situ concrete pours are to be managed in accordance with best practice to avoid overspills
- Concrete truck and wheel wash down facilities are to be provided in designated areas. Discharge from these areas is to be directed into the settlement ponds/silt traps.
- Topsoil for landscaping will be located in such a manner as to reduce the risk of washing away into local drainage or watercourses.
- All new foul sewers will be tested by means of an approved air test during the construction stage in accordance with Irish Water’s Code of practice and Standard Details.
- All private drainage will be inspected and signed off by the Design Engineer in accordance with the Building Regulations Part H.

- Method statements setting out in detail the procedures to be used when working in the vicinity of existing watermains will be produced by the contractor for any construction works within the vicinity of watermains or for roads and services crossing watermains.
- The connection of new foul sewers to the public sewer will be carried out under the supervision of Irish Water and will be checked prior to commissioning.

Operational Stage

The implementation of the following operation stage mitigation measures will minimise the impact on the hydrology and hydrogeology aspects of the development lands.

- The surface water drainage network has been designed in accordance with the CIRIA SUDS Manual and the Greater Dublin Strategic Drainage Scheme. The appropriate interception mechanisms and treatment train process has been incorporated into the design.
- Surface water outflow will be restricted to the equivalent greenfield runoff rate from the proposed attenuation tanks.
- Sustainable urban drainage systems, including green roofs, permeable paving and filter strips/swales will be provided to improve water quality.
- A petrol interceptor will be installed at all outfalls to prevent hydrocarbons entering the natural surface drainage system.
- Regular inspection and maintenance of the drainage network, including petrol interceptors.
- Water metering via district meters will be installed to Irish Water requirements. Monitoring of the telemetry data will indicate any excessive water usage which may indicate the potential for a leak in the watermain network, Early identification of potential leaks will lead to a faster response in determining the exact location of leaks and completion of remedial works.

With the protective measures noted above in place during excavation works, any potential impacts on soils and geology in the area will be minimised.

The proposed development will result in a surplus of excavated material, which may contain contaminants. Any contaminated material will be exported to an approved licensed waste facility.

No significant adverse impacts on the soils and geology of the subject lands are envisaged.

### 0.7.9 Residual Impact

Due to the proposed mitigation measures outlined above, and the implementation of a Construction Management Plan, the impact during construction stage on the hydrology, hydrogeological, and flood risk aspects of the lands is not significant.

Due to the proposed mitigation measures outlined above many of the potential impacts will not arise during the operational phase of the proposed development on surface water and groundwater quality.

Surface water discharge from the site will be restricted by means of attenuation, therefore, no adverse impact in respect of flooding downstream will arise from the proposed development.

The installation of a Sustainable Drainage System will ensure surface water runoff will be of high quality before discharge to the natural surface watercourse.

The impact following the operational phase mitigation measures outlined above is imperceptible.

There will be increased loading of the foul water network, and an increased demand to the water supply network.

### 0.7.10 Worst Case Scenario

The worst-case scenario in relation to hydrology and hydrogeology during construction phase would be the failure to implement the mitigation measures outlined above. This may result in the contamination of the receiving surface water network and/or groundwater.

In relation to the operation stage, the worst case would be the flooding of the surface water drainage network. In this regard, the network has been designed to accommodate a 20% increase in flows due to climate change. Finished floor levels have also been set with appropriate freeboard and an overland flood route through the site has been provided.

Implementation of the mitigation measures outlined in this document will reduce the risk of the worst-case scenario occurring, making this unlikely.

### 0.7.11 Monitoring

Implementation of the Construction Management Plan is required to protect the hydrology and groundwater elements of the subject lands during construction stage. Maintenance of the mitigation measures and monitoring of the management process is required to ensure best practice.

The monitoring measures to be implemented include:

- Monitoring of the management and storage of dangerous chemicals and fuel.
- Monitoring and maintenance of the wheel wash facilities.
- Regular maintenance and monitoring of the sediment control measures.
- Monitoring and maintenance of the watermain telemetry, SUDS features, road gullies, and attenuation tanks during the construction phase of the development.

Monitoring and maintenance of the foul water pumping station, SUDS features, road gullies, attenuation and flow control devices are imperative during the operation phase of the development.

### 0.7.12 Reinstatement

No reinstatement is anticipated on site with respect to the water environment.

### 0.7.13 Interactions

The main interactions relating to this EIAR Chapter are Land & Soils, Biodiversity, and Utilities.

During construction stage, the connection of wastewater services has the potential to impact groundwater if wastewater were to leak from the network during the construction process. There are potential implications for the local populations if there is a disruption to utility services during the connection of the new services to the proposed development. The construction of the various services will also interact with construction traffic as outlined in the Traffic and Transport Chapter.

During the operation stage, the water supply and foul drainage services have a potential interaction with the available water supply and with potential pollution to natural water bodies.

In respect of Land & Soils, interaction between surface and ground water and the bedrock geology is feasible. Any impact will be negligible as the aquifer is at low risk and is not considered to be regionally important. The implementation of the mitigation measures outlined in this chapter will reduce the potential of surface contaminants into the underlying geology.

In respect of Biodiversity, there is interaction between hydrology and the downstream habitats present along the Hazelbrook Stream and Sluice River. The mitigation measures ensure that surface water runoff is treated to the required standards so that downstream habitats are not negatively impacted.

## 0.8 Air

The assessment identified the existing baseline levels in the area of the proposed development by an evaluation of EPA national and local monitoring data. The EPA data of current and previous years establish air quality parameters are all well below national and EU ambient air quality standards. The existing baseline air quality at the site locality can be characterised as being good with no exceedances of the National Air Quality Standards Regulations limit values. The air quality impact was considered for each distinct stage, construction phase and operational phase.

The impact during the construction phase on air quality at neighbouring receptors was determined by an assessment of dust soiling. Standard mitigation measures outlined in the dust management plan would be implemented to control emissions during construction. With mitigation measures in place impacts of the proposed development on air quality for the construction phase is likely to be short-term and negligible.

The impact of the development during the operational phase on air quality was determined by an assessment using the DMRB air quality model predicting pollutant concentrations as a result of increased road traffic. Modelled impact results showed an expected small increase in annual NO2, PM10, PM2.5 and SO2 but each parameter would still remain well below the limit values for EU regulations. In the context of significance outlined in relevant guidelines, the impacts have been defined as negligible and would not result in a perceptible change in the existing local air quality environment.

## 0.9 Noise & Vibration

The impact or increase in noise levels as a result of the proposed project , mainly by increased traffic noise at the Back Road are at worse case deemed a ‘slight’ impact based on the predicted calculation methodology of BS 5228-1:2009+A1: 2014 and are in line with general noise impacts of new developments.

However, in actual terms when the government’s climate action plan is implemented, the noise levels including the new proposed development will reduce over the current background noise levels due to the fact that petrol & diesel cars will be phased out and replaced by more quiet electrical cars over the next decade during which the development will be constructed. It is anticipated that construction vibration levels will only have minor temporary increases and that any increase in operational vibration

due to the new development is deemed not to have any noticeable impacts on the overall development.

We note that although the noise impacts of the adjacent Great Northing railway are not contributory to the effects of the proposed development to the existing environment, noise mitigation as a result of the railway noise will need to be considered to any new dwelling adjacent to the railway.

## 0.10 Climate

The climate impact chapter examines the effects the proposed project will have or contribute to the global environment in terms of carbon dioxide (CO2) emissions as the main contributors to greenhouses gasses or climate change. CO2 in this project is emitted in the construction phase and in the operational phase. The construction phase is a relative short phase and its impact on CO2 is limited when compared with the operational phase. The operational phase is based on the life cycle of a building or dwelling covering a 60-year period. Construction emissions represent approximately 5% to 10% of the Operational emissions in a standard specification building or dwelling.

Construction phase: CO2 in the construction phase is emitted by construction vehicles, machinery, and equipment but also by CO2 attributed to construction materials representing the amount of CO2 it takes to manufacture and deliver a material to site known as a material's "embodied carbon dioxide". Therefore, selecting materials for the construction of buildings/dwellings which have a low embodied carbon factor like wood, local stone rather than steel, zinc, aluminium or other metallics which have high carbon factors would be beneficial to global CO2 emissions. A number of CO2 reduction measures have been applied on construction methodology, vehicles, machinery and together with selecting construction materials with low embodied carbon factors a reduction of +/- 20% in CO2 emissions in the construction phase was achieved over current standard or average emissions.

Operational phase: CO2 in the operational phase is emitted mainly by passenger vehicles and energy required for the building's. The operational phase taken over the buildings 60-year life cycle would be the dominating contributor to CO2 emissions and any reductions applied here are very effective as a result of the length of the life cycle. For this project a number of CO2 reduction measures have been applied by using more electric vehicles, encourage the use of public transport and cycling achieving a reduction of +/- 12.5% but the bulk of the reductions at +/- 60% is achieved in the building energy element applying the current (2022) Part L standards giving a total combined reduction of +/- 75% which is a significant saving.

## 0.11 Material Assets - Traffic & Transport

### 0.11.1 Introduction

This chapter of the EIAR assesses the likely traffic and transportation impacts on the receiving environment during the construction and operational phases of the proposed development. The existing and proposed transport infrastructure in the area is described, and an assessment of the current and the future traffic environment is made. The impact of the development in terms of public transportation, pedestrians and cyclists are also assessed.

The chapter describes: the methodology; the receiving environment at the application site and surroundings; the characteristics of the proposal in terms of physical infrastructure; the potential

impact that proposals of this kind would be likely to produce; the predicted impact of the proposal examining the effects of the proposed development on the local road network; the remedial or reductive measures required to prevent, reduce or offset any significant adverse effects; and the monitoring.

### 0.11.2 Receiving Environment

The site is situated in Broomfield, Malahide, Co. Dublin, 17 km northeast of Dublin City. The site is bounded to the west by the Dublin-Belfast railway line, to the east by the Ashwood Hall development, to the north by existing residential development and to the south by agricultural land. Access to the subject development is provided via the Broomfield Access Road. The Broomfield Access Road provides access to Subject Development, Ashwood Hall Development, Brookfield Development, and Broomfield South Development.

**Local Road Network**

Broomfield Access Road is a single carriageway road which runs north-south for approximately 1.2km, linking the Brookfield and Ashwood Hall developments with Back Road.

R107 Malahide Road is a regional road in north Dublin which runs for approximately 10.5km from Fairview to Malahide. The speed limit along the Back Road adjacent to the site is 60kph. This road is approximately 700m in length from the priority-controlled junction with Back Road through to a signalised junction with R106 Swords Road. Along this section, R107 Malahide Road comprises a carriageway of c. 7.5m wide with a narrow footpath provided on the western side. No cycle lanes are provided.

Back Road is a single carriageway road running west-east for approximately 1.8km from the priority junction with R107 Malahide Road through to a priority junction with R124 The Hill. This road, which crosses the railway line via an existing bridge, currently comprises a carriageway of approximately 7.30m with narrow footpaths running along both sides of the road for the majority of its length. To the west of the railway line, the speed limit on Back Road is 60kph reducing to 50kph just before the railway bridge.

Kinsealy Lane is a local road running north-south for approximately 1.8km from a priority junction with Back Road through to a priority junction with Chaple Road. This road is currently comprising a single carriageway of approximately 5.50m with no footpaths for the majority of the road. This road is subject to a speed limit of 50kph and comprises footpaths along the majority of its length.

The Hill Road is a single carriageway road running north-south for approximately 3.2km from a priority junction with St. Margrets Park to a priority junction with the Chapel Road. This road currently comprises a carriageway of approximately 7.00m with narrow footpaths running along both sides of the road for the majority of its length. The R124 is subject to a speed limit of 50kph.

**Pedestrian and Cyclist facilities**

The site is well located to provide non-car access for residents and visitors of the proposed development with good local walk-in access from the local catchment.

Proposals for the Greater Dublin Area Cycle Network Plan were published by the National Transport Authority in 2022. The plan sets out a vision and a strategy for the construction and/or designation of a comprehensive network of cycling routes throughout the Greater Dublin Area (Counties Dublin, Meath, Kildare and Wicklow). There are cycle routes available along the roads and through Malahide Castle ground connecting to Malahide Town Centre.

**Public Transport**

Train Services Accessibility

The nearest rail station to the subject site is the Malahide Station, located approximately 1400m north of the site (c. 19-minute walk or c. 5-minute cycle). It is also possible to take the 42 Bus to Malahide Train Station, which could potentially reduce the travel time.

The quicker walking/cycling route from the site is via Broomfield and Malahide Castle Gardens (black route in 12.2 below). However, the Malahide Castle Gardens closes at certain times. The alternative to this would be to use the R124 Hill Road, which is approximately 100m longer.

Bus Services Accessibility

The closet bus stops serving the surrounding area are located on the R107 (Malahide Road) and R124 (Hill Road) to the northwest and northeast of the site, served by Dublin Bus Routes 42, 42D and 142. Route 42 connects Sand's Hotel in Portmarnock to Talbot Street in Dublin City Centre, and Route 142 connects Portmarnock to UCD Belfield via the Port Tunnel.

Travel time on the bus no. 42 between Malahide and Talbot Street is approximately 42 minutes, while the travel time on the bus no. 142 between Malahide and UCD Belfield is approximately 60 minutes.

The walking times from the proposed development to the nearest bus stops on the R107 Malahide Road and the R124 Hill Road are approximately 10 and 16 minutes, respectively.

A summary of the Dublin Bus Route frequencies is presented in the Table below.

| Route | Direction | AM Weekday Frequency | PM Weekday Frequency |
|---|---|---|---|
| | | *(07h00 to 09h00)* | *(17h00 to 19h00)* |
| **42** | From Talbot St. | Every 15 to 30 minutes | Every 20 to 25 minutes |
| | To Talbot St. | Every 20 minutes | Every 20 to 25 minutes |
| **42D** | From DCU | No morning service | Bus leaves at 17h10 |
| | To DCU | Bus leaves at 07h30 | No evening service |
| **142** | To UCD Belfield | At 07h10, 07h35, 07h55 | No evening buses |
| | From UCD Belfield | No morning buses | At 16h35, 17h05 |

Table | Bus Frequency

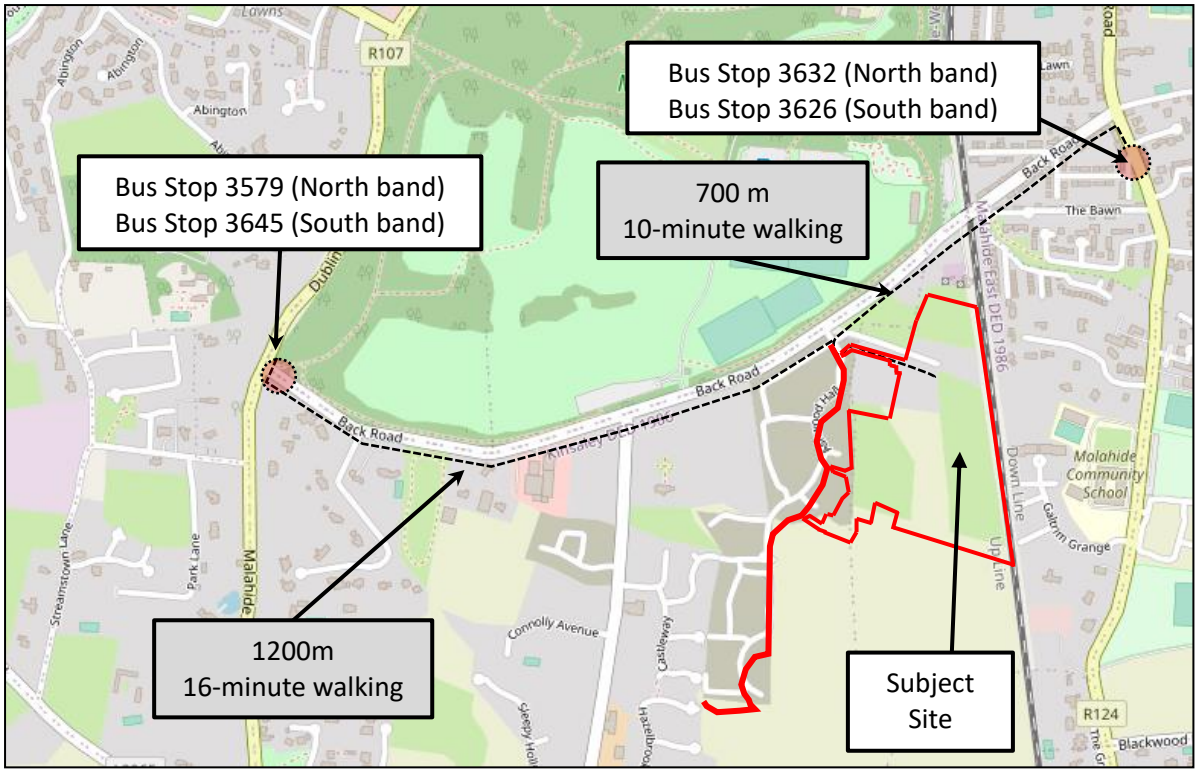



Figure | *Walking Distance to Nearest Bus Stops*

Bus improvements comprising the BusConnects, which is an ongoing public transport infrastructure programme, managed by the National Transport Authority (NTA), focused on the bus networks in several cities in Ireland. Described by the NTA as intended to "improve bus services across the country", as of mid-2022 the programme was in "implementation" phase in Dublin.

There are a number of bus routes proposed to serve the area of Malahide, the figure below shows the BusConnects route surrounding the subject development.

Routes running along R107 Malahide Road to the west of the site:

- Radial Route 20 (Malahide – Kinsealy – City Centre): every 30 minutes during the Weekday AM and PM peak hours.
- Radial Route 21 (Swords Business Park – Kinsealy – City Centre): every 30 minutes during the Weekday AM and PM peak hours.

Routes running along R124 Hill Road to the east of the site:

- Local Route 81 (Sutton – Portmarnock – Malahide – Swords – Airport): every 20 minutes during the Weekday AM and PM peak hours.
- Peak-Only Route X77 (Portmarnock – City Centre – UCD): 6 services during the Weekday AM peak hour and 5 services during the Weekday PM peak hour.

Routes operating through Malahide centre:

- Branch Route H2 (Portmarnock – Bayside – City Centre) – branch of Spine H: every 30 minutes during the Weekday AM and PM peak hours.

The Branch Route H2 route was launched in June in 2022 – together with the H Spine, and replaced the old bus routes 29a, 21 and 31.

- Peak-Only Route X78 (Malahide – Portmarnock – Clontarf – City Centre – UCD): 2 services during the Weekday AM peak hour and 2 services during the Weekday PM peak hour.

### 0.11.3 Potential Impacts of the Proposed Development

The proposed development will consist of the construction of 297 no. residential units comprising 211 no. houses (14 no. 2 beds, 156 no. 3 beds, 39 no. 4 beds, and 2 no. 5 beds), 46 no. duplex units (9 no. 1 beds, 14 no. 2 beds, and 23 no. 3beds), and 40 no. apartments (23 no. 1 beds, 14 no. 2 beds, and 3 no. 3 beds); 712sqm crèche; a two-storey building with a 581sqm commercial/retail area (comprise of 242sqm café, 167sqm pharmacy, and 172sqm yoga studio), and all associated site infrastructure and engineering works necessary to facilitate the development.

In order to determine the volume of traffic movements at key points on the road network surrounding the subject site, 2024 traffic count data has been assessed for the following 5no. junctions:

- Junction 1 (Existing Priority Junction – Scenario A & B): R107 Malahide Road / Back Road.
    - Junction 1 (Signalised Crossroads – Scenario C): R107 Malahide Road / Back Road.
- Junction 2 (Existing Priority Junction): Back Road / Kinsealy Lane.
- Junction 3 (Existing Priority Junction): Back Road / Broomfield Access Road.
- Junction 4 (Existing Priority Junction): Back Road / R124 The Hill.
    - Junction 4 (Signalised Crossroads – Scenario C): Back Road / R124 The Hill.
- Junction 5 (Existing Priority Junction): Kinsealy Lane / Hazelbrook Access Road.

During the writing of this Traffic and Transportation Assessment, a junction was added in the access to the site:

- Junction 6 (Future Priority T-Junction): Broomfield Access Road / Main access road to the subject development.

To quantify the volumes of traffic movements at the above key junctions, a traffic survey was commissioned by the applicant and carried out by Tracsis on Wednesday 7th February 2024 for the period of 24 hours.

It has been assumed that the proposed development will be constructed with assumed year of opening is 2026. As per methodology adopted in the 'Transport Assessment Guidelines (May 2014)' the surveyed junctions were also assessed for the future design years of 2031 (Opening year + 5 years) and 2041 (opening year +15 years).

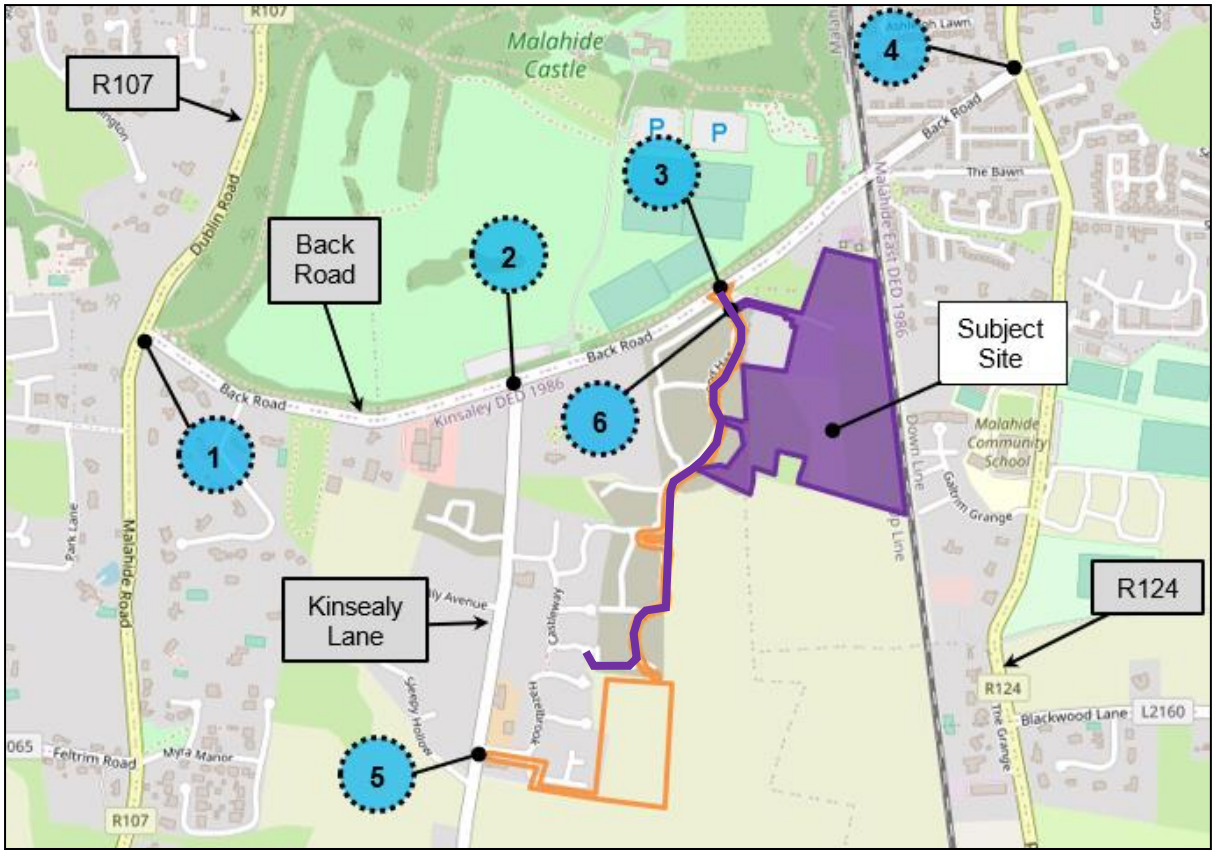



Figure | Junctions Assessed

**Construction Traffic**

There is potential for construction traffic to impact from a noise and dust perspective in relation to the surrounding road network. Deliveries to and from the site by heavy good vehicles will impact on noise levels, whilst dust may result from vehicles travelling along gravel roads. There is also potential for traffic congestion, due to increased heavy good vehicles on the road network which may also perform turning movements, unloading, etc., in areas that impact on traffic. The potential for inappropriate parking whilst waiting for access to the site, may also impact local road users.

There is potential for construction traffic to have a moderate effect on the surrounding environment. However, the duration of this impact will be short-term (i.e., one to three years).

There is potential of conflict between construction traffic and pedestrian/cyclists using the existing facilities on Back Road. There is also potential for conflicts and disruption to vehicular access, pedestrian and cyclists during the construction works of the proposed site access junction.

**Operation Traffic**

The performance of the junctions has been analysed for the critical AM and PM peak hours (08h00 to 09h00 and 17h00 to 18h00) for base year 2024, opening year 2026, assessment years 2031 and 2041 and the committed developments in the area, for scenarios with the proposed development (DO SOMETHING) and without the proposed development (DO NOTHING).

The modelling results show that the existing priority-controlled T-junction 1 would operate within capacity during both peak hours for all scenarios assessed. The same results are obtained with the proposed upgrade of Junction 1 to a signalised controlled T-junction.

In addition, the same results are achieved for the existing priority-controlled T-junctions 2, 3, 5 and 6: The junctions would operate within capacity during both peak hours for all assessed scenarios.

The modelling results for Junction 4 with its current configuration show that it is operating close to its capacity during the AM peak hour and within its capacity during the PM peak hour:

- Junction 4 would operate above capacity during the AM peak hour and within capacity during the PM peak hour for both the 2026 DO NOTHING and 2026 DO SOMETHING scenarios. For the year 2041, the results indicate that Junction 4 would operate above capacity during the AM peak hour and at capacity during the PM peak hour, with or without the subject development.
- With the addition of traffic signals at Junction 4, the modelling results show that the junction would operate within its capacity.

The traffic impact assessment shows that the effect of the proposed and cumulative development on all junctions assessed is neutral in all scenarios assessed. Junction 4 will reach its capacity with or without the proposed development, unless traffic signals are introduced.

### 0.11.4 Potential Cumulative Impacts

The traffic impact assessment shows that the effect of the cumulative development on all junctions assessed is neutral.

### 0.11.5 Do Nothing Scenario

Should the proposed development not take place, the access roads and infrastructure will remain in their current state and there will be no change. Background traffic would be expected to grow over time. Given the location and zoning of the subject site, it is reasonable to assume that a similar development, with a potentially more intensive requirement for vehicular trips would be established on this site at some stage in the future.

### 0.11.6 Mitigation Measures

<u>Construction Stage</u>

It is considered that a Construction Management Plan (CMP) will be prepared by the appointed contractor in order to minimise the potential impact of the construction phase of the proposed development on the safety and amenity of other users of the public road. The CMP will consider the following aspects:

- Dust and dirt control measures.
- Noise assessment and control measures
- Routes to be used by vehicles

- Working hours of the site
- Details of construction traffic forecasts
- Time when vehicle movements and deliveries will be made to the site
- Facilities for loading and unloading
- Facilities for parking cars and other vehicles

Further to the above, a detailed Traffic Management Plan (TMP) will be prepared by the main contractor. This document will outline proposals in relation to construction traffic and associated construction activities that impact the surrounding roads network. The document will be prepared in coordination and agreed with the local authority.

Care will be taken to ensure existing pedestrian and cycling routes are suitably maintained or appropriately diverted as necessary during the construction period, and temporary car parking is provided within the site for contractor's vehicles. It is likely that construction will have an imperceptible impact on pedestrian and cycle infrastructure.

Through the implementation of the CMP and TMP, it is anticipated that the effect of traffic during the construction phase will have a slight effect on the surrounding road network for short-term period.

Operational Stage

The proposed development is situated adjacent to suitable infrastructure and transport services for travel by sustainable modes. A key barrier to modal shift towards sustainable modes of travel is often a lack of information about potential alternatives to the car. As such, it is proposed that residents will be made aware of potential alternatives including information on walking, cycle routes and public transport.

Residents will be encouraged to avail of these facilities for travel to and from work. Provision of this information would be made during the sales process and will be included in the new homeowner's pack upon the sale of each unit, as this represents the best opportunity to make residents aware and to secure travel behaviour change. It is anticipated that this measure may help to reduce the level of traffic at the proposed development, thus providing mitigation against any traffic and transport effects of the development.

A Travel Plan has been included in this application under separate cover. This Plan sets out method to reduce the dependence on private car journeys and encourage residents within the development to avail of sustainable forms of transport such as walking, cycling and public transport.

### 0.11.7 Monitoring

Construction Stage

During the Construction Phase the following monitoring is advised. The specific compliance exercises to be undertaken in relation to the range of measures detailed in the final construction management plan will be agreed with the planning authority.

- Construction vehicles routes and parking
- Internal and external road conditions
- Construction activities hours of work

Operational Phase

The Travel Plan for the proposed development will be monitored and updated at regular intervals. This will enable tracking in terms of a reduction in the dependence on private car journeys and a shift towards sustainable transport options such as walking, cycling and the use of public transport such as buses and trains.

### 0.11.8 Interactions

There may be temporary negative impacts to human health during the Construction Phase caused by noise, dust, air quality and visual impacts which are covered in other chapters of this EIAR. There may also be interaction with the surrounding water bodies through surface water runoff during topsoil stripping and earthworks which will be required to construct the roads.

The effects of these will be mitigated through the implementation of the measures outlined in this Chapter and within the Construction Management Plan.

## 0.12 Material Assets - Built Services & Waste Management

### 0.12.1 Introduction

This Chapter has been prepared by Waterman Moylan Consulting Engineers and describes in a non-technical manner, the material assets – Utilities & Waste, that are potentially impacted by the proposed development at Broomfield North, Malahide, Co. Dublin. Material assets are resources that are valued and intrinsic to the site of the proposed Development and surrounding environs.

This Chapter considers and assesses the effects of the proposed development on the material assets, including major utilities within and around the site during the construction and operational phases such as built services (i.e. gas, electricity, telecommunications, etc.) and waste management. Water, Roads and Traffic are also counted as material assets and are assessed under separate chapters of this EIAR.

A Preliminary Construction and Demolition Waste Management Plan (CDWMP) has been prepared by Waterman Moylan Consulting Engineers which may be used as a guide for the Main Contractor to prepare their Construction Waste Management Plan.

Operational waste management will be managed by the management companies on site and the appointed licenced waste contractor which will ensure the sustainable management of domestic and commercial waste arising from the development in accordance with legislative requirements and best practice standards.

### 0.12.2 Study Methodology

**Desk Study**

The methodology followed for this Chapter is in accordance with the EPA's "Environmental Impact Assessment Reports. Guidelines 2022". Information on built assets in the vicinity of the development lands was assembled from the following sources: A Desktop review of ESB, GNI, Eir and Virgin utility network maps. Site inspection/walkover. Review of the topographical survey map.

**Rating of Impacts**

Material assets are generally considered to be location sensitive. The likely significance of all impacts is determined in consideration of the magnitude of the impact and the baseline rating upon which the impact has an effect. Having assessed the magnitude of impact with respect to the sensitivity/value of the asset, the overall significance of the impact is then classified as imperceptible, slight, moderate, significant, or profound.

### 0.12.3 Electricity, Gas and Telecommunications

There is currently electricity, gas, and telecommunications utilities available to the site.

Based on the information received from ESB Networks (ESBN), the subject lands are traversed by existing ESB cables with overhead lines. Underground networks have been constructed to the existing residential developments adjacent to the subject site.

There is an existing Gas network in the adjacent sites. The gas network to the adjacent site is served via a connection across Kinsealy Lane to the Sleepy Hollow residential development.

In terms of telecommunications, it is known from Eir E-Maps that there are existing networks in the adjacent residential development, Back Road and Kinsealy Lane.

Maps for the Virgin Media networks also inform of the same.

### 0.12.4 Waste Management

In terms of waste management, the receiving environment is defined by Fingal County Council as the Local Authority with responsibility for setting standards and targets and for monitoring/regulating waste management activities in the area, as set out by the management plan for the region. The Fingal County Development Plan 2023-2029 sets out these policies and objectives regarding waste management. In addition, waste operators already service the area as there are existing residential properties adjacent to the subject lands.

### 0.12.5 Potential Impact of the Proposed Development

This section provides a description of the potential impacts of the proposed Development may have during the Construction and Operational phases. The impact assessment addresses the *direct, indirect, cumulative, short, medium, and long term, permanent, temporary, positive, and negative effects.*

### 0.12.6 Construction Phase

**Site Location and Context**

The Construction phase will likely have a temporary impact on the existing settlement in the vicinity of the subject lands. There may also be some slight and temporary impacts to the existing population which may arise during the construction phase, refer to the following EIAR Chapters: population and human health, air quality, noise and vibration, and climate for further information.

**Access**

During the construction phase, access will be affected by hoarding and security fencing required onto the site boundary. A detailed traffic management plan will be prepared and implemented by the Main Contractor and agreed with the Local Authority prior to commencing works. As a result, there will be a temporary disturbance to traffic in the surrounding area during construction.

The number of construction vehicle movements anticipated is low compared to the number of trips expected to be generated by the proposed development during the operational phase. It should be noted that the majority of such vehicle movements would be undertaken outside of the traditional peak hours, and it is not considered that this level of traffic would result in any operational problems.

It is estimated that 75% of construction traffic will come from M50 / Swords and 25% from city centre / Baldoyle direction. Delivery trucks will be instructed to access the site via the main site access from Back Road. Flag men shall operate to ensure safe access and egress of HGV's. It is likely that construction will have a negligible impact on pedestrian and cycle infrastructure. It is proposed that a Construction Management Plan (CMP) would be prepared by the appointed contractor in order to minimise the potential impact of the construction phase of the proposed development on the safety and amenity of other users of the public road.

**Electricity, Gas and Telecommunications**

Electricity will be required during the construction phase. In conjunction with the ESB, the provision of a temporary builders' power supply will be provided. There is potential for temporary impacts to the local electricity supply network, by way of disruption in supply to the local area during electricity connection works for the proposed Development. However, this is a potential impact which is likely to be neutral, slight, and temporary.

The supply of gas will not be operational during the construction phase of the proposed development. There is potential for temporary impacts to the local gas supply network, by way of disruption in gas supply to the local area. However, this is a potential impact which is likely to be neutral.

Telecommunications will not be operational during the construction phase of the proposed development. There is potential for temporary impacts to local supply, by way of disruption during connections works. However, this is a potential impact which is likely to be neutral, slight, and temporary.

**Waste Management**

The proposed development will generate a range of waste materials during the excavation and construction phase as outlined in the Construction and Demolition Waste Management Plan that is prepared under separate cover as part of the planning application. Typical municipal waste will also be generated by construction works on sites such as food waste. Waste materials will be stored temporarily on site until such time as collection takes place by a licenced waste contractor. Dedicated, easily accessible locations for collection will be clearly identified across the construction sites.

If waste is not managed or stored appropriately, it is likely to give rise to litter and/or pollution issues on the construction sites and surrounding area. In addition, if unauthorised waste contractors were used, waste materials could be incorrectly managed and disposed of illegally and result in negative environmental impacts or pollution. Thus, all waste generated must be managed in accordance with regional and national waste legislation and taken to suitably registered and licenced waste facilities for processing, segregation, reuse, recycling, recovery, or disposal, as deemed appropriate. There are numerous licensed waste facilities in the region which can accept waste generated. The potential effect of construction waste generated from the proposed Development is considered to be short-term, not significant, and neutral. For further information, please refer to the Construction and Demolition Waste Management Plan (C&DWMP).

### 0.12.7 Operational Phase

**Site Location and Context**

The proposed mixed use development consists of a total of 297 no. residential units, comprising of 211 no. houses, 46 no. duplex units and 40 no. apartments, 710 sqm creche, 242sqm café, 167sqm pharmacy and 172sqm yoga studio. The development includes all associated site works, boundary treatments, drainage, and additional service connections.

**Access**

The operational phase of the proposed development will result in increased traffic volumes to the local road network, primarily the Back Road. A Traffic and Transport Assessment has been prepared and is submitted as part of the planning applications for the proposed Development. Please also refer to the Chapter on transport, included in this document for further information.

**Electricity, Gas and Telecommunications**

Electricity will be required during the operational phase. In conjunction with the ESB, the provision of supply will be facilitated. This will result in increased demand for electricity in the area. The potential impact from the operational phase is likely to be slight and long term.

The supply of gas will be required during the operational phase. In conjunction with Gas Networks Ireland, the provision of supply will be facilitated. The proposed Development will result in increased demand for gas in the area. The potential impact from the operational phase is likely to be moderate and long term.

Telecommunications will be required during the operational phase of the proposed Development. The proposed Development will result in increased demand for telecommunications in the area. The potential impact from the operational phase is likely to be neutral, imperceptible, and long term.

A utilities layout drawing has been prepared as part of the planning application with the appropriate services being designed as part of the proposed development.

**Waste Management**

Given the nature of the proposed development i.e. a residential development comprising 297 no. residential units, comprising of 211 no. houses, 46 no. duplex units and 40 no. apartments, 710 sqm creche, 242sqm café, 167sqm pharmacy and 172sqm yoga studio, waste materials during the operational phase will be generated. As Malahide is an established suburb of Dublin City, an existing network of waste collection, treatment and disposal contractors and facilities serve the area.

If waste is not managed or stored appropriately, it is likely to give rise to litter and/or pollution issues. The implications of such are that vermin may be attracted to the immediate area as a result. In addition, if unauthorised waste contractors were used, waste materials could be incorrectly managed and disposed of illegally and result in negative environmental impacts or pollution. Thus, all waste generated must be managed in accordance with regional and national waste legislation and taken to suitably registered and licenced waste facilities for processing, segregation, reuse, recycling, recovery or disposal, as deemed appropriate. There are numerous licensed waste facilities in the region which can accept waste generated.

It is noted that appropriate waste storage areas have been incorporated into the design of the development with shared waste stores serving the apartments and duplex units while the houses will be provided with their own bin stores. The proposed development will also be managed by a Management Company ensuring that waste will be managed correctly.

Waste materials generated will be segregated on site, where it is practical. Where the on-site segregation of certain waste types is not practical, off-site segregation will be carried out. There will be bins and receptacles provided to facilitate segregation at source. The appointed waste contractor will collect and transfer the wastes to the licensed waste facility. Waste contractors will be required to service the development on a regular basis each week.

The potential effect of operational waste generated from the proposed development is considered to be long-term, not significant and negative.

### 0.12.8 Avoidance, Remedial & Mitigation Measures

All possible precautions shall be taken to avoid unplanned disruptions to any services or utilities during the construction phase of the proposed development. It should be noted that a number of mitigation measures proposed in other EIAR chapters are also of relevance to Material Assets and should be referred to when reading this EIAR.

The construction phase mitigation measures include, avoidance, reduction and remedy measures as set out within the Development Management Guidelines document. The design and construction of the necessary service infrastructure will be in accordance with relevant codes of practice and

guidelines. As a result, this is likely to mitigate any potential impacts during the operational phase of the proposed Development. However, routine maintenance of the site services will be required from time to time, as such any mitigation measures will be advised by the relevant service provider.

A Preliminary Construction and Demolition Waste Management Plan (PC&DWMP) has been prepared to deal with waste generation during the construction phase of the proposed development and is included as part of the application packs. This document was prepared in accordance with best practice guidelines. Operational waste management will be managed by a designated management company on site and the appointed licenced waste contractor which will ensure the sustainable management of domestic and commercial waste arising from the development in accordance with legislative requirements and best practice standards.

### 0.12.9 Predicted Impacts

If unregulated, predicted impacts associated with the construction phase of the proposed Development would be expected to include potential disruption to local natural and human material assets resulting in both short-term and long-term impacts. The implementation of the mitigation measures set out in this chapter and other chapters of this EIAR would ensure that there is unlikely to be significant residual impacts during the construction phase. Therefore, impacts are likely to be temporary and neutral. During the operational phase, the impact to services and utilities is considered to be positive and permanent positive to all end users.

### 0.12.10 Monitoring

Prior to the operational phase of the proposed Development, all services/utility connections will be tested by a suitably qualified professional under the supervision of the service provider.

Any monitoring of the built services required during the operational phase of the proposed Development will be as advised by the relevant service provider.

The management of waste during the construction and operational phases of the proposed Development should be monitored to ensure compliance with best practice and relevant legislative requirements.

### 0.12.11 Reinstatement

No reinstatement will be required regarding Material Assets. Residual impacts on services and utilities are considered to be imperceptible.

### 0.12.12 Interactions

The main interactions relating to Material Assets are water, air quality, and population and human health.

During the operational phase, the water supply and wastewater services will have a potential interaction with the available water supply and the potential emissions to the water cycle.

### 0.12.13 Difficulties Encountered in Compiling

The exact location of existing service infrastructure is reliant upon the records obtained, where relevant. Overall, no difficulties were encountered in compiling this chapter.

### 0.12.14 Cumulative Impacts

The assessment has considered cumulative impacts of construction and operational phases of the proposed Development, in conjunction with surrounding developments.

Considering the minimal use of material assets during the construction phase, there is no likely impact.

Multiple sites under construction at the one time may result in cumulative impacts in terms of noise and vibration during the construction period. However, such impacts are short term and neutral.

During the operational phase of the development there will be similar existing and residential developments in proximity to the proposed development, such as at Ashwood Hall and Brookfield, which will generate similar waste types. Authorised waste collectors will be required to collect segregated waste materials from multiple development which is likely to result in an improvement of efficiencies of waste collection and indeed is likely to result in an improvement in waste targets in line with national and local legislation. As such the long-term effect will be imperceptible and neutral.

## 0.13 Cultural Heritage

This chapter provides an assessment of the archaeological, architectural and cultural heritage background of the development area. It includes an identification of potential impacts, and outlines mitigation measures which may be used to avoid, reduce or offset any potential adverse effects.

A geophysical survey, carried out within the development area in 2018, revealed the presence of two previously unrecorded below-ground potential enclosures.

Two phases of Licensed test trenching have been carried out within the development area. Test trenching confirmed the presence of the two enclosures revealed in the geophysical survey, along with the presence of a pit and a hearth/burnt pit. Construction works will have a significant, permanent, direct effect on these previously unrecorded archaeological remains. Construction works will have a significant, permanent, direct effect on any previously unrecorded archaeological remains that may exist within the development area. There will be no indirect construction phase effect on the archaeological resource. There will be no operational phase effect on the archaeological resource.

There are no Protected Structures, Architectural Conservation Areas, or structures recorded on the National Inventory of Architectural Heritage (NIAH) within the development area. There are two Protected Structures within the 500m study area. There are two Architectural Conservation Areas within the 500m study area. There are five structures recorded on the NIAH within the 500m study area. There are three historic parks and gardens recorded on the NIAH within the 500m study area. It is assessed that there will be an imperceptible, permanent, visual effect on the above-mentioned architectural heritage features. There is one historic park and garden (Broomfield House) recorded on the NIAH within the development area. With the exception of the western boundary of the development area, which formed the western extent of the parkland, there are no features associated with Broomfield demesne extant within the development area. As a result, it is assessed that there will be no construction or operational phase effect on Broomfield demesne. There will be no construction phase effect on the architectural resource. There will be no indirect operational phase effect on the architectural resource.

The western side and part of the southern side of the development area is recorded as a townland and parish boundary. Proposed access roads and footpaths will truncate the townland and parish boundary in four places. Construction works will have an imperceptible, permanent, direct effect on the townland and parish boundary. There will be no indirect construction phase effect on the cultural heritage resource. There will be no operational phase effect on the cultural heritage resource.

The development and the proposed retail development will result in a cumulative imperceptible, permanent, visual effect on architectural heritage features recorded within the 500m study area.

It is recommended that the archaeological features revealed during test trenching be fully excavated and recorded well in advance of groundworks commencing on site. It is recommended that monitoring of all groundworks be carried out. It is recommended that written and photographic records be created, well in advance of groundworks commencing on site, where the proposed access roads and footpaths will truncate the townland and parish boundary. It is recommended that archaeological monitoring of all interventions through the townland and parish boundary be carried out. Provision will be made for the full excavation and recording of any archaeological features or deposits that may be exposed during monitoring. All fieldwork will be carried out under Licence to the Department of Housing, Local Government and Heritage and the National Museum of Ireland, and to the satisfaction of Fingal County Council.

## 0.14 Landscape & Visual Impact

The proposed development site is located on the outskirts of Malahide, along Back Road and to the immediate south of Malahide Castle and its associated grounds. The site is surrounded mostly by low-density residential development and farmland. The site boundaries are formed primarily by existing vegetation in the form of native hedgerow, hedging and trees, however in some parts of the site there are no physical boundaries or temporary boundaries associated with neighbouring construction sites.

The subject lands and surrounding area are relatively flat agricultural land with many mature trees along boundaries, along streets, roads and neighbouring open spaces and within Malahide Castle, directly to the North. Malahide Castle is an important feature in the surrounding lands and contributes towards the landscape character of the area with a number of protected trees and heritage features. There are also a number of low-density housing estates and many individual suburban and rural style houses in the local area.

The landscape character of the site itself is changing from various previous uses such as sports, residential garden, construction storage and agriculture to a landscape dominated by scrub and natural development of wild trees, noxious weeds and saplings.

There is a high amount of tree cover both on and around the site and the site is set back from any main road. As a result of this the existing views of the site are very limited to non-existent.

There are a number of potential visual impacts and impacts on landscape character which could arise as a result of the proposed development of houses, apartments, duplexes and associated infrastructure, boundaries and landscape proposals. During construction there are potential negative impacts on the existing trees, which would have an effect on the landscape character of the site. The construction process would also introduce new machinery, storage, access roads, structures and so on

which could cause a visual intrusion into the landscape and change the current use of the site in relation to landscape character. Upon completion of the development, the potential impacts relate to the visual impacts of the new buildings and infrastructure and installation of a new landscape and impacts on landscape character due to changes in use.

Several mitigation measures are proposed as part of the development including design mitigation and mitigation through construction and operation. Design mitigation measures include tree retention, proposed boundary planting, proposed woodland and proposed street trees, parkland and ornamental trees. During construction the management of a well organised construction site and appropriate protection of existing trees will mitigate negative impacts while during operation appropriate landscape and tree management will do the same.

During construction, the predicted impacts in relation to tree removal are negative, however they are only slight and short-term, while impacts due to a change of use are also negative, moderate and again short-term. During operation the impacts are more positive due to the design mitigation, notably the installation of a new landscape. The landscape proposals will cause a change to landscape type and a resultant positive impact on landscape character, the impact is slight and long-term. The landscape and visual impacts of the new landscape itself are also positive, moderate and long-term. Visual impacts during operation are non-existent.

## 0.15 Interactions & Cumulative Effects

The interaction of impacts, as considered in the EIAR, and their relationship to the information requirements outlined in the European Communities (Environmental Impacts Assessment) Regulations, are summarised as the following:

| Heading | Population and Human Health | Biodiversity | Land & Soils | Water | Air | Noise & Vibration | Climate | Landscape & Visual Impact | Traffic & Transport | Cultural Heritage | Built Services & Waste Management |
|---|---|---|---|---|---|---|---|---|---|---|---|
| Population and Human Health | | | | X | X | X | | | X | | |
| Biodiversity | | | | X | | | | X | X | | |
| Land and Soils | | | | | | | | | | | |
| Water | | X | X | | | | | | | | X |
| Air | X | | | | | X | X | | X | | |
| Noise & Vibration | X | | | | | | | | X | | |
| Climate | X | | | | X | X | | | X | | |
| Landscape | X | X | | | | | | | | X | |
| Traffic and Transport | | | | | X | X | | X | | | |
| Cultural Heritage | | | | | | | | | | | |
| Built Services & Waste Management | X | | | X | X | | | | | | |

## 0.16 Overall Impact on the Environment

This EIAR has assessed the characteristics of the proposal for significant environmental impacts. Each topic was examined and the resultant environmental impact, if any, noted and mitigation or reductive measures have been put in place. Whilst the development will give rise to some short-term environmental impacts which are adverse in nature (such as the impact on the landscape or noise activities during construction processes), it is considered that these are outweighed by positive impacts associated with the scheme. These include meeting housing needs, supporting the local economy, the delivery of community facilities as well as beneficial long-term impacts on the landscape. Equally, the development mitigates harm on traffic junctions through embedded and additional mitigation and the provision of linkages to public transport and adequate pedestrian and cyclist facilities as part of the proposed development, will result in a positive effect on sustainable transport modes. Accordingly, the proposed development will result in no significant negative long-term impacts on the environment as a result of the mitigation measures proposed as part of the design and at operation stage.

# 1.0 INTRODUCTION

This Environmental Impact Assessment Report (EIAR) has been prepared in parallel with the preparation and formulation of a proposed Large-Ssale Residential Development (LRD) on lands to the south of Back Road and to the east of Kinsealy Lane, Kinsaley, Broomfield, Malahide, Co. Dublin (the application site).

The subject lands extend to approximately 9.95 hectares and are located off Back Road in the townlands of Kinsaley and Broomfield within Malahide, Co. Dublin, which is within the administrative area of Fingal County Council. The subject site is situated 1.3 km to the south of the existing built-up area of Malahide. Access to the site is currently via an entrance off the Back Road, 0.55km east of the junction between Back Road and Kinsealy Lane.

The proposed development (the project) that is subject to this LRD application and EIAR provides for the demolition of the former rugby clubhouse structure on site and the proposed construction of 297 no. residential units comprising 211 no. houses (14 no. 2 beds, 156 no. 3 beds, 39 no. 4 beds, and 2 no. 5 beds), 46 no. duplex units (9 no. 1 beds, 14 no. 2 beds, and 23 no. 3 beds), 40 no. apartments (23 no. 1 beds, 14 no. 2 beds, and 3 no. 3 beds); 1 no. childcare facility; 1 no. café/restaurant; 1 no. retail unit; 1 no. yoga studio; and all associated site infrastructure and engineering works necessary to facilitate the development. A temporary foul water pumping station is also proposed as part of the development.

## 1.1 Nature & Extent of Proposed Development

Birchwell Developments Ltd. (the applicant) intend to apply to Fingal County Council for planning permission for the following development, as described in the public notices:

> *"FINGAL COUNTY COUNCIL – NOTICE OF LARGE-SCALE RESIDENTIAL DEVELOPMENT (LRD) APPLICATION TO FINGAL COUNTY COUNCIL - We, Birchwell Developments Ltd., intend to apply for permission for a 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, to be provided as follows:*
>
> - *211 no. residential houses (14 no. 2 bed units, 156 no. 3 bed units, 39 no. 4 bed units, and 2 no. 5 bed units) in semi-detached, mid-terraced and end-terraced houses ranging from two to three storey in height, all with associated car parking and private gardens;*
> - *Apartment Block A & Duplex Block B are connected at ground and first floor level sharing an undercroft car park at ground floor level and a communal landscaped podium garden at first floor level, and contain a total of 58 no. units in 2 no. buildings ranging from one to four storeys in height, with Apartment Block A containing a total*

*of 40 no. units comprising of 23 no. 1 bed units, 14 no. 2 bed units, and 3 no. 3 bed units, and Duplex Block B containing a total of 18 no. units comprising of 9 no. 1 bed units and 9 no. 3 bed units, with all units provided with private balconies/terraces; internal bicycle stores, bin stores, bulk stores and plant rooms at ground floor level; and on-street car parking and bicycle parking;*

- *Duplex Block C containing a total of 8 no. units comprising of 4 no. 2 bed units and 4 no. 3 bed units, with all units provided with private balconies/terraces, in a building three storeys in height; with on-street car parking; communal open space and access to an external bin store and bike store;*
- *Duplex Block D containing a total of 12 no. units comprising of 6 no. 2 bed units and 6 no. 3 bed units, with all units provided with private balconies/terraces, in a building three storeys in height; with on-street car parking; communal open space access and to an external bin store and bike store;*
- *Duplex Block E containing a total of 4 no. units comprising of 2 no. 2 bed units and 2 no. 3 bed units, with all units provided with private balconies/terraces; in a building one to three storeys in height; with on-street car parking; communal open space and access to an external bin and bike store;*
- *Duplex Block F containing a total of 4 no. units comprising of 2 no. 2 bed units and 2 no. 3 bed units, with all units provided with private balconies/terraces; in a building one to three storeys in height; with on-street car parking; communal open space and access to an external bin and bike store;*
- *1 no. two storey detached childcare facility building, with associated external play area; on-street drop-off car parking, and staff car parking, with access to a shared, external bin and bike store and short stay bicycle and motorcycle parking;*
- *1 no. single to two storey detached commercial building, containing 1 no. café/restaurant unit with associated outdoor seating area, 1 no. retail unit, and 1 no. yoga studio; on-street loading bays, with access to a shared, external bin and bike store and short stay bicycle and motorcycle parking.*

*The development will also provide for a total of 426 no. car parking spaces, 7 no. motorcycle spaces, and a total of 1,218 no. bicycle spaces within the scheme; bin and bike stores; ESB sub-stations; proposed use of the existing vehicular access off Back Road (proposed vehicular access via Ashwood Hall); proposed upgrades to public realm including footpaths, landscaping including play equipment, boundary treatments, public lighting; 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. (Part of the lands formed part of a site previously intended for houses permitted under the Ashwood Hall permissions Refs. F13A/0459 (PL06F.243863), F13A/0459/E1). An Environmental Impact Assessment Report (EIAR) and a Natura Impact Statement (NIS) have been prepared in respect of the proposed development."*

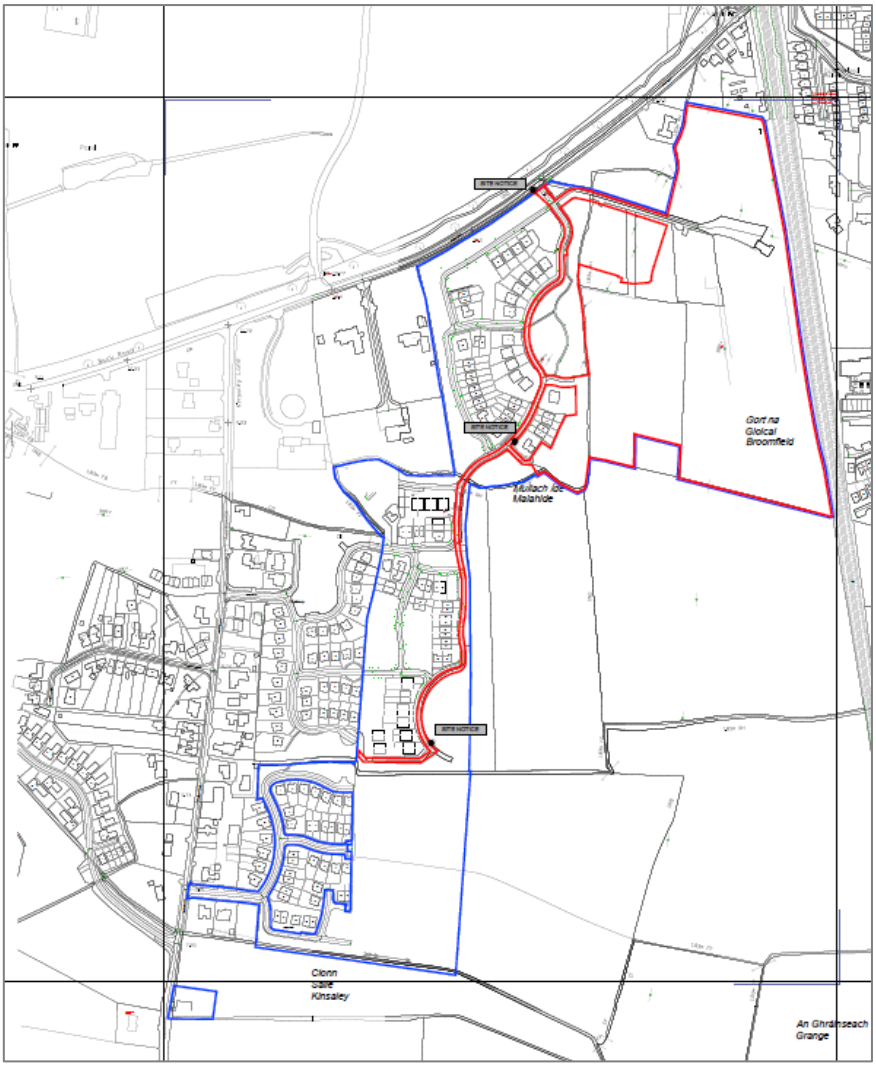



*Figure 1-1. Site Location Map (full extent of application site outlined in red)*

*Figure 1-2. Aerial View of the Subject Site (approximate boundaries of the site outlined in red)*

## 1.2 EIA Process

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

An EIAR is prepared by and on behalf of an applicant/developer in respect of a development proposal/project that they are seeking planning consent/permission. Therefore, the EIAR becomes a central element that informs the Competent Authority's determination of the planning permission.

The 2014 Directive introduced strict requirements in respect of the competency of experts responsible for the preparation of the EIAR. It is possible to summarise the EIA process as follows:

1. Screening - Is an EIA required?
2. Scoping - If an EIA is required, what aspects of the Environment should be considered?
3. Preparation of an EIAR
4. EIAR informs the EIA (as part of the consent process)

## 1.3 The Need for an EIAR

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

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

> **Class 10(b)(i) "Construction of more than 500 dwelling units"**: This project (the proposed development) comprises a mixed-use development including the provision of 297 no. residential dwelling units, 1 no. childcare facility, and commercial/retail areas (a café/restaurant, a retail/pharmacy, and a yoga studio). Therefore, the Project falls below the stated threshold, and an EIA is not required on this basis.
>
> **Class 10(b)(ii): "Construction of a car-park providing more than 400 spaces, other than a car-park provided as part of, and incidental to the primary purpose of a development."**: The project (the proposed development) does not include a car park providing 400 no. spaces or more. Furthermore, all car parking being provided within the project is incidental to the primary purpose of the residential development. Therefore, the car

parking element of the project does not fall within this Class of Regulations. An EIA is not required on this basis.

**Class 10(b)(iv): "Urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere"**. In this instance, the application site extends to c. 9.95 hectares within what can be considered a built-up area. An EIA is required on this basis and, as a consequence, an EIAR will be prepared as part of the planning application pack.

Additionally, the requirement for an EIA in this instance is also triggered by live applications in the vicinity of the site, and within the overall landholding in the ownership of our client (the applicant) and the potential cumulative impact they can have with concurrent or forthcoming applications.

Additionally, the requirement for an EIA in this instance is also triggered by permitted/live applications in the vicinity of the site along Back Road and immediate environs such as the nearby Lamorlaye lands, those within the overall landholding in the ownership of our client (the applicant), and the potential cumulative impact they could have with concurrent or forthcoming applications. This currently includes the 87 units granted on the southern lands in July 2024 under the SHD split decision permission and the 71 dwellings application on the same southern portion of the lands recently granted by Fingal County Council under Reg. Ref. F23A/0586; the forthcoming planning application for an anchor retail development on the LC zoned lands to the western boundary of the LRD site; and the live planning application for the 9 no. units proposed within Ashwood Hall and Brookfield developments (F24A/0988E), all of which are subject to separate planning applications. For further information in this regard, please refer to the enclosed Planning Statement & Statement of Consistency with Planning Policy prepared by DOWNEY as part of this LRD application pack.

This EIAR has been prepared in accordance with the requirements of the following statutory documents:

- The European Community Directive on Environmental Impact Assessment (No 85/337/EEC);
- The European Community Directive (97/11/EC) amending Directive 85/337/EEC on the assessment of the effects of certain public and private projects on the environment;
- The Planning and Development Act, 2000 (as amended);
- The Planning and Development Regulations 2000 (as amended);
- European Commission, Guidelines for the Assessment of Indirect and Cumulative Impacts as well as Impact Interactions (May 1999);
- European Commission, Guidance on EIA Screening (June 2001);
- European Commission, Guidance on EIA Scoping (June 2001);
- Environmental Protection Agency (EPA), Guidelines on the information to be contained in Environmental Impact Statements (March 2002);
- EPA, Advice Notes on Current Practice (in the preparation of Environmental Impact Statements) (September 2003);
- EPA, Advice notes for preparing Environmental Impact Statements Draft (September 2015);

- EPA, Guidelines on the Information to be contained in Environmental Impact Assessment Reports (August 2017 and May 2022);
- European Commission, Guidance on Integrating Climate Change and Biodiversity into Environmental Impact Assessment (April 2013)
- Circular Letter Pl 1/2017: Implementation of Directive 2014/52/EU on the effects of certain public and private projects on the environment (EIA Directive)
- The European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 (S.I. No. 296 of 2018); and,
- The Guidelines for Planning Authorities and An Bord Pleanála on Carrying Out Environmental Impact Assessment (August 2018).

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

## 1.4 Scope of the EIAR

The scope of this EIAR has had regard to the following:

- Guidelines on the recommended information to be contained in EIAR, which have been published by the EPA (May 2022, September 2003, September 2015, and August 2017);
- The requirements of Part X of the Planning and Development Act, 2000 (as amended) and also Part 10 of the Planning and Development Regulations, 2001 (as amended);
- The requirements of the Fingal Development Plan 2023-2029;
- The location, scale, and nature of the proposed development;
- The receiving environment and any vulnerable or sensitive local features and current uses;
- Live planning applications that have been submitted on lands adjoining the subject site;
- The likely and significant impacts (including interactive effects, indirect and cumulative effects) of the proposed development on the environment; and,
- Available mitigation measures (including mitigation embedded in the project design) for reducing or eliminating any potential undesirable impacts.

Other assessments made pursuant to EU legislation have been considered for this EIAR, however, these have been ruled out as irrelevant for this chapter, which include, the Environmental Noise Directive (2002/49/EC) and the Strategic Environmental Assessment Directive (2001/42/EC).

## 1.5 Structure of the EIAR

An EIAR is a process of examining and assessing the environment in tandem with a proposed development in a series of loops and flow systems to ensure that all potential environmental impacts are documented and taken into consideration in the overall formulation of the proposed development inter alia through the design process. This process allows for the creation of a series of steps in the assessment of potential impacts on various elements of the environment.

The overall structuring of this EIAR has regard to the information requirements of the Directives and Irish Statutory Law and Regulations. In accordance with the statutory regulations, a Non-Technical Summary has been prepared and is included as part of this EIAR. The structure used in this report is a grouped format structure in the form of chapters that examine the broadened scope of environmental considerations introduced by the 2014 Directive.

The structure of this EIAR is based on the requirement to provide a detailed and systematic analysis of the environment at the subject lands and the potential impacts of the development; proposed mitigation measures and future monitoring of environmental indicators.

## 1.6 The EIAR Study Team

This EIAR has been prepared by an experienced and suitably qualified team of consultants led by DOWNEY. The table below provides information on the members of the EIAR study team and their respective experience and inputs within the report:

| Name | Role |
|---|---|
| **DOWNEY**<br>**(John Downey, Planning Consultant/Managing Director, BA (Hons), MRUP, MBA, MIPI, MRTPI – 20 plus years' experience;**<br>**Eva Bridgeman, Planning Consultant/Director BA (Hons), MRUP, MIPI – 14 plus years' experience;**<br>**Elahe Saki, Senior Planner BA (Hons), MUD, MRUP, MIPI)** | EIAR Project Managers,<br>Planning Consultants<br><br>Preparation of following EIAR chapter:<br>▪ Introduction<br>▪ Description of the Project & Alternatives Considered<br>▪ Planning & Development Context<br>▪ Population & Human Health<br>▪ Interactions<br>▪ Summary Mitigation & Monitoring Measures |
| **MCORM Architects**<br>**(Shane Walsh MRIAI) – 20 plus years' experience** | Architects and Masterplanners<br><br>Preparation of following EIAR chapters:<br>▪ Description of the Project & Alternatives Considered<br>▪ Summary Mitigation & Monitoring Measures |
| **Waterman Moylan Consulting Engineers**<br>**(Mark Duignan, Associate Engineer, MA BAI CEng MIEI) – 20 plus years' experience** | Preparation of following EIAR chapters:<br>▪ Land & Soils<br>▪ Water<br>▪ Material Assets - Traffic & Transport<br>▪ Material Assets - Built Services & Waste Management<br>▪ Summary Mitigation & Monitoring Measures |
| **KFLA Landscape Architects**<br>**(Simone Kennedy MILI) – 20 plus years' experience**<br>**(Matthew Mulvey MILI)** | Preparation of following EIAR chapter:<br>▪ Landscape & Visual Impact<br>▪ Summary Mitigation & Monitoring Measures |
| **Dermot Nelis Archaeology – 20 plus years' experience** | Preparation of following EIAR chapter:<br>▪ Cultural Heritage<br>▪ Summary Mitigation & Monitoring Measures |

| Name | Role |
|---|---|
| **Faith Wilson Ecological Consultant – 20 plus years' experience** | Preparation of following EIAR chapter:<br>▪ Biodiversity<br>▪ Summary Mitigation & Monitoring Measures |
| **DKP International (Gerard (Craig) van Deventer C.ENG., BE. (Mech)., H. Dip. CIOB., MCIBSE) – 20 plus years' experience** | Preparation of following EIAR chapter's:<br>▪ Air<br>▪ Noise & Vibration<br>▪ Climate<br>▪ Summary Mitigation & Monitoring Measures |

The development is proposed by Birchwell Developments Ltd., Kinsealy Hall, Kinsealy, Co. Dublin.

## 1.7 Impartiality

This EIAR has been prepared in reference to a standardised methodology that is accepted and acknowledged universally. Competently qualified and experienced specialists have been used throughout the EIA process in order to ensure that this document is robust, subjective, and impartial.

## 1.8 Statement of Difficulties Encountered

No exceptional difficulties were experienced in compiling this EIAR. However, where difficulties and limitations have been encountered by the study team, this shall be stated within the relevant section(s) of the EIAR.

## 1.9 Errors

Every effort has been made to ensure that the EIAR is error-free and accurate. However, there may be instances within the document where typographical errors or minor errors may occur. Where minor in nature, any such cases are unlikely to have any material impact on the overall and final findings contained in the EIAR.

## 1.10 References

A reference list detailing the sources used for the descriptions and assessment has been included with each chapter, where necessary.

# 2.0 DESCRIPTION OF PROJECT & ALTERNATIVES CONSIDERED

## 2.1 Site Location

The subject lands are located off Back Road and Kinsealy Lane, 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 Ashwood Hall development, which is under construction/nearing completion by the same applicant (Birchwell Developments Ltd.). Together with Brookfield, these schemes were planned and are being delivered as part of the development of the Broomfield lands which were subject to the objectives of the now expired Broomfield Local Area Plan (LAP) 2010. The proposed development will represent the completion of the northern section of the undeveloped portion of the lands, originally envisaged for residential development within the LAP.

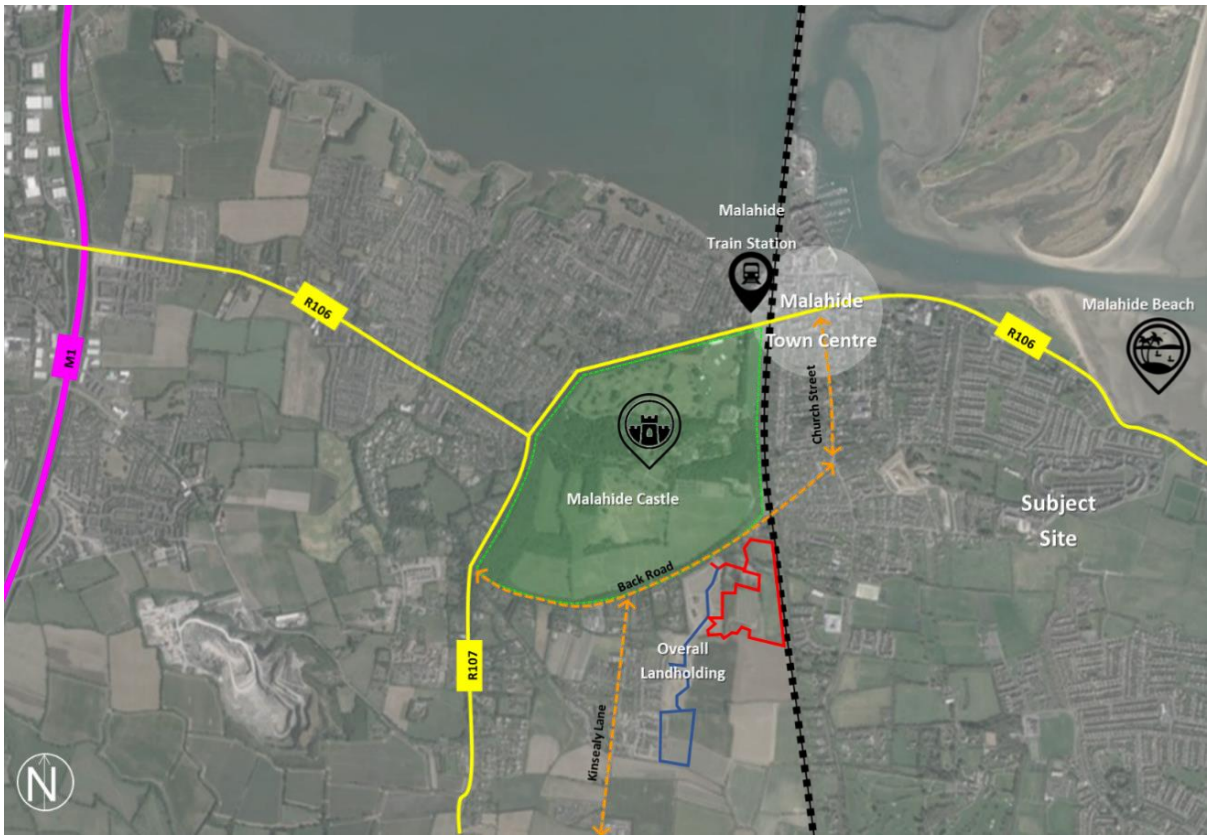



*Figure 2-1. Aerial View of subject site and its wider context*

Access to the site is currently via an entrance off the Back Road, 0.55km east of the junction between Back Road and Kinsealy Lane. The land uses surrounding the site are generally residential. Malahide Castle and Demesne is located 800m to the north of the subject site and can be accessed via Back Road. To the northeast of the site there is Malahide DART Station at 1.3km and Malahide Beach at 1.8km. Malahide Golf Club is located c. 1.5km to the south of the lands. Malahide village centre is

located to the north-east of the subject lands and provides a wide array of shops and services. The site enjoys excellent connectivity to Dublin City Centre via Dublin Bus services that run along Malahide Road, as well as commuter services from Malahide DART Station.

## 2.2 Site Description

The site under this LRD application encompasses approximately 9.95ha (gross) and represents the northern portion of a larger landholding owned by the applicant. With the recent approvals for developments on the southern portion of these lands (Reg. Ref. F23A/0586 and ABP-313361-22), this site stands as the final piece required to complete the development of the Broomfield lands.

The subject site is generally bordered by the railway track to the east, Ashwood Hall to the west, and agricultural lands to the south. Additionally, part of this area (zoned "*CI – Community Infrastructure*") is currently subject to a live school planning application under F24A/0541E. The surrounding area is predominantly characterised by residential developments and agricultural land, providing a blend of urban and rural elements.

The application site itself is composed of irregularly shaped fields, with the northern section partially framed by existing field boundaries marked by trees and hedgerows. This natural landscape feature contributes to the site's overall character and will be considered in the development process to ensure a harmonious integration with the surrounding environment.

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

It is important to note that Malahide Demesne, the castle, and gardens, are located immediately to the north of the site on the opposite side of Back Road, which has created a sylvan character of the landscape forming part of the site. Furthermore, the agricultural lands to the south have provided a strong visual amenity for the residents in the area, with a significant number of the dwellings in the area having a pleasant aspect overlooking these lands.

## 2.3 Description of the Design

It was determined that in addition to the Fingal County Council zoning objectives pertaining to the subject site, the design was also guided by the relevant national, regional, and local policy documents and guidelines. Full details in this regard can be found in Chapter 3.0 (Planning and Development Context) of this EIAR. Furthermore, the design brief for the development proposal was set to create an exemplar of sustainable design to ensure all new development can be delivered in a manner that protects and enhances the biodiversity of the local environment, mitigates climate change, and delivers high energy efficiency in accordance with NZEB strategies in all typologies.

## 2.4 Description of Proposed Development

The proposed development subject to this Large-Scale Residential Development (LRD) application provides for the demolition of the former rugby clubhouse structure on site and the construction of 297 no. residential units comprising 211 no. houses (14 no. 2 beds, 156 no. 3 beds, 39 no. 4 beds, and 2 no. 5 beds), 46 no. duplex units (9 no. 1 beds, 14 no. 2 beds, and 23 no. 3 beds), 40 no. apartments (23 no. 1 beds, 14 no. 2 beds, and 3 no. 3 beds); 1 no. childcare facility; 1 no. café/restaurant; 1 no. retail unit; 1 no. yoga studio; and all associated site infrastructure and engineering works necessary to facilitate the development. Furthermore, the proposed development provides for a temporary pumping station situated to the southwest of the subject site, in addition to the proposed use of the existing vehicular access off Back Road (proposed vehicular access via Ashwood Hall).

*Figure 2-3. Proposed Site Layout Plan (source: MCORM Architects)*

The form and buildings envelope of the proposed residential scheme will range from conventional own door housing on own curtilage to three-storey duplex blocks and a four-storey apartment building, which have been designed to provide for an appropriate variation from the surrounding residential areas, to create a legible development with various character areas, respectful of the site setting. Design and materials will be of high quality and there will be a mixture of unit configurations across the site to avoid a homogenous block appearance and to facilitate the various types of people and families that will ultimately occupy the units. It is proposed to provide a mix of one, two, and three-bed apartments, one, two, and three-bed duplexes, and two, three, four, and five-bed houses providing for a diverse range of units.

## 2.5 Characteristics of the Proposed Development

The following provides a detailed overview of the characteristics of the proposed LRD.

### 2.5.1 Site Location

The proposed development is located on lands to the south of Back Road and to the east of Kinsealy Lane, Kinsaley, Broomfield, Malahide, Co. Dublin, and is within the administrative area of the Fingal County Council.

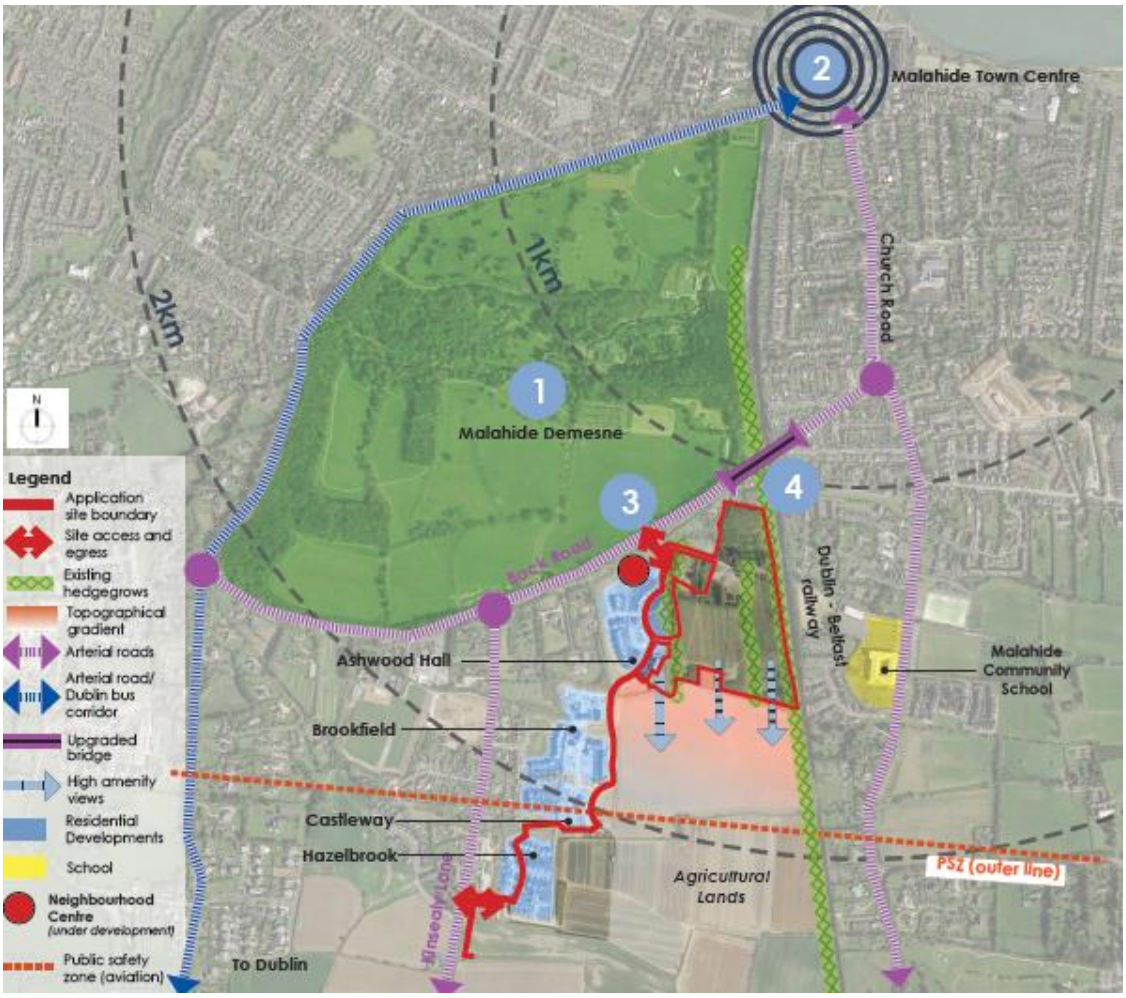



*Figure 2-4. Site analysis diagram indicating location of site and surrounding context (source: MCORM Architects)*

### 2.5.2 Site Area

The site subject to this LRD application extends to an area of approximately 9.95 hectares which also includes the access roads, proposed engineering upgrade works and ecological buffer areas, however, the quantum of developable land for the provision of housing and directly associated uses stands at 8.3 hectares (the net developable site area).

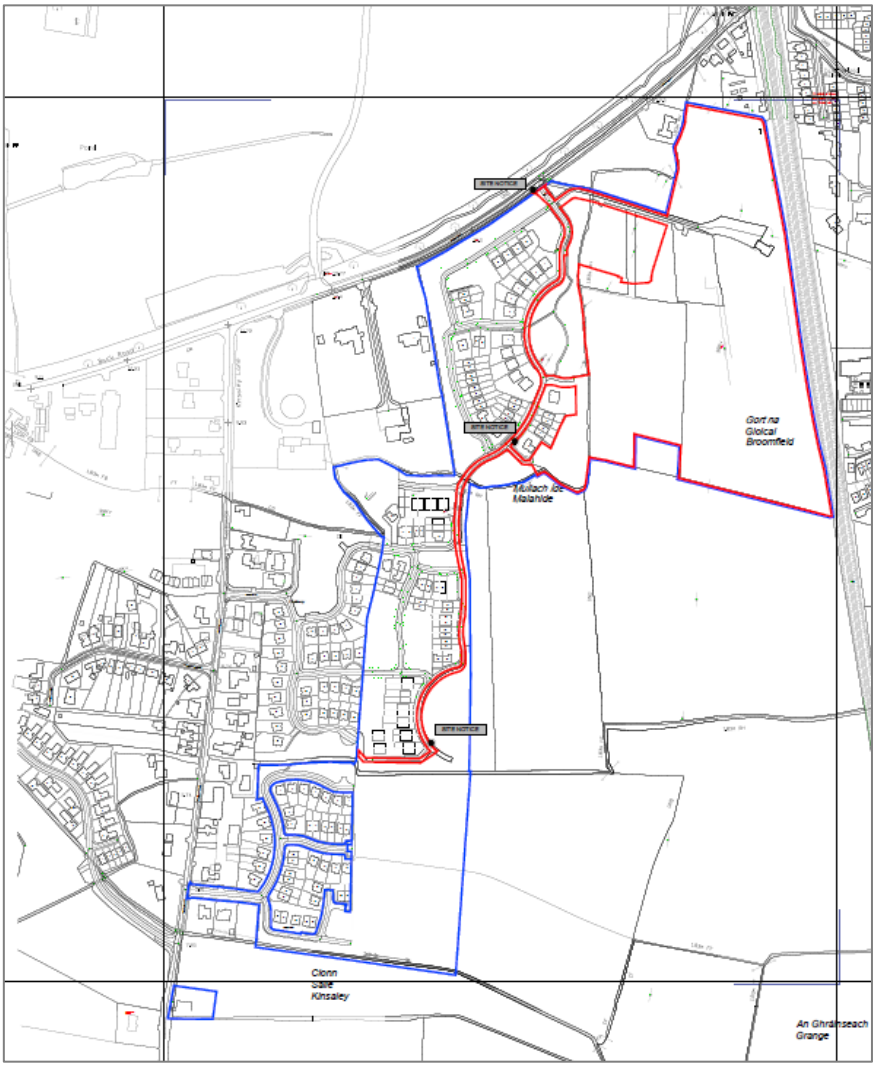



*Figure 2-5. Site Boundaries (source: MCORM Architects)*

### 2.5.3 Density of Development

As outlined earlier, the application site extends to approximately 9.95 hectares, however, the quantum of developable land for the provision of housing and directly associated uses stands at 8.3 hectares. With respect to the overall proposed number of units at 297 no. dwellings, the proposed development provides for a sustainable development with an overall net density of c. 35.7 dwellings per hectare, on appropriately zoned lands within the development boundary of Malahide and therefore accords with the density requirements of both the Development Plan and Section 28 Guidelines. This has been calculated according to the provided guidance on Appendix B of the *"Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities, January 2024".*

Overall Site Area Subject to this SHD Application: 9.95 ha

Net Site Area: 8.3 ha
Net Density: 297 units ÷ 8.3 ha = 35.78 uph

The residential density of the proposed development is therefore in keeping with the Compact Settlements Guidelines, while aiming to balance with the approved low-density suburban density developments in the wider context at Back Road, Broomfield.

The residential density of the proposed development aligns with the principles set forth in the Compact Settlements Guidelines, ensuring an efficient use of land while promoting sustainable urban growth. At the same time, this proposal seeks to strike a balance with the existing low-density suburban developments already approved and/or under construction in the broader context of Back Road, Broomfield. This approach aims to create a harmonious transition between the higher-density residential areas and the surrounding lower-density suburban neighbourhoods, fostering a cohesive and well-integrated community.

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

### 2.5.4 Detailed Description of Proposed Development

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

> *"FINGAL COUNTY COUNCIL – NOTICE OF LARGE-SCALE RESIDENTIAL DEVELOPMENT (LRD) APPLICATION TO FINGAL COUNTY COUNCIL - We, Birchwell Developments Ltd., intend to apply for permission for a 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, to be provided as follows:*
>
> - *211 no. residential houses (14 no. 2 bed units, 156 no. 3 bed units, 39 no. 4 bed units, and 2 no. 5 bed units) in semi-detached, mid-terraced and end-terraced houses ranging from two to three storey in height, all with associated car parking and private gardens;*
> - *Apartment Block A & Duplex Block B are connected at ground and first floor level sharing an undercroft car park at ground floor level and a communal landscaped podium garden at first floor level, and contain a total of 58 no. units in 2 no. buildings ranging from one to four storeys in height, with Apartment Block A containing a total of 40 no. units comprising of 23 no. 1 bed units, 14 no. 2 bed units, and 3 no. 3 bed units, and Duplex Block B containing a total of 18 no. units comprising of 9 no. 1 bed units and 9 no. 3 bed units, with all units provided with private balconies/terraces; internal bicycle stores, bin stores, bulk stores and plant rooms at ground floor level; and on-street car parking and bicycle parking;*

- *Duplex Block C containing a total of 8 no. units comprising of 4 no. 2 bed units and 4 no. 3 bed units, with all units provided with private balconies/terraces, in a building three storeys in height; with on-street car parking; communal open space and access to an external bin store and bike store;*
- *Duplex Block D containing a total of 12 no. units comprising of 6 no. 2 bed units and 6 no. 3 bed units, with all units provided with private balconies/terraces, in a building three storeys in height; with on-street car parking; communal open space access and to an external bin store and bike store;*
- *Duplex Block E containing a total of 4 no. units comprising of 2 no. 2 bed units and 2 no. 3 bed units, with all units provided with private balconies/terraces; in a building one to three storeys in height; with on-street car parking; communal open space and access to an external bin and bike store;*
- *Duplex Block F containing a total of 4 no. units comprising of 2 no. 2 bed units and 2 no. 3 bed units, with all units provided with private balconies/terraces; in a building one to three storeys in height; with on-street car parking; communal open space and access to an external bin and bike store;*
- *1 no. two storey detached childcare facility building, with associated external play area; on-street drop-off car parking, and staff car parking, with access to a shared, external bin and bike store and short stay bicycle and motorcycle parking;*
- *1 no. single to two storey detached commercial building, containing 1 no. café/restaurant unit with associated outdoor seating area, 1 no. retail unit, and 1 no. yoga studio; on-street loading bays, with access to a shared, external bin and bike store and short stay bicycle and motorcycle parking.*

*The development will also provide for a total of 426 no. car parking spaces, 7 no. motorcycle spaces, and a total of 1,218 no. bicycle spaces within the scheme; bin and bike stores; ESB sub-stations; proposed use of the existing vehicular access off Back Road (proposed vehicular access via Ashwood Hall); proposed upgrades to public realm including footpaths, landscaping including play equipment, boundary treatments, public lighting; 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. (Part of the lands formed part of a site previously intended for houses permitted under the Ashwood Hall permissions Refs. F13A/0459 (PL06F.243863), F13A/0459/E1). An Environmental Impact Assessment Report (EIAR) and a Natura Impact Statement (NIS) have been prepared in respect of the proposed development."*

### 2.5.5 Demolition Works

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

### 2.5.6 General Layout

The site layout has been thoughtfully developed within the context of the surrounding built environment, extant planning permissions, and particularly the broader Broomfield lands. The proposed scheme essentially represents the completion of the developable lands within Broomfield and appears to be a natural extension to the Ashwood Hall and Brookfield developments which are currently under construction/nearing completion and now mostly occupied.

The proposed layout seamlessly integrates with the existing and ongoing developments, connecting effectively with the established street and open space networks in the area. It is grounded in proven urban design principles that prioritise creating people-friendly spaces, where residents can socialise and move about easily and logically, viewing the public realm as an extension of their homes.

The development is structured into residential clusters and urban blocks, each designed to establish distinct character areas across the site. This approach not only promotes a sense of identity within the community but also enhances permeability and openness throughout the site, creating direct connections to Malahide Demesne and Malahide town centre.

Additionally, the layout includes numerous well-landscaped pocket parks, small open spaces, and pedestrian/cycling links, all designed to enhance visual amenity and provide convenient access to green spaces. Where feasible, existing trees and hedgerows have been preserved and fully integrated into the overall landscape strategy, contributing to the ecological richness of the area. The ecological corridor has been carefully incorporated into the layout, further reinforcing the green infrastructure strategy within the development and its wider context.

The childcare facility and retail/commercial units are strategically positioned to the western portion of the site, to the adjacent south of the LC-zoned lands, which are the subject of a separate planning application by the same applicant for a proposed anchor retail development. This central placement within the LRD layout is designed to capitalise on the synergistic relationship with the anchor retail unit, minimising unnecessary trip-generating destinations and optimising the use of surface parking. This integrated approach not only addresses the needs of future residents but also enhances the overall functionality and vibrancy of the area.

### 2.5.7 Building Height and Form

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

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

The proposed compact layout allows for apartment and duplex units to be stitched into streetscapes that are legible and characterised by traditional terraces of housing to ensure the delivery of a total

number of dwellings significant enough to sustain the existing and future road and drainage infrastructure and neighbourhood facilities of Malahide south.

It is noted that the heights being proposed are suggested to be consistent with national planning guidelines, particularly the '*Urban Development and Building Heights Guidelines for Planning Authorities (December 2020)'.*

### 2.5.8 Open Space

The open space strategy, developed in close collaboration with the Council through pre-planning consultations, takes a comprehensive approach by considering open space provision at a Masterplan level. This ensures that the open spaces within the proposed development are seamlessly integrated into the broader context of the surrounding area. The current proposal includes 12,730sqm of public open space, strategically distributed across five key areas within the site. This allocation represents 15.1% of the developable site area, significantly surpassing the standards established by both the Development Plan and the Compact Settlements Guidelines.

The proposed layout features a large, functional open space exceeding 5,500qm (POS 2), strategically positioned along the eastern boundary of the site. This space is directly connected to the proposed pedestrian bridge over the railway, ensuring a smooth and cohesive transition from the railway to the residential areas. Beyond this central space, the design incorporates generously proportioned open spaces that are evenly distributed throughout the development, ensuring that all residents have convenient access to recreational areas. These spaces are thoughtfully designed to be both practical and inviting, catering to a variety of recreational needs. The surrounding buildings have been intentionally positioned to frame these open spaces, facilitating passive surveillance and enhancing security.

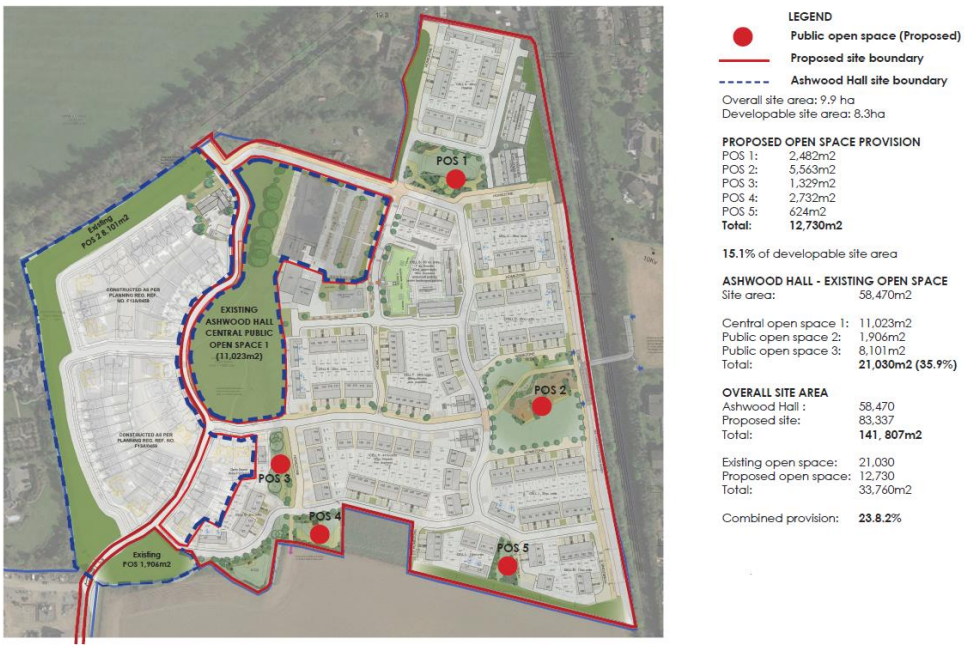



*Figure 2-6. Masterplan Approach towards Public Open Space Provision at Back Road, Malahide (incl. the site subject to this planning application)*

This strategic design approach not only enhances the safety of public areas but also fosters a strong sense of community. By ensuring that these spaces are actively used and well-maintained, the development encourages social interaction among residents and contributes to the overall vibrancy and liveability of the area.

As illustrated in the accompanying Masterplan Figure, the total public open space within the subject site amounts to 12,730sqm, representing 15.1% of the developable area, excluding ecological buffer zones. This figure exceeds the requirements outlined in the Development Plan and therefore satisfy the relevant planning policy. When viewed within the broader context of the entire landholding at Back Road, Malahide South, the total public open space anticipated amounts to 33,760sqm, accounting for c. 23.8% of the developable area. This significant provision of open space not only meets but greatly exceeds policy requirements, thereby supporting the environmental and community objectives for the Broomfield area in Malahide South.

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

Private open space has been provided for all houses by way of private gardens to the rear or side of a house, or balconies/terraces for the apartments. This meets and/or exceeds the requirements of the Fingal Development Plan as shown on the compliance schedule/residential quality audit provided with this planning application. Note that the provision for private open spaces for the apartments is also in full compliance with the requirements of both the Fingal County Development Plan and Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities, 2023.

### 2.5.9 Drainage Infrastructure

#### *2.5.9.1 Proposed Foul Water*

Uisce Eireann confirmed that wastewater connection is feasible subject to upgrades of the Connolly Avenue Pumping Station. Uisce Eireann are progressing with a new regional pumping station on Kinsealy lane that will replace Connolly Avenue Pumping Station. This new pumping station is due to be operational in Q1 2029, as noted in the Confirmation of Feasibility letter.

In the interim, it was agreed with Uisce Eireann that the subject development may be accommodated by providing a temporary pumping station with 24hr storage in the development. This temporary pumping station will be fully decommissioned by the developer after the Connolly Avenue Pumping Station upgrade is completed.

It is proposed to drain wastewater from the proposed development in a south-westerly direction by gravity through a series of 150mm, 225mm diameter pipe sewer network to the existing sewer network in Ashwood Hall. The existing foul networks in the adjacent residential developments, have been appropriately designed and constructed, including spurs for connection points, to accommodate the future connection of the proposed development. The proposed internal foul drainage network has

been designed and sized in accordance with the Uisce Eireann Water Code of Practice for Wastewater Infrastructure and Standard Details. Please refer to Waterman Moylan drawings which show the proposed foul drainage layout.

#### *2.5.9.2 Proposed Surface Water*

It is proposed to construct a surface water drainage network that will service and attenuate the development internally before discharging at the current greenfield (or allowable) rates to the local natural ditch systems. Surface water drainage layout and attenuation strategy can be reviewed on Waterman Moylan drawings.

For storm water management purposes, the site is proposed to be divide into 5 no. separate catchments, each with their own attenuation basins, cascading to 2no. outfall headwalls. Storm water from each catchment will be attenuated and discharged at a controlled rate, limited to the greenfield runoff rate, to the existing ditch system at the southern site boundary. The proposed development will be designed to incorporate best drainage practice.

#### *2.5.9.3 Potable Water*

It is proposed to upsize the existing 100mm Ø watermain spur to 200mm Ø watermain to connect the proposed development to 300mm Ø watermain at Back Road. It is also proposed to provide another 2 no. connections from the adjacent Ashwood Hall residential development to the west.

The proposed network consists of a 150mm Ø watermain running along the Main Access Roads, with a series of 100mm Ø branches and loops. The spurs in the adjacent Ashwood Hall development have been designed and located in anticipation of these connections from the proposed development.

The proposed internal watermain layout, and the existing networks in the adjacent estates can be seen on Waterman Moylan drawings. The Confirmation of Feasibility (CoF) confirms the development's water demand can be accommodated without any infrastructure upgrades.

## 2.6 Construction and Sequencing

The proposed development will be constructed as follows:

As raised by Fingal County Council in the Stage 2 opinion, the proposed phasing schedule for the site has been revisited. Both the Creche and Cafe / Pharmacy / Yoga Studio have been included in the first phase of the scheme to be delivered. This first phase will include the large public open space to the east of the site and the 4m wide pedestrian / cycle route through the site connecting the site to the proposed location of the pedestrian bridge over the rail line. Phase two will consist of houses and duplex units to the south of the site, while phase 3 will take in the apartment Block A, duplex Block B, C and D, as well as the houses north of the site, while phase 4 will consist of the houses and open space top the south west of the site – this phase of works will be carried out when the temporary pumping station which will be located here, has been decommissioned.

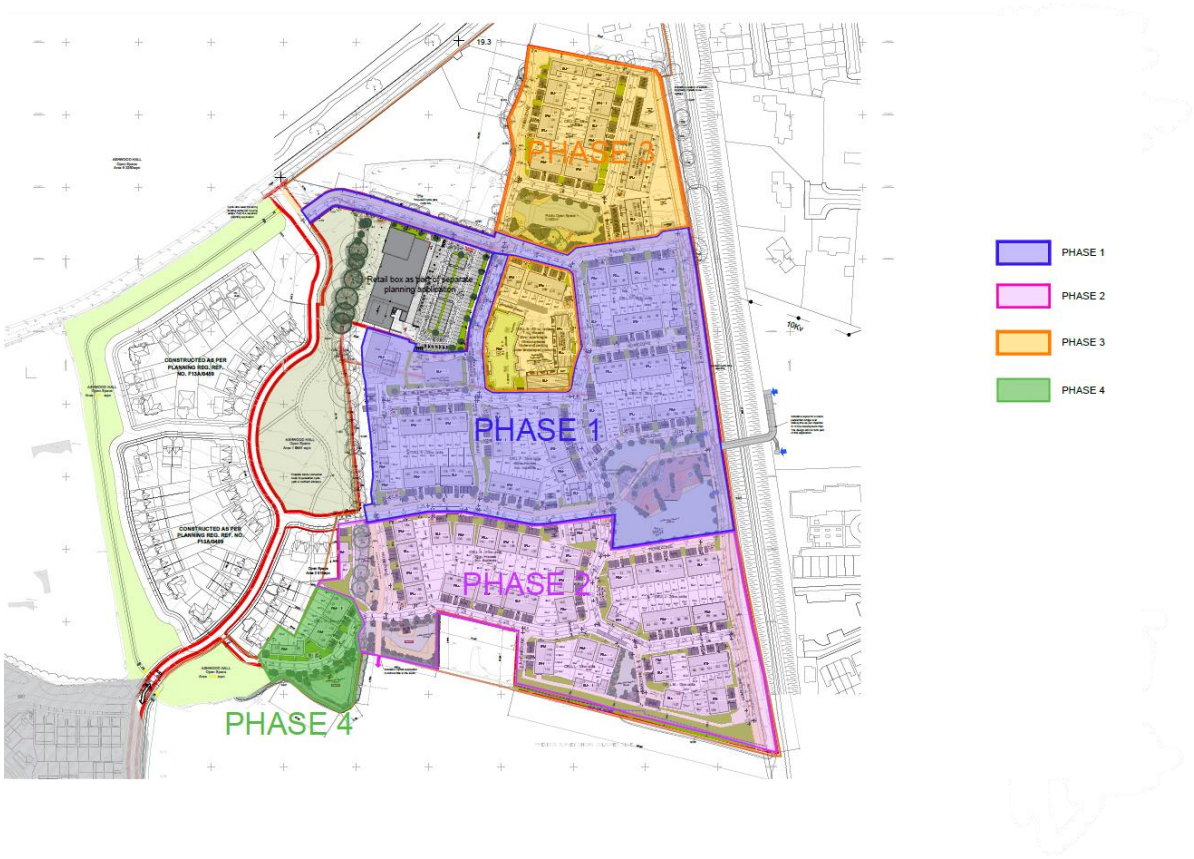



*Figure 2-7. Proposing Phasing Plan*

## 2.7 Description of Reasonable Alternatives

This section of the EIAR focuses on alternatives that were considered during the preparation of this EIAR and planning application. It has been carried out in accordance with Part 1(d) of Schedule 6 of the Regulations which requires: "*An outline of the main alternatives studied by the developer and an indication of the main reasons for his or her choice, taking into account the effects on the environment.*" It also has close regard to the Guidelines for Planning Authorities and An Bord Pleanála on Carrying out Environmental Impact Assessment (2018) which state in this regard that:

> *"The Directive requires that information provided by the developer in an EIAR shall include a description of the reasonable alternatives studied by the developer. These are reasonable alternatives, which are relevant to the project and its specific characteristics. The developer must also indicate the main reasons for the option chosen taking into account the effects of the project on the environment.*
> *Reasonable alternatives may relate to matters such as project design, technology, location, size, and scale."*

This section of the EIAR sets out an outline of the main alternatives that have been examined through the design and consultation stages of the planning process with the following headings:

- Alternative Locations
- Do-Nothing Scenario
- Alternative Uses

- Alternative Processes
- Alternative Designs/Layouts

### 2.7.1 Alternative Locations

The consideration of alternative locations for the development has, in a significant number of cases, already been addressed and decided at strategic planning level during the preparation and adoption of the Fingal Development Plan 2023-2029. This plan establishes a housing need for the district which is required to be accommodated during the plan period and assesses all available land in the district to meet the identified housing need, including the subject site and all available alternatives.

This plan will have been subject to Strategic Environmental Assessment which takes into account the environmental considerations associated with, for example, the cumulative impact of an area zoned for industry on a sensitive landscape. The EIA Guidelines also state that the statutory development plans can establish project-level objectives or other mitigation that a subsequent site project and its EIAR should be cognisant of.

Having regard to the above, DOWNEY notes that the lands subject to this application and EIAR are located within the Fingal County Council administrative area whereby the majority of 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."* It is noted that a portion of the lands at western boundaries are zoned "***LC – Local Centre***" with an objective to: *"Protect, provide for and/or improve local centre facilities."*

Given that this site is primarily zoned for residential development within an established urban area, it was deemed unnecessary to consider alternative sites beyond those already evaluated during the plan-making process. Additionally, the site represents a natural extension of the two existing developments currently under construction by the same applicant, specifically Ashwood Hall and Brookfield. It is also important to highlight that there are two approved developments on the southern portion of the lands at Back Road, Broomfield. These approvals include 71 dwellings under F23A/0586 and 87 dwellings under ABP-313361-22.

### 2.7.2 Do Nothing Scenario

A "Do Nothing" scenario would be inconsistent with the RA and LC land-use zonings applicable to the site, as well as with the associated objectives outlined in the Development Plan, which are intended to facilitate new residential development and provide local centre facilities respectively. Given the site's strategic location within Malahide, along with its access to public transport and mobility options, failing to develop these lands would significantly undermine the quality of the urban landscape and hinder the potential for a mix of sustainable uses and amenities for both current and future residents.

Moreover, the unmet demand for housing within the Malahide area, driven by future population growth projections, would exacerbate issues related to housing availability and affordability. Therefore, the "Do Nothing" scenario is not considered a viable alternative for these lands, as it would fail to address critical housing needs and contribute to the sustainable development of the area.

Furthermore, to not develop these zoned and serviced lands would be inconsistent with national planning policy as set out in the National Planning Framework, Regional Spatial Economic Strategy and Urban Development and Building Height Guidelines.

### 2.7.3 Alternative Uses

As previously stated, the subject site is located within the functional area of Fingal County Council. As such, the development of the site is informed by the policies and objectives of the Fingal County Council Development Plan 2023-2029. Under the current Development Plan, the majority of the subject lands are zoned as *"RA – Residential Area"* with a portion of the lands to the west zoned "*LC – Local Centre*". Thus, the proposed development is considered permitted in principle uses under the pertaining zoning objectives.

### 2.7.4 Alternative Designs & Layouts

It must be noted that given the applicant's control of the landholding subject to this project, the existing, under construction, and planned infrastructure/development in place, and the zoning of the lands, there were no major alternative uses or processes that were considered reasonable. The alternatives to the proposed development considered during the course of the preparation of this EIAR were related to the overall layout and internal roads pertaining to the proposed scheme.

The design of the proposed project has evolved significantly throughout the pre-application consultation process, leading to various alterations in the initial proposal. It is important to highlight that, following the Section 32C LRD Pre-planning Meeting with the Council, An Bord Pleanála issued a split decision regarding the SHD application for the overall landholding at this location, granting permission for the southern portion while refusing the northern portion.

Although a fresh approach has been taken in developing the lands under the LRD compared to the SHD, it is crucial to note that the Design Team thoroughly reviewed the Inspector's Report associated with the SHD decision. This review, along with a follow-up consultation with the Council, ensured that all relevant concerns have been appropriately addressed in the current LRD proposal.

The following sets out the intermediate design progressions and outlines the key considerations which influenced the progression of the design:

#### *2.7.4.1 Alternative 1: SHD Design Process (incl. the Southern lands) – Stage 2, Nov 2020*

A Stage 2 submission for 458 units in was submitted in November 2020 (ABP-308804-20). Amendments were made to this scheme further to feedback from ABP at the tripartite meeting and formal ABP Planning Opinion subsequently issued and received May 2021.

*Figure 2-8. Alternative 1: SHD Design Process (Stage 2, Nov 2020)*

The key items raised in the Inspector's Report on Recommended Opinion are outlined below (in Italic font):

*"1. A report, including CGIs, visualisations and cross sections as necessary, which further elaborates upon the relationship of the proposed development in the area of the site, specifically within the area of the masterplan objective. Details should elaborate upon quantum of development and infrastructure within the area of the masterplan objective, including mix of units, open space, movement hierarchy, water services infrastructure and interaction of the proposed development with the adjoining street network and open space areas."*

**Response:** The Architectural and Urban Design Statement document was submitted with the relevant quantum as noted above with regards unit mix, open space, movement hierarchy, etc. The aforementioned items are described along the design rationale chapter (section 3) of this report and particularly in subsections 3.6 Distinctiveness, 3.7 Public Realm, 3.8 Site Layout and 3.12 Detailed Design and Finishes. Relevant information in this regard is also provided in the Architect's House Quality Assessment (mix of units) and Universal Accessibility Statement report (accessible open space and movement hierarchy).

A Visual Impact Assessment prepared by KFLA Landscape Architecture and Waterman Moylan's reports and drawings regarding water services infrastructure were also submitted.

*"2. Further consideration and/or elaboration of the documents in relation to core strategy and the zoning of the site, with a site layout plan overlaid on the zoning map."*

**Response:** A 'PL113 Zoning Objectives Overlay – Site Layout Plan' was submitted to confirm.

*"3. Further consideration and/or elaboration in relation to all relevant objectives and guidance set out in the development plan addressing noise, specifically relating to airport noise and public safety zones."*

**Response:** An **Aviation Public Safety Zone Assessment by Cyrrus Limited** for the assessment and evaluation of the development area located within the Outer Public Safety Zone (PSZ) was provided. Residential development within PSZ is limited to a maximum density of 60 residents in any half hectare area. The lower density requirements from the assessment affecting the southern quarter of the scheme as highlighted opposite, has afforded the design team the opportunity to provide additional open space and visual links to the rural lands beyond, while incorporating additional variety to the streetscape with building setbacks for passive surveillance and increased green areas.

Although the net density of development has now reduced at this end of the scheme for safety reasons, the overall net density proposed has been maintained at a sustainable level of 37.4 dwelling units per hectare.

*"4. Further consideration and/or elaboration in relation to vehicular permeability through the site and connectivity to Kinsealy Lane. Particular regard should be had to the issues raised in the report of the planning authority Transportation Planning Section, report dated 1st December 2020."*

**Response:** In consultation with Fingal County Council Transportation, a vehicular access link was included to Kinsealy Lane via the Hazelbrook development adjacent, as presented in key map below and diagram opposite. A Traffic and Transport Assessment by Waterman Moylan Engineering Consultants and associated engineering drawings were submitted.

*"5. Further consideration and/or elaboration of the documents as they relate to the design and layout of internal streets, specifically the design of the proposed home zones, car and bicycle parking, and positioning of footpaths relative to parking spaces."*

**Response:** Details of internal streets (secondary) and home zones were provided, in addition to an example of secure bicycle and bin storage adjacent to apartment/duplex block. At secondary streets pedestrian footpath is segregated from the main carriageway, arranged in between the latter and the housing parking. At home zones, the public section is shared by pedestrians, cyclists and resident vehicles.

*"6. Further consideration and elaboration of the documents as they relate to sunlight, daylight and overshadowing."*

**Response:** A Daylight & Sunlight Assessment was provided by Digital Dimensions accompanying the application.

*"7. Further consideration and elaboration of the documents in relation to open space/landscaping, having regard to the report of the Parks and Green Infrastructure Division dated 1st December 2020, including clarification of the quantum of open space being provided, hierarchy of open space having regard to the adjoining developments, interaction with existing adjoining open space, details in relation to levels, and boundary treatment to the Greenbelt. The landscaping plan for the site should clearly set out proposals for hard and soft landscaping including street furniture, where proposed, which ensures that areas of open space are accessible, usable and available for all."*

**Response:** The overall Public Open Space provision equals 12% of the net site area, noting that this calculation does not include the additional 0.55ha Green Route / Cycle Link. The original permissible densities to the adjacent Ashwood Hall development of 10 dwellings per ha allowed for additional

Public open spaces to be provided and this overprovision will now benefit the residents of the current scheme proposed with this application. It should however be noted that this overprovision of Public open space provided in Ashwood Hall has not been included within the 12% of net area designated as public open space. Landscaped open public and communal spaces have been designed according to a user focused approach.

*"8. Further consideration and/or elaboration of the documents as they relate to the treatment of existing trees on the site and existing treeline within Ashwood Hall to the west, to include maps and drawings providing clarity regarding trees to be removed, rationale for removal of trees and implications for protection of existing treeline given proximity of proposed dwellings."*

**Response:** An arborist set of drawings and report from Charles McCorkell Arboricultural Consultancy was provided for confirmation of existing trees removals and protection of existing trees to be retained.

*"9. Further consideration and elaboration of the documents as they relate to the risk of flooding, in addition to information relating to SUDS, having regard to the issues raised in the planning authority Water Services report, dated 1st December 2020."*

**Response:** A Flood Risk Assessment Report by Waterman Moylan Engineering Consultants and associated engineering drawings was submitted.

*"10. A Housing Quality Assessment which provides the specific information regarding the proposed apartments required by the 2020 Guidelines on Design Standards for New Apartments. The assessment should also demonstrate how the proposed apartments comply with the various requirements of those guidelines, including its specific planning policy requirements and should include a schedule of floor areas for all proposed units, clearly setting out the aspect (single, dual, triple) of each unit."*

**Response:** A Privacy and Amenity section of the Design statement was provided and a Housing Quality Assessment which provided information the wide variety of residential typologies, including dual aspect 3 to 5-bed houses and dual aspect duplexes proposed.

*"11. A Building Lifecycle Report for the proposed apartments in accordance with Section 6.13 of the 2020 Guidelines should be submitted. Particular regard should be had to the requirement to provide high quality and sustainable finishes and details which seek to create a distinct character for the development."*

**Response:** A Building Life-cycle Report was prepared by MCORM Architects on foot of this request accompanying this application. A high quality of building and public realm finishes is proposed throughout the development. Section illustrated the palette of materials and details proposed in this regard, accordingly to the overall character area strategy.

*"12. Universal Access Plan."*

**Response:** All residential layouts and public realm were designed to allow for universal accessibility, both in terms of levels and finishes selected. A report addressing the Universal Access Plan for the scheme was prepared by MCORM Architects having regard on the following technical documents:

- DoELHG (2010) Building Regulation, Technical Guidance Document Part M, Access and Use

- BS 8300, The design of buildings and their approached to meet the needs of people with disabilities - Code of practice.

*"13. Social Infrastructure Capacity Assessment including Neighbourhood Centre facilities, School Demand Assessment and Childcare Assessment (including clarity in relation to number of children to be accommodated in accordance with the Childcare Facilities – Guidelines for Planning Authorities 2001."*

**Response:** The scheme proposed a childcare facility which is centrally located at the northern quarter of the scheme and it is therefore fully accessible from all locations of both the proposed neighbourhood and the adjacent landholdings.

The crèche design and needs program was based off the inclusion of 254 (houses) + 16 (3-bed duplex & 50% 2-bed duplex) + 49 (3-bed apartments & 50% 2-bed apartments) = 319 units considered; 319 / 75 x 20 child spaces = Crèche required for 85no.children. Planning reports from Downey Planning assessing School Demand and Childcare needs for the subject site of Broomfield development were also provided.

*"14. A report that specifically addresses the proposed materials and finishes of buildings, landscaped areas and any screening/boundary treatment. Particular regard should be had to the requirement to provide high quality and sustainable finishes and details which seek to create a distinct character for the development."*

**Response:** The detail design of both the buildings proposed and all public realm areas has been carefully considered as part of the design process. The detail of how this scheme is put together is vitally important so that the scheme is completed with a quality strong enough for the location. This approach will also ensure that the buildings and public areas are durable and remain high quality in years to come.

The houses proposed are primarily finished with a high-quality brick finish on all primary elevations facing the street or other public realm areas. As a low maintenance material, it will ensure that the streetscapes created will retain a high-quality feel for longer. The roofs of the houses will be completed with a dark coloured concrete roof tile to compliment the brickwork & PVC windows add to the high thermal efficiency of each unit and will also be very low maintenance components.

The duplex units will also be finished in brickwork matching the houses. Durable materials on management-controlled buildings is even more important as sometimes maintenance depends on sinking funds that are not sufficient to deal with a regular maintenance programme.

All screen walls to public areas, bin and bicycle stores and other overlay structures will be finished in brickwork to avoid the necessity and cost for ongoing undue maintenance. Balconies will be framed in powder coasted mild steel with glazed balustrade guarding's. These details will be colour coordinated with all external joinery presenting a unified aesthetic to the streets the buildings face.

*"15. A Site Layout Plan clearly indicating what areas are to be taken in charge by the Local Authority."*

**Response:** A drawing which identified which areas will be taking in charge by the Local Authority, which correspond to the scheme's public realm was provided.

*"16. Waste Management Details."*

**Response:** The different residential units and crèche were provided for bin storage spaces, which will be accessible for the waste management company serving the scheme once its developed. An Operational Waste Management Plan (OWMP) prepared by Enviroguide, with Swept Path Analysis drawings prepared by Waterman Moylan Consulting Engineers were also provided.

*"17. Site Specific Construction and Demolition Waste Management Plan."*

**Response:** Drawings & reports were provided by Waterman Moylan Consulting Engineers.

It is noted that items 18 and 19 of the Inspector's Report address the submission of the relevant documentation and the requirements for providing a Material Contravention Statement, if necessary.

#### *2.7.4.2 Alternative 3: SHD Submission (incl. the Southern Lands), April 2022*

At the first Section 247 pre-planning meeting with Fingal County Council (August 2020), a proposal of 477 no. dwellings (comprising 252 no. houses, 48 no. duplex units and 177 no. apartments). It is noted that in this proposal, the creche was proposed to be located within Block B along the eastern side of the site.

It was suggested for the proposal be revisited to provide for an optimum design solution with respect to the following issues of particular concern:

- Development hindrance in the southern portion of the lands which is located within the Outer Public Safety Zone;
- Compliance with the Core Strategy of the current Fingal Development Plan;
- Creating interest and diversity across the site by utilising various house types spreading evenly across the lands;
- Location of the creche and gym to be repositioned to avoid potential noise impact;
- Positioning of balconies in Block A&B to enhance the privacy of all units; and,
- Meeting the standards in the on-site provision of public open space with respect to the pertaining planning policy of the Development Plan.

Following on from the Section 247 pre-planning meeting with the Planning Authority, the design team made a number of amendments to the layout and proposed development. These included changes to the density and arrangement of the dwellings in order to achieve a balanced use of the lands with respect to locational attributes of the site, its surrounding, and existing development standards of the Development Plan. This provided for a proposal of 458 no. dwellings (comprising 242 no. houses, 60 no. duplex units and 156 no. apartments) in addition to 1 no. childcare facility along with ancillary amenity including concierge and gym.

However, the Board's Notice of Opinion from the tripartite consultation meeting as well as further feedback from the Planning Authority meant that Alternative 2 was subject to further amendments, which forms this current proposed development. Some of the key changes include:

- Decreasing the density by provision for 415 no. residential units on the lands with respect to the southern portion of the lands which is located within the Outer Public Safety Zone;
- Compliance with Core Strategy of the current Fingal Development Plan;

- Enhancing the permeability of the site with particular regard to the vehicular permeability through the site and connectivity with Kinsealy Lane;
- Further consideration to the design and layout of internal streets, specifically the design of the proposed home zones, car and bicycle parking, and positioning of footpaths relative to parking spaces; and,
- Further consideration to landscaping and treatment of existing trees on the site and existing treeline within Ashwood Hall to the west.

*Figure 2-9. Alternative scheme arrangements considered as part of the SHD design process (source: MCORM Architects)*

On July 4, 2024, a decision was issued regarding the SHD application, resulting in a split decision. The proposal for the northern portion of the overall landholding at Back Road, Broomfield, which is the site for this LRD application, was refused. The reasons for refusal are as follows:

> *"Having regard to the layout of the proposed development in the northern section of the site, where the apartments and duplex units, which are reliant on a reduced car parking provision, are located distant from these services, it is considered that the layout of the proposed development fails to response to the characteristics of the site.*
>
> *Furthermore, the location of the proposed creche would not encourage active travel and would invite unnecessary vehicular trips. The proposed development would constitute*

*disorderly development, would not mitigate for reduced private vehicular travel and would therefore, be contrary to the proper planning and sustainable development of the area."*

At this juncture, it is important to note that the Design Team chose to pursue a revised layout for the LRD application rather than continuing with the previous design. The design process for the earlier SHD application has given the team a comprehensive understanding of the site, shaped by the evolution of relevant planning policies and enriched by extensive input from both the Planning Authority and An Bord Pleanála. That said, the updated layout has been further refined and enhanced through continuous collaboration with the Council and its internal departments to ensure it aligns with the site's specific needs and its broader context while adhering to relevant planning policies. As a result, the new configuration optimises the location of apartments and duplex units, making them more responsive to the proposed road network and services. This is submitted to the address the first part of the refusal on the SHD application.

Needless to say that the decision on the SHD, along with the associated Inspector's Report, provided the Design Team with valuable insights. Since the SHD decision was received after the Section 32(B) LRD pre-planning meeting, the Design Team re-grouped to carefully review the LRD layout in light of the SHD decision. Subsequently, a meeting was held with the Council on August 6th, 2024, to discuss the revised layout alongside an updated strategy for public open space, which had been addressed during the Section 32(B) LRD pre-planning meeting.

#### *2.7.4.3 Alternative 3: First LRD Section 247 Pre-Application Layout, Dec 2023*

*Figure 2-10. Alternative 3: First LRD S.247 Meeting, Design Process (Dec 2023)*

The initial meeting of the LRD process was held in December 2023, with the proposal for 315 units, including commercial / retail provision for a pharmacy and café and a Childcare facility. The revised layout at this stage included provision for a retail / commercial offerings to the northwest of the site, influence of the introduced Compact Settlement Guidelines and amendments to typologies.

Feedback received from Fingal County Council included to review the following items:

**Transport:** Car parking provisions to meet Zone 1 of the Fingal County Development Plan 2023 – 2029.

**Cycle route:** Preference to continue cycle route along Southern and Northern boundary.

**Pedestrian Bridge**: Demonstrate that the development of a pedestrian bridge as per Objective 51 of Fingal County Development Plan 2023-2029 will not be hindered by the design of this application.

**Roads / Street Hierarchy:** Requested to introduce more elements of an organic nature to help with overall network and flow of street network.

**Connectivity to school site:** Allow provision for connectivity in event that school site to the south becomes live in future.

**Parking:** Preferential not to have car parking space up against public open spaces.

**Creche:** Minimum of 10 drop off spaces parallel to creche required.

**Road layouts:** Avoid long stretches of road, introduce elements road of a organic nature.

**Units design:** Should be consistent with Ashwood Hall scheme.

**Boundary treatment**: Details of treatment along Green route / cycle path and railway line to be provided.

All of the items raised at this meeting were fully considered and incorporated into Site Layout 3.

#### *2.7.4.4 Alternative 3: Second LRD Section 247 Pre-Application Layout, Feb 2024*

*Figure 2-11. Alternative 3: Second LRD S.247 Meeting, Design Process (Feb 2024)*

A second Section 247 meeting was held in February 2024, which was based on a revised site layout plan based on a scheme of 305 units. Feedback was received from Fingal County Council including a number of items including:

**Part V:** Outline of requirements for Part V requirements was provided in order to allow communication with Part V section.

**Cycle route:** Preference expressed to provide a cycle route which would extend the current North-south cycle route through the existing green open space adjacent to the Ashwood hall site.

**Cycle route treatment:** Preference that all cycle routes are developed to being provided as shared pedestrian / cycle tracks.

**East-west cycle route:** Preference that existing east west cycle link is further developed to provide a grass verge and tree planting between the road and the shared surface.

**Massing:** Concern was raised in relation to the height of the proposed apartment block which was indicated as a 5 storey unit, FCC's preference was this would be reduced to a 4 storey block to address their concerns around the scale of the unit.

The issues raised and discussed in this meeting were fully considered and used to influence changes to the design layout and improvements to the scheme which led to Site layout 4.

### *2.7.4.5 Alternative 4: Section 32B LRD Pre-Application Layout*

*Figure 2-12. Alternative 4: LRD S.32b Meeting, Design Process (Apr 2024)*

A further LRD meeting was held with Fingal County Council in April 2024, with a revised site layout addressing their concerns from the February meeting. Some of the items raised in this meeting included:

**School access**: Demonstrate how vehicular access would be achieved to the community school site to the south

**Open Space:** The open space provision in terms of quality and layout is not acceptable to meet the provisions of the development plan

Green infrastructure plan should be provided.

Concerns around the design of the Café / Pharmacy Creche which contrast to the remainder of the development.

**Block A**: Design of block appears out of context with the remainder of the development.

**Block C and D:** Consider flipping the elevations of blocks C and D or amending the elevation to address the open spaces.

**Pedestrian Bridge:** Provide sufficient information as to how the proposal has incorporated consideration of the requirements of Objective 51 of the Fingal Development Plan.

**Play provision:** a drawing clearly outlining the proposed play provision in accordance with the FCC development plan to be provided

**Pumping station:** The proposed inclusion of a temporary pumping station within the site must be fully considered with regard to the development plan. The pumping station must not be located within the riparian zone.

*Figure 2-13. Revised site layout plan following receipt of FCC Stage 2 opinion report*

The site layout plan was further revised following receipt of FCC Stage 2 opinion report, where a number of strategic items were addressed resulting in a revised site layout plan which provided 297 units throughout the site.

The key items addressed are as follows:

**1) The proposal does not show or demonstrate how vehicular access would be achieved to the community / school site to the site of the application lands. This needs to be clearly shown.**

*Response: We have provided potential future pedestrian and cycle access to the proposed school site only, as it is our understanding that a design for the school site has been progressed with vehicular access to the school site from the adjoining road network.*

**2) The open space provision in terms of quality and layout is not acceptable to meet the provisions of the Development Plan. A large, functional, central and accessible open space should be provided and shown on updated documentation. Passive surveillance from adjoining and surrounding buildings should also be demonstrated in the documentation.**

*Response: Following engagement with Fingal County Council, the site layout plan has been revised to address the comments above. The design of Public open space no. 2 has been revised to significantly increase the quantum open space at this location. Duplex Block D has been omitted which allows the open space to extend eastwards to the site boundary, creating a large functional and central open space, with passive surveillance on three sides. The area of open space provided has increased from 3200m2 to 5563m2.*

*To the north of the site, Public open space 1 has been enhanced through the removal of Duplex Block C, which allows the open space to grow and increases connectivity to the space. The relocation of the proposed duplex units to the east frames the space to provide passive surveillance on three sides.*

*To the south of the site, Cells L and M have been reconfigured to widen the ecological corridor along this boundary. The houses have been set back a minimum of 10m, while an additional public open space has been provided. This space benefits from houses overlooking from the reconfigured houses and extends to meet the ecological corridor to the south.*

*Please refer to Drawing BBR-1-LZZ-DR-MCORM-AR-1003 SITE LAYOUT PLAN OVERALL – PROPOSED for revised site layout plan.*

**3) A green infrastructure plan for the entire site which also considers compatibility and joined up approach with existing and future development lands should be provided.**

*Refer to KFLA Landscape Architects information pack for the Green Infrastructure Plan.*

**4) There are concerns regarding the design of the proposed Café / Pharmacy Creche which appear as a stark contrast to the remainder of the development. Consideration should be given a contemporary approach with traditional elements, similar to the design idiom of the neighborhood centre approved within F13A/0459.**

*Response: The design of the Café Pharmacy & Yoga building and the Creche building has been updated to incorporate feedback from the LRD opinion. The revised design for the Café building adopts a contemporary architectural language while integrating traditional design elements. The updated massing features a flat roof on the single-story section, complemented by an asymmetrical pitched roof over the pharmacy portion. The Café is strategically oriented to offer views towards the adjacent public open space, while both the Pharmacy and Café are designed to be accessible from the Creche and the facades of the future retail block.*

*Similarly, the Creche design has been refined, with the building massing stepping upward through the use of a mono-pitched roof that rises towards the larger Apartment Block A. This approach aligns with the broader massing strategy for this portion of the site, creating a cohesive transition in scale.*

**5) Block A – the design of this block appears out of context with the overall development. The proposed length together with the height and flat roof profile with a large glazed central connection**

**lacks architectural quality and appears monolithic. Consideration should be given to breaking up the block to lessen the impact. Consideration should be given to the large central glazed section regarding the maintenance and overall longevity to the durability as a high-quality finish.**

**In addressing the design concerns of Block A, consideration should also be given to the design of the eastern elevation of Block A as this would be what the front elevation of the opposing duplex units in Block B would address and the south elevation as it would be viewed adjoining the road. It is recommended that more visual interest be added to this elevation.**

*Response: The design of Blocks A and B has been revised in response to the comments from the LRD opinion. To address concerns about the massing, horizontal brick framing has been integrated into the facades, introducing distinct visual lines that soften the facade's overall scale and better align with the surrounding streetscape. This focus on horizontal articulation enhances the building's proportions while creating a rhythmic cadence across the elevation.*

*Additionally, the large glazed sections, which were previously a concern, have been reduced in scale. This adjustment creates a more balanced relationship between solid and transparent elements, contributing to a more refined architectural composition.*

*Please refer to revised elevations of Blocks A and B in drawings:*

*BBR-1-LZZ-DR-MCORM-AR-1025 BLOCK A ELEVATIONS - SHEET 1*
*BBR-1-LZZ-DR-MCORM-AR-1026 BLOCK A ELEVATIONS - SHEET 2*
*BBR-1-LZZ-DR-MCORM-AR-1030 BLOCK B ELEVATIONS - SHEET 1*
*BBR-1-LZZ-DR-MCORM-AR-1031 BLOCK B ELEVATIONS - SHEET 2*

**6) Provide more detail regarding the private amenity spaces for block B and the access routes for the duplex units on the western side of the block.**

*Response: Private amenity spaces for the ground floor units are provided on the east and south facades of the blocks, accessed from the living space of the units. Amenity spaces for the upper units (first and second floor), are on the west and north facades at podium courtyard level, also accessed from the living areas of the units.*

*Ground floor units are accessed from street level, while units on first and second floor are accessed via the landscaped courtyard at podium level. Two sets of stairs and a lift to podium level are provided from street level.*

**7) Reconsideration to flipping the elevations of block c and d or amending the design of the elevation which addresses the internal streetscapes / open spaces so it does not read like a rear elevation and/or incorporate more features that read like a front elevation.**

*Response: Blocks C and D have been relocated from the stage 2 design to the northeast of the site, with both blocks facing onto internal streetscapes / open spaces.*

**8) Balconies and terraces should not be accessed via a bedroom, eg. As shown on drawing no 1050' Block D – Duplexes Ground and First Floor Plans and drawing No. 1060 'Block E and F – Duplexes Ground First and Second Floor'**

*Response: The design of duplex blocks C, D, E and F have been revised to provide access to private amenity spaces from living areas. Please refer to drawings below for reference:*

*BBR-1-LZZ-DR-MCORM-AR-1040 BLOCK C GROUND AND FIRST FLOOR PLANS*
*BBR-1-LZZ-DR-MCORM-AR-1050 BLOCK D GROUND AND FIRST FLOOR PLANS*
*BBR-1-LZZ-DR-MCORM-AR-1060 BLOCK E PLANS*
*BBR-1-LZZ-DR-MCORM-AR-1070 BLOCK F PLANS*

**9) Consider more use of House Type D throughout the development.**

*Response: An additional 8 no. D house types have been introduced in Cell H.*

**10) Detailed elevations and contiguous elevations would be required demonstrating the provision of a high architectural quality of design in addition to a selection of cross sections through the site.**

*Response: Please refer to drawing numbers 1012 - 1017 for detailed Contextual elevations across the site.*

**PARKS AND GREEN INFRASTRUCTURE**

**1) Public open space provision: A drawing clearly outlining the proposed public open space in accordance with Fingal's Development Plan standards using a thin line is required. The area of each open space is to be clearly noted on this drawing. Riparian corridors to be clearly shown on this drawing.**

*Response: Please refer to drawing BBR-1-LZZ-DR-MCORM-AR-1009 PUBLIC OPEN SPACE which indicates the public open space provision across the site. There are no riparian corridors within the site. There are five public open spaces provided across the site, totaling in a combined area of 12,730m2, which is 15.1% of the developable site area.*

**2) Play provision: A drawing clearly outlining the proposed play provision in accordance with Fingals' development plan standards using a thin line is required. The area of each open space to be clearly noted on this drawing. A 25m setback between the proposed play provision and residential units shall be clearly indicated on this drawing.**

*Response: The proposed play provision area is located within public open space 2 as indicated on drawing BBR-1-LZZ-DR-MCORM-AR-1009 PUBLIC OPEN SPACE. The play provision area is set back over 25m from residential units. For further information on this area please refer to KFLA's documentation.*

**3) Taking in charge drawing: A drawing clearly outlining the proposed areas to be taken in charge using a thin line is required (not block colour). Of particular note is the land along the eastern boundary with the railway line. In some instances, there appears to be two boundaries at this location. It is not clear who would be responsible for the maintenance of this land between the two boundaries.**

*Response: Please refer to drawing BBR-1-LZZ-DR-MCORM-AR-1008 TAKEN IN CHARGE PLAN, for the revised outline. Also, please refer to KFLAs drawing and design report for boundary treatment details.*

*It is proposed that the lands to the east of the proposed site boundary will be handed back to Irish Rail (Subject to agreement).*

**4) Additional landscape plan / cross sections**

**Additional cross sections are required where this proposed development adjoins the existing area of Public open space to the west. It Is not clear the proposed café / pharmacy area relates to interfaces with the adjoining open space. It should be noted that the proposed car parking directly adjoining the public open space to the west would need to be reconsidered / relocated.**

*Response: Please refer to drawings BBR-1-LZZ-DR-MCORM-AR-1012 – 1017 for cross sections through the site, and refer to KFLA's drawings and report for further landscaping details. Please note that the car parking spaces facing onto the adjoining open space have been removed from their previous (Stage 2) location*.

The finalised site layout plan also incorporates revisions made in response to issues raised by ABP in their recommendation for refusal of the SHD application in July 2024. A key focus has been the local centre zoning area to the west of the site, which has been addressed by proposing a Creche, Café/Pharmacy/Yoga Studio. This will be further complemented by the submission of a separate retail anchor application for the adjacent site, enhancing the overall vibrancy of the area.

Relocating the creche and retail functions to this section of the site enhances accessibility for residents of both the proposed development and surrounding communities. This revised layout encourages pedestrian movement throughout the scheme, while helping to reduce reliance on vehicular circulation, fostering a more walkable and connected environment.

This portion of the site is further activated through the placement of higher-density elements, including Block A (four storeys), Block B (three storeys), and three-storey terraced houses (E/E1) positioned adjacent to this area.

### 2.7.5 Justification for Selecting Chosen Layout and Design

This EIAR outlines the design evolution of the scheme and the exploration of alternatives, ultimately leading to the chosen layout. The selected layout represents a well-considered and efficient use of appropriately zoned and serviced land, strategically positioned near Malahide Town Centre. The design optimises density by carefully considering the context of surrounding developments within the Broomfield LAP lands, the ecological corridor to the south and its buffer zone, and the need for on-site temporary wastewater treatment.

The design achieves a high-quality residential development that offers a diverse range of housing types, catering to various demographic needs and fostering a sustainable and inclusive community. The layout also incorporates a mix of uses and residential amenities, including a childcare facility, retail/commercial spaces, and other ancillary amenities, further reinforcing the community's sustainability and vibrancy.

Building heights are thoughtfully scaled to balance optimal density with seamless integration into the surrounding environment. The development is characterised by a well-structured hierarchy of green

spaces, including public open spaces, pocket parks, and communal areas, which help to blend the scheme into its broader context.

Additionally, the layout ensures excellent permeability and legibility, enhancing connectivity throughout the site. A key feature is the provision of an interlinked cycle network, promoting sustainable transportation options and improving overall accessibility within the development.

In response to Fingal County Council's request to carefully consider Objective 51 of the Development Plan, which concerns the pedestrian bridge over the railway and its relation to the nearby school site, the Design Team collaborated with Irish Rail to develop an indicative layout. This layout accommodates the potential future pedestrian bridge, adhering to relevant standards and measurements. The integration of this feature is a significant aspect of the selected layout.

Overall, this well-justified layout supports a high-quality, sustainable development that makes a substantial contribution to the housing supply within the Broomfield lands, Malahide, and the broader Fingal area.

## 2.8 Consideration of Cumulative Effects with Other Projects

The assessment in each EIAR Chapter (nos. 4 to 14) has considered the cumulative impacts of construction and operational stages of the proposed development, in conjunction with surrounding developments completed, under construction, and those to be commenced.

As it stands, the proposed development represents the completion of the last developable residentially zoned lands at Broomfield. This site is situated within an area where multiple developments are either ongoing or completed. Among these are the earlier developments of Ashwood Hall and Brookfield (Ref. F13A/0459 (ABP Ref. PL06F.243863), Reg. Ref. F13A/0459/E1, and Reg. Ref. F13A/0460 (ABP Ref. PL06F.243821), Reg. Ref. F13A/0460/E1, and subsequent amendments), which are currently under construction. Additionally, completed projects such as Castleway and Hazelbrook are part of this broader development context.

To further west, the approved development of 48 residential units (F19A/0557 – ABP-306640-20) is under construction, situated to the west of Kinsealy Lane. There is also a live pre-application on the Lamorlaye lands on Back Road. Moreover, within southern proximity of the subject site, there are two approved developments on the same site, including 71 residential units under F23A/0586 and 87 residential units under ABP-313361-22.

It is important to note that there are several live planning applications in close proximity to the site. These include the anchor retail development on the LC zoned lands to the west, an application seeking to utilise the sites of previously approved retail and creche facilities within Ashwood Hall and Brookfield for proposed residential units, due to the non-functional small size of these facilities (Reg. Ref. F24A/0988E), and a new school development to the further south of the site on the CI zoned lands (F24A/0541E), which is currently subject to an Additional Information request.

Other planning applications in the wider area include revisions and alterations to existing or permitted buildings, or small proposals, or permissions which have since expired. The aforesaid applications and developments have all been taken into consideration as part of this EIAR. As per this EIAR, it is

submitted that such applications are expected to have no in combination environmental effects to the proposed development.

## 2.9 Risk of Major Accidents and/or Disasters

The surrounding environment of the proposed project consists of a mix of low-rise residential, commercial, recreational and educational facilities. There are no SEVESO II Directive sites (96/82/EC & 2003/105/EC) within 1km of the proposed project and therefore there is no risk of a major accident or disaster in relation to a major chemical accident. In terms of the risk of a major accident and disaster, the vulnerability of the scheme is considered to be low given the location of the proposed scheme and the existing built environment surrounding the site. Therefore, the potential risk posed by a major accident and/or disaster have been considered based on a low vulnerability of same. The overall risk is considered to be low.

# 3.0 PLANNING & DEVELOPMENT CONTEXT

## 3.1 Introduction

The subject site is located within the administrative area of Fingal County Council, for which the statutory Development Plan is the Fingal Development Plan 2023-2029.

The subject lands are subject to national, regional, and local objectives and planning policies. The foregoing represents the relevant plans, guidelines, frameworks, and legislation for the Assessment in line with recital 32 and Article 4(4) of the EIA Directive and Article 299(1)(b)(ii)(II)(C) of the Planning and Development Regulations 2001 (as amended).

***National Planning Policy***

- Project Ireland 2040: National Planning Framework
- Expert Group Report on the NPF, Aug 2023
- The Draft Revised National Planning Framework
- Project Ireland 2040: The National Development Plan 2021-2030
- Housing for All; A New Housing Plan for Ireland
- Housing for All; Action Plan Update & Q3 2023 Progress Report
- Affordable Housing Act 2021 & Housing Circular 28/2021
- The Housing Agency Statement of Strategy 2022-2024
- Sustainable Residential Development & Compact Settlement Guidelines for Planning Authorities, Jan 2024
- Urban Development & Building Height Guidelines for Planning Authorities, Dec 2020
- Sustainable Urban Housing: Design Standards for New Apartments, July 2023
- Childcare Facilities: Guidelines for Planning Authorities, 2001
- Childcare Facilities Operating under the Early Childhood Care & Education (ECCE) Scheme
- Design Manual for Urban Roads & Streets (DMURS)
- Smarter Travel: A Sustainable Transport Future
- Cycle Design Manual, Sep 2023
- EIA Directive
- Birds & Habitat Directives – Appropriate Assessment
- The Planning System & Flood Risk Guidelines, 2009
- All-Ireland Pollinator Plan 2021-2025
- National Adaptation Framework: Planning for a Climate Resilient Ireland
- Climate Action Plan, 2023

***Regional Planning Policy***

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

***Local Planning Policy***

- Fingal Development Plan 2023-2029

This chapter outlines the planning and development context for the proposed development with reference to the aforementioned principal planning policy documents. This chapter also sets out the

development context and the planning history within which the proposed development should be considered and provides the policies, principles, and objectives within which the proposed development should be assessed. It is important to note that a full Planning Statement & Statement of Consistency with Planning Policy has been prepared by DOWNEY and is submitted under separate cover as part of the planning application. That report sets out a detailed analysis of the project's consistency with the relevant planning objectives as they pertain to the area and project.

## 3.2 Proposed Development

The applicant is seeking planning permission for the following development:

> *"FINGAL COUNTY COUNCIL – NOTICE OF LARGE-SCALE RESIDENTIAL DEVELOPMENT (LRD) APPLICATION TO FINGAL COUNTY COUNCIL - We, Birchwell Developments Ltd., intend to apply for permission for a 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, to be provided as follows:*
>
> - *211 no. residential houses (14 no. 2 bed units, 156 no. 3 bed units, 39 no. 4 bed units, and 2 no. 5 bed units) in semi-detached, mid-terraced and end-terraced houses ranging from two to three storey in height, all with associated car parking and private gardens;*
> - *Apartment Block A & Duplex Block B are connected at ground and first floor level sharing an undercroft car park at ground floor level and a communal landscaped podium garden at first floor level, and contain a total of 58 no. units in 2 no. buildings ranging from one to four storeys in height, with Apartment Block A containing a total of 40 no. units comprising of 23 no. 1 bed units, 14 no. 2 bed units, and 3 no. 3 bed units, and Duplex Block B containing a total of 18 no. units comprising of 9 no. 1 bed units and 9 no. 3 bed units, with all units provided with private balconies/terraces; internal bicycle stores, bin stores, bulk stores and plant rooms at ground floor level; and on-street car parking and bicycle parking;*
> - *Duplex Block C containing a total of 8 no. units comprising of 4 no. 2 bed units and 4 no. 3 bed units, with all units provided with private balconies/terraces, in a building three storeys in height; with on-street car parking; communal open space and access to an external bin store and bike store;*
> - *Duplex Block D containing a total of 12 no. units comprising of 6 no. 2 bed units and 6 no. 3 bed units, with all units provided with private balconies/terraces, in a building three storeys in height; with on-street car parking; communal open space access and to an external bin store and bike store;*
> - *Duplex Block E containing a total of 4 no. units comprising of 2 no. 2 bed units and 2 no. 3 bed units, with all units provided with private balconies/terraces; in a building*

*one to three storeys in height; with on-street car parking; communal open space and access to an external bin and bike store;*

- *Duplex Block F containing a total of 4 no. units comprising of 2 no. 2 bed units and 2 no. 3 bed units, with all units provided with private balconies/terraces; in a building one to three storeys in height; with on-street car parking; communal open space and access to an external bin and bike store;*
- *1 no. two storey detached childcare facility building, with associated external play area; on-street drop-off car parking, and staff car parking, with access to a shared, external bin and bike store and short stay bicycle and motorcycle parking;*
- *1 no. single to two storey detached commercial building, containing 1 no. café/restaurant unit with associated outdoor seating area, 1 no. retail unit, and 1 no. yoga studio; on-street loading bays, with access to a shared, external bin and bike store and short stay bicycle and motorcycle parking.*

*The development will also provide for a total of 426 no. car parking spaces, 7 no. motorcycle spaces, and a total of 1,218 no. bicycle spaces within the scheme; bin and bike stores; ESB sub-stations; proposed use of the existing vehicular access off Back Road (proposed vehicular access via Ashwood Hall); proposed upgrades to public realm including footpaths, landscaping including play equipment, boundary treatments, public lighting; 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. (Part of the lands formed part of a site previously intended for houses permitted under the Ashwood Hall permissions Refs. F13A/0459 (PL06F.243863), F13A/0459/E1). An Environmental Impact Assessment Report (EIAR) and a Natura Impact Statement (NIS) have been prepared in respect of the proposed development."*

The proposed development is discussed in full detail in Chapter 2.0 of this Environmental Impact Assessment Report.

## 3.3 National Planning Context

### 3.3.1 Project Ireland 2040: National Planning Framework

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

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

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

It is outlined within the NPF that future homes are required to be located where people have the best opportunities to access a high standard quality of life. In Ireland, the location of housing has taken on a dispersed and fragmented character which has led to people living further away from their jobs and often being at a sizeable remove from important services such as education and healthcare. It is stated that it is important to "*prioritise the location of new housing provision in existing settlements as a means to maximising a better quality of life for people through accessing services, ensuring a more efficient use of land and allowing for greater integration with existing infrastructure*."

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

> **National Policy Objective 3a:** ***"****Deliver at least 40% of all new homes nationally, within the built-up footprint of existing settlements."*
>
> **National Policy Objective 4:** ***"****Ensure the creation of attractive, liveable, well designed, high quality urban places that are home to diverse and integrated communities that enjoy a high quality of life and well-being."*
>
> **National Policy Objective 6:** ***"****Regenerate and rejuvenate cities, towns and villages of all types and scale as environmental assets, that can accommodate changing roles and functions, increased residential population and employment activity and enhanced levels of amenity and design quality, in order to sustainably influence and support their surrounding area."*
>
> **National Policy Objective 11:** ***"****In meeting urban development requirements, there will be a presumption in favour of development that can encourage more people and generate more jobs and activity within existing cities, towns and villages, subject to development meeting appropriate planning standards and achieving targeted growth."*
>
> **National Policy Objective 13:** *"In urban areas, planning and related standards, including in particular building height and car parking will be based on performance criteria that seek to achieve well-designed high-quality outcomes in order to achieve targeted growth. These standards will be subject to a range of tolerance that enables alternative solutions to be proposed to achieve stated outcomes, provided public safety is not compromised and the environment is suitably protected."*
>
> **National Policy Objective 33:** *"Prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location."*

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

The proposed development will provide for a high-quality residential development within a predominately residential area, where the proposed development provides for an overall total of 297 no. residential units comprising 211 no. houses (14 no. 2 beds, 156 no. 3 beds, 39 no. 4 beds, and 2 no. 5 beds), 46 no. duplex units (9 no. 1 beds, 14 no. 2 beds, and 23 no. 3 beds), and 40 no. apartments (23 no. 1 beds, 14 no. 2 beds, and 3 no. 3 beds); 1 no. childcare facility (722sqm); 550sqm commercial/retail (a café/restaurant, a retail unit/pharmacy and a yoga studio) and all associated site infrastructure and engineering works necessary to facilitate the development including a temporary foul water pumping station. This would allow for a density of 35.7 units per hectare in a mid-rise scheme, 2- to 4-storey in height, appropriate to its setting within Malahide.

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

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

Apartment developments have become an increasingly attractive and desirable housing option for a range of household types and tenures, building on and learning from experience to date, and that the economic and regulatory conditions are such that apartment development attracts investment that will result in greater delivery of apartments in Ireland's cities and towns and other appropriate locations. It is evident that apartment developments are required in urban areas to meet the current demand for housing, particularly in Dublin. It is therefore considered that the provision of 211 no. houses, 46 no. duplexes and 40 no. apartments on the subject site will assist in achieving the objectives of the NPF.

### 3.3.2 Expert Group Report on the NPF, Aug 2023

On 20th June 2023, Government gave approval to commence the process of undertaking the First Revision of the NPF, in accordance with Section 20C(5) of the Planning and Development Act, 2000 (as amended) and to publish the Road Map for the First Revision.

An Expert Group comprising three independent experts[1] with experience of spatial planning, economic and social development and environmental protection, was established in March 2023. The Expert Group was requested by the Minister for Housing, Local Government and Heritage, to provide a high-level overview of the NPF, published in 2018, and identify matters to be considered in the first statutory revision of the NPF.

The Expert Group submitted their report to Minister O'Brien on 16th August 2023. Accordingly, the Expert Group considers that the NPF 2018 represented a very important step in the development of national spatial planning in Ireland. The Group has concluded that the foundational principles in NPF 2018 remain strong and highly relevant and that the NPF provides an opportunity for Ireland to embed good spatial planning in all relevant areas of policy.

From a demographic point of view, it is stated within the report that the exceptional rate of growth of the Irish population in a European context have been much discussed in recent years, and particularly following the release of the preliminary Census results for 2022. In relation to overall demographics, the trends towards an older population, an increase in single person households and continuing net immigration are well recognised. That said, the Group sees it as being inevitable that demographic change will be a key issue for the revision and will be facilitated by the release of more detailed results from the 2022 Census due later this year and into next year. The Group believes that a particular emphasis is needed on addressing the sources of population growth. Also, given its long-term focus, this revision of the NPF might consider a very wide range of scenarios in relation to possible greater increases in population. Thus, it is recommended by the Group that the revision of the NPF should critically review the current targets and consider stronger and more ambitious targets for compact growth.

The insights from the Expert Group's report highlight an increasing demand in the housing market. Given the strategic location of the subject site within the Dublin Metropolitan Area Strategic Plan (MASP) and considering the continuous growth in the surrounding area of the subject site over the past several years, the proposed development is seen as a key contribution to the completion of appropriately zoned lands at this location. This development is designed to offer a balanced mix of units that are well-aligned with current market demands, ensuring a thoughtful and responsive approach to housing needs in the area.

### 3.3.3 The Draft Revised National Planning Framework

Planning legislation provides for the Government to revise or replace the NPF every six years. Following a decision of Government in June 2023, the preparation of a revised NPF commenced. Accordingly, the Draft Revised NPF was made available to the members of public for making submissions from Wednesday 10th July 2024 to 5pm Thursday 12th September 2024 (both dates inclusive). On 5th

[1] *The Members of the Group are:*

- *Laura Burke, Director General of the Environmental Protection Agency.*
- *Brendan O'Sullivan, Director of the UCC Centre for Planning Education & Research.*
- *Frances Ruane, Chair of the National Competitiveness and Productivity Council.*

November 2024, Government agreed to progress and publish a draft schedule of amendments to the First Revision to the National Planning Framework (NPF) arising from the public consultation process.

As set out in the Draft Revised NPF, "*This Framework is revised and updated to take account of changes that have occurred since it was published in 2018 and to build on framework that is in place. 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 around and in between*."

The Draft Revised NPF goes on to add, "*In the period between 2022 and 2040 it is expected that there will be roughly an extra one million people living in our country. This population growth will require new jobs and new homes. If we fail to plan for this growth and for the demands it will place on our built and natural environment, as well as on our social and economic fabric, then we will certainly fail in our responsibility to future generations of Irish men and Irish women. That responsibility is to ensure their prosperity and happiness in an ever-changing world*." In this regard, the Plan sets its vision by:

> *"- developing a region-focused strategy for managing growth;*
>
> *- linking this to the Project Ireland 2040 National Development Plan;*
>
> *- using public and private lands for certain strategic purposes with a more active approach to the management of land;*
>
> *- supporting this with strengthened, more environmentally focused planning at local level; and*
>
> *- backing the framework up in law, with oversight by the Office of the Planning Regulator in the overall context of Ireland's existing international and EU obligations and commitments."*

The Draft Revised National Planning Framework (NPF) maintains the same approach as the adopted Plan regarding the spatial distribution of growth across the State.

> **National Policy Objective 7**: "*Deliver at least 40% of all new homes nationally, within the built-up footprint of existing settlements and ensure compact and sequential patterns of growth."*
>
> **National Policy Objective 8**: "*Deliver at least half (50%) of all new homes that are targeted in the five Cities and suburbs of Dublin, Cork, Limerick, Galway and Waterford, within their existing built-up footprints."*
>
> **National Policy Objective 9**: "*Deliver at least 30% of all new homes that are targeted in settlements other than the five Cities and their suburbs, within their existing built-up footprints."*
>
> **National Policy Objective 10**: "*Deliver Transport Orientated Development (TOD) at scale at suitable locations, served by high-capacity public transport and located within or adjacent to the built-up area of the five cities or a metropolitan town."*

The Plan goes on to outline the key national targets for structuring overall national growth, promoting regional parity, building accessible centres of scale and securing compact and sustainable growth as per the following Table.

Table 2.1 | The NPF at a Glance: Targeted Pattern of Growth, 2022 to 2040

| National Policy Objective | Eastern and Midland | Southern | Northern and Western |
|---|---|---|---|
| 1. Growing Our Regions | Approximately 470,000 people (3m total)<br>(690,000 people over 2016) | Approximately 330,000 people (2m total)<br>(450,000 people over 2016) | Approximately 150,000 people (1m total) (210,000 people over 2016) |
| 2. Building Stronger Regions: Accessible Centres of Scale | Dublin City and Suburbs: + 295,000 people<br>(at least 1.56 million in total)<br>Regional Spatial and Economic Strategy to set out a strategic development framework for the Region, leading with the key role of Athlone in the Midlands and the Drogheda-Dundalk-Newry cross-border network | Cork City and Suburbs: + 96,000 people<br>at least 320,000 in total)<br>Limerick City and Suburbs: 44,000 people (at least 150,000 in total)<br>Waterford City and Suburbs: + 28,000 people (at least 88,000 in total)<br>Regional Spatial and Economic Strategy to set out a strategic development framework for the Region | Galway City and Suburbs: + 36,000 people (at least 122,000 in total)<br>Regional Spatial and Economic Strategy to set out a strategic development framework for the Region, leading with the key role of Sligo in the North-West, Athlone in the Midlands and the Letterkenny-Derry cross-border network. |
| 3. Compact, Smart, Sustainable Growth | 50% of new city housing within existing Dublin City and suburbs footprint<br>30% all new housing elsewhere, within existing urban footprints | 50% new city housing on within existing Cork, Limerick and Waterford Cities and Suburbs footprints<br>30% all new housing elsewhere, within existing urban footprints | 50% of new city housing within existing Galway City and suburbs footprint<br>30% all new housing elsewhere, within existing urban footprints |

In light of the above, it is submitted that the proposed development will contribute to achieving these targets, as it assists in delivering appropriately zoned lands at Broomfield which serves as a natural extension of the Ashwood Hall and Brookfield developments. This approach is in alignment with the Draft Revised NPF.

### 3.3.4 Project Ireland 2040: The National Development Plan 2021-2030

The National Development Plan (NDP) sets out the investment priorities that will underpin the successful implementation of the NPF. This will guide national, regional, and local planning and investment decisions in Ireland over the next two decades to cater for an expected population increase of over 1 million people.

Resolving the systemic factors underlying the current housing crisis is at the heart of the NDP and reflecting this, housing and sustainable urban development is a priority for the National Development Plan. In this regard, the NDP states that there is a *"need to provide in excess of half-a-million more homes over the period to 2040 corresponds to a long-term trend of 25,000 new homes every year. A higher level of output is needed in the short to medium-term to respond to the existing deficit that has given rise to the housing crisis.'*

Furthermore, the NDP states that "*the continuation of existing patterns of development accentuates the serious risk of economic, social, and environmental unsustainability through, for examples, placing more distance between where people work and where people live, and increasing energy demand. The NPF highlights the urgent requirement for a major uplift of the delivery of housing within the existing built-up areas of cities and other urban areas. It has a particular focus on brownfield development, targeting derelict and vacant sites that may have been developed before but have fallen into disuse.*"

There are a number of strategic outcomes identified within the NDP which support the proposed development at the subject site. Such outcomes include:

> ***National Strategic Outcome 1: Compact Growth*** *– "This outcome aims to secure the sustainable growth of more compact urban and rural settlements supported by jobs, houses, services, and amenities, rather than continued sprawl and unplanned, uneconomic growth. This requires streamlined and co-ordinated investment in urban, rural, and regional infrastructure by public authorities to realise the potential of infill development areas within our cities, towns, and villages. This will give scope for greater densities that are centrally located and, in many cases, publicly owned, as well as bringing life and economic activity back into our communities and existing settlements. Creating critical mass and scale in urban areas with enabling infrastructure, in particular increased investment in public and sustainable transport and supporting amenities, can act as crucial growth drivers. This can play a crucial role in creating more attractive places for people to live and work in, facilitating economic growth and employment creation by increasing Ireland's attractiveness to foreign investment and strengthening opportunities for indigenous enterprise".*
>
> ***National Strategic Outcome 4: Sustainable Mobility*** *– "The expansion of attractive and sustainable public transport alternatives to private based car transport will reduce congestion and emissions and enable the transport sector to cater in an environmentally sustainable way for the demands associated with longer term population and employment growth envisaged under the NPF. Furthermore, the provision of safe alternative active travel options such as segregated cycling and walking facilities can also help alleviate congestion and meet climate action objectives by providing viable alternatives and connectivity with existing public transport infrastructure".*

The proposed development will provide for a sustainable residential development on appropriately zoned lands, in a highly accessible location within the development boundary of Malahide which promotes compact urban growth and a good quality of life. Malahide is an attractive, vibrant urban centre for people to live and work in, supported by high-quality physical and social infrastructure as well as vast recreational amenities such as Malahide Castle and the various sports clubs and centres within the area. It is therefore considered that the provision of 297 no. residential units (comprising 211 no. houses, 46 no. duplex units, and 40 no. apartments), along with 1 no. creche and other commercial units on the subject site will assist in achieving the objectives of the NDP.

### 3.3.5 Housing for All; A New Housing Plan for Ireland

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

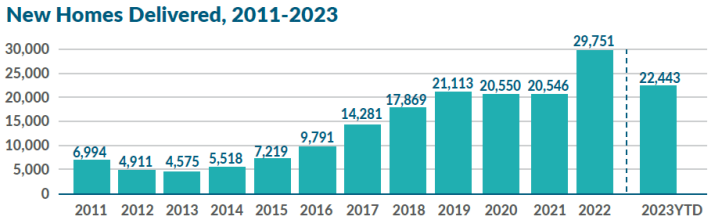
- *Supporting Homeownership and Increasing Affordability;*
- *Eradicating Homelessness, Increasing Social Housing Delivery and Supporting Social Inclusion;*
- *Increasing New Housing Supply; and*
- *Addressing Vacancy and Efficient Use of Existing Stock.*

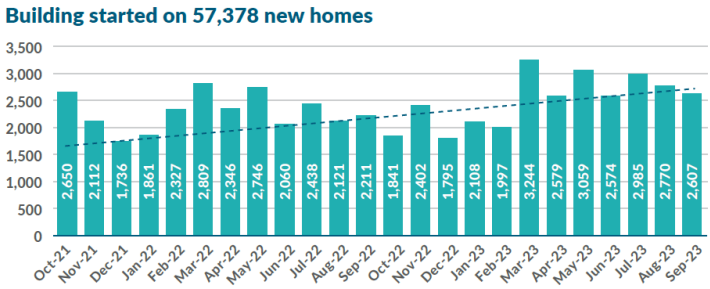
Outlined in the Plan, the State must act decisively to increase supply of both private and public housing. An average of 33,000 homes must be provided every year between now and 2030. Increased housing output is needed in all sectors - private, affordable, and social - to meet the needs of people in a wide variety of circumstances.

It is submitted that provision of 297 no. residential units on the subject site will help the Government to achieve the objectives of the Housing for All Plan in increasing the housing output. Therefore, it is considered that the proposed development is consistent with the development framework in this regard.

### 3.3.6 Housing for All; Action Plan Update & Q3 2023 Progress Report

Published in November 2023 and updated in December 2023, the Action Plan Update & Q3 2023 Progress Report on Housing for All acknowledges the significant increase in the housing supply with almost 30,000 new homes completed in 2022. This represents the largest annual delivery of new homes in over a decade, exceeding that year's Housing for All target of 24,600. The report goes on to add, 22,443 new homes were completed in the first nine months of 2023 and that the Government is confident that this year's target of 29,000 new homes will be exceeded.



In this context and considering our client's (the applicant's) track record, it is submitted that the proposed development of 297 no. residential units will play a significant role in completing the appropriately zoned lands at Back Road, Broomfield. This development will also contribute to meeting the broader housing targets within the County driven by the national level policy.

### 3.3.7 Affordable Housing Act 2021 & Housing Circular 28/2021

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

Part 6 of the Affordable Housing Act 2021, which was enacted on 21 July 2021, gives effect to this commitment. The principal change to Part V made by these amendments is to increase the Part V contribution for new housing developments from 10% social housing to a mandatory 20% requirement, at least half of which must be applied to social housing provision and up to half of which may be applied to affordable and cost rental housing. It is noted that these changes to Part V primarily apply to land purchased on or after 1 August 2021. Any new planning permissions for housing development on that land will have a 20% Part V requirement. However, a 10% Part V requirement will apply where land already has planning permission or was purchased between 1 September 2015 and 31 July 2021 and planning permission is granted before 31 July 2026.

It is considered that the proposed development is consistent with the Affordable Housing Act 2021, Housing Circular 28/2021, and the requirements under Part V of the Act as it is proposed to provide 10% of the housing units for social and affordable housing. For further details, please refer to the enclosed Part V Validation Letter from Fingal County Council with associated indicative costings and layout.

### 3.3.8 The Housing Agency Statement of Strategy 2022-2024

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

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

It also outlines how, over the coming years, the Housing Agency will use research, informed policy insights and data to work *"to achieve a housing system that meets the housing needs of the nation and promotes viable, sustainable communities"*. The Housing Agency's Strategic Plan 2022-2024 has been framed in the context of supporting Housing for All, the Government's housing plan for Ireland and key trends in the housing system including:

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

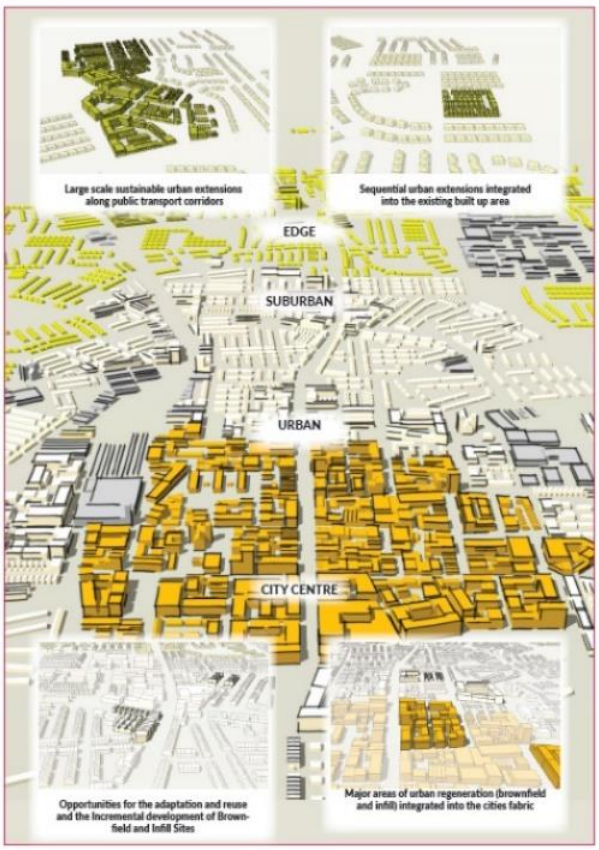
It is submitted that provision of 297 no. residential units on an appropriately zoned land under Fingal Development Plan 2023-2029 would help utilising an existing capacity within the built-up area of Malahide south and facilitate meeting the housing target for the area and the overall County. Therefore, it is considered that the proposed development is consistent with the foregoing Strategy in this regard.

### 3.3.9 Sustainable Residential Development and Compact Settlement Guidelines for Planning Authorities, Jan 2024

Adopted in January 2024, the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities outline national planning policies focused on sustainable residential growth and the development of compact settlements in both urban and rural areas. These guidelines, which replace the 2009 Sustainable Residential Developments 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 introduce 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.

Issued by Minister Darragh O'Brien and Minister Kieran O'Donnell under Section 28 of the Planning and Development Act 2000 (as amended), these guidelines are mandatory for planning authorities and An Bord Pleanála, ensuring consistency with specific planning policy requirements (SPPRs) as part of their statutory functions.

Figure 3.2:
Illustration of typical area types and key areas of growth within cities.




The sustainable Development and Compact Guidelines set out policy and guidance in relation to the 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.

As outlined in the Guidelines, the Government policy continues to support a tiered approach to residential density, similar to the framework established in the 2009 Sustainable Residential

Development in Urban Areas Guidelines. This approach promotes the highest residential densities in central and accessible urban locations, with overall development becoming more compact and sustainable.

The 2009 Guidelines outlined three density tiers: up to 35dph in smaller towns and villages, 35-50dph in outer suburban and greenfield areas of cities and large towns, and +50dph in more central urban locations near public transport. Reflecting the NPF's priorities for compact growth and the diverse contexts of settlements, the Government now sees the need to expand the number of density bands to ensure that densities are both efficient and context appropriate.

According to Table 3.1 of the Guidelines, the subject site falls within **City – Suburban/Urban Extension of Dublin Metropolitan Area (MASP)**, and thus, it can potentially accommodate a density of 40-80dph whereby achieving a density of up to 150dph is open for consideration at "accessible" suburban/urban extension locations.

**Table 3.1 - Areas and Density Ranges Dublin and Cork City and Suburbs**

| |
|---|
| **City - Centre**<br>The city centres of Dublin and Cork, comprising the city core and immediately surrounding neighbourhoods[6], are the most central and accessible urban locations nationally with the greatest intensity of land uses, including higher order employment, recreation, cultural, education, commercial and retail uses. It is a policy and objective of these Guidelines that residential densities in the range 100 dph to 300 dph (net) shall generally be applied in the centres of Dublin and Cork. |
| **City - Urban Neighbourhoods**<br>The city urban neighbourhoods category includes: (i) the compact medium density residential neighbourhoods around the city centre that have evolved overtime to include a greater range of land uses, (ii) strategic and sustainable development locations[7], (iii) town centres designated in a statutory development plan, and (iv) lands around existing or planned high-capacity public transport nodes or interchanges (defined in Table 3.8) – all within the city and suburbs area. These are highly accessible urban locations with good access to employment, education and institutional uses and public transport. It is a policy and objective of these Guidelines that residential densities in the range 50 dph to 250 dph (net) shall generally be applied in urban neighbourhoods of Dublin and Cork. |
| **City - Suburban/Urban Extension**<br>Suburban areas are the lower density car-orientated residential suburbs constructed at the edge of cities in the latter half of the 20th and early 21st century, while urban extension refers to the greenfield lands at the edge of the existing built up footprint that are zoned for residential or mixed-use (including residential) development[8]. It is a policy and objective of these Guidelines that residential densities in the range 40 dph to 80 dph (net) shall generally be applied at suburban and urban extension locations in Dublin and Cork, and that densities of up to 150 dph (net) shall be open for consideration at 'accessible' suburban / urban extension locations (as defined in Table 3.8). |

The Compact Settlements Guidelines (section 3.4.2) emphasise the importance of a context-based approach when considering higher density development setting out that "*the evaluation of impact on local character should focus on the defining characteristics of an area, including for example, the prevailing scale and mass of buildings, urban grain and architectural language, any particular sensitivities, and the capacity of the area for change. While it is not necessary to replicate the scale and mass of existing buildings, as most urban areas have significant capacity to accommodate change, it will be necessary to respond in a positive and proportionate way to the receiving context through site responsive design*".

In light of the above, it is important to note that the broader context of the proposed development area is characterised by lower density suburban style developments. These include a net density of approximately 10 to 20 units per hectare at Ashwood Hall and Brookfield development (Reg. Ref. F13A/0460), and approximately 27.3dph in the southern portion of the Back Road lands (F23A/0586), which is within the Outer Public Safety Zone of Dublin Airport. Additionally, a net density of c. 33.5dph was approved for the same southern portion under ABP-313361-22.

Although the subject site is not constrained by Dublin Airport's safety zones, other factors such as existing ecological corridors in the area, the provision of public open space on-site, and the viability of apartment blocks will naturally limit the density thresholds. However, to strike a balance between the local character and the need for a sustainable, more compact form of development, the proposed layout achieves a net density of 35.7dph, which is submitted to be in keeping with the Guidelines.

The Guidelines also sets out 4 no. SPPR's to assist in the delivery of new development.

> *"**SPPR 1 – Separation Distances:***
>
> *It is a specific planning policy requirement of these Guidelines that statutory development plans15 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 rooms16 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 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."*

It is submitted that the proposed development has met and exceeds the requirements of SPPR 1 with further details provided in the architectural pack including the HQA prepared by MCORM Architects and submitted under separate cover.

*"**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 – 20sqm*
*2-bed house – 30sqm*
*3-bed house – 40sqm*
*4-bed + house – 50sqm*

*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 semi-private open space requirements set out in the Sustainable Urban Housing: Design Standards for New Apartments, 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."*

It is submitted that the proposed development has met and exceeds the requirements of SPPR 2 with further details provided in the architectural pack including the HQA prepared by MCORM Architects and submitted under separate cover.

*"**SPPR 3 – Car Parking:***

*It is a specific planning policy requirement of these Guidelines that:*

*(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.*

*(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.*

*(iii) In intermediate and peripheral locations, defined in Chapter 3 (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.*

*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."*

Located approximately 800m from the R124 regional road, which serves bus routes 42 and 142, the proposed development falls within an "*intermediate*" location according to the Compact Guidelines classification. In line with this classification and following consultation with the Council, a maximum of 2 car parking spaces per dwelling is required for this site. Accordingly, the proposed development provides an overall total of 426 no. car parking spaces (which includes commercial spaces). A detailed rationale and justification for this provision are outlined in the Traffic and Transport Assessment by Waterman Moylan Consulting Engineers, submitted under separate cover.

***"SPPR 4 – Cycle Parking & Storage:***

*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:*

*(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 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.*

*(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."*

The proposed development seeks to provide an overall total of 1,218 no. bicycle parking spaces throughout the site, of which 54 are for the commercial uses on site. Further details are provided in Waterman Moylan Consulting Engineers' Traffic and Transport Assessment, submitted under separate cover.

As set out above, it is respectfully submitted that the proposed development complies with each of the SPPR's set out in the Compact Settlement Guidelines.

Furthermore, as outlined in **Policy & Objectives 5.1** of the Compact Settlement Guidelines:

*"It is a policy and objective of these Guidelines that statutory development plans include an objective(s) relating to the provision of public open space in new residential developments (and in mixed-use developments that include a residential element). The requirement in the development plan shall be for public open space provision of not less than a minimum of 10% of net site area and not more than a minimum of 15% of net site area save in exceptional circumstances.*

*Different minimum requirements (within the 10-15% range) may be set for different areas. The minimum requirement should be justified taking into account existing public open space provision in the area and broader nature conservation and environmental considerations.*

*In the case of strategic and sustainable development sites, the minimum public open space requirement will be determined on a plan-led basis, having regard to the overall approach to public park provision within the area.*

*In the case of sites that contain significant heritage, landscape or recreational features and sites that have specific nature conservation requirements, a higher proportion of public open space may need to be retained. The 10-15% range shall not therefore apply to new development in such areas."*

The proposed development includes a total of 12,730sq.m. of public open space, distributed across five key areas throughout the site. This represents 15.1% of the developable site area, exceeding the requirements set out in both the Development Plan and the Compact Settlements Guidelines.

From a qualitative standpoint, these public open spaces are strategically integrated with the existing central public open space at Ashwood Hall, which spans approximately 11,023sqm. This design not only enhances the connectivity within the development but also ties into the "western necklace" of open spaces that frame the adjacent developments to the west, which were also developed by the same applicant. This approach creates an active network of green spaces, which will significantly contribute to the promotion of green infrastructure, reinforcing the broader environmental and community objectives for the Broomfield area in Malahide South.

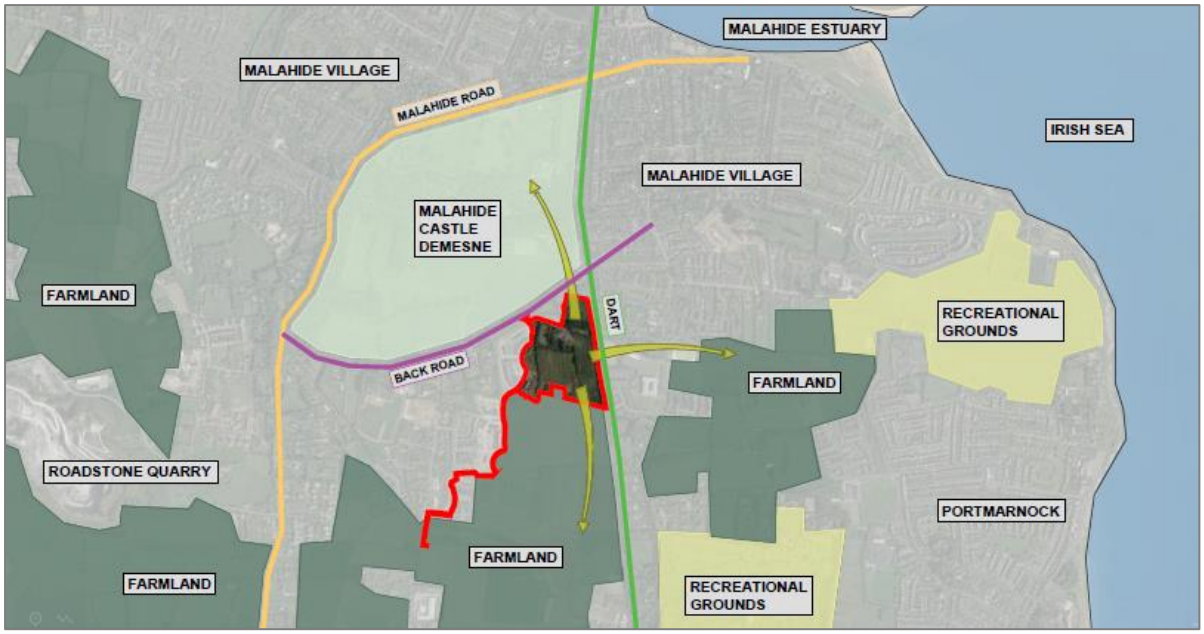



*Figure 3-1. Application Site in the context of adjoining Green Infrastructure*

With respect to the above, DOWNEY are of the considered opinion that the proposed development represents a development that has been carefully considered and appropriately designed through a collaborative process with the Council and giving full considerations to relevant planning policy while being mindful of its wider context. For further details on the proposed development's consistency with the Criteria Assessment, please refer to the Architects Design Statement and HQA, prepared by MCORM Architects, submitted under separate cover of the application.

### 3.3.10 Urban Development and Building Height Guidelines for Planning Authorities, Dec 2020

The Urban Development and Building Height 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 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.

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

The document states that it is critically important that development plans identify and provide policy support for specific geographic locations or precincts where increased building height is not only desirable but a fundamental policy requirement. Locations with the potential for comprehensive urban development or redevelopment should be identified where, for example, a cluster of higher buildings can be accommodated as a new neighbourhood or urban district or precinct.

Section 1.10 of the Guidelines state "*the rationale (…) for consolidation and densification in meeting our accommodation needs into the future must also be applied in relation to locations that*

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

Section 1.11 states "*these guidelines therefore set out national planning policy that:*

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

The Guidelines go on to state that "*in relation to the assessment of individual planning applications and appeal, it is Government policy that building heights must be generally increased in appropriate urban locations. There is therefore a presumption in favour of buildings of increased height in our town/city cores and in other urban locations with good public transport accessibility.*"

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

> **SPPR 1** – *"In accordance with Government policy to support increased building height and density in locations with good public transport accessibility, particularly town/city cores, planning authorities shall explicitly identify, through their statutory plans, areas where increased building height will be actively pursued for both redevelopment, regeneration and infill development to secure the objectives of the National Planning Framework and Regional Spatial and Economic Strategies and shall not provide for blanket numerical limitations on building height".*

The proposed scheme is located within the broader Broomfield lands and plays a key role in completion of the overall area. It integrates elements from the existing built environment and extant permissions within the vicinity. The proposal includes a range of building heights, from 2-storey houses to 4-storey apartments, with the taller apartment block strategically positioned at the centre of the site, adjacent to the proposed local centre. The proposed building heights are carefully designed to achieve an optimal density, in line with the Compact Guidelines, the Development Plan, and through consultation with the Council. That said, it is submitted that the proposed height and density are meeting the requirements of SPPR 1.

> **SPPR 2** – *"In driving general increases in building heights, planning authorities shall also ensure appropriate mixtures of uses, such as housing and commercial or employment development, are provided for in statutory plan policy. Mechanisms such as block delivery sequencing in statutory plans could be utilised to link the provision of new office, commercial, appropriate retail provision, and residential accommodation, thereby*

*enabling urban redevelopment to proceed in a way that comprehensively meets contemporary economic and social needs, such as for housing, offices, social, and community infrastructure, including leisure facilities"*.

The proposed development is a comprehensive mixed-use scheme consisting of 297 no. residential units, a large childcare facility, and several retail and commercial units, including a café, pharmacy, and yoga studio. This holistic approach is designed to complement the broader development within the Broomfield lands, particularly the adjacent LC zoned lands where permission is being sought for an anchor retail unit under a separate planning application. This diverse mix of uses is submitted to enhance the variety and vibrancy of the development, providing essential amenities for both future residents and those already residing in nearby areas such as Ashwood Hall and Brookfield.

Additionally, the site is well-served by a range of existing educational, healthcare, and community facilities within its vicinity. Residents will also benefit from exceptional recreational and leisure amenities, including Malahide Castle, Demesne, and the coastal environment. In this regard, a Community and Social Infrastructure Audit has been prepared by DOWNEY and is enclosed with this LRD application. This audit provides a detailed overview and assessment of the existing social infrastructure and facilities in the area, ensuring that the proposed development aligns with relevant planning policies and adequately meets the needs of the community. We respectfully invite the Council to refer to the aforesaid report for further details.

**SPPR 3 –** "*It is a specific planning policy requirement that where;*

*(A) 1. an applicant for planning permission sets out how a development proposal complies with the criteria above; and*

*2. the assessment of the planning authority concurs, taking account of the wider strategic and national policy parameters set out in the National Planning Framework and these guidelines;*

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

*(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*

*(C) In respect of planning schemes approved after the coming into force of these guidelines these are not required to be reviewed."*

It is respectfully submitted that the following document outlines how the proposal is consistent with the relevant national, regional, and local planning policy as it pertains to the site and its environs, and as such the development accords with SPPR 3. As per, this LRD application has adhered to the Development Management Criteria set out within the Guidelines, which outline the specific criteria a

planning must meet when proposing increased height. Within section 3.0 Building Height and the Development Process four criteria are set out in 3.2 Development Management Criteria which the applicant must demonstrate to the Planning Authority/An Bord Pleanála when making a planning application, this application satisfies that:

**1. At the scale of the relevant city/town**

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

**2. At the scale of district/neighbourhood/street**

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

**3. At the scale of the site/building**

- As further elaborated in the Design Statement prepared by MCORM, the form, massing, and height of proposed development has been carefully modulated to maximise access to natural daylight, ventilation and views and minimise overshadowing and loss of light.
- The design of the houses, duplexes, and apartments are bespoke for this site in terms of the palette of materials and provision of public and communal open space to create an attractive public realm.

It is submitted that this LRD application contains sufficient reports, documentation, plans, and justification to support the proposed development and outlines how the development is in accordance with the relevant planning policies and guidelines pertaining to the area. Such documents include architectural plans and elevations, Design Statement (Architects Report), DMURS statements, Traffic Assessment, EIAR report, planning reports, and engineering reports, which we invite Fingal County Council to refer to.

**SPPR 4 –** *"It is a specific planning policy requirement that in planning the future development of greenfield or edge of city/town locations for housing purposes, planning authorities must secure:*

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

The proposed development aims to deliver 297 no. residential units, consisting of 211 houses, 46 duplex units, and 40 apartments. This results in a net density of 35.7dph, which aligns with both local and national planning policies. Additionally, there is an appropriate mix of housing typologies and heights ranging from 2-storey houses, 3-storey duplex apartments to 4-storey apartment units. The development is therefore submitted to be in accordance with SPPR 4 of these Guidelines and keep consistent with the aforementioned Guidelines.

*Table 3-1. Compliance with the Specific Planning Policy Requirements*

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

In light of the above, it is considered that the proposed development is consistent with the requirements of these guidelines on building heights for urban developments. The proposed development steps in height from 2 to 4-storeys with cognisance given to existing built environment in the vicinity of the subject site and the provision of appropriate separation distances. The existing lands are zoned for development and are serviced with road and public transport infrastructure. Therefore, the proposed residential development can be achieved on the lands in accordance with the aforementioned policy guidelines.

### 3.3.11 Sustainable Urban Housing: Design Standard for New Apartments, Jul 2023

The Sustainable Urban Housing: Design Standards for New Apartments build on the content of the 2015 and 2020 apartment guidance, much of which remains valid, particularly with regard to design quality safeguards such as internal space standards for apartments, internal storage and amenity space. The Guidelines state that *"in the longer term to 2040, the Housing Agency has identified a need*

*for at least 45,000 new homes in Ireland's five cities (Dublin, Cork, Limerick, Galway and Waterford), more than 30,000 of which are required in Dublin City and suburbs, which does not include additional pent-up demand arising from under-supply of new housing in recent years."* It is also stated that it is *"critical to ensure that apartment living is an increasingly attractive and desirable housing option for a range of household types and tenures."*

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

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

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

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

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

The Guidelines identify types of locations that may be suitable for apartment developments. In this regard, it is considered that the proposed development falls within '*(2) Intermediate Urban Locations'* as it meets the criteria for this location in that the site is located approximately 1.5km from Malahide Town Centre, is located within the town's development boundary, and within walking distance of high capacity urban public transport stops (i.e. Malahide DART station) and frequent bus services, and as such is suitable for a net density of 35.7 units per hectare.

The Guidelines also have specific planning policy requirements (SPPRs) which include the following:

> **SPPR 1** – *"Housing developments may include up to 50% one-bedroom or studio type units (with no more than 20-25% of the total proposed development as studios) and there shall be no minimum requirement for apartments with three or more bedrooms. Statutory development plans may specify a mix for apartment and other housing developments, but only further to an evidence-based Housing Need and Demand Assessment (HNDA), that*

*has been agreed on an area, county, city or metropolitan area basis and incorporated into the relevant development plan(s)."*

***SPPR 3** – Minimum apartment floor areas:*

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

In this regard, the proposed development provides for 297 no. residential units (211 no. house, 46 no. duplex units, and 40 no. apartments) within the following unit mix. As can be seen in the Table below, the overall unit mix stands at 11% single-bed, 14% two-bed, 61% three-bed, 13% four-bed, and 1% five-bed residential units in a mix of houses, apartments and duplex units. As such, it is submitted that the proposed development complies with the SPPR 1 of the Design Standards.

*Table 3-2. Proposed Unit Mix*

| Dwelling Type | Unit Type | No. of Units | Percent (%) |
|---|---|---|---|
| Houses | 2-bed | 14 | 5% |
| | 3-bed | 156 | 53% |
| | 4-bed | 39 | 13% |
| | 5-bed | 2 | 1% |
| duplexes | 1-bed | 9 | 3% |
| | 2-bed | 14 | 5% |
| | 3-bed | 23 | 8% |
| Apartments | 1-bed | 23 | 8% |
| | 2-bed | 14 | 5% |
| | 3-bed | 3 | 1% |
| **Total** | | **297** | **100%** |

This LRD application also includes a Housing Quality Assessment prepared by MCORM Architects and enclosed with the architectural pack which demonstrates how the proposed development complies with the SPPR 3 of the Design Standards. Fingal County Council are invited to refer to this submitted under separate cover of this LRD application.

**SPPR 4** – *"In relation to the minimum number of dual aspects apartments that may be provided in any single apartment scheme, the following shall apply:*

*(i) A minimum of 33% dual aspect units will be required in more central and accessible urban locations, where it is necessary to achieve a quality design in response to the subject characteristics and ensure good street frontage where appropriate.*

*(ii) <u>In suburban or intermediate locations, it is an objective that there shall generally be a minimum of 50% dual aspect apartments in a single scheme</u>.*

*(iii) For building refurbishment schemes, on sites of any size or urban infill schemes on sites of up to 0.25ha, planning authorities may exercise further discretion to consider dual*

*aspect unit provision at a level lower than the 33% minimum outlined above on a case-by-case basis, but subject to the achievement of overall high design quality in other aspects."*

The proposed development in this instance is located in a suburban location on appropriately zoned lands in a highly accessible location within the development boundary of Malahide. In this regard, the minimum requirement for dual aspect units is 50%. The proposed development provides for 55% dual aspect apartment units and therefore exceeds the aforesaid requirements.

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

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

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

As such, it is submitted that the proposed development is consistent with the Guidelines in this instance. Please refer to the enclosed landscape drawings and accompanying report prepared by KFLA Landscape Architects for further information in this regard.

In relation to bicycle and car parking requirements, the Guidelines state that it must be ensured that, *"new development proposals in central urban and public transport accessible locations and which otherwise feature appropriate reductions in car parking provision are at the same time comprehensively equipped with high quality cycle parking and storage facilities for residents and visitors".* The proposed development subject to this LRD has provided an overall total of 1,218 no. bicycle spaces in high-quality, safe and accessible locations.

As stated within the Guidelines, *"the quantum of car parking or the requirement for any such provision for apartment developments will vary, having regard to the types of location in cities and towns that may be suitable for apartment development, broadly based on proximity and accessibility criteria".* The proposed development is situated is located in a suburban location on appropriately zoned lands in a highly accessible location within the development boundary of Malahide.

The proposed development provides for a total of 426 no. car parking spaces (407 no. spaces for residential units and 19 no. spaces for commercial units). In-curtilage parking is proposed for each of the houses. The creche includes 10 no. pickup and drop off spaces and 7 no. staff car parking, all located along eastern and southern boundaries of the propose creche. There are also 2 no. loading bays designated to the rear of the proposed pharmacy/café to serve these facilities. The overall car parking provision includes accessible bays spread across the scheme as well as EV parking spaces. For

further details, we respectfully invite Fingal County Council to refer to Waterman Moylan's Traffic and Transport Assessment, submitted under separate cover.

*Table 3-3. Compliance with Specific Planning Policy Requirements*

| Specific Planning Policy Requirement | Compliance |
|---|---|
| SPPR1<br>*(Housing Mix)* | In compliance |
| SPPR2<br>*(Building Refurbishment and Urban Infill Development on sites up to 0.25ha)* | Not Applicable; SPPR1 applies to the entire development |
| SPPR3<br>*(Minimum Apartment Floor Areas)* | In compliance with the standards |
| SPPR4<br>*(Dual Aspect Ratios)* | In compliance with the requirements |
| SPPR5<br>*(Floor to Ceiling Height)* | In compliance |
| SPPR6<br>*(Lift and Stair Cores)* | In compliance with the required quantum |
| SPPR7<br>*(Specific BTR Developments)* | Not Applicable |
| SPPR8<br>*(Qualified as BTR Developments)* | Not Applicable |
| SPPR9<br>*(Shared Accommodation Developments)* | Not Applicable |

### 3.3.12 Childcare facilities: Guidelines for Planning Authorities, 2001

Government policy on childcare is to increase the number of childcare places and facilities available and to improve the quality of childcare services for the community. These Guidelines for Planning Authorities on Childcare Facilities provide a framework to guide both local authorities in preparing development plans and assessing applications for planning permission, and developers and childcare providers in formulating development proposals.

For housing schemes, the Guidelines provide a benchmark provision of 1 no. 20 space childcare facility per 75 dwellings. The threshold for provision should be established having regard to existing location of facilities and the emerging demography of the area where new housing is proposed. The recommendations provided within the Guidelines must be considered in the context of the '*Sustainable Urban Housing: Design Standards for New Apartments'* (2023), which state that:

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

It is important to note that the apartment guidelines also state that, "*one-bedroom or studio type units should not generally be considered to contribute to a requirement for any childcare provision and subject to location, this may also apply in part or whole, to units with two or more bedrooms*".

Excluding the 1-bedroom apartment/duplex units from the overall provision for 297 no. residential units, this leaves a total of 265 no. units that can be deemed to accommodate families and therefore may generate demand for childcare places. With respect to the foregoing and as per the following calculations, the proposed scheme would require c. 71 childcare places.

$$(265 \div 75) \times 20 = 70.6 \text{ childcare places}$$

Therefore, the Guidelines indicate that 1 no. childcare facility capable of catering for c. 71 pre-school children would be required to cater for the influx of population arising from the proposed scheme.

In this regard and to examine the scheme against its context, a Childcare Demand Assessment has been prepared by DOWNEY which is enclosed under a separate cover that we respectfully invite the Council to refer to. Accordingly, after examining the existing childcare capacities in the vicinity, analysing the demographic profile, and considering the anticipated growth in the area alongside the demand generated by the proposed development and broader context, it is evident that there is ample capacity available.

This assessment identifies 23 existing childcare facilities within a 1-2km radius of the subject site, providing a total of 787 no. childcare places for the preschool-age population. Considering a projection based on the growth observed between 2016 and 2022, it is estimated that by 2030 (indicative project timeline), there will be a demand for 685 no. childcare spaces. Additionally, it is anticipated that the proposed scheme and the emerging context will contribute an additional demand for 51 no. childcare places, bringing the total estimated demand to 736 children by 2030, which still falls below the existing childcare capacity in the area.

At this juncture, it is critical to note the current situation in the wider context highlights operational challenges faced by permitted childcare facilities within Brookfield and Ashwood Hall (within the ownership of the same applicant), despite permissions granted since 2015. These facilities remain unconstructed and as such non-functional due to their small unfeasible size and a lack of interest from suitable childcare operators as a result, despite extensions on the permissions until March 2025.

That said and within the context of this LRD application, the applicant sees an opportunity to address these challenges by proposing a new large, state of the art and fully operational childcare facility of c. 722 sq.m. within this LRD application site, aiming to resolve the impasse and meet the community's need for childcare services. This strategy aims to accommodate the demand generated by the future population growth in the area, the proposed development, as well as the emerging community in the wider context (incl. approved developments under ABP-313361-22, F19A/0557, the live pre-application on Lamorlaye lands at Back Road, and the Ashwood Hall and Brookfield developments). The applicant is in advanced stages of discussions with an experienced and successful childcare provider in the Fingal area regarding this proposed childcare development.

During the pre-planning process, the Childcare Demand Assessment along with the relevant drawings for the proposed creche as part of this LRD application were shared with Fingal Childcare Committee

on 24th June 2024 to seek their professional advice on the proposed facility on the LRD lands, with discussions held during the summer months with committee representatives. The facility's delivery will also involve further consultation with the preferred end-user/operator to ensure that the proposed childcare facility is optimally designed to meet the evolving needs of the community. The applicant is in advanced stages of discussions with an experienced and successful childcare provider in the Fingal area regarding this proposed development.

In light of the above, it is submitted that the proposed development not only meets but exceeds policy requirements, offering a contextually appropriate solution for childcare services.

### 3.3.13 Childcare Facilities Operating under the Early Childhood Care & Education (ECCE) Scheme (Circular Letter: PL 3/2016)

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

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

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

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

The scheme proposes to position the childcare facility in a central location, south of the LC-zoned lands and east of the existing public open space within the Ashwood Hall development. This strategic placement is intended to capitalise on the synergistic relationship between the retail/commercial elements of the LRD development and the anchor retail unit, which is subject to a separate planning application. Additionally, the childcare facility will benefit from the adjacent main public open space to the west, which will be energised by the facility's activities and can serve as a complementary outdoor area, alongside its own playground. The neighbouring apartments and duplex blocks will further enhance activity within the surrounding public realm, contributing to a safe and vibrant environment for the creche.

It is submitted that the proposed childcare facility provides for adequate capacity exceeding the influx of population arising from the proposed development. Therefore, it is suggested that the proposed development is consistent with Circular PL 3/2016.

### 3.3.14 Design Manual for Urban Roads and Streets (DMURS)

The Design Manual for Urban Roads and Streets (DMURS) 2013 and as updated in 2023 sets out design guidance and standards for constructing new and reconfigured existing urban roads and streets. It also sets out practical design measures to encourage more sustainable travel patterns in urban areas. The transport drawings and documentation prepared by Waterman Moylan Consulting Engineers submitted under separate cover, provide further details in respect of the compliance of the proposed development with the provision of DMURS. Waterman Moylan Consulting Engineers have also provided a DMURS Compliance Statement within the TTA, which the Council is respectfully invited to refer to.

### 3.3.15 Smarter Travel: A Sustainable Transport Future

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

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

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

It is considered that the proposed development complies with Smarter Travel: A Sustainable Transport Future. The proposed development provides housing and retail/commercial uses within the Malahide area and is located close to a various bus route along with Malahide DART Station servicing to/from Dublin City and the wider Dublin area. The proposed development also provides considerable secure, covered bicycle parking for future residents and visitors to again encourage the use of sustainable modes of transportation. This can also be noted within the scheme with enhanced permeability and connectivity to the surrounding area.

In light of the above, it is considered that the proposed development is consistent with this national transport policy and will assist in its implementation.

### 3.3.16 Cycle Design Manual, Sep 2023

Published in September 2023, the new Cycle Design Manual supersedes the National Cycle Design Manual, 2011. The CDM draws on the experience of delivering cycling infrastructure across Ireland over the last decade, as well as learning from international best practice, and has been guided by the need to deliver safe cycle facilities for people of all ages and abilities.

The CDM includes a number of new types of infrastructure such as protected junctions, Dutch style cycle-friendly roundabouts, and parallel crossings which are commonly used in other countries, and will now become an option for cycle infrastructure in Ireland. It should be noted that some newer features will require amendments to supporting Regulations and the Traffic Sign Manual so designers should consult with the relevant approving authority prior to installing any of the newer features to ensure applicability of designs/solutions. It is intended that manual will be a live document which will be updated and expanded as required to reflect emerging best practice and feedback from user experience of the manual.

As outlined in the CDM, for cycle infrastructure to cater for the needs of people who currently cycle and to also attract new cycle users to the network, there are five main requirements which designs should fulfil under the headings of:

i. Safety
ii. Coherence
iii. Directness
iv. Comfort
v. Attractiveness

It is submitted that the proposed scheme has been thoughtfully designed with a strong emphasis on providing high-quality cycling infrastructure that prioritises safety, coherence, directness, comfort, and attractiveness. An interconnected network of cycle routes has been seamlessly integrated with the street network and open space provision, ensuring a coherent and direct cycling experience throughout the development. This infrastructure not only enhances the safety and comfort of cyclists but also adds to the overall attractiveness of the scheme, encouraging greater use of cycling as a mode of transport. Additionally, appropriate cycle parking spaces have been strategically located to serve both the residential and non-residential components of the development, further supporting a safe and convenient cycling environment.

For more detailed information on the cycling infrastructure and its design principles, please refer to the enclosed Traffic and Transport Assessment prepared by Waterman Moylan Consulting Engineers, along with the proposed Site Layout by MCORM Architects, both included within this LRD application. These documents outline the comprehensive approach taken to ensure a cycling-friendly environment within the scheme.

### 3.3.17 EIA Directive

The EIA Directive 85/337 EEC, as amended, is the key legislation in EU Environmental Policy. The EIA Directive aims to determine the likely significant effects of a project on the environment. Screening is the first stage in the EIA process required by Article 4 of the EIA Directive and this process determines whether an EIA is required for a specific project. The Directive outlines in Article 4(1) 24 Annex 1

projects that require a mandatory EIA. Article 4 (2) outlines Annex 2 projects that require consideration for EIA further to a case-by-case examination or through thresholds and criteria set out by Member States. In an Irish context, projects requiring a mandatory EIA or consideration for EIA further to a case-by-case examination or thresholds are listed in Schedule 5 of the Planning and Development Regulations.

An EIAR is prepared by and on behalf of an applicant/developer in respect of development proposal / project that they are seeking planning consent/permission. Therefore, the EIAR becomes a central element that informs the Competent Authority's determination of the planning permission. The EIA Directives list those projects for which an EIA is mandatory (Annex I) and those projects for which an EIA may be required (Annex II). Annex I projects are listed in Part 1 of Schedule 5 of the Planning and Development Regulations 2001 (as amended, 'the Regulations'). The Project is not listed within Part 1 of Schedule 5 of the Regulations and therefore mandatory EIA is not required under Annex 1. With respect to Part 2 of Schedule 5 (Annex II) Projects, the relevant thresholds relating to the subject proposal are outlined below:

- **Class 10(b)(i) "Construction of more than 500 dwelling units"**: This project (the proposed development) comprises a mixed-use development including the provision of 297 no. new residential dwelling units, 1 no. childcare facility, and 550sqm commercial/ retail (a café & pharmacy/yoga studio). Therefore, the Project falls below the stated threshold, and an EIA is not required on this basis.
- **Class 10(b)(ii): "Construction of a car-park providing more than 400 spaces, other than a car-park provided as part of, and incidental to the primary purpose of a development."**: The project (the proposed development) does not include a car park providing 400 no. spaces or more. Furthermore, all car parking being provided within the project is incidental to the primary purpose of the residential development. Therefore, the car parking element of the project does not fall within this Class of Regulations. An EIA is not required on this basis.
- **Class 10(b)(iv): "Urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere"**. In this instance, the application site extends to c. 9.95 hectares within what can be considered a built-up area. An EIA is required on this basis and, as a consequence, an EIAR will be prepared as part of the planning application pack.

Additionally, the requirement for an EIA in this instance is also triggered by permitted/live applications in the vicinity of the site along Back Road and environs, and within the overall landholding in the ownership of our client (the applicant) and the potential cumulative impact they could have with concurrent or forthcoming applications. This currently includes the 87 units granted on the southern lands in July 2024 under the SHD split decision permission and the 71 dwellings application on the same southern portion of the lands at Back Road & Kinsealy Lane, Broomfield recently granted by Fingal County Council under Reg. Ref. F23A/0586; the forthcoming planning application for an anchor retail development on the LC zoned lands to the western boundary of the LRD site; and the live

planning application for the 9 no. units proposed within Ashwood Hall and Brookfield developments (F24A/0988E), all of which are subject to separate planning applications.

For further information in this regard, please refer to the Environmental Impact Assessment Report (EIAR) (i.e. this document) submitted as part of the planning application.

### 3.3.18 Birds and Habitats Directive – Appropriate Assessment

The proposed development has been screened for Appropriate Assessment in accordance with the requirements of Article 6(3) of the EU Habitats Directive (92/32/EEC). Faith Wilson Ecological Consultant has prepared a report for Screening for Appropriate Assessment and Natura Impact Statement (NIS) for the proposed development. For further information in this regard, please refer to the Appropriate Assessment Screening and Natura Impact Statement report prepared by Faith Wilson Ecological Consultant.

### 3.3.19 The Planning System and Flood Risk Guidelines, 2009

These Guidelines require the planning system at all levels to avoid developments in areas at risk of flooding, particularly floodplains, except where there are no suitable alternative sites available in areas at lower risk that are consistent with the objectives of proper planning and sustainable development. Where such development has to take place, in the case of urban regeneration for example, the type of development has to be carefully considered and the risks should be mitigated and managed through location, layout, and design of the development to reduce flood risk to an acceptable level. Applicants are advised to carefully examine their development proposals to ensure consistency with the requirements of these Guidelines including carefully researching whether there have been instances of flooding or there is the potential for flooding on specific sites and to carry out a site-specific flood risk assessment.

In accordance with these Guidelines, a flood risk assessment has been prepared by Waterman Moylan Consulting Engineers and submitted under separate cover of this application. The various sources of flooding have been reviewed, and the risk of flooding from each source has been assessed. Where necessary, mitigation measures have been proposed. As a result of the proposed mitigation measures, the residual risk of flooding from any source is low. Therefore, it is considered that the proposed development is consistent with the requirements of this national flood risk management policy. For further information in this regard, we respectfully invite the Council to refer to the enclosed Flood Risk Assessment report prepared by Waterman Moylan Consulting Engineers.

### 3.3.20 All-Ireland Pollinator Plan 2021-2025

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

With respect to the aforementioned, the proposed development has taken into consideration the All-Ireland Pollinator Plan, reflecting the relevant guidelines and proposed measures by providing for an internal network of landscaped open spaces. Moreover, these high-quality landscaped areas retain the

existing trees and hedgerows where possible, which will enhance the scheme by providing mature sylvan areas as a foil to the new streetscapes and buildings now proposed. Please refer to the Landscape drawings and report prepared by KFLA landscape Architects for further details on inclusion of the Plan guidelines within the proposed landscape of the scheme.

### 3.3.21 National Adaptation Framework: Planning for a Climate Resilient Ireland, 2024

The National Adaptation Framework: Planning for a Climate Resilient Ireland (2024), prepared by the Department of the Environment, Climate and Communications, serves as a comprehensive guide for Ireland's approach to climate change adaptation. This framework outlines the national strategy for integrating adaptation measures across various sectors and local authorities, aiming to reduce the nation's vulnerability to the adverse effects of climate change while capitalising on potential positive outcomes. It emphasises a pathway planning approach to accommodate various future warming scenarios and promote resilience in infrastructure, ecosystems, and communities. The framework underscores the importance of smarter, faster, and transformative adaptation actions, encouraging a proactive and coordinated response to the challenges posed by climate change.

As outlined in the National Framework, new developments in Ireland are subject to stringent policies to mitigate their potential impact on the climate, ensuring they align with the goals of reducing greenhouse gas emissions and enhancing climate resilience. The planning policy emphasises the necessity for all new developments to integrate climate adaptation and mitigation strategies, recognising that the construction and operation of new infrastructure can significantly contribute to emissions and environmental degradation if not carefully managed.

The policy highlights the importance of "Just Resilience", ensuring that adaptation measures not only address climate change but also do so in a way that is equitable and inclusive, particularly for vulnerable populations. This approach mandates that new developments must consider the socio-economic impacts of climate change and avoid exacerbating existing inequalities. The framework also encourages developments to employ nature-based solutions and sustainable practices that contribute to both mitigation and adaptation, fostering long-term sustainability and resilience in the face of climate change.

It is submitted that the proposed development has been meticulously planned with careful consideration of its potential environmental and climate impacts. The design aims to balance the urgent need for housing in the area with an environmentally sensitive approach, ensuring that development proceeds in a sustainable and responsible manner. Additionally, the proposed development is accompanied by an EIAR, which we respectfully urge the Council to review for a comprehensive understanding of the measures taken to mitigate environmental impacts.

### 3.3.22 Climate Action Plan, 2024

The Climate Action Plan 2024 is Ireland's strategic response to the escalating climate crisis, building on previous iterations to set more ambitious targets for reducing greenhouse gas emissions and transitioning to a climate-resilient, low-carbon economy. The plan outlines a comprehensive roadmap for achieving a 51% reduction in emissions by 2030 and reaching net-zero by 2050. It emphasises the critical nature of immediate and sustained action across all sectors, including energy, transport, agriculture, and industry, to mitigate the impacts of climate change. The plan also underscores the

importance of a just transition, ensuring that the shift to a greener economy is equitable and inclusive, leaving no community behind.

The Climate Action Plan 2024 places significant emphasis on the role of new developments in contributing to Ireland's climate goals. It acknowledges that the construction and operational phases of new developments can have substantial impacts on the environment and climate. Therefore, the plan mandates that all new developments must integrate climate adaptation and mitigation strategies from the outset.

Moreover, the plan calls for new developments to contribute to the broader goal of reducing emissions across all sectors. For example, in the built environment, new residential and commercial buildings must be designed to minimise their carbon footprint through energy efficiency measures and the use of sustainable materials.

In the context of transport and infrastructure, the plan stresses the need for new developments to support sustainable mobility. This includes the provision of infrastructure that promotes walking, cycling, and the use of public transport, thereby reducing reliance on private vehicles and associated emissions. By embedding these considerations into the planning and design of new developments, the Climate Action Plan 2024 aims to ensure that Ireland's growth and development align with its climate commitments, ultimately contributing to a more sustainable and resilient future.

With respect to the above, the proposed development takes careful consideration of the site's context. In line with the plan's emphasis on sustainable and resilient development, the scheme proposes a compact residential development with appropriate density which integrates significant green space, accessible roof terraces, and green roofs designed to attenuate rainwater. By promoting a compact urban form in a "less vulnerable area", the development adheres to the principles of sustainability and resilience outlined in the Framework, ensuring that it contributes positively to Ireland's climate goals.

## 3.4 REGIONAL PLANNING POLICY

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

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

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

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

In conjunction with the NPF, the RSES predicts Dublin City and Suburbs to experience continued population growth over the period 2019-2031 with a predicted increase of 220,000. The NPF targets

50% of all housing to be provided within or contiguous to the built-up area of Dublin city and suburbs. In order to combat and provide for compact residential development, the RSES outlines a number of key Regional Policy Objectives that pertain to the NPF targets. The key Regional Policy Objectives applicable to the development proposal are the following:

> **Regional Policy Objective (RPO) 5.4 -** *"Future development of strategic residential development areas within the Dublin Metropolitan area shall provide for higher densities and qualitative standards as set out in the 'Sustainable Residential Development in Urban Areas', 'Sustainable Urban Housing; Design Standards for New Apartments' Guidelines, and 'Urban Development and Building Heights Guidelines for Planning Authorities."*
>
> **Regional Policy Objective (RPO) 5.5 -** *"Future residential development supporting the right housing and tenure mix within the Dublin Metropolitan Area shall follow a clear sequential approach, with a primary focus on the consolidation of Dublin and suburbs, and the development of Key Metropolitan Towns, as set out in the Metropolitan Area Strategic Plan (MASP) and in line with the overall Settlement Strategy for the RSES. Identification of suitable residential development sites shall be supported by a quality site selection process that addresses environmental concerns."*

The proposed development is located on already serviced zoned lands and will essentially form the natural extension to the adjoining Ashwood Hall development, which is under construction/nearing completion by the same applicant, thus providing for a residential development in proximity to a wide range of services and amenities within the Malahide area. It is submitted that the provision of a high-quality mixed-use development consisting of 211 no. houses (14 no. 2 beds, 150 no. 3 beds, 35 no. 4 beds, and 6 no. 5 beds), 46 no. duplex units (9 no. 1 beds, 20 no. 2 beds, and 29 no. 3beds), and 40 no. apartments (23 no. 1 beds, 14 no. 2 beds, and 3 no. 3 beds); 1 no. childcare facility and commercial/retail units within this application will assist in achieving the aforementioned objectives and it also complies with the pertaining policies and standards. For further details on how the proposed development is in accordance with these policies, please refer to the architectural pack prepared by MCORM Architects submitted under separate cover of this LRD application.

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

> *"In preparing Core Strategies for development Plans, Local Authorities shall determine the hierarchy of settlements in accordance with the hierarchy, guiding principles and typology of settlements in the RSES, within the population projections set out in the National Planning Framework to ensure that towns grow at a sustainable and appropriate level, by setting out a rationale for land proposed to be zoned for residential, employment and mixed-use development across the Region. Core strategies shall also be developed having regard to the infill/brownfield targets set out in the National Planning Framework, National Policy Objectives 3a-3c."*

RPO 4.2 states:

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

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

### 3.4.2 Transport Strategy for the Greater Dublin Area 2022-2042

Prepared by National Transport Authority and in accordance with Section 12 of the Dublin Transport Authority Act, 2008, Transport Strategy for the Greater Dublin Area 2022-2042 (Transport Strategy) replaces the previous framework, titled the Transport Strategy for the Greater Dublin Area 2016-2035, which was approved by the then Minister for Transport, Tourism and Sport in 2016.

The Transport Strategy sets out how transport will be developed across the region, covering Dublin, Meath, Wicklow, and Kildare, over the period of the strategy and has been approved by the Minister for Transport in accordance with the relevant legislation.

The overall aim of the Transport Strategy is:

"*To provide a sustainable, accessible and effective transport system for the Greater Dublin Area which meets the region's climate change requirements, serves the needs of urban and rural communities, and supports the regional economy*."

Four objectives have been developed to support the delivery of the overall aim of the Transport Strategy, as follows:

*"5.3.1 An Enhanced Natural and Built Environment: To create a better environment and meet our environmental obligations by transitioning to a clean, low emission transport system, increasing walking, cycling and public transport use, and reducing car dependency.*

*5.3.2 Connected Communities and Better Quality of Life: To enhance the health and quality of life of our society by improving connectivity between people and places, delivering safe and integrated transport options, and increasing opportunities for walking and cycling.*

*5.3.3 A Strong Sustainable Economy: To support sustainable economic activity and growth by improving the opportunity for people to travel for work or business where and when they need to, and facilitating the efficient movement of goods.*

*5.3.4 An Inclusive Transport System: To deliver a high quality, equitable and accessible transport system, which caters for the needs of all members of society."*

The proposed development at Back Road, Broomfield, which provides for development of the overall Broomfield residential scheme, is considered an appropriate form of development in the context of supporting the vision and objectives of the Transport Strategy for the Greater Dublin Area 2022-2042.

## 3.5 LOCAL PLANNING POLICY

This section of the report provides an account of the relevant local planning policy framework pertaining to the application site and proposed development, all of which is contained within the Fingal Development Plan 2023-2029.

### 3.5.1 Fingal Development Plan 2023-2029

#### *3.5.1.1 Overarching Considerations*

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

#### *3.5.1.2 Core Strategy & Settlement Strategy*

The purpose of the Core Strategy is to guide the spatial direction of future development and regeneration in the County in line with the principles of compact growth with a key objective to ensure that the quantum and location of development is consistent with national and regional policy.

The vision of the Fingal Development Plan is to grow the county in a long-term sustainable way to ensure the County continues to develop as a series of well-serviced, well-connected towns, villages and communities and a low carbon economy. The Plan states that, "*in addressing the manner in which the County will grow, we must be ever cognisant of climate change impacts and ensure that Fingal's growth strategy is underpinned by sustainable land management practices which result in the compact and consolidated development of existing urban and rural settlements. Adhering to a clearly focused settlement hierarchy which is in line with a wider regional strategy will ensure we can achieve balanced*

*growth within Fingal and provide for a network of settlements which are resilient, people focused and sustainable into the future."*

As outlined in the Development Plan, "*Fingal County Council will continue to pursue the goals of the NPF of consolidation of Dublin City through the compact development of the Dublin City and Suburbs area within Fingal*".

In this instance, the subject site forms part of the Broomfield lands in Malahide, which have been subject to several planning permissions over the past number of years, all being delivered with a sequential approach. The proposed development will form the natural extension to the adjoining Ashwood Hall development to the west (Reg. Ref. F13A/0459 & Reg. Ref. F13A/0459/E1). The proposed development will complete the development of the northern section of the lands, through the provision of 297 no. housing units. The proposed design principles are also submitted to be consistent with existing development in the area.

#### *3.5.1.3 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, **Objective SPQHO1** of the Development Plan aims for creations of sustainable communities, whereas the Council seeks to:

> *"Ensure that proposed residential development contributes to the creation of sustainable communities and accords with the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, DEHLG 2009 (and any superseding document) and companion Urban Design Manual – A Best Practice Guide, DEHLG 2009 and the Design Manual for Urban Roads and Streets (DMURS) (as revised)."*

Moreover, **Objective SPQHO2** of the Development Plan sets the Key Principles, seeking to:

> *"Support development which enhances the quality of the built environment, promotes public health, and supports the development of sustainable, resilient communities. In particular development which supports the following key principles will be supported:*
>
> - *Demonstrates compliance with the Guiding Principles for the creation of healthy and attractive places as set out in Healthy Placemaking, Regional Spatial and Economic Strategy (RSES) 2019–2031.*
> - *Promotes the development of healthy and attractive places to live, work, socialise and recreate through the delivery of high-quality public realms and open spaces which encourage physical activity and support wellbeing.*
> - *Is inclusive of all members of society, all genders, non-binary, or none, irrespective of age, or levels of mobility.*
> - *Advocates a universal design approach and is socially inclusive.*
> - *Prioritise sustainable, active transport modes by e.g., providing safe cycle lanes and by facilitating public transport services in conjunction with State agencies to meet the needs of the community and to provide access to local services.*

- *Encourages the development of car free neighbourhoods and streets, where appropriate.*
- *Contributes to our climate goals."*

It is submitted that the proposed development is consistent with the above-mentioned criteria. The proposed residential development is located in an area which benefits from ease of access to a range of transport modes (including bus and DART) with cycling and walking also a key consideration of the proposed development. The influx of population arising from the proposed development will increase the critical mass required to further support public transport infrastructure. There is a range of facilities in the immediate vicinity of the subject lands including community facilities, sports clubs, etc. and within the wider Swords area.

A Community and Social Infrastructure Audit and a Childcare Demand Assessment report, prepared by DOWNEY, also accompany this LRD application, which provides detailed information and assessment on the existing infrastructure currently serving the Broomfield lands. The design of the proposed development provides for an attractive development with a unique sense of character and place that will integrate the proposed development with the surrounding area and facilitate completion of the wider residential scheme for the Broomfield area.

#### *3.5.1.4 Climate Action*

As outlined in the Development Plan and in order to ensure that all future development aligns with the principles of energy efficiency and the use of efficient and renewable sources of energy, all applications for significant new developments, or for significant refurbishment projects, shall be required to submit a Climate Action Energy Statement as part of any overall design statement for a proposed development. Chapter 14 Development Management Standards refers in further detail. In this regard, **Policy CAP12** of the Development Plan states:

> *"All new developments involving 15 residential units and/or more than 1,000 sqm of commercial floor space, or as otherwise required by the Planning Authority, will be required to submit a Climate Action Energy Statement as part of the overall Design Statement to demonstrate how low carbon energy and heating solutions, have been considered as part of the overall design and planning of the proposed development."*

As such, a Climate Action Energy Statement has been prepared and is submitted under separate cover of this application.

#### *3.5.1.5 Connectivity and Movement*

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

> *"Land use policies which reduce demand for travel by bringing people and the activities they need to access closer together.*
>
> *Improved transport options such as walking, cycling and public transport, designing roads and streets to improve conditions for sustainable modes and encouraging behavioural*

*change to more sustainable modes whilst maintaining appropriate levels of access for general vehicular and freight traffic as required.*

*Control Measures such as mobility management, parking management and traffic management."*

The Plan notes that the integration of new housing, employment, and services with high-capacity public transport corridors in conjunction with attractive walking and cycling networks and permeable links to rail and bus stations can reduce the need to travel and support the functioning of a connected and sustainable transport system. This also has the benefit of extending the catchment of sustainable modes to more people and places to support investment in public transport infrastructure. This will enable the implementation of Transit Oriented Development whereby development is consolidated around existing or planned public corridors at a scale or density that supports the viability of high-capacity public transport infrastructure.

Adopting this approach facilitates compact growth, a recurring theme in this Plan and maximises the opportunities presented by MetroLink, LUAS, and DART+ proposals, as well as the existing and planned bus improvements under BusConnects. Land-use policy within Fingal supports development along its identified high-capacity public transport corridors. Accordingly, the Plan supports high-density, mixed-use development and trip intensive uses integrated with high-quality walking and cycling infrastructure around high-capacity public transport corridors and nodes, through plan frameworks, in order to generate and reinforce sustainable patterns of growth and development in the County. In this instance, the proposed development provides for a residential development of sustainable density within close proximity to high-frequency public transport in accordance with policies/ objectives set out within the Development Plan including:

**Policy CMP3:** *"Provide for an integrated approach to land-use and transportation aimed at minimising the demand for travel and prioritising sustainable modes of transport including walking, cycling and public transport."*

**Policy CMO3:** *"Support and facilitate high-density, mixed-use development and trip intensive uses along public transport corridors and to ensure the integration of high-quality permeability links and public realm in conjunction with the delivery of public transport services through plan frameworks to generate and reinforce sustainable patterns of compact growth and development in the County."*

**Policy CMP31:** *"Prioritise new road developments that underpin new development areas that support sustainable local development."*

**Objective CMO43:** *"Ensure that all new roads and streets are designed to enhance insofar as feasible, the County's Green Infrastructure network by ensuring adequate replacement and additional planting of native species and pollinators and to ensure that SuDS approaches are used to treat surface water run-off."*

**Objective CMO44:** *"Roads and Street Proposals and Nature-Based Solutions Incorporate sustainable drainage features and wildlife crossings including bridges and underpasses into the designs for new road infrastructure and where possible, incorporation of such measures into the existing road network."*

**Objective CMO45:** *"Design new streets and roads within urban areas in accordance with the principles, approaches and standards contained within DMURS.*

- *Junctions will be designed with corner radi that reduce pedestrian crossing distances to the minimum allowable by DMURS wherever possible.*
- *The narrowest carriageway widths allowable by DMURS will be the default standard in Fingal wherever possible."*

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

#### *3.5.1.6 Land Use Zoning*

Under the current Fingal Development Plan, the majority of 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".*

It is noted that a portion of the lands at western boundaries are zoned "***LC – Local Centre***" with an objective to: *"Protect, provide for and/or improve local centre facilities."*

The vision for this objective seeks to:

> *"Provide a mix of local community and commercial facilities for the existing and developing communities of the County. The aim is to ensure local centres contain a range of community, recreational and retail facilities, including medical/ dental surgeries and childcare facilities, at a scale to cater for both existing residential development and zoned undeveloped lands, as appropriate, at locations which minimise the need for use of the private car and encourage pedestrians, cyclists and the use of public transport. The development will strengthen local retail provision in accordance with the County Retail Strategy."*

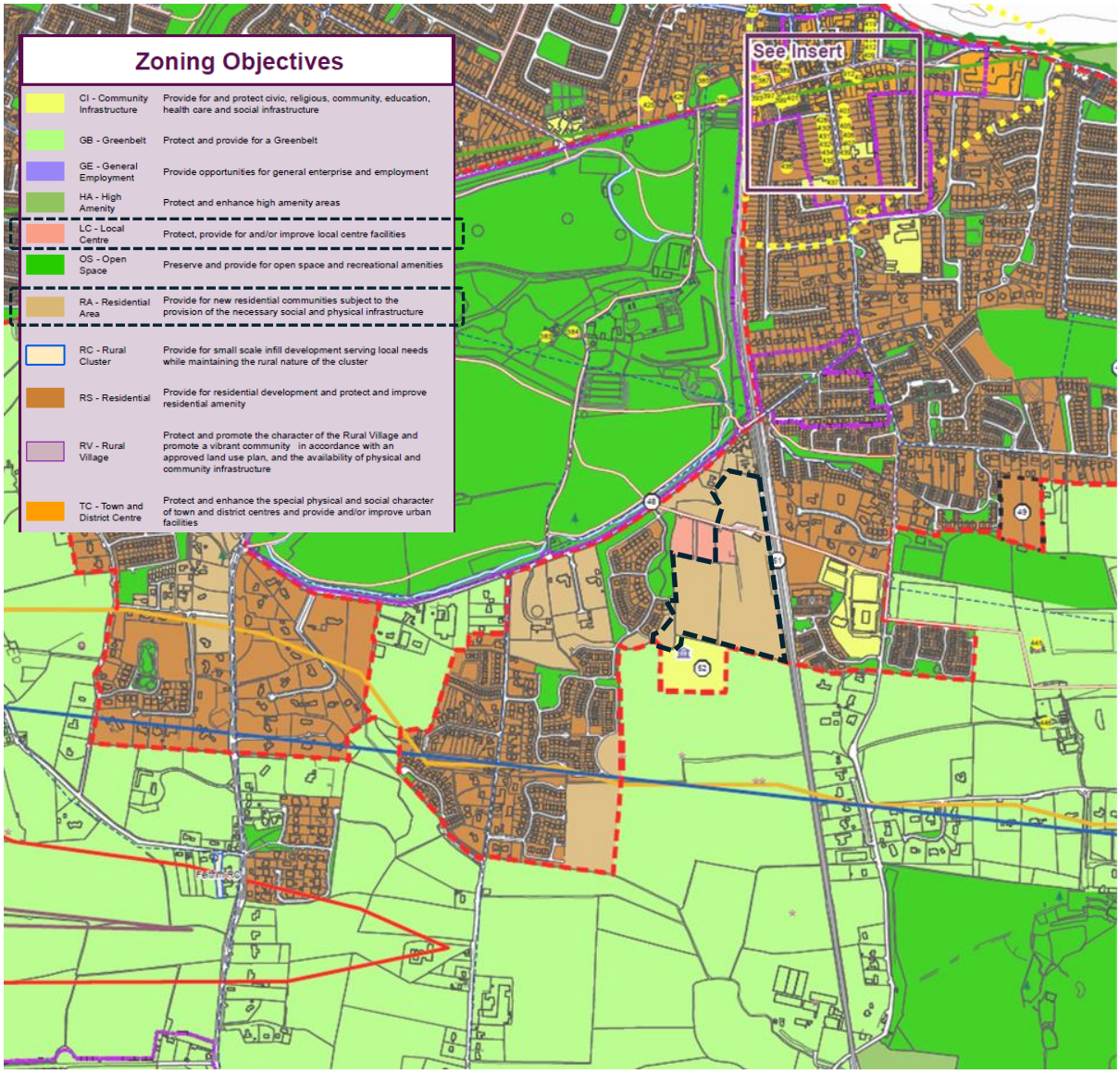



*Figure 3-2. Zoning Objective of the Subject Lands extracted from Fingal Development Plan 2023-2029 (approximate boundaries of the subject site dashed in black).*

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 ≤ 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 ≤ 500 sqm nfa, Retail – Comparison ≤ 500 sqm nfa, Retail – Supermarket ≤ 2,500 sqm nfa, Retirement Village, Sheltered Accommodation, Sustainable Energy Installation, Taxi Office, Traveller Community Accommodation, Utility Installations, Veterinary Clinic. |

*Table 3-4. Permitted Uses under the RA Land Use Zoning*

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

| Uses Permitted in Principle under the LC Land Use Zoning |
|---|
| Betting Office, Childcare Facilities, Community Facility, Cultural Facility Education Fast Food Outlet/Take-Away, Funeral Home/Mortuary, Guest House, Health Centre, Health Practitioner, Home-Based Economic Activity, Office Ancillary to Permitted Use, Office ≤ 100 sqm, Office > 100 sqm and < 1,000 sqm[10], Open Space, Place of Worship, Public House, Public Transport Station, Recreational/Sports Facility, Remote Work Hub, Residential, Residential Care Home/Retirement Home, Residential Institution, **Restaurant/Café**, **Retail - Local < 150 sqm nfa**, Retail - Convenience ≤ 500 sqm nfa, Retail - Supermarket ≤ 2,500 sqm nfa[26], Sheltered Accommodation Taxi Office, Telecommunications Structures, Traveller Community Accommodation, Utility Installations Veterinary Clinic. |

*10 Of a scale appropriate to a local centre*
*26 Proposals for this use class are only permitted in principle for LC zonings listed in Level 4 of the Fingal Retail Hierarchy, included in Chapter 7.*

*Table 3-5. Permitted Uses under the LC Land Use Zoning*

As outlined above, the proposed mixed-use development is permitted in principle under the zoning objectives pertaining to the subject lands.

#### *3.5.1.7 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 it is in accordance with proper planning and sustainable development. The following section assesses the main set of standards and criteria required for high-quality, sustainable development:

| Criteria | Development Plan Requirement & Compliance of the Proposed Development |
|---|---|
| **14.1 Introduction** | |
| **14.1.1 Pre-Planning** | 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 their proposed development.<br><br>*As outlined in Section 3 of this Statement, on the 11th of December 2023 and 29th of February 2024, the design team engaged in two Section 247 pre-application meetings with representatives of Fingal County Council regarding the proposed development. In addition to liaison with departmental sections of the Council, this informed the revised scheme to provide for an enhanced development on the lands.*<br><br>*Following the Section 247 Pre-Planning meetings, a stage 2 LRD Pre-Planning meeting was held under LRD0043/S2 on 25th April at 15:00. Following this meeting, Fingal County Council issues their formal opinion on 23rd May 2024. A full Statement of Response to this opinion has been provided by DOWNEY and submitted under separate cover of the application.*<br><br>*This was then followed up by another meeting held on 6th August at 14.30 to discuss the revised Open Space Strategy and decision on the Broomfield SHD application.* |
| **14.2 Key Principles for all Planning Applications** | |
| **14.2.1 Universal Access** | 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- |

| Criteria | Development Plan Requirement & Compliance of the Proposed Development |
|---|---|
| | 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 incorporate inclusive design principles particularly for vulnerable groups such as the elderly and persons with disabilities.<br><br>*It is noted that the design of the proposed development has taken cognisance of people with reduced mobility through the provision of universally accessible dwelling units as well as readily adaptable dwellings. It is submitted that inclusivity and access have fully influenced the design of the scheme, as follows:*<br><br>▫ *Building for Everyone, a Universal Design Approach (National Disability Authority)*<br>▫ *Universal design Guidelines for Homes in Ireland (National Disability Authority)*<br>▫ *Technical Guidance Document Part M 2010 (Department of the Environment & Local Government).*<br><br>*The proposed scheme is developed with respect to the above-mentioned Guidelines and criteria. For further information in this regard, please refer to the Urban Design Statement prepared by MCORM Architects and submitted with the LRD application.* |
| **14.2.2**<br><br>**Healthy Placemaking** | 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.<br><br>*The subject application is offering a distinct residential development providing a range of unique environments for residents to enjoy within different areas of the subject site. This includes a hierarchy of public and communal open spaces accessible to the residents and the wider community in the area.* |
| **14.2.3**<br><br>**Sustainable Design and Climate Action** | Outlined in the Development Plan, "Design shall optimise natural ventilation and minimise glare and excess solar gain, avoiding large areas of glazing and providing an appropriate balance between solid and void elements… Measures which will allow occupants to adapt to the impacts of climate change are promoted within developments and include natural ventilation, summer shading, openable windows, the incorporation of living roofs and walls, planting and trees, as well as the inclusion of sustainable urban drainage systems (SuDS) and permeable surfaces in adjoining spaces. Measures to mitigate and adapt to the impacts of climate change shall be appropriate to the special and architectural character of an area."<br><br>*Efficiency through design has been achieved in the macro scale in terms of layout and site configuration with good attention to detailing of the individual dwelling plan forms providing energy efficiency and reduced lifetime running costs of the overall scheme. Efficient planning and design have also been brought into the layouts of the individual dwelling units planned, along with the duplex units. The proposed development is part of the larger development of the Broomfield lands, providing an efficient use of the lands on appropriately zoned lands in tandem with developing road network and infrastructure delivery on the lands and linked with its wider context. For further information, please refer to the Architectural Drawings and Urban Design Statement prepared by MCORM Architects along with Landscape Drawings and Report prepared by KFLA Landscape Architecture, enclosed under separate cover of this LRD application pack.* |

| Criteria | Development Plan Requirement & Compliance of the Proposed Development |
|---|---|
| **14.2.4**<br>**Safety and Security** | All residential developments shall refer to Design for Safety and Security guidance contained in the DEHLG Quality Housing for Sustainable Communities – Best Practice Guidelines for Delivering Homes Sustaining Communities 2007.<br>*It is submitted that the arrangement of the dwellings in relation to the road network and public open spaces is to create an outward layout with buildings facing onto the public realm, to ensure passive surveillance and minimise exposed blank façades and walls. In addition, the public open spaces are designed in such a way to encourage and support outdoor activities. This is facilitated by appropriate landscape design, providing for permeability of the open spaces, introducing water element in communal spaces, and provision of playground areas within these spaces. For detailed information in this regard, please refer to the Architectural Drawings and Urban Design Statement prepared by MCORM Architects along with Landscape Drawings and Report prepared by KFLA Landscape Architecture, enclosed under separate cover of this LRD application pack.* |
| **14.3 Assessments Required for Particular Projects** | |
| **14.3.1**<br>**Environmental Impact Assessment** | 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.<br>*An EIAR has been prepared to accompany this application and is submitted under separate cover which the Planning Authority are invited to refer to.* |
| **14.3.2**<br>**Screening for Appropriate Assessment** | 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.<br>*Appropriate Assessment has been carried out by Faith Wilson. For further information in this regard, please refer to the report prepared by Faith Wilson, enclosed under separate cover of this application.* |
| **14.4 Sustainable Placemaking and Quality Homes** | |
| **14.4.1**<br>**Healthy Placemaking:**<br>**Design Criteria** | All applications will be required to exhibit high-quality sustainable and inclusive design characteristics, promoting healthy placemaking and wellbeing. This will require that proposed developments demonstrate the manner in which they contribute to active travel, their connectivity to sustainable travel modes, proximity to community infrastructure including recreational facilities and measures to reduce car use, particularly for short journeys. According to **Objective DMSO4** of the Development Plan, the Council seeks to ensure:<br>▫ The design and layout of a development, the public realm and supporting infrastructure should incorporate Universal Design insofar as is feasible.<br>▫ Development should be well-designed and attractive to all users including children, people with disabilities, the elderly as well as accommodating cyclists and pedestrians.<br>▫ The relationship between the proposed scheme and its site context, including between proposed buildings and the adjoining streets, existing site features, pedestrian, and cycle paths, as well as levels of active and passive surveillance should be carefully considered. |

| Criteria | Development Plan Requirement & Compliance of the Proposed Development |
|---|---|
| | ▫ There must be meaningful interaction between individual units within the scheme and the public realm.<br>▫ Creation of areas of distinction where communities can foster a sense of identity, irrespective of scale. ¨ Importance of the public realm as an area for passive and active use where the community can congregate.<br>▫ High quality finishing materials to proposed buildings and to the public realms, including seating, lighting, landscaping, tree planting, and green infrastructure.<br>▫ Consideration of shelter, sunlight/daylight, and shadowing.<br>▫ The provision of safe environments for all users where the principles of DMURS are utilised and active travel modes such as walking and cycling are favoured over car use.<br><br>*It is submitted that the proposed scheme has been designed and revised with reference to the following:*<br><br>▫ *Building for Everyone, a Universal Design Approach (National Disability Authority)*<br>▫ *Universal design Guidelines for Homes in Ireland (National Disability Authority)*<br>▫ *Technical Guidance Document Part M 2010 (Department of the Environment & Local Government).*<br><br>*In addition, the design of public realm is in accordance with the standards and requirements of Design Manual for Urban Roads and Streets (DMURS) and the DMURS Interim Advice Note – Covid 19 Pandemic Response 2020, whereby priority is given to pedestrians and cyclists. All surfaces within the application boundary will be level to ensure the spaces are accessible for everyone. The footpath will be provided along road network, appropriately designed for all users from parents with buggies to the elderly. The universal design requirements have been incorporated within the dwellings design, to ensure lifetime living. For detailed information in this regard, please refer to the Architectural Drawings and Urban Design Statement prepared by MCORM Architects along with Landscape Drawings and Report prepared by KFLA Landscape Architecture, enclosed under separate cover of this LRD application.* |
| **14.4.2**<br><br>**High Quality Urban Design** | 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 DMSO5** of the Development Plan, the Council seeks to ensure:<br><br>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:<br><br>▫ Explain the design principles and design concept of the scheme.<br>▫ 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.<br>▫ 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.<br>▫ Include photographs of the site and its surroundings.<br>▫ Include other illustrations such as photomontages, perspectives, sketches. |

| Criteria | Development Plan Requirement & Compliance of the Proposed Development |
|---|---|
| | ▫ Outline detailed proposals for open space and ensure the provision of open space is designed in from the beginning when designing a new scheme.<br>▫ Outline a detailed high quality open space and landscape design plan including specifications, prepared by suitably qualified professionals.<br>▫ Outline how Green Infrastructure integrates into the scheme.<br>▫ Demonstrate how the proposed scheme contributes in a positive manner to the public realm and to the local context.<br>▫ 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.<br><br>*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.* |
| **14.4.3**<br><br>**Ensuring Accessibility for All** | 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.<br><br>*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. For further details in this regard, please refer to the Urban Design Statement prepared by MCORM Architects, enclosed under separate cover of this application.* |
| **14.6 Design Criteria for Residential Development in Fingal** | |
| **14.6.1 Design and Layout** | 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:<br><br>▫ Quality Housing for Sustainable Communities – Best Practice Guidelines, 2007,<br>▫ Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas 2009 and Urban Design Manual – A Best Practice Guide 2009,<br>▫ Sustainable Urban Housing: Design Standards for New Apartments 2020.<br><br>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.<br><br>*It is submitted that a Schedule of Accommodation has been prepared by MCORM Architects as part of the Architectural Pack, enclosed with this LRD meeting request pack, which we respectfully invite the Council to refer to. Accordingly, all housing and apartment units meet and/or exceed the minimum standards of room sizes, dimensions, and overall floor areas set out in the relevant planning and development policy and guidelines.* |
| **14.6.2 Mix of Dwellings** | 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: |

<table>
<tr><th>Criteria</th><th>Development Plan Requirement &<br>Compliance of the Proposed Development</th></tr>
<tr><td></td><td>
<ul>
<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>
It is submitted that the proposed residential scheme on lands at Broomfield, is providing for a mix of houses, and duplex units. The overall 211 no. houses (14 no. 2 beds, 156 no. 3 beds, 39 no. 4 beds, and 2 no. 5 beds), 46 no. duplex units (9 no. 1 beds, 14 no. 2 beds, and 23 no. 3 beds), and 40 no. apartments (23 no. 1 beds, 14 no. 2 beds, and 3 no. 3 beds).
<table>
<tr><th>Dwelling Type</th><th>Unit Type</th><th>No. of Units</th><th>Percent (%)</th></tr>
<tr><td rowspan="4">Houses</td><td>2-bed</td><td>14</td><td>5%</td></tr>
<tr><td>3-bed</td><td>156</td><td>53%</td></tr>
<tr><td>4-bed</td><td>39</td><td>13%</td></tr>
<tr><td>5-bed</td><td>2</td><td>1%</td></tr>
<tr><td rowspan="3">duplexes</td><td>1-bed</td><td>9</td><td>3%</td></tr>
<tr><td>2-bed</td><td>14</td><td>5%</td></tr>
<tr><td>3-bed</td><td>23</td><td>8%</td></tr>
<tr><td rowspan="2">Apartments</td><td>1-bed</td><td>23</td><td>8%</td></tr>
<tr><td>2-bed</td><td>14</td><td>5%</td></tr>
<tr><td colspan="2">Total</td><td>297</td><td>100%</td></tr>
</table>
This is submitted to provide for a balanced mix and type of dwellings within the scheme, as illustrated above. For further information in this regard, please refer to the enclosed Architectural Pack prepared by MCORM Architects.
</td></tr>
<tr><td>14.6.3 Residential Density</td><td>
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.
It is submitted that the proposed development provides for 297 no. dwellings on a site of 8.3ha (developable area), which facilitates a net density of 35.7 units per hectare which is deemed acceptable.
</td></tr>
<tr><td>14.6.4 Residential Standards</td><td>
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:
“Require that applications for residential developments comply with all design and floor area requirements set out in:
<ul>
<li>Quality Housing for Sustainable Communities – Best Practice Guidelines 2007,</li>
<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>
</ul>
</td></tr>
</table>

| Criteria | Development Plan Requirement & Compliance of the Proposed Development |
|---|---|
| | ▫ Sustainable Urban Housing: Design Standards for New Apartments 2020."<br><br>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."<br><br>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."<br><br>*As mentioned previously, the proposed scheme 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 of this application.* |
| **14.6.5 Open Space Serving Residential Development** | As stated in the Development Plan, "All applications for residential development are required to demonstrate the provision of private open space to serve the future requirements of the occupants of the unit. All multi-unit residential schemes are in addition, required to indicate all communal and public open space which will serve the scheme. Applicants shall at planning application stage provide a written schedule of all open space and shall submit a colour-coded drawing clearly indicating all areas of private, communal and public open space. The drawing should indicate (i) areas to be taken in charge by the Local Authority (ii) areas which will be within the private management of the homeowner and (iii) areas which will be the responsibility of a private management company. Full details of any short fall in provision shall also be stated."<br><br>*It is submitted that 1.27 ha. public open spaces have been provided on the site, which accounts for more than 15% of the developable area of the site.*<br><br>*It is also crucial to note that Malahide Castle and Demesne is located to the north vicinity of the subject site, which extends to over 260 acres of parkland, woodland, playground, walking trails, and botanical garden. For further details in this regard, please refer to the Landscape Drawings and Report prepared by KFLA Landscape Architecture, enclosed with this application.* |
| **14.6.6 External Factors for Consideration** | Outlined in sub-section 14.6.6.1 of the Development Plan, "All applications for residential development must ensure that the layout and design of individual units and accompanying public realms are designed in a manner which maximises daylight and sunlight." According to **Objective DMSO22** of the Development Plan:<br><br>"Require Daylight and Sunlight analysis for all proposed developments of 50+ units or as required by the Planning Authority, depending on the context of the site and neighbouring property as well as the design of the development."<br><br>*In response to this, Digital Dimensions have prepared a Daylight Sunlight Analysis report, enclosed with this LRD application which we respectfully invite the Council to refer to. Accordingly, the proposed development complies with the principles of Site Layout Planning for Daylight and Sunlight, A Guide to Good Practice – (Building Research Establishment Report) 2011 and any updated guidance.*<br><br>Stated in sub-section 14.6.6.3, "All proposals for residential development, particularly apartment developments, over three storeys high, shall provide for acceptable separation distances between blocks to avoid negative effects such as excessive |

<table>
<tr><th>Criteria</th><th>Development Plan Requirement &<br>Compliance of the Proposed Development</th></tr>
<tr><td></td><td>overlooking, overbearing and overshadowing and to provide sustainable residential amenity conditions and open spaces.” As per Objective DMSO23, the Council seeks:<br><br>“A separation distance of a minimum of 22 metres between directly opposing rear first floor windows shall generally be observed unless alternative provision has been designed to ensure privacy. In residential developments over three-storeys in height, minimum separation distances shall be increased in instances where overlooking or overshadowing occurs.”<br><br>In response to this, the proposed development achieved various levels of separation distance between opposing windows. The development plan in certain cases does facilitate development having regard to the layout, orientation, and location of the units proposed as they are in areas where there will be no impact on existing or proposed housing units, i.e., end house locations. It is viewed that the proposed development is designed in accordance with Objective DMSO23 of the Development Plan.</td></tr>
<tr><td colspan="2">14.7 Apartment Development/Standards<br><br>Outlined in Objective DMSO24 of the Development Plan, the Council seeks to ensure:<br><br>“All applications for apartment development are required to comply with the Specific Planning Policy Requirements (SPPRs), the standards set out under Appendix 1 and general contents of the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities 2020 (or updated guidance as may be in place at the time of lodgement of the planning application).”<br><br>In response, it is submitted that the proposed scheme has been made cognisant of the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities 2022 and in compliance with the Specific Planning Policy Requirements (SPPRs). For further details in this regard, please refer to the Architectural Drawings and Urban Design Statement prepared by MCORM Architects, enclosed with this LRD meeting request pack.</td></tr>
<tr><td>14.7.1 Apartment – Unit Size and Mix</td><td>As reiterated in the Development Plan an according to Table 14.7 of the Plan, Specific Planning Policy Requirement 3 (SPPR 3) sets out the minimum floor areas for apartments (see Table below).<br><br>Table 14.7: Minimum Requirements for Apartments<br><br>
<table>
<tr><th>Unit Type</th><th>Size (sq. m.)</th><th>Private Open Space Required (sq. m.)</th><th>Communal Open Space required (sq. m.)</th><th>Storage Space required (sq. m.)</th></tr>
<tr><td>Studio (1 person)</td><td>37</td><td>4</td><td>4</td><td>3</td></tr>
<tr><td>One Bedroom (2 person)</td><td>45</td><td>5</td><td>5</td><td>3</td></tr>
<tr><td>Two Bedroom (3 person)</td><td>63</td><td>6</td><td>6</td><td>5</td></tr>
<tr><td>Two bedroom (4 person)</td><td>73</td><td>7</td><td>7</td><td>6</td></tr>
<tr><td>Three bedroom (5 person)</td><td>90</td><td>9</td><td>9</td><td>9</td></tr>
</table>
<br>Whilst there are different apartment/duplex unit types and different house unit types provided, in terms of bedroom provision, it is also important to note that within these units meet and/or exceed the minimum requirements of the aforesaid standards. For full details in this regard, please see Schedule of Accommodation prepared by MCORM Architects, where a detailed compliance assessment of the proposed dwellings against minimum requirements of the Plan has been provided.</td></tr>
</table>

| Criteria | Development Plan Requirement & Compliance of the Proposed Development |
|---|---|
| **14.7.2 Floor to Ceiling Heights** | Outlined in the Development Plan and in line with SPPR 5 of the Apartment Guidelines, "ground level apartment floor to ceiling heights shall be a minimum of 2.7m and shall be increased in certain circumstances, particularly where necessary to facilitate a future change of use to a commercial use. 3.0m should be considered in such instances."<br><br>*In response to this, the floor to ceiling heights proposed as part of the proposed scheme has been designed in accordance with SPPR 5 of the Apartment Guidelines. For full details in this regard, please refer to the Architectural Drawings prepared by MCORM Architects, enclosed under separate cover of this application.* |
| **14.7.3 Internal Storage** | Stated in the Development Plan, "Internal storage within an apartment unit shall be provided in accordance with the Sustainable Urban Housing Design Standards for New Apartments as set out in Appendix 1 and Section 3.30 to 3.34 of the Apartment Guidelines."<br><br>*The proposed development provides for convenient and well-designed proposals for storage, in accordance with the Sustainable Urban Housing Design Standards for New Apartments as set out in Appendix 1 and Section 3.30 to 3.34 of the Apartment Guidelines. The Council are respectfully invited to refer to the Architectural Drawings and Schedule of Accommodation for further details in this regard.* |
| **14.7.4 Dual Aspect** | Reiterated in the Development Plan and in line with SPPR 4 of the Apartment Guidelines:<br><br>▫ There shall be a minimum of 33% dual aspect units required in more 'central and accessible urban locations', where it is necessary to achieve a quality design in response to the subject site characteristics and to ensure good street frontage.<br>▫ In 'suburban or intermediate locations' it is an objective that there shall generally be a minimum of 50% dual aspect apartments in a single scheme.<br>▫ For building refurbishment schemes on sites of any size or urban infill schemes on sites of up to 0.25ha, the Apartment Guidelines state that Planning Authorities may exercise further discretion to consider dual aspect unit provision at a level lower than the 33% minimum outlined above on a case-by-case basis, but subject to the achievement of overall high design quality in other aspects.<br><br>*It is submitted that the proposed development provides for a sufficient quantum of dual aspect units (55% within the apartment block) and therefore accords with the Guidelines. The Council are respectfully invited to refer to the Architectural Drawings and Schedule of Accommodation for further details in this regard.* |
| **14.7.6 Private Open Space** | Stated in the Development Plan, "Every apartment shall have private amenity space in the form of gardens or patios/terraces for ground floor apartments and balconies at upper levels… The minimum areas for private amenity are set out in Appendix 1 and Section 3 of the Apartment Guidelines."<br><br>*It is submitted that the proposed development is in keeping with the requirements and standards of the Apartment Guidelines – December 2022. For full details in this regard, please refer to the Architectural Drawings and Schedule of Accommodation prepared by MCORM Architects.* |
| **14.7.8 Public Open Space** | As set in Chapter 4 and Section 14.13 of the Development Plan, whereas in Chapter 4 it is stated that "For all developments with a residential component, the overall standard for public open space provision is a minimum 2.5 hectares per 1000 population. In general, this shall be provided at a ratio of 75% Class 1 and 25% Class 2."<br><br>*In response to this, public open space provision in this scheme amounts 1.27ha that forms 15% of the net development area. It is noted the subject site is located in close proximity* |

| Criteria | Development Plan Requirement & Compliance of the Proposed Development |
|---|---|
| | *to the Class 1 public open space of Malahide Castle and Demesne (260 acres). For full details in this regard, please refer to the Architectural Drawings, Urban Design Statement, and Schedule of Accommodation prepared by MCORM Architects, and Landscape Drawings and Report prepared by KFLA Landscape Architecture, enclosed under separate cover of this application. Noted that compliance of the proposal with Section 14.13 of the Development Plan is addressed in its relevant sub-section in this Statement.* |
| **14.7.9 Communal Facilities** | Outlined in the Development Plan, "Applicants are encouraged to provide for a range of communal facilities for residents of a scheme, particularly as part of larger apartment developments."<br><br>*For details in this regard, please refer to the Architectural Drawings, Urban Design Statement, and Schedule of Accommodation prepared by MCORM Architects, submitted within this application.* |
| **14.7.10 Building Lifecycle Report and Management Companies** | Stated in the Development Plan, "planning applications for apartment developments within Fingal will be required to submit a building lifecycle report. This should include:<br><br>▫ An assessment of long-term running and maintenance costs as they would apply on a per residential unit basis at the time of application, as well as demonstrating what measures have been specifically considered to effectively manage and reduce costs for the benefit of residents.<br>  ▪ Property Management of the Common Areas of the development<br>  ▪ Service Charge Budget<br>▫ Accordingly, when granting planning permission for such developments, which are not proposed to be Taken in Charge by the Council, the Guidelines state that Planning Authorities can attach appropriate planning conditions that require:<br>  ▪ Compliance with the MUD Act,<br>  ▪ Establishment of an Owners Management Company (OMC) and,<br>  ▪ Establishment and ongoing maintenance of a sinking fund commensurate with the facilities in a development that require ongoing maintenance and renewal.<br><br>*In response to this, it is submitted that a Building Lifecycle Report has been prepared by MCORM Architects and is submitted under separate cover.* |
| **14.7.11 Security and Surveillance** | Stated in the Development Plan, "Within the scheme, the design should include for the maximisation of natural surveillance of all common areas, streets, and parking areas and for active frontage to the building facades. Particular attention should be paid to the location of entrance doors and lobbies to ensure that such areas are well lit, have high levels of active surveillance and are overlooked. The design should also give due consideration to the security and privacy levels afforded to ground floor apartments."<br><br>*It is submitted that passive surveillance and security are an integral part of the proposed scheme. All dwelling units are own door, arranged in an outward looking layout whereby they are all facing onto the streets and public open spaces.* |
| **14.7.12 Refuse Storage in Apartment Development** | According to the Development Plan, "Provision shall be made for the storage and collection of waste in all applications for apartment development. Refuse facilities should be accessible to each apartment stair/lift core and be adequately sized to cater for the projected level of waste generation, types, and quantities. Within apartments, there should be adequate provision for the temporary storage of segregated materials prior to removal to communal waste storage. Waste storage areas should not be on the public street and should not be visible to or accessible by the general public." |

| Criteria | Development Plan Requirement & Compliance of the Proposed Development |
|---|---|
| | *The proposed development provides for convenient and well-designed proposals for the storage of refuse. For further details, please refer to the Schedule of Accommodation, and Urban Design Statement prepared by MCORM Architects. Please also refer to the Operational Waste Management Plan prepared by Enviroguide Consulting and submitted under separate cover.* |
| **14.8 Housing Development/Standards** | |
| **14.8.1 Floor Areas** | 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."<br><br>*DOWNEY notes that all residential units within the proposed scheme 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.* |
| **14.8.2 Separation Distances** | Set out in **Objective DMSO26** of the Development Plan, the Council seeks to:<br><br>"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)."<br><br>*In this regard, the proposed development achieved various levels of separation distance between opposing windows. The development plan in certain cases does facilitate development having regard to the layout, orientation, and location of the units proposed as they are in areas where there will be no impact on existing or proposed housing units, i.e., end house locations. The housing units have been provided with high-quality rear gardens, where no undue overlooking on neighbour housing nor overshadowing will occur. 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 the application.* |
| **14.8.3 Private Open Space** | Outlined in **Objective DMSO27** of the Development Plan, the Council seeks to:<br><br>▫ "Ensure a minimum open space provision for dwelling houses (exclusive of car parking area) as follows:<br>▫ 3-bedroom houses or less to have a minimum of 60sqm of private open space located behind the front building line of the house."<br><br>In addition, **Objective DMSO28** of the Development Plan:<br><br>"Allow a reduced standard of private open space for one- and two-bedroom townhouses only in circumstances where a particular design solution is required such as to develop small infill/corner sites. In no instance will the provision of less than 48sqm of private open space be accepted per house."<br><br>*It is noted that each residential unit benefits from the provision of adequately sized private open space in the form of gardens, balconies, or patios/terraces (designed in accordance with quantitative and qualitative standards), with the units at ground floor level provided with appropriate boundary treatments to ensure privacy and security* |

| Criteria | Development Plan Requirement & Compliance of the Proposed Development |
|---|---|
| | *whilst also providing visual interest and distinction between spaces. For further information on the private open space proposed as part of this application, please refer to the Urban Design Statement prepared by MCORM Architects, and the landscaping pack prepared by KFLA Landscape Architecture submitted with the LRD application.* |
| **14.9 Residential Development – General Requirements** | |
| **14.9.3 Roads and Footpaths** | According to the Development Plan, "The design of streets in urban areas is guided by the Design Manual for Urban Roads and Streets (DMURS) and the DMURS Interim Advice Note – Covid 19 Pandemic Response 2020. This Plan will support the implementation of DMURS principles for all new transportation and public realm schemes within the County."<br><br>*It is submitted that the proposed development has been made cognisant of the DMURS and the DMURS Interim Advice Note – Covid 19 Pandemic Response 2020. The Council are invited to refer to the Engineering Pack prepared by Waterman Moylan for further information in this regard.* |
| **14.9.4 Open Plan Estates** | Outlined in the Development Plan, "It is important to maintain the openness of residential development, particularly schemes where openness is a defining feature of the development. This can be achieved through the removal of the exempted development rights with regard to the provision of boundary walls, railing or other features to the front of houses."<br><br>*The removal of the exempted development rights is subject to agreement with the Planning Authority as part of a condition to the granting of planning permission.* |
| **14.9.5 Gated Communities** | According to the **Objective DMSO30** of the Development Plan, the Council seeks to:<br><br>"Prohibit proposals that would create a gated community for any new residential developments."<br><br>*It is submitted that the proposed scheme is not a gated development and will integrate with the existing developments in the overall Broomfield lands.* |
| **14.9.6 Taking in Charge and Management Companies** | Outlined in the Development Plan, "In residential developments which are not proposed to be taken in charge by the Council, evidence will be required that Private Management Companies are to be established to manage developments on completion with a requirement for compulsory membership for all purchasers of property within the scheme. If a development (or part thereof) is to be Taken in Charge by the Council, the applicant shall agree at planning application stage those areas to be taken in charge by the Local Authority with such areas clearly delineated on a layout plan."<br><br>*The proposed development will, in part, be privately managed by the establishment of a management company that will be engaged at an early stage of the development to ensure that all property management functions are dealt with. This management company will be responsible for maintaining the external appearance of the duplex units, maintaining the internal and external communal spaces, bins management, etc. It is also important to note that the public parks and main roads are proposed to be taken in charge by Fingal County Council. For information in this regard, please see the enclosed pertaining drawing prepared by MCORM Architects.* |

<table>
<tr><th>Criteria</th><th>Development Plan Requirement &<br>Compliance of the Proposed Development</th></tr>
<tr><td colspan="2">14.13 Open Space</td></tr>
<tr><td>14.13.1 Hierarchy and Accessibility</td><td>As per Objective DMSO49 of the Development Plan, the Council seeks to:<br><br>“Integrate and provide links through adjoining open spaces to create permeable and accessible areas, subject to Screening for Appropriate Assessment and consultation, including the public, as necessary.”<br><br>It is submitted that the public open spaces envisaged within the scheme are designed to be permeable and accessible; the hierarchy of these open spaces are in keeping with requirements of Table 14.11 of the Development Plan. For further details in this regard, please refer to the Architectural Drawings and Urban Design Statement prepared by MCORM Architects, and the landscaping pack prepared by KFLA Landscape Architecture.</td></tr>
<tr><td>14.13.2 Quantity</td><td>According to Objective DMSO51 of the Development Plan, the Council:<br><br>“Require a minimum public open space provision of 2.5 hectares per 1000 population. For the purposes of this calculation, public open space requirements are to be based on residential units with an agreed occupancy rate of 3.5 persons in the case of dwellings with three or more bedrooms and 1.5 persons in the case of dwellings with two or fewer bedrooms.”<br><br>The Development Plan set the thresholds for open space provision as below:<br><br>Table 14.12: Recommended Quantitative Standards (Sustainable Residential Developments in Urban Areas, Guidelines for Planning Authorities 2009)
<table>
<tr><th>Land use</th><th>Minimum public open space standards</th></tr>
<tr><td>Overall standard</td><td>2.5 hectares per 1000 population</td></tr>
<tr><td>New residential development on greenfield sites/LAP lands</td><td>12% - 15% of site area</td></tr>
<tr><td>New residential development on infill/ brownfield sites</td><td>12% of site area</td></tr>
</table>
<br>In response to this, public open space provision in this scheme amounts 1.27ha that forms 15% of the net development area. In terms of Class 1 Open Space, Malahide Castle and Demesne is located to the north vicinity of the subject site, which extends to over 260 acres of parkland, woodland, playground, walking trails, and botanical garden.<br><br>For full details in this regard, please refer to the Architectural Drawings, Urban Design Statement, and Schedule of Accommodation prepared by MCORM Architects, and Landscape Drawings and Report prepared by KFLA Landscape Architecture, enclosed with this LRD application under separate cover.<br><br>As outlined in Objective DMSO55 of the Development Plan:<br><br>“The Class 1 Open Space conditioned as part of a residential development shall be transferred to/taken in charge by the Council and or made available for use by the public in tandem with the occupation of the related residential development.”<br><br>In response to this and as mentioned earlier, the public parks and main roads are proposed to be taken in charge by Fingal County Council. For information in this regard, please see the enclosed pertaining drawing prepared by MCORM Architect.<br><br>According to Objective DMSO56 of the Development Plan, the Council seeks to:<br><br>“Ensure every home within a new residential scheme is located within 150 metres walking distance of a pocket park, small park, local park, urban neighbourhood park or regional park.”</td></tr>
</table>

| Criteria | Development Plan Requirement & Compliance of the Proposed Development |
|---|---|
| | *In response to this, the public open space envisaged in the scheme, is provided in 5 separate locations of the subject site, providing close proximity to all proposed developments. This is suggested to provide for a balanced spread of public open spaces and an enhanced accessibility to these spaces. For further details in this regard, please refer to the Landscape Drawings and Report prepared by KFLA Landscape Architecture.* |
| **14.13.3 Quality** | The most relevant Objectives of the Development Plan with regard to the proposed scheme are as follows:<br><br>**Objective DMSO63**: "Ensure open spaces are not located to the side or the rear of housing units."<br><br>**Objective DMSO64**: "Ensure open space provision is suitably proportioned and inappropriate narrow tracts are not provided."<br><br>*In response to this, the scheme is submitted to provide for quality open spaces, proposed to be provided in various locations within the subject site, in close proximity to each unit. The overall landscape plan ties in well with the established landscape hierarchy of the adjacent Ashwood Hall & Brookfield developments, with the design intent to link the proposed development open spaces with those existing to create one defined landscape strategy. This will promote integration of the proposed development and movement of residents of both the proposed and existing development. It is also noted that the subject site is in close proximity to the Malahide Castle Demesne Class 1 Public Open Space. This is suggested to provide for an appropriate balance of open space within the scheme. For further details in this regard, please refer to the Architectural Pack prepared by MCORM Architects, and Landscape Drawings and Report prepared by KFLA Landscape Architecture.*<br><br>In addition, **Objective DMSO68** seeks to: "Provide appropriately scaled children's playground facilities within residential development. Playground facilities shall be provided at a rate of 4sqm per residential unit. All residential schemes in excess of 50 units shall incorporate playground facilities clearly delineated on the planning application drawings and demarcated, built and completed, where feasible and appropriate, in advance of the sale of any units.<br><br>And **Objective DMSO69** seeks to: "Ensure that in the instance of an equipped playground being included as part of a specific facility, it shall occupy an area of no less than 0.02 hectares. A minimum of one piece of play equipment shall be provided for every 50sqm of playground."<br><br>*It is submitted that a Play Strategy has been incorporated within the landscape design of the scheme, comprising of provision for formal play area with sunken lawns and toddler play area within the open spaces. For further details in this regard, please see Landscape Drawings and Report prepared by KFLA Landscape Architecture submitted under separate cover.*<br><br>The Development Plan outlines the requirements for private open space provision for apartments and duplexes as below: |

<table>
<tr><th>Criteria</th><th>Development Plan Requirement &<br>Compliance of the Proposed Development</th></tr>
<tr><td></td><td>

Table 14.14: Open Space requirement for Apartment and Duplex Units

| Unit type | Private amenity space | Communal amenity space |
|---|---|---|
| Studio | 4 sq. m. | 4 sq. m. |
| One bed | 5 sq. m. | 5 sq. m. |
| Two bed | 7 sq. m. | 7 sq. m. |
| Three bed | 9 sq. m. | 9 sq. m. |

*It is noted that each residential unit benefits from the provision of adequately sized private open space in the form of gardens, balconies, or patios/terraces (designed in accordance with quantitative and qualitative standards), with the units at ground floor level provided with appropriate boundary treatments to ensure privacy and security whilst also providing visual interest and distinction between spaces.*

*For further information on the private open space proposed as part of this application, please refer to the Urban Design Statement prepared by MCORM Architects, and the landscaping pack prepared by KFLA Landscape Architecture.*

</td></tr>
<tr><td colspan="2">14.14 Community Infrastructure</td></tr>
<tr><td>14.14.1 Community Facilities</td><td>

According to **Objective DMSO78** of the Development Plan, "Planning applications for large scale residential and mixed-use developments, of 50 or more residential units, shall include a Community and Social Infrastructure Audit. This audit shall assess the provision of community and social infrastructure within the vicinity of the site and shall identify existing shortcomings in terms of these facilities and assess whether there is a need to provide additional facilities to cater for the proposed development. A Community and Social Infrastructure Audit shall include the following:

- An assessment of existing community and social infrastructure facilities within 1 km of the subject site.
- An assessment of the need in terms of necessity, deficiency, and opportunities to enhance/share existing facilities based future population projections for the area.
- A justification as to whether or not a new community facility will be provided as part of the proposed development, based on the findings of the audit."

*In response to this, A Community and Social Infrastructure Audit and a Childcare Demand Assessment report were undertaken by DOWNEY and submitted as part of the application. The Council are respectfully invited to refer to this for further details.*

</td></tr>
<tr><td colspan="2">14.17 Connectivity & Movement</td></tr>
<tr><td>14.17.2 Bicycle Parking</td><td>

Outlined in **Objective DMSO109** of the Development Plan, the Council seeks to: **"**Ensure that all new development provides high quality, secure and innovative bicycle parking provision in accordance with the bicycle parking standards set out in Table 14.17 and the associated design criteria for bicycle parking provision set out in this Plan, where feasible, practical and appropriate, having regard to local, national and international best practice."

*The proposed development provides considerable secure, covered bicycle parking for the houses and duplex units as part of the development proposal. This ensures that future residents and visitors are encouraged to use sustainable modes of transportation. It is considered that the bicycle parking provision as part of the proposed development is consistent with Table 14.17 - Bicycle Parking Standards of the Development Plan, and Section 4.15 of the 2022 guidelines Design Standards for Apartments. Houses are proposed to secure and store their bicycles on their own private property, and all duplexes*

</td></tr>
</table>

<table>
<tr><th>Criteria</th><th>Development Plan Requirement &<br>Compliance of the Proposed Development</th></tr>
<tr><td></td><td>will have a secure, accessible, and sheltered purpose-built store. For further information on the bicycle parking, please refer to the Traffic and Transport report prepared by Waterman Moylan Consulting Engineers, and Schedule of Accommodation, and Urban Design Statement and associated drawings prepared by MCORM Architects.</td></tr>
<tr><td>14.17.3 Mobility Management Plans</td><td>As per Objective DMSO111 of the Development Plan, “For all new developments which are likely to generate a significant demand for travel, require the preparation and submission of a Mobility Management Plan as part of the development management process. This requirement includes existing developments that are expanding or intensifying their use.”<br><br>It is submitted that Waterman Moylan Consulting Engineers have prepared a Mobility Management Plan, submitted as part of the LRD application, which we respectfully invite the Council to refer to under separate cover.</td></tr>
<tr><td>14.17.4 Traffic and Transport Assessment</td><td>Outlined in Objective DMSO113 of the Development Plan, the Council, “Require the provision of a Traffic and Transport Assessment where new development is likely to have a significant effect on travel demand and the capacity of the surrounding transport network including the road network and public transport services network.”<br><br>It is submitted that Waterman Moylan Consulting Engineers have prepared a Traffic and Transport Assessment, submitted as part of the LRD application pack, which we respectfully invite the Council to refer to.</td></tr>
<tr><td>14.17.7 Car Parking</td><td>The Development Plan defines 2 Car Parking Zones to ensure adequate residential parking provision and the control of destination car parking with regard to access to public transport services. It also outlines standards for car parking provision as per the Table below:<br><br>
Table 14.19: Car Parking Standards
<table>
<tr><th>Land Use Category</th><th colspan="2">Zone 1: Developments within 800m of a high-quality bus service, or 1600m of an existing or planned Luas/DART/Metro Rail station or in lands zoned Major Town Centre***</th><th colspan="2">Zone 2: All other areas</th></tr>
<tr><td colspan="5">Residential</td></tr>
<tr><td>Residential (1–2 Bedroom)</td><td>0.5</td><td>Max</td><td>1 plus 1 visitor space per 5 units</td><td>Norm</td></tr>
<tr><td>Residential (3–3+ Bedroom)</td><td>1</td><td>Max</td><td>2 plus 1 visitor space per 5 units</td><td>Norm</td></tr>
</table>
<br>The subject site is located within 1.8km from a Bus Connect spine route and is within 1.6km to DART Malahide train station, and according to Table 14.18 of the Development Plan would fall within the Car Parking Zone 2.</td></tr>
</table>

| Criteria | Development Plan Requirement & Compliance of the Proposed Development |
|---|---|
| | <br>*Figure 3-3. Approximate location of the subject site in relation to Bus Connect Network for Swords Area (source: Busconnect.ie)*<br><br>*With regards to the Table above, it is submitted that an overall total of 426 no. car parking spaces (incl. 407 no. residents' car parking and 19 no. commercial car parking) has been proposed as part of the scheme. For further details in this regard, please refer to the Architectural Drawings prepared by MCORM Architects and Traffic and Transport Assessment prepared by Waterman Moylan Consulting Engineers.* |
| **14.17.8 Accessible Car Parking** | Outlined in the Development Plan, "Provision for designated Age Friendly car parking and Parent and Child car parking provision is encouraged. Disabled car parking spaces should be provided as close as reasonably possible to building entrance points and allocated and suitably sign posted for convenient access."<br><br>*The proposed development is served with an appropriate level of accessible car parking bays. The Council are respectfully invited to refer to the Architectural Drawings prepared by MCORM Architects and Traffic and Transport Assessment prepared by Waterman Moylan Consulting Engineers.* |
| **14.17.10 Electric Vehicle Parking** | Set out by the Development Plan, "All multi-unit residential developments shall incorporate EV charging points at 20% of the proposed parking spaces and appropriate infrastructure (e.g. ducting) to allow for future fit out of a charging point at all parking spaces."<br><br>*A total of 426 no. car parking spaces are proposed for the subject development, of which 92 spaces are equipped with charging points for electric vehicles. All parking spaces will have the ducting infrastructure to allow for future electric vehicle charging points should the demand for this facility requires. For further details in this regard, please refer to the Engineering Pack prepared by Waterman Moylan Consulting Engineers.* |
| **14.18 Green Infrastructure and Natural Heritage**<br>According to **Objective DMSO124** of the Development Plan, the Council "Require the submission of an Integrated Green Infrastructure Plan as part of planning applications for residential developments over 50 units and all commercial developments over 2000sqm.<br><br>*It is submitted that a Green Infrastructure Plan has been incorporated within the Landscape Drawings prepared by KFLA Landscape Architecture, enclosed with this application, which we respectfully invite the Council to refer to.* | |

| Criteria | Development Plan Requirement & Compliance of the Proposed Development |
|---|---|
| 14.8.1 Tree Policy | The most relevant Objectives of the Development Plan in relation to the proposed scheme are as below:<br><br>**Objective DMSO127:** "Require the use of native species where appropriate in new developments in consultation with the Council.<br><br>**Objective DMSO128:** "Ensure trees, hedgerows and other features which demarcate townland boundaries are preserved and incorporated where appropriate into the design of developments."<br><br>**Objective DMSO131:** "Street tree planting plans shall accompany developments over 50 units. Constructed tree pits will be required where trees are planted in hard surfaces and grass verges less than 1.2m wide. These plans will include the location of each constructed tree pit of a minimum rooting volume of 16 cubic metres, lamp standards and underground services. The location of tree planting in proximity to built features including footpaths must refer to BS5837:2012 Trees in Relation to Design, Demolition and Construction – Recommendations. The width of grass verges where tree planting is proposed must be labelled on landscape plans."<br><br>**Objective DMSO133:** "Where new trees are being planted, these will be located so they do not cause future interference to streetlights, typically trees shall be located so there is a distance of no less than 7m from the centre of the main stem to the lighting pole."<br><br>**Objective DMSO134:** "Regardless of development size or type, applicants must submit an overall site summary quantifying and detailing the following:<br><br>▫ tree and hedgerow removal;<br>▫ tree and hedgerow retention; and<br>▫ new tree and hedgerow planting.<br><br>This information will be submitted in a digital format agreed with the Council to allow amalgamation and reporting on tree and hedgerow cover within the County over time."<br><br>**Objective DMSO135:** "Avoid any new tree planting in areas which have sub-surface archaeology preserved in situ. There should be a minimum set-back of 20m from the boundaries of archaeological remains for any tree planting; 30m set-back from skeletal remains."<br><br>**Objective DMSO136:** "Tree planting within developments shall adhere to the 30:20:10 rule in relation to tree selection in order to prevent an over reliance on certain genera or species in the existing stock and to combat climate change. Species and varieties will be selected to meet the requirements of the 30:20:10 rule – no more than 30% of trees from any one family, 20% from a single genus or 10% from a single species."<br><br>*It is submitted that the proposed development has been made cognisant of the above-mentioned Objectives. An Arboricultural pack including relevant drawings and report has been prepared by Charles McCorkell as part of this LRD application pack, which we respectfully invite the Council to refer to under separate cover.* |
| 14.18.2 Natural Heritage | **14.8.2.1 Biodiversity**<br><br>The most relevant Objectives of the Development Plan in relation to the proposed scheme are as following:<br><br>**Objective DMSO138:** "Ensure all development and infrastructure proposals include measures to protect and enhance biodiversity leading to an overall net biodiversity gain." |

| Criteria | Development Plan Requirement & Compliance of the Proposed Development |
|---|---|
| | **Objective DMSO139:** "Ensure that an ecological study is carried out of the development site covering habitats and flora, breeding birds, bats and amphibians to identify existing ecological valuable features and the species composition of the site."<br><br>**Objective DMSO140:** "Protect existing landscape features such as scrub, woodland, large trees, hedgerows, meadows, ponds and wetlands which are of biodiversity or amenity value and/or contribute to landscape character and ensure that proper provision is made for their protection and management."<br><br>**Objective DMSO141:** "Incorporate habitat features (new or existing) and other conservation measures for species of conservation interest (e.g., legally protected species or Amber and Red listed bird species) in the Integrated Green Infrastructure Plan."<br><br>**Objective DMSO143:** "Require all new developments to incorporate habitat facilities for wildlife species as appropriate including Kestrel, Peregrine, Swifts, House Sparrows, Swallow, Starling, Bats and insects in or on buildings facades."<br><br>*It is submitted that the aforesaid Objectives have all been fully addressed in the Landscape Drawings and Report prepared by KFLA Landscape Architecture and Ecological Pack prepared by Faith Wilson, which we respectfully invite the Council to refer to.*<br><br>**14.18.2.2 Biodiversity Conservation in Fingal**<br><br>The most relevant Objectives of the Development Plan in relation to the proposed scheme are as following:<br><br>**Objective DMSO144:** "Ensure Screening for Appropriate Assessment and, where required, full Appropriate Assessment is carried out for all plans and projects in the County which, individually, or in combination with other plans and projects, are likely to have a significant direct or indirect impact on any European site or sites."<br><br>**Objective DMSO145:** "Ensure that sufficient information is provided as part of development proposals to enable Screening for Appropriate Assessment to be undertaken and to enable a fully informed assessment of impacts on biodiversity to be made."<br><br>**Objective DMSO146:** "Ensure that Natura Impact Statements (NIS) and any other ecological impact assessments submitted in support of proposals for development are carried out by appropriately qualified professionals and that any necessary survey work takes place in an appropriate season."<br><br>**Objective DMSO147:** "Ensure planning applications for proposed developments likely to have significant direct or indirect impacts on any European Site or sites are accompanied by a Natura Impact Statement prepared in accordance with the Guidance issued by the Department of the Environment, Heritage and Local Government (Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities, 2009)."<br><br>**Objective DMSO148:** "Ensure ecological impact assessment is carried out for any proposed development likely to have a significant impact on proposed Natural Heritage Areas (pNHAs), Natural Heritage Areas (NHAs), Statutory Nature Reserves, Refuges for Fauna, Habitat Directive Annex I sites and Annex II species contained therein, or rare and threatened Flora Protection order and Red Data Book species and their habitats. Ensure appropriate avoidance and mitigation measures are incorporated into development proposals as part of any ecological impact assessment." |

| Criteria | Development Plan Requirement & Compliance of the Proposed Development |
|---|---|
| | *A Screening for Appropriate Assessment and NIS have been carried out by Faith Wilson, which is submitted under separate cover.* |
| **14.20 Infrastructure and Utilities** | |
| **14.20.1 Water Services Infrastructure** | Outlined in **Objective DMSO196** of the Development Plan, the Council seeks to: "Ensure that all new developments in areas served by a public foul sewerage network connect to the public sewerage system, to comply with the requirements of the Uisce Éireann Foul Sewer specification (where applicable)."<br><br>Also, as per **Objective DMSO197** of the Development Plan, the Council "Require all new development to provide separate foul and surface water drainage systems and to prohibit the connection of surface water outflows to the foul drainage network and vice versa (prohibit foul to surface water) where separation systems are available."<br><br>*It is submitted that all details regarding above-mentioned Objectives can be found in the Engineering Pack prepared by Waterman Moylan Engineers. This includes information on the foul water network, surface water network and water supply.* |
| **14.20.3 Sustainable Urban Drainage Systems (SuDS)** | Outlined in **Objective DMSO205** of the Development Plan, the Council "Require the preparation of a Surface Water Management Plan as part of all new developments which shall include the following:<br><br>▫ Identify and assess the existing surface water movements through the development before considering and developing a surface water management system using SuDS, having regard to our Fingal Guidance Document – Green/ Blue Infrastructure for Development, as amended. (Appendix 11).<br>▫ Incorporate SuDS along the route of the water movement to enhance the water quality effects of nature-based systems at the different stages – Treatment Train approach from source to discharge."<br><br>*It is intended to utilise SuDS within the proposed scheme, and this has been fully addressed within the Surface Water Management Plan prepared by Waterman Moylan Engineers, which we respectfully invite the Council to refer to.* |
| **14.20. 6 Flood Risk Management** | Outlined in **Objective DMSO212** of the Development Plan, the Council seeks to: Have regard to the OPW Flood Risk Management Guidelines 2009, as revised by Circular PL 2/2014, when assessing planning applications and in the preparation of statutory and non-statutory plans and to require site specific flood risk assessments be considered for all new developments within the County. All developments must prepare a Stage 1 Flood Risk Analysis and if the flooding risk is not screened out, they must prepare a Site-Specific Flood Risk Assessment (SSFRA) for the development, where appropriate."<br><br>*It is submitted that a Flood Risk Assessment, including Statement of Design Consistency with DEHLG/OPW Guidelines on the Planning Process and Flood Risk Management – Nov. 2009 has been prepared by Waterman Moylan Engineers, which we respectfully invite the Council to refer to for further details.* |
| **14.20.12 Waste Management** | The following provides an overview of the most relevant Objectives of the Development Plan in relation to the proposed development.<br><br>**Objective DMSO236:** "Ensure all new large-scale residential and mixed-use developments include appropriate facilities for source segregation and collection of waste."<br><br>**Objective DMSO237:** "Ensure all new residential schemes include appropriate design measures for refuse storage areas, details of which should be clearly shown at pre- |

| Criteria | Development Plan Requirement & Compliance of the Proposed Development |
|---|---|
| | planning and planning application stage. Ensure refuse storage areas are not situated immediately adjacent to the front door or ground floor window, unless adequate screened alcoves or other such mitigation measures are provided."<br><br>**Objective DMSO238:** "Ensure the maximum distance between the front door to a communal bin area does not exceed 50 metres."<br><br>*It is submitted that the proposed scheme has been made cognisant of the aforesaid Objectives of the Development Plan. Relevant details in this regard can be found on the Operational Waster Management Plan prepared by Enviroguide Consultancy, which we respectfully invite the Council to refer to.* |
| **14.20.14 Construction and Demolition Waste Management Plans** | According to **Objective DMSO241** of the Development Plan, the Council "Require that Construction and Demolition Waste Management Plans be submitted as part of any planning application for projects in excess of any of the following thresholds:<br><br>▫ New residential development of 10 units or more.<br>▫ New developments other than above, including institutional, educational, health and other public facilities, with an aggregate floor area in excess of 1,250sqm.<br>▫ Demolition/renovation/refurbishment projects generating in excess of 100m$^3$ in volume of C&D waste.<br>▫ Civil engineering projects in excess of 500m$^3$ of waste materials used for development of works on the site."<br><br>*In response to this, a Preliminary Construction, Demolition & Waste Management Plan has been prepared by Waterman Moylan Engineers and submitted as part of this LRD meeting request pack, which we respectfully invite the Council to refer to.* |
| **14.20.15 Construction Noise** | According to **Objective DMSO243** of the Development Plan, "Where development sites adjoin residential properties, the Planning Authority shall restrict the operation of equipment or machinery (to include pneumatic drills, construction vehicles, generators, etc.) on or adjacent to the site before 07.00 hours on weekdays and 09.00 hours on Saturdays, after 19.00 hours on weekdays and 13.00 hours on Saturdays and at any time on Sundays, Bank Holidays or Public Holiday."<br><br>*In response to this, a Preliminary Construction, Demolition & Waste Management Plan has been prepared by Waterman Moylan Engineers and submitted as part of this LRD meeting request pack, which we respectfully invite the Council to refer to.* |
| **14.21 Climate Action** | |
| **14.21.3 Climate Action Energy Statement** | According to **Objective DMSO261** of the Development Plan, the Council seeks, "All new developments involving 15 residential units and/or more than 1,000 sqm of commercial floor space, or as otherwise required by the Planning Authority, will be required to submit a Climate Action Energy Statement as part of the overall Design Statement to demonstrate how low carbon energy and heating solutions, have been considered as part of the overall design and planning of the proposed development."<br><br>*We respectfully refer the Council to the enclosed Energy/Climate Impact Analysis Report prepared as part of this LRD pack.* |

## 3.6 Planning History Context

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 several 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.

### 3.6.1 Subject Site

There is 1 no. recent decision pertaining to the subject site and the wider landholding in the ownership of the applicant, relating to the SHD application under **ABP-313361-22**, whereby as per the statutory planning notices provides for:

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

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

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

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

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

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

- *Duplex Block E containing a total of 12 no. units comprising of 6 no. 2-bed units and 6 no. 3-bed units, with all units provided with private balconies/terraces, in a three-storey building; with a communal bin store and bike store, and on-street car parking;*
- *Duplex Block F containing a total of 8 no. units comprising of 4 no. 1-bed units and 4 no. 2-bed units, with all units provided with private balconies/terraces; in a three-storey building; with a communal bin store and bike store, and on-street car parking.*

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

Although an initial decision was anticipated by August 5, 2022, delays occurred due to significant staffing shortages at An Bord Pleanála. Consequently, the client opted to move forward with the LRD planning application on the northern lands and a s.34 application on the southern lands. On July 4, 2024, a decision was issued regarding the SHD application, resulting in a split decision. The proposal for the northern portion of the overall landholding at Back Road, Broomfield, which is the site for this LRD application, was refused.

The reasons for refusal are as follows:

> *"Having regard to the layout of the proposed development in the northern section of the site, where the apartments and duplex units, which are reliant on a reduced car parking provision, are located distant from these services, it is considered that the layout of the proposed development fails to response to the characteristics of the site.*
>
> *Furthermore, the location of the proposed creche would not encourage active travel and would invite unnecessary vehicular trips. The proposed development would constitute disorderly development, would not mitigate for reduced private vehicular travel and would therefore, be contrary to the proper planning and sustainable development of the area."*

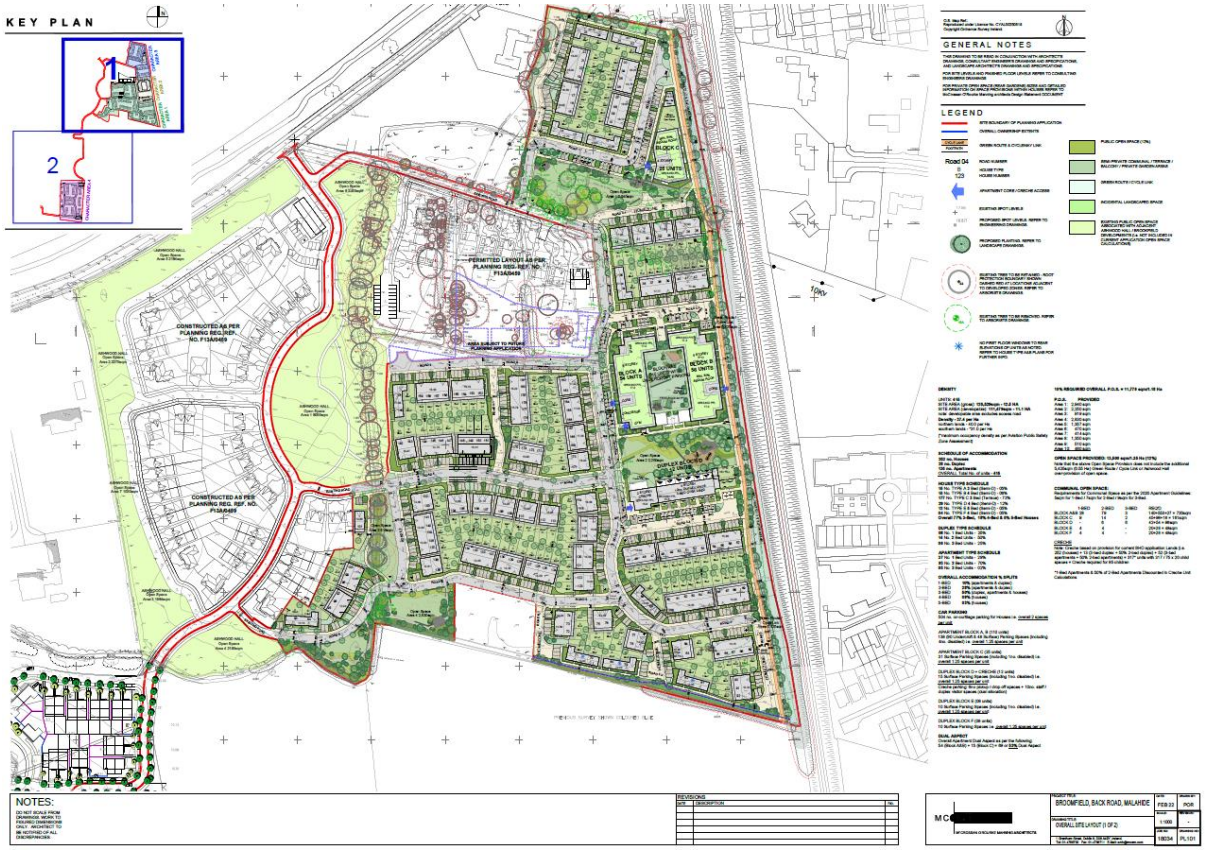



*Figure 3-3. Refused Layout for Northern Portion of the Lands at Back Road, Broomfield under ABP-313361-22*

At this juncture, it is important to highlight that the Design Team opted for a revised layout in the context of the LRD application rather than continuing with the previous design. This updated layout has been further refined and enhanced through continuous collaboration with the Council and its internal departments to ensure it aligns with the site's specific needs and its broader context while adhering to relevant planning policies. As a result, the new configuration optimises the location of apartments and duplex units, making them more responsive to the proposed road network and services. This is submitted to the address the first part of the refusal on the SHD application.

Needless to say, that the decision on the SHD, along with the associated Inspector's Report, provided the Design Team with valuable insights. Since the SHD decision was received after the Section 32(B) LRD pre-planning meeting, the Design Team re-grouped to carefully review the LRD layout in light of the SHD decision. Subsequently, a meeting was held with the Council on August 6th, 2024, to discuss the revised layout alongside an updated strategy for public open space, which had been addressed during the Section 32(B) LRD pre-planning meeting.

This constructive meeting offered the design team a level of assurance that the revised layout not only aligns with relevant planning policies but also supports the development of a well-considered and appropriate project.

*Figure 3-4. Proposed Layout for the LRD Application*

In relation to the provision of childcare facility within the scheme, the Design Team has embraced a more comprehensive and integrated approach. This approach involves an in-depth, comprehensive analysis of the childcare demand in the broader Broomfield area, an area which has experienced considerable development over the past several years. Despite the existence of approved childcare facilities within the Brookfield and Ashwood Hall developments since 2015 which are within the ownership of the same applicant (with permissions extended until March 2025), these facilities have remained unconstructed and non-functional due to their small unfeasible size and a lack of interest from suitable childcare operators.

Recognising this challenge, the applicant has identified an opportunity to better serve the community by proposing a large, purpose-built childcare facility within the LRD site. This strategy includes the repurposing of the non-operational childcare facility sites within Ashwood Hall and Brookfield into proposed residential dwellings through a separate planning application (F24A/0988E) which was fully discussed within the Council via a Section 247 pre-planning meeting (Pre-Planning Ref. FPP00481).

This strategic approach also addresses concerns about the location of the creche within the LRD site. The newly proposed, larger, and fully optimised childcare facility will be situated to the immediate south of the LC-zoned lands. This location ensures accessibility while avoiding exposure to major roads, thereby enhancing safety and convenience for the community, and promotion of active travel. Furthermore, the creche will benefit from the synergistic relationship with the proposed local centre uses to its immediate north and west, thereby minimising unnecessary vehicular trips.

### 3.6.2 Adjoining Lands

**Reg. Ref. F24A/0842E** – By Order dated 12th November 2024, Fingal County Council granted planning for development of a proposed temporary construction road off Kinsealy Lane to facilitate the implementation of the approved development under ABP-313361-22 on the southern portion of the lands at Back Road and Kinsealy Lane, Kinsaley, Broomfield, Malahide, Co. Dublin.

**Reg. Ref. F23A/0586 –** By Order dated 18th July 2024, Fingal County Council granted planning permission to Birchwell Developments Ltd. for construction of 71 no. residential units on lands to the south of Back Road and to the east of Kinsealy Lane, Kinsaley, Broomfield, Malahide, Co. Dublin. This planning application had arisen following the delayed decision on the SHD application under ABP-313361-22, and it has developed through extensive pre-planning consultations, an Additional Information request and a Clarification of Additional Information request.

**Reg. Ref. F13A/0459 / PL06F.243863 (Ashwood Hall) –** By Order dated 26th August 2014, Fingal County Council granted planning permission to Birchwell Developments Ltd. for *56 no. two storey dwellings with associated on-curtilage parking, neighbourhood centre containing three retail units, with associated parking and a reserved site for a disability care facility unit and a house unit adapted for special needs (subject to a future planning application). The development will be served via a new vehicular and pedestrian access (replacing existing road junction) from Back Road. The main spine road through this development will link to and serve the Southern Development Area Broomfield LAP lands. The development also includes for pedestrian and cyclists' linkages, landscaping, boundary treatments, ESB sub-station, foul sewer works connecting to Kinsealy Lane, SUDS surface water drainage works together with all other associated site development works necessary to facilitate the development. The works also propose the demolition of three dwellings (one of which is a derelict dwelling).* Subsequently, an appeal was lodged on 16th September 2014 and a decision to Grant Permission was made by An Bord Pleanála on 10th March 2015.

**Reg. Ref. F13A/0459/E1 –** By Order dated 9th March 2020, Fingal County Council granted permission for the extension of duration of the permission up to and including 10th March 2025.

**Reg. Ref. F13A/0460 / PLO6F.243821 (Brookfield Development) –** By Order dated 10th March 2015, An Bord Pleanála upheld the decision of Fingal County Council and granted planning 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 6th February 2020, Fingal County Council granted permission for the extension of duration of the permission up to and including 10th March 2025.

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

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

# 4.0 POPULATION & HUMAN HEALTH

## 4.1 Introduction

This section of the Environmental Impact Assessment Report assesses the impact of the proposed development on the population, human health, and human environment in the general area of the proposed project on lands to the south of Back Road and to the east of Kinsealy Lane, Kinsaley, Broomfield, Malahide, Co. Dublin. Specific aspects that will be examined include population levels, human health, residential amenity, impact on employment, commercial activity, land-use, community infrastructure and social facilities. Insofar as possible, this assessment has also considered impacts on the future residents, workers, and visitors to the subject lands.

## 4.2 Research Methodology

The following assessment of the predicted impacts on population and human health was undertaken based on local population information from the Central Statistics Office's Census of Population reports and databank, the Regional Spatial and Economic Strategy 2019-2031, and the Fingal County Council Development Plan 2023-2029. It is important to note that given the location of the subject site situated within the Kinsaley electoral division (ED) and appearing as an extension to the Malahide East and Malahide West ED's, the catchment area for demographic investigation of this study was defined as follows:

1. Kinsaley ED (04026)
2. Malahide East ED (04029)
3. Malahide West ED (04030)

However, given the nature and scale of the proposed development, it was reasonably considered that in terms of assessing the amenities capable of catering the proposed development, that the area within approximately 2km radius of the subject site to be assessed. This approach was also taken with the Community and Social Infrastructure Audit, School Demand Assessment, and Childcare Provisions Assessment, and as such provides for greater consistency between these reports and the following EIAR.

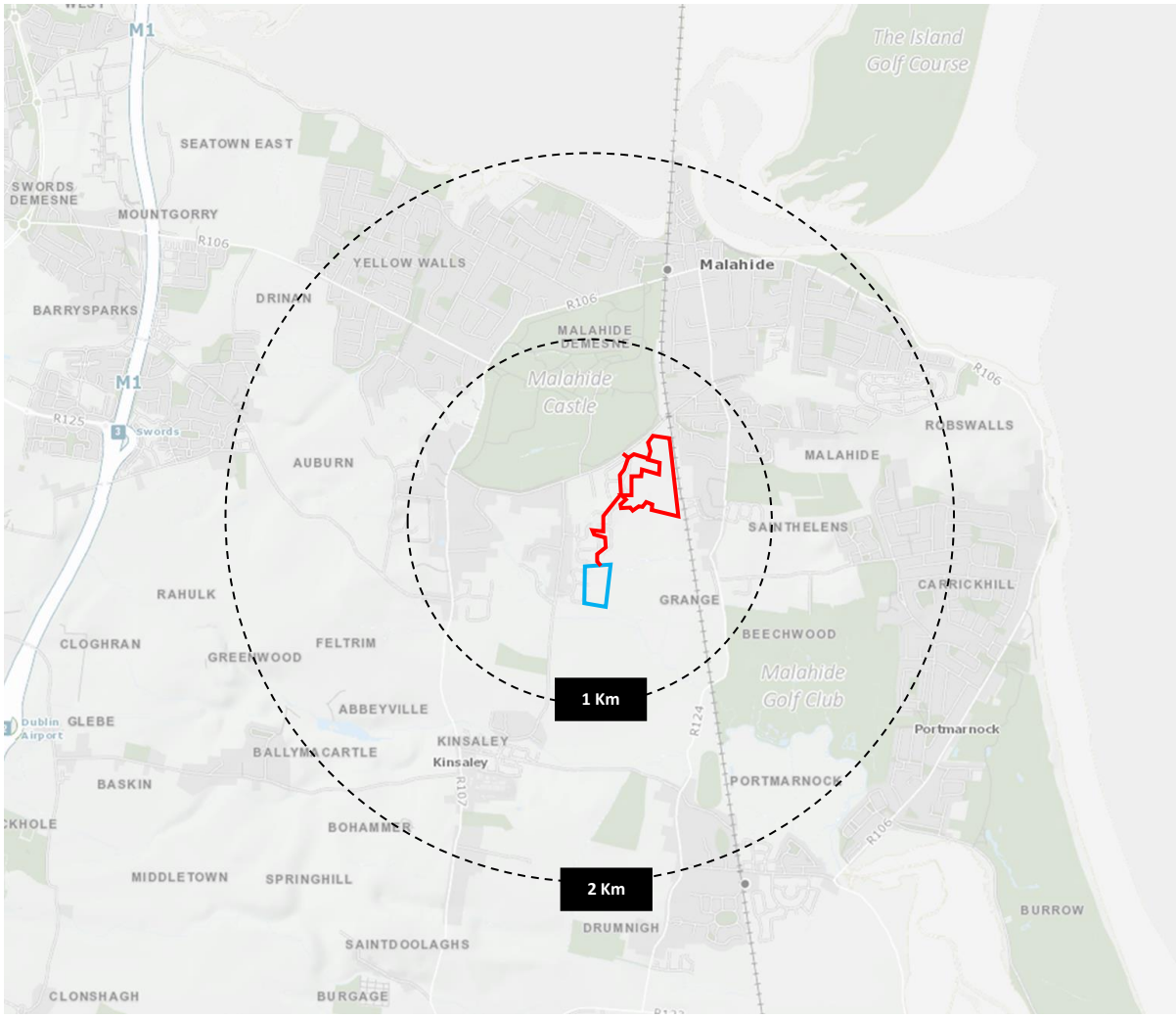



*Figure 4-1. Spatial Scope of Community and Social Infrastructure Audit (approximate boundaries of the subject site outlined in red)*

A site visit and a Community and Social Infrastructure Audit was also undertaken to appraise the location, the existing infrastructure and services in the area and any likely and significant potential impact upon human receptors. This also accompanies a School Demand Assessment and a Childcare Provision Assessment to further investigate the future demand for these facilities with respect to the flux of population arising from the proposed scheme. The employment context was set out drawing principally on the most recently available statistics for the total number of persons at work, unemployment levels and employment categorised according to social group.

Therefore, information on the economic performance of the area and the wider Dublin region is derived from the 2022 Census results. The following assessment of land-use was undertaken based on a site visit appraisal and a review of the zoning objectives from the Fingal Development Plan 2023-

2029. The assessment was also carried out in accordance with the following guidance documents and aligned accordingly based on DOWNEY's professional experience and judgement.

- EPA (2022), Guidelines on the Information to be Contained in Environmental Impact Statements.
- EPA (2015), Advice Notes on Current Practice in the Preparation of Environmental Impact Statements.

## 4.3 Baseline Environment

The subject lands are located off Back Road and Kinsealy Lane, Kinsaley, Broomfield, Malahide, in the northern periphery of Dublin and within 12km distance from its city centre, and within the administrative boundaries of Fingal County Council. The surrounding land uses are generally residential with Malahide Castle and Demesne located 800m to the north of the land and accessed via Back Road. To the northeast of the site, there is Malahide DART Station at 1.3km and Malahide Beach at 1.8km.

Malahide village centre is located to the north-east of the subject lands and provides a wide array of shops and services. The application site is spread across irregularly shaped fields, with the northern lands partly framed by existing field boundaries of trees and hedgerow. With an approximate area of 12.5 hectares, the site splits into two distinct sections; the northern land parcel which is generally bound by the railway track to the east, Ashwood Hall to the west and agricultural lands to the south. The recently approved developments under F23A/0586 and ABP-313361-22 pertain to the same southern portion of the overall landholding at this location.

## 4.4 Characteristics of the Proposed Development

The proposed development (the project) that is subject to this LRD application and EIAR provides for the demolition of the former rugby clubhouse structure on site and the proposed construction of 297 no. residential units comprising 211 no. houses (14 no. 2 beds, 156 no. 3 beds, 39 no. 4 beds, and 2 no. 5 beds), 46 no. duplex units (9 no. 1 beds, 14 no. 2 beds, and 23 no. 3 beds), 40 no. apartments (23 no. 1 beds, 14 no. 2 beds, and 3 no. 3 beds); 1 no. childcare facility; 1 no. café/restaurant; 1 no. retail unit; 1 no. yoga studio; and all associated site infrastructure and engineering works necessary to facilitate the development. A temporary foul water pumping station is also proposed as part of the development.

## 4.5 Demographic Trends

### 4.5.1 Population

The Census of 2022 marked a historic milestone as Ireland's population surpassed 5 million people for the first time in 171 years. This is particularly significant given that the population had been in a steady decline since 1851, reaching its lowest point in 1961 with just 2,818,341 residents. On Census Night, Sunday, April 3rd, 2022, the population of Ireland was recorded at 5,149,139, reflecting an increase of 387,274 people since April 2016.

The population growth varied across the Country, with Fingal experiencing the largest natural increase, adding 19,183 people during the intercensal period. This trend highlights a notable recovery and growth in Ireland's population, reversing the long-term decline and signalling continued demographic expansion.

As outlined in the Table below, during 2016 and 2022, Fingal experienced significant population growth, outpacing other areas in the Dublin region. The population of Fingal increased from 296,020 in 2016 to 330,506 in 2022, marking an actual increase of 34,486 people, or a 11.6% rise.

This growth rate is notably higher than that of Dublin City (+6.9%), Dun Laoghaire-Rathdown (+7.3%), and South Dublin (+8.0%), making Fingal the fastest-growing area in the Dublin region during this period. The substantial increase reflects Fingal's attractiveness as a residential area, likely driven by factors such as housing development, economic opportunities, and amenities.

*Table 4-1. Population Change Across the Dublin Region by Local Authorities over 2016-2022*

| Area | 2016 | 2022 | Actual Change | % Change |
|---|---|---|---|---|
| **Dublin City** | 554,554 | 592,713 | +38,159 | +6.9% |
| **Dun Laoghaire - Rathdown** | 218,018 | 233,860 | +15,842 | +7.3% |
| **South Dublin** | 278,767 | 301,075 | +22,308 | +8.0% |
| **Fingal** | 296,020 | 330,506 | +34,486 | +11.6% |

*Source: CSO StatBank*

The proposed development is located within the Kinsaley Electoral Division (ED), appearing as an extension to the Malahide East and Malahide West ED's. The Table below shows the population change within these ED's defined as the catchment area of this assessment.

In this regard, the "catchment area" refers to the area surrounding the subject lands which bound the lands and may be affected by the proposed development. Coincidentally, the catchment area also refers to the population which will be served by the proposed scheme.

*Table 4-2. Population Change in the Catchment Area over 2016-2022*

| Area | 2016 | 2022 | Actual Change | % Change |
|---|---|---|---|---|
| **Kinsaley ED** | 9,621 | 11,470 | +1,849 | +19.2% |
| **Malahide West ED** | 6,149 | 6,014 | -135 | -2.2% |
| **Malahide East ED** | 7,429 | 8,406 | +977 | +13.2% |
| **Total** | **23,199** | **25,890** | **+2,691** | **+11.6%** |

*Source: CSO StatBank*

As summarised in the Table above, the population of the Catchment Area reached 25,890 individuals by April 2022, reflecting a significant increase of +2,691 individuals (+12%) compared to the previous Census conducted in 2016.

Investigating the population trend across the administrative area of Fingal County Council reveals that the population surged from 296,020 to 330,506 individuals during the same period, marking a growth rate of 12%. This indicates that the Assessment Area experienced a growth rate similar to that observed at the county level.

### 4.5.2 Average Household Size

With an average household size of 2.8, there were 9,005 private households in the Assessment Area in April 2022. Of which c. 49% are 1- to 2-person families, which suggests that 2-bedroom dwellings are expected to be occupied by young professionals or single instead of families.

*Table 4-3. Households Composition in the Catchment Area, 2022*

| | Private households | Persons in private households | % of Total Households |
|---|---|---|---|
| **1 person households** | 1,695 | 1,695 | 19% |
| **2 person households** | 2,732 | 5,464 | 30% |
| **3 person households** | 1,686 | 5,058 | 19% |
| **4 person households** | 1,723 | 6,892 | 19% |
| **5+ person households** | 1,169 | 6,209 | 13% |
| **Total** | 9,005 | 25,318 | 100% |

*Source: CSO StatBank*

### 4.5.3 Average Age

The data reflects a steady upward trend in the average age across the Kinsaley, Malahide West, and Malahide East EDs from 2011 to 2022. Kinsaley ED saw an increase from 31.3 years in 2011 to 33.7 years in 2022, marking a change of +1.5 years between 2016 and 2022. This rise in average age is indicative of a gradually aging population in this area, though Kinsaley remains the youngest within the Catchment Area.

In Malahide West and East EDs, the trend is even more pronounced. Both areas showed notable increases in average age, with Malahide West rising from 38.5 years in 2011 to 42.5 years in 2022, and Malahide East following a similar pattern, increasing from 38.5 years to 41.0 years over the same period. The change in these areas between 2016 and 2022 is +2.0 years, reflecting a more rapidly aging population.

*Table 4-4. Average Age within the Catchment Area*

| Area | Avg. Age (years) | | | Avg. Change (years) |
|---|---|---|---|---|
| | 2011 | 2016 | 2022 | 2016-2022 |
| **Kinsaley ED** | 31.3 | 32.2 | 33.7 | +1.5 |
| **Malahide West ED** | 38.5 | 40.5 | 42.5 | +2.0 |
| **Malahide East ED** | 38.5 | 39.0 | 41.0 | +2.0 |
| **Catchment Area** | 36.1 | 37.2 | 39.1 | +1.8 |

*Source: CSO StatBank*

Overall, the catchment area experienced a general rise in average age, increasing from 36.1 years in 2011 to 39.1 years in 2022, with an average change of +1.8 years from 2016 to 2022. Notably, the current average age in the catchment area is above the national average of 38.8 years, suggesting that this region is aging more quickly than the State. These trends could have significant implications for future planning, services, and infrastructure needs in the area.

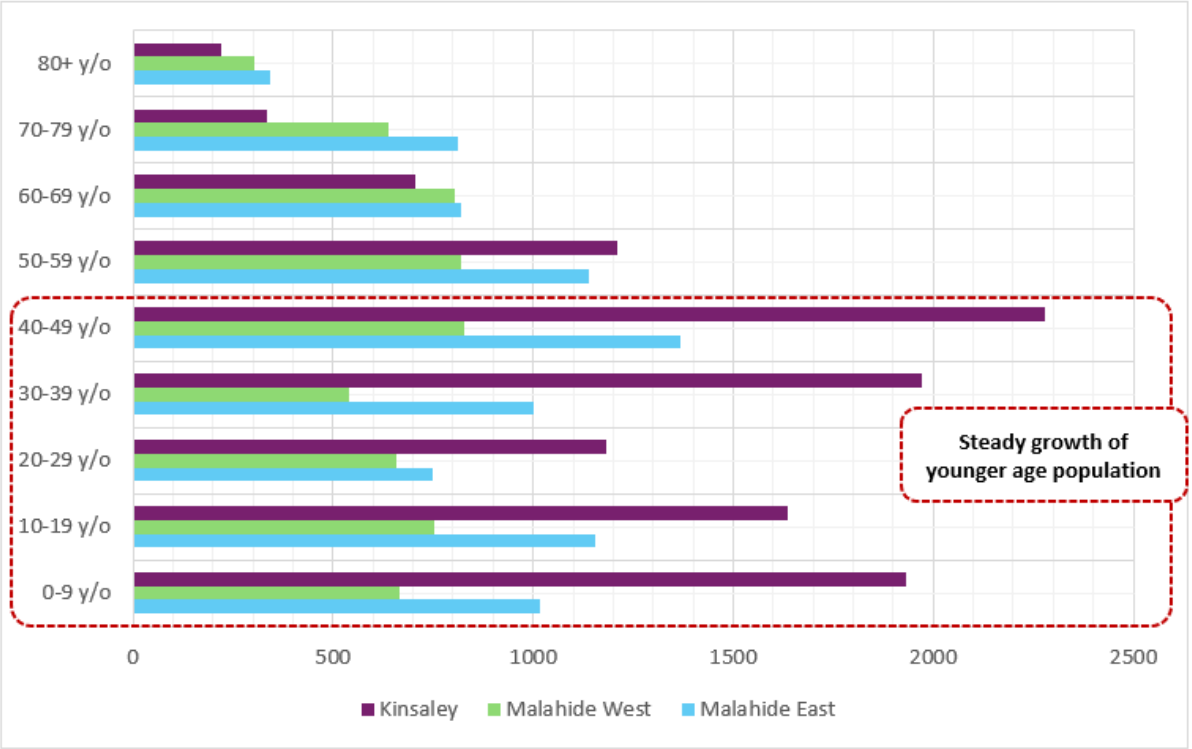



*Figure 4-2. Population Age Cohorts in Malahide Area across the ED's, 2022*

The population pyramid below shows the age distribution in the area with more detail. A peak of births in 1980's shows up in the 30-39 age category, and another peak in the number of births occurred in 2000's and shows up in the 0-9 age category. Overall, the age pyramid indicates a young population residing in the town, which is expected to grow in the coming years.

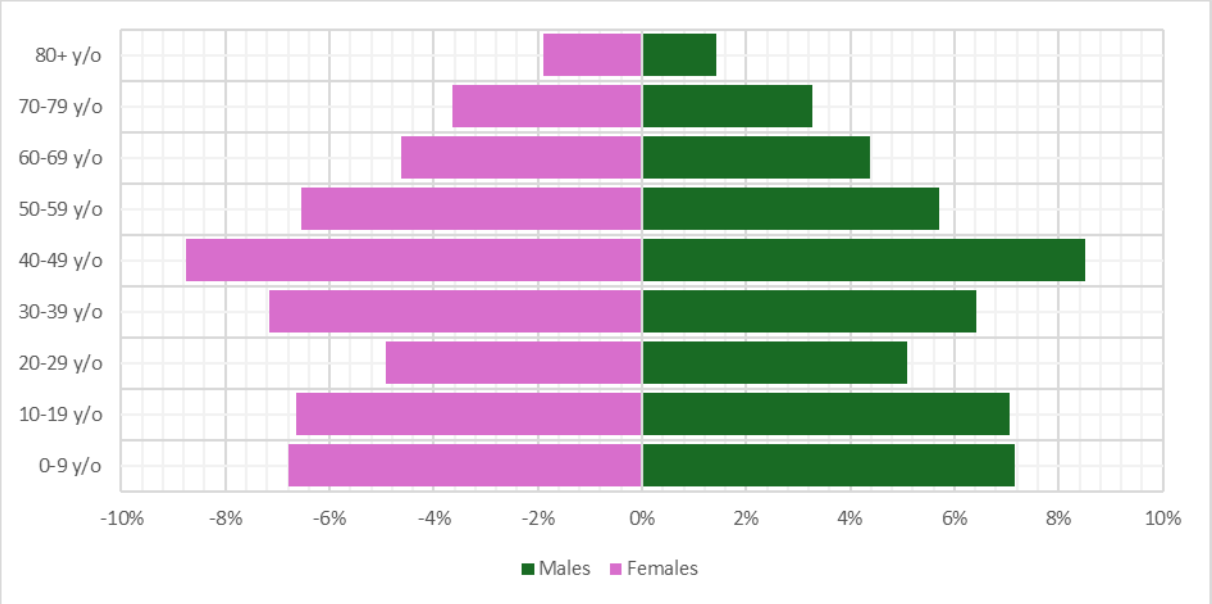



*Figure 4-3. Population Age Pyramid of the Assessment Area, 2022*

As illustrated in the Table below, in Fingal, the total age dependency stood at 50.3% in 2022, with the old age dependency at 16.6% and the young age dependency at 33.7%. Comparatively, in 2016, the total age dependency was slightly higher at 50.7%, with a lower old age dependency of 13.8% but a higher young age dependency of 37.0%. Specifically, in Malahide West ED, the 2022 census revealed a

total age dependency of 38.7%, with an old age dependency of 21.1% and a young age dependency of 17.6%. This shows a slight increase from 2016, where the total age dependency was 36.0%. In Malahide East ED, the Census 2022 indicated a total age dependency of 38.3%, with an old age dependency of 18.5% and a young age dependency of 19.8%. Similarly, Kinsaley ED recorded a total age dependency of 32.8% in 2022, with an old age dependency of 7.0% and a young age dependency of 25.8%, showing a marginal increase from the 2016 census data. Consequently, the rise in the overall age dependency within Fingal and across the Assessment Area stemmed from the uptick in old age dependency, contrasting with a decline in young age dependency.

*Table 4-5. Age Dependency in the Assessment Area against the overall Stats for the County, 2016-2022*

| | | Old Age Dependency | Young Age Dependency | Total Age Dependency |
|---|---|---|---|---|
| **Fingal (Administrative Area)** | **Census 2022** | 16.6% | 33.7% | 50.3% |
| | **Census 2016** | 13.8% | 37.0% | 50.7% |
| **Malahide West ED** | **Census 2022** | 21.1% | 17.6% | 38.7% |
| | **Census 2016** | 17.3% | 18.7% | 36.0% |
| **Malahide East ED** | **Census 2022** | 18.5% | 19.8% | 38.3% |
| | **Census 2016** | 16.2% | 20.8% | 37.1% |
| **Kinsaley ED** | **Census 2022** | 7.0% | 25.8% | 32.8% |
| | **Census 2016** | 6.1% | 26.1% | 32.2% |

*Source: CSO StatBank*

### 4.5.4 Potential Impact of the Proposed Development

#### *4.5.4.1 Construction Phase*

The construction phase of the proposed development should not have any direct impact on the population of the area or the subject lands. It is expected that the workforce will generally travel to the development site rather than take up residence in the immediate vicinity. However, the construction of any project has the potential to give rise to an impact on the health and safety of human beings if construction activities are not managed appropriately. Measures to address such health and safety considerations will be addressed in a Construction Management Plan for the development for implementation during the construction phase, in accordance with best practice.

#### *4.5.4.2 Operational Phase*

The operational phase of the proposed development will result in the provision of 297 no. new residential units, which is a significant beneficial effect. The average household size in Fingal in 2022 was 3.02 persons. This was stable in the period from 2016, having increased from 2.9 in 2011. Based on this figure, it is anticipated that the proposed development to accommodate a maximum of 897 persons. It is noted that within the proposed mix of unit types, there is also one-bedroom apartment/duplex units. Excluding the 1-bedroom apartment/duplex units, this leaves a total of 265 no. units that can be deemed to accommodate families. Applying the average household size to 265 apartment/duplex units capable of accommodating families would generate 800 total residents in total within these units. Applying a maximum household size of 2 to the one-bedroom units would generate 64 total residents in these units. This would provide for an overall of 864 persons. Therefore, the

proposed scheme is expected to accommodate a maximum of 1,126 to 1,162 persons, resulting in significant beneficial impacts on affordability in the housing market.

### 4.5.5 Remedial and Reductive Measures

No remedial or reductive measures are proposed with reference to population.

### 4.5.6 Predicted Impact of the Proposed Development

#### *4.5.6.1 Construction Phase*

The construction phase of the development will have a negligible or neutral impact on population with effects arising mitigated through other environmental disciplines.

#### *4.5.6.2 Operational Phase*

The population analysis above suggests that the population of the area will continue to rise in the medium term. The population increase predicted as a result of the operational stage of the proposed development ties in with broader trends in the area and the development will provide for this increase, therefore resulting in a positive impact on population.

#### *4.5.6.3 Monitoring*

There is no requirement for population monitoring.

## 4.6 Employment

According to Census 2022, an overall of 2,320,297 people were at work in the State which is an increase of +15.6% since 2016. As summarised in the Table below, there have been significant demographic and employment changes in both the State and Fingal from 2011 to 2022. Across the State, the number of persons at work jumped from 1.81 million in 2011 to 2.32 million by 2022, with Fingal also experiencing a significant rise from 119,276 to 155,063.

*Table 4-6. Population Aged 15 Years & Over in the Labour Force in Ireland and Fingal, 2011-2022*

| | State | | | Fingal | | |
|---|---|---|---|---|---|---|
| | **2011** | **2016** | **2022** | **2011** | **2016** | **2022** |
| **All persons** | 2,232,203 | 2,304,037 | 2,531,099 | 141,916 | 149,386 | 168,113 |
| **Persons at work** | 1,807,360 | 2,006,641 | 2,320,297 | 119,276 | 133,971 | 155,063 |
| **All unemployed persons** | 424,843 | 297,396 | 210,802 | 22,640 | 15,415 | 13,050 |

*Source: CSO StatBank*

Unemployment figures reflect a positive trend of decreasing joblessness over this period. In the State, the number of unemployed persons dropped sharply from 424,843 in 2011 to 210,802 in 2022. Fingal followed this pattern, with unemployment falling from 22,640 to 13,050 during the same period. This decline in unemployment, alongside the rise in employment figures, indicates a strong recovery in the labour market, with Fingal contributing positively to the overall national trends.

In this context and as illustrated in the Table below, an overall of 12,210 persons aged 15 years and over were at work within the Catchment Area according to Census 2022. This is an increase of +1,278

persons since 2016 which is a growth rate of +11.7% during this period, which is consistent with the overall trend in the State and the County.

*Table 4-7. Total Number of Persons aged +15 years at Work in the County and Study Area, 2011-2016*

| Area | Persons at Work | | | % Change |
|---|---|---|---|---|
| | 2011 | 2016 | 2022 | 2016-2022 |
| **County Fingal** | 119,276 | 133,971 | 155,063 | +15.7% |
| **Kinsaley ED** | 4,314 | 4,919 | 5,760 | +17.1% |
| **Malahide West ED** | 2,571 | 2,679 | 2,641 | -1.4% |
| **Malahide East ED** | 3,040 | 3,334 | 3,809 | +14.2% |

*Source: CSO StatBank*

Among the EDs highlighted, Kinsaley ED stands out with a particularly strong growth of +17.1% from 2016 to 2022, surpassing the overall County average. This suggests that Kinsaley has been a major contributor to Fingal's employment growth. Malahide East ED also saw a significant increase of +14.2% in the same period, closely aligning with the County's trend. In contrast, Malahide West ED experienced a slight decline of -1.4%, marking it as an outlier. This drop contrasts sharply with the growth seen in other areas, indicating specific local factors that may have influenced employment negatively.

*Table 4-8. Principal Status of Population within the Catchment Area by ED, 2022*

| | Malahide East | Malahide West | Kinsaley | Total |
|---|---|---|---|---|
| **At work** | 3,809 | 2,641 | 5,760 | 12,210 |
| **Looking for first regular job** | 22 | 16 | 73 | 111 |
| **Short term unemployed** | 98 | 47 | 144 | 289 |
| **Long term unemployed** | 85 | 58 | 188 | 331 |
| **Student** | 733 | 541 | 787 | 2,061 |
| **Looking after home/family** | 494 | 350 | 509 | 1,353 |
| **Retired** | 1,370 | 1,192 | 694 | 3,256 |
| **Unable to work due to sickness/disability** | 105 | 88 | 322 | 515 |
| **Other** | 28 | 20 | 37 | 85 |
| **Total** | **6,744** | **4,953** | **8,514** | **20,211** |

*Source: CSO StatBank*

The Labour Fource Survey Q1 2024 which was published in May 2024 demonstrates the employment rate for individuals aged 15-64 years in the State stood at 73.8% in Q1 2024. The total number of employed persons aged 15-89 years rose by 51,500, or 1.9%, to 2,704,200 over the past year, marking the smallest annual increase in three years. Unemployment among those aged 15-74 years was recorded at 115,200, resulting in an unemployment rate of 4.1%, slightly up from 4.0% in Q1 2023. Youth unemployment (ages 15-24) also saw a slight increase to 8.8%, compared to 8.6% the previous year. The estimated Labor Force, including both employed and unemployed persons aged 15-89, reached 2,819,400 in Q1 2024, reflecting a 2.0% rise from Q1 2023. The participation rate remained steady at 65.0% year-on-year. However, the total number of hours worked per week slightly decreased by 0.2%, down to 85.4 million hours compared to Q1 2023.

### 4.6.1 Potential Impact of the Proposed Development

#### *4.6.1.1 Construction Phase*

The proposed development will provide significant beneficial construction sector employment over the construction period of the development. It can be difficult to determine the exact numbers that may be employed directly on-site during the construction phase as workers may only be employed on a temporary basis as sub-contractors and may also work on other sites during the period. Should the Competent Authority grant planning permission for this proposed development, then it will be constructed over a phased basis, in accordance with the indicative proposed construction sequencing plan for the proposed project and in agreement with the Planning Authority. Aside from the benefits of direct employment, it is anticipated that builder suppliers and other related services will indirectly benefit from the construction phase of the proposed development. The construction phase will be beneficial to the local economy due to the additional income and expenditure that will arise. This is considered to be a positive impact arising from the development.

#### *4.6.1.2 Operational Phase*

The proposed development will attract visitors to the area on a temporary basis, possibly sustaining and increasing the demand for local services, including shops, public houses, restaurants, etc.

In addition to the residential component of the development, the application also proposes 1 no. childcare facility, and retail/commercial areas, which will deliver new local employment opportunities, both full time and part time positions which will become available, for the resident population, with an overall positive impact on employment.

Both of these long-term operational effects are significant and beneficial in nature.

### 4.6.2 Remedial and Reductive Measures

No adverse impacts on employment are predicted during the construction or operational phase of the development. No remedial or mitigation measures are considered necessary.

### 4.6.3 Predicted Impact of the Proposed Development

The predicted impact of the proposed development will be the same as that set out for potential impacts.

### 4.6.4 Monitoring

There is no requirement for economic monitoring.

## 4.7 Land-Use

Under the current Fingal County Council Development Plan, the majority of 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".*

It is noted that a portion of the lands at western boundaries are zoned "***LC – Local Centre***" with an objective to: *"Protect, provide for and/or improve local centre facilities."*

The vision for this objective seeks to:

*"Provide a mix of local community and commercial facilities for the existing and developing communities of the County. The aim is to ensure local centres contain a range of community, recreational and retail facilities, including medical/ dental surgeries and childcare facilities, at a scale to cater for both existing residential development and zoned undeveloped lands, as appropriate, at locations which minimise the need for use of the private car and encourage pedestrians, cyclists and the use of public transport. The development will strengthen local retail provision in accordance with the County Retail Strategy."*

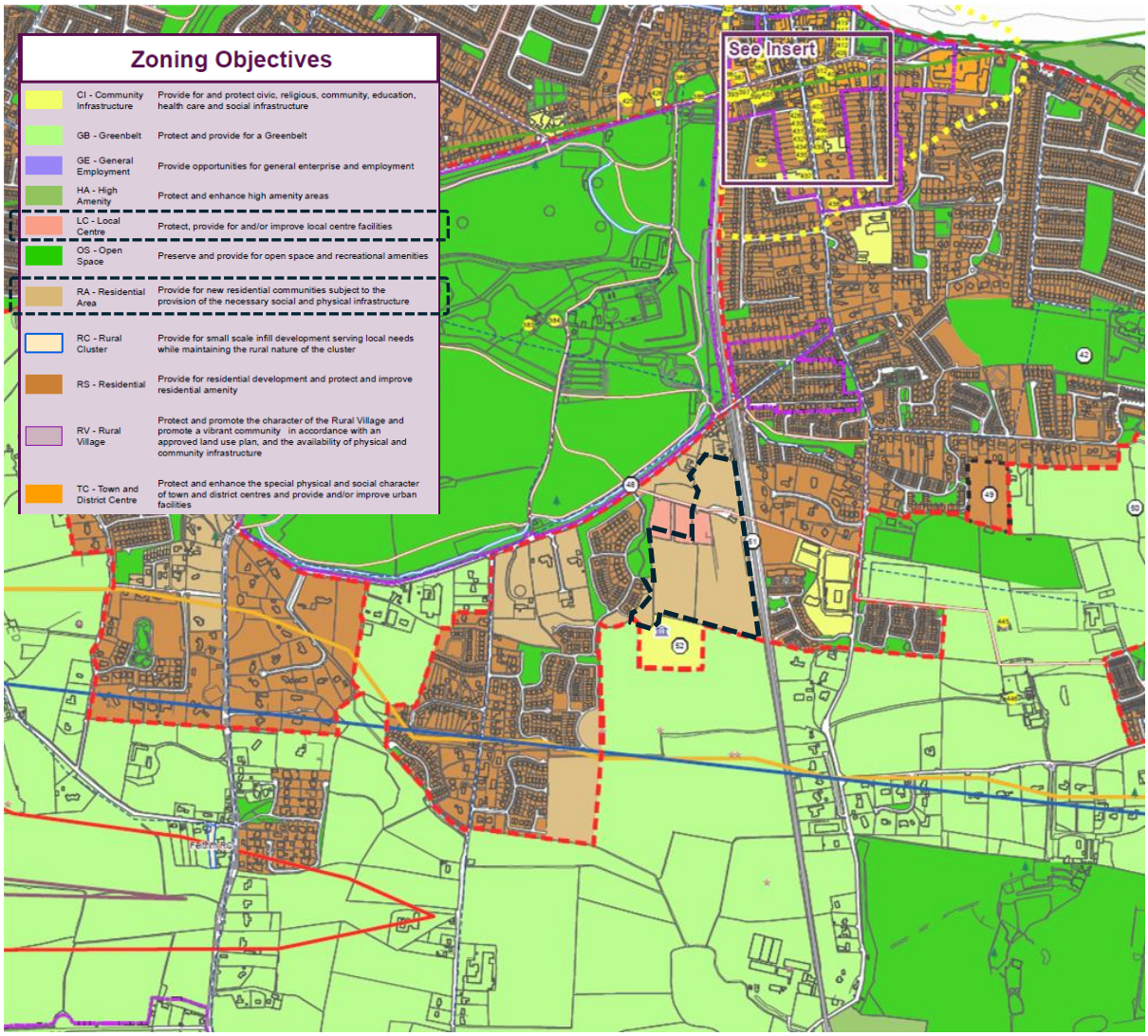



*Figure 4-4. Zoning Objective of the Subject Lands extracted from Fingal Development Plan 2023-2029 (approximate boundaries of the subject site dashed in black).*

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 ≤ 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 ≤ 500 sqm nfa, Retail – Comparison ≤ 500 sqm nfa, Retail – Supermarket ≤ 2,500 sqm nfa, Retirement Village, Sheltered Accommodation, Sustainable Energy Installation, Taxi Office, Traveller Community Accommodation, Utility Installations, Veterinary Clinic. |

*Table 4-9. Permitted Uses under the RA Land Use Zoning*

Under the LC zoning, the following uses are permitted in principle:

| Uses Permitted in Principle under the LC Land Use Zoning |
| --- |
| Betting Office, Childcare Facilities, Community Facility, Cultural Facility Education Fast Food Outlet/Take-Away, Funeral Home/Mortuary, Guest House, Health Centre, Health Practitioner, Home-Based Economic Activity, Office Ancillary to Permitted Use, Office ≤ 100 sqm, Office > 100 sqm and < 1,000 sqm[10], Open Space, Place of Worship, Public House, Public Transport Station, Recreational/Sports Facility, Remote Work Hub, Residential, Residential Care Home/Retirement Home, Residential Institution, **Restaurant/Café**, **Retail - Local < 150 sqm nfa**, Retail - Convenience ≤ 500 sqm nfa, Retail - Supermarket ≤ 2,500 sqm nfa[26], Sheltered Accommodation Taxi Office, Telecommunications Structures, Traveller Community Accommodation, Utility Installations Veterinary Clinic. |

*10 Of a scale appropriate to a local centre*
*26 Proposals for this use class are only permitted in principle for LC zonings listed in Level 4 of the Fingal Retail Hierarchy, included in Chapter 7.*

*Table 4-10. Permitted Uses under the LC Land Use Zoning*

As outlined above, the proposed mixed-use development is permitted in principle under the zoning objectives pertaining to the subject lands.

### 4.7.1 Potential Impact of the Proposed Development

#### *4.7.1.1 Construction Phase*

The construction phase of the development involves a change in land-use of the majority of the site from a current greenfield site, which is in agricultural use in part or has no active use. The site is considered suitable for construction activities to provide a development that will cater for a portion of Malahide's planned population growth through the provision of new homes and community facilities and amenities.

With recommended construction mitigation measures in place as set out within this EIAR, the subject lands and surrounding area have the capacity to accommodate the construction of the proposed development without any significant risk of impact upon existing land-uses. This would mitigate any significant adverse impact.

#### *4.7.1.2 Operational Phase*

The proposed development will result in a permanent change in land-use of the site from a current greenfield site, which has no current activity to a residential development and supporting community

uses (comprising childcare facility, retail/commercial areas, and the ancillary residential amenity). The total proposed net development area comprises c. 8.3 hectares. This is considered to be a permanent positive impact on an area of land that has no current active use. The surrounding land-uses (primarily residential, recreation and commercial uses) will continue during the operational phase of the proposed development. The impact of the proposed site is negligible as the site will have a positive impact on the surrounding area through the provision of a new resident community.

Therefore, while the proposed development will result in a permanent change in land-use from an undeveloped land to a mix of residential, childcare and retail/commercial uses, this change is consistent with the zoning objectives for the lands as per the Fingal Development Plan 2023-2029.

### 4.7.2 Remedial and Reductive Measures

No remedial or reductive measures are proposed with reference to land-use.

### 4.7.3 Predicted Impact of the Proposed Development

#### *4.7.3.1 Construction Phase*

The predicted impacts of the construction phase of the development are the same as that set out under the potential impacts of the construction phase of the development and are not anticipated to be significant. Furthermore, all impacts will be temporary in nature.

#### *4.7.3.2 Operational Phase*

The predicted impact is the same as that set out under the potential impacts of the operational phase of the development.

### 4.7.4 Monitoring

There is no requirement for land-use monitoring.

## 4.8 Community Infrastructure and Social Facilities

Community infrastructure can generally be defined as services and facilities that are available to the residents of any given area. These include early childcare and educational facilities, open spaces, recreational, and sporting facilities, community centres and halls, retail provision, healthcare facilities, and religious buildings. The current situation in relation to these facilities in the subject area is set out in the following sections and is also subject to a separate report prepared by DOWNEY, which forms part of the planning application documentation.

### 4.8.1 Early Childcare & Educational Facilities

As seen on the TUSLA map below, there are a number of registered childcare providers in the area and DOWNEY have contacted them to determine their current capacity. The details of these childcare facilities are outlined in the Table 1. It is important to note that not all the childcare facilities decided to participate in the assessment, however the information obtained from our efforts indicates that there is spare capacity within the existing operators in the area which could cater for the proposed development.

#### *4.8.1.1 Childcare Facilities*

As part of this Audit, DOWNEY carried out an analysis of the provision and capacity of childcare facilities in the area. The TUSLA database, as shown in the figure below, indicates that there is a total of 23 registered childcare providers within this catchment area. DOWNEY have assessed the Early Years Inspectorate inspection reports in relation to details pertaining to these facilities and contacted these childcare providers to update the existing and available capacities. The relevant details on these facilities are summarised in the **Error! Reference source not found.** on the next page. As illustrated in the Table, the existing childcare facilities within the area provide for a total maximum potential capacity of 787 children. It is also noted that one of the existing childcare facilities in the area is temporarily closed, and therefore, it was excluded from the assessment.

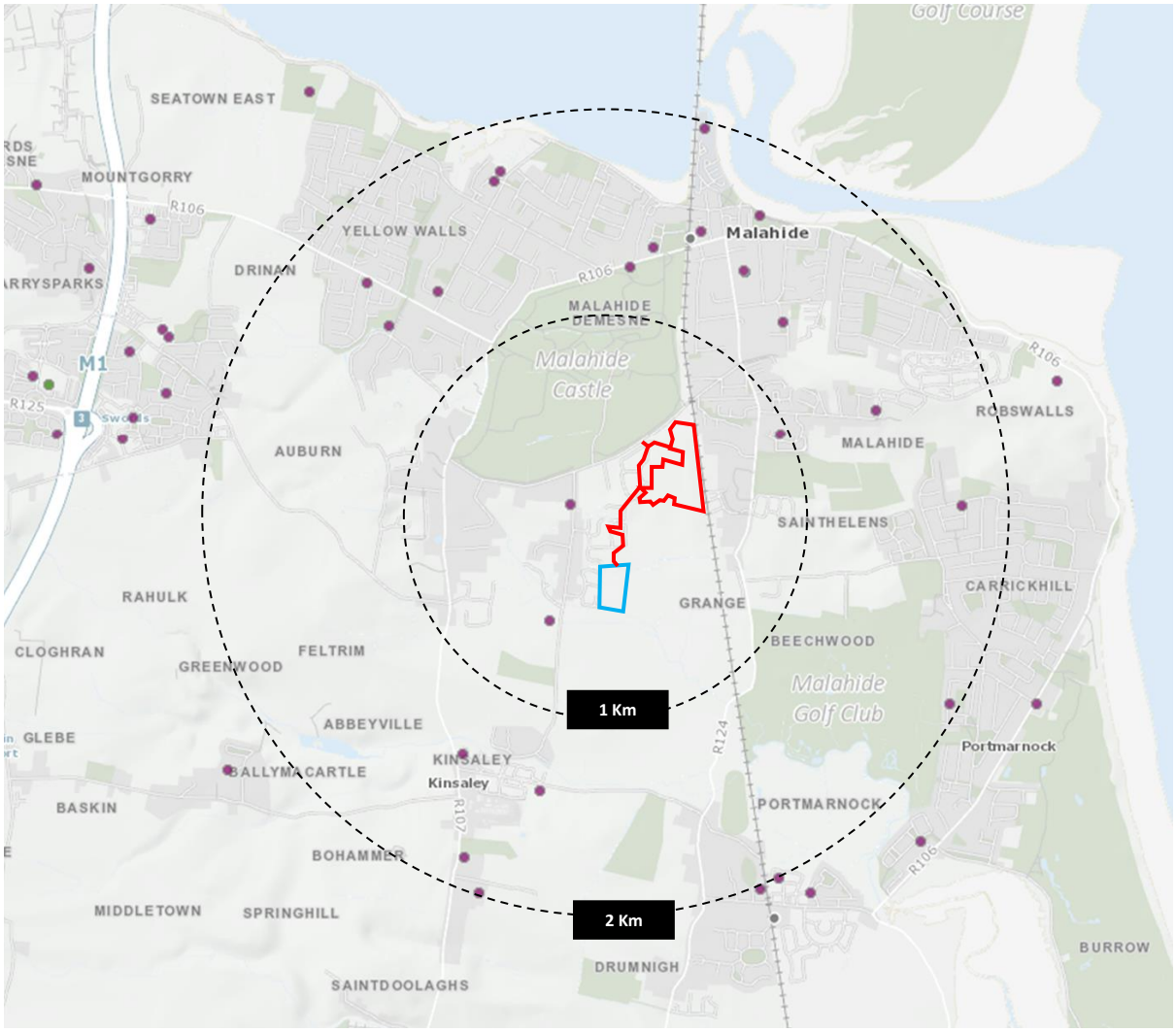



*Figure 4-5. Location of Childcare Facilities within 1-2km of the Subject Lands (approximate boundaries of the lands outlined in red whereas boundaries of the northern Broomfield lands within the ownership of the same applicant are outlined in blue) (Source: pobal).*

Therefore, DOWNEY are of the considered opinion that while there is a significant number of childcare facilities within the area, the quantum of units being proposed as part of this development would justify the provision of a new childcare facility which forms part of this proposed development. This new childcare facility would cater both the residents of the application site and its wider community.

*Table 4-11. Childcare Facilities within 1-2km Radius of the Subject Lands (source: Tulsa.ie updated by DOWNEY)*

| | Name | Address | Max Capacity | Type of Service Age Profile |
|---|---|---|---|---|
| Within 1 Km Radius of the Subject Lands | The Cottage Montessori | The Cottage, Kinsealy Lane, Co. Dublin | 22 children | Sessional (2-6 years) |
| | Bright Sparks Montessori | Bright Sparks Montessori, Kinsealy Lane, Malahide, Co. Dublin | 64 children | Sessional (2-6 years) |
| | Purple Turtle | 13 Mountfield Lawns, Malahide, Co. Dublin | 10 children | Sessional (2-6 years) |
| Within 2 Km Radius of the Subject Lands | Links Creche & Montessori Ltd. (Links Childcare) | St Olaves, Kinsealy, Co. Dublin | 89 children | Full Day/Part Time/Sessional (0-6 years) |
| | Cheeky Monkeys Playschool | Churchview' Chapel Rd., Kinsealy, Co. Dublin | 20 children | Sessional (2-6 years) |
| | Sherpa Kids Kinsealy | St. Nicholas of Myra Ns., Malahide Road, Kinsealy, Co. Dublin | Temporarily Closed | Afterschool (4-12 years) |
| | Nzone | Posie Row, Kinsealy, Malahide Road, Co. Dublin, Co. Dublin | 80 children | Full Day/Part Time/Sessional (1-6 years) |
| | Room to Bloom Montessori | 7 Limetree Avenue, Portmarnock, Co. Dublin | 11 children | Part Time (3-6 years) |
| | Green Gables Preschool | 160 Ardilaun, Co. Dublin | 22 children | Sessional (2-6 years) |
| | Charlie's Childcare (Seamount) | 2/3 Jameson Orchard, Seamount Road, Malahide, Co. Dublin | 57 children | Full Day (1-6 years) |
| | Absolute Angels | 12 Grove Ave, Malahide, Co. Dublin | 18 children | Part Time/Sessional (3-6 years) |
| | Kandoo After School Club Limited | St Andrews Malahide Parish Centre, Church Road, Malahide, Co. Dublin | 18 children | Afterschool |
| | Little Milestones Montessori School Ltd | St. Marnock's Room, Saint Andrew's Malahide Parish Centre, Church Road, Co. Dublin | 18 children | Sessional (8 month-6 Years) |
| | The Village Montessori | Malahide Yacht Club, St James's Terrace, Malahide, Co Dublin | 16 children | Sessional (2-6 years) |
| | St. Sylvester's Montessori | Malahide Pastoral Parish Centre, Malahide, Co. Dublin | 22 children | Sessional (2-6 years) |
| | Charlie's Childcare | Presbyterian Church Hall, Dublin Road Malahide, Co. Dublin | 22 children | Part Time (2-6 years) |
| | Little Crickets Preschool | Malahide Cricket Club, Dublin Road, Malahide, Co. Dublin | 22 children | Sessional (2-6 years) |
| | Malahide Marina Creche & Montessori | Fragrance House, Malahide Marina Village, Malahide, Co. Dublin | 64 children | Full Day/Part Time (0-6 years) |
| | The Band Room Montessori | Sea Road, Yellow Walls, Malahide, Co. Dublin | 22 children | Sessional (2-6 years) |
| | OSH Club | 7 The Cove, Co. Dublin | 24 children | Afterschool |

| Name | | Address | Max Capacity | Type of Service Age Profile |
|---|---|---|---|---|
| | **Hi5 Childcare** | 86 Millview Lawns, Co. Dublin | 36 children | Afterschool |
| | **Links Creche & Montessori Ltd Abington Malahide** | Abington Wood, Swords Road, Malahide, Co. Dublin | 110 children | Full Day/Part Time/Sessional (0-6 years) |
| | **Grow Montessori** | 4 Talbot Road, Swords Road, Co. Dublin | 20 children | Sessional (2-6 years) |
| **Overall Existing Capacity** | | | **787 Children** | |

DOWNEY have carried out a Childcare Provision Assessment as part of this application to outline the cumulative demand arising from future growth of population in the catchment area in addition to the generated demand from the proposed development. The Assessment concludes there is sufficient childcare capacity within the area to cater for this cumulative demand. For further information in this regard, please refer to the Childcare Provision Assessment enclosed under a separate cover.

#### *4.8.1.2 Primary Schools*

There is one primary school within one kilometre radius, and seven primary schools within two kilometres radius of the subject site. DOWNEY attempted to contact the schools with regard to their available capacity, however, the level of feedback was low. The feedback received did not indicate exact numbers, but it was suggested that there is sufficient capacity within the primary-school level in the vicinity of the site to cater for the proposed development.

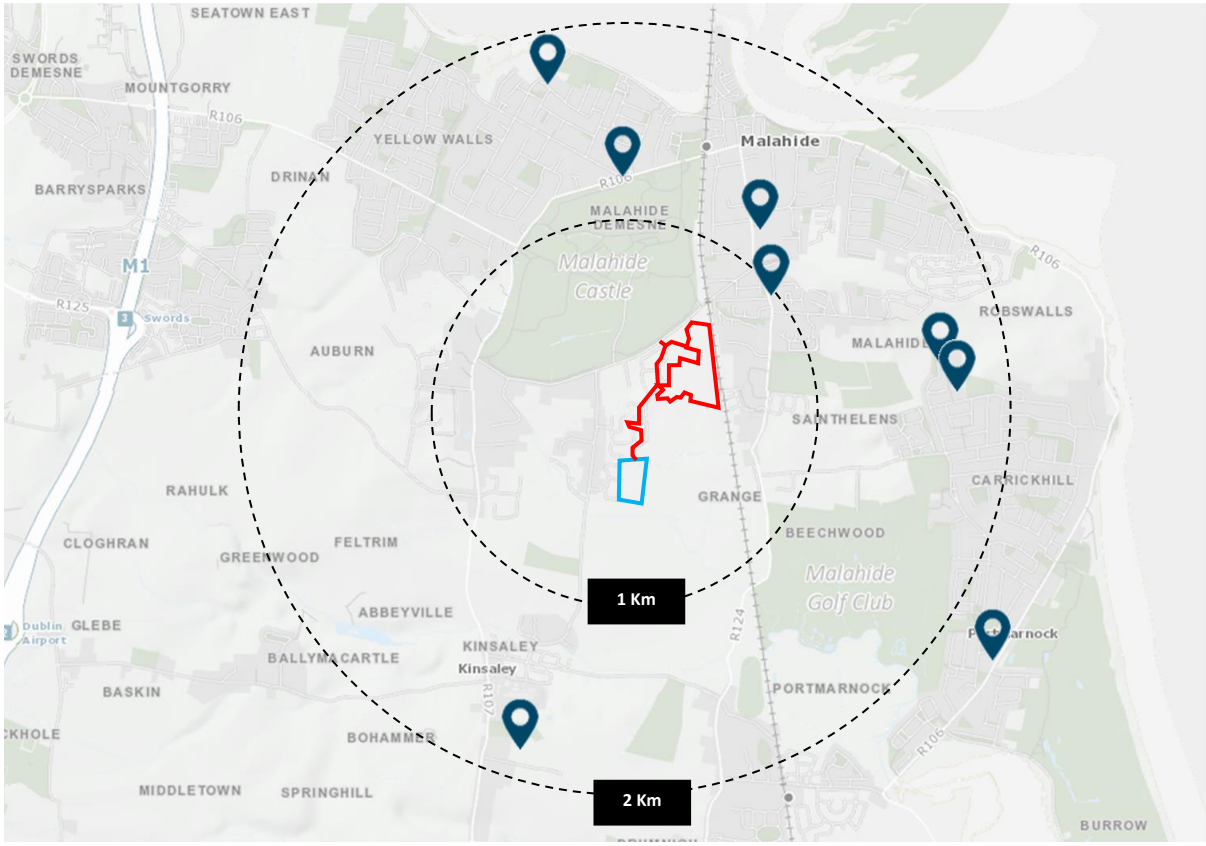



*Figure 4-6. Location of Primary Schools (approximate boundaries of the subject site outlined in red)*

*Table 4-12. Primary Schools within 1-2km Radius of the Subject Lands (source: DoES & Schooldays.ie updated by DOWNEY)*

| | Name | Address | Enrolment 2023/24 |
|---|---|---|---|
| Within 1 Km Radius of the Lands | **St. Oliver Plunkett** | Grove Road, Malahide, Co. Dublin | Boys: 447<br>Girls: 422 |
| Within 2 Km Radius of the Lands | **John Paul II National School** | Sea Road, Malahide Co. Dublin | Boys: 343<br>Girls: 349 |
| | **St. Sylvesters Infant School** | Malahide, Co. Dublin | Boys: 211<br>Girls: 170 |
| | **St. Andrews National School** | Malahide, Co. Dublin | Boys: 104<br>Girls: 111 |
| | **St. Helens Senior National School** | Martello, Portmarnock, Co. Dublin | Boys: 203<br>Girls: 180 |
| | **St. Helens Junior National School** | Lime Tree Avenue, Portmarnock, Co. Dublin | Boys: 158<br>Girls: 156 |
| | **San Nioclas Myra** | Kinsealy, Co. Dublin | Boys: 109<br>Girls: 84 |
| | **St. Marnock's** | Strand Road, Portmarnock, Co. Dublin | Boys: 325<br>Girls: 304 |

Therefore, DOWNEY are of the considered opinion that there is suitable capacity within and close proximity to the area at a National School level to accommodate the proposed development.

In addition, there is a local objective on the lands to the south-east of Ashwood Hall which according to the Development Plan seeks to "*52. Provide for a new primary school at this location, subject to provision of adequate access arrangements*".

As per, a planning application was lodged to the Council on 4th March 2022 under Reg. Ref. F22A/0105 which was refused on 27th April 2022 due to failing to accord with Objectives PM78, PM79, PM80, MT17, DMS93 of the Fingal Development Plan 2017-2023, as well as contravening the zoning objective pertaining to the site at the time ("*GB – Green Belt*"). This was then changed to "*CI – Community Infrastructure*" with the local objective to provide for a new primary school under the Fingal Development Plan 2023-2029. Subsequently, a planning application was lodged on June 17, 2024, under F24A/0541E, for the same proposal with amendments to the layout to better accommodate the development requirements. This application is currently under review by the Council. Should the application be granted, it would provide for additional educational capacity in the area.

#### *4.8.1.3 Post-primary Schools*

There is one primary school within one kilometre radius, and one within two kilometres radius of the subject site. DOWNEY attempted to contact these schools with regard to their available capacities, however, the level of feedback was low. The feedback received did not indicate exact numbers, but it was suggested there is some spare capacity within the secondary schools in the vicinity of the site.

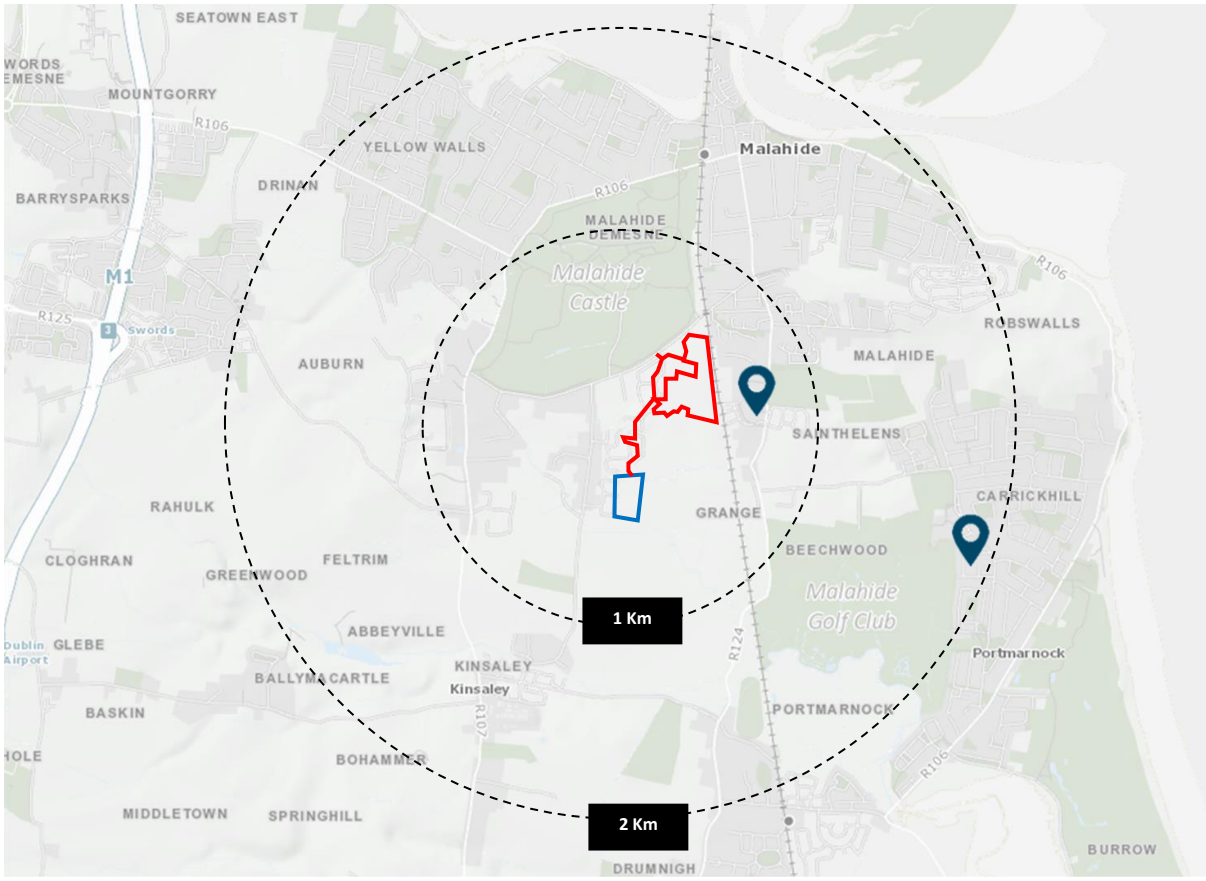



*Figure 4-7. Location of Post-primary Schools (approximate boundaries of the subject site outlined in red)*

With regard to the existing secondary schools in the area, DOWNEY are of the considered opinion that there is suitable capacity within the area at a Secondary School level to accommodate the proposed development.

*Table 4-13. Post-primary Schools within 1-2km Radius of the Subject Lands (source: Schooldays.ie)*

| | Name | Address | Enrolment 2023/24 |
|---|---|---|---|
| Within 2 Km Radius of the Subject Lands | **Malahide Community School** | Broomfield, Malahide, Co. Dublin | Boys: 621<br>Girls: 623 |
| | **Portmarnock Community School** | Carrickhill Road, Portmarnock, Co. Dublin | Boys: 538<br>Girls: 428 |

### 4.8.2 Recreational Facilities

This part of the Audit assesses the number and location of existing recreational facilities that are within 1-2km radius of the subject lands. It will include parks, playing fields, community centres and gyms, etc. categorised as indoor and outdoor recreational facilities.

#### *4.8.2.1 Indoor Leisure & Recreational Facilities*

It can be seen in the figure below, there are a number of sport centres and fitness facilities, a library, and several community-related facilities within 1-2km radius of the proposed development.

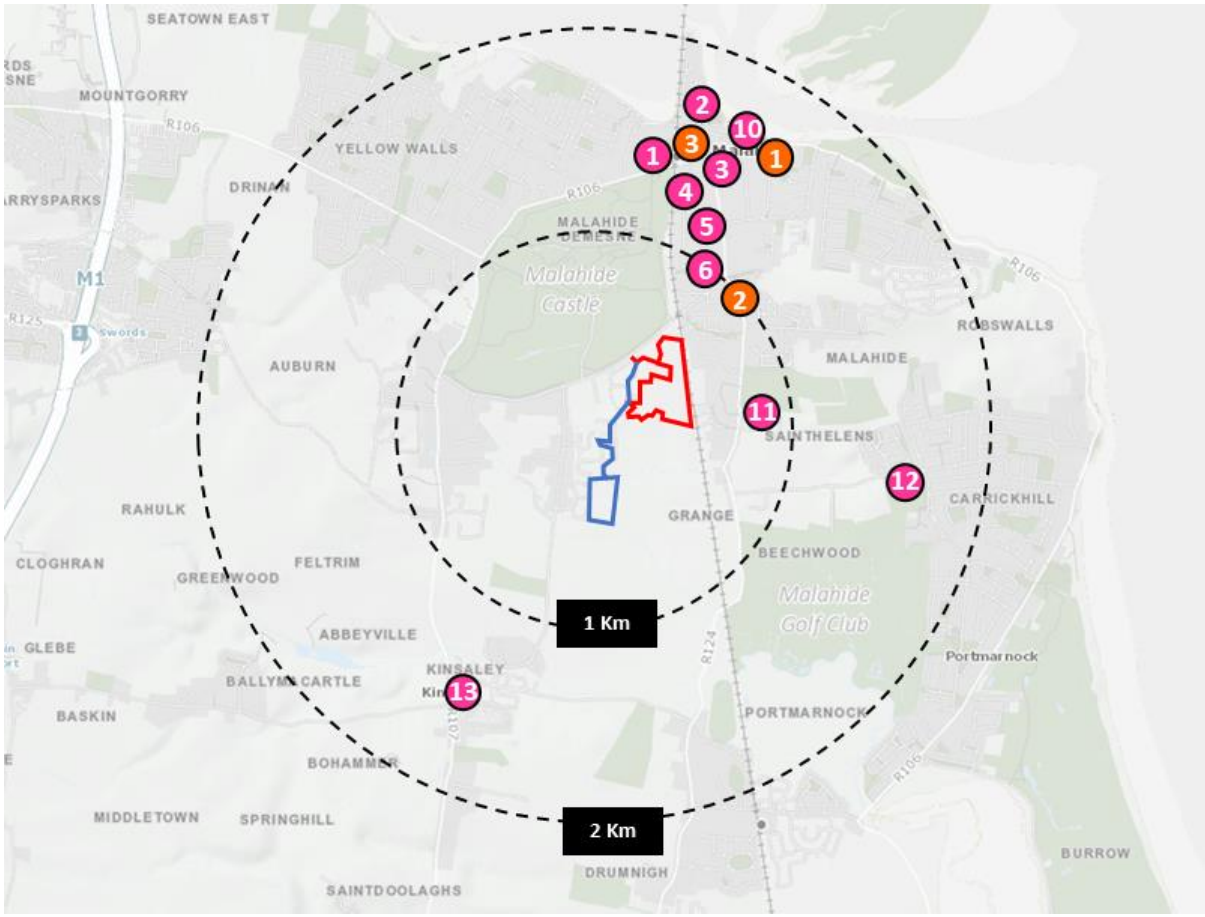



*Figure 4-8. Location of Indoor Recreational Facilities (approximate boundaries of the subject site outlined in red)*

Accordingly, there is a notable range of indoor sporting activities within 1-2km radius of the subject lands including, gyms and clubs, yoga studios, personal trainers, swimming pools, etc. Furthermore, the Portmarnock Sports and Leisure Club, which is located in close proximity of the subject lands, hosts a vast range of sports and activities by providing for a 25m swimming pool, padel court and squash court, a bar, and several function rooms catering for up to 300 guests. It is noted that Portmarnock Sports and Leisure Club also supports outdoor sports and activities by offering all-weather pitches.

Furthermore, the Malahide Library is located within 2km radius of the subject lands, supporting a wide range of services and activities including free WiFi and internet access, photocopying and printing facilities, study space and lecture room, exhibition space, and local history collection. The relevant details on these facilities are outlined in the table below.

It is also important to note that the proposed development provides for a yoga studio space for prospective residents of the scheme and the wider community.

*Table 4-14. Indoor Leisure & Recreational Facilities within 1-2km Radius of the Subject Lands*

| | No. | Name | Location | Type |
|---|---|---|---|---|
| Gyms and Leisure Facilities | 1 | **Garage Gym** | The Casino, Malahide, Co. Dublin | Gym |
| | 2 | **Yoga Sanctuary** | 3, Bissett's Loft, Strand St, Malahide, Co. Dublin | Yoga Studio |
| | 3 | **NU Fitness** | Unit, 3A Old St, Malahide, Co. Dublin | Gym |
| | 4 | **Enlightened Pilates** | Castle Terrace, 2 Main St, Malahide, Co. Dublin | Pilates Studio |
| | 5 | **Evolution Fitness Studio** | St. Sylvester GAA Club, No. Malahide, 2 Church Road, Co. Dublin | Gym |
| | 6 | **Reform Physiotherapy and Pilates** | Suite 6, Manor House, 3 Church Rd, Malahide, Co. Dublin | Physical therapist and Pilates |
| | 7 | **Tree of Life, Malahide Holistic Centre** | Kilronan House, Church Rd, Malahide, Co. Dublin | Yoga Studio |
| | 8 | **The Arena Health & Fitness Club** | 1 Grove Rd, Malahide, Co. Dublin, K36 NC44 | Swimming Pool, Aerobics Room, Gymnasium |
| | 9 | **Fit Mum** | Malahide Rd, Malahide, Co. Dublin | Pilates Studio |
| | 10 | **BE Martial Arts & Fitness** | St Sylvester's Parish Hall, Malahide, Co. Dublin | Martial Arts Fitness Club |
| | 11 | **Malahide Regional Bridge Club** | Broomfield, Malahide, Co. Dublin | Bridge Club |
| | 12 | **Portmarnock Sports and Leisure Club** | Blackwood Ln, Portmarnock, Co. Dublin | 32 clubs incl. tennis, squash, badminton, basketball, 5 aside soccer, squash, swimming, sub-aqua, fitness and martial arts |
| | 13 | **Evolution Fitness** | 8 St Olave's, Kinsealy, Co. Dublin | Gym |

| | | | | |
|---|---|---|---|---|
| **Community Facilities** | **1** | **Malahide Library** | Main St, Malahide, Co. Dublin | Library |

### *4.8.2.2 Outdoor Leisure & Recreational Facilities*

There is a huge range of outdoor recreational facilities within the 1-2km radius of the subject site and its wider area. This includes sports clubs, a rugby club, a boxing club, playing pitches, and a variety of open green spaces. The location of subject lands is within walking distance of the Malahide Castle and Parkland, indicating a good level of site accessibility to quality green open space, which provides a wide range of recreational facilities. The relevant details of these amenities are outlined in Table 4-15.

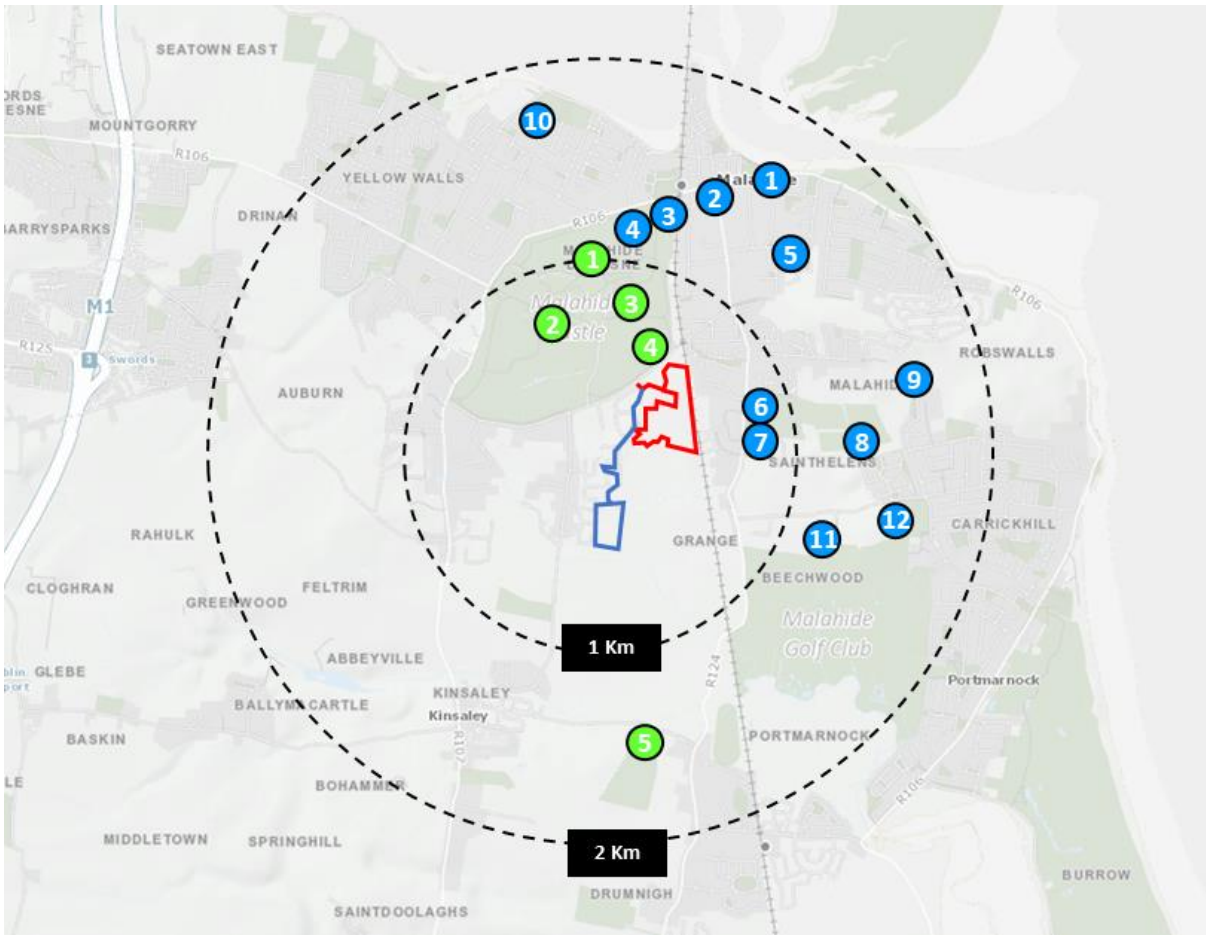



*Figure 4-9. Location of Outdoor Recreational Facilities (approximate boundaries of the subject site outlined in red)*

The Malahide Castle Demesne and parkland comprises of a circa 109 ha regional park supporting a notable range of activities for different age groups by providing for play areas, sporting facilities, a large children's playground, mature 9-hole par 3 golf course, 18-hole pitch and putt course, sports pitches, tennis courts, cricket pitch and exercise trail.

The Talbot Botanic Gardens, situated behind the castle, comprising several hectares of plants and lawns, a walled garden of 1.6 ha and seven glasshouses, including a Victorian conservatory. In addition to woodland walks, and a marked exercise trail, the park features sports grounds, including a cricket pitch and several football pitches, golf course, tennis courts and a boules area.

Adjacent to the golfing facilities, and containing the access to them, is a pavilion which also contains a café and other facilities. There is an extensive children's playground near the castle. A seasonal road train operates in a loop from the vicinity of the castle to the railway station and back.

*Figure 4-10. Malahide Castle and Talbot Botanic Garden*

Furthermore, as part of the overall scheme for the subject lands, the proposed development also includes areas designated for public open space, which are intended to integrate with the existing outdoor spaces benefiting the lands. As such, the proposed open spaces will serve not only to the future residents of the development, but also to the wider community.

*Table 4-15. Outdoor Leisure & Recreational Facilities within 1-2km Radius of the Subject Lands*

| | No. | Name | Location | Type |
|---|---|---|---|---|
| Sport Clubs & Outdoor Exercise | 1 | **Malahide Lawn Tennis and Croquet Club** | The Square, Malahide, Co. Dublin | Tennis Club |
| | 2 | **St Sylvester's GAA Club (Club House)** | 2 Church Rd, Malahide, Co. Dublin | GAA Club |
| | 3 | **St. Sylvester's GAA Club (Bridgefield GAA Pitch)** | Dublin Rd, Malahide, Co. Dublin | GAA Club |
| | 4 | **Malahide Cricket Club** | Dublin Rd, Malahide, Co. Dublin | Cricket Club |
| | 5 | **Grove Lawn Tennis Club** | Grove Rd, Malahide, Co. Dublin | Tennis Club |
| | 6 | **Malahide Hockey Club** | Saint Helens, Malahide, Co. Dublin | Hockey Club |
| | 7 | **St Sylvester's GAA (Broomfield Pitch)** | Broomfield, Malahide, Co. Dublin | GAA Club |

| | No. | Name | Location | Type |
|---|---|---|---|---|
| | 8 | **Naomh Mearnog GAA Club** | Blackwood Ln, Sainthelens, Portmarnock, Co. Dublin | GAA Club |
| | 9 | **Portmarnock AFC** | Robswalls, Portmarnock, Co. Dublin | Football Club |
| | 10 | **Malahide Yacht Club** | Sea Rd, Yellow Walls, Malahide, Co. Dublin | Sailing & Boat Club |
| | 11 | **Malahide Golf Club** | The Grange, Beechwood Lane, Beechwood, Malahide, Co. Dublin | Golf Club |
| | 12 | **Portmarnock Sports and Leisure Club** | Blackwood Ln, Portmarnock, Co. Dublin | 32 Sports Clubs1 |
| **Outdoor Recreational & Park Facilities** | 1 | **Public Park of Malahide Castle** | Malahide Demesne, Malahide, Co. Dublin | Park |
| | 2 | **Malahide Castle** | Malahide Demesne, Malahide, Co. Dublin | Castle |
| | 3 | **The Talbot Botanic Gardens** | Malahide Demesne, Malahide, Co. Dublin | Botanical Gardens |
| | 4 | **Malahide Playground** | Malahide Demesne, Malahide, Co. Dublin | Playground |
| | 5 | **Kinsealy Grange Golf Centre & Driving Range** | Chapel Rd, Kinsealy, Portmarnock, Co. Dublin | Golf Driving Range |
| | 6 | **Robswall Park Hillside Hike** | Robswalls, Co. Dublin | Park |

The proposed development provides for over 1.27ha of public open space spread across the scheme. The arrangement of these spaces within the lands is to maximise accessibility of the greenery and play equipment for future residents. This is further complemented by a green route and cycle lanes running through the site and along the eastern boundary to separate the railway line from the scheme. For more details in this regard, please refer to the Landscape Drawings and Reports prepared by KFLA Landscape Architects.

Therefore, DOWNEY are of the considered opinion that there is suitable capacity within the area for the recreational and leisure facilities to accommodate the proposed development. This would be complemented by the proposed range of open green spaces within the development.

### 4.8.3 Retail Provision

The assessment will now look further into the subject site within the retail hierarchy in its wider area and Malahide, providing details on the number and location of retail provision within proximity of the subject site. These provide an important factor in the overall quality of life for the future residents of the proposed development.

In this regard and as illustrated in the Figure below, it is noted that the retail provision ranges from convenience food supermarkets to comparable good facilities within 1-2km of the subject site and its wider area. Further details are outlined in the Table 6.

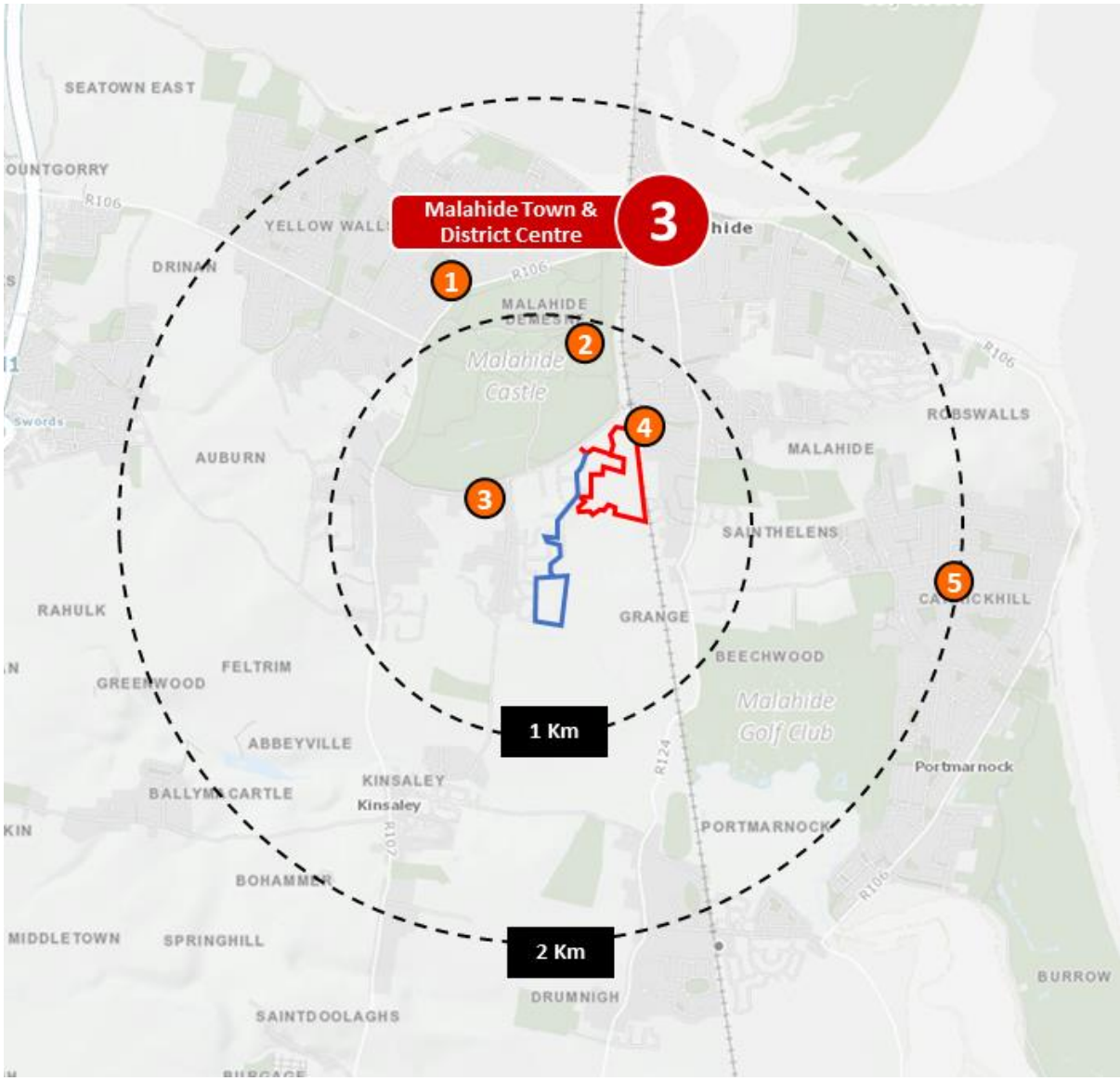



*Figure 4-11. Subject Site within Retail Hierarchy of Malahide Town Centre and its Retail Provision (approximate boundaries of the subject site outlined in red)*

With respect to Fingal Retail Hierarchy, the Malahide Town Centre, as a level 3 retail provision is located within 2km radius of the subject lands. Outlined in the adopted County Development Plan, "*while the town centres identified as level 3 retail provision are unique with distinctive characters and historic development, they perform and have further potential to perform over the Plan period to a higher retailing level due to the strength of their resident-population and catchment- population. These Town*

*Centre locations have at least one convenience store, a range of middle order comparison retailers and a range of supporting retail services."*

*Figure 4-12. Range of Retail Offerings in Malahide Town Centre*

Malahide's town centre provides supermarket retailers and general comparison goods shopping. The existing primary retail provision in Malahide is centred along New Street extended along Main Street, Marina Village, and the Green. The retail representation consists mainly of independent retailers providing a range of goods and services, all complemented by some national and international retailers established within the town, such as the brand names/chains of Tesco Express, SuperValu, Insomnia, Boots, etc. all within or adjacent to the town centre.

*Table 4-16. List of Retail Facilities in Proximity of the Subject Site*

| No. | Name | Location | Type |
|---|---|---|---|
| 1 | **Londis** | Yellow Walls Rd, Malahide Demesne, Malahide, Co. Dublin | Supermarket |
| 2 | **Avoca Malahide** | Malahide Castle & Gardens, Dublin Road, Co. Dublin | Store |
| 3 | **The Garden House** | The Garden House, Back Road, Mabestown, Malahide, Co. Dublin | Garden Centre |
| 4 | **The Hilltop Stores** | 1, 4 The Hill, Malahide, Co. Dublin | Store |

| | | | |
|---|---|---|---|
| 5 | **Dunnes Stores Shopping Centre** | Wendell Ave, Carrickhill, Portmarnock, Co. Dublin | Grocery Store |

In addition, the proposed development comprises the provision of 550sq.m. of commercial/retail space in the form of a café/restaurant, a retail/pharmacy unit and a yoga studio. Also, Fingal Development Plan 2023-2029 provides for a new "LC – Local Centre" on the northern Broomfield lands, adjoining Ashwood Hall. The lands at this location are within the ownership of the same applicant and are being brought forward for the provision of an anchor retailer that could potentially further cater for the existing and/or emerging communities at this location. The above proposals as part of the concurrent applications, together with the current offering already established in the area, would be considered adequate retail provision to cater for the influx of new population into the area.

### 4.8.4 Healthcare Facilities

As shown in the figure below, there is a wide range of healthcare facilities within 2km radius of the subject site and its wider area. This includes health centre, GP clinics, pharmacies, dental practice, and nursing home. The relevant details on the healthcare provision in the area is listed the following table.

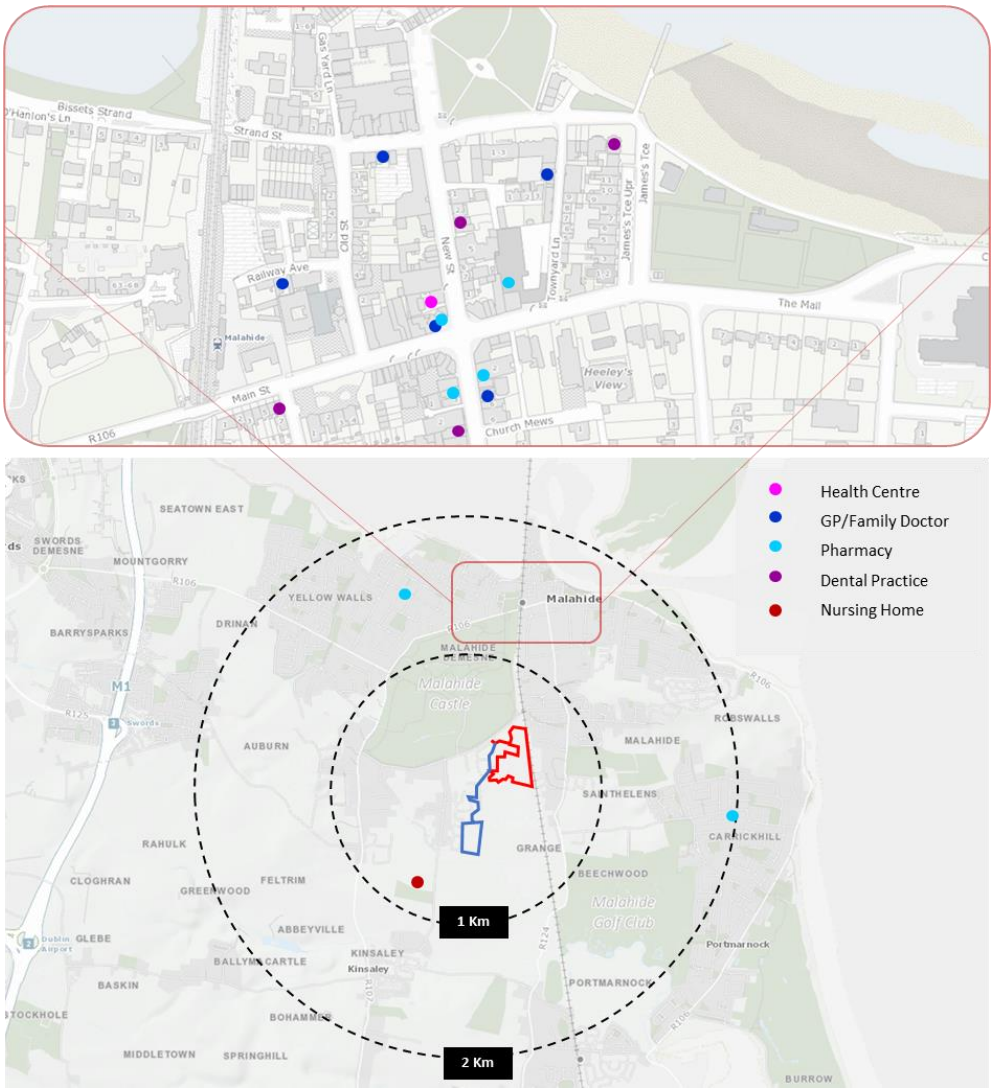



*Figure 4-13. Location of Healthcare Facilities within 1-2km Radius of the Subject Site and its Wider Area (approximate boundaries of the subject site outlined in red)*

With respect to the concentration of healthcare services in Malahide Town Centre and proximity of the subject lands to this area, it is suggested that there is an appropriate level of access to these facilities and services. Furthermore, the Beaumont hospital is located within approximately 10.6 km to the south of the subject lands, and this is c. 14-minute driving distance via Malahide Road/R107.

*Table 4-17. List of Healthcare Facilities in Proximity of the Subject Site*

| | Name | Location | Type |
|---|---|---|---|
| | **Malahide Health Centre** | New Street, Malahide, Co. Dublin | Health centre |
| | **Seabury Medical Centre** | 1 Seabury Parade, Malahide, Co. Dublin | Family Practice |
| | **Malahide Medical Centre**<br>1) Samuel Van Eeden (GMS) | Kilronan House, Church Road, Malahide, Co. Dublin | Family Practice |
| | **The Village Medical Centre**<br>1) Gerard Molloy (GMS) | The Diamond, Main Street, Malahide, Co. Dublin | Family Practice |
| | **Railway Avenue Medical Practice**<br>1) Kelly Marie Dunlop<br>2) Carol Mooney (GMS)<br>3) Blathnaid Raftery<br>4) Brian Prendiville<br>5) Aogan Rooney | 1 Railway Avenue, Malahide, Co. Dublin | Family Practice |
| | **Malahide Family Practice**<br>1) Fiona Fox<br>2) Claire Fitzsimmons<br>3) Muireann Banim<br>4) Seamus Duffy<br>5) Joanne Daly<br>6) Elizabeth Noelle Hewetson (GMS)<br>7) Kathleen Mary McClory | 15 Strand Street, Malahide, Co. Dublin | Family Practice |
| | **Temenos Medical Centre**<br>1) John Veale (GMS)<br>2) Samantha Burrows<br>3) Gavin Treanor<br>4) Deirdre Nevin | Townyard House, Townyard Lane, Malahide, Co. Dublin | Family Practice |
| | **McCabe's Pharmacy** | Unit 2, Yellow Walls Road, Malahide, Co. Dublin | Pharmacy |
| | **The Medical Hall** | 1a Church Road, Malahide, Co. Dublin | Pharmacy |
| | **Boots** | 2 Church Road, Malahide, Co. Dublin | Pharmacy |
| | **McCabe's Pharmacy** | The Diamond, Main Street, Malahide, Co. Dublin | Pharmacy |
| | **McCabe's Pharmacy** | Unit 4 Malahide Shopping Centre, Main Street, Malahide, Co. Dublin | Pharmacy |
| | **McCartan's Pharmacy** | Unit 4 Dunnes Stores Shopping Centre, Wendell Avenue, Portmarnock, Co. Dublin | Pharmacy |
| | **Malahide Dental Practice** | 7 Castle Terrace, Main Street, Malahide, Co. Dublin | Dental Practice |
| | **Dublin Orthodontics** | Manor House, Church Road, Malahide, Co. Dublin | Dental Practice |
| | **Malahide Dental Care** | 3 Ross Terrace, New Street, Malahide, Co. Dublin | Dental Practice |
| | **The Gallery Dental Practice** | Marine Court Centre, The Green, Malahide, Co. Dublin | Dental Practice |
| | **Talbot Lodge Nursing Home** | Talbot Lodge Nursing Home, Talbot Lodge, Kinsealy Lane, Malahide, Co. Dublin | Nursing Home |

### 4.8.5 Religious and Community Provision

There are 6 no. religious centres in the area including Christian and Catholic churches and 2 no. religious organisations which would provide religious and community support. As mentioned earlier, there is also 1 no. library within 2km radius of the subject lands. The details on these facilities are summarised in the table below.

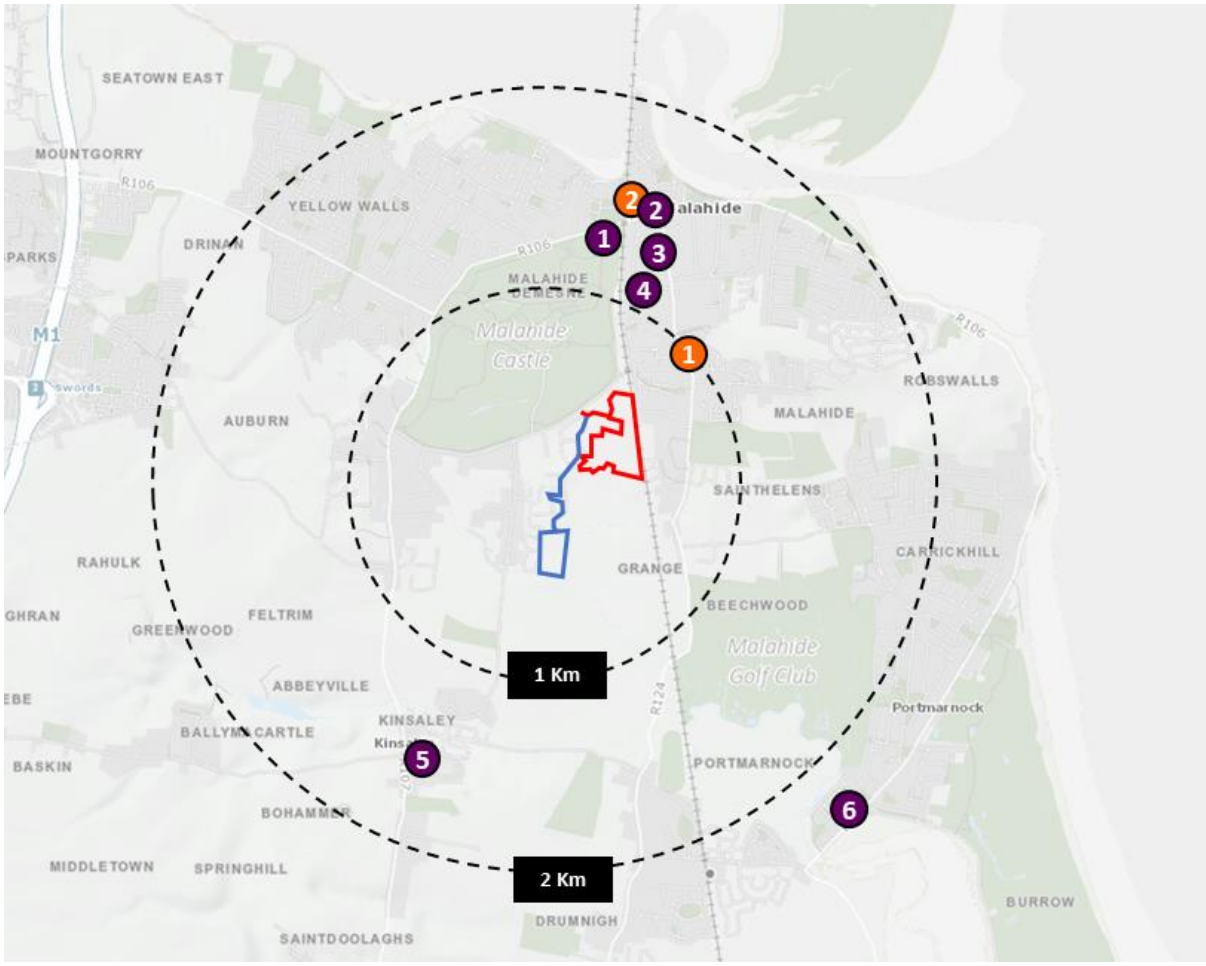



*Figure 4-14. Location of Religious & Community Facilities within 1-2km Radius of the Subject Site and its Wider Area (approximate boundaries of the subject site outlined in red)*

Taking into consideration the scale of the proposal, and the influx of new population into the area, the existing facilities prove to be sufficient and meet the needs of the proposed development.

*Table 4-18. List of Religious & Community Facilities in Proximity of the Subject Site*

| No. | Name | Location | Type |
|---|---|---|---|
| 1 | **Malahide Presbyterian Church** | Dublin Road, Malahide, Co. Dublin | Presbyterian Church |
| 2 | **St. Sylvester's Catholic Church** | 1 Main St, Malahide, Co. Dublin | Catholic Church |
| 3 | **St. Andrews Malahide Parish Centre** | Church Rd, Malahide, Co. Dublin | Anglican Church |
| 4 | **St. Andrew's Church** | Church Rd, Malahide, Co. Dublin | Anglican Church |

| No. | Name | Location | Type |
|---|---|---|---|
| 5 | **St. Nicholas of Myra Catholic Church** | Kinsealy, Co. Dublin | Catholic Church |
| 6 | **Saint Anne's Catholic Church** | Strand Rd, Burrow, Portmarnock, Co. Dublin | Catholic Church |
| 1 | **St. Andrews Malahide Parish Centre** | Church Rd, Malahide, Co. Dublin | Community centre |
| 2 | **Malahide Parish Pastoral Centre** | Main St, Malahide, Co. Dublin | Community centre |

Malahide Parish Pastoral Centre supports a wide range of activities for various age groups, such as formation gatherings and meetings, dance, yoga and fitness classes, retreats and seminars. The Parish also has a café, serving the community on a daily basis.

*Figure 4-15. Malahide Parish Pastoral Centre Hosting a Notable Range of Activities*

## 4.9 Potential Impact of the Proposed Development

### 4.9.1 Construction Phase

Construction impacts are expected to be short term, but some potential adverse local impacts can be expected due to the actual construction of the development. This is likely to be associated with construction traffic and any possible nuisance with such movements, for example an increase in daytime noise levels. The resident community in adjoining housing developments are most likely to be affected by these short-term temporary impacts. Corresponding mitigation measures are set out in subsequent chapters which will reduce these impacts to an insignificant level.

Noting the inclusion of this mitigation plan, any further assessment in relation to noise impact was not considered relevant. The development may also have some positive impacts on passive recreational facilities within the area with additional revenue being derived from the use of these facilities by the construction workers. Impacts to the local population are considered to be neutral, imperceptible, temporary in nature and therefore not considered significant.

### 4.9.2 Operational Phase

The proposed development could have the following potential operational impacts:

1) An increase in traffic levels.
2) Additional demand on local community services.
3) An impact on the landscape and appearance in the area.
4) Increased demands on services infrastructure.

The predicted population increase arising from the proposed development will generate additional traffic loads in the area, although according to the Material Assets – Traffic & Transport Chapter of this EIAR, will be within the capacity of the road network. The impacts in this regard are set out in detail in Chapter 11.0 Material Assets – Traffic & Transport. The resident community will benefit from the additional passive amenity areas, to be provided as part of the proposed development.

There are several open spaces being put forward as part of the proposed development, in particular areas of public open space containing play equipment for children that will be available for future residents and the wider community, which will add to recreational amenity of the area and will have a positive impact on health for the overall area.

### 4.9.3 Remedial and Reductive Measures

#### *4.9.3.1 Construction Phase*

Measures to mitigate potential impacts arising from the construction phase of the proposed development such as noise are set out in relevant chapters of this EIAR.

#### *4.9.3.2 Operational Phase*

The proposed development will have a positive impact on the local community and will positively contribute to the vitality and viability of the local area, as well as passive amenity and open space provision.

### 4.9.4 Predicted Impact of the Proposed Development

#### *4.9.4.1 Construction Phase*

Through the implementation of remedial and reductive measures that have been set out above, the impacts of the construction phase of the development are not anticipated to be significant. Furthermore, all impacts will be temporary in nature.

#### *4.9.4.2 Operational Phase*

The predicted impact is the same as that set out under the potential impacts of the operation phase of the development.

### 4.9.5 Monitoring

There is no requirement for community monitoring.

## 4.10 Human Health

The subject lands are located to the south of Back Road and to the east of Kinsealy Lane, Kinsaley, Broomfield, Malahide, County Dublin. With an irregular shape and an approximate area of 9.95ha, the subject site is partly framed by existing field boundaries of trees and hedgerow. The surrounding land uses are generally residential, with neighbouring developments of Ashwood Hall, Brookfield, Castleway and Hazelbrook. These developments are characterised by 2-storey dwellings with associated on-curtilage parking in a variety of unit types. The proposed scheme will make a positive contribution to the existing community by creating new places/spaces that are accessible not only to the residents of the scheme, but also to members of the public. It is submitted that the completion of the proposed scheme will not have an adverse impact on human health including mental health or wellbeing. Furthermore, there will be no adverse impacts on social, economic, or environmental living conditions as a result of the development.

### 4.10.1 Potential Impact of the Proposed Development

#### *4.10.1.1 Construction Phase*

Construction impacts are expected to be short term, but some potential adverse local impacts can be expected due to the actual construction of the development. These impacts are likely to be associated with construction traffic movements and any possible nuisance with such movements, for example an increase in daytime noise levels, migration of surface contaminants and dust. The resident community in adjoining housing estates are most likely to be affected by these short-term temporary impacts. Corresponding mitigation measures are set out in Chapter 8.0 which will reduce these impacts to an insignificant level. Noting the minor nature of these impacts, any further assessment in this regard was not considered relevant. The development may also have some positive impacts on passive recreational facilities within the area with additional revenue being derived from the use of these facilities by the construction workers.

#### *4.10.1.2 Operational Phase*

The proposed development could have the following potential operational impacts as a result of an increase in population levels:

1) An increase in traffic levels.
2) Additional demand on local community services.
3) An impact on the landscape and appearance in the area.
4) Increased demands on services infrastructure.

The impacts in regard to additional traffic loads in the Back Road area generated by the predicted population increase are set out in detail in Transportation Chapter of this EIAR.

In relation to potential impacts on human health and safety during the operational phase are unlikely to result in any significant adverse impacts once the development is completed and operational. Environmental impacts of the proposed development and their relationship to human health is dealt with under the relevant noise and vibration, air and climate and traffic sections of the EIAR. There will not be significant impacts on human health as a result of the operation of the proposed development.

### 4.10.2 Remedial and Reductive Measures

#### *4.10.2.1 Construction Phase*

Measures to mitigate potential impacts arising from the construction phase of the proposed development such as noise, traffic and air quality are set out in relevant chapters of this EIAR.

#### *4.10.2.2 Operational Phase*

No mitigation measures are required in respect of human health during the operational phase of the development.

### 4.10.3 Predicted Impact of the Proposed Development

#### *4.10.3.1 Construction Phase*

Through the implementation of remedial and reductive measures that have been set out above, the impacts of the construction phase of the development are not anticipated to be significant. Furthermore, all impacts will be temporary in nature.

#### *4.10.3.2 Operational Phase*

The proposed development will provide a development that will be integrated with the surrounding area and existing and future transport infrastructure, including green infrastructure. The proposed development will make a positive contribution to the existing community by creating new places and spaces as well as improved permeability that are accessible not only to the residents of the scheme, but also to members of the public.

It is submitted that the proposed development at Back Road, Broomfield will not have an adverse impact on human health including mental health or wellbeing. Furthermore, there will be no adverse impacts on social, economic, or environmental living conditions as a result of the proposed scheme.

## 4.11 Monitoring

In terms of population and human health, measures to avoid negative impacts have been a key consideration in the design evolution of the buildings and overall layout of the proposed project. Conditions will be attached to any grant of planning permission to ensure compliance in this regard.

Building Regulations will also be adhered to during the construction phase to ensure a fully compliant development is constructed.

Health & Safety requirements, which are site specific to the proposed project, will be carried out by the Project Manager on site.

Impacts from Air Quality, Noise and Vibration, Climate, and Traffic and Transport and monitoring measures in this regard are addressed in the relevant chapters of this EIAR.

## 4.12 Reinstatement

No reinstatement will be required specifically for population and human health.

## 4.13 Interactions

The main interactions relating to population and human health are water, air quality, noise, and traffic during the construction phase.

Construction activities will have a temporary impact the landscape of the area by way of visual disturbance. These impacts are not considered to be significant.

During the operational phase, the main interactions relating to population and human health are water, air quality, noise, and traffic. These impacts are not considered to be significant. Please refer to the associated chapters for further information on these interactions.

## 4.14 Difficulties Encountered in Compiling

Overall, no difficulties were encountered in compiling this chapter.

## 4.15 Cumulative Impacts

The assessment has considered cumulative impacts of construction and operational phases of the proposed project, in conjunction with surrounding developments.

Multiple sites under construction at the one time may result in cumulative impacts in terms of noise and vibration during the construction period for human beings. However, such impacts are short-term, and the implementation of appropriate mitigation measures will ensure that noise and vibration impact is kept to a minimum. Please refer to Chapter 9.0 for further details in this regard.

During the operational phase of the development, there will be residential, recreational, and retail/ commercial developments in proximity to the proposed project which will generate a synergy of uses. This will increase population, increase employment opportunities, and increase community facilities such as childcare facilities, and as such the long-term effect will be a positive and permanent impact for Broomfield and the overall town.

## 4.16 “Do Nothing” Impact

A “Do Nothing” scenario is not considered appropriate as the lands are currently zoned for residential under the Fingal Development Plan 2023-2029. However, if a do-nothing scenario were to occur, the lands would not be developed and therefore would be no adverse impacts to population and human health. In the event that the proposed project does not proceed, the lands would remain in its current

condition in the short-term or until alternative development proposals are granted planning permission.

## 4.17 References


- Central Statistics Office [CSO] (Census data results and analysis from 2011, 2016 and 2022)
- CSO (2024). Quarterly Labour Force Survey Q1 2024
- Eastern and Midland Regional Assembly (2019), Regional Spatial and Economic Strategy 2019-2031
- Fingal County Council, Fingal County Council Development Plan 2023-2029