

Fingal County
Council

County
Development
Plan 2023-
2029 Proposed
Material
Amendments
Submission

Pavilions – Swords
Town Centre

On behalf of:

THE HAMMERSON
ICAV (for and behalf of
its sub-fund
Hammerson No.3
Fund)

December 2022

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1 INTRODUCTION

We, Stephen Little & Associates, Chartered Town Planning and Development Consultants, 26/27 Upper Pembroke Street, Dublin 2 are instructed to make this formal submission on behalf of our client **The Hammerson ICAV** (for and on behalf of its sub-fund Hammerson No.3 Fund), owners of Swords Pavilions Shopping Centre, Malahide Road, Co. Dublin.

This submission is made in respect of the Material Amendments to the Draft Fingal County Development Plan 2023-2029, which were published on Friday 11th November 2022. The Material Amendments Public Consultation is open until 22nd December 2022.

We have identified several proposed Material Amendments to the Draft Development Plan that are of concern to our client, and subject of this submission.

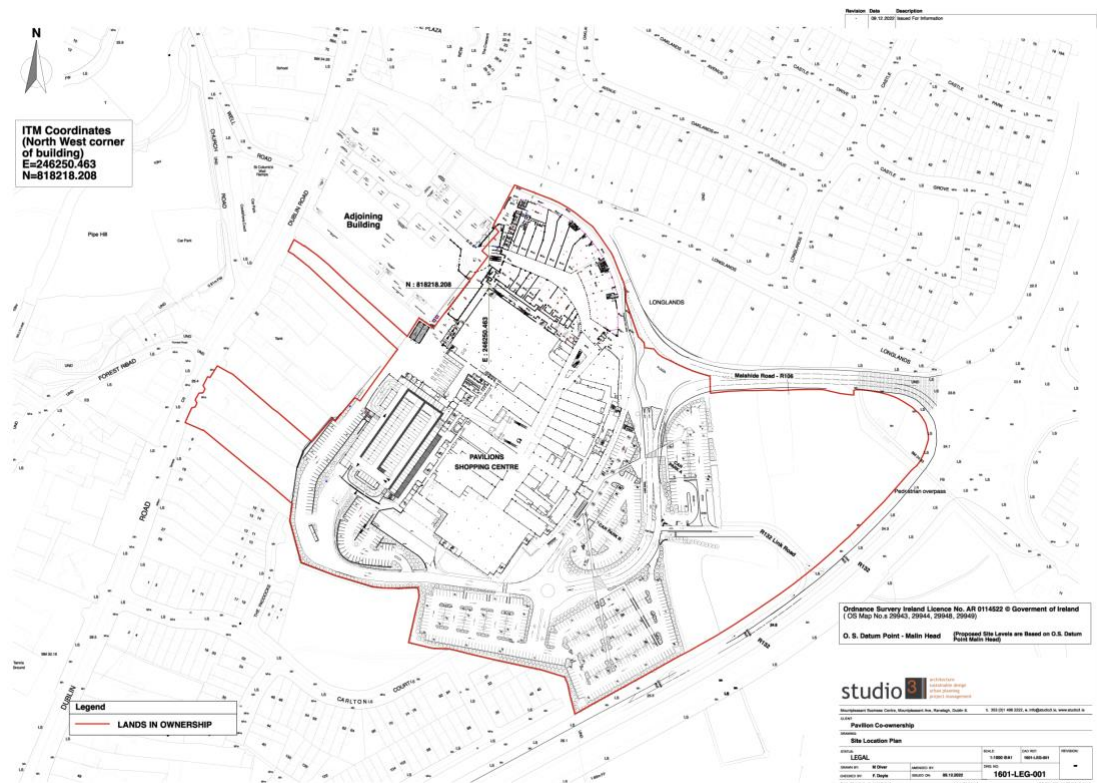


Figure 1: Map showing lands owned by The Hammerson ICAV outlined in red

2 SUBMISSION SUMMARY

This submission is made in respect of the following Material Amendments to the Draft Fingal County Development Plan 2023-2029:

- PA SH 8.8: Swords Local Area Plan.
- PA CH 3.3: Objective SPQHOXX Building Height Strategy and Density Study.
- PA CH 4.1, 4.5 and 14.1: Quantum of Public Open Space for New Residential Development on Infill/Brownfield/Town Centre sites (12%-15%).
- Amend Policy SPQHP32: Applications for Build to Rent Schemes (3km study area).
- PA CH 13.11: ME Zoning Objective.
- PA CH 14.13: Car Free Neighbourhoods.

The purpose of this Submission is to highlight and address the implications these proposed material amendments would have on Swords Pavilions Shopping Centre operations and/or development potential.

3 SUBMISSION LANDS

3.1 Swords Pavilions

Hammerson ICAV co-own the lands that currently accommodate the existing and operational Swords Pavilions (Phases 1 & 2), including the shopping centre and associated car parking areas (both permanent and temporary). Hammerson is the sole owner of the Pavilions undeveloped lands (also known as the '5 acres') fronting the R132 and the Dublin Road properties.



Figure 2: Aerial Photograph of Swords Pavilions with lands outlined in red

3.2 Pavilions as Part of Swords Major Town Centre

Swords Pavilions, as part of the Major Town Centre of Swords, displays the following key attributes:

- Swords Pavilions is one of the largest and busiest shopping and entertainment centres nationwide, playing a significant role in local (Swords and Environs) and regional economic growth and employment.
- It currently comprises approximately c.44,000 sq m of premium convenience (food) and comparison retail space, with over 90no. retail and retail service units.
- It is anchored by Dunnes Stores and Supervalu convenience retail units. It also accommodates many well known high street fashion retailers, including TK Maxx, Next, River Island, Boots and many more smaller comparison retail units, restaurants, cafes, an 11-screen multiplex cinema and other leisure event spaces.
- Ancillary facilities include surface (989no. spaces) and multi storey car park (1,011no. spaces), handling 2.85M cars annually and 3no. service areas.
- It attracts a customer base from Swords and the wider catchment area, with annual 12M footfall and 2.85M vehicles entering its car parking areas.

- Approximately 30% of existing customers come from Swords western suburbs. A significant number arrive from the southern suburbs and North Dublin City. They also travel from North County Dublin, Meath and Louth.
- The existing centre employs c.1,800 people directly and indirectly.

3.3 Swords Pavilions Accessibility

Pedestrians and cyclists can access the Swords Pavilions via entrances at the R132, Malahide Road and via Swords Central (Penneys complex) at Dublin Road. There is an existing footbridge over the R132 which connects the Malahide Road to lands east of the R132. This bridge encroaches the western corner of the Pavilions lands.

The Pavilions car park areas (c.2,000 no. spaces) handle c.2.85M cars p.a. Vehicular access (customers and service vehicles) to existing Swords Pavilions car park areas and service areas, is currently via two points: the R106 Malahide Road entrance and the R132 left-in left-out access road.

The R132 connects with the R106 Malahide Road at the existing Malahide Road Roundabout to the north east of the Pavilions lands. This junction facilitates vehicular movement westwards along the Malahide Road to the Swords Pavilions entrance and to connect with Swords Main Street/Dublin Road.

F20A/0180 is a temporary 5 year permission granted 25 August 2020, as the latest in a series of rolling temporary permissions sustaining the Pavilions R132 left-in left-out access road, which has existed in a permanent capacity for nearly 20 years. From this point cars exiting Swords Pavilions and wishing to travel south may merge freely with northbound traffic on the R132 and exit onto the southbound carriage of the R132 at the Malahide Road Roundabout. There is also an existing emergency gate at the southern end of the Pavilions lands which provides access to the R132. Over 80% of vehicular traffic to Swords Pavilions access via the R132.

It is recognised by the Fingal County Council Draft Sustainable Swords Strategy that Pavilions has been a significant positive contributor to the growth of Swords as a dynamic strategic town. While the Draft Strategy seeks to prioritise walking and cycling for short trips and maximise investment in transformational public transport such as BusConnects and Metrolink, the modelling assessment of its 'Public Realm Transport Strategy' recognises that the Pavilions Shopping Centre would remain a dominant trip attractor within the Core Study Area and that even with the Strategy proposals in place, trips by car would still remain quite high.

The ongoing operational success of Pavilions is and will remain heavily reliant on vehicular access via the R132 left-in left-out access road. It is therefore critical that this access point continues to operate at maximum efficiency for car borne customers and visitors to Pavilions and Swords Town Centre, as well as by BusConnects, Metrolink and associated pedestrian and cycle links.

In considering the proposed Material Amendments to the Draft Plan, identified in Section 2.0 above, it is of paramount concern to our Client that the significant daily footfall and traffic movements through Pavilions, which support its viability and success as a dynamic component of Swords Town Centre, should be duly recognised and protected. This needs to be taken into consideration in any Development Plan objectives, subject of the proposed Material Amendments, likely to affect the future development of the Swords settlement and its town centre area, including the operational and development potential at Swords Pavilions.

3.4 Future Development Potential at Pavilions Lands

Planning precedent for significant further mixed use development at the 'Pavilions Development Lands', including retail, commercial, leisure and residential uses, extending from the interface with the existing building across the surface car parking and undeveloped areas generally to the east and south, was established under FCC Reg Ref F08A/1057 (ABP Ref PLO6F.232710), which only recently expired on 19 August 2021.

This previously permitted 'Swords Pavilions Phase 3' development consisted of a mixed used development with a gross floor area of c.147, 821m², providing for:

- 137no. retail units including 2no. retail anchor units generally located at Level -1 to +3
- 35no. restaurant / café units located at Level 0 to +3
- 1no. public house located at Level +1 and Level + 2
- Office accommodation located at Levels 0 to +9
- 2no. childcare facilities
- 2no. community rooms
- 1no. radio station
- 1no. medical centre
- A total of 189no. residential units generally located at Levels 0M to +9
- Approximately 4000 car parking spaces



Figure 3: Site Plan Pavilions Phase 3 Development (FCC Reg Ref F08A/1057, ABP Ref PL06F.232710)

The vehicular access to the previously permitted Phase 3 development sought the replacement of 3no. existing vehicular entrances with 1no. temporary construction entrance in place of the existing emergency entrance at the R132 and 3no. new permanent vehicular entrances and associated access roads for use during construction and operational phases. The permanent vehicular entrances included left in/left-out vehicular access off the R132, access at Malahide Road and a new vehicular access off the Dublin Road.

The permission was not implemented or superseded to date due to various significant factors including, a global economic recession, planning conditions that tied it in with the delivery of the Metro North Railway Order, an overly prescriptive Fingal County Council Swords Masterplan 2009 that limited any significant departure from the planning permission and increased commercial risk, a change of ownership and a global pandemic. It does, however, set a significant planning precedent for the development potential of the Pavilions Development Lands, supported by the 'MC major town centre land use zoning objective of the Fingal County Development Plan.

Residential development will be an important component of the mix of uses in future redevelopment plans for these lands. It may be noted that in the '**Rebuilding Ireland Action Plan**' there is a strong focus

on regeneration and development of underutilised sites in urban areas for housing. Pavilions has potential to deliver sustainable residential use as part of its mixed use development ambitions for its future expansion into the 'Pavilions Development Lands'. This is considered to be consistent with Government policy to urgently deliver housing to meet pent up and growing demand in Dublin.

Higher density housing will meet the needs of Fingal's young and working age population profile, within a mixed use environment that would also provide local employment opportunities and transport connections to other key locations including Dublin Airport and Dublin City Centre.

Objective 72a of the NPF requires Planning Authorities to apply a standardised tiered approach to the identification of lands suitable for residential use. The Pavilions lands are a suitable location for residential development, as they meet the Tier 1: Serviced Zoned Land criteria (see SLA emphasis in bold font): -

Tier 1: Serviced Zoned Land

*This zoning comprises lands that **are able to connect to existing development services**, i.e. road and footpath access including public lighting, foul sewer drainage, surface water drainage and water supply, for which there is service capacity available, and can therefore accommodate new development.*

*These lands will generally be positioned within the existing built-up footprint of a settlement **or contiguous to existing developed lands**. The location and geographical extent of such lands shall be determined by the planning authority at a settlement scale as an integral part of the plan-making process and shall include assessment of available development services. Inclusion in Tier 1 will generally require the lands to **within the footprint of or spatially sequential within the identified settlement**.*

The Pavilions lands are serviced and well positioned sequentially, immediately adjacent to Main Street and accessible by foot, bicycle and public transport, to be favourably considered for housing development to accommodate the county's future population and housing growth.

In the meantime, Swords Pavilions also benefits from extant permission for outdoor event spaces including permission reference F19A/0409 for development of a seasonal event area (Christmas, Easter, Halloween, etc. themed events), granted 3rd December 2019 for a period of 4 years. The site measures c.0.42ha, located immediately east of Pavilions Car Park A, generally bounded by the R106 (Malahide Road) to the north, Swords Pavilions surface car park 'A' to the west, undeveloped lands to the east and link road onto the R132 (Swords Bypass) to the south. It provides a significant annual revenue stream from the site.

This mixed use development potential at the Swords Pavilions lands must be taken into account in determining whether or not to adopt the proposed material amendments to the Draft Development Plan. The proposed material amendments must not prevent the realisation of this development potential during the life of the Development Plan. In particular, the absence of preparation or completion of an LAP for the wider Swords settlement, the absence of the preparation or completion of a 'Building height Strategy and Density Study', and the absence of Metrolink approval or implementation, must not prevent the favourable consideration of sustainable, high density brownfield redevelopment proposals at Swords Pavilions lands in the interim.

4 SUBMISSION RESPONSE TO FINGAL COUNTY COUNCIL MATERIAL AMENDMENTS TO 2023-2029 DEVELOPMENT PLAN

The following sections detail our clients concerns in respect of the proposed Material Amendments to the Draft Fingal County Council Development Plan 2023-2029, identified in sub-sections below.

4.1 PA SH 8.8: Swords Local Area Plan

Swords is identified as one of three "Key Towns" in the Metro Area Strategic Plan (MASP) area. The other two towns are Bray and Maynooth. Key Towns have capacity and future development potential to accommodate above average growth in the region.

The Draft Fingal County Development Plan states that the Council will continue to pursue the goals of the National Planning Framework to consolidated compact development of the Dublin City and Suburbs area within Fingal county. Compact Development means building within existing cities or towns, instead of greenfield sites. While the standard NPF goal for compact development of housing is 30% for the metropolitan settlements outside of ‘Dublin City and Suburbs’, Fingal County Council aims for 41% in its Metropolitan towns. Just over half of this (52%) is then allocated to Swords.

On foot of the recommendation of the Office of the Planning Regulator, a Material Amendment is proposed to amend Table 2.16 of the Draft Development Plan to include Swords in the list of settlements for which the preparation of a Local Area Plan (LAP) is required. The boundary for the Swords LAP is identified as encompassing the entire Swords settlement, including Swords Town Centre and our Clients lands at Swords Pavilions. Swords is only one of a number of LAP settlements listed. The Material Amendment simply confirms that the LAP preparation is to commence during the life of the Development Plan. It does not specify the prioritisation of any of these settlements over another, or a particular timeframe for completion of the LAPs.

We understand that this proposed Material Amendment to include Swords in the LAP list is made on foot of the submission by the Office of the Planning Regulator, based on planning legislation that requires LAPs to be prepared for towns in excess of 5,000 population. The OPR submission indicates that this would capture the masterplan areas and regulate the timeframes or prioritisation for the development of zoned lands within these areas.

We note, however, that neither Swords town centre nor Swords Pavilions is subject of a masterplan requirement. We further note that the OPR submission recommends that:

“It is critical that the settlement strategy focusses on the potential for compact growth and infill/brownfield densification and prioritises growth in areas well served by the social and physical infrastructure needed to support sustainable communities.”

We would therefore request that it is clarified in the Development Plan that proposals for higher density development at brownfield lands within the designated town centre, including at Swords Pavilions, would not be considered premature in advance of the commencement of the preparation of Swords LAP, which seeks to regulate the development of masterplan lands that are less sequentially favourable. Failure to clarify this in the Development Plan has the potential to give rise to unnecessary uncertainty regarding the sustainable development potential at Swords Pavilions Lands. This may serve to prevent development that would otherwise be consistent with strategic planning policy and local land use objectives for major town centre zoned, brownfield land, proximate to a planned sustainable transport corridor, and this would be contrary to proper local and strategic planning and development at Swords.

It should be recognised that Swords Pavilions Shopping Centre has had to navigate a global recession which severely impacted town centre development, and more than two years of covid related disruptions. It will now also experience new challenges to its operations and development potential in the context of the MetroLink Railway Order approval and implementation along the R132.

It may be noted that the Client met with Fingal County Council in May 2019, to discuss a proposal for significant mixed use development at Swords Pavilions, to include retail and retail service uses, commercial office, hotel and residential use, as a vibrant and active part of Swords town centre. High density residential development, in the order to 786no. dwellings, will be an important component of the mix of uses in future redevelopment plans for these lands. The residential offering would comprise a diverse mix of 1, 2 and 3 bed dwellings. Assuming an average household size of 2.73¹, this could house 2,146 persons, at a time when housing is in critical short supply. In order to ensure that these much needed homes could be delivered in the short to medium term (estimated delivery within 3 to 7 years, for potential occupancy by 2026), favourable planning consideration based on land use zoning and proximity to employment and public transport must not be prevented prior to commencement of the

¹ Source: Draft Fingal County Development Plan 2023-2029

preparation of an LAP for the wider Swords settlement. It is highlighted that this level of density would not be unusual for lands at major urban settlements and town centres (with or without an LAP), integrated with significant multi-modal transport infrastructure such as BusConnects and Metro.

Hammerson can confirm that considerable resources and expenditure have been spent to date in preparation for the delivery of a residential scheme, as part of mixed use town centre development at Swords Pavilions, within the life of the Fingal County Development Plan 2023-2029. The following key milestones have been completed to date:

- Appointment of architects and high level design of a scheme completed
- Appointment of planning consultants and site density assessment estimates completed
- Appointment of lawyers and legal due diligence of the site completed
- Appointment of property advisors and initial appraisals completed
- Engagement with potential joint venture partners

We respectfully request that Fingal County Council protect and support Swords Pavilions as a valuable economic asset for Swords key town and hinterland, through its statutory development plan objectives. This submission, therefore, seeks comfort that the objective to commence the preparation of a Swords LAP during the life of the County Development Plan will neither prevent a 'business as usual' approach to current operations nor the favourable planning consideration of high density mixed use development (including c.786 residential units) at brownfield lands at Swords Pavilions.

4.2 PA CH 3.3: Section 3.5.2 Successful Public Realms Including Town Centre First - Building Height Strategy and Density Study.

It is proposed to insert a new objective in the Draft Development Plan, as follows:

*Objective **SPQH0XX** – Building Height Strategy and Density Study. Prepare a Building Height Strategy and Density Study for the larger urban centres of the county.*

The favourable planning consideration of high density, higher height, mixed use development (including c. 700 residential units) at brownfield lands, in a major town centre location, immediately adjacent to a planned strategic transportation infrastructure corridor (Bus Connects and MetroLink), should not need to await the preparation of a Strategy that confirms the high density development potential of the Swords Pavilions lands. Planning precedent has previously been established, under FCC Reg Ref F08A/1057 (ABP Ref PL06F.232710), for mixed used development with a gross floor area of c.147,821m², accommodated in building heights up to 9 storeys along the R132 corridor.

We would therefore request that it is clarified in the Development Plan that any absence or delay by the Council in preparing a 'Building Height Strategy and Density Study' will not prevent the favourable consideration, in principle, of planning application proposals for similar diversification of use and high density/height development at Swords Pavilions lands, during the life of the Development Plan.

4.3 PA CH 13.12: Zoning Objectives, Vision and Use Classes (Metrolink)

It is proposed to amend the following:

Provide for an area of compact, high intensity/density, employment generating activity with associated commercial and residential development which focuses on the MetroLink, rail and light rail stations within a settings of exemplary urban design, public realm streets and places, which are permeable, secure and within a high-quality green landscape. Landmark buildings will provide strong quality architectural features, which respect and enhance the character of the area into which they sit.

The designated areas will form sustainable districts which possess a high degree of connectivity and accessibility and will be developed in a phased manner subject to the necessary provision of social and physical infrastructure.

While our client welcomes this broad objective, we request that development proposals for Swords Pavilions will not be considered premature in advance of the delivery of BusConnects or Metrolink. This may serve to prevent development that would otherwise be consistent with strategic planning policy during the life of the Development Plan.

4.4 PA CH 13.11: Section 13.5. Zoning Objectives, Vision and Class Uses

We note that it is proposed to:

*Amend the **ME zoning** objective as follows:*

Facilitate opportunities for high-density mixed-use employment generating activity and commercial development and support the provision of an appropriate quantum of residential development within the Metro Economic Corridor adjacent to metro, rail and light rail stations.

This zoning applies to lands outside the town centre to the east of the R132 corridor.

We would respectfully submit that a similarly supportive statement, specifically promoting high-density mixed use development, including residential development, within the **MC zoning**, which is adjacent to a planned Metrolink station (Swords Central Station), should be included in the Development Plan.

This would reflect Policy EEP7 of the Draft Plan, which seeks to:

“Prioritise locating quality employment and residential developments in proximity to each other in order to reduce the need to travel and ensure that suitable local accommodation is available to meet the needs of workers in the County.”

4.5 PA CH 14.13: Section 14.17 Connectivity and Management – Car Free Neighbourhoods

It is proposed to insert a new paragraph in Section 14.17 of the Draft Plan as follows:

“Car Free Neighbourhoods The provision of car free neighbourhoods and streets in accordance with Objective SPQHO2 can bring multiple benefits. Typically, such neighbourhoods and streets would allow motor vehicular access for deliveries only, confining parking to a dedicated parking area at the periphery. Car free neighbourhoods are typically best suited to higher-density neighbourhoods, creating a much better quality public realm with safety, public health, and green infrastructure benefits for the community, and economic benefits for householders.”

Swords Pavilions offers an environment which supports a multi-shopping and leisure experience. The typical customer arrives to shop/browse in more than one retail unit. Customer movement through the Centre generates ancillary spend for the other retailers at Swords Pavilions. The successful operation of Swords Pavilions relies fundamentally upon the ease of access to and availability of car parking to support increased customer ‘dwell time’ (i.e. period of time to browse and shop) and an easy way to transport multiple or heavy goods home (particularly food shopping). A decrease in dwell time due to a restriction on customer car parking would significantly adversely impact the operation of Swords Pavilions, as customers will seek a more favourable alternative shopping destination.

Swords Pavilions currently provides approximately 2,000 car parking spaces with associated circulation facilities. 1,696no. existing car parking spaces are used for the daily operation of Swords Pavilions. A further 300no. spaces provide an overflow facility for peak shopping periods. It is essential that this total quantum of 2,000 spaces is maintained, in order to protect the operational requirements of Swords Pavilions and its current customer shopping experience.

It is noted that the Draft Sustainable Swords Strategy recognises ‘that the Pavilions Shopping Centre would remain a dominant trip attractor within the Core Study Area, and that even with the Strategy proposals in place, trips by car would still remain quite high’.

It is imperative to the ongoing success of Pavilions, as a recognisable and accessible destination within Swords town centre and the wider catchment area, that its existing physical access by customer and service vehicles, as well as by pedestrians, bicycles and public transport, be maintained and protected.

It is critical that the Development Plan must continue to support the role and function of the Swords Pavilions, and its future development ambitions, as part of the Major Town Centre of Swords, in its recognition that:

- Swords Pavilions attracts c. 12M customer footfall per annum and makes a significant contribution to local rates at circa €2.2m.
- Access to Swords Pavilions is primarily via the R132 and Malahide Road, on which the main vehicular and pedestrian access points to the Centre are currently located, both of which are critical to the 12M customers and 2.85M vehicles per annum (c. 7,800 per day entering and exiting the car park areas / 15,600 vehicle journeys via the R132 and Malahide Road) that currently enjoy visits to the centre.
- It is of critical importance to its continued significant contribution to the growth of the local economy, employment and retail services provision, that Swords Pavilions must remain fully accessible by car, with uninterrupted access to its car parks, and no disruption or inconvenience to its customers, tenants and service vehicles. Otherwise this will critically damage a very successful business and major employer in Fingal.
- Pavilions is ideally located for further compact consolidation of town centre development, including critically needed residential development, being well served along the R132 and Malahide Road, by car, existing bus services and pedestrian facilities.

We would submit that the Development Plan must recognise that, while the future development of Pavilions can also facilitate the enhancement of pedestrian and cycle connectivity where possible, its existing and future development success will continue to rely heavily on vehicular access and car parking for car borne customers via the R132 left-in left-out road and the Malahide Road.

4.6 Amending Policy SPQHP32: Applications for Build to Rent Schemes

This Amendment states that:

Applications for BTR schemes shall be accompanied by an assessment of other permitted BTR developments in the vicinity (3km) of the site including a map showing all such facilities to demonstrate that the development would not result in the overconcentration of one housing tenure in a particular area. In assessing the matter of overconcentration, the Planning Authority will have regard to factors such as:

- *The number and scale of other permitted BTR development in the vicinity (3km) of the site,*
- *The household tenure and housing type of existing housing stock in the approximate vicinity of the site and*
- *The proximity of the proposal to high-capacity public transport stops and interchange (such as DART, MetroLink, Luas+ and BusConnects).*

We would respectfully submit that the study catchment of 3km for BTR development is excessive in a major town centre location. Swords now has a population of 36,924 according to the 2022 census. This makes it Swords Irelands 8th largest town. Being a large employment centre, with a sizable population experiencing a severe shortage of housing, and in particular housing for smaller households, it is expected that Swords Town Centre would be a particularly suitable location for BTR development to cater for workers and smaller households requiring 1 and 2 bedroom apartments.

We note that other Local Authorities such as Dublin City Council, have more appropriately limited the Build to Rent study catchment to 1km. This figure is more appropriate for development in the Swords town centre area, where BTR development can deliver large-scale housing numbers, proximate to town centre amenities, employment opportunities and a significant sustainable transport corridor serving planned BusConnects and MetroLink.

4.7 Quantity of Public Open Space Serving Residential Development

There are a number of proposed material amendments that seek to ensure a minimum 12% - 15% public open space is delivered with all new residential development.

PA CH 14.1: Section 14.6.5 Open Space Serving Residential Development (Brownfield / Town Centre Lands)

Amend text in Table 14.6 as follows:

Public open space - Public open space is accessible to the public at large and in general is intended to be "taken in charge" by the Local Authority, but in certain circumstances may be privately managed. Appropriate provision must be made for public open space within all new developments. In all instances where public open space is not provided a contribution under Section 48 will be required for the short fall. (Target minimum amount of 15% except in cases where the developer can demonstrate that this is not possible, in which case the 12% to 15% range will apply.)

PA CH 4.5: Section 4.5.2.3 Quantity of Public Open Space, page 168

It is proposed to update all references in the Draft Development Plan regarding the provision of public open space for new residential development on infill/brownfield sites/town centre sites at 10% of the site area, to provide that:

New residential development on infill/brownfield sites/town centre sites at 12% Target minimum amount of 15% (public open space) except in cases where the developer can demonstrate that this is not possible, in which case the 12% to 15% (open space provision) range will apply.)

In certain circumstances, where the open space standards cannot be achieved or where more intensive recreational uses are deemed to be desirable, the Council, at its discretion, may consider arrangements whereby appropriate intensive facilities may be provided in lieu of open space of lesser utility. For all developments with a residential component, the overall standard for public open space provision is minimum 2.5HA per 1000 people.

While the proposed amendments appear to recognise that some flexibility may be reasonable at brownfield and town centre sites, it continues to raise the minimum provision to 12%. It is submitted that this is an unreasonable expectation at high density town centre lands, where other compensating amenities are likely to be available. This would be the case for Swords town centre, where there are plans to develop the Ward River green corridor and to make Swords Main Street a pedestrian priority area, under the Sustainable Swords Strategy. We assert that 10% open space is adequate for the Pavillions lands given proximity to Town centre amenities and request that this be noted in the Development Plan.

Any figure above 10%, or lack of clear flexibility on this requirements, will threaten the viability of a residential scheme at the Pavilions lands, and potentially at other brownfield and town centre sites in Fingal, given that building costs have risen dramatically and interest rates are set to remain high. This would represent a loss of sustainable housing that can be delivered proximate to existing services, employment and high capacity and frequency public transport.

5 CONCLUSION

This submission identifies the potential adverse consequences of the proposed Material Amendments discussed in the previous section.

Protecting the existing successful operations at Swords Pavilions and unlocking its strategic development potential is critical for the continued success of Swords' performance as a strategic 'key town'.

The ambition to grow Swords to a city of 100,000 people relies heavily on the continued success of Swords Pavilions as a significant contributor to the growth of Fingal's economy, the strategic

development of the metro economic corridor and employment generation, and supporting investment in strategic transport infrastructure such as BusConnects and MetroLink.

This submission seeks to ensure that the role of Swords Pavilions in the success of Swords development is duly recognised and supported in the Fingal County Development Plan 2023 – 2029. In summary it requests that:

- Significant mixed use, town centre development (including high density residential development) proposals at lands zoned Swords Major Town Centre (including Swords Pavilions) should be capable of favourable planning consideration, in principle, during the life of the Development Plan, whether or not the preparation of a Swords Local Area Plan for the wider settlement has been commenced.
- Swords Major Town Centre, including Swords Pavilions, adjacent to the R132 strategic transport infrastructure corridor, should be recognised as a suitable location for higher density and building height. Favourable development management planning consideration of development proposals at Swords Pavilions reflective of this should not be required to await the preparation of a Building Height Strategy and Density Study that confirms this.
- The MC zoning objective should specifically promote high-density mixed use development, including residential development, at lands (including Swords Pavilions) adjacent to the planned Metrolink corridor on the R132.
- It is of critical importance to its continued significant contribution to the growth of the local economy, employment and retail services provision, that Swords Pavilions must remain fully accessible by car, in its current or future development state, with uninterrupted access to its car parks, and no disruption or inconvenience to its customers, tenants and service vehicles.
- The study area catchment for BTR development should be reduced to 1km within Swords Major Town Centre designated area and the R132 Metrolink corridor.
- Greater flexibility in relation to the provision of public open space at brownfield town centre sites, including for any mixed use redevelopment proposals at Swords Pavilions, should be allowed for in the Development Plan. Increasing the minimum provision to 12% for any site is unreasonable in a high density town centre environment, where there are other compensating amenities available. We seek to have 10% open space for Pavillions Lands re-instated in addition to clear flexibility in this application at more complex brownfield sites with the town centre and proximate to public transport.

We would be grateful for a written acknowledgement of this submission in due course.

STEPHEN LITTLE & ASSOCIATES