



An
Bord
Pleanála

S. 6(7) of Planning and Development (Housing) and Residential Tenancies Act 2016

Inspector's Report on Recommended Opinion ABP-303631-19

Strategic Housing Development	162 no. residential units, crèche and associated site works.
Location	Lands at Southern Cross Road, Bray, Co. Wicklow.
Planning Authority	Wicklow County Council
Prospective Applicant	1 Southern Cross Lands Company
Date of Consultation Meeting	19 March 2019
Date of Site Inspection	14 March 2019
Inspector	Una Crosse

1.0 Introduction

- 1.1. Having regard to the consultation that has taken place in relation to the proposed development and also having regard to the submissions from the planning authority, the purpose of this report is to form a recommended opinion as to whether the documentation submitted with the consultation request under section 5(5) of the Planning and Development (Housing) and Residential Tenancies Act 2016 - (i) constitutes a reasonable basis for an application under section 4, or (ii) requires further consideration and amendment in order to constitute a reasonable basis for an application under section 4.

2.0 Site Location and Description

- 2.1. The subject site which measures 4.56 hectares in area is located c. 3km south of Bray Town Centre on the Southern Cross Road and is part of a larger site which measures approximately 5.2 ha. The site is bounded to the north by the rear gardens of the Mountainview Drive housing estate, to the south by the Southern Cross Road (R768), to the east by undeveloped lands zoned for employment use (SLO6) and to the west by Árd na Gréine road and residential dwellings further to the west. The area north and west of the Southern Cross Road is characterised by traditional residential development primarily. To the south of the Southern Cross Road there is an area of employment uses located in the IDA Business Park, directly south of the subject site. The southern site boundary comprises dense vegetation. A pedestrian footpath and grass verge separate the site from the road. A bus lay-by and bus shelter are also located on the road. The site is overgrown and undulating with a significant level change from the road edge onto the site and across the middle of the site.

3.0 Proposed Strategic Housing Development

- 3.1. The proposal provides for a residential development of 162 residential units comprising 35 housing units and 127 apartments and a neighbourhood centre.
- 3.2. The following table provides an outline of the proposed development:

House Type	No. of Units	%
Houses		
3-bed	24	15
4-bed	11	7
Total	35	22
Apartments		
1-bed	26	16
2-bed	101	62
Total	127	78
Overall Total	162	

- 3.3. The development also a proposed neighbourhood centre which includes the following:

Type of Use	No. of Units	Area
Retail Unit	3	500 sq.m
Community Facilities	5	500 sq.m
Crèche	1	300 sq.m

- 3.4. The proposal also include vehicular access from the Southern Cross Road via a proposed 4-armed roundabout which proposes separate accesses into the neighbourhood centre and the residential area. A proposed green route through the middle of the site connecting Ard na Greine to the Southern Cross Road incorporating a proposed new plaza in the neighbourhood centre, children's play area and public open space. New cycle paths and pedestrian routes along the road connecting to existing routes. A total of 237 car parking spaces are proposed comprising 14 spaces for the retail, 153 at surface level for the apartments and 70 for the houses.

3.5. As outlined in the next section there is a current application for a supermarket on the site. It is noted that the following elements are common to both the current application and proposed SHD proposal:

- Proposed new roundabout at the Southern Cross Road,
- Associated internal access roadway,
- Elements of hard landscaping and car parking in front of the neighbourhood retail units and service yard.
- Attenuation measures to the southern part of the site.

4.0 Planning History

4.1. Subject Site – Current

Ref. 181182 – Permission sought for a single storey retail supermarket measuring c. 2,493 sq.m (gfa) including an ancillary off-licence within the supermarket, loading bay etc, 178 car parking spaces, 50 cycle parking spaces, substation, the construction of a new armed roundabout on Southern Cross Road and all associated site development, access points, roads, boundary treatment and infrastructural service provision needed.

Permission granted by Planning Authority on 11 March 2019.

4.2. Subject Site – Extant

4.2.1. **Ref. 10630092** – Permission granted (January 2011) for modifications to permissions Ref. 07/125 & Ref. 09/130 for a mixed use scheme for the change of use of 2460 sq.m of permitted supermarket to a 6-screen cinema with amendments to building.

4.2.2. **Ref. 09630130** – Permission granted (January 2008) for modifications to the mixed use scheme granted under Ref. 07/125 for additional surface parking and reduction in basement parking area and provision of small service area.

4.2.3. **Ref. 07630125** – Permission granted for a mixed use scheme on 4.8 hectares comprising (2,500 sq.m) supermarket with underground car parking (330 spaces),

surface car parking (340 spaces), discount food store (1,500 sq.m), motor sales outlet, neighbourhood centre including retail units, community and medical facilities, 10 duplex units over shops and community centre, 24 residential units, 18 apartments, roundabout at southern cross and amendments to approach roads and boundary treatments.

5.0 National and Local Policy

5.1. Section 28 Ministerial Guidelines

5.1.1. Having considered the nature of the proposal, the receiving environment, the documentation on file, including the submissions from the planning authority, I am of the opinion that the directly relevant S.28 Ministerial Guidelines are:

- Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas' (including the associated 'Urban Design Manual') 2009
- Design Manual for Urban Roads and Streets
- Sustainable Urban Housing: Design Standards for New Apartments (2018)
- Urban Development and Building Height Guidelines 2018
- Childcare Facilities – Guidelines for Planning Authorities

5.2. National Planning Framework

5.2.1. Chapter 4 of the Framework addresses the topic of 'making stronger urban places and sets out a range of objectives which it is considered will assist in achieving same. National Policy Objective 13 provides that in urban areas, planning and related standards, including in particular building height and car parking, will be based on performance criteria that seek to achieve well-designed high quality outcomes in order to achieve targeted growth. These standards will be subject to a range of tolerance that enables alternative solutions to be proposed to achieve stated outcomes, provided public safety is not compromised and the environment is suitably protected. Chapter, No. 6, entitled 'People Homes and Communities' includes 12 objectives among which Objective 27 seeks to ensure the integration of safe and convenient alternatives to the car into the design of our communities, by

prioritising walking and cycling accessibility to both existing and proposed developments, and integrating physical activity facilities for all ages. Objective 33 seeks to prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location. Objective 35 seeks to increase densities in settlements, through a range of measures including reductions in vacancy, re-use of existing buildings, infill development schemes, area or site-based regeneration and increased building heights.

5.3. Bray Municipal District Local Area Plan 2018-2024

- 5.3.1. Site has two zonings, residential special and neighbourhood centre and is designated as a neighbourhood objective under special local objective SLO9. The objective of residential special is to protect, provide and improve residential amenities in a format and a density specified in the relevant plan and is described as facilitating the provision of high quality new residential environments with excellent layout and design reflecting density and character of the surrounding area. The neighbourhood zoning objective is to protect, provide for and improve a mix of neighbourhood centre services and facilities which provide for the day-to-day needs of the local community. It is described as providing for small scale mixed use commercial/community/retail developments that serve only an immediate catchment or planned new areas of significant residential development with Southern Cross Road outlined as a location for same. Uses generally appropriate within neighbourhood centres include residential development.
- 5.3.2. The LAP notes that this SLO9 is located on Bray Southern Cross Road (SCR), with the 'Deerpark' road bounding the site to the west and measures c. 4 ha. This SLO is designated for the development of a new neighbourhood hub to serve the Bray SCR area, and provides an opportunity for both retail and community services as well as the development of new vehicular and pedestrian routes from the SCR to Boghall Road.
- 5.3.3. The development of the entire site is required to be carried out as a single comprehensive development, and in particular, no residential development may occur unless it is accompanied by the 'neighbourhood centre' and open spaces and

other community elements as are required by the objectives. It is stated that the development shall be of the highest design quality; the neighbourhood centre building(s) shall form a distinctive and attractive presence along the SCR; high quality urban realm and functional green spaces shall be provided, as well as pedestrian and cycling links to surrounding lands and public roads.

5.3.4. The specific requirements are as follows:

- A supermarket and not less than 5 smaller retail units, as well as provision for other non-retail / commercial / professional uses up to a total floor area of 2,500sqm (GFA) for the supermarket and of the order of 500sqm (GFA) for the smaller units / non retail uses;
- Provision of community / health / public services / wellbeing floor space of the order of 500sqm;
- Residential development, on the northern part of the site that is zoned R-Special, a higher density format of 40/ha shall be considered only where it is part of an overall project involving the completion of the neighbourhood centre in advance of any residential units;
- Vehicular access to the site from Bray SCR;
- Make provision for a car free green route from the south-eastern corner of the site adjoining the SCR, through to the Deerpark road at the north western corner of the lands.

6.0 Forming of an Opinion

6.1. Documentation Submitted

The prospective applicant has submitted information pursuant to section 5(5)(a) of the Planning & Development (Housing) and Residential Tenancies Act 2016 and Article 285 of the Planning and Development (Strategic Housing Development) Regulations 2017. This information included, inter alia, application form, Statement of Consistency, Planning Report, Minutes of the S247, Part V enclosures; Architectural Drawings, Drawing Register and Design Statement, Landscape Masterplan and Report, Engineering Drawings, Transport Assessment and Mobility

Management Plan and Civil Engineering Infrastructure Report, Mechanical and Electrical Services drawings, lighting drawings, Lighting Design document and Energy and Sustainability, Construction and Demolition Waste Management Plan and Operational Waste Management Plan, Draft Construction Management Plan, Screening Report for Appropriate Assessment and the Ecological Impact Statement, Badgers and Bat Fauna, Hedgerow and Tree Survey Report, Fire Safety and Disability Access Review.

6.1.1. Section 5(5)(b) of the Act of 2016 requires the submission of a statement that, in the prospective applicant's opinion, the proposal is consistent with both the relevant objectives of the development plan or local area plan concerned, and the relevant guidelines issued by the Minister under section 28 of the Act of 2000. These statements have been submitted, as required.

6.1.2. The applicant's case is summarised as follows:

- Proposed development provides appropriate form of high-quality residential and neighbourhood centre development for this mixed-use zoned site with uses consistent with planning policy for the site and Bray area.
- Efficient use of zoned land, accessible to public transport integrating with the existing and future cycle and pedestrian links around Wicklow including the Greenway making best use of existing social and community infrastructure and providing additional facilities to this part of Bray.
- Consistent with all relevant national and regional planning policies, including policies with respect to compact growth, infrastructure, housing quality and urban design with a presumption in favour of the proposed development considered to apply in accordance with NPF National Policy Objective 11.
- Proposed development helps achieve the county plans housing supply targets for Bray, consistent with all the county plans relevant development management policies, including with respect to residential development, social infrastructure, green infrastructure, heritage and protection of the natural environment.
- Design and layout of proposal prepared following pre-application consultation with the Planning Authority under Section 247.

- Broad compliance demonstrated with policies and provisions of Wicklow CDP 2016-2022 and Bray LAP such as land use zoning, density, design standards for residential schemes, streets and open spaces.
- Majority of residential development located on land zoned for residential development with density of 68.9 uph is in line with LAP policy which sets no upper limits for the residential element of this site.
- 4 apartment blocks proposed along eastern site boundary arranged in north/south orientation to minimise north facing units, maximise daylight penetration into the site and landscaped spaces between blocks, maximising number of units overlooking the public open space with over c. 50% dual aspect and single aspect units either facing east overlooking public streets, or west into shared garden providing optimum residential amenity.
- 4 storey height considered appropriate as green field site enabling development of own language within the site providing a strong urban edge to SCR providing a modern development in keeping with design of Neighbourhood Centre.
- Two of four apartments blocks on NC zone with rationale that when total quantum of retail and community space allocated under SLO9 designation, (3,500sqm) laid out in single storey buildings on the southern part of the site with the required parking only quarter of entire site area used resulting in a large area of vacant undeveloped space on a quarter of the site to south east with provision of apartments in area providing a strong, built frontage along main road in line with the Councils vision for SLO9 site;
- Residential development appropriate and permissible use within a neighbourhood centre, with many neighbourhood centres having residential above or adjoining the retail/commercial elements, providing passive surveillance to the Neighbourhood Centre, public open space, plaza and greenway day and night;
- Neighbourhood centre provides 500m² retail space (2 x 200m² units & 1 x 100m²) designed for maximum flexibility with 500m² of health related, community service uses located in part over a crèche of 300m² provided in the form of 5 individual units with building massed as 2-storey volume acting as a marker for the Neighbourhood Centre from SCR and surrounding area with unit size and uses within neighbourhood centre

considered appropriate to location of development north of SCR providing some facilities unavailable at present in the area including local shops and full time crèche facility;

- 237 car parking spaces (14 retail spaces, 153 apartment spaces and 70 house spaces) 12 disabled parking and 26 visitor parking spaces and 292 cycle parking spaces within a safe and secure lock up;
- Site designed around central focal point of a greenway which runs through the site from the South East corner of the site, creating a variety of different spaces as you travel through the site which is vehicular free, safe, secure, and peaceful route to walk or cycle;
- Outline Part V agreement reached regarding the provision of 16 onsite units as indicated on the associated plans submitted with indicative costs;
- AA Screening report found site has low biodiversity value and not directly linked to an SAC;
- Screening Assessment concludes that an Environmental Impact Assessment of the proposed development is not required.

6.2. Planning Authority Opinion

6.2.1. A submission was received by An Bord Pleanála on the 6th March 2019 from Wicklow County Council. The 'opinion' of the planning authority, in addition to outlining the planning history and National and Local planning policy context includes, inter alia, the following opinion on the proposal:

- PA state number of units proposed is acceptable having regard to the targets set out in the core strategy.
- Proposal in line with objectives set out in Chapter 11 Zoning and Land Use of the LAP for the development of lands in an orderly, sustainable and sequential manner, the development of underutilised lands and the development of lands contiguous to existing developed areas.

- Proposal for retail and community uses as part of a new neighbourhood centre development accords with objectives set out in County Retail Strategy.
- Proposal to provide new residential development on R Special zone comprising houses and apartments accords with zoning objective with retail and community uses in accordance with the Neighbourhood zoning objective.
- Size and scale of retail and community services akin to what one would expect in a neighbourhood centre to serve local catchment of SCR.
- Substantial 'left over' eastern part of the neighbourhood zone and as scheme delivers a neighbourhood centre in accordance with local and county objectives, not unreasonable that the eastern part be devoted to an alternative use which should be compatible with the neighbourhood centre zoning objective.
- Applicant has proposed to construct apartment blocks 1 and 2 in this 'left over' part of the zone and neighbourhood centres can have a mix of uses including residential – the residential use is compatible with the zoning objective.
- Proposed apartments located on NC lands would contravene the zoning objective but given that residential development identified as generally appropriate for NC zoning considered proposed apartments would not be material contravention of the NC zoning objective where it is shown that the objectives for the NC lands achieved and that proposed apartments do not undermine achievement of objectives but not clear applicant has fully justified development of apartments on the NC land with further consideration required.
- Applicant should demonstrate that no shortfall in community facilities in area and if shortfall found these type of facilities should be prioritised over housing.
- Applicant has not consulted with the Community and Enterprise Section of the Council in preparation of Community audit with report from Section stating a need for 500m² community space for a multitude of uses such as parent and toddler, homework clubs, study space, drop-in service, dance /yoga, fitness etc with need for a playground and multi-use games area for older children.
- Applicant proposes 500m² commercial community floorspace with reference in the Design Report to 500m² of health related community services with clarity required regarding what exactly is proposed in community service units and prior

to lodging an application, consultation should be undertaken with the Community Section of WCC to determine precise nature of community floorspace being proposed and to ensure that it reflects the current needs in the area.

- No good sized quality community playground on SCR with small playground / adult gym shown on the drawings but not clear if adequate to meet needs of area and consultation should be undertaken with Community Section of WCC to determine type of design / size of play space required for the play needs for younger and older children.
- Separate planning application – PRR18/1182 - submitted for part of lands with no objection in principle to the proposal for two separate applications but should permission be granted for the SHD component, PA recommends that residential units not be occupied until supermarket and other neighbourhood centre facilities/ services as appropriate is open to safeguard the delivery of much needed local retail services for local community;
- While quantum of floorspace accords with the LAP, number of units is not but not significant departure from the LAP objective and PA note that larger units may be more commercially viable with no objection in principle to the proposal as put forward by applicant;
- Phasing conditions could be attached to any grant of permission to ensure the completion of neighbourhood centre in advance of residential units;
- Applicant states that density of residential scheme is 68.9 units per hectare and the plot ratio of the residential scheme is 0.57 but precise basis for the calculations unclear and appears to exclude the public open space area;
- Plot ratio broadly consistent with the objectives of the LAP and CDP;
- Space required on northern side of SCR for two way cycle path and footpath and provision should be made for delivery of continuous footpath link along roadside boundary as part of proposal with 6m strip required from the road carriageway edge to the new roadside boundary.
- Proposed boundary treatments (including the proposed “stairs with steel handrail”) and the proposed/existing ground levels require consideration.

- Need to create visual distinction between new access road and Ard na Greine Road and considered width of the verge between the roads should be maximised and width of space given over to hard surfaced cyclepath/footpaths minimised and not clear that current design achieves a correct balance with alternative options outlined and further consultation with Roads section required;
- Further Information request in relation to PRR18/1182, the planning authority raised concerns in relation to the treatment of the interface between the Ard na Greine road and new access road with applicant providing a section drawing referring to level differences between Ard na Greine and new road and the proposal for a c 4.7m wide strip of hedging and tree planting;
- Greenway broadly in accordance with concept plan for the greenway presented in LAP but not clear that the greenroute is satisfactory width and vegetated to perform function as part of larger greenway;
- Proposed emergency vehicle exit shown between housing development and Ard na Greine with concerns that this blurs interface between these areas and should be no thru' route between Ard na Greine and new access road to the SCR;
- Connection points for pedestrians and cyclists are required on the eastern boundary to adjoining developments;
- Introduction of a gate/ access point onto SE corner of site onto the SCR (subject to satisfactory levels etc) to promote permeability, desirable that provision made for future new pedestrian link between existing cul-de-sac at Mountainview Drive (near NW corner of the site) and new neighbourhood centre;
- New access road is long straight road that may encourage speeding with consideration required to altering the design / introducing design measures to assist in reducing speeds.
- Consideration should be given to the issues raised in the WCC Roads Report.
- Mix of 1 bed, 2 bed, 3 bed and 4 bed units proposed but mix is predominantly 1 and 2 bed apartments.
- Consideration should be given to the introduction of one or two smaller bungalows to cater for different housing needs, in accordance with HD15.

- Part V - Council's preference is for houses with policy for not more than 4 Part V units together and provision of all Part V units at same location not in accordance with Council policy and noted that a Key Housing Principle set out in Section 4.3 of the CDP is to promote social integration.
- Provision of apartments on northern Special lands does not comply with HD13.
- Scheme to be constructed below the level of SCR and to improve the presence of the scheme, consideration could be given to the introduction of a first floor above the retail units and a north south section drawing through SCR to public open space to show how transition of levels can be achieved useful;
- Site layout shows 1.8m block wall to be constructed along the SCR to screen the service yard and crèche, however Design Rationale states that railings are provided to the roadside boundary of the crèche in order to maximise animation and sunlight with clarification required and to promote an interesting and more vibrant presence, railings are preferred treatment.
- Crèche building at prominent location addressing the SCR, plaza and the carparking/ front of the neighbourhood centre, consideration required to introduction of design measures such as signage, relocation of main entrance points etc. to maximise presence of eastern elevation along plaza.
- Retaining wall proposed around south and west perimeter of apartments with sections, elevations etc submitted with any application to demonstrate that visual impact of all retaining structures are acceptable.
- Concerns regarding design of surface water network at NW part of the site and possibility of allowing for possible future pedestrian link to Mountainview Drive, and concerns raised in relation to the proposed emergency vehicular link, but need to maintain a pedestrian link to the Ard na Greine Road at the more northern part of the site and PA request further consideration to design of layout of this part of the scheme.
- Area of public open space dedicated for sole use of the residents would not accord with required 15% appearing to be c.7.5% with applicant including greenway lands as part of their open space calculation, which once included means that 15% of the residential site area is provided as public open space.

- Scheme substantially complies with public open space standards in the CDP, however further clarity is required regarding basis of calculations.
- PA queries approach to 'section' off apartments from rest of scheme and whether better connections between apartments and public open space and neighbourhood centre could be provided.
- Applicant should demonstrate compliance with requirements for private open space required in CDP;
- Concerns that amount of communal open space provided accords with standards and applicant should demonstrate compliance and noted that all parking for the apartments at surface level with a considerable proportion of the site coverage of the apartment scheme devoted to parking;
- Shadow render diagrams would be useful to demonstrate that Blocks 2 and 4 would not be overshadowed.
- Due to separation distances between new and existing houses the development would not have a significant adverse impact on amenity of existing properties.
- Finished floor levels of adjoining properties in Mountainview Terrace of benefit.
- Applicant should demonstrate that a satisfactory number of spaces are provided for the overall neighbourhood centre (supermarket, retail and community services), and that assumptions / calculations regarding dual usage are detailed.
- MD Eng. concerns design and advised that a c 10m wayleave required and satisfactory space required between the new pipe and the site boundary, with introduction of wayleaves across private sites not ideal and preferable for new surface water pipe to be located on public open space or public road;
- Irish Water letter refers to 125 units, 5 retail units and community centre and letter does outline full extent of proposal, concerns in relation to a proposal for a pumping station in private ownership and should pumping station be proposed, written confirmation from IW required to take pumping stations in charge.
- PA notes that AA screening and EIA screening report submitted.

- Phasing plan required to ensure SLO area carried out as a single comprehensive development and delivery of social and recreational facilities in tandem with residential development;
- No impact on protected views.

6.3. Response from Prescribed Bodies

6.3.1. A response has been received from Irish Water and is appended to this report.

6.4. Consultation Meeting

6.4.1. A Section 5 Consultation meeting took place at the offices of An Bord Pleanála on the 19th March 2019, commencing at 14.30 PM. Representatives of the prospective applicant, the planning authority and An Bord Pleanála were in attendance. An agenda was issued by An Bord Pleanála prior to the meeting.

6.4.2. The main topics raised for discussion at the tripartite meeting were based on the Agenda that issued in advance and contained the following issues:

1. Development Strategy for the site to include inter alia:
 - road proposals and access strategy,
 - permeability and connections – internal and external,
 - layout, interfaces, urban form and urban edge,
 - parking, layout and open space,
 - design including materials and finishes
 - density
2. Zoning provisions and uses
3. Site services
4. Any other matters

6.4.3. In relation to development strategy for the site as outlined in point one above, An Bord Pleanála sought further elaboration/discussion/consideration of the following: that rationale for the provision of a roundabout as opposed to a signal controlled

junction having regard in particular to DMURS, the rationale for the creation of a road parallel to Ard na Greine and the potential for a vehicular link through same from the SCR to the Boghall Road, permeability and connections within the wider area to the proposed neighbourhood centre and permeability through the scheme, the creation of a strong urban edge to the SCR and the proposed interface with Ard na Greine, potential for greater height at the neighbourhood centre, potential connection to Mountainview Drive to the north, surface car parking dominating the site particularly around apartments, opportunity for more innovative car parking arrangements, open spaces adjoining car parking areas, density proposed including public open space is 58 units p/h, proposed materials and finishes,

- 6.4.4. In relation zoning provisions and uses An Bord Pleanála sought further elaboration/discussion/consideration of the following: the provision of residential in the neighbourhood zone, the community uses envisaged for the extent of community space proposed.
- 6.4.5. In relation site services An Bord Pleanála sought further elaboration/discussion/consideration of the following: the overflow pipe which is proposed to traverse proposed private gardens, Irish water requirements.
- 6.4.6. In relation any other matters An Bord Pleanála sought further elaboration/discussion/consideration of the following: Part V and Phasing of the proposal.
- 6.4.7. Both the prospective applicant and the planning authority were given an opportunity to comment and respond to the issues raised by the representatives of ABP. Those comments and responses are recorded in the 'Record of Meeting 303631' which is on file. I have fully considered the responses and comments of the prospective applicant and planning authority in preparing the Recommended Opinion hereunder.

7.0 **Conclusion & Recommendation**

- 7.1. Based on the entirety of the information before me, it would appear that the proposed development falls within the definition of Strategic Housing Development,

as set out in section 3 of the Planning and Development (Housing) and Residential Tenancies Act 2016.

- 7.2. I have examined all of the information and submissions before me including the documentation submitted by the prospective applicant, the submissions of the planning authority and the discussions which took place at the tripartite meeting. I have had regard to both national policy, via the s.28 Ministerial Guidelines, and local policy, via the statutory plan for the area.
- 7.3. Having regard to all of the above, I recommend that further consideration and/or possible amendment of the documents submitted are required at application stage in respect of the following elements: road proposals and connections and design, layout, open space and car parking; details of which are set out in the Recommended Opinion below.
- 7.4. Having regard to the above, I recommend that the Board serve a notice on the prospective applicant, pursuant to Section 6(7)(b) of the Planning and Development (Housing) and Residential Tenancies Act 2016, stating that it is of the opinion that the documentation submitted with the consultation request under section 5(5) of the Act requires further consideration and amendment in order to constitute a reasonable basis for an application under section 4 of the Planning and Development (Housing) and Residential Tenancies Act 2016.
- 7.5. I would also recommend that the prospective applicant be notified, pursuant to article 285(5)(b) of the 2017 Regulations, that specified information (as outlined hereunder) be submitted with any application for permission that may follow. I believe the specified information will assist the Board at application stage in its decision making process. I am also recommending that a number of prescribed bodies (as listed hereunder) be notified by the prospective applicant of the making of the application.

8.0 **Recommended Opinion**

- 8.1. An Bord Pleanála refers to your request pursuant to section 5 of the Planning and Development (Housing) and Residential Tenancies Act 2016. Section 6(7)(a) of the Act provides that the Board shall form an opinion as to whether the documents submitted with the consultation request (i) constitute a reasonable basis for an application under section 4 of the Act, or (ii) require further consideration and

amendment in order to constitute a reasonable basis for an application under section 4.

- 8.2. Following consideration of the issues raised during the consultation process, and having regard to the opinion of the planning authority, An Bord Pleanála is of the opinion that the documentation submitted requires further consideration and amendment to constitute a reasonable basis for an application for strategic housing development to An Bord Pleanála.
- 8.3. In the opinion of An Bord Pleanála, the following issues need to be addressed in the documents submitted to which section 5(5) of the Act of 2016 relates that could result in them constituting a reasonable basis for an application for strategic housing development:

Roads Proposals and Connections

1. Further consideration/justification of the documents as they relate to the strategy for roads and access to the proposed development particularly in relation to the 12 criteria set out in the Urban Design Manual which accompanies the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, 2009 and the Design Manual for Urban Roads and Streets. In this regard, further consideration and/or justification should be had to the configuration of the proposed junction arrangement with the Southern Cross Road, the potential to provide a vehicular connection from the Southern Cross Road through to the Boghall Road through Ard na Greine having regard in particular to the requirements of the proposed neighbourhood centre to serve the wider area, connections within the proposed residential development and public open spaces. Further consideration of these issues may require an amendment to the documents and/ or design proposals submitted.

Design, Layout, Open Space and Car Parking

2. Further justification/consideration of the development strategy as it relates to the interface of the site with the Southern Cross Road and any proposed road arrangement to the west of the site. In this regard, further consideration is required of the configuration of the layout particularly in respect of the nature and scale of the built form and the legibility and presence of blocks as they address the Southern Cross Road and any proposed road arrangement to the west in addition to the

treatment of public open spaces so as to maximise natural surveillance, coherence of unit types proposed particularly in respect of the design of the proposed housing units, maximising the appropriate use of the site area and consideration of innovative car parking design so as to avoid large areas of surface car parking, internal permeability and connections within the site, boundary treatments and the avoidance of cul-de-sacs. Further consideration of these issues may require an amendment to the documents and/or design proposals submitted.

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 report that specifically addresses the proposed materials and finishes of the proposed structures including specific detailing of finishes, openings and privacy screening, the treatment of private amenity areas, commercial facades, landscaped areas, pathways, entrances and boundary treatment/s. 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, avoiding blank facades and creating active frontages and corners. The documents should also have regard to the long term management and maintenance of the proposed development.
2. A report which outlines the proposed community uses providing a balance between the community requirements and long term viability in terms of both uses and areas dedicated to same. The report should also outline how it is proposed to manage and maintain the space/s in the future.
3. A mobility management framework and car parking rationale for the proposed development which should have regard to existing public transport which serves the area.
4. Full and complete drawings including levels and cross sections showing the proposed relationship between the development and adjacent residential units, public pathways and interfaces with the public realm.

5. A detailed schedule of accommodation which shall indicate compliance with relevant standards in the Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities' 2018.
6. A life cycle report shall be submitted in accordance with Section 6.3 of the Sustainable Urban Housing: Design Standards for New Apartments (2018).
7. A site layout that details any areas to be taken in charge by the local authority.

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. National Transport Authority
2. Transport Infrastructure Ireland
3. Minister for Culture, Heritage and the Gaeltacht
4. Heritage Council
5. An Taisce — the National Trust for Ireland
6. Irish Water
7. 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.

Una Crosse
Senior Planning Inspector

March 2019