

Fosterstown LRD0059/S3E: 741 Homes Without the Infrastructure to Match

A formal observation on Large-scale Residential Development application LRD0059/S3E at Fosterstown North, Swords - 741 dwellings on a site with a documented planning history: a 2021 grant of permission for an earlier scheme here was quashed by the High Court and remitted to An Bord Pleanála. This observation does not oppose housing; it supports plan-led development of these zoned lands. It objects on specific, strong planning grounds: the failure to assess the cumulative load this scheme places on shared Swords infrastructure together with the other large schemes advancing in parallel; the absence of the schools, primary care, open space and high-frequency transport the Fosterstown Masterplan requires to be delivered with the homes; and the height and form proposed at the sensitive Forest Road and Boróimhe edges. It is a call for a scheme that honours the Fosterstown Masterplan and delivers the infrastructure with the homes, not years after them.

Residents of Fosterstown and Swords

On behalf of residents, with Cllr Dean Mulligan and the Fosterstown Committee

This observation is submitted on behalf of residents of the Fosterstown and wider Swords area, supported by Cllr Dean Mulligan and the Fosterstown Committee. The residents support plan-led housing on these zoned lands. They object to the scale, density and sequencing of this particular scheme, and to a specific and serious deficiency in its environmental assessment. The grounds are ordered strongest first and every fact carries its source.

741

DWELLINGS PROPOSED

Application LRD0059/S3E

~3,150

HOMES IN CONCURRENT SWORDS SCHEMES

Other large schemes on the same schools, roads and transport, assessed cumulatively by no one (excludes this 741-unit application)

48%

ONE-BED APARTMENTS

347 of 741 units

146

UNITS PER HECTARE (NET)

741 units on 5.06 ha net developable, against the 110 to 115 dph the Masterplan and Objective PA SH 8.5 require (applicant's Statement of Consistency)

THE DOCUMENTED CONTRADICTION

An Bord Pleanála's 2021 grant of permission for 278 residential units on this site (ABP 308366-20) was quashed by order of the High Court, by consent, and the matter remitted to An Bord Pleanála to be determined in accordance with law.

High Court, Record No. H.JR.2021.0000245 (Holland J., order perfected 9 August 2024); remitted An Bord Pleanála case 320806

A permission for development on this site has already been set aside and sent back. The Planning Authority is now asked to permit a far larger scheme, 741 dwellings for the whole site, on the same lands. The proper benchmark is not any previous grant but the Fingal Fosterstown Masterplan, and the statutory requirement to assess this scheme's full and cumulative impact on the infrastructure it shares with every other Swords scheme advancing in parallel.

I. Failure to assess cumulative effects with other Swords developments

The proposed development is the subject of an Environmental Impact Assessment Report (EIAR). Under the EIA Directive (Directive 2011/92/EU as amended by Directive 2014/52/EU), an EIAR must

describe the cumulation of effects with other existing and approved projects (Annex IV, point 5(e)), and cumulation is also a mandatory screening criterion (Annex III, point 1). This is transposed into Irish law through the substituted Schedule 6 of the Planning and Development Regulations 2001, as substituted by S.I. No. 296/2018 (which inserted Articles 299A to 299C). The Court of Justice has repeatedly held that where several projects have an objective and chronological link, their environmental effects must be assessed as a whole, and that this duty cannot be defeated by assessing projects in isolation.

Swords is in the middle of a concentrated wave of large residential schemes, several advancing in parallel, each relying on the same finite shared infrastructure: the same schools, the same primary-care and community capacity, the same Forest Road and R132 road network, and the same bus corridor (Dublin Bus routes 41 and 41C, which run through Boroimhe, River Valley and Forest Road and directly serve this catchment). When each application is assessed in isolation, each can assert that the existing bus service and existing social infrastructure are adequate. But the cumulative load of all of them together is never assessed by anyone. If they are all granted, the shared infrastructure each one relied upon is overwhelmed. This is precisely the harm the cumulative-effects requirement exists to prevent.

The applicant's own Community and Social Infrastructure Audit confines its assessment to facilities within roughly 1km of the site and to the population of this scheme alone. It does not assess the in-combination demand generated by the other large residential schemes advancing concurrently in the same Swords catchment, which draw on the same schools, the same primary-care and community capacity, the same Forest Road and R132 network, and the same bus corridor. Those schemes include Mooretown SHD (650 units, An Bord Pleanála case 313362, granted March 2023); Oldtown and Glen Ellan SHD (377 units, ABP 313302, granted February 2023); Pinnock Hill, Fosterstown (219 units, ABP 314253, granted March 2023); Holybanks, by Cairn Homes (640 units, Fingal LRD0018/S3E, granted); Forest Road (109 units, Fingal LRD0057/S3E, granted); and Fingal County Council's own Mooretown lands (Phase 1 of 274 units and Phase 2 of 360 units, in active planning during 2026). Together with the remitted 278-unit Fosterstown re-hearing (ABP 320806), the identified concurrent schemes amount to approximately 3,150 homes, rising to close to 3,900 including this 741-unit application - all loading the same finite infrastructure. The cumulative load of these schemes together is assessed by no one, so the EIAR and the social-infrastructure case are deficient on a point of EU law.

- [EIA Directive 2011/92/EU \(consolidated, as amended by 2014/52/EU\), Annex IV point 5\(e\), Annex III point 1](#)
- [Directive 2014/52/EU \(amending directive\)](#)
- [S.I. No. 296/2018 - EU \(Planning and Development\) \(EIA\) Regulations 2018 \(Articles 299A to 299C; Schedule 6\)](#)
- [Dublin Bus routes 41 / 41C \(Forest Road, Boroimhe, River Valley corridor\)](#)

II. Infrastructure deficit and sequencing; the developer's own audit does not support the scheme

The Fingal Development Plan 2023-2029 zones part of this site RA (Residential Area), the objective of which is to provide for new residential communities subject to the provision of the necessary social and physical infrastructure. The infrastructure proviso is express. The National Planning Framework First Revision (approved by Government on 8 April 2025 and by the Oireachtas on 30 April 2025) and the Sustainable Residential Development and Compact Settlements Guidelines (2024) both require

compact growth to be infrastructure-led and sequential - infrastructure in the right place at the right time, not housing far ahead of the services to support it.

The applicant's Community and Social Infrastructure Audit (June 2026) asserts the area is well served. Its own data does not bear that out for a scheme of 741 units. On schools, the audit lists primary schools within 1km at their 2024/2025 enrolment (for example Holy Family Senior 627, Holy Family Junior 581, Brackenstown Senior 569, St Cronan's Junior 499) - schools already at or near operating enrolment - and concedes a new school is only in the process of being designed by the Department of Education on adjoining lands. It is not built, not permitted, and not committed to a delivery date. On childcare, the single 386 sqm creche is sized for around 100 children against the scheme's own demand of around 105 places, leaving nothing for cumulative demand from surrounding schemes.

On health, the audit lists predominantly dental clinics and private practices, several outside the 1km radius, and does not demonstrate GP or primary-care capacity to absorb a population uplift the audit itself estimates at up to around 2,030 people. On open space, the applicant's Statement of Consistency confirms public open space of 0.86 ha, 17% of the net developable area, and communal open space of 0.49 ha (9.7%); critically, it records that a section of that public open space is temporary and is to be built on in future phases, so the open-space figure delivered with the homes is lower than the headline. On public transport, the audit leans heavily on MetroLink and BusConnects: the MetroLink Railway Order was granted (An Coimisiun Pleanala, 2 October 2025; operative 12 January 2026) and a Fosterstown stop is planned, but the line is not yet built, procurement is only reported to begin in 2026, and there is no confirmed opening date. Permission cannot be justified on the basis of transport infrastructure that is years from delivery while the housing is delivered now.

- [Fingal Development Plan 2023-2029 \(in effect 5 April 2023\)](#)
- [National Planning Framework - First Revision \(Government 8 April 2025; Oireachtas 30 April 2025\)](#)
- [Sustainable Residential Development and Compact Settlements Guidelines \(2024\)](#)
- [MetroLink Railway Order granted \(An Coimisiun Pleanala, 2 October 2025\)](#)

III. Non-compliance with the Fosterstown Masterplan (2019) and the Development Plan

The site forms the northern part of the Fosterstown Masterplan lands, adopted by Fingal County Council in May 2019 as Part C of the Swords Masterplans. The Fingal Development Plan 2023-2029 carries a Swords map-based objective (PA SH 8.5, Map Sheet 8: Swords) to provide for well-designed housing at a density of 110 to 115 dwellings per hectare, which is in keeping with the masterplan and the enhancement of the character of the Key Town of Swords. The development-plan density objective is therefore expressly tied to the Masterplan.

The applicant's own Statement of Consistency records a net developable area of 5.06 ha and a net density of 146 units per hectare. That is materially above the 110 to 115 dwellings per hectare the Development Plan objective and the Masterplan set for these lands, with a height range of 3 to 8 storeys and a plot ratio of 1.4. The Masterplan set an indicative unit mix of approximately 25% one-bed, 45 to 55% two-bed and 20 to 30% three-bed to diversify Swords' housing stock and provide family homes, lower heights of 2 to 3 storeys along Forest Road and adjoining Boroimhe rising to a

stronger urban edge along the R132, and a Phase 1 cap of around 240 to 260 units with a school in Phase 1.

This scheme departs from each of those parameters. At 146 units per hectare net it is well above the 110 to 115 dph the objective ties to the Masterplan. It is heavily weighted to small units (347 one-bed apartments, 48% of the total, against a Masterplan indication of around 25% one-bed). It places taller blocks toward the established residential edges rather than stepping down to 2 to 3 storeys. It delivers no school in this phase, the school being merely in the process of being designed on adjoining lands. A departure from a Masterplan that the Development Plan expressly requires development to be in keeping with is a departure from the Development Plan itself.

- [Fosterstown Masterplan \(Swords Masterplans, May 2019\), Fingal County Council](#)
- [Applicant's Statement of Consistency \(JSA Planning, May 2026\), development summary: 5.06 ha net, 146 u/ha, 3 to 8 storeys, plot ratio 1.4 \(fosterstownlrd.ie, Planning documents\)](#)
- [Fosterstown Masterplan Part C \(PDF\)](#)
- [Fingal Development Plan 2023-2029, Map Sheet 8 Swords \(Objective PA SH 8.5\)](#)

IV. Building height and apartment standards under current 2025/2026 policy

Two points of caution arise on the current Section 28 framework. On building height, the Urban Development and Building Height Guidelines (2018) and their building-height SPPR remain in force in 2026; they were not revoked by the 2024 Compact Settlements Guidelines, which replaced the 2009 density guidelines, not the 2018 height guidelines. The height SPPR enables additional height only where the applicant demonstrates compliance with the performance criteria in the guidelines, and the consent authority must have regard to those criteria. Here the Development Plan and Masterplan set a graduated, context-led height strategy, and height in material departure from that strategy is not automatically justified by the SPPR.

On apartment standards, the Design Standards for Apartments (2025), issued 8 July 2025, are now the in-force apartment guidelines and revoked the earlier apartment guidelines. Under the 2025 standards the previous cap on the proportion of one-bedroom and studio units was removed (SPPR 1). The removal of a national cap does not displace the Development Plan's and Masterplan's place-specific requirement for an appropriate mix of family homes. The Masterplan's purpose was expressly to diversify Swords' housing stock and provide family accommodation.

The scheme proposes 347 one-bed, 315 two-bed and only 61 three-bed apartments (8.4% three-bed) plus 18 four-bed houses. This is a near-inversion of the Masterplan's family-oriented mix and produces a transient, small-unit-dominated population rather than the balanced community the Masterplan sought, regardless of the national position on unit mix.

- [Urban Development and Building Height Guidelines \(2018, in force 2026\)](#)
- [Design Standards for Apartments, Guidelines for Planning Authorities \(2025, issued 8 July 2025\)](#)

V. Over-development and overshadowing of established residents

Proper planning and sustainable development requires that height, density and scale respond to context, and that new development does not unacceptably overshadow or overbear existing homes. The Fosterstown Masterplan (Part C) sets that framework for this site: it calls for height to step down to 2 to 3 storeys at the Forest Road and Boroimhe edges, rising only toward the R132. This scheme places blocks of up to 8 storeys, including toward those sensitive edges.

The concern here is height and form at the edges, not the principle of development. Blocks ranging to 8 storeys where the Masterplan called for 2 to 3 storeys stepping down to existing homes raise overlooking and overbearing concerns for established residents in estates such as Hawthorn Park, Boroimhe Birches and Oulart. The applicant's own Daylight and Sunlight Assessment (3D Design Bureau, under BRE 209:2022) assessed 117 windows across these neighbouring properties and reports no adverse impact on their daylight or sunlight; that finding is for the Planning Authority to test, but the more telling result is internal: the scheme achieves only around 84 to 87% compliance for Sunlight Exposure across its own units, with the report itself attributing the shortfall to a compromise associated with achieving an appropriate density on the site. A scheme whose own sunlight performance is constrained by its density confirms the over-intensification of these lands against the Masterplan.

A 2021 grant of permission for an earlier, smaller scheme on this site was quashed by the High Court by consent and remitted to An Bord Pleanala (remitted case 320806). The Planning Authority should assess the present, larger scheme on its own merits against the Fosterstown Masterplan, and should not treat any set-aside grant as a baseline.

- [An Coimisiun Pleanala case 308366 \(278-unit SHD, grant quashed by High Court order perfected 9 August 2024\)](#)
- [An Coimisiun Pleanala case 320806 \(remitted case\)](#)
- [Applicant's Daylight and Sunlight Assessment Report \(3D Design Bureau, BRE 209:2022\): 100% neighbour compliance claimed; internal Sunlight Exposure circa 84 to 87% \(fosterstownlrd.ie, Other reports\)](#)

VI. Car parking standard and the Forest Road junction

Car parking standards for residential development are set by the Sustainable Residential Development and Compact Settlements Guidelines (2024), SPPR 3 (car parking), which calibrates maximum provision to location and public-transport accessibility, and by the Fingal Development Plan 2023-2029 standards. Road and junction design must accord with the Design Manual for Urban Roads and Streets.

The scheme provides 371 car spaces for 741 units, a ratio of 0.50 per unit. The applicant's Traffic and Transportation Assessment justifies that reduced ratio expressly on the basis that the lands qualify as a High Capacity Public Transport Node, being within around 1,000 metres of the planned Fosterstown MetroLink station and within 500 metres of the planned BusConnects core bus corridor stop at Pinnock Hill. Both of those are planned, not delivered: MetroLink is not yet built and the bus corridor is not yet in place. A 0.50 ratio justified by transport infrastructure that does not yet exist, combined with a population uplift of up to around 2,030 people, risks displacing parking and traffic onto the surrounding established estates in the interim.

The applicant's Traffic and Transportation Assessment (O'Connor Sutton Cronin, May 2026) concludes that all junctions, including the new signalised Forest Road / Fosterstown Link Road / Hawthorn Park junction, operate within capacity and that no mitigation is required. That conclusion rests on the same node assumptions above. The new Fosterstown Link Road and the upgraded Forest Road junctions, and the function of the existing Oulart and Hawthorn Park estate accesses, should be scrutinised for residential amenity and for pedestrian and cyclist safety on the basis of the transport actually in place at occupation rather than the transport assumed.

- [Sustainable Residential Development and Compact Settlements Guidelines \(2024\), SPPR 3 \(car parking\)](#)
- [Fingal Development Plan 2023-2029 \(development standards\)](#)
- [Applicant's Traffic and Transportation Assessment \(O'Connor Sutton Cronin, May 2026\): 0.50 spaces per unit justified by High Capacity Public Transport Node status \(planned MetroLink and BusConnects\); junctions within capacity, no mitigation proposed \(fosterstownlrd.ie, Architecture reports\)](#)

VII. Relief sought

We respectfully request that the Planning Authority refuse permission for LRD0059/S3E, or in the alternative require its substantial reduction to a scheme that accords with the Fosterstown Masterplan (2019) and Objective PA SH 8.5 of the Fingal Development Plan 2023-2029 in density, unit mix and graduated height.

Any scheme permitted on these lands should be supported by an EIAR that properly assesses cumulative and in-combination effects with the other live Swords schemes drawing on the same infrastructure, and should be sequenced so that schools, primary care, community facilities, public open space and high-frequency public transport are delivered with, not years after, the housing.

We reiterate that we support appropriate, plan-led development of this site. We oppose this application because of its scale, its departure from the Masterplan, and the unassessed cumulative burden it places on infrastructure the community already lacks.

- [Fingal Development Plan 2023-2029, Map Sheet 8 Swords \(Objective PA SH 8.5\)](#)

The scheme against the plan it must accord with

WHAT THE PLAN REQUIRES	SOURCE	WHAT THE SCHEME DOES
Density of 110 to 115 dwellings per hectare, in keeping with the Masterplan	Fingal Development Plan, Objective PA SH 8.5 (Map Sheet 8)	146 units per hectare net (741 units on 5.06 ha net developable, applicant's Statement of Consistency) - well above the 110 to 115 dph the objective ties to the Masterplan.
Unit mix around 25% one-bed, family-oriented	Fosterstown Masterplan Part C, May 2019	347 one-bed apartments, 48% of the total. Only 61 three-bed apartments (8.4%).

WHAT THE PLAN REQUIRES	SOURCE	WHAT THE SCHEME DOES
Graduated height, 2 to 3 storeys at the established edges	Fosterstown Masterplan Part C, May 2019	Blocks up to 8 storeys, including toward Forest Road and Boraimhe edges.
Infrastructure-led, sequential delivery	NPF First Revision: Compact Settlements Guidelines 2024	School only being designed, MetroLink not built, creche absorbs only the scheme's own demand, and a section of the public open space is temporary (to be built on in later phases).
Provision of necessary social and physical infrastructure (RA zoning)	Fingal Development Plan 2023-2029, RA zoning objective	Cumulative load on shared Swords infrastructure never assessed (Ground I).
Earlier permission here set aside and remitted	High Court Record H.JR.2021.0000245 (consent order, perfected 9 August 2024); remitted ABP case 320806	A 2021 grant for an earlier scheme on this site was quashed by consent and remitted. The present application is a larger, whole-site scheme of 741 dwellings, to be assessed on its own merits against the Fosterstown Masterplan.

What we ask the Planning Authority to do

We ask the Planning Authority to do the following. The asks are framed so that they can be granted in whole or in part, and none of them is opposition to housing on this site.

1. Refuse permission for LRD0059/S3E as proposed, or in the alternative require a materially reduced scheme that accords with the Fosterstown Masterplan (2019) and Objective PA SH 8.5 of the Fingal Development Plan 2023-2029 in density, unit mix and graduated height.
2. Require the EIAR to assess cumulative and in-combination effects with the other live Swords schemes that draw on the same schools, health, road and bus infrastructure, before any grant, as the EIA Directive and S.I. 296/2018 require.
3. Require the unit mix to be rebalanced toward family homes, reducing the 48% one-bed proportion and increasing three-bed provision, consistent with the Masterplan's purpose of diversifying Swords' housing stock.
4. Require a graduated height strategy that steps down to 2 to 3 storeys along Forest Road and the Boraimhe edge, with daylight, sunlight, shadow and separation-distance findings published for the nearest existing dwellings.

5. Condition delivery so that schools, primary care, community facilities, public open space and high-frequency public transport are in place with the housing, not years after it, with any reduced car-parking ratio tied to the actual delivery of MetroLink rather than its planned delivery.
6. Treat the open-space provision as the permanent quantum only: the applicant's own Statement of Consistency confirms 0.86 ha of public open space (17% of net developable area) with a section of it temporary and to be built on in later phases, so the long-term provision delivered with the homes is lower than the headline figure and should be conditioned accordingly.

How to make your own submission

Reference: LRD0059/S3E **Deadline:** 13 July 2026 **Fee:** EUR 20 observation fee

Planning Department, Fingal County Council, County Hall, Main Street, Swords, Co. Dublin, K67 X8Y2

1. Make your submission in writing to Fingal County Council, quoting the reference LRD0059/S3E, before the closing date.
2. A submission must be made by a named person or body and include an address for correspondence. Enclose the EUR 20 observation fee.
3. You can submit online through the Fingal planning enquiry system, or by post to the Planning Department at County Hall, Swords.
4. Confirm the exact closing date on the Fingal planning enquiry system before you file - the public submission period runs from receipt of the valid application.

<https://planning.agileapplications.ie/fingal>

We support plan-led housing on this site. We oppose 741 homes without the infrastructure to match.