



# STATEMENT OF RESPONSE TO PRE-APPLICATION CONSULTATION OPINION

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

APRIL 2022

SUBMITTED ON BEHALF OF:  
Jacko Investments Limited,  
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## 1.0 Introduction

Hughes Planning and Development Consultants, 85 Merrion Square, Dublin 2, have prepared this Statement of Response to Pre-application Consultation Opinion on behalf of our client, Jacko Investments Ltd, to accompany a planning application to An Bord Pleanála for a proposed Strategic Housing Development at The Lord Mayor's Public House, Main Street, Swords, Co. Dublin. Following consultations with Fingal County Council, a request to enter into pre-planning consultations with An Bord Pleanála was submitted, and a pre-planning consultation meeting was facilitated on 17<sup>th</sup> November 2021. An Bord Pleanála subsequently issued a Notice of Pre-Application Consultation Opinion on 9<sup>th</sup> December 2021, which confirmed its view that the submission made at PAC stage constituted a reasonable basis for a Strategic Housing Application.

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

1. *Notwithstanding that the proposal constitutes a reasonable basis for an application the prospective applicant is advised to address the following in the documents submitted:*
  - a) *Further consideration and/or justification of the documents as they relate to the impact of the proposed development on the character and setting of those buildings of conservation interest, in the vicinity of the site. The documentation should demonstrate that the proposed development would not have an adverse impact on the architectural heritage to the north of the site or prevent the delivery of the Swords Town Centre Masterplan. In this regard, the Conservation Impact Assessment shall be accompanied by CGIs/visualisations/3D digital modelling and cross section drawings showing the works required on the site, the proposed development relative to existing and proposed developments in the vicinity, including justification for the height and located of the proposed buildings relative to the surrounding area.*
2. *A Taking in Charge Map.*
3. *A Social Infrastructure Audit.*
4. *A detailed landscaping plan clearly illustrating the quantum and functionality of all areas designated for communal and public open space. The landscaping details shall include, inter alia, designated communal open space, the inclusion of useable space for play provision necessary to comply with Section 4.13 of the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities and the design, a detailed tree survey and proposed tree planting scheme and shall clearly indicate the quantum and designated areas of useable public open space. The treatment of the interface with the Ward Valley Regional Park shall be clearly detailed and cross-section drawings shall illustrate the works proposed within the applicant's site and Fingal County Council Lands.*
5. *An updated Sunlight/Daylight/Overshadowing analysis showing an acceptable level of residential amenity for future occupiers and existing residents, which` includes details on the standards achieved within the proposed residential units, in private and shared open space, and in public areas within the development and in adjacent properties. This report should address the full extent of requirements of BRE209/BS2011, as applicable.*
6. *An updated Site-Specific Flood Risk Assessment (SSFRA) clearly illustrating all necessary works required to ensure the proposed development can adequately address any impact on flood risk on the site or lands in the vicinity of the site. In this regard, all alterations to the river profile shall be clearly illustrated and include comparisons from the existing and proposed scenario.*
7. *Updated plans and particulars of the swale proposed at the rear of building C, inter alia, the design, treatment and functioning as a SuDS feature and an amenity area.*
8. *The information referred to in article 299B(1)(b)(ii)(II) and article 299B(1)(c) of the Planning and Development Regulations 2001-2018, unless it is proposed to submit an EIAR at application stage.*

Sections 2.0, below, provides a response to the above.

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

1. *Transport Infrastructure Ireland;*
2. *National Transport Authority;*
3. *Irish Water;*
4. *The relevant Childcare Committee;*
5. *Minister for Culture, Heritage and the Gaeltacht (archaeology, architectural heritage and nature conservation);*
6. *The Heritage Council (archaeology, architectural heritage and nature conservation);*
7. *An Taisce-the National Trust for Ireland (archaeology, architectural heritage and nature conservation);*
8. *An Comhairle Ealaíon;*
9. *Faite Ireland; and,*
10. *Inland Fisheries Ireland*

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

## **2.0 Statement of Response to Specific Information Required**

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

### **2.1 Additional Consideration**

*Notwithstanding that the proposal constitutes a reasonable basis for an application the prospective applicant is advised to address the following in the documents submitted:*

- a) *Further consideration and/or justification of the documents as they relate to the impact of the proposed development on the character and setting of those buildings of conservation interest, in the vicinity of the site. The documentation should demonstrate that the proposed development would not have an adverse impact on the architectural heritage to the north of the site or prevent the delivery of the Swords Town Centre Masterplan. In this regard, the Conservation Impact Assessment shall be accompanied by CGIs/visualisations/3D digital modelling and cross section drawings showing the works required on the site, the proposed development relative to existing and proposed developments in the vicinity, including justification for the height and located of the proposed buildings relative to the surrounding area.*

In response to the above item, we would ask the Board to have regard for the provisions of the enclosed Architectural Heritage Impact Assessment, as prepared by John Cronin & Associates, which has full regard to the above commentary and cross references both the Architectural Design Statement prepared by Aughey O'Flaherty Architects and the Landscape & Visual Impact Assessment prepared by Mitchell + Associates. This document, which is accompanied by a photographic record, assesses the context of the subject site and considers the impact of site-specific development and the potential impact of the development on architectural heritage resources within the local environs.

The aforementioned assessment concludes that the proposed development, whilst altering localised views to/from St. Columba's Church and its associated built form, will not have an adverse impact on the protected structures and architectural heritage buildings to the north of the site or on the architectural character of Main Street, Swords.

Further to the provisions of the Architectural Heritage Impact Assessment, we note that the subject application is accompanied by a plethora of photomontage images, computer generated visuals and cross-sectional drawings to illustrate the works required on site, the proposal relative to existing/proposed developments in the vicinity of the site and contribute to the justification of the extent of height proposed upon the subject site.

## 2.2 Taking in Charge

*A Taking in Charge Map.*

Please refer to the enclosed Drawing No. PO.104 'Proposed Taking in Charge Site Plan', as prepared by Aughey O'Flaherty Architects, which presents details in regards to all lands proposed to be 'Taken in Charge' by Fingal County Council.

## 2.3 Social Infrastructure Audit.

*A Social Infrastructure Audit.*

Please refer to the enclosed Social & Community Audit, as prepared by Hughes Planning & Development Consultants, which presents details in regards to the availability of educational, healthcare, recreational, religious, community and retail infrastructure within the immediate and wider radius of the subject site.

## 2.4 Landscaping/Tree Planting

*A detailed landscaping plan clearly illustrating the quantum and functionality of all areas designated for communal and public open space. The landscaping details shall include, inter alia, designated communal open space, the inclusion of useable space for play provision necessary to comply with Section 4.13 of the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities and the design, a detailed tree survey and proposed tree planting scheme and shall clearly indicate the quantum and designated areas of useable public open space. The treatment of the interface with the Ward Valley Regional Park shall be clearly detailed and cross-section drawings shall illustrate the works proposed within the applicant's site and Fingal County Council Lands.*

Please refer to the enclosed Landscape Design Statement and associated drawings, as prepared by Mitchell + Associates, and the Arborist Report and associated drawings, as prepared by The Tree File Ltd., which detail the intended landscaping proposals and tree survey/planting scheme for the subject development respectively.

The Landscape Design Statement presents detailed information regarding the quantum and functionality of all areas designated for communal and public open space throughout the proposed scheme, providing specific details regarding useable space for play provision in accordance with Section 4.13 of the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities. Moreover, this statement provides detailed cross-sectional drawings which clearly illustrate the works proposed within the applicant's site, upon Fingal County Council Lands and the tie-in/interface works with the Ward Valley Regional Park.

It is considered that the works proposed in relation to communal and public open space are representative of best practice and will allow for the significant improvement of the local public realm whilst facilitating the comprehensive redevelopment of the subject site.

## 2.5 Sunlight/Daylight/Overshadowing Analysis

*An updated Sunlight/Daylight/Overshadowing analysis showing an acceptable level of residential amenity for future occupiers and existing residents, which includes details on the standards achieved within the proposed residential units, in private and shared open space, and in public areas within the development and in adjacent properties. This report should address the full extent of requirements of BRE209/BS2011, as applicable.*

Please refer to the enclosed Daylight, Sunlight and Overshadowing Study, as prepared by IES, which assesses the proposed development in the context of sunlight/daylight penetration and potential overshadowing pursuant to the requirements of BRE209/BS2011. This report presents details in relation to the proposed scheme's compliance with relevant daylight standards, both in respect of internal and external spaces, and considers possible overshadowing impact on adjoining sites.

The aforementioned report confirms a high standard of residential amenity for future residents of the scheme, assuming 95% of combined kitchen/living/dining spaces across the subject scheme meet and exceed the required 2.0% standard as relates to Average Daylight Factor (ADF) whilst 99% of units are assumed to meet and exceed the required 1.5% standard, and dispels concerns regarding the overshadowing of adjoining sites.

## 2.6 Site-Specific Flood Risk Assessment

*An updated Site-Specific Flood Risk Assessment (SSFRA) clearly illustrating all necessary works required to ensure the proposed development can adequately address any impact on flood risk on the site or lands in the vicinity of the site. In this regard, all alterations to the river profile shall be clearly illustrated and include comparisons from the existing and proposed scenario.*

Please refer to the enclosed Site-Specific Flood Risk Assessment, as prepared by JBA Consulting, which details all necessary works required to ensure the proposed development can adequately address any impact on flood risk on the site or lands in the vicinity of the site.

## 2.7 Swale Details

*Updated plans and particulars of the swale proposed at the rear of building C, inter alia, the design, treatment and functioning as a SuDS feature and an amenity area.*

Please refer to the enclosed Engineering Services Report and associated drawings, as prepared by CORA Consulting, which details the design, treatment and function of the proposed swale to the rear of Block C as a SuDS feature. Moreover, we note reference in the enclosed Landscape Design Report, as prepared by Mitchell + Associates, to the swale being planted with a mixture of native plant and wildflower species and functioning as an amenity area, by virtue of its visual amenity, and natural boundary between the wider scheme and the Ward Valley Park.

## 2.8 Article 299B of the Planning and Development Regulations 2001-2018

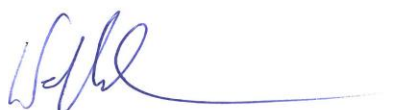
*The information referred to in article 299B(1)(b)(ii)(II) and article 299B(1)(c) of the Planning and Development Regulations 2001-2018, unless it is proposed to submit an EIAR at application stage.*

In response to the above item, please see enclosed EIA Screening Report, as prepared by Verde, which includes a statement in accordance with Article 299B(1)(b)(ii)(II)(C) of the Planning and Development Regulations 2001-2018.

## 3.0 Conclusion

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

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



Kevin Hughes MIPI MRTPI  
Director for HPDC Ltd.