



An
Bord
Pleanála

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

Inspector's Report on Recommended Opinion ABP-308945-20

Strategic Housing Development	607 no. residential units (405 no. houses, 202 no. apartments) with a creche and all associated site works.
Location	Coolgad, Greystones, Co. Wicklow.
Planning Authority	Wicklow County Council
Prospective Applicant	Cairn Homes Properties Limited
Date of Consultation Meeting	23 rd February 2021
Date of Site Inspection	15 th February 2021
Inspector	Elaine Power

1.0 Introduction

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 site is located at Coolgad to the north west of Greystones town centre. The site is located approx. 8km south of Bray and 27km south of Dublin. It is located approx. 2.3km from the Greystones DART station and 2.6km north east of the N11 junction with Glen Road (Delgany).
- 2.2. The site is generally L-shape with a stated area of 24.8ha. It is a greenfield site which is elevated and undulating. It comprises a number of agricultural fields mainly subdivided by hedges and trees. There is a stream centrally located in the site which flows in an east-west direction.
- 2.3. It is bound to the north, south and west by agricultural lands. To the east the site wraps around recently completed residential estates Waverly and Seagreen, a school campus and 2 no. detached dwellings with associated agricultural buildings. The eastern portion of the site is also bound by the R761. Further east, on the opposite side of the R761 is the Blacklion neighbourhood centre which includes a supermarket and a number of shops, retail units and cafes.

3.0 Proposed Strategic Housing Development

- 3.1.1. A 7-year permission is proposed for a development comprising 607 no. residential units, 405 no. houses and 202 no. apartments, 733sqm creche and 258sqm community facility.

3.1.2. The following details as submitted by the applicant are noted:

Parameter	Site Proposal
Application Site Area	24.8 ha gross / 17.1 ha net
No. of Units	607 (405 no. houses and 202 apartments / duplexes).
Density	35.4 units per ha
Other Uses	Creche (733sqm) Community use (285sqm)
Open Space	2.35 ha of active open space and 1.85 ha of public open space.
Height	2-storey houses 3 storey duplexes 4 storey apartments
Car Parking	1085 no. spaces
Bicycle Parking	563 no. spaces
Vehicular Access	new vehicular access from the R761

3.1.3. The breakdown of unit types as follows: -

Unit Type	1-bed	2-bed	3-bed	4-bed	Total
Houses	-	-	300	105	405
Apartments	20	116	66	-	202
Total	20	116	366	105	607
% Total	3.3%	19.1%	60.3%	17.3%	-

3.1.4. The proposed creche and community building are located at the site's eastern boundary with the R761 adjacent to the proposed new vehicular access. An area of publicly available active open space (2.35ha) is proposed between the creche and community uses and the residential dwellings. The residential units are generally provided in linear rows with a north south direction. The rows of residential units

generally follow the topography of the site with the higher levels located to the west (rear) of the site. A linear area of public open space (1.85ha) is provided through the centre of the site. There is also an existing stream which runs through the site in an east-west direction. It is proposed that this stream would remain open and form part of the public open space. The proposed layout allows for future pedestrian and cycle linkages to adjoining lands.

- 3.1.5. The development includes a new junction with the R761, landscaped private and public open spaces, boundary treatment, lighting, play area, ESB substation, site drainage works and all ancillary site development works.

4.0 Policy Context

4.1. ***Greystones- Delgany and Kilcoole Local Area Plan 2013 – 2019 (as extended)***

The subject site is located within the settlement boundary of Greystones - Delgany. The plan envisions that Greystones would develop in a sustainable manner at a relatively large-scale in accordance with its role as a county significant 'growth' town. In accordance with the Settlement Strategy, as set out in the development plan, Greystones-Delgany can accommodate a high level of housing growth, from a current population of approximately 17,208 to a target population of 21,000 by 2016 and 24,000 by 2022.

The site is subject to 4 no. different zoning objectives as follows:

R22: Residential with the associated land use objective '*to provide for the development of sustainable residential communities up to a maximum density of 22 units per hectare and to preserve and protect residential amenity*'.

R17: Residential with the associated land use objective '*to provide for the development of sustainable residential communities up to a maximum density of 17 units per hectare and to preserve and protect residential amenity*'.

OS: Open Space with the associated land use objective '*to preserve, provide for and improve public and private open space for recreational amenity and passive open space*'.

AOS: Active Open Space with the associated land use objective '*to provide for active recreational open space*'.

There is also an objective to provide a community use building on the north eastern portion of the site, adjacent to the R761 and an objective to provide a distributor road along the northern boundary of the site which in the long term would link the R761 with the N11.

The subject site also forms part of a the AP1: - Coolgad Action Plan. The action plan area is c. 34ha in size comprising a mix of uses including residential, community and open space, in accordance with the following:

- c. 29ha for the development of residential units.
- A minimum of 4ha of land shall be provided for active open space including public park, MUGA and playground, in accordance with the requirements of the Community and Enterprise Section of the Council.
- A community centre and/or other community facility/facilities shall be provided to serve the communities of this area. In determining requirements for community facilities, a community services audit shall be carried out and consultation shall be undertaken with the Community and Enterprise Section of the Council.
- A new road shall be provided for local access to zoned lands and shall be designed to facilitate the achievement of the long term objective to provide a northern access route from Greystones to the N11, in accordance with roads objective RO1, 'Section 7: Transport and Service Infrastructure' of this plan.
- Greenroutes shall be provided throughout the area to link residential areas with community infrastructure, schools, adjoining housing lands and the Blacklion neighbourhood centre.
- The residential amenity of existing and future adjoining properties shall be protected.
- Protection of natural and built heritage, including rivers and trees.
- In designing the development of this area attention shall be paid to reducing the visual impact of the development on views towards Kindlestown Hill, from the R761. In particular, development on lands to the west of the Blacklion Action Plan shall be of a design and layout that is appropriate to the topography of the

site and the necessity to ensure there is a visual transition between these developed lands and the unzoned agricultural lands / Kindlestown Hill to the rear of the site.

- Regard shall be paid to ensuring appropriate links and transition of scale, design and layout of housing, with lands adjoining the boundary of the Action Plan, including lands within

Relevant policies of the plan include the following: -

RES2: *Notwithstanding the zoning of land for residential purposes, the development management process shall monitor and implement the population targets for Greystones-Delgany and Kilcoole as set out in the Wicklow County Development Plan, and shall phase and restrict, where necessary, the granting of residential planning permissions to ensure these targets are not exceeded.*

RES4: *Where a housing development is adjoining future development lands or provides the only possible access route to other lands, new roads will be required to be designed to ensure that future access to other lands can be facilitated. This objective shall be applied to zoned lands at Kindlestown Upper. An indicative through access route is indicated on Map A.*

RES5: *On undeveloped residentially zoned land, it is an objective of the Council to provide for the development of sustainable residential communities up to a maximum density, as prescribed by the land use zoning objectives indicated on Map A and described in 'Table 11.1: Zoning Matrix'.*

RES7: *Notwithstanding the zoning objectives set out within this plan, lower density residential developments may be required at certain locations; where by virtue of environmental, topographical and service constraints, including lack of public mains infrastructure, poor road access, steep gradients, flooding issues and significant coverage of natural biodiversity; a lower density of development is preferable. This objective applies to all land zonings within the plan area.*

RES13: *There is a shortfall of affordable family-type homes (e.g. three to four bedroom houses on small to medium sized plots, generally semi-detached in nature, typically not more than 125m² in floor area) within the Greystones-Delgany area. As such, there*

shall be a preference for the development of these types of housing units within this plan area.

TS1: *Ensure that a reliable and effective water services, drainage, energy, waste management, recycling and communications infrastructure is put in place to service the existing and future development needs of the settlements, in a manner that protects the quality of the environment, and to allow for the improvement of public services and public utility installations.*

TS2: *All new development shall be required to connect to the public mains systems for water supply and waste water collection and disposal...*

RO1 *Reserve a land corridor to provide for a new road from the R761 at Sea View to lands within AP1: Coolagad Action Plan. The new road shall provide local access to zoned lands within the lifetime of the plan and shall, subject to feasibility, need and design, in the long term provide a northern access route from Greystones to the N11.*

4.2. Wicklow County Development Plan 2016 - 2022

Greystones is identified as a Level 3 Growth Town within the Metropolitan Area. The settlement hierarchy (Table 2.1) notes it as a strong active growth town, economically vibrant with high quality transport links to larger towns/city. The town is located on the DART/rail line and has good quality bus links and has easy access onto the M/N11 road. Greystones forms part of the 'Bray/Cherrywood/Greystones Core Economic Area'.

Table 2.7 notes that there are 6,637 no. existing residential units in Greystones and sets out targets of 8,321 no. housing units by 2022 and 10,138 by 2028, which is an 11.2% increase between 2011 – 2028. Table 2.8 notes there is a shortfall of zoned lands in Greystones to accommodate the proposed population growth outlined in the core strategy. It is considered that a future LAP for the town would address the zoning shortfall.

Section 4.3.2 – Zoning sets out guiding principles for the zoning / designation of greenfield land for new housing. Section 4.3.4 – Densities notes that it is an objective of the Council to encourage higher residential densities at suitable locations,

particularly close to existing or proposed major public transport corridors and nodes, and in proximity to major centres of activity such as town and neighbourhood centres.

Objective HD13 *Apartments generally will only be permitted within the designated centres in settlements (i.e. designated town, village or neighbourhood centres), on mixed use designated lands (that are suitable for residential uses as part of the mix component) or within 10 minutes walking distance of a train or light rail station.*

Objective HD15 *Within medium to large scale housing developments, a range of unit types / sizes shall be provided, including bungalows (this requirement does not apply to apartment only developments).*

Objective NH 1: *To ensure that the impact of new developments on biodiversity is minimised and to require measure for the protection and enhancement of biodiversity in all proposals for large developments.*

The following are also considered relevant, Settlement Strategy Objectives SS1, SS3, SS4 and SS5, Housing Objectives HD1, HD2, HD3 and HD5, Archaeology Objectives BH1, BH2 and BH3. Chapters 9: Infrastructure, 10: Heritage and Appendix 1: Development Design Standards are also considered relevant.

4.3. **Regional Spatial and Economic Strategy for the Eastern and Midland Region, 2019 - 2031**

The RSES is underpinned by key principles that reflect the three pillars of sustainability: Social, Environmental and Economic, and expressed in a manner which best reflects the challenges and opportunities of the Region. It is a key principle of the strategy to promote people's quality of life through the creation of healthy and attractive places to live, work, visit and study in.

Section 4.7 - Self Sustaining Growth Towns and Self-Sustaining Towns notes that these towns support the regional driver of Key Towns and act as important local drivers, providing a range of functions for their residential population and surrounding catchment, including housing, local employment, services, retail and leisure opportunities.

The site is located within the 'Dublin Metropolitan Area'. The Metropolitan Area Strategic Plan (MASP), which is part of the RSES, seeks to focus on a number of large strategic sites, based on key corridors that will deliver significant development in an integrated and sustainable fashion. The plan sets out an integrated land use and transportation strategy for the sequential development of the metropolitan area, focussed on: the consolidation of Dublin City and suburbs; the key towns of Swords, Maynooth and Bray ; and the planned development of strategic development areas in Donabate, Dunboyne, Leixlip and Greystones. Key transport infrastructure investments include the continuing of DART services to Greystones and the delivery of a strategic park and ride at Greystones.

The following RPOs are of particular relevance:

RPO 5.4: *Future development of strategic residential development areas within the Dublin Metropolitan Area shall provide for higher densities and qualitative standards set out in the 'Sustainable Residential Development in Urban Areas'. 'Sustainable Urban Housing; Design Standards for New Apartment' Guidelines, and Draft 'Urban Development and Building Heights Guidelines for Planning Authorities'.*

RPO 5.5: *Future residential development in the Dublin Metropolitan Area shall follow a clear sequential approach, with a primary focus on the consolidation of Dublin and suburbs, supported by the development of Key Metropolitan Towns in a sequential manner as set out in the Dublin Area Strategic Plan (MASP) and in line with the overall settlement strategy for the RSES.*

4.4. National Planning Framework (2018)

The National Planning Framework addresses the issue of 'making stronger urban places' and sets out a range of objectives which it considers would support the creation of high quality urban places and increased residential densities in appropriate locations while improving quality of life and place. Relevant Policy Objectives include

- National Policy Objective 4: Ensure the creation of attractive, liveable, well designed, high quality urban places that are home to diverse and integrated communities that enjoy a high quality of life and well-being.

- National Policy Objective 13: 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.
- National Policy Objective 33: Prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location.
- National Policy Objective 35: Increase residential density 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.

4.5. **Section 28 Ministerial Guidelines**

The following is a list of section 28 Ministerial Guidelines considered of relevance to the proposed development. Specific policies and objectives are referenced within the assessment where appropriate.

- Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities, 2020
- Guidelines for Planning Authorities on Sustainable Residential Development in Urban Area, 2009
- Urban Development and Building Heights Guidelines, 2018
- Urban Design Manual, A Best Practice, 2009
- Design Manual for Urban Roads and Streets, 2013
- The Planning System and Flood Risk Management Guidelines, 2008
- Childcare Facilities – Guidelines for Planning Authorities 2001 and Circular PL3/2016 – Childcare facilities operating under the Early Childhood Care and Education (ECCE) Scheme

5.0 Section 247 Consultation(s) with Planning Authority

5.1. *Wicklow County Council*

It is stated by the prospective applicant that a formal pre-planning consultation meeting took place with the Planning Authority in relation to the proposed development on the 22nd September 2020. A summary of the consultants is outlined below: -

- The increased density is not in accordance with the zoning objectives in the LAP.
- Community centre should be provided at an earlier stage and not in the final phase of development.
- It is noted that the topography and location of the stream restricts the layout, however, there are concerns that the layout is very linear and should be reconsidered.
- There is a need to engage with Community and Enterprise Section with regard to the community use building.
- A creche would be required to serve the development. The applicant should engage with Wicklow Childcare Committee.
- Connectivity to Waverly should be retained. This estate is not currently taken in charge.
- The provision of public open space is welcomed. This space should be continued to the site boundary and pedestrian and cycle links only should be available through this area.
- Connectivity to adjoining sites should be provided at suitable locations.
- Justification for the proposed layout and how it relates to the objectives of the Action Area Plan.
- No objection to a 10 year permission, however, it needs to be justified.
- Road Objective R01 to provide a road along the northern portion of the site is still in place.
- Ensure new junction on the R761 accords with DMURS and amend design is required.
- Consideration of car parking requirements for school and graveyard which may be accommodated within the site.
- Roundabout on the R761 should be designed to incorporate cycle route.

- Additional traffic lights on the R761 could cause further delays in Greystones. The design of the main entrance should be given adequate consideration.
- Issues of flooding downstream need to be addressed. Any assessment needs to include both off site impacts and the Coolagad Hill. It was indicated to the applicant that all surface water flow discharge could result in flooding of private properties downstream.
- Stream need to be retained as an open watercourse.
- Difficulty with gravity foul water sewer, there may be a need for a pumping station. This would not be taken in charge by the local authority. Need confirmation that Irish Water would take it in charge.
- No objection to public water supply
- The development would provide for distinct character areas with 15% open space provided. There is a need for significant cut and fill.
- Consideration of the visual impact.

Full details of the meetings are included in the planning authority's submission.

6.0 Planning History

Subject Site:

None

Surrounding Sites:

Waverly: There are a number of planning permissions relating to the adjoining 'Waverly' residential estate, which bounds the subject site to the east. The most relevant applications are noted below.

- *ABP PL27.230050, Reg. Ref. 07/2799:* Permission was granted in 2009 for the construction of 159 no. residential units.
- *ABP PL27.239380, Reg. Ref. 11/4336:* Permission was granted in 2011 for amendments to PL27.230050 to provide 104 no. houses.
- *Reg. Ref. 14/1925:* Permission was granted in 2015 for the construction of 130 no. houses and a 244sqm creche.

Seagreen: There are a number of planning permissions relating to the adjoining 'Seagreen' residential estate, which bounds the subject site to the south east. The most relevant applications are noted below.

- *Reg. Ref. 14/1031:* Permission was granted in 2014 for the demolition of an existing dwelling and agricultural buildings and the construction of 187 no. houses and a 410sqm creche. An extension of duration of permission was granted in 2019 under reg. Ref. 19/1089

School Complex: There are a number of applications relating to the 3 no. school sites located to the south and east of the subject site. The most relevant applications are noted below.

- *Reg. Ref. 12/6589:* Permission was granted in 2012 for a 3,125sqm Educate Together school building and a 473sqm extension to the existing Gaelscoil na Gcloch Liath
- *Reg. Ref. 13/8103:* Permission was granted in 2013 for a 7,997sqm post primary school (Temple Carrig)
- *Reg. Ref. 15/608:* Permission was granted in 2015 for a 215sqm extension to the existing school at Greystones Educate Together National School.

7.0 Submissions Received

Irish Water: In respect of wastewater a study is needed to determine the extent of upgrades required to the network and the Victor Road Pump Station (PS). Connection point for this development will be determined as part of the required study. The applicant is required to complete and submit results of the study to Irish Water to agree final solution prior to progressing the SHD application. The cost of the study/survey(s) will be borne by the applicant.

In respect of water approx. 200m of an existing 4 Inch watermain must be upsized to 200mm. There are no plans to upgrade its network in this area. Should the applicant wish to progress with the connection they will be required to fund this network upgrade.

8.0 Forming of the Opinion

8.1. Pursuant to section 6(7) of the Act of 2016, regard is had in the forming of the opinion to the documentation submitted by the prospective applicant; the Planning Authority submission and the discussions which took place during the tripartite consultation meeting. I shall provide a brief detail on each of these elements hereunder.

8.2. *Documentation Submitted by Applicant*

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.

The information submitted included the following: SHD application form, Planning Report - Statement of Consistency and Material Contravention Statement, Architectural Design Statement, Preliminary Environmental Scoping Report, Appropriate Assessment Screening Report, Preliminary Tree Survey and Report, Draft Landscape and Visual Impact Assessment, Landscape Report and Outline Landscape Specification, Traffic and Transport Assessment, Engineering Design Report, Preliminary Flood Risk Assessment, Social Infrastructure Report, Verified Views and Part V details.

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. This statement has been submitted, as required.

I have reviewed and considered all of the documents and drawings submitted.

9.0 Planning Authority's Submissions

9.1. *Wicklow County Council*

In compliance with section 6(4)(b) of the Act of 2016 the planning authority for the area in which the proposed development is located, Wicklow County Council, submitted a

note of their section 247 consultations with the prospective applicant and also submitted their opinion in relation to the proposal. These were received by An Bord Pleanála on 23rd October 2020.

Wicklow County Council's written opinion includes relevant policy context, details of pre-planning, departmental reports and an assessment of the proposed development. The content of the report is summarised as follows:

Core Strategy: The quantum of development proposed would exceed the indicative target for 2022, however, it would be within the current core strategy target up to 2028 as set out in the current Wicklow County Development and the Draft development plan which is expected to go on display in February / March 2021.

Zoning: The site is zoned in the LAP to provide for residential and open space uses with an indicative community zoning identified within the open space area. An Action Area was agreed in 2016. While the proposal generally accords with the zoning objectives it does not accord with the provisions of the Action Plan. The overscale of the development, the impact on the required visual transition to the undeveloped agricultural lands and the phasing of development would materially contravene the LAP.

Intensity of Development: The development as proposed significantly exceeds the density standards in the LAP. Having regard to the edge of centre location and the sites topography, the suitability of this site for increased intensity needs to be considered, having regard to the potential negative impact on existing and future residents, visual impact and disturbance to the existing topography.

Layout / Design and Visual Amenity:

- The location of open space areas is considered appropriate.
- Re-consideration of the road layout to avoid long linear road and looping road, which could result in excessive speeding.
- Further details regarding the locations of areas to be cut and filled and a clear estimation of where materials are to be reused or stored on site. The placement of materials in future open space areas should be avoided and neither should materials be stockpiled in significant mounds.

- The level differences within the site results in a number of concerns in particular back to back housing, relationship of housing and open space, impact / relationship at boundary locations. There is a level difference of 5m in some locations within limited depth to rear gardens. This could result in undue overlooking and overshadowing.
- Due to level difference within the site there are concerns regarding the impact on the existing residents within Waverly estate.
- Additional and more detailed cross sections are required both within and through the site. Details of retaining walls / features are also required.
- A visual assessment of is required to show the impact of the varying house levels on future vistas within the site. Additional assessment of views from Blacklion junction and school areas.
- Additional details of future access to school lands and into Waverly to allow for pedestrian movements.
- Details of all boundary treatments are required.
- A layout indicating the sites contours should be submitted for ease of reference.

House Type and Tenure: The house designs are not considered sufficiently divergent between character areas to ensure distinct placemaking. The provision of a number of single storey units should be considered to ensure a suitable variety of unit types.

Public Open Space: The provision of 18% of the overall site as public open space accords with development plan standards. The overall location of open space is generally acceptable. Spaces should be designed and landscaped to ensure they are usable. Full cross sections of public open space and their relationship with roads, housing and site boundaries should be assessed.

Private Open Space: Adequate private and communal open space has been provided, however, due to the sites topography there are concerns that open space could be compromised in terms of usability. All areas of private open space should be suitably designed / landscaped to ensure usability particularly in terms of gradient. Given the significant level changes between back to back housing, retaining features will be required. The location and details of all retaining structures should be identified.

Childcare / Community Use / Schools:

- The provision of a creche and community use would not be considered in accordance with the Action Area Plan objectives.
- The community use should be of a scale that serves both the proposed development and the wider area and should include toilets and food preparation areas.
- The creche location is considered inappropriate and should be located within the development it would serve. The scale of the creche should be agreed Wicklow County Childcare Committee.
- The provision of the creche and community use as part of the final phase is inappropriate and should be justified.
- the capacity / availability of schools to service this development needs further analysis.

Phasing: The proposed phasing does not accord with the LAP or the Agreed Action Area. Further clarity is required. The phasing plan should identify upgrades to the road / pedestrian network for each phase and the number of units to be provided prior to the provision of the creche and community use.

Roads and Accessibility: Comments of the Roads Department should be noted. The receiving environment is insufficient to cater for the development. the following are required: -

- The upgrade of the R761 Bray to Greystones Cycle route
- The upgrade of the R761 Blacklion cycle track provision
- The Chapel Road Upgrade Scheme
- The R761 Redford Junction

Road Design:

- The layout should comply with Objective RO1 to provide a road entirely within the site and not have a portion of the site provided off site as indicated.
- The location of the proposed entrance should be justified.
- The layout should be reconsidered having regard to cycle facilities.
- The roads are linear which would lead to undesirable speeding.
- Concern regarding long and straight roads and junction layouts.

- Entrance details and sightlines are required.
- Completion of connections for the proposed pedestrian routes should be considered.
- The feasibility of future road links should be considered.
- Links over the stream should be by way of bridges and not culverts to minimise the impact on the existing stream ecology.
- A street design audit in accordance with DMURS should be provided.
- Alternative route for construction traffic should be considered until the Chapel Road Upgrade Scheme is complete.

Mobility Management Plan: Further examination of the mobility management plan is required. Consideration of a private bus service to and from the town centre at peak times should be investigated.

Pedestrian / Cycle Facilities: Compliance with the 'greenroute' network as set out in the LAP should be detailed as the layout would not appear to be fully compliant.

Car Parking: Car parking should be in accordance with development plan standards. The quantum of parking for the residential units is generally acceptable. a justification for the creche / community use parking should be justified. Parking should be provided for the Active Open Space and adjoining public open space.

Bicycle Parking: Bicycle parking for the residential element is acceptable. parking should be provided for the creche, community use building and active open space.

Drainage / Flooding: Comments of the Municipal District Engineer should be noted.

- The Flood Risk Assessment needs to fully assess the effect of the loss of greenfield attenuation.
- Further technical examination is required regarding the location and flow of drainage ditches and outfalls.
- Storm sewers should not be located in rear private amenity space.
- Existing piped spring along the south eastern boundary should be reopened and incorporated into the open space of the development.

Wastewater Treatment: Concerns in respect of the suitability of connecting to the public foul sewer. The provision of a pumping station to offset any deficiencies is not considered appropriate.

Street Lighting: should be designed and laid out in accordance with Wicklow County Councils standards.

Part V: proposals should be in line with the Wicklow County Councils Part V policy.

Taking in Charge: the proposed taking in charge map is not acceptable due to privately owned on-street car parking spaces. This is not feasible or practical.

Environmental Impact Assessment / Appropriate Assessment: The submitted reports are noted.

In conclusion, it is the Planning Authority's Opinion that: -

- The density would materially contravene the zoning objectives of the LAP
- The development would materially contravene Action Area Plan AP1 provisions of the LAP.
- The community facility would not accord with the Action Area Plan of the AP1 and would not appear to be properly sized to meet the needs of the wider area, and should be designed to ensure it is appropriate for community use.
- Having regard to the topography of the site and the proposed layout, it is considered that the development would have a negative impact on the amenities of existing and future residents and would not result in an appropriate graduation between the urban area and rural fringe.
- The development is considered premature pending a number of upgrades to the Greystones road network.
- The development is considered premature pending upgrade of the public sewerage infrastructure in the area.

10.0 The Consultation Meeting

10.1. A Section 5 Consultation meeting took place via a Conference Call on the 23rd February 2021, commencing at 14.35. Representatives of the prospective applicant,

both Planning Authorities and An Bord Pleanála were in attendance. An agenda was issued by An Bord Pleanála prior to the meeting.

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

Item 1: In relation to the **Core Strategy** set out in the Wicklow County Development Plan 2017 – 2023 and the proposed **Phasing** of the development, ABP representatives sought further elaboration / discussion / consideration on the following:

- Rational of the proposed development having regard to the number of units allocated to Greystones in the core strategy of the Wicklow County Development Plan.
- Consideration of the phasing of the development having regard to the proposed number of units and the provision of adequate physical and social infrastructure to support the development.
- Consideration of any material contravention of the Development Plans or the Greystones-Delgany and Kilcoole Local Area Plan.

Item 2: In relation to the **Development Strategy**, ABP representatives sought further elaboration / discussion / consideration on the following:

- Rationale for the proposed design and layout in particular the linear pattern of development.
- Rationale for the proposed extensive internal road network and the omission of a road along the northern boundary of the site in accordance with objective RO1 of the Area Action Plan for the site which forms part of the LAP.
- Consideration of the location of the apartment / duplex units.
- Rationale and clear justification for the density of the scheme having regard to national guidance.
- Consideration of residential amenity having regard to the topography on site and the potential for significant level differences between neighbouring properties.
- Consideration of retaining features required within and along the boundaries of the site.

- Justification for the proposed housing mix.
- Consideration of proposed materials and character areas within the scheme having regard to the elevated and highly visible location.
- Consideration of the relationship between the central area of public open space and the adjoining road network, in particular boundary treatments and level differences.
- Consideration of the future connectivity and permeability to adjoining sites having regard to the topography of the site.

Item 3: In relation to the proposed level of **Social Infrastructure** associated with the apartment units ABP representatives sought further elaboration / discussion / consideration on the following:

- Justification / rationale for the location of the creche at the entrance to the development.
- Justification / rationale for the provision of a single building to accommodate both the creche and community use building.
- Consideration of the capacity of schools within the Greystones area, having regard to the proposed number and mix of residential units.
- Consideration of the capacity of existing social infrastructure within the Greystones area having regard to the proposed number of units.

Item 4: In relation to the **Transportation and Car Parking** ABP representatives sought further elaboration / discussion / consideration in relation to:

- Consideration of Objective RO1 of the Action Area Plan
- Consideration of the impact of traffic generated by the development on the surrounding road network and ensure the information provided in the traffic assessment is robust and evidence based.
- Consideration of any upgrades that may be required on the surrounding road network to accommodate the development.
- Rationale for the proposed level of car parking at the entrance to the site to serve the creche, community use building and the active open space.

Item 5: In relation to the **Water Services**, ABP representatives sought further elaboration / discussion / consideration in relation to:

- Consideration of the proposed layout having regard to the location of a number of watercourses within the site.
- Consideration of the proposed drainage network within the site and its impact on potential or perceived flooding downstream.
- Consideration of the report from Irish Water regarding the capacity of the wastewater network and the study that is required to ascertain the upgrades required to facilitate the development.

Item 6: In relation to the **Environmental Issues**, ABP representatives sought further elaboration / discussion / consideration in relation to:

- Clarification of cut and fill proposed within the site.
- Consideration of any potential impacts generated by the development on any designated sites.

Item 7: In relation to **Any Other Matters**, ABP representatives sought further elaboration / discussion / consideration in relation to:

- a) *Applicant:* Clarification regarding the external road upgrades that may be required to facilitate the development.
- b) *ABP:* Rational for how the density was being calculated.

10.3. The prospective applicant and the planning authority were given the 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 308945' 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.

11.0 Conclusion and Recommendation

11.1. 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.

- 11.2. 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 Section 28 Ministerial Guidelines, and local policy, via the statutory plan for the area.
- 11.3. 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.
- 11.4. 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.

12.0 Recommended Opinion

- 12.1. The Board 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.
- 12.2. 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.

Design and Layout

1. Further consideration / amendment or justification of the design and layout of the proposed scheme having regard to the following: -
 - the linear approach to the scheme, in particular the internal road network and the central area of public open space.
 - the potential negative impact on residential amenities, in terms of overlooking, overshadowing or overbearing impact, due to the topography of the site and the potential requirement for retaining features.
 - Roads Objective RO1 of the Local Area Plan to provide a new road from the R761 to the N11, through the northern portion of the site.
 - the dominance of the road network within the scheme and consideration of the provision of homezones and a reduction in the number of cul-de-sacs.
 - the location of existing watercourses on the site which currently run off to a culvert with limited capacity.
 - future connectivity to adjoining lands and the impact of the proposed scheme on the development potential of adjoining landholdings.

The revised documentation should provide a clear rationale or justification for the proposed design and layout and have regard to the 12 criteria set out in the Urban Design Manual.

Water Services

2. Further consideration / amendment of the design of storm water management proposals. A site-specific Flood Risk Assessment should be submitted. Further consideration of the concerns outlined in the report of Wicklow County Councils Greystones Municipal District Engineer dated the 20th January 2021.

3. Further consideration / amendments of the documents as they relate to foul water drainage proposals to service the development. The documents should provide details of necessary upgrade works required to facilitate the development to include, *inter alia*: plans and particulars, having regard to the wastewater network constraints raised by Irish Water in their report dated 18th January 2021.

Transportation

4. Further consideration / amendment of the documents as they relate to the potential impact of the proposed development on the surrounding road network. The revised documentation should include details of the proposed new access onto the R761, the capacity of the road network, available sightlines, pedestrian and cycle facilities, car parking requirements and should provide recommendations for potential improvements to the public road, if required. Further consideration of the concerns raised in the report of Wicklow County Councils Greystones Municipal District Engineer dated the 20th January 2021.
- 12.3. Pursuant to article 285(5)(b)(i) and (ii) of the Planning and Development (Strategic Housing Development) Regulations 2017, the prospective applicant is hereby notified that the **following specific information** should be submitted with any application for permission:
1. A report that addresses and provides a clear design rationale for the proposed design and character of residential units and details of the materials and finishes of the proposed development. Particular regard should be had to the requirement to provide high quality, robust and sustainable finishes and details which seek to create a distinctive character for the development, having regard to the highly visible location of the site.
 2. Clarification as to how the net density is being calculated. Details should include what areas are to be excluded (if any) in the density calculation and a justification for any such exclusions having regard to, *inter alia*, the Sustainable Residential Development in Urban Areas (2009).

3. A report that addresses and provides a clear rationale for the provision of a single building to accommodate both the creche and community facility. Revised documentation should include details of the long-term management of this building.
4. Childcare demand analysis, including but not restricted to the justification for size and location of the proposed crèche, having regard to existing childcare facilities in the vicinity of the site and the likely demand for childcare places resulting from the proposed development.
5. A landscape and permeability plan, with associated drawings including cross sections, clearly indicating the sites relationship with adjoining landholdings and how areas of public open space integrate with and enhance the development. Documentation should also include details of all boundary treatments.
6. A report that addresses and provides a justification for the proposed housing mix.
7. A building life cycle report in accordance with section 6.13 of the Sustainable Urban Housing: Design Standards for New Apartments (2020).
8. A site layout plan indicating what areas, if any, are to be taken in charge by the planning authority, and the phased delivery of such public open spaces.
9. A phasing plan for the proposed development which includes the phasing arrangements for the delivery of the public open spaces, community uses and Part V provision and demonstrates the requirement for a 7-year permission.
10. School Demand and Concentration Report, which identifies demand for school places likely to be generated by the proposal and the capacity of existing schools in the vicinity to cater for such demand.
11. Where the applicant considers that the proposed strategic housing development would materially contravene the relevant development plan or local area plan, other than in relation to the zoning of the land, a statement indicating the plan objective (s) concerned and why permission should, nonetheless, be granted for the proposed development, having regard to a consideration specified in section 37(2)(b) of the Planning and Development Act 2000. Notices published pursuant to Section 8(1)(a) of the Act of 2016 and

Article 292 (1) of the Regulations of 2017, shall refer to any such statement in the prescribed format. The notice and statement should clearly indicate which Planning Authority statutory plan it is proposed to materially contravene.

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. Department of Education and Skills
3. 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.

Elaine Power
Planning Inspector

2nd March 2021