



Large-scale Residential Development (LRD)

Guidance for prospective applicants



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What is a Large-scale Residential Development (LRD)?

'Large-scale Residential Development' or LRD applications are applications made to local authority for

- the development of 100 or more houses,
- the development of student accommodation that includes 200 or more bed spaces,
- both the development of 100 or more houses and of student accommodation, or
- both the development of student accommodation that includes 200 or more bed spaces and of houses.

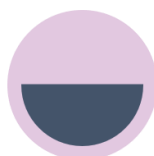
LRD applications are restricted to residential zoned lands and do not apply to lands designated as Strategic Development Zones. Any other uses proposed within the development are required to be compliant with the Land Use zoning objectives designated by the Development Plan. Non-residential developments proposed within an LRD application is restricted to 30% of the total floor area.

Legislation – New Act and Regulations

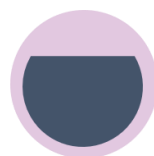
Planning and Development (Amendment) (Large-scale Residential Development) Act 2021 and Planning and Development (Large-scale Residential Development) Regulations 2021 that came into effect from 17 December 2021 brings these new arrangements to operation. The legislation brings into effect a new planning process for Large-scale Residential Developments replacing the existing Strategic Housing Developments defined under Planning and Development (Housing) and Residential Tenancies Act 2016. The LRD application process generally consist of 4 stages-



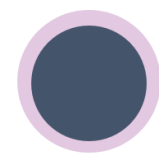
Stage 1
Pre Application
S247 Consultation



Stage 2
LRD meeting with
Planning Authority



Stage 3
LRD Opinion



Stage 4
Submission of LRD
Application

Stage 1: Pre-application consultation with planning authority under section 247

Pre-application consultation under section 247 of the Planning and Development Act, 2000-2021, is mandatory for applications consisting of more than 10 housing units or more than 1000 square meters non-residential development as per Section 247.1A(i). The purpose of the pre-application consultation is to afford any prospective applicants an opportunity to seek advice from Planning Authority on any planning matters that may have a bearing on the decision of the application.

A pre-application consultation can only be arranged with a person with sufficient legal interest in the land concerned and only with respect to a specific proposal. Enquires of a speculative nature, together with queries relating to sites that are for sale and seeking advice on the development potential for lands will not be dealt with by the Planning Authority. In such cases, the applicant is encouraged to consult the Fingal County Development Plan/ local area plan and/or seek appropriate professional advice.

Request for pre-application consultation under Section 247 of the Planning and Development Act 2000 can be made by email to LRD@fingal.ie. All requests are required to include the following details

- Application form for requesting an LRD Section 247 meeting with the planning authority
- Site Location Map -The scale required is 1:1000 for urban areas and 1:2500 for rural areas. These can be obtained from Ordnance Survey Ireland.
- Site Layout Plan -accompanied by a clear and detailed description of the proposed development.
- Supporting information as necessary including photographs, sketches or preliminary drawings such as site layout, elevation drawings, floor plans etc.
- For further information refer Checklist for submitting an LRD Section 247 meeting request within the appendix of this report.

The Planning Authority will keep a record of any such consultations which will be a matter of public record on foot of a planning application being subsequently lodged. The carrying out of such consultations shall not prejudice the performance by a Planning Authority of any other of its functions under the Planning and Development Act 2000, (as amended), and cannot be relied upon in the formal planning process or in legal proceedings.

Stage 2: LRD meeting with the Planning Authority

A prospective LRD applicant may, once he or she has consulted the appropriate planning authority or authorities in whose area or areas the proposed LRD would be situated, request an LRD meeting with that planning authority applicable accordance with section 32(B) of Planning and Development (Amendment) (Large-scale Residential Development) Act 2021.

In general, all LRD proposals are required to undertake this second step in the pre application consultation with the relevant planning authority for the purpose of receiving an opinion under Section 32(D) of the Planning and Development Act, 2000-2021. For LRD proposals that seek to amend previously permitted Large-scale Residential Developments (LRDs) or Strategic Housing Developments (SHDs), the Planning Authority can make a determination under Section 247(7) of the Planning and Development Act, 2000-2021, if further consultations are required regarding the proposed development.

A request for LRD consultation meeting can be made by post or in person at the address below and must include the following documentation

- LRD consultation application form
- In general, applicants are advised to provide 2 printed copies and one digital copy of the application while requesting an LRD meeting, unless otherwise specified by Fingal County Council.
- Fees for pre-application consultation

Pre-application Consultation	Fee
You want to request a pre-application consultation	€1,500

- Accompanied by the prescribed documentation set out within section 32(B) of Planning and Development (Amendment) (Large-scale Residential Development) Act 2021. Refer checklist provided as appendix

Stage 3: Forming and Issuing of ‘LRD Opinion’

Following the receipt of LRD consultation request, the Planning Authority is required to facilitate a consultation meeting with the applicant within 4 weeks of the date of the request for such a meeting. The planning authority will then form an opinion (referred to in this Act as an ‘LRD opinion’) as to whether the documents submitted for the purposes of the meeting constitute a reasonable basis on which to make an application for permission for the proposed LRD. Where Planning Authority forms the opinion that further consideration and amendment is required, it shall provide advice as to what issues require to be addressed by the prospective applicant in the documents to be submitted with an application.

- The council will issue notice of its opinion to the prospective applicant within 4 weeks of the date of consultation with the applicant.
- The LRD opinion issued by the planning authority is only valid up to 6 months and will be made available to public with the lodgement of application.
- Our weekly planning list (www.fingal.ie/council/service/planning-weekly-lists) includes any current LRD pre-application consultations being processed by Fingal County Council

Stage 4: LRD Application

A prospective LRD applicant is required to fulfil certain requirements prior to making the LRD application. The applicant is required to have:

- Prospective applicants are required to have engaged with Planning Authority under Section 247 and received an LRD opinion dated within 6 months of lodgement under section 32(D) of the Planning and Development Act, 2000-2021, as to whether documents submitted at LRD consultation stage constitute a reasonable basis for an application.
- Application has addressed any issues identified or deficits in information set out within the LRD opinion from Planning Authority under section 32(D) of the Planning and Development Act, 2000-2021.
- With respect to applications seeking amendments to permitted schemes, the applicant is required to engage with Planning Authority under Section 247 of Planning Act (as amended) and obtain a determination from the Planning Authority in writing stating that no LRD consultation is required in relation to the proposed development.
- The applicant is required to make a copy of the LRD application available for public viewing on a dedicated website set up for this purpose for the period commencing on the date of making the application and expiring 8 weeks after the applicant is notified of the decision

Neither the taking place of an LRD meeting nor the provision of an LRD opinion shall prejudice the performance by the planning authority of its functions under the relevant Act or any regulations under such Act or any other enactment and cannot be relied upon in the formal planning process or in legal proceedings.

LRD applications are required to include a completed application form and accompanied by the prescribed fee. In general, applicants are advised to provide 6 printed copies (10 copies are required for applications that include EIAR/NIS) and one digital copy of the application while submitting an LRD application, unless otherwise specified by Fingal County Council. For further information refer Checklist for prospective LRD applicants provided within the appendix of this report.

Fee for submitting an LRD application

LRD Application	Amount of Fee	Fee for Retention Permission
Basic fee structure for each housing unit If you are applying to build student accommodation, 2 bed spaces = 1 housing unit. So, if your application is for 200 bed spaces, your fee will be equal to the fee for 100 housing units.	€130 per housing unit	€390 per housing unit
Fee Structure for other uses on the land: Cost per square metre of gross floor space Given the zoning facilitates such use and the floor space of such other uses is below 30% of the entire development.	€7.20 per square metre to a maximum of €32,400	€15 per square metre to a maximum of €65,000
Submission of EIAR	€10,000	€10,000
Submission of NIS	€10,000	€10,000
The maximum fee payable to a planning authority by an applicant in respect of an application for permission for a large -scale residential development shall be €80,000		

Amendments to section 33 of the Planning and Development Act, 2000-2021, allows Planning Authorities to request applicants to submit further information with respect to LRD applications. Information can only be requested in relation to technical or environmental details that were unforeseen at the time of forming an LRD opinion or regarding new matters raised by public and shall only be requested once.

Making an Observation

Once an LRD planning application has been submitted, members of the public, prescribed bodies and elected local authority will be able to make observations on the proposed development to the planning authority in the same manner as currently applies in respect of standard section 34 applications. Anybody other than the applicant can make a submission/ observation on a planning application.

- If you want to make an observation on an existing application, you must do this within 5 weeks from the date when the application was registered.
- Our weekly list (www.fingal.ie/council/service/planning-weekly-lists) includes information on any current LRD applications being processed by Fingal County Council
- All submissions/observations made with respect to an application will be published on our website.
- Fee for making an observation is €20.

A person wishing to challenge the validity of a decision made by Planning Authority or decision made by An Bord Pleanála on appeal may do so by way of judicial review.

Appeal to An Bord Pleanála

If you are the applicant of an LRD, you can make a First Party appeal to An Bord Pleanála within four weeks of receiving a decision from Planning Authority. If you have made an observation/submission to the planning authority on a proposed LRD, you can make a Third-Party appeal to An Bord Pleanála within four weeks of receiving a decision from Planning Authority.

- [Check dates at An Bord Pleanála website at www.pleanala.ie/en-IE/Make-an-appeal.](http://www.pleanala.ie/en-IE/Make-an-appeal)
- The board is required by legislation to determine LRD appeals within 16 weeks of receipt of the appeal.
- All appeals have to be made directly with An Bord Pleanála. For further information on submitting appeals visit An Bord Pleanála website

Contact the Planning Department

Any enquiries on LRD process can be made emailed to LRD@fingal.ie

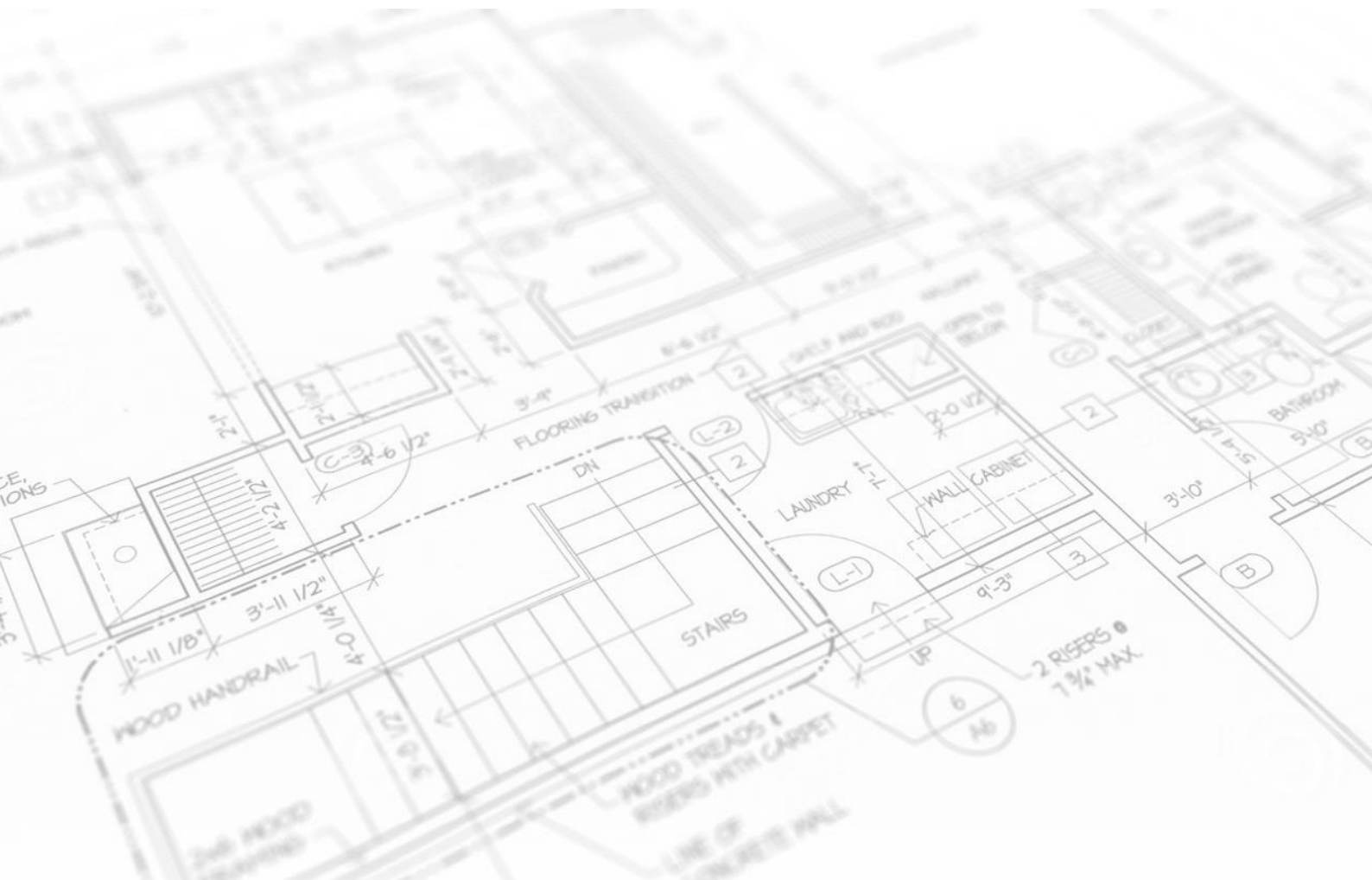
Postal Address for Planning Applications:

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

Opening Hours: Monday to Friday: 9.30am to 4.30pm

Telephone: (01)8905541

***Disclaimer:** The above document is intended for information purposes. It does not purport to be a legally binding interpretation of the relevant provisions and it would be advisable for persons to seek relevant professional advice.*



Appendix

Checklist for prospective applicants

Checklist for submitting an LRD Section 247 meeting request

Applicants are advised to submit this checklist with the request.

Please note that this list is not exhaustive and is prepared for information purposes. The Applicant is required to ensure that application documentations are in full accordance with the Planning and Development Regulations 2001, as amended.

Site Location/Address	
Date lodged	

- Completed and signed formal **LRD pre-application consultation form**
- Consent of the owner to make an application where the applicant is not the owner of the land concerned.
- A brief description of the proposed development
- Evidence that Irish Water has confirmed that it is feasible to provide the appropriate service or services
- Site Location Map
- Draft Site Layout Plan
- Indicative sketches or drawings to show draft floor plan, section, and elevation drawings
- Details of the proposed numbers and types of houses or numbers of student accommodation units and bed spaces, or both, as appropriate.
- Details of proposed gross floor spaces, housing density, plot ratio, site coverage, building heights, proposed layout and aspect
- Transport details including access, parking provision and active travel, where relevant
- Brief description of open space provision and landscaping proposals
- Details of any ancillary services or infrastructure works
- Brief details of any phasing proposals
- Description of any Part V proposals
- Brief description of any known flood risk to the site in question

Checklist for prospective LRD applicants

Applicants are advised to submit this checklist with the planning application pack.

Please note that this list is not exhaustive and is prepared for information purposes. The Applicant is required to ensure that application documentations are in full accordance with the Planning and Development Regulations 2001, as amended.

Site Location/Address			
Date lodged			
LRD Meeting	Yes <input type="checkbox"/>	No <input type="checkbox"/>	FCC S247 Ref. No.
LRD Application	Yes <input type="checkbox"/>	No <input type="checkbox"/>	LRD Meeting Ref. No.

- Completed and signed formal **LRD pre-application consultation form** for LRD Meeting request or **LRD application form** for submitting an LRD application
- Relevant application fee
- Consent of the owner to make an application where the applicant is not the owner of the land concerned.
- Evidence that Irish Water has confirmed that it is feasible to provide the appropriate service or services

SITE NOTICE/ NEWSPAPER NOTICE

- Original copy of newspaper notice (only 1 needed) and copies of the same
- Newspaper Notice is made within an approved newspaper (check our website at www.fingal.ie/sites/default/files/2021-02/approved-newspapers-2021_0.pdf)
- Copies of Site Notice is the correct colour (White or Yellow where applicable)
- Site Notice is signed by Agent/Applicant
- Notice is headed Fingal County Council
- The planning application has been lodged within 2 weeks of date of publication of newspaper notice or erection of site notice
- Notice states that the application is made in relation to an LRD and includes the website address set up by the applicant
- Indicates that an EIAR/NIS has been submitted, if required as per S.176 of Act
- Protected Structure or Proposed Protected Structure is stated
- Statement regarding inspection or purchase of application

DRAWINGS AND REPORTS

- Site Location Map (at a scale not less than 1:1000 for urban areas and 1:2500 for rural areas.)
- Site Layout Plan (at a scale not less than 1:500 scale)

- Floor plan, section, and elevation drawings (at a scale not less than 1:200 scale)
- Statement of response to LRD Opinion issued by Fingal County Council
- Schedule of Accommodation including details of the proposed numbers and types of houses or numbers of student accommodation units and bed-spaces, or both, as appropriate, and their design, including proposed gross floor spaces, internal floor areas and principle dimensions, housing density, plot ratio, site coverage, building heights, proposed layout and aspect
- Housing Quality Assessment including details of the number and type of housing units proposed, unit floor areas, bedrooms and bed-spaces for individual units, private amenity space associated with each unit, the storage space associated with each unit, the principal dimensions and aggregate floor area of each room and in the space of apartments whether the unit is dual or single aspect
- Architects Design Statement that addresses the site location and context including Universal Design Statement
- Details of proposed public and private open space provision, in line with Fingal County guidance on Open Space and Green Infrastructure documentation/information required (Check LRD page on website)
- Details of pedestrian permeability, vehicular access and parking provision, where relevant
- Details of any proposals to address or integrate the proposed development with surrounding land uses
- Planning assessment including statement setting out how the proposed LRD has had regard to the relevant objectives of the development plan or local area plan
- Details of any protected structures, national monuments or other monuments included in the Record of Monuments and Places that will be impacted by the proposed works where relevant
- Details of traffic and transportation assessments, drawings and other access details. Including where relevant of traffic, cycle and pedestrian safety
- Details relating to residential amenity including the assessment of sunlight, daylight, shadow, overlooking and overbearance, where relevant; for existing properties and proposed residential unit
- Landscape details and proposals including any tree/hedgerow survey
- Engineering Assessment Report discussing proposals for water supply, foul and surface water drainage
- Description of the capacity of existing or planned infrastructure to serve the proposed development, of the impact of the proposed development on existing /planned infrastructure and of any proposals to provide for other services infrastructure (including cabling such as broadband provision) and any phasing proposal
- SUDS/Green Infrastructure proposals including filled out Appendix A, B and C of Fingal County Green Blue Infrastructure Guidance Document

- Taking in charge drawings (refer Fingal County Taking in charge Policy and Specifications on website)
- Part V proposals including details of the calculations and methodology for calculating values of land, site costs, normal construction and development costs and profit on those costs and other related costs. Applicants are advised to avail of the preapplication consultation facility in order to ensure that a Part V agreement in principle can be reached in advance of the planning application being submitted.
- Details of any consultations that have taken place with prescribed bodies or the public
- Engineering drawings showing proposal for water supply, foul service and surface water drainage
- Transportation assessments, drawings and other access details
- Outline Construction and Environment Management Plan
- Construction and Operational Waste Management Plan
- Flood Risk Assessment including filled out Fingal County Flood Risk checklist (Check LRD page on website)
- Environmental Impact Assessment Report (EIAR) and EIAR Portal Confirmation where applicable
- AA Screening/ Natura Impact Statement and Ecological Impact Assessment where applicable
- Computer Generated Images/ Photomontages showing sufficient detail and coverage