

An Bord Pleanála
64 Marlborough Street
Dublin 1

Date: 11th November 2020

Planning Application: SHD

Case Number: ABP/308366/20

Case Name: PROPOSED STRATEGIC HOUSING DEVELOPMENT IN RESPECT OF LANDS AT FOSTERSTOWN NORTH, SWORDS, CO. DUBLIN

Site size: 2.64 ha. (5.24 ac) land bank owned for total development on phased basis:
6.21ha (15.35ac)

Submission on Behalf of: Cllr Dean Mulligan (Fingal County Council, Dublin Fingal)

Address: 29 Rivervalley Rise, Swords, Co Dublin

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To Whom It May Concern:

With reference to the above Planning Proposal, I wish to object on the following grounds:

Personal observation re: Strategic Housing Development process, considering COVID-19

Firstly, a point regards the process of observation, consultation moreover the Strategic Housing Development process in my opinion is a mechanism that allows planning authorities ignore the views of elected councillors and the public. This is unacceptable. It is our community, and we should decide how it is developed. This undemocratic mechanism must be challenged.

Furthermore, local authorities have an online element to their respective consultations. This makes access, payment, and the process and security safer, easier, and transparent. The SHD process is in complete contravention to this. I feel, given the current COVID-19 pandemic, it is safer to consult online and make payments as such. In my opinion, the strict process and guidelines to follow create barriers for the lay person in submitting observations to SHD. It also creates potential pitfalls in which observations can be thrown out. It is not ok that in-person delivery, cheques or postal orders are the only methods of consultation during a pandemic. A pandemic in which we are asked not to engage with people outside of our immediate family group. To physically print, handle and pass on documentation and cash is in normal circumstances outdated. What is more, these practices in the current pandemic is a risk to public health of the staff and officers who read these submissions.

Statement of Fact:

It is without doubt, at the time of writing, that the developer MKN Group are the owners of the site existing of 6.14 ha. (15.17 ac) along with other accompanying land (undisclosed Ha or ac of total landholding). With due regard to this, I acknowledge the unequivocal need for housing development on the site namely "Fostertown". By the same token, I wish to state as reiterated in the cover letter seeking this development:

"The site itself forms part of a wider landholding which is bounded by the Forest Road to the west, a stream to the south, which separates the subject lands and the southern part of the Fosterstown Masterplan area" (Cover Letter, p.1).

With respect to the quote, it must be noted the land occupied and subject to this proposal are in fact the lands contained in the Northern part of the Fosterstown Masterplan. The cover letter gives the interpretation these lands are separate to the lands designed and subject to the Fosterstown Masterplan. This is not the case. Therefore, the cover letter may be in error or is remiss in naming occupied landholding as one in which is a prerequisite to the Fosterstown Masterplan. As such the site and any further albeit required development should take specific guidance from the Masterplan designed to specifically develop this landholding, as part of the Fingal Development plan 2017-2023.

Specification of Heights

The application notes in the document named “Material Contravention” that the Fosterstown Masterplan states as a **key objective**:

“Provide lower heights adjoining existing residential areas in the form of 2-3 storey development along the Forest Road and Boroimhe”([Material Contravention FCC, p. 4-5](#))

In the same section under subsection 2.4, it is acknowledged that

“2.4 The proposed development which is located within the Fosterstown Masterplan area provides for building heights of 5 no. to 9 no. storey across the subject site set out in 3 no. blocks. 2 no. blocks have frontages onto the Forest Road, Block A and Block B. 2.5. Block A fronts onto the Fosterstown Link Road and ranges in height from 6-9 storeys with the 6 storey element fronting the Forest Road. Block B fronts onto the Forest Road and provides for 5 – 6 no. storeys” ([Material Contravention FCC, p. 4-5](#))

This is the first and only document I have come across in this application which acknowledges in writing that the proposed development is in fact located with the Fosterstown Masterplan area. In my opinion, the cover letter should have stated the same.

The proposal makes very clear assertions with respect to its intent to contravene the Masterplan heights adjoining existing residential areas namely Forest Road and Boroimhe. This proposal intends to exceed the heights by up to 100% from 2-3 to 5-6 stories. The Fosterstown Masterplan under heights states:

“The height rational for Fosterstown takes cognisance of all existing developments in the surrounding area, and its strategic position along the R132. Heights on the land

will range from 2 to 9 storeys. Heights will not exceed 2 to 3 storeys along the Forest Road and fronting the houses at Boroimhe Willows” (Fosterstown Masterplan 2019, p.5)

Not only is this stated in the local Master plan it is also stated clearly in the Fingal development plan

- In order to protect existing residential amenities, where development immediately adjoins existing residential development, the heights of such development shall be restricted to 2-3 storeys.
- Future development shall provide a strong urban edge with attractive elevations which satisfactorily address, overlook and provide a high degree of informal supervision of the R132, the Forrest Road and the Fosterstown Link Road.

([Fingal Development Plan 2017-2023, p.99](#)).

The Masterplan reiterates the Fingal Development Plans views on maintaining heights fronting current residential dwellings as this SHD notes in its own consistency statement.

Below;

Height

6.90. The masterplan sets out the following objectives in relation to Height:

- *Provide a variety of heights throughout the Masterplan lands to create visual interest and to facilitate access to light, generally in accordance with Figure 6.2.*
- *Provide lower heights adjoining existing residential areas in the form of 2-3 storey development along the Forest Road and Boroimhe.*
- *Provide a strong urban edge to the R132 to the north of the site, where taller development, ranging from 5 - 9 storeys will be supported.*

6.91. The proposed development provides for building heights from 5 no. storeys to 9 no. storeys.

6.92. The proposed development provides for 5-6 no. storeys adjoining the existing residential development along the Forest Road which contravenes the above objective on building height along the Forest Road which is also stated as an objective in the County Development Plan. A Material Contravention Statement has been submitted as part of this application which sets out a rationale for the increased building heights at this location.

[Consistency statement p.63](#)

I find it worrying how in a statement of consistency and material contravention document that a developer can contradict the Fosterstown Masterplan *“Heights will not exceed 2 to 3 stories along the Forest Road and fronting the houses at Boroimhe Willows”* (Fosterstown Masterplan 2019, p.5). All of these objectives were agreed by elected councillors from all political parties, with ample scope provided for an acceptable level of high-rise development towards the R132 (based on an assumption of Metro North being up-and-running, which unfortunately now has been set-back even further) – the application to build a high-rise building at the residential development prior to undertaking development on other lands is a

blatant unconcealed affront to the local authority, councillors, and local residents, upon whom a significant irreversible impact would be effected.

This SHD is not merely acknowledging the viability to build up, it is attempting to use the precedent set by other developments located on national roads in Santry (near Omni) to argue for heights on roads that are rural and resemble country roads, with a much higher residential density population. I am not remiss of the need for mixed development and the value of the land in question. I am however very much against the residential dwellings that currently exist fronting this site being quite literally overshadowed by heights proposed. They are based on pure and simple greed, as the manipulation of land use makes densities contained in the brief seem somewhat acceptable. I will elaborate more on such further on. If we are to take any cognisance of the lived experience of the area, we need to be respectful of the fact that the development needs to fit. This site has the potential to provide significant sustainable development, growth, and housing for one of the fastest growing areas in Ireland. However, by allowing the overdevelopment of the fronting dwellings would be a poor indictment toward the residents who live facing this site



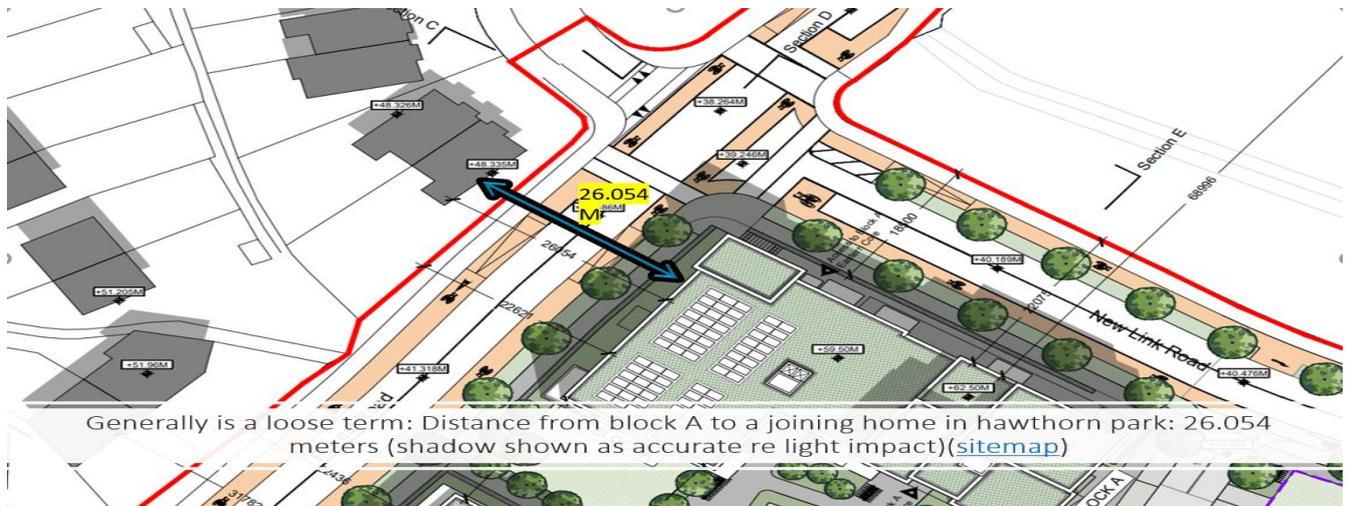
The issue of heights is compounded by the fact that the developer is not eager to spell out the immediate facts, in fear of contradiction I would imagine. When I investigated the distances from Proposed blocks, I was met with loose terminology in terms of distance these proposed apartment blocks will be from current developments (Statement of Consistency with Planning Policy p. 54). This statement uses the word “generally” to describe the “general or average” distances from proposed apartments to existing 2 story dwellings. The example given is building B to house at rear of Rivervalley Grove, left of lane way. Where it deems

such as respectable, whereas it should have given the shortest, longest distance followed by a median range, in writing to give more accuracy to the point.

6.33. In addition, the separation distances between the proposed apartment blocks fronting the Forest Road and the adjacent existing dwellings (mainly gable end to road) is generally in excess of 30m.



My observation as a statement of fact contradicts this “general 30 metre distance “as they note the exact distance in the drawings, as they do not want to make it known. The distance form Block A to the side of gable wall of No 1 Hawthorn Park is 26.054 meters, notwithstanding thy only have 18 meters between block A and B.



The blow indicates just how 1 Hawthorn Park will be quite literally overshadowed by this tower ranging from 6-9 stories.



This picture was taken at 13.00 on 04/11/20, you can see a 29-metre shadow from lamppost to the corner of Hawthorn Park. Can the board honestly say that a fronting 6 -9 stories apartment block A, 18 metres from a 5 – 7 stories Block B, will not cast a shadow over these homes? It will without doubt, along with several of the residents in Hawthorn Park.



This montage is suggesting a building will produce a lesser shadow than trees half the size. This is not accurate. Furthermore the junction designed for block A would be much better suited 50 metres north of this site it would meet up with current junction at Rivervalley, it makes very little sense having two junctions in such close proximity, when it seems feasible that the developer and council could create through road to meet present junction. In terms of traffic calming and abatement it makes sense to have one junction rather than two at this location.

Densities

The SHD state in their Statement of consistency that:

“...Forest Road and the construction of the proposed link road within the applicant’s land ownership will be completed as part of the overall housing scheme... The total breakdown of units will comprise of 125 no. 1 bedroom units, 146 no. 2 bedroom units, 7 no. 3 bedroom units, with ancillary residential internal amenity spaces. The proposed development will also provide for 1 no. crèche facility (354.4 sum) and 1 no. retail unit (262 sum)...”([Statement of Consistency, 1.2-1.4, p3](#))

This statement is twofold, it sets out clearly that construction of the link road required will be constructed as part of the development, as well as noting this will be completed on the developers’ land. One would be forgiven therefore for presuming the land densities specific to the actual building would be specified. It should note net densities when we take away lands required for appropriate infrastructure, roads etc. This is not specified in writing.

To further justify this, the SHD states:

“The site is within a 10 minute drive of the M1, M50, Dublin Airport and the Port Tunnel. The site is also is close proximity to several employment intensive areas, including g Dublin Airport and Airside Business Park, all of which have experienced rapid employment growth in recent years. The 2016 Airport Central Masterplan clearly illustrates the likely continued expansion of employment within the Dublin Airport lands (allowing for a post COVID-19 pandemic recovery period).

Given the proximity of Fosterstown to the airport, this proposed residential scheme will provide accommodation for many of the airport’s key workers. 2.9. The site is surrounded by housing estates built over the last two decades and consisting in the main of three and four bedrooms detached and semi-detached houses. Thus, there is a unique opportunity with this proposed apartment scheme to rectify the imbalance in housing types in the Swords area” ([Consistency statement p. 6](#)).

So, to confirm it is a prime employment location, with lots of planned potential growth. As well as” ... *there is a unique opportunity with this proposed apartment scheme to rectify the imbalance in housing types in the Swords area...*”. The most appropriate way to address an imbalance would be to create appropriate housing for young families. An ideal example would be utilising any apartment dwelling like this and making them into state of the art, step down units for the ageing population thus freeing up the many 3 and 4 bedroom homes in

the area which are so vitally required. This proposal creates an imbalance in the area, it does not rectify such, as noted below:

So, when we look at densities and site size used to address this “imbalance” presuming all information is accurate and in good faith from the proposer. It is stated that Fosterstown Masterplan specifies regard densities that: NET densities of 105-115 should only be allowed,

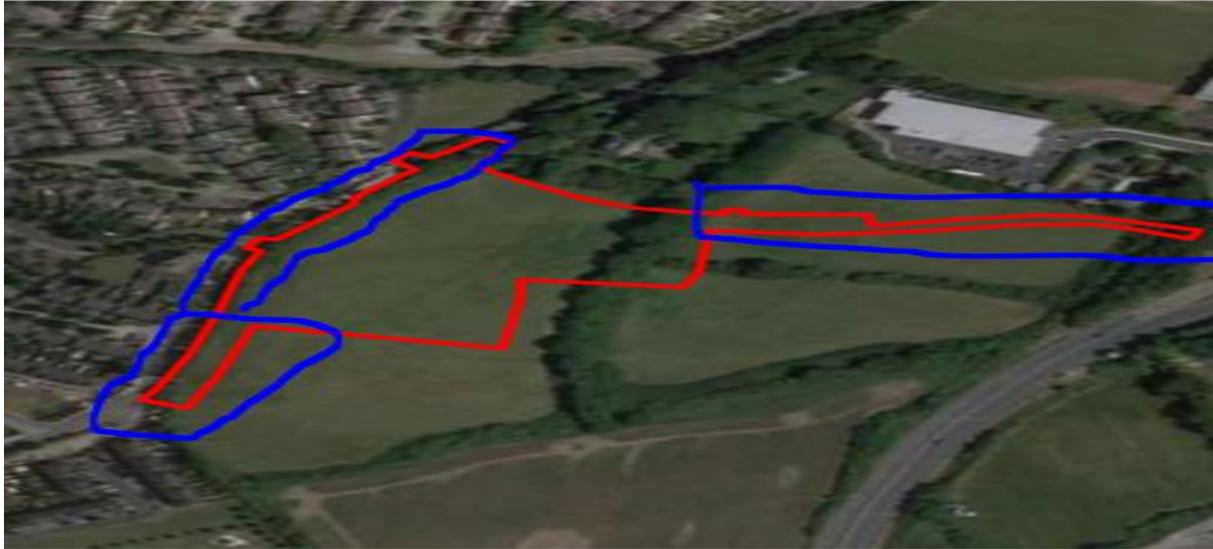
- Provide residential accommodation at a net density of 105-115 units per hectare, with an appropriate mix of houses and apartments to meet the needs of future residents of the area and to diversify Swords’ existing housing stock.
- Densities will only be permitted at the higher end of the range where it can be demonstrated that the proposed development contributes substantially toward the achievement of the principles and objectives set out in this Masterplan and will result in a high quality living environment.

[\(fosterstown master plan, 2019, p.12\)](#)

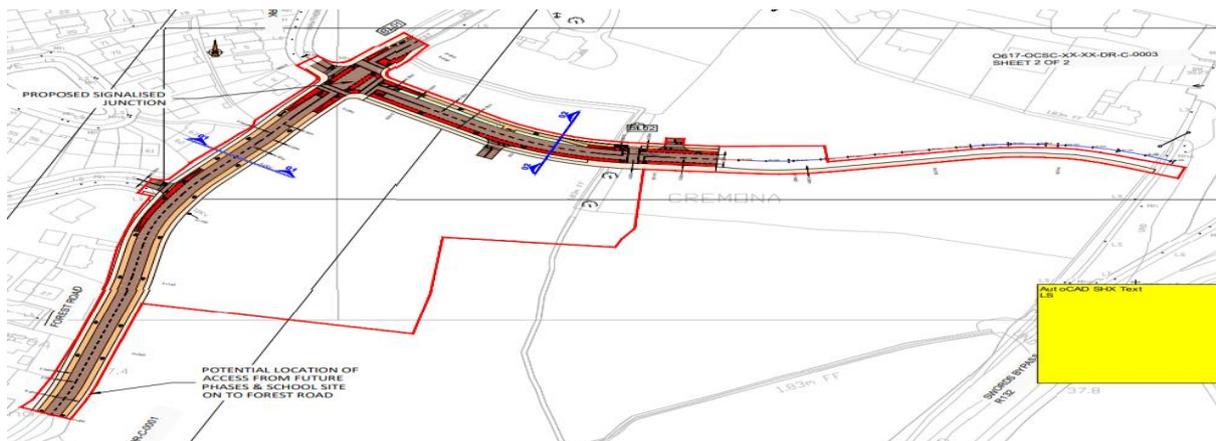
This SHD is offering **278 on 2.64 ha equates to 105.3 units per ha**, so these are in keeping with the master plan? If you take these densities as accurate or in isolation, or without any prior knowledge of planning one could be forgiven for thinking this is accurate, and that is not ok. **There should be no avoidance of doubt or ambiguity regards this development or any development regards the specifics.** Particularly when such specifics are key principles of supporting documents set out in original planning, by Fingal County Council.

So, when we look at the site zoned, we should be clearly shown the land for development and lands requiring further infrastructure, roads etc, as well as supporting densities, space, heights etc.

In this image created by myself (Dean Mulligan), you can see the are highlighted in blue. These areas are either bordering roads or zoned for through roads and cannot be developed in this project, they are simply added to increase land usage to manipulate densities v site size.



In reality, over 1/3 of the site cannot be developed and is not built in on this plan. Hence, the real units per is about: 1.86 Ha with 278 units. I wanted to delve into to this further. See drawing below.



[\(Horizontal and Vertical Design Plan Layout Site Location Sheet 1 of 4\).](#)

Although there is no statement of contravention in terms of densities, which there should be, there is a clear manipulation of hectars and land use to avoid further contravening the Fosterstown Masterplan.

The SHD states:

This is the first phase of many to come and we need to do it in a suitable manner. It is noted that the adjacent site to the south (Fosterstown) is also proposed to be developed as a residential scheme, ABP-307260-20, which is at pre-application stage ([Consistency statement, p.3](#)).

In my opinion the land mass taken is an attempt to justify Ha Densities as significant amounts cannot be built on, particularly as the number of proposed units increases significantly in further phases.

You can see hidden in a table in the architectural design statement part 2 the actual NET density acknowledged. It is never stated in writing instead just noted in a table, which the developer will see a justified no doubt. I would argue this needs to be fleshed out as it contravenes net densities set down in Masterplan and development plans.

SITE STATISTICS		
APPLICATION SITE AREA	ha	2.64
	acres	6.53
OWNERSHIP AREA	ha	6.21
	acres	15.35
FINGAL COUNTY COUNCIL LANDS AREA	ha	0.34
FCC 'TAKING IN CHARGE' AREA	ha	0.79
NET DEVELOPMENT AREA (exc. taking in charge)	ha	1.86
NET DENSITY (exc. taking in charge)	units / ha	150
GROSS DENSITY (inc. taking in charge)	units / ha	105
PLOT RATIO	gfa / ha	1.47
SITE COVERAGE	ground floor gfa / ha	20.9%

([ArchitecturalDesignStatementPart2,p.31](#))

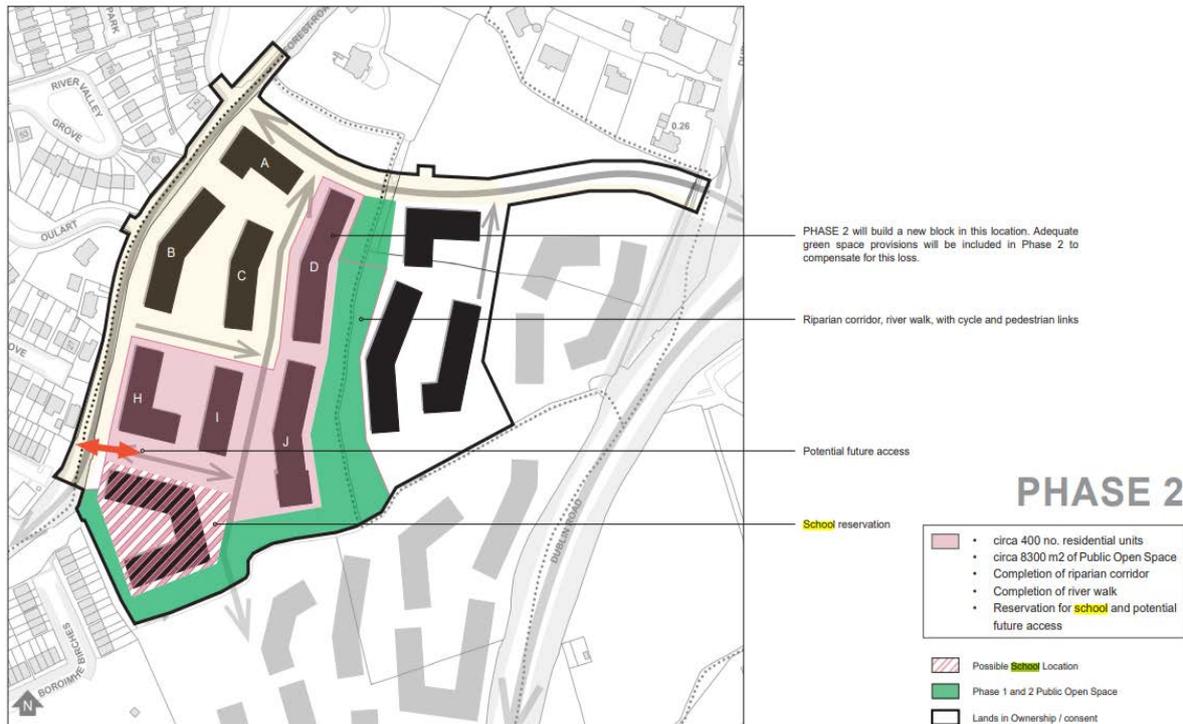
N.B. The SHD has clearly set out Density manipulation they note 150 units per ha. But do not put it in the statement of material contravention.

With due consideration to the aforementioned along with: The recommended and stated maximum net density in the [Swords Masterplan](#) (p.2) issued in May 2019 is 110 units per Ha. There is a slight variation in that the Fosterstown developed may exceed this number to reach a maximum of 115 per Ha but could be anywhere between 105 and 115 ([Fosterstown master plan](#) p.12). So even with the added scope for Fosterstown this scope is disingenuous and unfair at 150 units per ha.

Although the developer wants us to believe the densities would seem they are not vastly overreaching in many respects. Or at least that is what they are trying to portray:

- The reason being is because if phase 1 is granted without appropriate infrastructure which is likely to be the case, then phase 2 will be pushed through even though it is complete overdevelopment.
- Phase 2: 400 units on 2.51 ha, that equates to 159 units per ha.

PHASING AND IMPLEMENTATION
PHASE 2



[\(ArchitecturalDesignStatementPart1 p. 26\)](#)

Finally, with the greatest of respect to the need to develop this area, in mixed manner with a variation of heights and appropriate densities thereafter. This is a family area. A proposal for hundreds of apartments, with a substantial proportion of these being 1-bed units is drastically out-of-sync with the area. Furthermore, as home-working- is now a more realistic consideration for a substantial proportion of the workforce, such 1-bed units are at the minimum limits of living space and clearly not conducive to home office provision.

This proposal in my opinion has went out of its way to be disingenuous and avoided noting net densities as a material contravention. They state there is an “imbalance...” in housing in the area, which they blatantly make a mockery of. The very fact that this development is trying to avoid justifying what is standard procedure is very concerning. This proposal represents an overdevelopment and purposeful manipulation of the facts to suit the agenda. In an attempt, to justify a housing imbalance, they perceive. It is a poor indictment on proper planning and the pain staking efforts that goes into developing area specific plans on a county level. I object in the strongest possible manner and this should not be allowed continue.

Size of apartments as per design standard guidelines:

See below table re minimum floor area spec, national guidelines:

[Design standards for new apartments guidelines for planning authorities, p.11](#)) This SHD is proposing:

Specific Planning Policy Requirement 3

Minimum Apartment Floor Areas:

• Studio apartment (1 person)	37 sq.m
• 1-bedroom apartment (2 persons)	45 sq.m
• 2-bedroom apartment (4 persons)	73 sq.m
• 3-bedroom apartment (5 persons)	90 sq.m

- 1 bed from 49.6 sq.m
- 2 bed from 69,5 sq.m (3 person)
- 2 bed (4 person) from 77.6 sq.m
- 3 bed from 97.8 sq.m

When considering the use of this site and the form of accommodation and residents it will attract, we need to take into account the aforementioned size of each unit which is small, in relative terms when we compare to minimum standards. This in my opinion makes them unattractive for downsizing and would appear to be aimed at the private rental sector, (even if it stipulates these are not intended as but to rent) when Swords needs quality units for downsizing and quality family homes.

What should or could happen but won't is, I acknowledge that there is a time bomb need for one and two beds to allow older people to downsize and free up three and four bed properties, also for social housing in terms of older citizens who are presently working and paying high rents who won't be able to continue paying high rents in the private sector when they retire. They will not be able to access these developments either, as the number of social and affordable units is going to be too small along with the actual size of the units. With that said these units are as quoted in the above '*strategic context*' intended for '*young families*' they are not suitable for such, but it is what they are 'considered' for, therefore it further reiterates the actual lack of real understanding of the housing need in the area in which the SHD process nationally has failed to consider as it is essentially profit and developer lead, funny when this SHD claims to rectify the imbalance in the area re housing when in reality, it does nothing to achieve-such.

Car Parking and Public Transportation

Whilst the idea that not all residents will own a car and that they will use public transport is admirable, it is not realistic, the transport infrastructure and experience proves that this is not the case and that were residents do not have a parking space as part of their unit and have no access to purchase a parking space, that this will simply lead to residents parking within and clogging up neighbouring estates.

The SHD states: ([ArchitecturalDesignStatementPart2, p. 32](#))

Car Parking

- The following section shall demonstrate how the quantum of car parking proposed is justified in the context of the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities 2018, which seek to reduce car parking standards in central /accessible urban locations sites.
- 206 no. residential car parking spaces are proposed which is less than the normal standard of the County Development Plan, which equates to a ratio of 0.7 spaces per residential unit.

CAR SPACES	Proposed No. Undercroft Spaces	104
	Proposed No. External Spaces	102
	Total No. of Residential Car Spaces	206
	Proposed Ratio	0.74
	Proposed Ratio of Accessible Car Spaces	0.05
	Proposed No. Creche Drop-off Spaces	5
BICYCLES	Proposed No. Undercroft Spaces	214
	Proposed No. External Spaces	162
	Total Ratio (space/unit)	1.35

([ArchitecturalDesignStatementPart2, p. 32](#))

It is important to note that, the Fingal County Council state that “a *minimum of 1 car parking spot per unit*”. Whatever way this proposal wants to frame it particularly emphasising the public transport links proposed as grounds for having such a small parking facility, this is Ludicrous. We need to promote other modes of transport, but the current environment does not have the appropriate public transport and infrastructure to facilitate anything less than 1 space per unit. On this ground alone this SHD should not be granted in its present form.

The below is the car parking standards extracted the FCC development plan.

Table 12.8 - Car Parking Standards

Land Use	Criterion	Proposed	Notes	Category	Norm or Max
House - urban/suburban 1 or 2 bedrooms	Unit	1-2	Within curtilage	Residential	Norm
House - urban/suburban 3 or more bedrooms	Unit	2	Within curtilage	Residential	Norm
House - rural	Unit	2-3	Within curtilage	Residential	Norm
Apartment, townhouse 1 bedroom	Unit	1	Plus 1 visitor space per 5 units	Residential	Norm
Apartment, townhouse 2 bedrooms	Unit	1.5	Plus 1 visitor space per 5 units	Residential	Norm
Apartment, townhouse 3+ bedrooms	Unit	2	Plus 1 visitor space per 5 units	Residential	Norm

[\(Fingal development plan 2017-2020, p.459\)](#)

It is important to note that re Fingal Development Plan says 1 spot for a 1 bed, 1.5 spots for a 2 bed, and 2 for a 3 bed. Plus 1 visitor space per every 5 units. In this vein spaces should be provided as 125 spaces for 125 no. 1 bedroom units, 219 spaces for 146 no. 2 bedroom units and 14 spots for 7 no. 3 bedroom units, along with 55 spaces for visitors as per average 1 in 5. Brining a total no spaces to 413 for the complex.

The SHD argues re transport infrastructure:

- Bus connect and Metro link being signed off need to be a condition of any development happening on this site.

The country is making significant inroads to encourage people to go green, make electric cars the new reality, yet these developments do not allow for enough cars let alone charging points for electric vehicles, this is not ok and needs to be amended in any proposal. We cannot expect a blanket ban on cars and say we are encouraging green infrastructure if we are remiss of the actual intention to rid the road of petrol and diesel vehicles and strive for green alternatives.

With due consideration to the above, the SHD refers to accessibility of public transport. This is phrased in my opinion to justify the serious lack of car parking spaces and the inadequacies that the accessibility via forest road and new required distributor road. A few observations in this regard include:

Firstly, this is not a unique development. There is a bus stop 3 minutes from any point in swords and surrounding areas.

Secondly, what is required is investment in real public transport, metro-link phase one (shovels in the ground) should be a precondition to this development as reiterated in the Fosterstown master plan. being utilized for a much-needed housing development. If we want to attract young families to the area, we need appropriate accommodation in a sustainable environment which this SHD is not.

With due consideration to the public transport arrangements that this location offers, I feel it is integral that the car park spaces are increased in line with the Swords master plans. Furthermore, any large-scale development in this location should in order to create a sustainable environment be contingent on phase one of MetroLink going ahead prior to any construction or development on site (i.e. money been drawn down and utilised to start the development of metro, not simply agreed in principle). Notwithstanding the various other infrastructural improvements required.

Primary School:

The topic of a primary school is mentioned in the community audit, but I worry about the proposers fact checker in this regard.

With respect to the local school and measurements noted to local Primary school

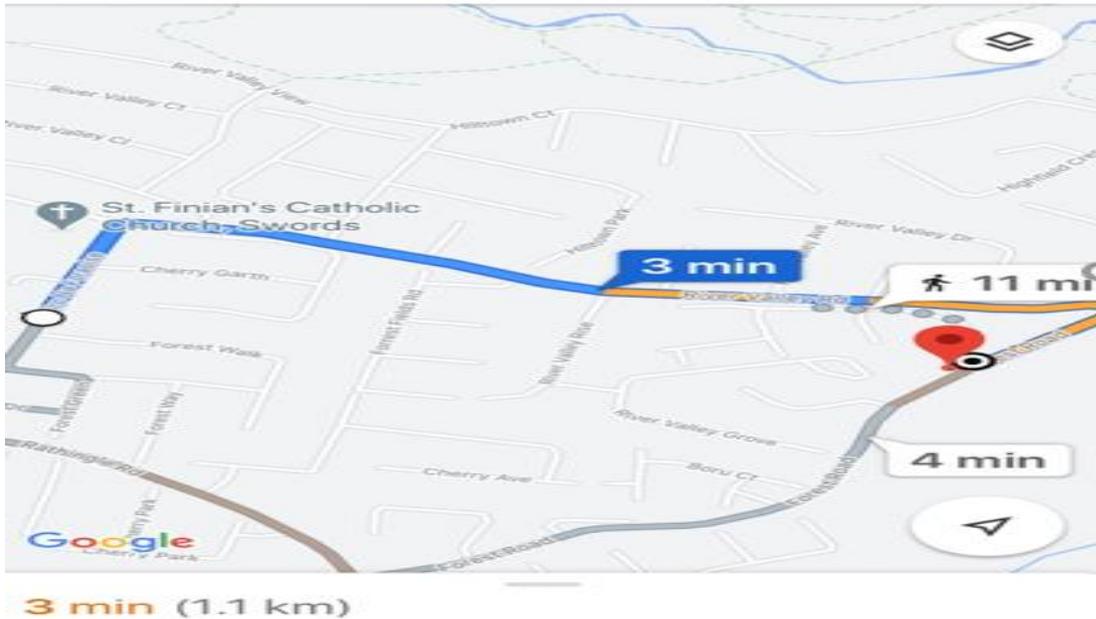
Swords Community and Local Needs Audit

Fosterstown SHD

Primary Schools

- Holy Family Junior School, River Valley, Swords, Co. Dublin
This is a junior national school which caters for both boys and girls currently has 551 pupils in attendance at the school based on the latest GeoHive statistics; c. **2km.**
- Holy Family Senior School, River Valley, Swords, Co. Dublin
This is a senior national school which caters for both boys and girls currently has 505 pupils in attendance at the school based on the latest GeoHive statistics; c. **2km.**
- St. Cholmcille's Girls National School, Chapel Lane, Swords, Co. Dublin
This is a national school which caters for just girls and currently has 432 pupils in attendance at the school based on the latest GeoHive statistics; c. **1.4km.**
- St. Cholmcille's Boys National School, Chapel Lane, Swords, Co. Dublin
This is a national school which caters for just boys and currently has 439 pupils in attendance at the school based on the latest GeoHive statistics; c. **1.4km.**
- St. Cronan's Junior National School, Brackenstown, Swords, Co. Dublin
Catering for both boys and girls, St. Cronan's Junior N S had an enrolment of approximately 586 pupils in; c. **1.8km.**
- St. Cronan's Senior National School, Brackenstown, Swords, Co. Dublin
Catering for both boys and girls, St. Cronan's Senior N S had an enrolment of approximately 586 pupils; c. **1.8km.**
- Thornleigh Educate Together National School, Applewood, Swords, Co. Dublin
Catering for both boys and girls, St. Cronan's Senior N S had an enrolment of approximately 586 pupils; c. **3km.**

The measurements noted above are inaccurate, if we take the measurement from the front of block A you would find that Holy Family is the nearest school at 1.1km.



The fact this SHD is insinuating that is somehow not, is ridiculous. I believe it is intentional as it is known by all the school is oversubscribed to the tune of 139 children last year and further this year (see below). It is a terrible indictment that the understanding and lived experience is not taken into consideration at all. The measurement to St Cronan's is more accurate at 1.8km when it is in fact 2km. However, this requires a route via Main street and no path direct pathway for the entirety of the route to make walking viable.

To add insult to injury, a School not mentioned once on material contravention report, in fact it states in the department of education have said this is "...not required in the short term" when did they have these talks? There is currently a temporary school in a Car Park in Main street Swords, under the name Rivervalley Community national school. The reason this school is in a car park and not in Rivervalley is because it doesn't have a permanently site, all councillors for the area agreed the land zoned in Fosterstown for a primary school should be built in the first phase. Unfortunately, at not stage does MKN even acknowledge their intent to build such. It merely highlights land for "a potential school";

School site

- 6.98. It is a stated objective of the Fosterstown Masterplan that a site for a school would be reserved within the masterplan area. A site of c.0.5 ha has been reserved for a school on Phase 2 lands, south west corner of the overall landholding. This site will be development as a school following consultation with the Department of Education to identify the level of demand in the area for a new school. Preliminary discussions have already taken place with the Department, who have confirmed that a is not required in the short term.
- 6.99. We also note that the Minister for Education and Skills received a final grant of permission on the 26/06/2018 under Reg. Ref.: F18A/0163 for 2 no. school buildings with a total floor area of 15,913 sq.m on lands at Mooretown, Off Rathbeale Road, Swords, Fingal, Co. Dublin. These permitted school buildings are located c. 4km from the subject site which is only an 8 minute drive.

(consistency statement p. 65)

The Community audit does mention this proposed land holding:

Proposed School

- 6.6 There is a site specific objective on the overall landholding which requires that a portion of the site be reserved for a proposed school. As previously noted, the proposed educational facility on the landholding will need to be further discussed with the Department of Education. As such the land will be reserved for this use until instructed by the Department of Education that such demand exists. Preliminary discussions with the Department of Education have confirmed that a school at this location is not required in the short term. We also note that 2 no. new school buildings have been issued a final grant of permission on 26/06/2018 under Reg. Ref.: F18A/06713 on lands at Mooretown, Off Rathbeale Road, Swords, Fingal, Co. Dublin. These permitted school buildings are located c. 4km from the site which is only an 8 minute drive.

Having spoken with a rep from Holy Family this week, I am reliably informed that, there is currently a waiting list of enrolments for 2021 and this has been the case for the past 6/7 years.

This list has just opened and in the space of two weeks the expression of interests is currently over 200 and this will increase over the coming weeks and months. The closing date for admissions is 28th January 2021. With only 150 places available for September 2021 this equates to 6 classes of 25 students, currently the school is taking 27 students per class. New class ratios from the Department of 1-25 this will put even more pressure on these waiting lists. To say that a school at this location is not required in the short-term beggars believe.

Given the above, you would be acceptably shocked to hear that the department of education feel there is no immediate need for a school in Fosterstown. **Department of education said what?** I have asked the minster to clarify this as every elected rep since 2016 has contacted an active minster for Education regard the need to build a school for South Swords at this location. We have a school in a temporary car park in Swords Main street waiting for a permanent location. On foot of this I asked a parliamentary question to minster Norma Foley, in which she noted:

*“Since 2018, 47 new schools to cater for demographic demand have been announced to be established over the period 2019-2022 and included in that number **are two new primary schools in Swords: one for Swords South which opened in 2019** and one for Swords North, which opened in September 2020. In addition, at post-primary level, Swords Community College is a new 1,000 student post-primary school established in 2018 to meet the needs of the area.*

In addition to ongoing demographic analyses, my Department continues to liaise with Fingal County Council in respect of potential longer-term requirements for educational provision across the county, through the review of the County Development Plan, preparation of Local Area Plans and other relevant statutory planning processes.

In regard specifically to Fosterstown, the Fingal Development Plan 2017-2023 designates the Fosterstown lands as an area for which a Masterplan had to be produced. The Fosterstown Masterplan lands were subject to specific objectives including:

- providing for New Metro North,*
- Fosterstown Link road,*
- a proposed school.*

Fingal County Council advised my Department during 2018 that it intended to produce this Masterplan and sought to re-confirm educational requirements for the area.

Following a number of engagements with Council Officials, my Department made a submission to the Council identifying a potential future need for a primary school in the area and the Masterplan acknowledges this potential need by identifying a school site.”

The department in this instance acknowledge without naming the school developed in 2019, namely Rivervalley Community National school which is seeking at present a permanent location, in my opinion which is shared by all elected reps, is that this school should be zoned and built in Fosterstown.

This SHD states:

The proposed development will include a high quality public open space as part of the provision of public open space. The proposal will also provide for a crèche facility and reserves a portion of the landholding for a proposed school which will benefit the existing residents in the area as well as the future residents. These new uses will increase the variety in the area. ([Community Audit 7.2 -7.3, p.22](#)).

It is ironic how in their final summary they acknowledge the need and land zoned for a school and how it can happen in future phases but ignore and contradict their own assertions when they so there is no immediate need. They will argue this is forward planning based on population growth, this is not the case a school is needed now, we have kids in a car park at present because of the Department of Education's inaction, we cannot allow this development without a school in phase one. This would be in keeping with the Masterplan zoned for these lands. This developer built upwards 1,650 units over 7 phases at the other end of the Forest Road over the last two decades, without any new schools, or appropriate road, water and cycling infrastructure can you honestly say that is sustainable? We are struggling to deal with this problem and massive school shortages on the Forest Road due to bad planning. Areas including Boromhe and Ridgewood estates built by this developer failed to provide the infrastructure required. This is the only remaining landbank we need to get this right and sort out the school shortage issue for the Forest Road area of Swords.

The Noise DAA in relation to proximity to Airport

This area is noted as noise contour C in the Dublin Airport local area plan, the SHD states:

4.87. The applicant has consulted with Dublin Airport Authority prior to lodging this application. Dublin Airport Authority stated the following in response to an email requesting the consultee to comment on the proposal:

"The proposal is located in Noise Zone C. As such, daa would request that any proposal for noise sensitive uses including housing, office and childcare are insulated to an appropriate standard as set out under Variation no. 1 of the Fingal Development Plan 2017 – 2023. Specifically, for planning applications, we would request the following:

The existing and predicted noise environment of the site be fully assessed with consideration for future airport growth;

The applicant should demonstrate that internal noise levels appropriate for noise sensitive uses can be achieved and maintained;

Where an application is submitted with a noise assessment included, daa would be consulted to comment on the assessment. Typically, where the assessments are found to be satisfactory, we would recommend that the inward noise impact assessment is implemented in full on site by way of condition attached to the full planning permission.

With regards to height, I have consulted with our Aerodrome Standard's Manager, who has recommended that a condition be applied to any planning permission requiring agreement between the developer and daa for any proposals for crane operations (whether mobile or tower crane) in advance of construction and in addition to seek consultation with the IAA.

This concludes our comments in this regard. Should you have any further questions or queries, please feel free to get in contact".

([Statement of material contravention, p.19](#))

C	$54 \text{ dB} \leq L_{\text{Aeq},16 \text{ hr}} < 63 \text{ dB}$ and $48 \text{ dB} \leq L_{\text{night}} < 55 \text{ dB}$	<p>To manage noise sensitive development in areas where aircraft noise may give rise to annoyance and sleep disturbance, and to ensure, where appropriate, noise insulation is incorporated within the development.</p> <p>The noise assessment must demonstrate that relevant internal noise guidelines will be met. This may require noise insulation measures.</p>
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Noise zone c as noted above will potentially have significant impact on this location, and the noise assessment as not given guarantees re infrastructural requirements that would reduce dB to a standard amount. This SHD does not reassure me that it will provide adequate noise abatement measures even when we look at projections re noise levels.

Community Audit:

The summary of the community audit it states:

“In summary, it is considered that Swords is accessible to a range leisure facility including; football / GAA clubs, a number of public parks; a number of education facilities, including seven primary schools, four secondary schools and sixteen crèches located in Swords itself, and a quantum of community facilities located throughout the town centre. As such the facilities that Swords currently offers is very good and will be able to support the future residents of Swords. 7.3 The proposed development will include a high quality public open space as part of the provision of public open space. The proposal will also provide for a crèche facility and reserves a portion of the landholding for a proposed school which will benefit the existing residents in the area as well as the future residents. These new uses will increase the variety in the area.” ([Community Audit 7.2 -7.3, p.22](#))

It is very concerning and shows a very lack lustre understanding or work in terms of this reports development. Apparently the most immediate and local GAA and soccer clubs are:

Swords Community and Local Needs Audit

Fosterstown SHD

(5) Fingallians GAA Club

- 5.12 Fingallians is a Gaelic Athletic Association club in Swords, County Dublin which was founded in 1884. The club caters for Gaelic football, hurling, Ladies football and camogie, at all age groups.

(6) Swords Manor Football Club

- 5.13 Swords Manor football club was founded in 1995 and is located on Brackenstown Road, north-west of the Ward River Valley Park. Swords Manor currently has 15 teams across all age groups.

Sadly although both existing sports club, they are not the local club to this proposed lands, the community audit is remiss in not mentioning St Finian's GAA club and Rivervalley Rangers, they are without doubt the two most local GAA and soccer clubs. The community audit is developed to support this proposals basis for justification in this community. Yet, it fails to mention the local sports clubs and gives inaccurate distances to local schools. Furthermore, it neglects to mention that local sports clubs are oversubscribed and crying out

for facilities. This development needs to incorporate and GAA and Soccer pitch to be sustainable as this is phase one phase of at least 3 phases that we are notified of.

In Conclusion:

Finally, this is a mature family area - the proportion of proposed 1-bed units is shockingly high and blatantly not in-keeping with the area. The clear lack of local transport infrastructure (such as no rail, which still looks light year away) simply cannot support the unrealistic parking provision for the scheme (<1 space per property). A ghastly 9-storey structure is without precedence in the area and land values / scarcity do not justify this level of density. If this proceeded, the tower would cast a long shadow across the community, depriving people of daylight, and essential wellbeing.

According to the council housing lists, the area has a requirement for:

- 25% 1-beds
- 40% 2-beds
- 30% 3-beds; and
- 5% 4-beds

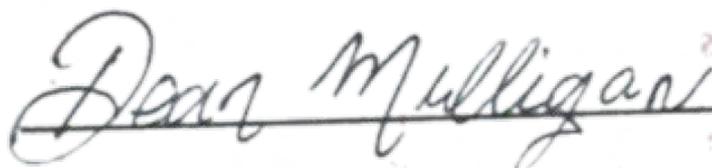
The developer is threatening to hoist-up 278 units with the following ratios:

- 45% 1-beds
- 52.5% 2-beds
- 2.5% 3-beds

So, out of 278 units there are 7 3-beds and ZERO 4-beds when there should be 97.

This developer is seeking permission to build smaller units, quite simply to maximize profits, when they are fully aware that bigger units are what is required, and that citizens should not be crammed into buildings. I recommend that the proposal be rejected on the grounds stated above. Furthermore, I must urge at minimum a significant revaluation of the proposed site along with an oral hearing going forward on any proposal put forward.

Signed:

A handwritten signature in black ink that reads "Dean Mulligan". The signature is written in a cursive style and is positioned above a horizontal line.