



An  
Bord  
Pleanála

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## Planning and Development (Housing) and Residential Tenancies Act 2016

### Notice of Pre-Application Consultation Opinion

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**Case Reference: ABP-311610-21**

**Proposed Development: Demolition of existing vacant commercial and residential buildings, construction of 139 no. apartments, creche and associated site works. Former Heiton Buckley site at Castle Street, No. 20 Dwyer Park and St. Anthony's , Dwyer Park, Bray, Co. Wicklow.**

An Bord Pleanála has considered the issues raised in the pre-application consultation process and, having regard to the consultation meeting and the submission of the planning authority, is of the opinion that the documents submitted with the request to enter into consultations constitute a reasonable basis for an application for strategic housing development.

Furthermore, pursuant to article 285(5)(b) of the Planning and Development (Strategic Housing Development) Regulations 2017, the prospective applicant is hereby notified that, in addition to the requirements as specified in articles 297 and 298 of the Planning and Development (Strategic Housing Development) Regulations 2017, the following specific information should be submitted with any application for permission:

1. A detailed statement, which should provide adequate identification of all such elements and justification as applicable, where / if the proposed development materially contravenes the statutory plan or LAP for the area other than in

relation to the zoning of the land, indicating why permission should, nonetheless, be granted, having regard to a consideration specified in section 37(2)(b) of the Act of 2000.

2. A Housing Quality Assessment that provides details in respect of the proposed apartments set out as a schedule of accommodation, with the calculations and tables required to demonstrate compliance with the various requirements of the 2020 Guidelines on Design Standards for New Apartments. It is important that the proposal meets and preferably exceeds the minimum standards in terms of dual aspect and proportion of apartments which exceed the floor area by 10%. In the interests of clarity clear delineation / colour coding of floor plans indicating which of the apartments are considered by the applicant as dual / single aspect, single aspect north facing and which apartments exceeds the floor area by 10%.
3. A Traffic and Transportation Impact Assessment.
4. Details of a Green Infrastructure Plan, Landscaping Plan, Arboriculture Drawings, and Engineering Plans that take account of one another.
5. Justification of quantum and quality of open space provision, both communal and public open space (POS). Clarity with regard to change in levels, compliance with Development Plan standards and planting details.
6. A Daylight and Shadow Impact Assessment of the proposed development, specifically with regard to:
  - (i) Impact upon adequate daylight and sunlight for individual units, public open space, courtyards, communal areas, private amenity spaces and balconies.
  - (ii) Impact to any neighbouring properties.
7. Assessment of impact upon the amenity of the surrounding properties, which should include an assessment of loss of light, overshadowing, overlooking, loss of privacy, potential overbearing impact and visual impact. Any identified impacts should be justified and mitigated against.
8. A report on surface water drainage, surface water management strategy and flood risk which deals specifically with quality of surface water discharge.

9. A full response to matters raised within the PA Opinion and appended internal department reports submitted to ABP on the 03.11.2021.
10. Where an EIAR is not being submitted the applicant should submit all necessary information referred to in article 299B(1)(b)(ii)(II) and article 299B(1)(c) of the Planning and Development Regulations 2001-2018 for the purposes of EIAR screening.
11. An up-to-date Ecological Impact Assessment, inclusive of a Bat Survey.
12. An AA screening report which considers potential impacts on the Qualifying Interests of any Natura 2000 site.
13. A life cycle report shall be submitted in accordance with section 6.13 of the Sustainable Urban housing: Design Standards for New Apartments (2020). The report should have regard to the long-term management and maintenance of the proposed development. The applicant should consider the proposed materials and finishes to the scheme including specific detailing of finishes, the treatment of balconies in the apartment buildings, landscaped areas, child friendly spaces, pathways, and all boundary treatments. Particular regard should be had to the requirement to provide high quality and sustainable finishes and details which seek to create a distinctive character for the development.
14. A site layout plan indicating what areas, if any, are to be taken in charge by the planning authority.
15. Site Specific Construction and Demolition Waste Management Plan.
16. Details of public lighting

Also, pursuant to article 285(5)(a) of the Planning and Development (Strategic Housing Development) Regulations 2017, the prospective applicant is informed that the following authorities should be notified in the event of the making of an application arising from this notification in accordance with section 8(1)(b) of the Planning and Development (Housing) and Residential Tenancies Act 2016:

- 1. Irish Water**
- 2. National Transport Authority (NTA)**
- 3. Transport Infrastructure Ireland (TII)**
- 4. The Minister for Culture, Heritage and the Gaeltacht,**
- 5. The Heritage Council**
- 6. An Taisce — the National Trust for Ireland**
- 7. Fáilte Ireland**
- 8. Wicklow County Childcare Committee.**

**PLEASE NOTE:**

Under section 6(9) of the Planning and Development (Housing) and Residential Tenancies Act 2016, neither the holding of a consultation under section 6, nor the forming of an opinion under that section, shall prejudice the performance by the Board, or the planning authority or authorities in whose area the proposed strategic housing development would be situated, of any other of their respective functions under the Planning and Development Acts 2000 to 2016 or any other enactment and cannot be relied upon in the formal planning process or in legal proceedings.

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Stephen O'Sullivan  
Assistant Director of Planning  
January, 2022