

Strategic Housing Development at Coolagad, Greystones, Co. Wicklow

Planning Report, Statement of Consistency and Material Contravention

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Preamble

On behalf of the applicant, Cairn Homes Properties Ltd., this document, has been prepared to accompany a Strategic Housing Development (SHD) application to An Bord Pleanála under the Planning and Development (Housing) and Residential Tenancies Act, 2016, as amended, in relation to a site c 26.03 ha at Coolagad, Greystones. Co. Wicklow.

The document is structured as follows:

- Part A Planning Report
- Part B Statement of Consistency
- Part C Statement on Material Contravention

Part A

Part A of this report provides further details of the proposed development in relation to the location and context of the application site. In summary, the proposed development consists of 586 residential units (235 apartments and 351 houses) ranging from 2 to 4 storeys, a creche, community facility, provision of active open space, landscaping, a mix of surface and basement parking, ESB substation, site drainage works and all related site development works above and below ground including a new access onto the regional road R761 on a site c 26.03 ha at Coolagad, Greystones. Co. Wicklow.

Part B

This Statement of Consistency has been prepared in accordance with the requirements of the strategic housing development guidance document issued by An Bord Pleanála.

A Statement of Consistency must demonstrate the following:

- In the prospective applicant's opinion, the proposal is consistent with the relevant objectives of the Development Plan concerned. The statement should be accompanied by a list of the principal plan objectives considered by the prospective applicant in making the statement.
- In the prospective applicant's opinion, the proposal is consistent with the relevant planning scheme for a strategic development zone made under section 169 of the Act of 2000 (where applicable). This does not apply to this application.
- In the prospective applicant's opinion, the proposal is consistent with any relevant guidelines issued by the Minister under section 28 of the Act of 2000. The statement should be accompanied by a list of the guidelines considered by the prospective applicant in making the statement.

The Statement of Consistency demonstrates that the proposed development is substantially consistent with relevant national planning policy, guidelines issued under Section 28 of the Planning and Development Act, 2000, as amended, and with planning policy in the Wicklow County Development Plan 2016-2021 and the Greystones Delgany and Kilcoole Local Area Plan (LAP) 2013-2019. A Statement of Material Contravention accompanies the application.

This statement should be read in conjunction with the accompanying documentation prepared by McCrossan O'Rourke Manning (MCORM) Architects, Aecom, KFLA Landcape Architecture, 3D Design Bureau and Altamar Ltd. Further details of consistency with the quantitative standards for residential development in the Apartment Guidelines, 2018 are set out in the Schedule prepared by MCORM Architects.

An Environmental Impact Assessment Report is also submitted. It was prepared by MacCabe Durney Barnes, AECOM, EnviroGuide, Ait Urbanism + Landscape and IAC.

Part C

Section 9(6)(a) of the Planning and Development (Housing) and Residential Tenancies Act 2016 states that the Board may decide to grant a permission for a proposed strategic housing development in respect of an application where the development materially contravenes the development plan relating to the area concerned. Part C addresses matters that may be considered to potentially materially contravene the applicable County Development Plan and Local Area Plan, in accordance with Section 8(1)(a)(iv)(II) of the Planning and Development (Housing) and Residential Tenancies Act 2016, as amended and indicates why permission should, nonetheless, be granted having regard to a consideration specified in section 37(2)(b) of the Planning and Development Act 2000, as amended.

Part A – Planning Report

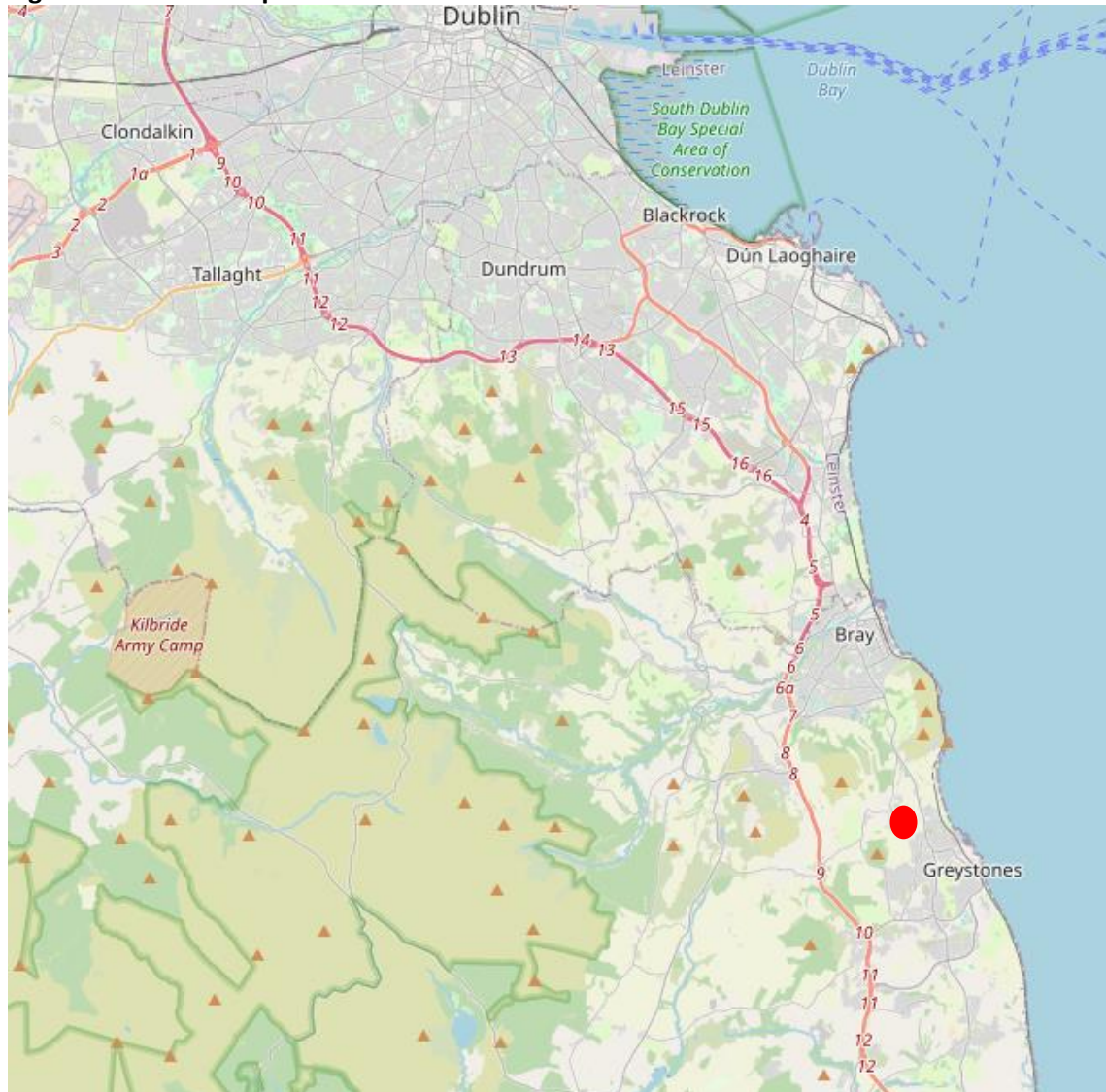
1 Introduction

1.1 Site Location and Description

The application site consists of a site c26.03 ha in Coolagad, Greystones Co.Wicklow.

Greystones is c 8 km south of Bray and 27 km south of Dublin and is connected to Dublin and Wexford with rail and bus connections and direct access to the N11 motorway.

Figure 1: Location map



Source: EPA mapping

Coolagad is c 2.1 km from the Dart station which is located at the southern end of the town. A bus stop is located on the R761 close to the site and school. The townland of Coolagad is in the Electoral Division of Delgany and is broadly rectangular in shape extending from the Regional Road R761 on the east to Templecarrig Road, west of Kindlestown Hill Upper.

To the south-east is the built-up area of Blacklion. To the north and west are agricultural lands. Opposite the existing entrance on the R761 is Redford Cemetery.

The application lands are broadly L shape and wrap around new schools, two detached properties, farm buildings and new residential estates to the south east known as Waverly and Sea Green. The site consists of a number of agricultural fields (sandstone and shale till) mainly bordered by hedges and trees with the exception of the north west boundary of the site which dissects a field in a north-south direction. The housing estates and schools to the south east are accessed from Blacklion Manor Road which runs in a south west direction off the R762 towards Delgany.

The red line boundary extends into Greystones. This is to allow for connection to the public sewer pipe under the R761/ Rathdown Road, into an existing 375mm combined sewer that flows eastwards in Victoria Road.

A stream flows in an east-west direction centrally on the site along the northern boundary of the largest field discharging into the sea at Greystones.

Figure 2: Aerial view of the application site shaded



Source: Google Earth

The application lands are located on the northern side of Greystones, west of the R761. Levels on site vary. Kindlestown Hill (c210m summit AOD) and wood is located to the west. The summit is c 600m west of the boundary of the application site. The irregular shape site has a terrain of sloping gradients from approximately the 93.5m contour at the north west of the site to the 40m contour to the north east section of the site adjacent to the regional road. The site slopes from north to south from the c 95m contour to c 81m in the centre of the site and then the site rises gradually to c 85 m contour at the southern boundary. Detailed level drawings accompany this application. An extract from the contour map in the vicinity of the application site is shown below.

Figure 3: Contour map



1.2 Transport

Coolagad is c 2.1 km from the Dart station which is located at the southern end of Greystones.

The closest bus stops are located along the R761 Rathdown Road. Two stops are located to the south of the R761 / Black Lion Manor Road / Redford Park junction adjacent to the Lidl store. These bus stops are operated by Dublin Bus, Go Ahead and Aircoach, who provide services to Dublin Airport. A further two bus stops are located approximately 70m north of the proposed R761 / Coolagad Link Road junction, although these are not serviced by the Aircoach service to Dublin Airport. The Transportation and Traffic Assessment illustrates the location of the bus stops in relation to the development with Table 2-1 to Table 2-5 detailing the number of services per day and the routes. A private night bus from Dublin to Bray / Greystones / Charlesland/ Kilcoole operates at weekends. Routes 84 (to Blackrock) and 184 (to Bray DART Station) operate the typical 18-hour day, 7 days / week, with reduced frequencies in the off-peak and weekends. As evidenced in the Coolagad Capacity Assessment report accompanying this application there is ample spare capacity on the bus services.

1.3 Amenities

The application site is close to a host of amenities:

- Shopping area (Lidl and other shops c 300m from proposed entrance at Blacklion)
- Pharmacy and dental (c 300m from proposed entrance)
- Public parks
- Schools
- Greystones marina
- Restaurants
- Places of worship
- Golf courses
- Sports grounds
- The Wicklow Mountains, Kindlestown Hill, Greystone to Bray cliff walk.

A Social Infrastructure Audit also forms part of the suite of documentation accompanying the application.

1.4 Planning Context

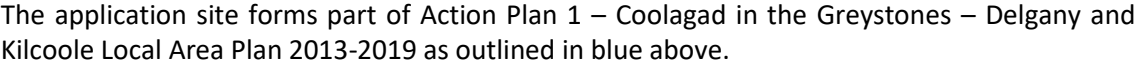
The application site is zoned through the Greystones-Delgany and Kilcoole Local Area Plan 2013-2019. Accordingly, several zonings apply to the site. These are:

- R17: '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
- R22: 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
- OS: To preserve, provide for and improve public and private open space for recreational amenity and passive open space
- AOS: To provide for active recreational open space

An identified CE block within the open space area to correspond with AP1 objectives is also showed on the map. CE 'Community and Education' seeks to provide for civic, community, institutional, health, educational facilities and burial grounds.

These are represented below:

Figure 4: AAP1 Coolagad outlined on an extract from the LAP zoning map with application site shaded (Extract from the Greystones LAP 2013-2019)



Unless specifically stated by the LAP, the applicable development management standards are those stated in Appendix 1 of the Wicklow County Development Plan 2016-2022.

This application has been prepared on the basis that An Bord Pleanála would assess and determine the application within 16 weeks of the application being made in accordance with section 7(2)(b)(ii) of the Planning and Development (Residential Tenancies) Act 2016. This period is covered by the Wicklow County Development Plan 2016-2022 which will remain in effect until the Wicklow County Development Plan 2022-2028 which should come into effect on the 5th September 2022.

The applicants kindly request that the Board assesses this application as a priority as it reflects the provisions of the current plan.

2 Proposed Development

2.1 Public Notice Description

We, Cairn Homes Properties Ltd, intend to apply to An Bord Pleanála for permission for a 7 year planning permission for a strategic housing development at this site of c.26.03ha at 'Coolagad', Greystones, Co. Wicklow . The application site is generally located to the west of the R761 Rathdown Road, north of Gate Lodge; north and west of Coolagad House, Temple Carrig School, Gaelscoil na gCloch Liath and Greystones Educate Together National School. The lands are bounded by Waverly Avenue and Seagreen Park residential areas to the east. Templecarrig Lower is located to the north of the lands and Kindlestown Upper to the west.

The development will consist of:

- *586 residential units including:*
 - *351 two storey houses (207 no. 3 bed, 140 no. 4 bed, 4 no. 5 bed) comprising detached, semi-detached and terraced units*
 - *203 no. apartments (65 no. 1 bed, 123 no. 2 bed, 15 no. 3 bed) provided within 6 no. blocks ranging from three to four-storey (over basement) with residential amenity facilities .*
 - *32 no. duplex units within 2 no. three-storey blocks (16 no. 2 bed and 16 no. 3 bed units)*
- *c. 5,192 sqm of communal open space is provided to serve the proposed apartment/duplex units;*
- *Community building (single storey) of 392 sq.m. with 29 car parking spaces, including changing rooms and a multipurpose room.*
- *Creche building of 734 sq.m. with 21 car parking spaces*
- *A new vehicular entrance, with signalised junction and pedestrian crossings, will be provided off the R761 (Rathdown Road). The new junction will be linked to the existing signalised junction at Blacklion Manor Road / Redford Park which has a planned upgrade by Wicklow County Council. Cycle lanes will be provided along this section of the R761 on both sides. A footpath will also be provided on its western side. Car parking will be provided to the east of the R761, in the front of Redford Cemetery.*
- *The new access will provide a distributor road as part of the long-term objective to provide a northern access route from Greystones to the N11.*
- *Car and bicycle parking spaces are provided as follows:*
 - *702 on curtilage car parking spaces for the houses; 206 car parking spaces at basement level and 5 at surface level for the apartments; and 32 spaces for the duplex units and 10 visitor spaces at surface level;*
 - *22 motorbike parking spaces;*
 - *436 resident and 118 visitor bicycle parking spaces are proposed in a mix of basement and surface levels for the apartment blocks and duplex units; 12 bicycle spaces are proposed for the creche, 12 for the community centre and 10 at the sport field.*
- *The development also includes site development infrastructure, a hierarchy of internal streets including bridges, cycle paths & footpaths; new watermain connection and foul and surface water drainage; the development also provides for the construction of a new public foul sewer along the R761/R762 from the site entrance as far as the R762 in front of St. Kevin's National School, Rathdown Road, Greystones.*

- *c.10.43ha open space to include a sport field, a MUGA, private, communal and public open spaces incorporating an existing stream, formal and informal play areas, and new boundary treatments.*
- *ESB substations/switchrooms, lighting, site drainage works and all ancillary site development works above and below ground.*

The application contains a statement setting out how the proposal will be consistent with the objectives of the relevant development plan (Wicklow County Development Plan, 2016-2022) and local area plan (Greystones-Delgany and Kilcoole Local Area Plan, 2013-2019).

The application contains a statement indicating why permission should be granted for the proposed development, having regard to a consideration specified in section 37(2)(b) of the Planning and Development Act, 2000, as amended, notwithstanding that the proposed development materially contravenes a relevant development plan or local area plan other than in relation to the zoning of the land.

An Environmental Impact Assessment Report and a Natura Impact Statement have been prepared in respect of the proposed development.

The application contains a statement setting out how the proposal will be consistent with the objectives of the relevant development plan (Wicklow County Development Plan 2016 – 2022) and Local Area Plan (Greystones-Delgany and Kilcoole Local Area Plan 2013-2019).

The application contains a statement indicating why permission should be granted for the proposed development, having regard to a consideration specified in section 37(2)(b) of the Planning and Development Act, 2000, as amended, notwithstanding that the proposed development materially contravenes a relevant development plan or local area plan other than in relation to the zoning of the land.

An Environmental Impact Assessment Report and a Natura Impact Statement have been prepared in respect of the proposed development.

2.2 Phasing and Duration

The development will be delivered within the 7 year timeframe of the permission in accordance with a proposed phasing is as follows:

- Phase 1 is split into two sub-phases: 1a and 1b. Together they will yield 194 units and the completion of the distributor road.
- Phase 2 will yield 72 units and the delivery of the open space and active open space.
- Phase 3 will yield 91 units, the creche and community facility.
- Phase 4 will yield 229 units.

The applicants are seeking a seven-year permission. The applicants expect construction staging of 5 phases over approximately 3 years, and potentially extending to 7 years. The pace and timing of the phasing is highly dependent on unpredictable market conditions. The overall site design and phasing strategy takes account of the infrastructure and open space provisions together with the proportional provision of Part V dwellings, creche and community facility. However, it is feasible that market conditions would require alterations to any programme

which is specified at this time and it is likely that it will be reviewed in the course of construction, if required.

2.3 Detailed Description

Table 1: Key Statistics

Development Parameter	Summary
Parameter Site Proposal	26.03 ha gross; 16.33 ha net
No. of residential units	586
No. of houses: 351 units comprising:	207 no. 3-bed 140 no. 4-bed 4 no. 5-bed
No. of apartments: 235 units comprising: (this includes 32 duplex type apartments and 203 apartments)	65 no. 1 bed 139 no. 2 bed 31 no. 3 bed
Ancillary storage bike / bin	Basement: 915 sqm (bin & plant for apartment basement, LV meter upper/lower ground floor and include external cycle store on ground floor)
Non-residential uses:	Creche (734 sqm) Community (393 sqm) 6 no. ESB substations at surface (105 sqm in total) Residential amenity: 492 sqm
Density	35.88 units per ha net site
Plot Ratio	0.43
Site Coverage	18.8%
Dual Aspect apartments	100 % Duplex 50% in Blocks A1, B1, C1, A2 and C2 52% in Block B2
Car Parking overall	A total of 1,005 car parking spaces broken down as follows: <ul style="list-style-type: none"> • 702 surface car parking spaces for the houses; • 206 car parking spaces at basement level and 5 at surface level for the apartments; • 32 spaces with 10 visitor spaces for the duplex dwellings; • 29 spaces for the community facility • 21 spaces for the creche.
Bicycle parking	554
Height	2 to 4 storeys
Public Open Space zoned	C. 2ha
Open Space (residential public open space)	3.36 ha (c20% of net / 13% of gross)
Communal Open Space	5,192 sqm
Active Open Space	c2.35 ha

The breakdown of the overall residential unit types is as follows:

Table 2: Overall Breakdown of Units

Unit Type	1-bed Apt	2-bed Apt	3-bed Apt	3-bed House	4-bed House	5 bed House	Total
No. of units	65	139	31	207	140	4	586
% of overall development	11	24	5	35	24	1	1
% apartments /houses	40			60			100

Table 3: Breakdown of Apartments

Unit Type	1 bed Apt	2 bed Apt	3 bed Apt	Total
No. of units	65	139	31	235
% of apartments	28	59	13	100%

2.4 Rationale

The design rationale for the proposed development is illustrated in the Design Statement and the iterative process has evolved having regard to the Urban Design Manual – a Best Practice Guide (2009). The manual establishes 12 criteria that residential development should be assessed against. Additionally, the design layout has been informed by the following:

- Location,
- Critical demand for housing,
- Zoned for residential use,
- The challenging topography and the irregular shape of the site,
- The proximity to Kindlestown Hill,
- The pattern of development in the area,
- Transport Accessibility,
- The development plan, local area plan and national planning guidance,
- Urban Development and Building Heights Guidelines,
- Apartment Design Guidelines,
- Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas,
- The Design Manual for Roads and Urban Streets,
- Feedback from the Planning Authority,
- The Opinion of An Bord Pleanála;
- The Environmental Impact Assessment Report; and
- The pattern of decisions from the Board on SHD applications in Wicklow and generally.

2.5 Proposed Density

The overall gross site area is 26.03 ha.

2.5.1 Sustainable Residential Development in Urban Areas (May 2009)

Appendix A, relating to measuring residential density in the *Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas* May 2009, states the following:

“A gross density measure is best applied to estimating overall land areas required for mixed use developments or for Local Area Plans. A net site density measure is a more refined estimate than a gross site density measure and includes only those areas which will be developed for housing and directly associated uses. These will include:

- *access roads within the site;*
- *private garden space;*
- *car parking areas;*
- *incidental open space and landscaping; and*
- *children’s play areas where these are to be provided.*

It therefore excludes:

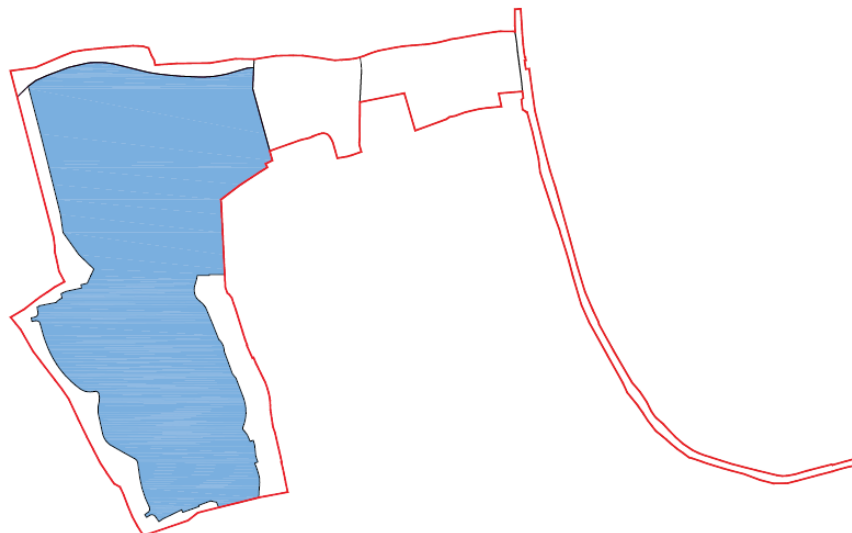
- *major and local distributor roads;*
- *primary schools, churches, local shopping etc.;*
- *open spaces serving a wider area; and*
- *significant landscape buffer strips.”*

The net site area is calculated as c 16.33 ha. The net site is calculated using the following exclusions:

- area zoned open space: 20,051 sqm
- area zoned active open space: 23,554 sqm
- Linear P1, which is the landscape buffer to the west: 20,248 sqm
- Linear P2, which the landscape buffer to the east: 13,441 sqm
- Public road (for drainage connection): 11,579 sqm
- Proposed Coolagad Link Road: 8,096 sqm

Together these areas total: 96, 969 sqm or 9.69 ha. The area zoned open space, active open space will serve the wider area. These areas are presented in the figure below:

Figure 5: Net site in blue



Using a net site of 16.33 ha (or 163,398 sqm), the proposed net density is **35.88 upha**. The proposed gross density is **22.51 upha**.

2.5.2 Wicklow County Council's Density Calculations

Appendix 1 of the Wicklow County Development Plan deals with development management and the measurement of density. The text states:

"Often local area and town plans will set out the minimum or maximum density permissible at that location, as this is likely to vary from town to town, depending on local characteristics. Unless otherwise specified, the following maximum standards will generally apply. Therefore, these Development Plan criteria may only be triggered where the density, or the basis for the density, is not specified in the local area plan.

- The 'Intensity of Development (density) table included in Section 1 of the Wicklow Development and Design Standards then indicates a maximum plot ratio for housing on greenfield sites is 0.35 (3,500 sqm per ha). Other points to note:
 - Table showing calculations of density/calculations in all applications
 - Density will only be allowed to be generated from land that is capable of being built upon
 - The density that can be achieved on any site will ultimately depend on compliance with 'qualitative' standards such as fit with surroundings, height, open space provision, adequate privacy, car parking etc and the density ultimately proposed should be the outcome of the design process rather than the starting point.
 - Assumption of 125 sqm per house.

This would translate to:

$((14,546 + 3,148 + 44,955) / 125) / 16.33 = (62,649 / 125) / 16.33 = \mathbf{30.6 \text{ uph based on a net site.}}$

$((14,546 + 3,148 + 44,955) / 125) / 26.03 = (62,649 / 125) / 26.03 = \mathbf{19.26 \text{ uph based on a gross site.}}$

2.5.3 Greystones-Delgany and Kilcoole Local Area Plan

The LAP sets out densities for various plots of lands included in the application site with maximum densities of 17 uph and 22 uph applied as noted in section 11 of the LAP.

The issue of density is discussed in Part C – Material Contravention.

2.6 Residential

The proposed development includes a mix of houses, duplex apartments and apartments. The residential layout is divided into character areas as discussed in the Design Statement.

2.7 Creche

A creche (734 sqm) is proposed as part of the proposed development. It is proposed to be located immediately to the north of the site entrance. The creche will serve the proposed development and wider area. It is adjacent to the zoned active open space and public open space, providing close outdoor play areas in addition to the provided creche open space area. 21 no. parking spaces are proposed to serve the creche. It can be used as overspill parking for other uses in the vicinity when the creche is not in operation.

2.8 Community Facility

A community facility (393 sqm) is also proposed as part of the proposed development. It is proposed to be located immediately south of the site entrance. Proposals have been formulated on foot of consultation with the Community and Enterprise Section of the Council. As the facility will be transferred to the Council, its input into the design was essential. Council had indicated that there are demands for community facilities such as changing rooms, youth and community support spaces. In this regard and allowing for flexibility for the Council community requirements, the applicant has designed the space flexibly so that it can be occupied and adapted as the Council deems appropriate. 29 no. parking spaces are proposed to serve the community facility.

2.9 Open Space Proposals

The open space proposals include active open space and public open space. The lands zoned active open space and open space are proposed to accommodate a range of activities to include:

- 6,800 sqm playing field
- 715 sqm multi-use game area (MUGA)
- 1000 sqm kickabout area
- 1,375 sqm of mix natural and equipped play; and
- 888 sqm standard equipped playground.

The adjacent Secondary School have a strong sports programme however have no grass playing field on their campus for training their teams. The proposed playing field would also be available to local clubs for training and matches during the evening and weekends. This space is located adjacent to the new school campus and therefore will be a valuable asset to the school and wider community. The park, the playing field, the MUGA and the community facility will be transferred to Wicklow County Council.

The active open space has the potential to be used day and evening seven days a week. It is proposed that this will be taken in charge by the Council. The parking area associated with the creche/community building can also serve a dual role for evening and weekend parking for local club training and matches.

The active open space proposals would be set on landscaped grounds, which include wooded areas and a stream, which are already on site.

In addition, the residential areas include further play and open space areas.

A large area of open space is proposed centrally to the site. It includes archaeological remains which were identified during surveys of the site.

2.10 Parking

1,005 car parking spaces are provided across the site. 702 car parking spaces are proposed for the houses. 206 no. are proposed at basement level under the apartment blocks and 5 at surface level to serve the apartment blocks; 32 no. spaces to serve the duplex blocks with an additional 10 no. visitor parking spaces; 21 no. for the creche and 29 no. for the community centre. 1005 spaces are provided in total across the site.

The relevant car parking standards are addressed in Part B of this report.

2.11 Access and Connectivity

A new junction is proposed at the R761 regional road providing a single new access into the site. It will be a signalised junction.

The main entrance to the site had been designed to align with the long term road objective (RO1 in the LAP) in the Greystones-Delgany and Kilcoole Local Area Plan (LAP) 2013-2019. The LAP envisages that a distributor road would traverse the lands in an east west manner to connect in the future Greystones to the N11.

A number of roads and pathways are proposed to be built up right up to the boundaries of the site to allow for future potential road, pedestrian and cycle connections to adjacent landholdings.

3 Relevant Planning History

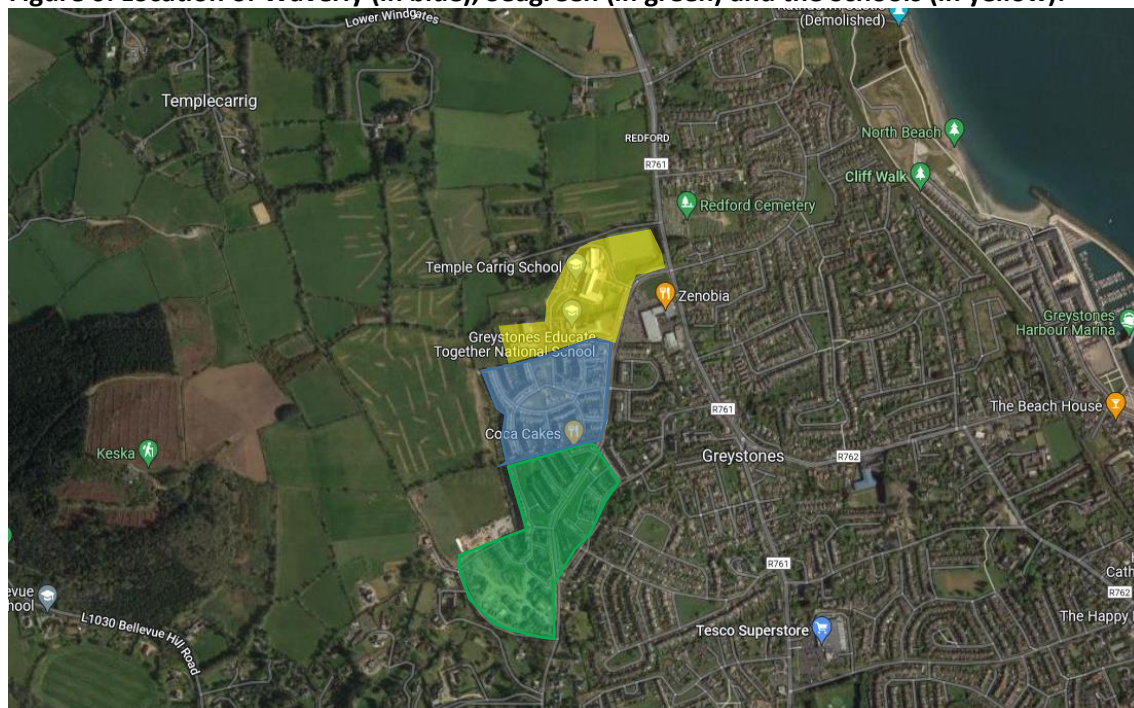
3.1 Application Site

There is no relevant history on the application site.

3.2 Surrounding Areas

The figure below shows the location of the estates subject of the planning history detailed in the sections hereafter.

Figure 6: Location of Waverly (in blue), Seagreen (in green) and the Schools (in yellow).



3.2.1 Waverly Estate

The Waverly estate is located generally east of the site.

Table 4: Relevant Applications at Waverly

Reference	Status	Decision Date	Summary
072799/ ABP 230050	Expired	ABP Grant 03/06/2009	159 residential units
114336/ABP 239380	Incomplete	22/12/11	Amendments to 072799
141952	Parent permission	01/04/2015	130 houses and creche
16783	Grant	07/09/2016	Temporary access gates
17461	Grant	19/06/2017	Extension of duration

3.2.2 Seagreen Estate

The Seagreen Estate is located generally south east of the site.

Table 5: Relevant Applications at Seagreen

Reference	Status	Decision Date	Summary
141031	Grant	01/10/2014	Parent permission 187 houses
151152	Grant	16/01/2016	Amendments
16420	Grant	15/06/2016	Amendments
16971	Grant	26/10/2016	Amendments
161066	Withdrawn	n/a	Amendments
1722	Grant	08/03/2017	Amendments
17880	Grant	02/11/2017	Amendments
18111	Grant	02/04/2018	Alter 38 kv
18627	Grant	01/08/2018	Amendments
191089	Grant	01/12/2019	Extend appropriate period – substantial completion

3.3 Schools

A number of schools are adjacent to the site to its east.

Table 6: Relevant Applications at Adjacent Schools

Reference	Status	Decision Date	Summary
126589	Permitted	04/01/2013	Three storey school, access to ET school
138103	Permitted	17/04/2013	New school (Temple Carrig)
15608	Permitted	09/08/2015	New Irish school
15814	Permitted	01/10/2015	Sports lights for hockey pitch

3.4 Relevant SHD Applications in the Wider Area

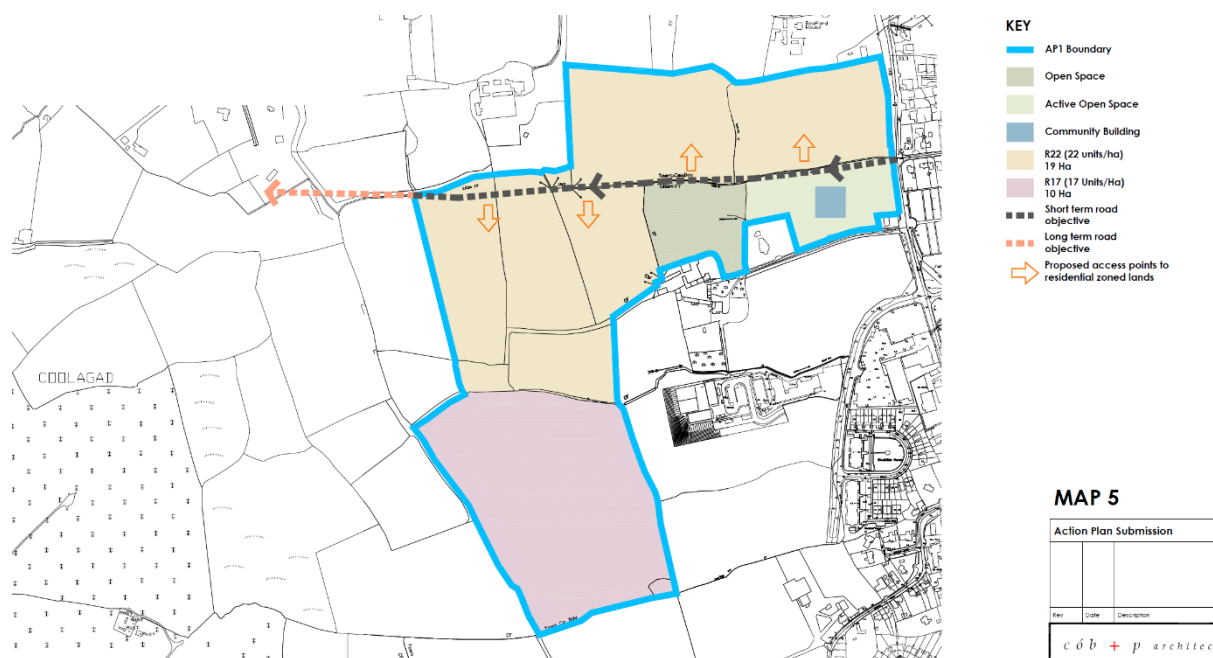
Table 7: Relevant SHD Applications

Reference	Status	Summary
ABP.Ref.305476	Permitted 15/01/2020	Farankelly and Killincarraig townlands, Delgany 426 no. residential units (245 no. houses and 181 no. apartments) and creche.

Reference	Status	Summary
ABP.Ref.305773	Permitted 19/02/2020	"Glenheron C", Greystones, 354 no. residential units (124 no. houses, 230 no. apartments)

3.5 Previously Agreed Action Plan

An Action Plan (AP1 – Coolagad) was agreed by the previous owner for the subject site and adjoining lands to the north. It covered an area of c34ha.



The subject scheme is not aligned with the agreed AP in relation to density provisions and phasing. This matter is dealt with sections 15.7 in Part B and 16.7 of Part C. Furthermore, this AP is one of the alternatives considered in the EIAR.

4 Consultations

The application site was the subject of consultation with the Planning Authority in 2016 and 2017 in relation to a non SHD proposal but was not proceeded with. A s247 meeting was held with the Planning Authority on the 22nd September 2020. Other consultations were held as follows:

The tri-partite meeting, which took place on the 23rd February 2021 via Microsoft Teams. Response to the opinion of the Board is addressed in the separate document bearing the same name.

A meeting was held on the 29th June 2021 and on the 17th February 2022 via Microsoft Teams with representatives of the Wicklow planning department and community and enterprise section to discuss the community building and open space and active open space proposals.

The team also engaged with the National Monument Service to discuss the proposed development.

The team engaged with the Wicklow Childcare Committee to discuss the creche (by email and by phone). The Committee noted demand for a creche in north Wicklow and noted the delivery timeframe.

The applicants have also engaged with adjoining landowners, including the residents of the Waverly estate.

Other meetings are detailed in the application form.

5 Design Evolution

5.1 Design Challenges

This section discusses the evolution of the design response. The site presents a number of challenges:

- It is located on a hill and therefore an element of cut and fill is required to accommodate development.
- It is visually prominent.
- Development needs to be cognisant of its position of grounds higher than Waverly and therefore needs to avoid environmental impacts or impacts on residential amenities.
- Geophysical and test trenching surveys identified a number of archaeological features on site.
- Road gradients had to work with a challenging topography.
- Stream crossing had to be provided to access the southern portion of the site.
- The prevalent biodiversity (streams, tree groups, ecological corridors) had to be maintained and enhanced as far as practical.
- The need to provide a design that is respectful of the landscape characteristics of the site.

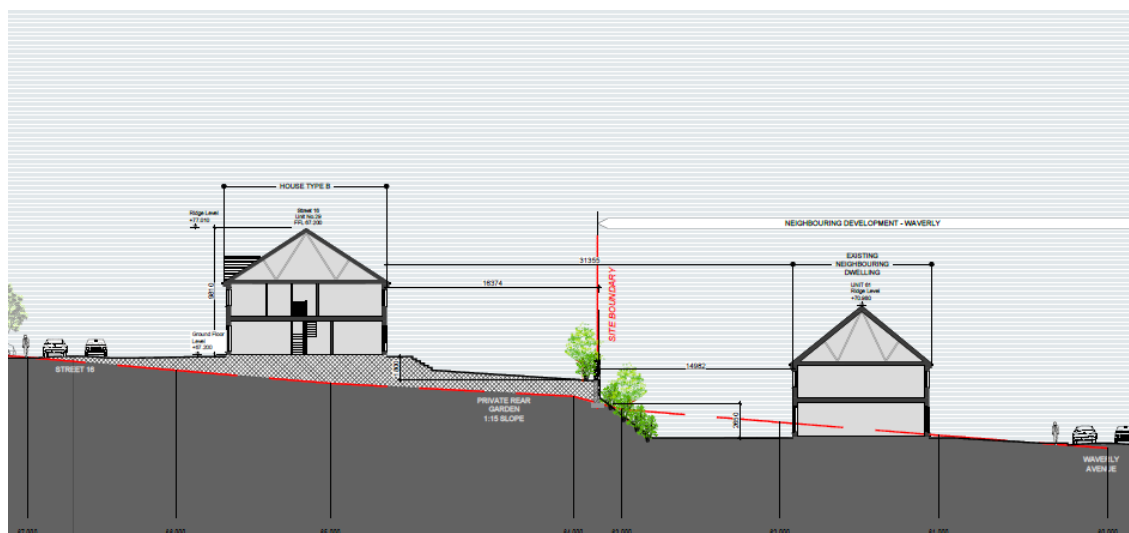
In addition, ABP noted that the pre-application layout was too linear, in particular as far as the internal road network and central public open space were concerned. The road network was deemed to be too dominant.

The abovementioned factors became more evident during the design response having regard to the opinion of the Board.

5.2 Topography

It was envisaged that 607 units would be proposed to include a row of houses to the west of Waverly. This would have required a substantial cut and fill exercise which would have given rise to a number of environmental issues, particularly in relation to soils. Houses at the location would have required the provision of retaining structures between the application site and Waverly which, in turn, could have given rise to concerns of impacts on the residential amenities of Waverly.

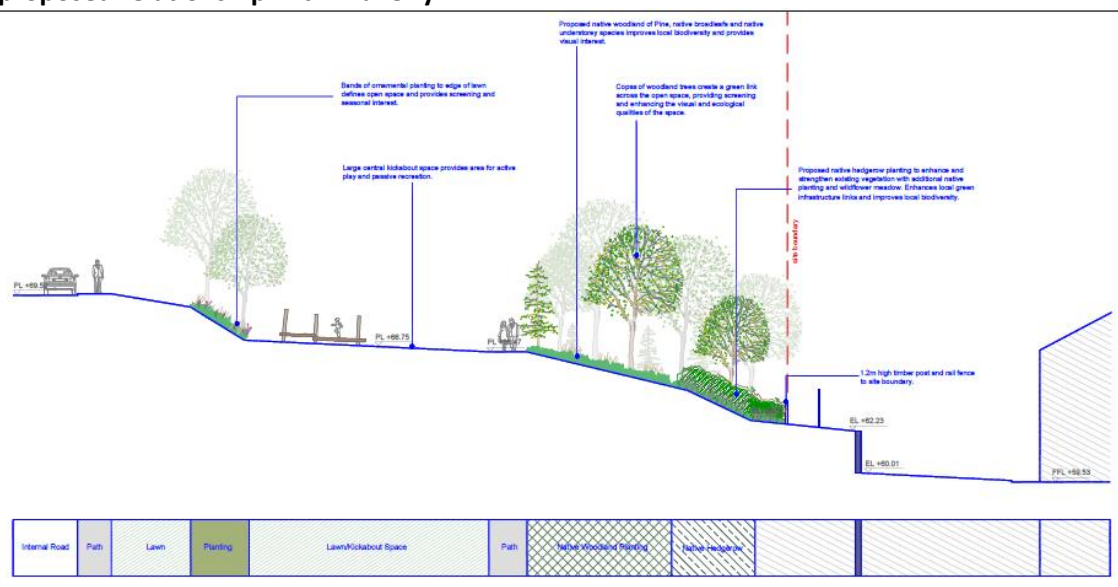
Figure 7: Extract from Contextual Site Section Y-Y (PL0501) showing the relationship with Waverly at the pre-application stage



As the site falls steeply west to east, the development strategy evolved owing to a cut-fill rebalancing of the profile of the site. Had the eastern strip been developed, the quantum of soils to be moved would have significantly greater and would have resulted in the provision of retaining structures between Waverly and Coolagad.

As a result, houses backing onto Waverly were removed and the treatment of the strip as a landscape buffer was determined to be more appropriate. As can be seen in landscape drawing 106 – Landscape masterplan – Detail Area 5, it is now proposed to provide tree planting along the eastern boundary. This will also contribute to the provision of an appropriate visual transition between lands lying at different levels.

Figure 8: Extract from Landscape Masterplan – Detail Area 5 (drawing no. 106) showing the proposed relationship with Waverly.



Section H-H | 1:200

5.3 Archaeology

Another key factor was the discovery of an archaeological feature at the centre of the site. It is also located at the confluence of the existing laneway, tree groupings and the stream and the area was therefore ecologically sensitive. On foot of consultation with the National Monument Service, the partial removal of the larger feature (Archaeological Area 1) was discussed in greater details. 60% of the feature is now proposed for preservation in situ as part of open space no.1. A justification for the partial removal is provided in the EIAR in the archaeology chapter. Road levels in the vicinity of the Archaeological Area 1 have been designed to be as close to existing levels as possible.

5.4 Stream

For health and safety reasons (both during the construction phase and operational phases), it was necessary to provide for two crossing points over the stream. Other than those two crossing points, the layout has sought to maintain a 10m or more separation distance from the stream to a) comply with the requirements arising from the County Development Plan and b) to minimise impacts on the watercourse, its quality and its biodiversity.

For further information on the design rationale, we refer the Board to the Architectural and Urban Design Statement and the Landscape Report.

6 Appropriate Assessment

An Appropriate Assessment Screening Report and Natura Impact Statement have been prepared by Altamar to accompany this application to An Bord Pleanála.

7 Environmental Impact Assessment

An Environmental Impact Assessment Report (EIAR) accompanies this application. Notification was uploaded to the EIA portal and the receipt of this application accompanies this application.

8 Part V

The proposed development is for 586 residential units in a mix of houses, duplex apartments and apartments. The applicants proposed 58 Part V units. The proposals consist of 10 no. 1-bed units, 30 no. 2-bed units and 18 no. 3-bed units. Costings are submitted as part of this application. The location of the proposed Part V units is showed on the following drawings:

- 20005-PL08 Site Layout Plan Part V Allocated Units
- 20005-PL800 – Apartment Block – Lwr and Up Ground Flr – Part V
- 20005-PL801 – Apartment Block – 1st, 2nd, 3rd & Roof Plan – Part V
- 20005-PL802- Apartment Block – Roof Plan – Part V
- 20005-PL803 - Apartment Block – Elevations – Part V
- 20005-PL804 - Apartment Block – Sections – Part V
- 20005-PL805 – Duplex Blocks A, B – Ground & 1st Plans Part V
- 20005-PL806 – Duplex Blocks A, B – 2nd & Roof Plans Part V

- 20005-PL807 – Duplex Blocks A, B – Side Elev & Sections Part V
- 20005-PL808 – House Type B-B Part V
- 20005-PL809 – House Type B1-B2 Part V
- 20005-PL10 Part V Plans Sections and Elevations

Part V costings, the letter from Cairn and that of the Council can be found appended to the application form.

9 Flood Risk

The site and development proposals have been considered in accordance with the requirements of *“The Planning System and Flood Risk Management Guidelines for Planning Authorities”* 2009, published by the Department Environment, Heritage and Local Government.

A site specific flood risk assessment accompanies this application.

10 Archaeology

During the course of the design and EIAR, a geophysical and trench testing survey were undertaken of the site. It was followed by consultation with the National Monuments Services.

A number of areas of archaeological significance were identified during the various phases of onsite testing.

It is proposed to undertake excavations to facilitate the development. This was the subject of consultations with the National Monuments Service. More details are provided in Chapter 11 on Cultural Heritage including Archaeology prepared by IAC.

11 Water Services and Drainage Proposals

In relation to water supply, it is proposed to connect to the existing watermain outside the lands under the control of the applicants, as identified on Drawing no.0703 – Proposed Water Supply Sheet 3 of 5. As part of the proposal, approximately 200m of the existing 4 inches watermain section is required to be upgraded up to 200mm in diameter in line with recommendations arising from the Irish Water Confirmation of Feasibility

it is proposed to connect to the Irish Water foul sewer pipe laid under the Rathdown Road / R 762. This was the subject of a confirmation of feasibility from Irish Water. It is identified on drawing no 0506 – Proposed Drainage Connection to Existing Services.

Confirmation of Feasibility and Design Acceptance have been received from Irish Water.

12 Traffic and Transportation

The proposed development provides for parts of the Coolagad Link Road as identified in the Greystones – Delgany Local Area Plan 2013-2019 (Road Objective RO1 of the LAP). This road will connect the site to the R761 via a signalised junction, linked to the existing Blacklion Manor Road / Redford Park to the south.

Cycling facilities are also provided within the site and on the R761.

Two bridges are proposed over the stream to allow for pedestrian and cycle movements and traffic to travel around the site.

13 Construction and Environmental Management Plan

A construction and environmental management plan accompanies this application.

14 Conclusion

The proposed development is for a high-quality residential development on residentially zoned land adjacent to established residential housing within Greystones. The proposed development incorporates a community facility, creche, active and public open space. The proposal achieves the objective of government policy of providing a range of housing units in established areas. The proposal is consistent with national and local policy and the proper planning and sustainable development of the area. It will make positive contributions to the local area owing to the provision of community and sports facilities, which are in demand in Greystones.

Part B– Statement of Consistency

15 Key Provisions

The key national and regional planning policy documents as well as Section 28 Guidelines as it relates to the proposed development are set out below and it is indicated if the development is consistent with the stated policies.

15.1 Overview

Table 8: Summary of Applicable Policies

Level	Title
National	Project Ireland 2040 - National Planning Framework (2018)
	National Development Plan 2018-2027
	National Transport Authority Transport Strategy for the Greater Dublin Area 2016- 2035
	Design Manual for Urban Roads and Streets (2013) amended 2019
	Smarter Travel – A New Transport Policy for Ireland (2009-2020)
	Climate Action Plan 2021
Guidelines	Delivering Homes, Sustaining Communities (2007) and the accompanying Best Practice Guidelines- Quality Housing for Sustainable Communities (2007)
	The Provision of Schools and the Planning System – A Code of Practice for Planning Authorities 2008
	Architectural Heritage Protection Guidelines For Planning Authorities 2011
	Sustainable Urban Housing: Design Standards for New Apartments - Guidelines for Planning Authorities (2020)
	Urban Development and Building Heights- Guidelines for Planning Authorities (2018)
	The Planning System and Flood Risk Management (2009)
	Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009)
	Urban Design Manual - A Best Practice Guide (2009)
	Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities (2009)
	Guidelines for Planning Authorities on Childcare Facilities (2001)
	Draft Guidelines on the information to be contained in Environmental Impact Assessment Reports (EPA, 2017)
Regional	Eastern and Midland Regional Assembly - Regional Spatial & Economic Strategy (RSES) 2019
Local	Wicklow County Council Development Plan 2016-2023
	Greystones-Delgany and Kilcoole LAP 2013-2019

15.2 National Policies

15.2.1 National Planning Framework

The National Planning Framework (NPF) guides national, regional and local planning decisions until 2040 as the high-level strategic plan for shaping the future growth and development of the Country. The National Strategic Outcomes are expressed as follows:

1. Compact Growth
2. Enhanced Regional Accessibility
3. Strengthened Rural Economies and Communities
4. Sustainable Mobility
5. A Strong Economy, supported by Enterprise, Innovation and Skills
6. High-Quality International Connectivity
7. Enhanced Amenities and Heritage
8. Transition to a Low Carbon and Climate Resilient Society
9. Sustainable Management of Water, Waste and other Environmental Resources
10. Access to Quality Childcare, Education and Health Services

Several policy objectives may be considered applicable to this development.

National Policy Objective 11

‘In meeting urban development requirements, there will be a presumption in favour of development that can encourage more people and generate more jobs and activity within existing cities, towns and villages, subject to development meeting appropriate planning standards and achieving targeted growth.’

The proposed development is located on residentially zoned lands within an existing town. In particular the location of new housing should be prioritised in existing settlements, in this case within the boundary of Greystones adjacent to the built-up area. The site is on a site contiguous to existing development. It also includes a creche and community centre.

National Policy Objective 32

‘To target the delivery of 550,000 additional households to 2040 National Policy.’

The present application meets this objective.

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.’

The present application meets this objective and has regard to the pre-application consultation with Wicklow County Council. New homes will be provided at a sustainable location, with access to existing services and facilities, including DART c. 2.1 km as well as Dublin Bus services. It includes elements of community facilities which positively contribute to the quality of life of existing and prospective residents in Greystones.

Policy Objective 34

‘Support the provision of lifetime adaptable homes that can accommodate the changing needs of a household over time.’

The present application meets this objective by providing a mix of unit sizes and types in the area and by the provision of houses which have the potential to be adapted to the varying needs of households and include the potential for amending layouts and provision of extensions. A lifecycle assessment report is submitted as part of this application.

National Policy Objective 35

‘Increase residential density in settlements, through a range of measures including reductions in vacancy, reuse of existing buildings, infill development schemes, area or site-based regeneration and increased building heights.’

The proposed development meets this objective and utilises residentially zoned lands in an existing settlement.

15.2.2 National Development Plan 2018-2027

The National Development Plan sets out the investment priorities that will underpin the successful implementation of the new National Planning Framework (NPF). This will guide national, regional and local planning and investment decisions in Ireland over the next two decades, to cater for an expected population increase of over 1 million people.

“1.6 Housing Challenge

Resolving the systemic factors underlying the current housing crisis is at the heart of the NPF and reflecting this, housing and sustainable urban development is a priority for the National Development Plan. By 2040 the population of Ireland is expected to reach almost 6 million with a need for 550,000 more homes and the creation of 660,000 additional jobs to achieve and maintain full employment. The need to provide in excess of half-a-million more homes over the period to 2040 corresponds to a long-term trend of 25,000 new homes every year. A higher level of output is needed in the short- to medium-term to respond to the existing deficit that has given rise to the housing crisis.”

The proposed development provides 586 residential units at an appropriate density and mix along with the provision of ten percent integrated social housing. The proposed development accords with the National Development Plan.

15.2.3 National Transport Authority Transport Strategy for the Greater Dublin Area 2016-2035

This strategy provides a framework for the planning and delivery of transport infrastructure and services in the Greater Dublin Area (GDA). It also provides for transport planning policy around which other agencies involved in land use planning, environmental protection, and delivery of other infrastructure such as housing, water and power, and can align their investment priorities. The GDA is divided into a number of corridors where the applicable Corridor is F consisting of Arklow – Wicklow – Greystones – Bray – Cherrywood – Dundrum – Dún Laoghaire –to Dublin City Centre.

NTA proposed schemes within Corridor F are as follows:

- The capacity of the South Eastern rail line will be increased through enhancements to the existing rail line, incorporating city centre signalling and extra rolling stock.

- DART Underground will also enable increases in capacity along this corridor. This will facilitate faster and more frequent intercity, regional and DART services to be provided on this line.
- The western parts of the corridor, including Cherrywood and other potential development areas, will require high capacity public transport. It is, therefore, proposed to upgrade the Luas Green Line to Metro standard from the city centre, where it will link into the new Metro North, as far as its current terminus at Bride's Glen. From this point to Bray, a new Luas line is proposed. This will provide a new north-south inland rail axis from Swords to Bray.
- To provide for growth in vehicular trip demand and improve road safety, the N11 and M50 between Newtownmountkennedy and Sandyford (including the M11/M50 junction) will be upgraded.

The proposed development would be served by existing and proposed transport infrastructure within Corridor F.

15.2.4 Smarter Travel – A New Transport Policy for Ireland (2009-2020)

The vision for sustainability in transport sets out five key goals:

- (i) to reduce overall travel demand,
- (ii) to maximise the efficiency of the transport network,
- (iii) to reduce reliance on fossil fuels,
- (iv) to reduce transport emissions and
- (v) to improve accessibility to transport.

To ensure that a reduction in travel demand and reliance on the car can be achieved, there must be appropriate, reliable and user-friendly alternatives in place. The main commitment is to transform both rural and urban bus services to meet this challenge. It envisages that around 200,000 people will switch to cycling and walking. In this regard, the application site is close to a frequent bus service and has access to Greystones station and Bray centre. The site is c 2.3 km cycle to the nearest train station. The site is within walking distance of the local shopping area, schools and facilities. The site is served by routes 84 (to Blackrock) and 184 (to Bray DART Station) which operate the typical 18-hour day, 7 days / week, with reduced frequencies in the off-peak and weekends. As evidenced in the Coolagad Capacity Assessment report accompanying this application there is ample spare capacity on the bus services.

15.2.5 Climate Action Plan 2021

The Action Plan includes the following objectives in relation to the reduction of emissions:

- Buildings – 44 to 56%
- Land use, Land use change and forestry: 37 to 58% .

The plan also requires an increase of the proportion of renewable electricity to up to 80% by 2030. Sustainable mobility also forms part of the plan, whereby it places an emphasis on increased pedestrian and cycle movement and on public transport.

The proposed development will help to achieve the targets set by the Climate Action Plan 2021 in the following ways:

- The inclusion of green roofs on the apartment blocks will assist with decarbonisation and the reduction of greenhouse gas emissions.
- The provision of a medium density development, higher than previously developed in this area in accordance with the NPF providing for compact growth.
- The proposed development provides a medium density residential development in close proximity to existing community facilities and amenities. It also includes a number of community facilities and a sport pitch.
- The application site location is served by transport links, including the Dart station in Greystones c. 2.1 km east and has bus stops located close to the entrance of the site. The provision of more housing in this location will support the existing public transport serving the area and will make the provision of further public transport options (such as increased frequency of services) viable.
- The scheme prioritises pedestrians and cyclists which will help to encourage cycling and walking as a mode of transport especially those attending the nearby schools.
- Car parking spaces throughout the development can be designed to provide electrical charge points to ensure that the transition to an electric car is a viable option for all residents.

15.3 Section 28 Guidelines

15.3.1 Design Manual for Urban Roads and Streets (2013) as amended 2019

The *Design Manual for Urban Roads and Streets* (DMURS) has as its aim, to put well-designed streets at the heart of sustainable communities.

The use of DMURS is mandatory on all urban roads and streets with a speed limit of 60 km/h or less. The application is accompanied by a report from Aecom who address the compliance with DMURS.

DMURS calls for an integrated approach to street design that incorporates not only engineering elements but also elements of urban design and landscaping that instinctively alter driver behaviour, resulting in lower speeds and thus a safer environment for all road users. DMURS sets out a user hierarchy that prioritises sustainable travel modes.

A number of core elements are included in DMURS including:

- There will be no frontage free distributor roads, with long uninterrupted straights and high-boundary walls;
- Carriageway widths, especially in residential areas, will be narrower, but footpaths and verges may be wider;
- All junctions will have tighter radii, especially those where the side road serves a residential area;
- Pedestrian delays will be included in the calculation of optimum traffic signal timings;
- Residential areas will no longer be a series of cul-de-sacs which are linked to the general road network by a single access. Instead, they will be accessible from multiple points;
- Signalised junctions will no longer provide left turn slip roads with dividing islands. Instead, junctions will be more compact and more pedestrian friendly;

- Pedestrian barriers will be rare.

The adopted design approach successfully achieves the appropriate balance between the functional requirements of different network users whilst enhancing the sense of place. The implementation of self-regulating street design actively manages movement by offering real modal and route choices in a low speed, high quality residential environment. The proposed scheme responds to the topography of the site. Specific attributes of the schemes design which contribute to achieving compliance with the DMURS objectives include:

- Pedestrian and cycle links are provided throughout the site. The application also caters for cycle links with the surrounding area, with a cycle path proposed along the R761.
- The potential dominance of on-street car parking is actively managed through the provision of landscaped buffers and the specification of maintained grass areas and trees and basement parking.
- A mix of parking arrangements are proposed including the provision of facilitating electrical vehicles.
- On-street activity is promoted internally along the residential streets through the adoption of “own door” dwellings in the majority of dwellings.
- A variety of materials and finishes will be specified in the shared areas to indicate that the carriageway is an extension of the pedestrian domain.
- The proposed residential development has an internal hierarchy of local streets.
- The site topography and proposed layout prevent speeding.

15.3.2 NTA’s Permeability Best Practice Guide 2015

The Guide published by the NTA considers that there are benefits to be gained from maintaining and creating pedestrian and cycle links in urban and suburban areas.

The layout allows for the full consideration of pedestrian and cycle movements within the site.

All roads are proposed to be aligned and built up to allow for permeability and connectivity with adjacent landholdings should these be developed.

15.3.3 Delivering Homes, Sustaining Communities Statement on Housing Policy (2007) and the accompanying Best Practice Guidelines- Quality Housing for Sustainable Communities (2007)

Delivering Homes, Sustaining Communities sets out a range of actions focused on:

- building sustainable communities;
- responding to housing need in a way that maximises choice and responsibility and
- effectively delivering accommodation programmes.

Sustainable communities are defined in the Guidelines as having a high quality natural and built environment, with a dynamic and innovative economy, good transport, supportive community and voluntary services, and are environmentally sound.

The Best Practice Guidelines Consider that good quality, sustainable housing development should be:

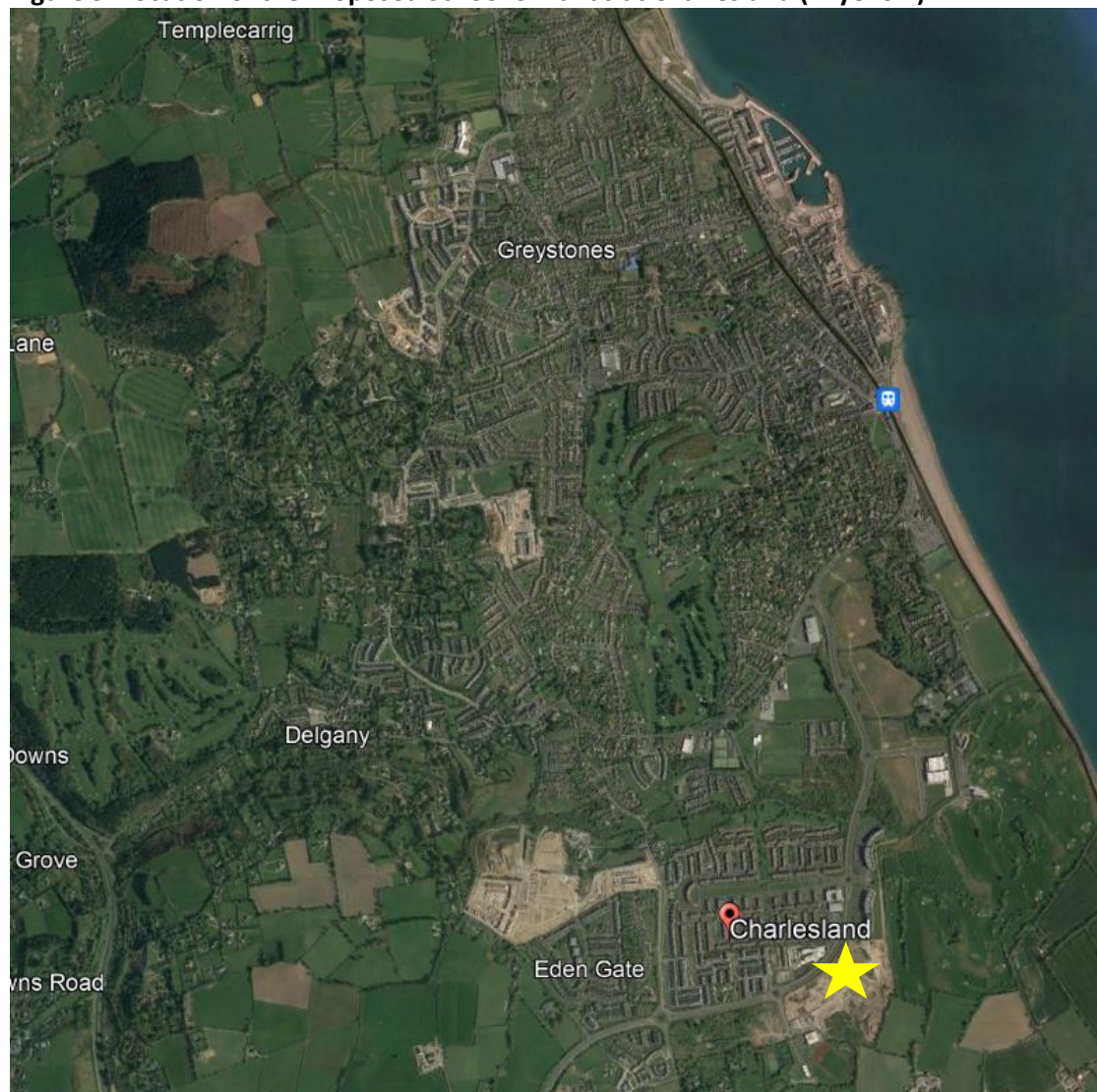
- Socially and environmentally appropriate
- Architecturally appropriate
- Accessible and adaptable
- Safe, secure and healthy
- Affordable.
- Durable
- Resource efficient

This application is accompanied by a Housing Quality Assessment showing consistency with the suite of documents applicable to sustainable residential development.

15.3.4 The Provision of Schools and the Planning System – A Code of Practice for Planning Authorities 2008

The Code of Practice sets out best practice approaches that should be followed by planning authorities in ensuring that the planning system plays its full part in facilitating the timely and cost-effective roll-out of school facilities by the Department of Education and Skills and in line with the principles of proper planning and sustainable development. The Department of Education and Skills is responsible for the provision of new schools and no specific objective for a school applies on the application site and therefore the proposal is not inconsistent with the Code of Practice. An objective applies to Charlesland (SOC6) in the Local Area Plan for the provision of a primary and secondary school around 3.5km south east of the site. This is now the subject of a planning application which was submitted on the 21st February 2022 to Wicklow County Council (PA.Reg.Ref. 221678).

Figure 9: Location of the Proposed School on lands at Charlesland (in yellow).



The Department of Education maintains a Major Projects Programme which provides the status of all large-scale projects in the country. The latest update dated November 2021 shows that a number of sites are being progressed in the vicinity of the application site, including:

- Wicklow 20346B Kilcoole Primary School, Kilcoole. Stage 2b (Detailed Design).
- Wicklow 20473I Community National School Greystones. Completed
- Wicklow 61820J Loreto Secondary School, Bray. Stage 1 (Preliminary Design).
- Wicklow 61830M St. David's Holy Faith, Co-Educational School, Greystones. On site.
- Wicklow 68261L North Wicklow ET Secondary School. (Project Brief Stage)
- Wicklow 68345R Wicklow Post Primary - Wicklow ETSS School opened in September 2019 in interim start-up accommodation. Site Acquisition Process.
- Wicklow 76076M Coláiste Chraoibh Abhainn, Kilcoole. Stage 2a (Developed Sketch Scheme)
- Wicklow 76596P Kilcoole & Greystones (regional solution). Post Primary School opened in September 2020 in interim start-up accommodation. Stage 1 (Preliminary Design)

In addition, a School Demand and Concentration Report accompanies this application, in response to Item 10 of An Bord Pleanála's opinion. The report concludes:

'The research undertaken identifies 9 primary schools, 4 post-primary schools located within c.5km distance from the proposed development site. Additional capacity has been identified and is planned for the area in the coming years according to the Department of Education's school building programme.

It is estimated that the proposed development of 586 residential units will generate, at most, demand for 211 primary school places (aged 5-12 years) and 116 post-primary school places (13-18 years). However, it should be noted that these demands will not be generated instantaneously given that the scheme will be developed over several phases.

Having regard to the analysis of current school capacity and demographic data in the study area, it is concluded that there is capacity within the catchment area to cater for the school aged population generated by the proposed development in existing and planned schools within the area.'

15.3.5 Sustainable Urban Housing: Design Standards for New Apartments - Guidelines for Planning Authorities (2020)

The Guidelines identify three location types suitable for apartment development. The range of locations is not exhaustive and will require local assessment that further considers these and other relevant planning factors. The application site is considered closest to combination of "Intermediate Urban Locations" and "Peripheral and/or Less Accessible Urban Locations".

The northern part of the site would qualify as an intermediate location owing to its proximity to public transport, with the rest of the site qualifying as a peripheral and/or less accessible urban locations.

These locations are defined as follows in the Guidelines:

Intermediate Urban Locations are 'generally suitable for smaller-scale (will vary subject to location), higher density development that may wholly comprise apartments, or alternatively,

medium-high density residential development of any scale that includes apartments to some extent (will also vary, but broadly >45 dwellings per hectare net) including:

- *Sites within or close to i.e. within reasonable walking distance (i.e. up to 10 minutes or 800-1,000m), of principal town or suburban centres or employment locations, that may include hospitals and third level institutions;*
- *Sites within walking distance (i.e. between 10-15 minutes or 1,000-1,500m) of high capacity urban public transport stops (such as DART, commuter rail or Luas) or within reasonable walking distance (i.e. between 5-10 minutes or up to 1,000m) of high frequency (i.e. min 10 minute peak hour frequency) urban bus services or where such services can be provided;*
- *Sites within easy walking distance (i.e. up to 5 minutes or 400-500m) of reasonably frequent (min 15 minute peak hour frequency) urban bus services.'*

The northern part of the site is within 5-10 minute walking distance (1,000m) from high frequency bus service at peak hour (i.e. 10 minute bus service) on the R761.

Peripheral and/or less accessible urban locations *'are generally suitable for limited, very small-scale (will vary subject to location), higher density development that may wholly comprise apartments, or residential development of any scale that will include a minority of apartments at low-medium densities (will also vary, but broadly <45 dwellings per hectare net), including:*

- *Sites in suburban development areas that do not meet proximity or accessibility criteria;*
- *Sites in small towns or villages.'*

The southern portion of the site, which includes a minority of apartment and majority of houses, falls within the location category.

Specific Planning Policy Requirements

The key relevant Specific Planning Policy Requirements (SPPRs) are summarised as follows:

Table 9 *Specific Planning Policy Requirements Apartment Guidelines 2018*

SPPR	Summary	Application of consistency				
SPPR 1	Mix Apartment developments may include up to 50% one-bedroom or studio type units (with no more than 20-25% of the total proposed development as studios) with no minimum requirement for apartments with three or more bedrooms.	Apartment breakdown (duplex units included)				
		Beds	1	2	3	Total
		No.	65	139	31	235
		%	28	59	13	100%
SPPR 2	Not applicable	N/A				
SPPR 3	Minimum Apartment Floor Areas 1-bed apartment (2 per) 45 sq.m	The HQA sets out the compliance with the standard.				

SPPR	Summary	Application of consistency
	2-bed apartment (4 per) 73 sq.m 3-bed apartment (5 per) 90 sq.m	All apartments and duplex units meet the criterion.
SPPR 4	Dual Aspect <i>In suburban or intermediate locations it is an objective that there shall generally be a minimum of 50% dual aspect apartments in a single scheme.'</i>	<p>The proposed number of dual aspect exceeds the standard</p> <p>Across apartment units: 50 %</p> <p>Duplex blocks – 100 % dual aspect</p> <p>Overall apartment and duplex units: 58%</p> <p>No single facing units are north facing. Please refer to the HQA.</p>
SPPR 5	Floor to ceiling heights Ground level apartment floor to ceiling heights shall be a minimum of 2.7m and shall be increased in certain circumstances, particularly where necessary to facilitate a future change of use to a commercial use.	The development meets this standard.
SPPR 6	Apartments per core A maximum of 12 apartments per floor per core may be provided in apartment schemes.	The development meets this standard.

15.3.6 Non specific policy in Apartment Guidelines

Parking

As noted in the AECOM Traffic and Transportation Assessment notes that *'the subject site can be classified as an 'Intermediate Urban Location' in terms of parking as it is located within a reasonable walking distance of a suburban centre (Greystones), less than 1km walking distance from public transport facilities'*.

As noted above, the majority of apartment type units on the northern part of the site are located in an intermediate location comparatively to public transport.

In Intermediate Urban Locations, the Guidelines require that *'planning authorities must consider a reduced overall car parking standard and apply an appropriate maximum car parking standard'*.

Less Accessible Urban Locations (on the southern part of the site) have a benchmark guideline for apartments of one car parking space per unit, together with an element of visitor parking, such as one space for every 3-4 apartments, as a general requirement.

206 car parking spaces are provided at basement level and a further 5 spaces at surface level for the use of the apartment blocks. This equals to at least a resident space per unit in accordance with the Guidelines and an additional 8 spaces for visitors.

The duplex units have their own dedicated parking spaces. 42 spaces are provided for the duplex units. This is equivalent to 1 space per units and 10 visitor spaces.

Size in excess of ten percent floor area

Section 3.8 (a) of the Guidelines provides that *‘the majority of all apartments in any proposed scheme of 10 or more apartments shall exceed the minimum floor area standard for any combination of the relevant 1, 2 or 3 bedroom units types by a minimum of 10%.....’*. The HQA sets out the compliance with the standards. All of the apartments exceed the minimum standard and the majority are more than ten percent larger than the minimum standard.

Play areas

The Guidelines indicate the following should be provided:

- Small play spaces (about 85 – 100 sq. metres) for the specific needs of toddlers and children up to the age of six, with suitable play equipment, seating for parents/guardians, and within sight of the apartment building, in a scheme that includes 25 or more units with two or more bedrooms.
- Play areas (200–400 sq. metres) for older children and young teenagers, in a scheme that includes 100 or more apartments with two or more bedrooms.

In essence there are two groups of units to be considered and catered for, the apartment blocks to the north west and the duplex units to the south.

There are 203 apartments in the northern portion of the site. This number exceeds the minimum requirement for small play spaces (85 – 100 sqm) and play areas (200 – 400 sqm). The apartment blocks are provided with 80 sqm of small play and 135 sqm of play area. These areas are located adjacent to the blocks to ensure ease of access by the prospective child residents.

The 32 duplex units located in the southern portion of the site are also provided with dedicated play areas, located directly east of the site. A total of 220 sqm is provided to specifically serve the children living in the duplexes.

15.3.7 Appendix standards

The appendix sets out minimum standards for apartment to be complied with in relation to storage and private open space. The following qualitative standards are set out in the accompanying Housing Quality Assessment:

- Required Minimum Floor Areas and Standard
- Minimum aggregate floor areas for living/dining/kitchen rooms, and minimum widths for the main living/dining rooms
- Minimum bedroom floor areas/widths
- Minimum aggregate bedroom floor areas
- Minimum storage space requirements
- Minimum floor areas for private amenity space
- Minimum floor areas for communal amenity space (discussed in the following section)

The HQA shows that the apartments and duplex units comply.

15.3.8 Communal Amenity Space

The Guidelines provide the following:

Table 9: Apartment Guidelines Communal Amenity Space Requirements – Apartment Blocks

Unit Type	Space Requirement	No. Duplex	Duplex Total	No. Apartment	Apartment Total
Studio	4 sqm	0	0	0	0
One bedroom	5 sqm	0	0	65	325
Two bedrooms (3 person)	6 sqm	0	0	0	0
Two bedrooms (4 persons)	7 sqm	16	112	123	861
Three bedrooms	9 sqm	16	144	15	135
Total requirement		32	256	203	1,321

1,198 sqm is provided for the duplex units and 3,994 sqm for the apartment blocks. This provision is in excess of the guidelines requirement.

15.3.9 Cycle Provision

The Guidelines provide the following;

Quantity – a general minimum standard of 1 cycle storage space per bedroom shall be applied. For studio units, at least 1 cycle storage space shall be provided. Visitor cycle parking shall also be provided at a standard of 1 space per 2 residential units. Any deviation from these standards shall be at the discretion of the planning authority and shall be justified with respect to factors such as location, quality of facilities proposed, flexibility for future enhancement/enlargement, etc.(our emphasis)

The breakdown of calculation per the guidelines as applicable is as follows.

Table 10: Apartment & Duplex Units Guidelines Cycle requirements – Apartment Blocks

Unit Type	1 bed	2 bed	3 bed	Visitor	Total
No. of units	65	139	31	1 per 2 unit	203
Cycle spaces req.	65	278	93	118	554

436 long stay and 118 visitors are proposed in a mix of surface and basement level secure and covered storage to serve the apartments and duplex units.

15.3.10 Urban Development and Building Heights (2018)

The Guidelines were published subsequently to the National Planning Framework and set out the criteria for consideration for increased building height in urban / city-centre locations and

suburban and wider town locations with a view to accommodate significant population growth. It is now Government policy to generally seek to increase building height in appropriate urban locations.

The key relevant Specific Planning Policy Requirements (SPPRs) are summarised as follows:

Table 11 Specific Planning Policy Requirements Building Height Guidelines 2018

SPPR	Summary	Application
SPPR1	Planning Authorities are responsible for identifying appropriate locations for building heights in their statutory plans and that no blanket 'numerical' height shall be applied.	The County Development Plan has not been reviewed since the publication of these Guidelines. The Wicklow County Development Plan 2022-2028 is currently at draft stage. There is no height specified in the CDP.
SPPR2	In driving general increases in building heights, planning authorities shall also ensure appropriate mixtures of uses, such as housing and commercial or employment development, are provided for in statutory plan policy.	As above.
SPPR 3	Development Management Criteria are set out. Where an applicant sets out how a development proposal complies with the criteria and the assessment of the planning authority concurs, taking account of the wider strategic and national policy parameters set out in the NPF and these guidelines the planning authority may approve such development, even where specific objectives of the relevant development plan or local area plan may indicate otherwise.	There is no significant height proposed as the maximum height is 4 storeys. However given the location of the site and existing heights in the area, the development management criteria apply. No numerical height is applied to the lands.
SPPR 4	In planning the future development of greenfield or edge of city/town locations for housing purposes, planning authorities must secure:	

SPPR	Summary	Application
	1. the minimum densities for such locations set out in the Guidelines issued by the Minister under Section 28 of the Planning and Development Act 2000 (as amended), titled “ <i>Sustainable Residential Development in Urban Areas (2007)</i> ” or any amending or replacement Guidelines;	A density of 35.88 uph is proposed. It meets the minimum density requirement in accordance with the 2007 Guidelines as a category (f) Outer Suburban / Greenfield Site.
	2. a greater mix of building heights and typologies in planning for the future development of suburban locations; and	The proposed development ranges up to four storeys and provides a range of unit sizes and mix. The proposed breakdown will offer significant variety in the area which is dominated by suburban housing.
	3. avoid mono-type building typologies (e.g. two storey or own-door houses only), particularly, but not exclusively so in any one development of 100 units or more.	The proposed development is different from the surrounding housing estates and provides a wider mix of apartments, duplex and houses ranging from one to five bedroom units consistent with the guidelines.

Development management criteria are set out under section 3 of the Guidelines. These are addressed in the tables hereafter. The applicants are not of the view that the tallest buildings, the four-storey apartment blocks, located to the north-west, can be considered as tall buildings owing to their modest height. It is reiterated that there is no applicable height cap in either the County Development Plan or the Local Area Plan which would preclude such height on the application site.

It is noted that these criteria would specifically apply to the apartment blocks only as the tallest element proposed on site.

Table 12: At the scale of the relevant city / town:

Criteria	Application
<i>The site is well served by public transport with high capacity, frequent service and good links to other modes of public transport.</i>	As outlined in previous sections of this report, two bus stops are located on the R761 close to the site and school. Stops No. 4214 and 4297 are served by the route 184 (Bray -Newtownmountkennedy), route 84 to Dublin and route 84x to Dublin. A private night bus from Dublin to Bray / Greystones / Charlesland/ Kilcoole operates at weekends.

Criteria	Application
<p><i>Development proposals incorporating increased building height, including proposals within architecturally sensitive areas, should successfully integrate into/ enhance the character and public realm of the area, having regard to topography, its cultural context, setting of key landmarks, protection of key views. Such development proposals shall undertake a landscape and visual assessment, by a suitably qualified practitioner such as a chartered landscape architect.</i></p>	<p>The site is not located in an architecturally sensitive area.</p> <p>We refer the Board to the short range views and long range views as presented in the CGI booklet by 3D Design Bureau. We also refer the Board to chapter 10 of the EIAR on Landscape and Visual Assessment which was drafted by Ait.</p> <p>In summary, 30 view points were selected for the purposes of the LVIA to include relevant views and prospects as identified in the County Development Plan and Local Area Plan. These views in particular are referred to as views Protected Views 13, 14, 35, 36 and views V1 and V6.</p> <p>It is anticipated that the proposed development combined with substantial landscape proposals within and around the boundaries of the scheme will reduce the visual impacts to moderate and neutral in the long term once all landscape works have been implemented and trees and planting have established. The built element is of high quality. Together they will reduce the visual impacts to moderate and neutral in the long term once all the landscape works have been implemented and trees and planting have established.</p> <p>It is important to state here the building height assessment specifically seeks to address the apartment blocks as the highest elements proposed on site. The LVIA includes a number of comments in that regard:</p> <p>Proposed viewpoint 2: <i>‘Although a glimpse of the roofline of the proposed apartment blocks located in the northwest corner of the development site can be seen in the centre background, they will be screened by the canopies of trees within existing hedgerows to be retained within the development site..’</i></p> <p>Proposed viewpoint 3: <i>‘The proposed development does not look incongruous within the setting it is located; this is due to the existing residential development visible from this viewpoint.’</i></p> <p>Proposed viewpoint 10: <i>‘Through the leafless canopies of mature trees along the railway line embankment, a faint outline of the proposed apartment blocks located within the northwest corner of the development can be seen in the centre background; this faint outline will not be visible when the trees are in full leaf. In addition, a slight glimpse of the rooftop of a proposed house is also visible between</i></p>

Criteria	Application
	<p><i>the gables of the rooftops in the left background. The remainder of the proposed development will be screened by the existing built environment and vegetation as illustrated by the redline across the background. The view of Kindlestown Wood and the Great Sugar Loaf in the background will not be affected by the proposed development.'</i></p> <p>Proposed viewpoint 11: <i>'the proposed apartment block does not project into the skyline and interrupt the horizon line and so the uninterrupted view from Kindlestown Hill to the Great Sugar Loaf and the Little Sugar Loaf remains undisturbed.'</i></p> <p>Proposed viewpoint 16: <i>'The upper three floors of the proposed apartment block located in the northwest corner of the development site will be partially visible through the canopies of the mature trees in the right background. However, these apartment blocks but they will not interrupt the horizon line and the distance at which they are located from the viewer allows them to be perceived as a building of smaller scale. The proposed development does not look incongruous within the setting it is located.'</i></p> <p>Proposed viewpoint 17: <i>'The upper three floors of the proposed apartment block located in the northwest corner of the development site will be partially visible through the canopies of the mature trees in the far right background. However, these apartment blocks but they will not interrupt the horizon line and the natural colour and tone of the chosen façade material allows them to blend in with the receiving agricultural landscape.'</i></p>
<p><i>On larger urban redevelopment sites, proposed developments should make a positive contribution to place-making, incorporating new streets and public spaces, using massing and height to achieve the required densities but with sufficient variety in scale and form to respond to the scale of adjoining developments and create visual interest in the streetscape</i></p>	<p>The site does not qualify as a redevelopment site.</p>

Table 13: At the scale of the district / neighbourhood / street:

Criteria	Application
<i>The proposal responds to its overall natural and built environment and makes a positive contribution to the urban neighbourhood and streetscape.</i>	<p>The proposed development was laid out with careful consideration for the natural environment it is set in. The topography of the site is challenging.</p> <p>The proposed development is particularly cognisant of lower lying landholdings specifically at Waverly. Notwithstanding this, this table specifically seeks to address the apartment blocks themselves.</p> <p>The aforementioned LVIA states: ‘The existing topography has informed the design, arranging the buildings and road alignments according to the ground contours and mitigating the visual impact on the receiving environment and maximising the preservation of existing natural assets such as hedgerows, trees, streams, and wetland areas. In addition, the existing neighbouring residential development informs the proposed site design, using a similar design in terms of scale and architectural style, including form and materials; this allows the proposed development to blend in within its surrounding context, reducing its overall impact on the landscape.’</p>
<i>The proposal is not monolithic and avoids long, uninterrupted walls of building in the form of slab blocks with materials / building fabric well considered.</i>	<p>Four apartment blocks are proposed to avoid a monolith design response. Given the site topography, the blocks have been designed to be set within the receiving environment. The façade treatment is illustrated on architect drawing no PL400 Apartment Blocks A, B and C, External Elevations and to the CGIs which show the development</p>
<i>The proposal enhances the urban design context for public spaces and key thoroughfares and inland waterway/ marine frontage, thereby enabling additional height in development form to be favourably considered in terms of enhancing a sense of scale and enclosure while being in line with the requirements of “The Planning System and Flood Risk Management – Guidelines for Planning Authorities” (2009).</i>	<p>In the proposed development, every effort has been made to put forward an attractive public realm and open space offer. We particularly refer the board to the Landscape report which provides the landscape rationale which was devised to support the development. The blocks provide for a sense of enclosure to the area of open space 1 and to the northwestern perimeter linear park.</p> <p>A site-specific flood risk assessment accompanies this application. It states that the proposed development:</p> <ul style="list-style-type: none"> • Is not at risk of coastal flooding; and • Is not at risk of fluvial flooding. <p>Pluvial risk will be mitigated through an effective surface water and SUDS strategy, with a series of swales</p>

Criteria	Application
	proposed to intercept and collect surface water, particularly from the Kindlestown Hill.
<i>The proposal makes a positive contribution to the improvement of legibility through the site or wider urban area within which the development is situated and integrates in a cohesive manner.</i>	<p>As demonstrated in the LVIA, the proposed layout responds well to the topography of the site. As it is not incongruous either by its form or its uses, the development effectively consists of a logical continuation of the built fabric of Greystones.</p> <p>In addition, it is important to note that although not directly subjected to the building height guidelines assessment themselves, the community building, public park, playing field and MUGA will make significant contribution to Greystones.</p>
<i>The proposal positively contributes to the mix of uses and/or building/ dwelling typologies available in the neighbourhood.</i>	<p>The proposed housing mix includes:</p> <p>203 apartments (65 no. 1-bed; 123 no. 2-bed and 15 no. 3-bed)</p> <p>32 duplex apartments (16 no. 2-bed and 16 no. 3-bed)</p> <p>351 houses (207 no. 3-bed; 140 no. 4-bed and 4 no. 5-bed).</p> <p>The overall mix is as follows: 11% 1-bed units, 23% 2-bed units, 41% 3-bed, 24% 4-bed and 1% 5-bed.</p> <p>Reviewing the 2016 CSO census of population, it is noted that the share of smaller housing units in the Greystones settlement is relatively low. One-bed unit represent less than 1% of the total housing stock, 2-bed units 4% and 3-bed represent 9%. The proposed breakdown of units will bring diversity in Greystones. This is particularly important to allow accommodating smaller households, particularly young couples and older persons.</p>

Table 14: At the scale of the site building

Criteria	Application
<i>The form, massing and height of proposed developments should be carefully modulated so as to maximise access to natural daylight, ventilation and views and minimise overshadowing and loss of light</i>	<p>A Daylight, Sunlight and Overshadowing Study has been prepared by Integrated Environmental Solutions Ltd.</p> <p>In relation to the apartment blocks it states:</p> <p><i>‘Communal Apartment Amenity:</i></p> <p><i>On March 21st, 87% of the proposed communal amenity space situated within the apartments area of the</i></p>

Criteria	Application
	<p><i>development will receive at least 2 hours of sunlight over the total area provided, thus exceeding the 50% recommendation noted in the BRE Guide.'</i></p> <p>In relation to annual probable sunlight hours, the assessment noted:</p> <p>BRE Guide / BS 8206-2:2008</p> <p><i>'It should be noted that in the development of any housing scheme achieving in the region of 75% to 80% for this assessment would be considered very high and factors such as site constraints and ultimately orientation play a huge part in the outcome of this assessment. As such, the sunlight provision results to the proposed development in accordance with BRE Guide/BS 8206-2:2008 are considered to be excellent in the context of this suburban environment, due to the fact that not all living rooms can face south and the inclusion of balconies within the design scheme (as a requirement).'</i></p> <p>IS EN 17037:2018</p> <p><i>'Overall, the sunlight provision results for the proposed development in accordance with IS EN 17037:23018 are considered satisfactory in the context of a suburban environment, due to the fact that not all living rooms can face south and the inclusion of balconies.'</i></p> <p>On daylight to the proposed apartments, the report found:</p> <p>Total for The Development</p> <p><i>'The overall daylight provision results for the tested spaces in the development under the various standards are summarised below. A 95% compliance rate is achieved in accordance with the BRE Guide / BS 8206:2008 when LKDs are assessed against a 2% ADF target. Under IS EN 17037:2018 Method 2, a compliance rate of 99.7% is achieved which remains 100% under BS EN 17037:2018 Method 2 National Annex. Overall the quality of daylight provision across the development is high, with the majority of rooms that are failing located on the lower floors.'</i></p> <p>The report also refers to the design process and how the proposed development was optimised to maximise daylight.</p>

Criteria	Application
<p><i>Appropriate and reasonable regard should be taken of quantitative performance approaches to daylight provision outlined in guides like the Building Research Establishment's 'Site Layout Planning for Daylight and Sunlight' (2nd edition) or BS 8206-2: 2008 – 'Lighting for Buildings – Part 2: Code of Practice for Daylighting'.</i></p>	<p>Please refer to the criterion above which largely responds and to the Daylight, Sunlight and Overshadowing Study.</p>
<p><i>Where a proposal may not be able to fully meet all the requirements of the daylight provisions above, this must be clearly identified and a rationale for any alternative, compensatory design solutions must be set out, in respect of which the planning authority or An Bord Pleanála should apply their discretion, having regard to local factors including specific site constraints and the balancing of that assessment against the desirability of achieving wider planning objectives. Such objectives might include securing comprehensive urban regeneration and or an effective urban design and streetscape solution.</i></p>	<p>We refer to the Daylight, Sunlight and Overshadowing Study which discusses in s.10.4 the Compensatory Measures. In summary the following were incorporated increased window sizes to improve daylight provision to the apartments.</p> <p>The report also states:</p> <p><i>'In addition to this, design features have been incorporated into the development where rooms do not achieve the daylight provision targets in accordance with the standards they were assessed against. These design features again help to balance off and compensate the lower levels of daylight measured in the applicable spaces and are summarised as follows:</i></p> <ul style="list-style-type: none"> <i>• All of the apartments exceed the minimum standard and the majority are more than ten percent larger than the minimum standard required by the Design Standards (Dec 2020). Note that larger floor areas make it more difficult to achieve the recommended daylight levels. However, larger windows have been incorporated into the design which also improves the view out for the building occupants.</i> <i>• 58% of the apartment & duplex units are dual aspect which is above the 50% minimum requirement as required by the Design Standards (Dec 2020). As a result, more apartment units than the recommended minimum will achieve quality daylight from dual-aspect orientations.</i> <i>• A total of 10.43 ha of open space is provided as part of the development. This includes a mix of zoned open space, zoned active open space, linear parks and residential open space.</i>

Criteria	Application
	<ul style="list-style-type: none"> • 5192 sqm of communal open space is provided.'

Table 15: Specific Assessment

Criteria	Application
<p><i>Specific impact assessment of the micro-climatic effects such as down-draft. Such assessments shall include measures to avoid/mitigate such micro-climatic effects and, where appropriate, shall include an assessment of the cumulative micro-climatic effects where taller buildings are clustered</i></p>	<p>The apartment blocks are four storeys high.</p> <p>Please refer to the Coolagad Wind Microclimate Study prepared by IES. It states: <i>'The site is still generally safe for pedestrians. It also meets the Lawsons's Walking criteria requirements. It generally meets requirements of Lawsons's Standing and Sitting criteria in conjunction with each other.'</i></p>
<p><i>In development locations in proximity to sensitive bird and / or bat areas, proposed developments need to consider the potential interaction of the building location, building materials and artificial lighting to impact flight lines and / or collision</i></p>	<p>As noted above, the applicants are not of the view the buildings can be classified as tall buildings. Notwithstanding this, given the open and greenfield nature of the site and the need to undertake an EIAR, bats and bird surveys were undertaken.</p> <p>A bat survey can be found in the technical appendices of the EIAR. The survey states:</p> <p><i>'It should be noted, that prior to the design of being implemented the ecological constraints were identified and given to the project team. The proposed project has been designed specifically around the ecology on site and significant input has been given to the retention of trees, ecological sensitive areas the maintenance of bat foraging on site. The lighting of the proposal has taking into account the foraging on site and is only lighting areas of the site where necessary. Open spaces, the riparian corridor and hedgerows and treelines are to remain unlit unless absolutely necessary. The landscaping strategy has also provided screening where possible to further constrain light spill. A pre-construction survey of trees to be felled should be carried out and a derogation licence acquired if a bat roost is present. Light spill from the dwellings and public lighting will be more conservative than the Bat Conservation Ireland "Bats & Lighting Guidance. A post construction light spill assessment will be carried out to ensure conformity with the lighting proposed.'</i></p>

Criteria	Application
	<p>We also refer the Board to the EIAR chapter on Biodiversity which states:</p> <p><i>‘There is no evidence of a bat roost in the trees on site, therefore no significant negative impacts on the roosting of these animals are expected to result from the proposed development. Foraging activity was noted along hedgerows, the riparian corridor and treelines. The proposed lighting strategy has been discussed and modified to reduce the potential impact on bats. This has included only lighting areas where required and not lighting public open spaces unless necessary. There is potential for bats to enter and roost within trees of bat roosting potential on site that are to be felled, between the time of survey and the commencement of the development.’</i></p> <p>In relation to birds, the EIAR states:</p> <p><i>‘In relation to bird species no bird species on Annex I of the EU Birds Directive were noted on site by NPWS or NBDC.’</i></p> <p>And</p> <p><i>‘There is potential for avian biodiversity to be impacted by the artificial lighting on site. The proposed lighting strategy has been discussed and modified to reduce the potential impact on hedgerows and birds. This has included only lighting areas where required and not lighting public open spaces unless necessary. In addition the lighting strategy has included significant planting of native trees in open space areas to encourage birds on site. Maintenance of the native hedgerows on site during bird nesting season could potentially impact on nesting birds.’</i></p>
<i>An assessment that the proposal allows for the retention of important telecommunication channels, such as microwave links</i>	<p>We refer to the Energy Statement, specifically s.9 which addresses telecommunications and states:</p> <p><i>‘We have reviewed the proposed development at Coolagad Greystones and consider that the height and scale being sought for this new development will not have an impact on any current microwave telecommunication channels.’</i></p>
<i>An assessment that the proposal maintains safe air navigation.</i>	<p>An Aeronautical Assessment Report accompanies this application. It notes that the proposed development</p>

Criteria	Application
	fully complies with all aviation and aeronautical considerations and requirements affecting the site.
<i>An urban design statement including, as appropriate, impact on the historic built environment.</i>	An Architecture and Urban Design Statement was prepared by McCrossan O'Rourke and Manning, the project architects. It sets out the rationale for the design and layout. It is also noted that there is no historic built environment that would be affected by the development.
<i>Relevant environmental assessment requirements, including SEA, EIA, AA and Ecological Impact Assessment, as appropriate.</i>	An EIAR and NIS accompany this application.

15.3.11 The Planning System and Flood Risk Management (2009)

The core objectives of the Guidelines are to:

- Avoid inappropriate development in areas at risk of flooding;
- Avoid new developments increasing flood risk elsewhere, including that which may arise from surface water run-off;
- Ensure effective management of residual risks for development permitted in floodplains;
- Avoid unnecessary restriction of national, regional or local economic and social growth;
- Improve the understanding of flood risk among relevant stakeholders; and
- Ensure that the requirements of EU and national law in relation to the natural environment and nature conservation are complied with at all stages of flood risk management.

A site-specific Flood Risk Assessment accompanies this application. In summary, it found that:

- The proposed development is not subject to the risk of coastal flooding or fluvial flooding.
- The proposed development will deploy an effective surface water and SuDS strategy, with a series of swales proposed to intercept and collect surface water runoff from the Kindlestown Hill. Water will then be discharged at a controlled rate into the existing stream within the site. Discharge rates have been selected to ensure the existing flows within the stream will not increase and would not create downstream impacts.
- As the site is located within Flood Zone C, it does not require a Justification Test.

15.3.12 Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009)

The aim of these guidelines is to set out the key planning principles which should be reflected in development plans and local area plans, and which should guide the preparation and assessment of planning applications for residential development in urban areas.

The Guidelines provide that where there is good planning, good management, and the necessary social infrastructure, higher density housing has proven capable of supporting sustainable and inclusive communities. In general, increased densities should be encouraged on residentially zoned lands and particularly in the following locations:

(a) City and town centres

(b) 'Brownfield' sites (within city or town centres).

(c) Public transport corridors *"(It is recommended that increased densities should be promoted within 500 metres walking distance of a bus stop, or within 1km of a light rail stop or a rail station. The capacity of public transport (e.g. the number of train services during peak hours) should also be taken into consideration in considering appropriate densities. In general, minimum net densities of 50 dwellings per hectare, subject to appropriate design and amenity standards, should be applied within public transport corridors, with the highest densities being located at rail stations / bus stops, and **decreasing with distance away from such nodes**. Minimum densities should be specified in local area plans, and maximum (rather than minimum) parking standards should reflect proximity to public transport facilities".)*

(d) Inner suburban / infill

(e) Institutional lands

(f) Outer Suburban / 'Greenfield' sites *"(the greatest efficiency in land usage on such lands will be achieved by providing net residential densities in the general range of 35-50 dwellings per hectare and such densities (involving a variety of housing types where possible) should be encouraged generally)".*

Greystones-Delgany is designated a 'Large Growth Town 2' under the County Development Plan's core strategy, with a target population of 24,000 by 2028.

The proposed development may be considered to fall within category (f).

The Guidelines set out layout and design considerations, whereby proposals must make the most effective use of the site, while contributing positively to the surroundings. Development must have a sense of identity and place, while providing for effective connectivity. Finally, public areas forming part of the proposals should be guided by passive surveillance.

The proposed net density is 35.88 uph which is aligned with category (f) noted above, which seeks densities of 35 to 50 uph. The proposed makes the most effective use of land possible having regard to the sloping nature of the site and the location with housing to the south east and the elevated lands to the west. The lands are currently unbuilt yet are ideally located within close proximity of community facilities on a zoned site within a residential area and within walking distance of public transport and within a short walk to Blacklion centre. The layout is broadly organised around the topography and the permitted development to the north. Natural surveillance is also provided in the other public areas of the development.

The development complies with the Guidelines.

15.3.13 Urban Design Manual- A best Practice Guide (2009)

The Urban Design Manual is the accompanying document to the *Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas* (2009). This manual establishes 12 criteria that residential development should be assessed against. The proposed development is considered consistent with the 12 criteria as illustrated in the accompanying Architect and Urban Design Statement.

15.3.14 Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities (2009)

An AA screening report and a Natura Impact Statement accompany this application.

15.3.15 Guidelines for Planning Authorities on Childcare Facilities (2001)

Government policy on childcare is to increase the number of childcare places and facilities available and to improve the quality of childcare services for the community. The Guidelines are to be reviewed by the Department.

For new housing areas, an average of one childcare facility for each 75 dwellings would be appropriate.

The proposed development is for 586 homes. Using the Guidelines, the development would generate a childcare need of 135 spaces (after discounting the one-bed units). A creche is provided to also include staff parking and specific creche open space area. The proposed creche at 734 sqm will meet the requirement of the Guidelines.

15.4 Regional

15.4.1 Eastern and Midland Regional Assembly –Regional Spatial & Economic Strategy (RSES) (2019-2031)

The Regional Economic and Spatial Strategy (RSES), considers the wider Dublin Metropolitan Area (DMA) home to 1.4 million people, covering the continuous built-up city area and includes the highly urbanised settlements of Swords, Malahide, Maynooth, Leixlip, Celbridge, Bray and Greystones, which have strong connections with the city.

The Dublin Metropolitan Area Strategic Plan (MASP) supports employment generation at strategic locations within the metropolitan area to strengthen the local employment base and reduce pressure on the metropolitan transport network, including; future employment districts in Swords and Dublin Airport/South Fingal; Maynooth; Bray; Greystones; Dunboyne-Portane; and Leixlip. The vision statement for the MASP includes the following:

“This high-level vision is underpinned by a spatial framework that supports the overall Settlement Strategy in Chapter 4 People and Place and sets out an integrated land use and transportation strategy for the sequential development of the metropolitan area, focussed on:

- *Consolidation of Dublin City and suburbs*
- *Key Towns of Swords, Maynooth and Bray*
- *Planned development of strategic development areas in Donabate, Dunboyne, Leixlip and Greystones”*

The RSES supports delivery of the strategic park and ride projects including at Greystones. Key transport infrastructure investments in the metropolitan area as set out in national policy include continuing to provide DART services on the South-Eastern Line as far south as Greystones.

15.5 Wicklow County Development Plan 2016 -2022

This section demonstrates compliance with the policies of the Wicklow County Development Plan 2016-2022.

15.5.1 Core strategy

The population target for Greystones/Delgany is set out in table 2.4 of the County Development Plan as 21,603 in 2022 up to 24,000 in 2028.

Table 16: Extract from County Development Plan

Table 2.4 Population targets for County Wicklow 2022, 2025, 2028					
Designation	Town	2011	2022	2025	2028
Consolidation Town	Bray	29,339	36,237	38,119	40,000
Large Growth Town I	Wicklow / Rathnew	13,468	20,283	22,141	24,000
Large Growth Town II	Arklow	13,066	19,494	21,247	23,000
Large Growth Town II	Greystones/ Delgany	17,208	21,603	22,801	24,000

The housing growth distribution is provided in Table 2.7 in the County Plan.

Table 17: Extract from County Development Plan

Table 2.7 County Wicklow housing growth distribution 2022, 2028					
	2011 Existing Housing Stock	2022 Target Housing Stock	2028 Target Housing Stock	Target Housing Stock Growth 2011-2028	% of total Housing Stock Growth 2011-2028
Bray	11,518	13,958	16,896	5,378	17.22%
Wicklow / Rathnew	5,399	7,813	10,138	4,739	15.17%
Arklow	5,459	7,509	9,715	4,256	13.62%
Greystones/ Delgany	6,637	8,321	10,138	3,501	11.21%

The 2022 housing stock target is 8,321 and the 2028 housing stock target is 10,138 (+1,817) . The Planning Authority have indicated previously the extant permissions are c8,600 therefore available residential units equates to c1,538 or 39 % of the 2028 target. The proposed development is located in an area designated as a landbank in the Greystones – Delgany and Kilcoole Local Area Plan 2013-2019. It is also noted that extant permissions are not delivered development. The applicants are seeking a 7-year permission which would accord with the target housing growth.

As there is significant overlap between the guidelines above and the development plan, the statement of consistency as required regarding the development plan is addressed by topic in a table below.

Figure 10: Extract from County Development Plan



15.6 Statement of consistency with County Development Plan objectives

15.6.1 Settlement Hierarchy and Housing

Table 18: Relevant Settlement Strategy and Housing Objectives

Policy/ objectives	Application
S. 1.3 Separate Local Area Plans are in place, including Greystones-Delgany. CDP does provide the key parameters for Local Area Plans such as the future population and housing targets and sets out the broad strategy for the future economic and social development of these towns.	See LAP section below.
S. 3.2 Greystones - Delgany is designated a Level 3 Large Growth Town II within the Metropolitan Area. Population of the settlement is targeted to increase from 17,208 in 2011 to 24,000 in 2028.	Noted and proposed development is consistent with the core strategy. This is elaborated below.
Table 2.8 Wicklow LAP Settlements – Housing and Zoning Requirements	The proposed development is consistent with the core strategy as above.

Policy/ objectives	Application
<p>Population 2011 Greystones/Delgany 17,208.</p> <p>Core Strategy population allocation 2025-22,801</p> <p>Housing unit growth requirement 2025 - 3921.</p> <p>Housing unit growth requirement head room 2025 - 5034.</p>	
<p>Table 2.10 County Wicklow Economic Development Hierarchy. Settlement level 3, Large Growth Town Type 2, includes Greystones/Delgany with economic function of Subsidiary attractor for inward investment</p>	Noted
<p>S.4.3.4 Densities It is an objective of the Council to encourage higher residential densities at suitable locations. Maximum densities will normally be ascribed to each parcel of zoned / designated residential land in the relevant local plan.</p> <p>Apartments generally will only be permitted within the designated centres in settlements (<i>i.e. designated town, village or neighbourhood centres</i>), 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.</p>	<p>Noted and material contravention has been prepared.</p> <p>Noted and material contravention has been prepared.</p>

Table 19: Relevant Settlement Strategy Objectives

Settlement Strategy Objectives (section 3.3)	Application
<p>SS1 To implement the County Wicklow Core Strategy and Settlement Strategy, having regard to the availability of services and infrastructure and in particular, to direct growth into the designated metropolitan growth centres and the large, moderate and small growth towns in the Greater Dublin hinterland area.</p>	<p>The application complies. In relation to wastewater and water supply infrastructure, the applicants have secured a Confirmation of Feasibility and Design Acceptance from Irish Water.</p> <p>The application also includes a portion of the Coolagad link road, as identified in the Greystones –Delgany and Kilcoole LAP.</p>

Settlement Strategy Objectives (section 3.3)	Application
SS2 To facilitate service and infrastructure providers in the delivery of services and infrastructure to enable the implementation of the County Wicklow Core Strategy and Settlement Strategy.	The application also includes a portion of the Coolagad link road, as identified in the Greystones – Delgany and Kilcoole LAP.
SS3 To ensure that all settlements, as far as is practicable, develop in a self-sufficient manner with population growth occurring in tandem with physical and social infrastructure and economic development. Development should support a compact urban form and the integration of land use and transport.	<p>The proposed development will include road and community infrastructure and active open space which will contribute toward meeting its own needs and be available to rest of the Greystones settlement in accordance with the objectives of the LAP.</p> <p>The site is zoned in the Greystones-Delgany LAP for residential development, amongst other uses.</p>
SS4 To require new housing development to locate on designated housing land within the boundaries of settlements, in accordance with the development policies for the settlement.	The proposed development will be located on residentially zoned lands.
SS5 To implement the population and housing growth targets as set out in the Core Strategy and Settlement Strategy, to monitor development and the delivery of services on an ongoing basis and to review population allocations where service delivery is impeded.	As noted in s.16.5.1 above, the 2022 housing stock target is 8,321 and the 2028 housing stock target is 10,138 (+1,817). The Planning Authority have indicated previously the extant permissions are c8,600 therefore available residential units equate to c1,538 or 39 % of the 2028 target. The proposed development is located in an area designated as a landbank in the LAP. It is also noted that extant permissions are not delivered development. The applicants are seeking a 7-year permission which would accord with the target housing growth.
SS6 To prepare new local plans for the following areas during the lifetime of this development plan: Bray Municipal District, Wicklow-Rathnew, Arklow, Rathdrum, Newtownmountkennedy, Greystones-Delgany and Kilcoole, Blessington.	The Greystones-Delgany and Kilcoole LAP applies. It is discussed in further sections of this report.
SS7 To strengthen the established structure of villages and smaller settlements both to support local economies and to accommodate additional population in a way that supports the viability of local	The proposed development contributes to this objective. It will provide for additional community and active open space facilities which will positively benefit the existing local population.

Settlement Strategy Objectives (section 3.3)	Application
infrastructure, businesses and services, such as schools and water services.	

Table 20: Relevant Housing Objectives

Housing Objectives Chapter 4	Application
General	
HD1 New housing development shall be required to locate on suitably zoned or designated land in settlements, and will only be considered in the open countryside when it is for the provision of a rural dwelling to those with a housing, social or economic need to live in the open countryside.	The proposed development would be located on appropriately zoned lands.
Design	
HD2 New housing development, above all other criteria, shall enhance and improve the residential amenity of any location, shall provide for the highest possible standard of living of occupants and in particular, shall not reduce to an unacceptable degree the level of amenity enjoyed by existing residents in the area.	The proposed development would provide acceptable levels of residential amenities. There will be no impact on the existing residential units owing to the separation distances between proposed and existing units.
HD3 All new housing developments (including single and rural houses) shall achieve the highest quality of layout and design, in accordance with the standards set out in the Development and Design Standards document appended to this plan, which includes a Wicklow Single Rural Houses Design Guide.	The layout and design of the proposed residential units complies with the applicable standards arising from either the Apartment Design Standards (for apartments and duplexes) or the Development and Design Standards document appended to the CDP.
Social Housing	
HD4 To implement the provisions of the Wicklow Housing Strategy and in particular, to require that 10% of all zoned land developed for residential use, or for a mixture of residential and other uses, shall be devoted to social housing.	Part V requirement will be met by way of units on site. Please refer to the Part V proposals submitted as part of this SHD application.
Density	
HD5 In order to make best use of land resources and services, unless there are cogent reasons to the contrary, new	The proposed density has been discussed in previous sections of this report.

Housing Objectives Chapter 4	Application
<p>residential development shall be expected to aim for the highest density indicated for the lands . The Council reserves the right to refuse permission for any development that is not consistent with this principle.</p>	<p>The site is heavily constrained owing to its topography. The design response makes the most efficient use of residentially zoned lands and complies with this objective.</p> <p>A material contravention statement has been prepared in relation to the densities applied in the Greystones – Delgany LAP. Please refer to Part C.</p>
Sequence / Phasing of Housing	
<p>HD6 Notwithstanding the zoning / designation of land for residential purposes, the Development Management process shall monitor and implement the population targets of this plan and shall phase and restrict, where necessary, the granting of residential planning permissions to ensure these targets are not exceeded.</p>	<p>As noted in the section above, the 2022 additional housing stock target is 8,321 and the 2028 housing stock target is 10,138 (+1,817). The Planning Authority has indicated previously the extant permissions are c8,266 in their report to ABP at pre-application stage. Therefore available residential units equate to c1,538 or 43 % of the 2028 target. The proposed development is located in an area designated as a landbank in the LAP. It is also noted that extant permissions are not delivered development. The applicants are seeking a 7-year permission which would accord with the target housing growth. Please refer to drawing PL10 Site Layout Plan – Phasing Plan.</p>
<p>HD7 The development of zoned land should generally be phased in accordance with the sequential approach as set out in this chapter. The Council reserves the right to refuse permission for any development that is not consistent with these principles.</p> <p>This is complemented by section 4.3.3 of the CDP:</p> <ul style="list-style-type: none"> • Development shall extend outwards from centres with undeveloped land closest to the centres and public transport routes being given preference, i. e. ‘leapfrogging’ to peripheral areas shall be resisted; • a strong emphasis shall be placed on encouraging infill opportunities and better use of underutilised lands; and • areas to be developed shall be contiguous to existing developed areas. 	<p>The proposed development is adjacent to the Blacklion neighbourhood centre and to the Waverly estate.</p> <p>The proposed development at Coolagad is sequential. It is immediately adjacent to existing developed areas.</p>

Housing Objectives Chapter 4	Application
<p>HD8 Housing development shall be managed and phased to ensure that infrastructure and in particular, community infrastructure, is provided to match the need of new residents. Where specified by the Planning Authority, new significant residential or mixed use development proposals, may be required to provide a social and community facility/facilities as part of the proposed development or the developer may be required to carry out a social infrastructure audit, to determine if social and community facilities in the area are sufficient to provide for the needs of the future residents. Where deficiencies are identified, proposals will be required to either rectify the deficiency, or suitably restrict or phase the development in accordance with the capacity of existing or planned services.</p>	<p>The proposed development includes a community building the management of which is to be transferred to Wicklow County Council.</p> <p>In addition, a playing field, MUGA and a creche will also be provided.</p> <p>The planning application is accompanied by a social infrastructure audit.</p>
Protection of Residential Amenity in Transitional Areas	
<p>HD12 While the zoning objectives indicate the different uses permitted in principle in each zone it is important to avoid abrupt transitions in scale and use at the boundary of adjoining land use zones. In these areas it is necessary to avoid developments that would be detrimental to amenity. In zones abutting residential areas, particular attention will be paid to the use, scale, density and appearance of development proposals and to landscaping and screening proposals in order to protect the amenities of residential properties.</p>	<p>The proposed development applies adequate separation distances from existing uses on adjacent sites. In particular, it is well removed from the rear boundary of the Waverly estate.</p> <p>We also refer the Board to drawing PL10 Site Layout Plan – Phasing Plan which shows the phasing of development which will take place in an east-west manner.</p>
Unit Types / Sizes / Locations	
<p>HD13 Apartments generally will only be permitted within the designated centres in settlements (i.e.designated town, village or neighborhood 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.</p>	<p>See s 28 Guidelines above in particular SPPR4 in Building Height Guidelines 2018 requires new development to have a greater mix of building heights and typologies. See also Material Contravention Statement</p>

Housing Objectives Chapter 4	Application
HD14 New apartment developments dependent on access through existing established areas of predominantly single family homes will generally not be permitted.	This does not apply as no access is required through existing established areas of predominantly single family homes.
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).	A range of units is provided to include 203 apartments, 32 duplex units and 351 houses. As it is not proposed to include bungalows, a Material Contravention Statement has been prepared. Please refer to Part C of this report
Housing Formats	
HD17 The maximum size of any single 'housing estate' shall be 200 units and developments that include more than 200 units should be broken into a number of smaller 'estates', which shall be differentiated from each other by the use of materially different design themes.	The proposed development is in excess of 200 units. It is proposed to be broken into a number of smaller estates each with its own character. Please refer to the Architecture and Urban Design Statement for further details.
HD18 The development of 'serviced sites', where site purchasers have the option of designing their own home, shall be particularly encouraged on zoned / designated housing land.	The applicants note the wording of this policy seeks to 'encourage'. Given the complexity of the site, it was not considered appropriate to include smaller serviced sites as part of the overall proposal.
Urban Regeneration & Housing	
All lands zoned for residential development, including all lands zoned RE, R20, R15, R10 in this plan (this refers to Level 5 settlements), as well as the following residential zones in larger towns, are considered to be lands that may be in need of new development in order to ensure there is no shortage of housing, and these zones will be examined in detail in order to determine if there are sites where the Vacant Site Levy should be applied.	The application site incorporates lands zoned R17 and R22 under the Greystones – Delgany LAP. The proposed development therefore accords with this objective.

15.6.2 Community Development

Table 21: Relevant Community Development Objectives

Community Development – Chapter 8	Application
Community Development	
CD4 To recognise the needs of those with disabilities throughout the County and to	A universal design statement is submitted as part of this application.

Community Development – Chapter 8	Application
<p>acknowledge their right to lead as enriching, fulfilling and independent lives as possible. In support of this, all policies, objectives and development standards of this plan have been proofed to ensure that not only do they not impede on the lives of people with disabilities but that they proactively assist and enable them.</p>	
<p>CD5 Where specified by the Planning Authority, new significant residential or mixed-use development proposals, may be required to provide a social and community facility/facilities as part of the proposed development or the developer may be required to carry out a social infrastructure audit, to determine if social and community facilities in the area are sufficient to provide for the needs of the future residents. Where deficiencies are identified, proposals will be required to either rectify the deficiency, or suitably restrict or phase the development in accordance with the capacity of existing or planned services.</p>	<p>The proposed development includes a community facility, a creche, a sport field and a MUGA.</p> <p>In addition, a social infrastructure audit is submitted.</p>
Education and Development Objectives	
<p>CD6 To facilitate the provision of schools by zoning suitable lands in local plans capable of meeting the demands of the projected populations. Prior to the identification of lands for primary and secondary school provision the Planning Authority shall consult with the Forward Planning and Site Acquisition and Management sections of the Department of Education.</p>	<p>Action Plan 1 Coolagad as set out in the Greystones-Delgany LAP sets out the required uses of the site. In particular in require the provision of a community facility. Action Plans in the LAP identify suitable sites for schools and other necessary infrastructure required on large landbanks. The subject lands are not identified for the accommodation of any school facilities.</p>
<p>CD9 Where practicable, education, community, recreational and open space facilities shall be clustered. However schools shall continue to make provision for their own recreational facilities as appropriate.</p>	<p>The proposed development includes a community facility, a creche, a MUGA and playing field. The community facility will include changing rooms for the playing field. These are clustered together at the entrance of the site to the east, the most accessible point to the rest of Greystones.</p>
Childcare and Preschool Objectives	
<p>CD22 To facilitate the provision of childcare in a manner which is compatible with land-use and transportation policies and adheres</p>	<p>A creche is provided to the east of the site, at the entrance. This was deemed the most appropriate location as it is the most accessible. It also allows for alternative usage</p>

Community Development – Chapter 8	Application
to the principles of sustainable development.	of its parking outside operating hours, specifically for the playing pitch, the community facility or the cemetery, located directly across the road to the west.
CD23 To facilitate the provision of a network of childcare facilities that reflects the distribution of the residential population in the County, in order to minimise travel distance and maximise opportunities for disadvantaged communities.	The provision of a creche on site supports this objective.
CD24 Where considered necessary by the Planning Authority, to require the provision of childcare facilities in all residential developments comprising 75 houses or more (including local authority and social housing schemes). In accordance with Department of Environment, Heritage & Local Government guidelines, childcare places shall be provided at a ratio of 20 places per 75 residential units, having regard to cumulative effects of permitted development, (unless it can be demonstrated that having regard to the existing geographic distribution of childcare facilities and the emerging demographic profile of the area that this level of childcare facilities is not required). Without substantial cause, it is the policy of the Planning Authority not to allow a change of use of these premises within five years.	A 734 sqm creche is provided to meet the demand arising from the development.
Leisure and Recreation Objectives	
CD26 To facilitate opportunities for play and support the implementation of the Wicklow County Council Play Policy and its objectives, including the collection of development levies.	The applicants have applied the principles contained in the Council's Play Policy in the provision of play areas across the site.
CD27 In all new residential development in excess of 50 units, where considered necessary by the Planning Authority, the developer shall provide, in the residential public open space area, a dedicated children's play area, of a type and with such features to be determined following consultation with Community, Cultural &	Generous play area allocations have been incorporated in the development. The locations of the play areas have been deemed based on the need to provide for safety and overlooking without detriment to proposed and existing residential amenities.

Community Development – Chapter 8	Application
<p>Social Development Office of Wicklow County Council. The location of any such proposal shall be situated within a centrally located area capable of being passively supervised by surrounding developments.</p>	
<p>CD28 All new estates, streets, open spaces/parks and community facilities shall be designed with the needs and safety of children as a priority.</p>	<p>The road and streets hierarchy and all public open spaces have been designed with the safety of children as a priority.</p>
<p>CD29 Subject to safety considerations, natural features (trees, streams etc) shall be retained in new developments.</p>	<p>The site layout and landscape proposals have been designed to incorporate and enhance as many natural features as possible. In particular, the existing stream generally crossing the site in an east-west manner, will be enhanced and incorporated into landscape proposals. Please refer to drawing no:</p> <ul style="list-style-type: none"> ▪ Landscape masterplan – detail area 1 ▪ Landscape masterplan – detail area 2 ▪ Landscape masterplan – detail area 3 ▪ Landscape masterplan – detail area 4 ▪ Landscape masterplan – detail area 5
<p>CD30 In accordance with Objective CD5, where a deficiency in facilities for teenagers/young adults and/or indoor community space is identified in an area, the developer of any significant new residential estate may be required to address the deficiency.</p>	<p>The social infrastructure audit states that <i>‘The Social Infrastructure Audit has demonstrated that the subject site is located in close proximity to a range of facilities that will meet the needs of future residents of the proposed development. The proposed development will generate a demand on the existing services and facilities, such as open space and leisure. The site is also well located in relation to public open space with nearby natural amenities, and the wide range of clubs and amenities located in Greystones and surrounding areas.</i></p> <p><i>The proposed development provides for a public park, MUGA, a playing field and a community facility in accordance with the requirements of AP1 Coolagad as per the Greystones-Delgany and Kilcoole LAP. Together these facilities will meet the needs of all age groups through the provisions of active and passive uses, therefore catering for a range of activities to be undertaken. These will be transferred to Wicklow County Council.’</i></p>

Community Development – Chapter 8	Application
	A community facility is proposed as part of the application for transfer to Wicklow County Council. This indoor community space has been designed in consultation with Wicklow County Council and may be used by variety of users.
CD31 All new neighbourhood parks or active open space zones shall include a 'mixed use games area' (MUGA) of an appropriate size and nature to be determined in, pre-consultation with the Community, Cultural & Social Development Office of Wicklow County Council.	A MUGA is proposed on site. Please refer to drawing Landscape Masterplan – Detail Area 1
CD32 New community buildings / facilities shall be designed to facilitate a wide range of uses including active uses (e.g. basketball, badminton, gymnastics / dance, martial arts etc), meeting / club use and the operation of youth clubs and youth services.	The proposed community building includes: <ul style="list-style-type: none"> ■ changing facilities to work in tandem with the playing / sport field ■ a 175 sqm multi-purpose room which can be used for meetings/gatherings or indoor sports such as yoga, dancing, or other uses as appropriate.
CD33 To provide for the development of facilities that contribute to the improvement of the health and well being of the inhabitants of County Wicklow and facilitate participation in sport and recreation.	A strong emphasis was put on the provision of sporting and community facilities as part of the development. These facilities, both indoor and outdoor, will be located at the entrance to the site, to allow for ease of access by the residents of Greystones.
CD35 Facilities for sports shall normally be located close to towns or villages, on designated Active Open Space land. All efforts will be required to be made to locate new sports facilities close to existing community facilities, schools or areas of dense residential development. The Council may consider providing sites for these purposes or may be prepared to make financial or other assistance available, subject to reasonable access being made available to the public and to reasonable safeguards for the continued use of the land as open space.	Proposed sports facilities will be located as part of the active open space as identified by the Greystones – Delgany LAP. These facilities include a sports field and a MUGA. This is the closest point to the existing neighbourhood centre of Blacklion, where a number of schools are located, less than 600m south.
CD37 The development of new sports or active open space zones shall be accompanied by appropriate infrastructure including car parking and changing rooms.	The community facility is accompanied by 29 car parking spaces. The community facility includes changing facilities to work in tandem with the playing field.

Community Development – Chapter 8	Application
	<p>The creche facility is accompanied by 21 car parking spaces. It is expected that outside of the operating hours of the creche, its car parking spaces can be used for playing field and the cemetery across the road.</p>
Open Space Objectives	
<p>CD43 To require open space to be provided in tandem with new residential development (in accordance with the standards set out in the Development & Design Standards Appendix).</p>	<p>10.43 ha of open space is provided as part of the proposed development.</p> <p>The total open space provision is as follows:</p> <ul style="list-style-type: none"> - Open space no. 1: 16,913 sqm - Open space no. 2: 966 sqm - Open space no. 3: 2,000 sqm - Open space no. 4: 2,379 sqm - Open space no. 5: 3,916 sqm - Open space no. 6: 860 sqm - Landscape buffer/Linear Park: 20,272 sqm - Landscape buffer/Linear Park: 13,399 sqm - Zoned open space: 20,051 sqm - Zoned Active Open Space: 23,554 sqm <p>Total: 104,310 sqm or 10.43 ha.</p> <p>To assess the quantum of open space provided for the purpose of residential development, we assume the following:</p> <p>Total site area: 26.03 ha. The following areas are excluded: zoned open space, active open space and the drainage works (1.16 ha). This yields a residential site of 20.51 ha.</p> <p>From the open space calculations, we exclude: Zoned open space, zoned active open space and landscape buffers. This yields a total residential open space provision of: 27,034 sqm or 2.7ha. This equates to 13.16% provision.</p> <p>We refer the Board to p47 of the Development and Design Standards of the CDP which states: <i>'Where a public park is being provided by the same developer (or by a group of developers in a combined Action Area) in close proximity to the residential development site, the public</i></p>

Community Development – Chapter 8	Application
	<p><i>open space provided on site may be reduced to 7.5% of the residential site area, with the remainder being made up in the park’.</i></p> <p>As the development also includes a public park to be transferred to Wicklow County Council, the development complies.</p>
CD46 All open spaces shall be provided with environmentally friendly lighting in order to ensure their safe usage after day light hours (refer to ‘Light pollution’ section of Chapter 9 of this plan).	Where open spaces include permeability links for cyclists and pedestrians, then lighting is proposed.

15.6.3 Infrastructure

Table 22: Relevant Infrastructure Objectives

Infrastructure – Chapter 9	Application
Public Transport Objectives	
<p>TR7 To promote the delivery of improved and new bus services both in and out of the County but also within the County by:</p> <ul style="list-style-type: none"> • facilitating the needs of existing or new bus providers with regard to bus stops and garaging facilities (although unnecessary duplication of bus stops on the same routes / roads will not be permitted); • requiring the developers of large-scale new employment and residential developments in the designated metropolitan and large growth towns in the County that are distant (more than 2km) from train / LUAS stations to fund / provide feeder bus services for an initial period of at least 3 years; • promoting the growth of designated settlements to a critical mass to make bus services viable and more likely to continue; • to work with Bus Eireann and the NTA to improve services in south and west Wicklow. 	<p>We refer the Board to the TTA and the Coolagad Bus Service Occupancy (prepared by AECOM) and to the Coolagad Capacity Assessment (prepared by Derry O’Leary) which investigate capacity of public transport in the area.</p> <p>Together these documents identify excess capacity (from 30% to 85%) in the bus network and show that at peak hours, the bus stops in proximity to the application site (Stop 4296 – Northbound) shows 10 min frequency at peak hours.</p> <p>On the basis of the excess capacity the applicants do not consider it necessary to cater for a feeder bus. This may be viewed as a material contravention, please refer to Part C of this report.</p> <p>The objective to work with Bus Eireann and the NTA relates to the south and west of the County. Coolagad is in the east.</p>

Infrastructure – Chapter 9	
Cycling and Walking Objectives	
TR9 To improve existing or provide new foot and cycleways on existing public roads, as funding allows.	<p>As part of the development, a cycle path will be provided on a section of the R761 as requested by Wicklow County Council. This will allow for tie in with planned works by the Council.</p> <p>In addition, the Board will note that the distributor road alignment has been designed with a view to leaving a reservation on the north to allow the council to provide a cycle and/or pedestrian footpath in the future. This area is proposed for taking in charge.</p>
TR10 To require all new regional and local roads to include foot and cycleways, except in cases where shared road space is provided.	The delivery of the section of the Coolagad Link Road will include a footpath. Owing to challenging site constraints and the need to provide for permeability, the cycle path linking the site to the entrance is proposed to be located through the open space to allow for shorter distances and separation of the car and other soft movements in a safe environment.
TR11 To facilitate the development of foot and cycleways off road (e.g. through open spaces, along established rights-of-way etc), in order to achieve the most direct route to the principal destination (be that town centre, schools, community facilities or transport nodes), while ensuring that personal safety, particularly at night time, is of the utmost priority.	The principal pedestrian and cycle link connecting the residentially zoned lands to the R761 will be located through the open space to allow for separation from the road. This will allow for safer journey and is more direct than the Coolagad Link Road which will be the principal spine for vehicular access.
TR12 To encourage the provision of secure covered bicycle-parking facilities at strategic locations such as town centres, neighbourhood centres, community facilities and transport nodes.	Bicycle parking is provided at key public buildings and locations, specifically, the creche, the community building and the sports field.
General Road Objectives	
TR15 Traffic Impact Assessments will be required for new developments in accordance with the thresholds set out in the 'Design Manual for Roads and Bridges' the 'Traffic & Transport Assessment Guidelines' (TII) and the Design Manual for Urban Roads and Streets (DoECLG & DoTTS).	A Traffic and Transport Assessment has been prepared by AECOM and accompanies this application.

Infrastructure – Chapter 9	Application
<p>TR16 Road Safety Audits and/or Road Safety Impact Assessments shall be required at the discretion of the Planning Authority, but shall generally be required where new road construction or a permanent change to the existing road layout is proposed.</p>	<p>A Road Safety Audit accompanies this application.</p>
National Road Objectives	
<p>TR24 To continue to improve regional roads to the appropriate standards consistent with predicted traffic flow and in accordance with Government policy and the Roads Programme adopted by the Council. New and existing road space will be allocated to provide for bus, cycle and pedestrian facilities.</p>	<p>The proposed development will contribute to the improvement of the R761 as it includes the provision of cycle infrastructure on the section that abuts the site travelling south toward the Redford Junction.</p>
<p>TR27 New means of access onto regional roads will be strictly controlled and may be considered if one of the following circumstances applies: The regional road passes through a designated settlement and a speed limit of 50km/h or less applies; where the new access is intended to replace an existing deficient one; where it is demonstrated that the entrance is essential and no other means of access is available.</p>	<p>The proposed access to the site from the R761 has been designed in consultation with Wicklow County Council. It will be a signalised junction to allow for the safe regulation of traffic and to tie in with the upgrade of the Redford junction located less than 200 m south of the site.</p>
Local Road Objectives	
<p>TR29 To provide new and improve existing roads in urban areas in accordance with objectives identified in local area, town and settlement plans.</p>	<p>The proposed development includes the provision of a section of the Coolagad Link Road, which is an objective of the Greystones – Delgany Local Area Plan.</p>
<p>TR30 To require all new or improved urban local roads to make provision for public lighting, foot and cycleways and bus stop facilities, where deemed appropriate by the Local Authority.</p>	<p>All streets and permeability links will be lit. Footpaths are proposed on all roads.</p> <p>The need to cater for a bus stop was not requested as part of the 247 consultation meetings with Wicklow and did not arise from the tri-partite meeting either. It is therefore not proposed to provide a bus stop. This is not considered necessary, given that the site is adjacent to a bus stop located on the R761.</p>
<p>TR32 Where a proposed development is adjoining future development lands or</p>	<p>The site is located north of another residentially zoned landbank and south of another one.</p>

Infrastructure – Chapter 9	Application
<p>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.</p>	<p>Should the southern landbank be developed, the proposed development has been designed to allow for the tie in for road infrastructure. This tie-in has been considered with topography in mind and as proposed it would allow for the southern landbank to be developed with easy access via the application site. The distributor road was designed to allow for access to the northern landbank should it developed in the future. Please refer to site layout plan PL01, PL02, PL03 and PL04 and the Design Statement which addresses connectivity to adjacent landbanks.</p>
Parking Objectives	
<p>TR35 New / expanded developments shall be accompanied by appropriate car parking provision, with particular regard being taken of the potential to reduce private car use in locations where public transport and parking enforcement are available. At such locations, the car parking standards set out in Appendix 1 Table 7.1 shall be taken as maximum standards, and such a quantum of car parking will only be permitted where it can be justified. In locations where public transport and parking enforcement are not available, the car parking standards set out in Appendix 1 Table 7.1 shall be taken as minimum standards. Deviations from this table may be considered in the following cases: In town centres where there is a parking enforcement system in place or a town car park in proximity to the site. In such cases, only the needs of long-term users (e.g. employees, residents) will have to be addressed by the developer; in multi-functional developments (e.g. hotels, district centres), where the developer provides a robust model of car parking usage to show that dual usage will occur and that peak car parking demand at any time of the day / week will always be met; and other situations will be considered on a case-by-case basis. In situations where a developer cannot meet the necessary car parking requirement on</p>	<p>Houses are provided with two car parking spaces each as per the requirements of the Development Plan management standards.</p> <p>Apartments and duplex units are allocated lower parking standards in accordance with the Apartment Design Guidelines. These have been discussed in an earlier section.</p>

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or near the development site, the developer may request the Local Authority to accept a special payment in lieu, to be utilised by the Local Authority in providing car parking in the area.	
TR36 Provision shall be made in all new / expanded developments for disabled parking (and associated facilities such as signage, dished kerbs etc), at a suitable and convenient location for users.	<p>17 disabled car parking spaces will be provided as follows:</p> <ul style="list-style-type: none"> • 11 no. in the apartment block (6 no. in the basement and 5 no. on surface) • 3 no. at the crèche car park • 1 no. at the community building • 2no. at the duplex, 1 no. either side
Water Objectives	
WI1 In order to fulfil the objectives of the Core Strategy, Wicklow County Council will work alongside and facilitate the delivery of Irish Water’s Water Services Investment Programme, to ensure the provision of sufficient storage, supply and pressure of potable water to serve all lands zoned for development and in particular, to endeavour to secure the delivery of regional and strategic water supply schemes and any other smaller, localised water improvement schemes required during the lifetime of the plan.	Irish Water have issued a Confirmation of Feasibility and a Statement of Design Acceptance for the development.
WI2 To protect existing and potential water resources of the County, in accordance with the EU Water Framework Directive, the River Basin Management Plans, the Groundwater Protection Scheme and source protection plans for public water supplies.	<p>The water chapter of the EIAR states the following in section 7.6.1.8:</p> <p><i>‘it is considered that the design of the Proposed Development is in line with the objectives of the Water Framework Directive (2000/60/EC) to prevent or limit any potential impact on water quality’</i></p>
WI3 To require new developments to connect to public water supplies where services are adequate or where they will be provided in the near future.	The proposed development will connect to the public watermain located outside the site on the R761.
Flood Management Objectives	
FL2 To implement the ‘Guidelines on the Planning System and Flood Risk Management’ (DoEHLG/OPW,2009).	A site-specific flood risk assessment accompanies this application.

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FL6 To limit or break up large areas of hard surfacing in new developments and to require all surface car parks to integrate permeability measures such as permeable paving.	Please refer to drawing 0521 – Proposed SuDS Measures Overall Plan Sheet 1 of 4 which shows the use permeable paving for all surface parking areas.
FL7 Excessive hard surfacing shall not be permitted for new, or extensions to, residential or commercial developments and all applications will be required to show that sustainable drainage techniques have been employed in the design of the development.	<p>The design incorporates SUDS measures as follows:</p> <ul style="list-style-type: none"> • Permeable paving for all surface car parking. • Green roofs to the apartment blocks. • Filter drains • Bio-retention system • Rainwater waterbutt. • Dry swales <p>Please refer to dwg no. 0521 – Proposed SuDS Measures Overall Plan Sheet 1 of 4.</p>
FL8 To require all new developments to include proposals to deal with rain and surface water collected on site and where deemed necessary, to integrate attenuation and SUDS measures.	As noted in the Site Specific Flood Risk Assessment, the proposed surface water drainage network has been designed to cater for storm water runoff from impermeable areas. A series of SUDS systems including dry swales, filter drains, permeable paving will provide a 'management train' (interception and treatment) on site.
FL9 For developments adjacent to all watercourses of a significant conveyance capacity or where it is necessary to maintain the ecological or environmental quality of the watercourse, any structures (including hard landscaping) must be set back from the edge of the watercourse to allow access for channel clearing/ maintenance / vegetation. A minimum setback of up to 10m (or other width, as determined by the Council) will be required either side depending on the width of the watercourse.	A separation distance of 10m is respected along the stream, except for the two crossing points.
Solid Waste Management Objectives	
WE1 To require all developments likely to give rise to significant quantities of waste, either by virtue of the scale of the development or the nature of the development (e.g. one that involves demolition) to submit a construction	A Construction and Environmental Management Plan (CEMP) is submitted as part of this application.

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management plan, which will outline, amongst other things, the plan for the safe and efficient disposal of waste from the site.	
WE2 To require all new developments, whether residential, community, agricultural or commercial to make provision for storage and recycling facilities (in accordance with the standards set out in Development & Design Standards of this plan).	<p>Adequate storage and recycling facilities will be provided for all uses. The apartments have access to waste storage in the basement. The duplex units have dedicated waste storage located on a sheltered structure to their north and to their south.</p> <p>Houses will also have individual waste storage areas.</p> <p>The community facility and the creche are also catered with their own waste storage facilities.</p>
Noise Pollution Objectives	
WE14 To require proposals for new developments with the potential to create excessive noise to prepare a construction and/or operation management plans to control such emissions.	<p>We refer the Board to the Noise and Vibration chapter of the EIAR which states:</p> <p><i>‘The threshold or limit values for the site development and construction phases are not expected to be exceeded.’</i></p> <p>The EIAR includes noise management measures which will be complied with for the construction phase.</p> <p>The applicants also note the mitigation measures proposed for the operational phase and will comply.</p>
WE15 To require activities likely to give rise to excessive noise to install noise mitigation measures to undertake noise monitoring and to provide an annual monitoring audit.	We refer the Board to the Noise and Vibration chapter of the EIAR, specifically the monitoring section.
Light Pollution Objectives	
WE16 To require proposals for new developments with the potential to create light pollution or light impacts on adjacent residences to mitigate impacts, in accordance with the Development & Design Standards set out in this plan.	There are no lighting proposals incorporated in the development which would give rise to light impact on adjacent residences. Internal streets will require to be lit and this will be done in accordance with relevant standards.

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	Lighting is also proposed along the Coolagad link road and along permeability links for pedestrians and cyclists.
Electricity Demand Objectives	
CCE20 To require all new buildings during the design process to incorporate sustainable technologies capable of achieving a Building Energy Rating in accordance with the provisions S.I. No. 243 of 2012 European Communities (Energy Performance of Buildings) Regulations 2012 and the Building Control (Amendment) Regulations 2014.	The energy statement demonstrates compliance.
Heating Objectives	
CCE25 To require all new buildings during the design process to incorporate sustainable technologies capable of achieving a Building Energy Rating in accordance with the provisions S.I. No. 273 of 2012 European Communities (Energy Performance of Buildings) Regulations 2012 and the Building Control (Amendment) Regulations 2014.	The energy statement demonstrates compliance.
Archaeology Objectives	
BH2 Any development that may, due to its size, location or nature, have implications for archaeological heritage (including both sites and areas of archaeological potential / significance as identified in Schedule 10.01 & 10.02 and Map 10.01 & 10.02 of this plan) shall be subject to an archaeological assessment. When dealing with proposals for development that would impact upon archaeological sites and/or features, there will be presumption in favour of the 'preservation in situ' of archaeological remains and settings, in accordance with Government policy. Where permission for such proposals is granted, the Planning Authority will require the developer to have the site works supervised by a competent archaeologist.	<p>We refer the Board to the EIAR Chapter on Cultural Heritage.</p> <p>A number of underground features have been identified through the geophysical survey and test trenching exercise. These can be viewed in the aforementioned chapter in Figure 11.3.</p> <p><i>'The northern 60% of Archaeological Area 1 will be preserved in situ.'</i></p> <p><i>'The southern 30% of Archaeological Area 1 and Archaeological Areas 2, 3a-e, 4a-b, 5a & b, 6, 7 and 8 will be preserved by record (archaeological excavation) in advance of construction activity. Preservation by record will be undertaken under licence to the National Monuments Service of the Department of Housing, Local Government and Heritage (DoHLGH), with work being undertaken in accordance with a pre-agreed methodology that would include detailed finds retrieval and environmental remains strategies.'</i></p>

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	<p>Proposed measures include the archaeological monitoring of the topsoil stripping across the site.</p> <p>Please refer to Part C Material Contravention Statement</p>

15.6.4 Heritage

Table 23: Relevant Heritage Objectives

Relevant Heritage Objectives	Application
Biodiversity	
N1 To ensure that the impact of new developments on biodiversity is minimised and to require measures for the protection and enhancement of biodiversity in all proposals for large developments.	<p>An EIAR and NIS accompany this application. Please refer to the mitigation measures included.</p> <p>The development has responded to the requirements of the Ecologist in setbacks from hedges and from the stream insofar as practical. Please refer to both the NIS and EIAR for mitigation measures.</p>
NH2 No projects giving rise to significant cumulative, direct, indirect or secondary impacts on Natura 2000 shall be permitted.	<p>A Natura Impact Statement (NIS), in accordance with the requirements of Article 6(3) of the EU Habitats Directive, has been produced by Altamar Limited. It was determined that:</p> <p><i>‘Following the implementation of the mitigation measures outlined, the construction and presence of this development would not be deemed to have an impact on the integrity of Bray Head SAC. No impacts are likely on Bray Head SAC, alone in combination with other plans and projects based on the implementation of standard construction phase mitigation measures.</i></p> <p><i>This report presents a NIS for the proposed development. It outlines the information required for the competent authority to determine whether or not the proposed development, either alone or in combination with other plans or projects, in view of best scientific knowledge and in view of the sites’ conservation objectives, will adversely affect the integrity of the Bray Head SAC.’</i></p>
NH4 All projects and plans arising from this plan ¹² (including any associated improvement works or associated	Appropriate assessment was carried and determined the need to undertake a Natura Impact Statement.

Relevant Heritage Objectives	Application
<p>infrastructure) will be screened for the need to undertake Appropriate Assessment under Article 6 of the Habitats Directive. A plan or project will only be authorised after the competent authority has ascertained, based on scientific evidence, Screening for Appropriate Assessment, and a Stage 2 Appropriate Assessment where necessary, that 1) The Plan or project will not give rise to significant adverse direct, indirect or secondary effects on the integrity of any European site (either individually or in combination with other plans or projects); or 2) The Plan or project will have significant adverse effects on the integrity of any European site (that does not host a priority natural habitat type and / or a priority species) but there are no alternative solutions and the plan or project must nevertheless be carried out for imperative reasons of overriding public interest, including those of a social or economic nature. In this case, it will be a requirement to follow procedures set out in legislation and agree and undertake all compensatory measures necessary to ensure the protection of the overall coherence of Natura 2000; or 3) The Plan or project will have a significant adverse effect on the integrity of any European site (that hosts a natural habitat type and/or a priority species) but there are no alternative solutions and the plan or project must nevertheless be carried out for imperative reasons for overriding public interest, restricted to reasons of human health or public safety, to beneficial consequences of primary importance for the environment or, further to an opinion from the Commission, to other imperative reasons of overriding public interest. In this case, it will be a requirement to follow procedures set out in legislation and agree and undertake all compensatory measures</p>	<p>Both the AA screening and NIS are submitted as part of this application.</p>

Relevant Heritage Objectives	Application
<p>necessary to ensure the protection of the overall coherence of Natura 2000.</p>	
<p>NH6 Ensure ecological impact assessment is carried out for any proposed development likely to have a significant impact on proposed Natural Heritage Areas (pNHAs), Natural Heritage Areas (NHAs), Statutory Nature Reserves, Refuges for Fauna, Annex I habitats, or rare and threatened species including those species protected by law and their habitats. Ensure appropriate avoidance and mitigation measures are incorporated into development proposals as part of any ecological impact assessment.</p>	<p>An EIAR accompanies this application. Please refer to the Biodiversity chapter.</p>
<p>NH8 To protect non-designated sites from inappropriate development, ensuring that ecological impact assessment is carried out for any proposed development likely to have a significant impact on locally 12 Such projects include but are not limited to those relating to: agriculture; amenity and recreation; contaminated sites; electricity transmission; flood alleviation and prevention; forestry; mineral extraction; renewable energy projects; roads; telecommunications; tourism; wastewater and discharges; and water supply and abstraction. Along with cSACs, SPAs and pNHA these include Salmonid Waters; Flora Protection Order sites; Wildfowl Sanctuaries (see S.I. 192 of 1979); Freshwater Pearl Mussel catchments; and Tree Preservation Orders (TPOs), important natural habitats or wildlife corridors. Ensure appropriate avoidance and mitigation measures are incorporated into development proposals as part of any ecological impact assessment.</p>	<p>An EIAR accompanies this application.</p>
<p>NH12 To support the protection and enhancement of biodiversity and ecological connectivity within the plan area in accordance with Article 10 of the Habitats Directive, including linear</p>	<p>As indicated above, the NIS states:</p> <p><i>'Following the implementation of the mitigation measures outlined, the construction and presence of this development would not be</i></p>

Relevant Heritage Objectives	Application
landscape features like watercourses(rivers, streams, canals, ponds, drainage channels, etc), woodlands, trees, hedgerows, road and railway margins, semi-natural grasslands, natural springs, wetlands, stonewalls, geological and geo-morphological systems, features which act as stepping stones, such as marshes and woodlands, other landscape features and associated wildlife where these form part of the ecological network and/or may be considered as ecological corridors or stepping stones that taken as a whole help to improve the coherence of the Natura 2000 network in Wicklow.	<p><i>deemed to have an impact on the integrity of Bray Head SAC. No impacts are likely on Bray Head SAC, alone in combination with other plans and projects based on the implementation of standard construction phase mitigation measures.'</i></p> <p>The proposed development incorporates the protection of the stream which crosses the site in an east-west manner. Appropriate buffers have been applied to avoid encroachment on the stream.</p>
Woodlands, Trees and Hedgerows Objectives	
NH16 Development that requires the felling of mature trees of environmental and/or amenity value, even though they may not have a TPO in place, will be discouraged	<p>We note that both policies seek to 'discourage' and not prevent.</p> <p>The proposed development has sought to retain as far as practical mature trees and hedgerows. As can be seen on the arborists drawing there is unavoidable losses of trees as it is necessary to facilitate essential road infrastructure to access the southern portion of the site.</p>
NH17 To discourage the felling of mature trees to facilitate development and encourage tree surgery rather than felling where possible	<p>Where appropriate, the applicants are committed to tree planting to mitigate losses of trees. Tree planting can be seen on drawing Landscape Masterplan – Detail areas 1 to 5.</p>
NH18 To encourage the preservation and enhancement of native and semi-natural woodlands, groups of trees and individual trees, as part of the development management process, and require the planting of native, and appropriate local characteristic species, in all new developments.	As above.
NH19 To encourage the retention, wherever possible, of hedgerows and other distinctive boundary treatment in the County. Where removal of a hedgerow, stone wall or other distinctive boundary treatment is unavoidable, provision of the same type of boundary	<p>As above.</p> <p>The applicants have proposed a variety of boundary treatments as can be seen on drawings 110- Boundary Treatment Plan North and 111- Boundary Treatment South and Boundary Details, which they consider are the most</p>

Relevant Heritage Objectives	Application
will be required of similar length and set back within the site in advance of the commencement of construction works on the site (unless otherwise agreed by the Planning Authority).	appropriate for the site. If the proposed boundary treatments did not satisfy the Board and/or the Planning Authority, then the applicants would accept a condition to that effect.
Water Systems Objectives	
NH21 To resist development that would interfere with the natural water cycle to a degree that would interfere with the survival and stability of natural habitats.	Please refer to the EIAR chapter on biodiversity which states: <i>'The biodiversity value of the site would be expected to improve as the landscaping matures. The retention of habitats on site was a key element of the project design. The proposed development has a sustainable drainage strategy and detailed landscape strategy and mitigation during operation will be carried out as outlined elsewhere in the EIAR.'</i>
NH22 To prevent development that would pollute water bodies and in particular, to regulate the installation of effluent disposal systems in the vicinity of water bodies that provide drinking water or development that would exacerbate existing underlying water contamination To minimise alterations or interference with river / stream beds, banks and channels, except for reasons of overriding public health and safety (e.g. to reduce risk of flooding); a buffer of generally 10m along watercourses should be provided (or other width, as determined by the Planning Authority) free from inappropriate development, with undeveloped riparian vegetation strips, wetlands and floodplains generally being retained in as natural a state as possible. In all cases where works are being carried out, to have regard to Regional Fisheries Board "Requirements for the protection of fisheries habitat during the construction and development works at river sites"	Please refer to the EIAR Chapter on Water. It states: <i>'All open water bodies adjacent to areas of proposed works will be protected by fencing including settlement ponds.</i> <i>A 10m buffer is to be retained on either side of the Greystones Stream and the other streams, springs and water courses at the Proposed Development Site and construction works and site traffic will only be permitted within this 10m buffer to facilitate instream works to enable construction of the outfalls, culvert road crossing sections of the Greystones Stream.</i> <i>All instream works or works carried out adjacent to the watercourse, will follow the guidelines published by Inland Fisheries Ireland (IFI) Guidelines on Protection of Fisheries during Construction Works in and Adjacent to Waters (2016) and The National Roads Authority (now Transport Infrastructure Ireland) Guidelines for the Crossing of Watercourses during the Construction of National Road Schemes.'</i>
Soils and Geology Objectives	
NH25 Geological and soil mapping where available shall be considered in planning decisions relating to settlement, excavation, flooding, food production	Please refer to the EIAR Chapter 'Land, Soil and Geology' which cross-references relevant geological and soil mapping sources used in preparing the chapter.

Relevant Heritage Objectives	Application
<p>value and carbon sequestration, to identify prime agricultural lands (for food production), degraded/ contaminated lands (which may have implications for water quality, health, fauna), lands with unstable soils / geology or at risk of landslides, and those which are essential for habitat protection, or have geological significance.</p>	
Green Infrastructure and Development Management	
<p>General All planning applications for development should seek to ensure that development proposals provide for the protection of existing on-site green infrastructure resources and, where appropriate, the enhancement of existing and provision of new green infrastructure resources in tandem with new development. All proposed development should have regard to relevant green infrastructure proposals in place and to any Green Infrastructure objectives at local plan level. All new proposals seeking planning permission should address, as much as is reasonably possible, best practice sustainable solutions and a sustainable site design, with emphasis on the following:</p> <ul style="list-style-type: none"> • The proposal should address how existing natural features of the site will inform sustainable design, by exploring the potential for the integration of existing natural features of merit such as watercourses, mature planting and topography. Such an approach ensures that the landscape character of the area is maintained whilst also assisting biodiversity maintenance and more natural forms of surface water drainage. • The layout of the proposed development should be informed by the inherent natural characteristics of the site. Connectivity between proposed open spaces and adjoining existing open space 	<p>The proposed development makes extensive provision for green infrastructure from the strategic level (the whole site) down to building level.</p> <p>The layout has sought to maintain important ecological corridors insofar as practical to include the retention of a significant number of trees, particularly along the boundaries, the retention and enhancement of a stream the creation of ponds. Together these will contribute to maintaining a significant portion of the existing ecological corridors on site. In addition, the site is cognisant of a number of sensitive areas included in the red line, in particular in the proposed public park and around the main open space around the archaeological feature.</p> <p>The landscape design along the stream to the west of the site will seek to encourage riparian vegetation which in turn will contribute to healthy habitats (refer to drawing Landscape Masterplan – Detail Area 3).</p> <p>A new pond will be created to the south-east corner which will contribute to the overall ecological health of the site (Refer to drawing landscape masterplan – Detail Area 5).</p> <p>Native hedgerows are retained as far as possible along the boundaries of the site.</p>

Relevant Heritage Objectives	Application
<p>or natural features should also be considered in the site design.</p> <ul style="list-style-type: none"> Proposals in relation to larger sites should be cognizant of any ecologically sensitive areas where it may be appropriate to retain or integrate into a landscape plan. 	<p>At building level, the roof of the apartment blocks incorporates green roofs which will also contribute to the overall green infrastructure on the site.</p> <p>Surface water proposals include the provision of ponds and wetlands</p>
General Green Infrastructure Objectives	
<p>NH32 To protect existing green infrastructure resources and to facilitate, in consultation with relevant stakeholders, the development of green infrastructure that recognises the benefits that can be achieved with regard to the following:</p> <ul style="list-style-type: none"> Provision of open space amenities, sustainable management of water, protection and management of biodiversity, protection of cultural heritage, and protection of protected landscape sensitivities. 	<p>The proposed development includes 2 ha of lands zoned open space. These lands are proposed to be used as a public park, details of which can be seen on Landscape Masterplan – Detail Area 1.</p> <p>The park has been designed around the existing stream.</p> <p>SUDs measures have been incorporated in the form of ponds and wetlands.</p> <p>The design intends to preserve in situ 60% of Archaeological Area 1. Other archaeological areas will be preserved by record.</p> <p>Reference is also made to open space 1. The layout of the built elements is such that it follows the natural boundaries of the site. As a result, existing landscape and heritage features are incorporated into the landscape proposals.</p>
<p>NH34 New development and redevelopment proposals, where considered appropriate, are required to contribute towards the protection, management and enhancement of the existing green infrastructure of the local area in terms of the design, layout and landscaping of development proposals.</p>	<p>The proposed development complies as it facilitates the enhancement of the green infrastructure in the area. In particular, it includes the enhancement and/or creation of wetlands and the rehabilitation of the stream, which will become a key landscape feature.</p>
<p>NH35 To facilitate the development and enhancement of suitable access to and connectivity between areas of interest for residents, wildlife and biodiversity, with focus on promoting river corridors, Natura 2000 sites, nature reserves and other distinctive landscapes as focal features for linkages between natural, semi natural</p>	<p>There is an extensive pedestrian and cycle network proposed across the site. This will start from the proposed site entrance and guide through the active and open space zoned lands. A pedestrian bridge is proposed to cross the stream in the public open space.</p>

Relevant Heritage Objectives	Application
<p>and formalised green spaces where feasible and ensuring that there is no adverse impact (directly, indirectly or cumulatively) on the conservation objectives of Natura 2000 sites.</p>	<p>Pedestrian links will continue toward the south and west. A long landscape buffer is proposed to be located along the rear boundary of Waverly. This will include inter alia natural play elements / area and end at the wetland pond proposed to the south east.</p> <p>Links are provided toward the west, following the stream and continue through to the centre of the site where open space no. 1 is located.</p> <p>Overall the layout has incorporated and applied appropriate buffer distances with a view to maintain as many ecological corridors as practical. These are intricate to the landscape strategy and necessary to maintain the health and integrity of the ecological network.</p>
Recreational Use of Natural Resources Objectives	
<p>NH40 To facilitate access to amenity areas in the County for the benefit of all, on the basis of cooperation with landowners, recreational users and other relevant stakeholder groups to promote "agreed access" on public and privately owned land in the County on the basis of sustainability, consultation and consensus.</p>	<p>The proposed development will include the transfer to the local authority of a public park as shown on drawing no. 2005-PL09 Site Layout Plan Taking in Charge.</p>
<p>NH42 To preserve the open character of commonage land and similar hill land and secure access over paths and tracks through consensus with local landowners, particularly in mountain areas.</p>	<p>The layout has sought to maintain an open character and provided numerous links within and around the site. Particular reference is made to linear parks 1 and 2 to the western and eastern boundaries of the site which will be publicly accessible.</p> <p>In addition, we refer the Board to the LVIA chapter of the EIAR which addresses landscape impact.</p>
<p>NH43 To facilitate the development of the coastal walking and cycling route between Bray and Arklow, as well as links between this route and the coast road, in consultation with landowners.</p>	<p>The proposed development includes the provision of cycle paths on the R761. These will align with the planned upgrade of the Redford Junction by the Council.</p>

Heritage

The County Development Plan map 10.14b indicates the views are listed for the towns of Bray, Wicklow and Greystones are mapped and listed on individual local plan. Views 13, 14, 35 and 36 may be considered. These views have been included and are discussed in LVIA chapter of the EIAR. These are presented in the figure below.

Figure 11: Map 10.14b, views of special amenity value



15.6.5 Development Management Standards

Appendix 1 of the County Development Plan sets out the development and design standards. These are addressed hereafter.

Table 24: Development Standard Compliance

	Development Standards	Application
Section 1 - Mixed Use and Housing Developments in Urban Areas Appendix 1 to CDP		
Section 1	<p>Large-scale expansion areas i.e in excess 200 units</p> <p>Unless otherwise specified in a local plan, the following shall apply:</p> <p>Vision for the area shall be established and agreed with the Planning Authority.</p> <p>An evaluation of the existing surroundings of the site, as well as future proposals / zoning for lands in proximity, and allow for</p>	<p>The application lands form part of Action Plan 1 Coolagad in Greystones – Delgany Local Area Plan.</p> <p>An Architecture and Urban Design Statement accompanies this application. It provides an assessment of the site and surrounding area, sets out how connectivity and permeability will be achieved, provides details of character areas.</p> <p>In addition, a road hierarchy plan accompanies this application, please refer to engineering drawing no. 0007 – Road Hierarchy Plan.</p>

	Development Standards	Application
	<p>maximum connectivity and permeability.</p> <p>The development shall include distinctive and / or landmark type buildings and a series of new spaces that allow for the development of a sense of place and identity;</p> <p>New roads / streets shall be laid out in a legible hierarchy from distributor to local roads;</p>	
Section 1	<p>Intensity of development (density)</p> <p>Plot ratio</p> <p>Housing only edge of centre 0.5 (5,000sqm of development per hectare)</p> <p>Housing only greenfield 0.35 (3,500sqm of development per hectare)</p>	<p>The site is in a greenfield location. The proposed plot ratio is 0.4ha</p> <p>As the number is in excess of the 0.35 plot ratio envisaged in the Development Plan, a material contravention may be considered by the Board, please refer to Part C.</p>
	<p>Accessibility</p> <p>At edge of centre or greenfield locations, good connectivity to the town centre area will be required and where access roads or pedestrian / cycle links do not exist, these will be required to be provided or financed by the developer.</p>	<p>The proposed development includes cycle paths on the R761. These will tie in with planned road works by Wicklow County Council at the Redford Junction.</p>
	<p>New developments will be required to place a high emphasis on permeability and legibility of access routes. A permeable layout is one that is well connected and offers a choice of direct routes to all local destinations, thereby encouraging walking and cycling, facilitating public transport penetration and generating higher levels of pedestrian activity, casual social</p>	<p>The layout has been devised with a view to provide for maximum permeability internally and with its surroundings. We refer the Board to the Design Statement which addresses permeability. We would note in particular:</p> <p>North: The levels of the proposed distributor road follow the existing levels for the vast majority. This will allow for any future connections from the lands to the north of the site to be connected in a relatively straightforward manner.</p>

	Development Standards	Application
	<p>interaction, informal supervision and thus security. A legible development is one that is structured in a way that creates distinctive places and spaces that may be easily 'read' and that are easy to find one's way around. A legible layout is based on designing at a human scale in response to the positive features of a site and how it relates to the wider area, rather than technical demands of traffic or the internal logic of the individual site</p>	<p>South: The proposed levels for Street 18, at the southern end of the site have been designed such that this roadway can be extended into the lands to the south should these be developed in the future. Levels for Street 18 tie back to existing levels at the boundary for ease of future connection</p> <p>South: Furthermore, Street 16 and Street 17, if extended in future to the boundary to create additional connections, are only 3m and 1.5m respectively lower than the existing levels at the boundary. Given the gradient of the existing lands to the south is similar to the existing gradient within the subject site, it would be envisaged that excavation would be required as part of this future development, similar to Coolagad, and that the level difference of the future development to Street 16 and Street 17 would therefore be much less than 3m and 1.5m respectively.</p> <p>East: Proposed levels along the eastern boundary, west of the existing school site, are proposed to remain as per the existing site levels. The area along here is allocated as open space and the landscape design has proposed a pathway down to the boundary which includes sets of stairs. The existing gradient of this area is 1:10.</p>
	Design Quality	
Section 1	<p>Layout summary</p> <p>Variety in setbacks and building lines shall be provided to provide for visual interest</p> <p>Traditional back-to-back rows of 2-storey houses, 22m apart to be avoided -more imaginative layouts and building forms</p> <p>Maximise retention and integration of natural features, such as mature trees, hedgerows, water courses</p> <p>Any development exceeding 200 units shall be broken up into a</p>	<p>The site is broken up reflecting the topography of the site.</p> <p>All requirements complied with - see design statement.</p> <p>Natural features such as trees and stream have been integrated into the scheme.</p> <p>Scheme has been broken up into character areas.</p>

	Development Standards	Application
	number of distinct 'estates', even if accessed from a shared road, with materially different architectural styles.	
	Building Design	
	External Appearance	Please refer to the Design Statement for compliance.
	Unit sizes and formats a) Data tables to be included in applications. b) Large-scale development to include a range of house types and sizes. c) New apartment developments should include a range of units sizes. d) The minimum size / dimensions of apartments, should be in accordance with the Apartment Design Guidelines. e) In the design of new residences, cognisance shall be had of the changing space demand of households over time. For example, apartment formats should allow for either the future subdivision of larger units or the merging of two or more smaller units (either horizontally or vertically) and houses (including bungalows) should have attics capable of conversion to habitable rooms. f) New houses should be designed in such a way that facilitates easy future ground floor extension, without negatively impacting on the usability of the original rooms of	a) A schedule of accommodation and housing quality assessment are included in this application. b) A range of house types is included: 35% are apartments; 5% are duplex units and 60% are houses. The overall mix ranges from 1-bed to 5 bed units. House types include detached, semi-detached, and terraced houses. c) There is a range of apartment sizes included. The mix for apartment and duplexes includes: 28% 1-beds; 59% 2-beds and 13% 3-beds. d) The development complies, please refer to HQA. e) All proposed residential units are designed to be readily accessed, without the need for altering or adapting, by people with disabilities. This builds in an automatic adaptability providing for the changing needs of occupants as they age or become impaired, without the need for adjusting building approaches, entrances or internal circulation. The design of the proposed buildings is in accordance with Part M of the Buildings Regulations, fostering an inclusive approach to the design of the built environment. Provisions in each apartment building include level access entrances, suitably designed lift and stairs and accessible rooms and sanitary facilities. The structure and build method of the proposed buildings is envisaged to comprise concrete floors spanning between concrete/masonry external walls and concrete/masonry inter-

	Development Standards	Application
	<p>the house or on neighbouring properties.</p> <p>g) In 'edge of centre' or 'out of centre' new residential development, the quantum of apartments allowable will be regulated, as this dense format of development is more suited to urban core locations, where direct access to services is available. In this regard the maximum quantum of floor space that may be devoted to apartments in 'edge-of-centre' locations shall be 40% of the development and 20% in 'out-of-centre' locations.</p>	<p>apartment walls. While such build methods may not readily lend to extending and adapting the footprints of particular apartments, it is envisaged that the internal walls of individual units will be mostly non-loadbearing providing for easy future re-configuration making the apartments individually adaptable for the changing needs of occupants.</p> <p>f) There is no impediment on the rear gardens of the units that would prevent them from extending.</p> <p>g) As stated earlier, the site falls in between edge-of centre and out-of-centre. The proposed quantum of apartments totals 40% of the overall quantum. In the event the Board was to consider this to be a Material Contravention, please refer to Part C.</p>
	<p>Privacy</p> <p>a) Ensure maximum privacy.</p> <p>b) Windows and balconies positioned and designed to avoid direct intrusion.</p> <p>c) 22m separation distance above ground level between opposing windows</p> <p>In traditional housing development:</p> <p>d) all walls bounding rear gardens shall be 2m in height and shall extend from the front façade of the house to the rear wall of the house.</p> <p>e) all boundaries shall be of solid construction</p> <p>f) walls bounding public areas shall be rendered and capped on the outside.</p> <p>g) If timber boundaries used, they must be bonded and supported by concrete posts. No</p>	<p>a)b)c): the development complies.</p> <p>d) All private boundaries extend from the rear wall of the house to the front of the house. Please refer to landscape drawing 110 – Boundary Treatment Plan North and 111 – Boundary Treatment Plan South & boundary details.</p> <p>e) f) g): development complies.</p>

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	concrete post and plank walls will be permitted for any boundary visible from the public domain.	
	<p>Green Issues</p> <p>a) Incorporate sustainable technologies.</p> <p>b) Incorporate water saving measures.</p> <p>c) Provide suitable area for waste storage</p> <p>d) Consider the inclusion of green roofs or walls.</p>	<p>a) Please refer to the Energy Statement. Sustainable technologies are included.</p> <p>b) water butts are provided</p> <p>c) please refer to the operational waste management plan. All units are provided with suitable waste storage.</p> <p>d) green roofs are provided on the apartment blocks.</p>
Section 6	<p>Open Space</p> <p>Public Open Space should normally accounts for 15% of the site area – areas within the site that are not suitable for development or for recreational use must be excluded before the calculation is made</p> <p>Greenfield developments - a hierarchy of open, all developments shall aim to include: - at least one, flat space with dimensions on not less than 20m x 40m, suitable for ball games (trees should only be planted around the perimeter)</p> <p>A no. of smaller spaces immediately adjacent to dwellings, with interesting contours and natural features, suitable for play activities of younger children.</p> <p>Maximize the potential for passive surveillance of open spaces - all efforts shall be taken to ensure that all houses are in visual range of one open area.</p>	<p>The total open space provision is as follows:</p> <ul style="list-style-type: none"> - Open space no. 1: 16,913 sqm - Open space no. 2: 966 sqm - Open space no. 3: 2,000 sqm - Open space no. 4: 2,379 sqm - Open space no. 5: 3,916 sqm - Open space no. 6: 860 sqm - Landscape buffer/Linear Park: 20,272 sqm - Landscape buffer/Linear Park: 13,399 sqm - Zoned open space: 20,051 sqm - Zoned Active Open Space: 23,554 sqm <p>Total: 104,310 sqm or 10.43 ha.</p> <p>To assess the quantum of open space provided for the purpose of residential development, we assume the following:</p> <p>Total site area: 26.03 ha. The following areas are excluded: zoned open space, active open space and the drainage works (1.16 ha). This yields a residential site of 20.51 ha.</p> <p>From the open space calculations, we exclude: Zoned open space, zoned active open space and landscape buffers. This yields a total residential open space provision of: 27,034 sqm or 2.7ha. This equates to 13.16% provision.</p>

	Development Standards	Application
	<p>Private Open Space minimum</p> <p>1-2 bedrooms 50sqm</p> <p>3+ bedrooms 60-75sqm</p> <p>Apartments</p> <p>To comply with 2015 Guidelines (please note now revoked)</p>	<p>We refer the Board to p47 of the Development and Design Standards of the CDP which states: <i>'Where a public park is being provided by the same developer (or by a group of developers in a combined Action Area) in close proximity to the residential development site, the public open space provided on site may be reduced to 7.5% of the residential site area, with the remainder being made up in the park'.</i></p> <p>The applicants are providing a public park on the lands zoned open space. The minor deviation is therefore acceptable. It is also noted the landscape buffers have not been included in the calculation of residential open space. If those had been included then, then the total open space provision to serve the residential development would have amounted to 29.2%.</p> <p>See Landscape rational report. Kick about area provided. Landscape responds to topography and connects to adjacent permitted scheme.</p> <p>Smaller landscaped areas provided. All open spaces are overlooked.</p> <p>Private open space provided. See HQA.</p> <p>Standard is met for houses. For apartments, please refer to section on the Apartment Guidelines above</p>
<p>Section 7</p> <p>Table 7.1</p>	<p>Car parking</p> <p>Dwelling 1-2 per 1 unit</p> <p>2 spaces shall normally be required for all dwelling units over 2 bedrooms in size. For every 5 residential units provided with only 1 space, 1 visitor space shall be provided.</p> <p>Car parking has traditionally, to the front of houses resulting in a regular set back and regular buildings lines. Alternative parking arrangements that avoid this monotonous format should be provided; however,</p>	<p>Please see Traffic and Transport Impact Assessment.</p> <p>Parking provided in accordance with plan for houses. All houses will have two car parking spaces.</p> <p>Alternative parking arrangements have been considered but are challenging to deliver owing to the topography of the site. Where possible, a mix of parallel and perpendicular parking is provided.</p> <p>For the apartments, the vast majority of the parking spaces are provided at basement level. The duplex units have their parking arrangements located immediately to their east.</p> <p>For apartments, please refer to section on the Apartment Guidelines above. As this may be</p>

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	<p>parking to be proximate to the dwelling served.S1/A1</p> <p>Every 20 spaces, one charging point for Electric Vehicles</p> <p>Childcare 0.5 spaces per staff member + 1 car parking space per 10 children.</p>	<p>viewed as a material contravention, please refer to the Part C of this report.</p> <p>21 spaces are provided for the creche and 29 for the community building. These are co-located on either side of the access road.</p> <p>EV parking:</p> <p>The proposed non-residential development for the creche building includes a total of 21 parking spaces so one functioning charging point (capable of serving 2 parking spaces) will be provided and future provision or at least 4no other spaces will be required. Since the development will also include Part M compliant accessible spaces, the location of the charging point will be such that it can serve one accessible parking space and one standard parking space.</p> <p>The proposed non-residential development for the community building includes a total of 29 parking spaces so one functioning charging point (capable of serving 2 parking spaces) will be provided and future provision or at least 6 no. other spaces will be required. Since the development will also include Part M compliant accessible spaces, the location of the charging point will be such that it can serve one accessible parking space and one standard parking space.</p> <p>The proposed multi-unit residential development includes a total of 955 residential parking spaces so future provision for all spaces will be required. Since the development will also include Part M compliant accessible spaces, the location of the charging point will be such that it can serve one accessible parking space and one standard parking space.</p>
Table 7.2	<p>Cycle</p> <p>Residential units</p> <p>1 space per bedroom + 1 visitor space per 2 units Table 7.2</p>	<p>The total cycle requirements for apartments and duplexes are 436 resident spaces and 118 visitors space. A total of 554 spaces is provided in a mix of secured and covered storage areas at basement level and surface level.</p> <p>12 spaces are provided at the creche.</p> <p>12 spaces are provided at the community centre.</p>

	Development Standards	Application
		<p>10 spaces are provided at the sport field.</p> <p>Houses will have the possibility to cater for their own cycling parking as part of their curtilage (side or rear).</p> <p>B type units (mid-terrace) have dedicated cycle parking to the front.</p>
	Taking in charge	Please refer to drawing 20005-PL09 Site Layout Plan Taking in Charge which identifies areas proposed to be transferred to the council.
	Naming of Development	The applicants accept a condition to that effect.
Section 3	Access Generally, only one vehicular access point will be permitted to serve the development	One access provided.

Table 25: Section 6 – Community Developments and Open Spaces

Development Standard	Application
Social Impact Assessment should address:	
Education: <ul style="list-style-type: none"> - Evaluate number of new students - Identify existing primary and secondary facilities, distance from the site, road / cycle network / public transport - Details of school capacities, existing number of students and capacity for new intake 	Please refer to the School Demand and Concentration Report.
Childcare: <ul style="list-style-type: none"> - Evaluate number of new pre-school children likely generated. - Identify existing childcare and pre-school facilities distance from the site, road / cycle network / public transport - Details of facilities' capacities, existing number of students and capacity for new intake 	Please refer to the Childcare Demand Analysis

Development Standard	Application
<p>Open Space, play and recreational facilities</p> <ul style="list-style-type: none"> - Identify existing public active open space and sports club, distance from the site, road / cycle network / public transport - Evaluation of suitability of these facilities to meet the needs of the projected population, having regard to the following proportion: <p>2.4 ha of active open space per 1,000 population divided into:</p> <ul style="list-style-type: none"> - 1.6 ha outdoor play space - 0.6 ha casual play space - 0.2 equipped play space <p><i>Normally, public AOS in accordance with this standard will be zoned through the local plan process and individual development will be required to either deliver some or all of the space required (through an action area agreement) or via development levies. However, where such provision has not been made in a local plan, any application or Action Area Plan would result in a resident population of 1,000 or more, compliance with this standard will be required.'</i></p>	<p>The application site includes an area zoned active open space and an area zoned open space which have been zoned through the LAP process.</p> <p>Landscape proposals have been developed accordingly. The development complies.</p>
Childcare	
<p>The location and design of new childcare facilities shall generally in accordance with the guidance set out the 'Childcare Facilities: Guidelines for Planning Authorities' (DoEHLG) and the 'Child Care (Pre-School Services) Regulations 1996 & 1997' and any other relevant statutory guidelines which may issue during the life of this plan</p>	<p>The facilities have been designed in accordance with the prevailing guidelines.</p>
<p>As a general rule 20 childcare spaces shall be provided for every 75 dwelling units. A childcare facility within a residential development shall be sited at or near the entrance/exit to the proposed development</p>	<p>A creche for 135 children is provided based on the 20 places for 75 units ratio. The creche is located at the entrance of the site to allow for ease of access to the residential development and further afield.</p>

Development Standard	Application
so as to allow for ease of access, drop off / pick up points	
Where a large development (or a development in conjunction with other developments in an Action Plan area) comprises more than 75 units, a single large childcare facility capable of serving all proposed units (and future units) may be permissible, subject to a ceiling of 100 places (full and part time)	A creche for 135 children is provided based on the 20 places for 75 units ratio. As this may be considered as a material contravention, please refer to Part C – Material Contravention.
The internal layout and design of proposed childcare facilities should allow, where possible, for the dual usage of the proposed facility e.g. night time community uses	The layout is adaptable should there be a need. Notwithstanding this, we reiterate that a community facility is being provided and transferred to Wicklow County Council.
<ul style="list-style-type: none"> a) Location and design to be in accordance with the guidance set out in the Childcare Facilities Guidelines b) 20 childcare spaces for every 75 dwellings c) Details of internal layout d) Need for proposed development e) Nature of the facility f) Number and ages of children g) Compliance with standards for parking, traffic impacts and turning areas; h) Hours of operation i) Open space provision j) Impact on residential amenity 	<ul style="list-style-type: none"> a) / b) please refer to section 16.3.15 c) please refer to architect's drawing nos. PL700, PL701, PL702 and PL703 which relate to the creche. d) please refer to section 16.3.15 e) Full day care f) 0—1 y.o: 10 1-2 y.o: 24 2-3 y.o: 34 3-6 y.o: 73 g) Please refer to Transportation and Traffic Impact Assessment h) 7.30am to 6.30pm. The applicants will accept a condition to that effect. i) 227 sqm. j) the proposed creche is well removed from existing and proposed residential units, no impact on residential amenity will arise.
Sports Grounds a) New organised sports areas shall be located in proximity to existing or planned community or neighbourhood facilities such as neighbourhood retail centres, schools etc and opportunities	a) As part of the active open space provision, the applicants will provide a community facility which includes changing rooms, a MUGA and playing field. These are proposed to be located at the entrance of the site to the east.

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<p>for the sharing of facilities, including changing rooms shall be explored and exploited;</p> <p>b) Where shared indoor facilities are not available, new sports facilities shall be accompanied by a building of scale commensurate with the size and nature of the sports facility for indoor changing and administration</p> <p>c) Sports areas should be located such that a suitable separation from residential properties is provided, in order to limit disturbance from noise and light;</p> <p>d) Sports facilities shall be provided with access to suitable roads and car parking facilities shall be required on site</p> <p>e) Proposals for the development floodlighting for playing fields/pitches shall be accompanied by details of external lighting schemes. All lighting shall comply or be so altered to comply with the Guidance Notes for the Reduction of Light Pollution (Institute of Lighting Engineers, 2000).</p>	<p>b) The proposed facilities have been discussed and agreed with Wicklow County Council.</p> <p>c) All proposed sports facilities are located away from residential properties. The closest existing properties are located to the south of the MUGA (Eircode: A63 DN84) and to the east of the playing field (Gate Lodge). The distances applied are:</p> <p>Distances with A63 DN84 (NSR2 in figure 92 of EIAR):</p> <ul style="list-style-type: none"> • MUGA: c.40 m. • Sports field: c.45m <p>Distances with Gate Lodge (NSR1 in figure 92 of EIAR):</p> <ul style="list-style-type: none"> • MUGA: over 165m • Sports field: c.10m <p>The noise and vibration chapter of the EIAR states:</p> <p><i>‘A 2-3m berm is proposed along the boundary with NSR2 to mitigate the effects of MUGA related noise. The berm will, at a minimum, “break the line of sight” from the boundary of the property to the MUGA, assuming a height of 1.5m above ground level in the garden. This will ensure that external private amenity areas will not be above the range 50 – 55 dB $L_{Aeq,16hr}$ and therefore no significant effect will occur.</i></p> <p><i>Additionally, the landscaping plan will provide planted screening to NSRs 1 and 2 (including the cottages in the farmyard). This will not quantitatively mitigate noise but will qualitatively improve perceived tranquility for existing residents.’</i></p> <p>No lighting is proposed for the pitches to avoid impacts to the existing residential units.</p> <p>d) The facilities are located adjacent to the distributor road and catered with parking facilities.</p> <p>e) No floodlighting is proposed.</p>
Neighbourhood Parks	<p>The public park will be located c. 220m east of the proposed residential development.</p>

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<p>Neighbourhood parks should be ideally located within 800 metres of the population served;</p> <p>While not specifically for the purpose of sport or organised recreation, all parks shall be so laid out, contoured and landscaped to allow for walking, jogging, cycling and casual play; Neighbourhood parks may be provided as part of a number of housing developments, in part delivery of residential open space requirements (</p>	<p>The public park has been designed to accommodate a range of activities. It includes east-west permeability links for pedestrians and cyclists, a standard equipped playground (888 sqm), a mix and natural and equipped play (1,375 sqm), a kickabout area (1,000 sqm) all set in a high quality landscape proposals.</p> <p>Please refer to Landscape Masterplan drawing 102 – Detail Area 1</p>
<p>Equipped Play Spaces</p> <p>The siting and location of playgrounds / mixed use games areas (MUGAs) shall take account of the surrounding environment and be sited in order to ensure passive surveillance by neighbouring residential properties</p> <p>The layout and positioning of apparatus shall exploit existing landscape features to provide adequate shade and shelter from wind for users and create visual harmony with the surrounding area;</p> <p>Play equipment shall generally be located no closer than:</p> <ul style="list-style-type: none"> • 10 metres from the edge of a building or major structure; • 20 metres from adjoining residential property lines, the edge of any local road or car park pavement area. • 30 metres from distributor road pavements (if proposed to be closer, a perimeter fence will be required) • 20 metres from hazards such storm water drains, bike tracks and playing fields. 	<p>Please refer to Landscape Masterplan drawings Detail Area 1 to 5 which shows the positioning of all equipped play spaces.</p> <p>All proposals comply.</p>
Residential public open space	(discussed above)
<p>Private open spaces – gardens, terraces, balconies</p> <p>House size (including own door duplexes)</p> <p>1-2 bed: 50sqm minimum</p>	<p>Please refer to HQA. All houses comply. As the duplex units apply the standards of the Apartment Design Guidelines a material contravention applies.</p>

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3+ bed: 60-75 sqm minimum	

Table 26: Section 7 – Roads and Transportation

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<p>Bus Network</p> <p>In areas of large-scale housing expansion and employment development, road layouts shall be designed to allow for high permeability to buses</p>	<p>The roadway width for the access link road has been provided at 6.5m wide to facilitate the turning of buses from the R761 in the event that it become a future bus route.</p>
<p>Regional Road Development Control Objectives</p> <p>Works carried out on regional roads shall generally comply with NRA 'Design Manual for Roads & Bridges' or DMURS (which ever is applicable) as may be amended and revised, unless local conditions determine otherwise.</p>	<p>The development complies with DMURS, please refer to the TTA prepared by AECOM which addresses DMURS.</p>
<p>A new means of access onto a regional road will be strictly controlled and may be considered if one of the following circumstances applies:</p> <ul style="list-style-type: none"> the regional road passes through a designated settlement and a speed limit of 50km/h or less applies; where the new access is intended to replace an existing deficient one; where it is demonstrated that the entrance is essential and no other means of access is available 	<p>Access is off the R761. A new signalised junction is proposed. It has been designed with the Roads Department of the Council.</p> <ul style="list-style-type: none"> The R761 is the main artery into Greystones travelling south. The speed limit is 50 km/h. n/a There are no other feasible access. Any other access would require the consent of other landowners. <p>We wish to note as well, although the access is provided to serve the residential development and community facilities proposed as part of the application, it is also an objective of the Greystones – Delgany and Kilcoole LAP to provide for a distributor road at the location. The principle of access off the R761 was therefore established into planning policy.</p>
<p>Permission will generally not be considered for new development adjoining the regional road even where no vehicular access is created because hazardous situations often still</p>	<p>The development is not likely to give rise to unregulated parking. All proposed uses will be provided with their own parking.</p>

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<p>arise due to unregulated parking and the opening of pedestrian routes.</p>	<p>In addition, on request of the Council, the applicants are providing parking to the east of the R761, adjacent to the cemetery where unregulated parking currently occurs. These spaces are part on the application site, as can be seen on engineering drawing 0004 Proposed General Arrangement Sheet 3 of 5.</p> <p>We also refer the Board to Engineering drawing 0603 – Proposed Road and Site Levels Sheet 3 of 5.</p>
<p>Pedestrian and cycling facilities</p> <p>New pedestrian and cycle paths shall be designed in accordance with the standards set out in the Traffic Management Guidelines and the National Cycle Manual and shall ensure ease of connectivity to the surrounding area;</p> <p>Footpaths shall be provided on all new local roads to allow for full permeability of residential districts by pedestrians. All footpaths shall be designed to accommodate those with mobility difficulties or who are wheelchair bound</p> <p>Cycleways shall be provided on arterial roads and link road. They will not be required on local access roads; instead the design of such roads should be based on reducing vehicular speeds and concentrate on making the road a safe environment for cyclists and children at play;</p> <p>The use of shared road space, that is suitable for safe use by vehicles and cyclists / pedestrians may be considered in settlements in lieu of footpaths and cycleways</p> <p>Pedestrian and cycleways will be required to follow the most direct route from origin to destination, subject to safety considerations. In particular, such routes should be well supervised by surrounding development</p>	<p>All pedestrian and cycle paths are designed in accordance with the applicable standards. Please refer to the TTA prepared by AECOM.</p> <p>All roads will have footpaths which can accommodate all types of users.</p> <p>At this point in time, the proposed distributor road has not been designed with a cycle path. An offroad dedicated cycle track is provided through the public park. Notwithstanding this, the proposed distributor has been designed with a reserved corridor to its north to allow the Council to build a dedicated cycle path at a later stage. Both the road and the reservation are proposed to be taken in charge as can be seen in architect's drawing no. PL09 Site Layout Plan Taking in Charge.</p> <p>As noted above, footpaths are provided along all internal roads. Cyclists and vehicles will share the road.</p> <p>The provision of the cycle path off the distributor road is proposed with a view to provide the most direct route from origin to destination.</p> <p>Street lighting is proposed along all footpaths and cycle paths. Please refer to drawing no. SES 17121 Rev D Coolagad – Public Lighting Layout Sheets 1 and 2.</p>

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<p>Street lighting along foot and cycle paths shall be provided in accordance with the recommendations made in 'Site Development Works for Housing Areas' (DoEHLG 1998) as may be revised or replaced.</p>	
<p>Vulnerable Road Users</p> <p>Particular design solutions will be called for in areas where vulnerable users might be present e.g. at or near schools / crèches, near youth or sports facilities or in 'home zones'. At these locations, vehicle traffic shall be required to be slowed appropriately or stopped to give priority to cyclists and pedestrians. Developers of such facilities may be required to fund such alterations as deemed necessary to accommodate their users;</p> <p>Suitable measures shall be put in place at junctions and crossings for those with mobility or visual impairment, such as ramps and tactile pavements;</p>	<p>A dedicated access and parking area is provided for the creche. This facilitates safe drop off and pick up without any conflict with other road users. Pedestrian crossings are provided at the entrance to the scheme, in addition to a pedestrian cross of the R761, providing access to the cemetery.</p> <p>Tactile paving and drop kerbs are provide for mobility and visually impaired at these locations where traffic volumes are high relative to the remainder of the scheme.</p>
<p>Car Parking</p> <p>a) Loading bays shall be located to prevent any obstructions to traffic circulation or use of other spaces;</p> <p>b) Where parking is permitted in the view of the general public, adequate soft landscaping shall be provided to soften the appearance of hard surfaced areas;</p> <p>c) Parking areas shall be reserved solely for the parking of the vehicles and should not be used for the storage of materials or goods associated with the development, nor for the parking of goods or other heavy vehicles;</p> <p>d) The standards set out in Table 7.1 shall apply to all new developments, be it new construction or additional or material change of use of existing buildings.</p>	<p>a) n/a</p> <p>b) soft landscaping is proposed to break up parking spaces. Please refer to Landscape [drawing no.]</p> <p>c) n/a</p> <p>d) Applied. Please refer to the section on car parking above.</p> <p>e) Applied. 17 disabled spaces will be provided as follows:</p> <ul style="list-style-type: none"> 11 no. in the apartment block (6 no. in the basement and 5 no. on surface) 3 no. at the crèche car park 1 no. at the community building 2no. at the duplex, 1 no. either side <p>f) The proposals include:</p> <ul style="list-style-type: none"> One functioning charging point (serving 2 spaces) and future provision of at least 4 spaces at the creche. One functioning charging point (serving 2 spaces) and future provision

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<p>e) Disabled car parking spaces shall generally be provided at a rate of 5% of the total number of spaces, for developments requiring more than 10 car parking spaces, with the minimum provision being one space (unless the nature of the development requires otherwise).</p> <p>f) In all car parks, car parking areas shall be constructed (including the provision of necessary wiring and ducting) to be capable of accommodating future Electric Vehicle charging points, at a rate of 10% of total space numbers.</p> <p>g) In any car park in excess of 20 spaces where public access is available, one fully functional charging point for Electric Vehicles shall be provided in accordance with IEC 61851 Standard for Electric Vehicle Conductive Charging Systems.</p> <p>h) Quantum of car parking (table 7.1)</p> <p>i) Bicycle parking (table 7.2)</p>	<p>of at least 6 spaces at the community building.</p> <ul style="list-style-type: none"> All parking in the basement will be provided with wiring and ducting. <p>g) see above</p> <p>h) Please refer to Part C – Material Contravention</p> <p>i) Discussed in a preceding section. The development complies.</p>
<p>Entrances and Sight Lines</p> <p>In all areas, new entrances shall be designed having regard to the design speed, function and traffic volumes on the adjoining public road as well as pedestrians, cyclists and vulnerable road users.</p> <p>Clear sightlines will be required to be available or provided at new junctions and entrances. The sight distance required shall be calculated using the applicable road design manual having regard to the following criteria:</p> <ul style="list-style-type: none"> - the designation of the road, its function in the road hierarchy and existing / projected volumes of traffic; - the typical speed (not the speed limit) of the road; - the vertical and horizontal alignment of the road; 	<p>Please refer to the TTA prepared by AECOM.</p>

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<ul style="list-style-type: none"> - and any other such factors that may be pertinent to the specific location or as may be set out in road design manuals. <p>When locating new entrances and proposing increases in traffic movements at existing entrances, it must be shown that vehicles turning right into the entrance do not obstruct or cause a hazard to other road users. Sufficient forward sight distance must be available to</p> <ul style="list-style-type: none"> - cars approaching an entrance in case a car is waiting on the road carriageway to turn right, - for cars waiting to turn right at an entrance. Right turning lanes may be required and these shall be designed in accordance with the applicable road design manual. 	
<p>Road Gradients</p> <p>Flat gradients (i.e. no more than 1:40 / 2.5%) will be generally required at new junctions / entrances for the first 6m from the public road carriageway edge. For larger housing developments or commercial developments, this may increase to 10m or more in order facilitate larger vehicles such as delivery vans, refuse trucks etc;</p> <p>Roads serving new housing or commercial development shall generally not be allowed to exceed a gradient of 1:10 (10%)</p>	<p>For road gradients, please refer to Engineering drawings nos. 601 to 605 Proposed Road and Site Levels Sheets 1 to 5 and 616 to 622 Proposed Road Levels Longitudinal Profiles Sheets 1 to 7.</p> <p>The road gradients comply.</p>
<p>Set backs from public road</p> <p>In the interests of traffic safety, residential amenity and because of the long term space requirements of roads, particularly in rural areas, the Planning Authority will normally require buildings to be set back from the edge of the hard-paved surface of the public road as set out in Table 7.3 to follow (unless otherwise specified in a local area plan,</p>	<p>Please refer to the TTA prepared by AECOM and to Engineering drawing no. 0004 – Proposed general arrangements Sheet 3 of 5 for set back on the eastern end of the site.</p> <p>As noted above, the distributor road has been designed with reservation to its north, although its purpose would be the provision of</p>

Development Standard	Application
<p>town plan or district plan);</p> <ul style="list-style-type: none"> Where a set back lower than that shown in Table 7.3 is already existing on a site or in the immediate environs of a site, the Planning Authority may consider a reduction in the set back, having due regard to - the likelihood of future road widening / realignment at that location; - the desire to maximise development density at locations in or close to urban areas; - the need to ensure adequate separation between roads and dwellings, to ensure adequate residential amenity; in particular to ensure limited disturbance by traffic noise and headlight glare from the adjacent road; set backs from public roads. 	<p>cycle facilities. Please refer to engineering drawings:</p> <p>0002- Proposed general arrangements sheet 1 of 5</p> <p>0003- Proposed general arrangements sheet 2 of 5</p> <p>0004 – Proposed general arrangements sheet 3 of 5</p>

Table 27: Section 8 – Water Services

Development Standard	Application
<p>Water Supply</p> <p>Mains water connections design standards and specifications for connections to mains water are matter for Irish Water. However, full details of the proposed / existing water main layout to which it is proposed to connect shall be provided at application stage.</p>	<p>For details of water supply, please refer to engineering drawing nos. 2701 to 2705 Proposed Water Supply Sheets 1 to 5.</p> <p>Irish Water has issued a Confirmation of Feasibility and a Statement of Design Acceptance.</p>
<p>Wastewater Disposal</p> <p>Mains wastewater connections Design standards and specifications for connections to mains wastewater systems are matter for Irish Water. However, full details of the proposed / existing wastewater main layout to which it is proposed to connect shall be provided at application stage.</p>	<p>Irish Water has issued a Confirmation of Feasibility and a Statement of Design Acceptance.</p> <p>For details of wastewater proposals, please refer to engineering drawings 0501 to 0505 – Proposed drainage layout sheets 1 to 5, drawing nos. 506 Proposed drainage connections to existing services and 507 – Proposed drainage schedule.</p>
<p>Surface and Storm water systems</p>	

Development Standard	Application
<p>With respect to the design of surface and storm water systems, the Planning Authority will have regard to the standards set out in the Greater Dublin Strategic Drainage Study (GDSDS). In particular, all new developments shall be designed to ensure:</p> <ul style="list-style-type: none"> • the on-site collection of surface water separate from foul water; • surface water is appropriately collected on site to prevent flow onto the public roadway, adjoining properties or into the public foul sewer / sewage treatment plant; • the appropriate on-site disposal of surface water (where the scale and amount of water generated makes this feasible) e.g. through soakpits. <p>For larger scale developments, it may be necessary to demonstrate through soil and subsoil tests that the site is capable of absorbing the surface water generated;</p> <ul style="list-style-type: none"> • where on-site disposal is not feasible and discharge to surface waters is necessary, that the system has been designed in accordance with Sustainable Urban Drainage measures (SUDS) and in particular, that run-off has been attenuated to greenfield conditions; • discharges to water courses shall be channelled through adequately sized filters / interceptors for suspended solids and petrol/ oils prior to discharge; • For maintenance and ecological reasons, no piping or closed culverting of watercourses is acceptable except in the case of a road crossing. 	<p>Please refer to engineering drawing nos. 0521 to 0524 – Proposed SuDS Measures Sheets 1 to 4 and the Infrastructure Report.</p>

Table 28: Section 9 – Waste and Emissions

Development Standard	Application
<p>Construction and Demolition Management</p> <p>All construction sites shall be appropriately managed to ensure that environmental emissions are strictly</p>	<p>There are no demolitions proposed.</p> <p>All construction details are provided in the EIAR under the relevant chapters and in the</p>

Development Standard	Application
<p>controlled. This will be enforced by requiring (by planning condition) the agreement and implementation a 'construction and demolition management plan', which will set out detailed measures to manage waste arising from the construction activity. In drawing up such plans, developers should have regard to DoEHLG guidance publication 'Best Practice Guidelines on the preparation of Waste Management Plans for Construction and Demolition projects' (2006) as may be amended and revised.</p> <p>In particular, such plans will set out:</p> <ul style="list-style-type: none"> • construction programme for the works • hours of operation • a traffic management plan • noise and dust mitigation measures (including details of a truck wheel wash at the site entrance • details of construction lighting <p>A Construction Manager will be required to be appointed to liaise directly with the various sections of the Planning Authority.</p>	<p>Construction and Environmental Management Plan (CEMP).</p>
<p>Residential Developments</p> <p>The design and layout of all individual and multi house developments shall provide for on site waste storage (including recyclables) and composting facilities;</p> <ul style="list-style-type: none"> • For traditional housing layouts, this will normally require the inclusion of sufficient space to the side or rear of a dwelling for the storage of waste, including up to 4 wheelie bins (recyclables, glass, organic and residual waste); • For terraced houses or courtyard type developments (i.e. those developments that include houses with either no / limited private gardens) and apartment 	<p>Please refer to the Operational Waste Management Plan to the architect's drawings for details.</p>

Development Standard	Application
<p>developments, communal bin storage and composting areas shall be provided;</p> <ul style="list-style-type: none"> Waste storage areas shall be designed and screened so as not to cause any adverse visual impact on the proposed complex and located so as not cause noise impact. 	
<p>Air Emissions</p> <p>Dust: Any activities likely to give rise to dust emissions (e.g. construction activities, extractive industry) shall make suitable arrangements, and take precautionary measures, to suppress and control dust arising from the activity or the handling and transportation of materials. The deposition of dust on surrounding lands, or spillage onto public roads shall be prevented at all times.</p> <ul style="list-style-type: none"> Dust levels emanating from any site shall not exceed 350 milligrams/square metre per day averaged over a continuous period of 30 days, measured as deposition of insoluble particulate matter, at any position along the site boundary. <p>Particulates: The concentration in ambient air of PM10 at any sensitive / residential receptor shall not exceed the quantity specified in a schedule to the Air Quality Standards Regulations 2002, and which is not to be exceeded for the period and under the conditions specified in the schedule in relation to that pollutant.</p> <p>Noise: The noise level arising from any development shall not exceed 55 dB(A) Leq (1 hour) with a maximum peak of 65 dB(A) between 0800 to 1800 hours, Monday to Saturday inclusive, but excluding public holidays, when measured at the closest residence. At all other times the noise level shall not exceed 45 dB(A) Leq (1 hour) measured at the same locations. No pure tones should be audible at any time.</p>	<p>Please refer to the Construction and Environmental Management Plan (CEMP).</p> <p>Please refer to the relevant chapters of the EIA.</p>

Development Standard	Application
<ul style="list-style-type: none"> As and when required by the Planning Authority, a survey of noise levels at monitoring stations on adjacent properties (to be agreed with the Planning Authority) shall be undertaken by an agreed professional (at the expense of the developer) and the results submitted to the Planning Authority within one month of such a request. The results of such surveys shall include, inter alia: <ul style="list-style-type: none"> (i) Type of monitoring, equipment used, sensitivity or calibration evidence, and the methodology of the survey. (ii) Prevailing climatic conditions at the time of the survey. (iii) The time interval over which the survey was conducted. (iv) What machinery was operating at the time of the survey 	
<p>Light</p> <p>Applications for permission which include the provision of new street lighting or significant on site / on building lighting shall be accompanied by a certificate from a suitably qualified professional in the field confirming that all lighting has been so positioned and designed to eliminate or mitigate impacts on adjoining properties, particular residences (light trespass) or on the night (sky glow). Regard shall be taken of Guidance Notes for the Reduction of Light Pollution (Institute of Lighting Engineers, 2000).</p> <ul style="list-style-type: none"> All external lighting attached to buildings shall be cowled and directed away from the public roads and adjacent dwellings. To preserve the character of the night time landscape, roads in rural areas should use the minimum amount of lighting necessary, restricted to critical intersections. Passive measures, such as cat's eyes and reflectorised markings, should be preferred as night time safety guides. 	<p>Please refer to:</p> <p>SES 1717 Rev D Coolagad Public Lighting Layout Sheets 1 and 2 and the Public Lighting Calculation Report.</p>

Table 29: Section 10 – Energy and Telecommunications

Development Standard	Application
Design standards for improved energy efficiency	Please refer to the Energy Statement prepared by Waterman Moylan for the relevant standards.

Table 30: Section 11 – Heritage

Development Standard	Application
<p>Archaeological Heritage</p> <p>a) An Archaeological Impact Assessment and Method Statement will be required to support development proposals that have the potential to impact on archaeological features.</p> <p>b) A Conservation Plan may be required for development in the vicinity of a site or monument, to ensure the ongoing protection of the monument and its setting.</p> <p>c) A Visual Impact Assessment may be required for development proposals in the vicinity of upstanding remains</p>	<p>a) Please refer to the EIAR chapter cultural heritage.</p> <p>b) A Monument Management Plan accompanies this application.</p> <p>c) No upstanding remains.</p>
<p>Natural Heritage</p> <p>Ecological Protection: An Ecological Assessment is required.</p> <p>All development proposals shall maintain a biodiversity protection zone of not less than 10 meters (or other width, as determined by the Planning Authority) from the top of the bank of all watercourses in the County, with the full extent of the protection zone to be determined on a case by case basis by the Planning Authority, based on site specific characteristics and sensitivities).</p>	<p>Please refer to the Biodiversity chapter of the EIAR.</p> <p>A 10m separation distance has been maintained along the watercourse save for the crossing points.</p>
<p>Landscaping</p> <p>Landscape design shall ensure that existing site features such as specimen trees, stands of mature trees, hedgerows, rock outcrops and water features are properly identified and retained, as</p>	<p>Please refer to:</p> <p>The arborist's tree impacts plan North-East, North-West and South.</p> <p>And landscape masterplan – detail areas 1 to 5.</p>

Development Standard	Application
appropriate and new planting or other landscaping should be appropriate to the character of the area and significant on-site natural features shall influence the layout of new development.	
<p>Sites with steep or varying topography</p> <p>Proposals on sites with a steep and/or varying topography should be accompanied by a comprehensive site analysis (including character appraisal and movement analysis), concept proposal and design statement as described and illustrated within the Urban Design Manual – A Best Practice Guide, DEHLG, 2009. Such analysis should be accompanied by comprehensive site sections and plans detailing any proposed changes in site level and demonstrating how the proposal incorporates the natural slope and drainage features of the site. Proposals should ascend the contours of the site with unique design solutions such as lower density split level housing and sloping gardens with planted boundary treatments. Where changes in ground level between buildings are unavoidable, planted banks may be utilized.</p>	<p>Please refer to:</p> <ul style="list-style-type: none"> • The Architectural and Urban Design Statement. • Engineering drawing nos. 610 to 615 Cut & Fill Analysis Sheets 1 to 6.

15.7 Greystones – Delgany and Kilcoole Local Area Plan 2013-2019

15.7.1 Vision

Wicklow Co. Council advised that the Greystones Delgany and Kilcoole Local Area Plan (LAP) 2013-2019 applies.

The vision is as follows:

‘to build on the dynamism between the settlements of Greystones-Delgany and Kilcoole, so that the area develops in a mutually dependent and complementary manner as a prosperous and growing community. Each settlement shall have a distinct identity and shall perform a function in sustaining its own local community and in providing enhanced opportunities for the creation of new local enterprise. The area shall be a high quality, attractive and sustainable place to live, visit and conduct business. The combined area shall maximise the potential opportunities associated with its strategic location at the edge of the Dublin Metropolitan Area.’

15.7.2 Zoning and Action Area Plan 1 (AP1)

Four zonings apply within the overall site.

- R22 (22 units per ha) *“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 (17 units per ha) *“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”.*
- AOS A minimum of 4ha of land shall be provided for active open space. *“To provide for active recreational open space”.*
- OS (Open Space) *“To preserve, provide for and improve public and private open space for recreational amenity and passive open space.”*

An identified CE block within the open space area to correspond with AP1 objectives is also showed on the map. CE ‘Community and Education’ seeks to provide for civic, community, institutional, health, educational facilities and burial grounds.

As discussed in previous sections on density, the proposed development is in material contravention of the densities set down in the LAP. This is addressed in more details in Part C of this report.

A zoning matrix is not included in the LAP. The development management section of the planning authority shall determine each proposal on its merits, and shall only permit the development of uses that enhance, complement, are ancillary to, or neutral to the zoning objective. General uses are provided in section 11. All uses proposed align with the general uses outlined in section 11.

The application lands are located in an area designated as Action Area Plan 1 (AP1) in the Greystones and Delgany Local Area Plan 2013-2019 and consist of the majority of the AP1 area. The AP1 lands represent the north west boundary of the LAP area.

A specific road objective from the Regional Road across the site is indicated R01 to reserve a land corridor to provide for a new road from the R761 at Sea View to lands within AP1: Coolagad Action Plan, the provisions of which are considered in 14.7.4 below. 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. A road is provided in accordance with the LAP. It follows the northern boundary and will be used as local access to the application lands.

15.7.3 Relevant LAP Objectives

Table 31: Housing Development Objectives

LAP Objectives	Application
RES1: To adhere to the objectives of the Wicklow County Development Plan 2010-2016 in regard to population and housing	The development complies, please refer to earlier sections of this report.

LAP Objectives	Application
as are applicable to the plan area. In the assessment of development proposals, regard shall be paid to the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (Cities, Towns and Villages), (DoEHLG, 2009).	
RES3/RES4	Addressed under the CDP section of this report. Please see above.
Density	
<p>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'. In existing residential areas, infill development shall generally be at a density that respects the established character of the area in which it is located, subject to the protection of the residential amenity of adjoining properties. However, where previously unsewered, low density housing areas become served by mains sewers, consideration will be given to densities above the prevailing density, (up to 10 / ha, depending on local circumstances), subject to adherence to normal siting and design criteria. Apartments generally will only be permitted within Greystones Town Centre, Kilcoole Town Centre, Delgany Village Centre, Neighbourhood Centres, Small Local Centres, Greystones Harbour and North Beach Action Plan, South Beach Action Plan and within 10 minutes walking distance of Greystones train station. Within existing residential areas, regard shall be paid at all times to the overriding objective of the Council to protect the residential amenity of these areas and to only allow infill residential development</p>	<p>The response is two-fold:</p> <ul style="list-style-type: none"> • The proposed development includes densities which exceed those included in section 11. The proposed development therefore contravenes this objective. • The proposed development includes apartment units and is not located in the town centre of Greystones. The proposed development therefore contravenes this objective.

LAP Objectives	Application
where this reflects the character of the existing residential area. Apartments will not normally be permitted on sites surrounded by predominantly single family occupied housing estate developments	
<p>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. [...]</p> <p>On land zoned R17/R5/R22 in the Kindlestown Upper/Coolagad vicinity, the design and layout of developments shall be appropriate to the topography of sites and the necessity to ensure that 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 the protection of the visual amenity of the area, including views of Kindlestown Hill and to the objectives of the Blacklion ACA.</p>	<p>Please refer to the alternative chapter of the EIAR which looks at development options.</p> <p>The proposed development has managed to overcome a number of issues inherent to the site, particularly topography, service constraints, archaeology, tree retention and biodiversity.</p> <p>The development is particularly cognisant of the topography of the site. Please refer to Engineering drawing nos. 610 to 615 Cut & Fill Analysis Sheets 1 to 6.</p> <p>For visual impact please refer to the LVIA chapter in the EIAR in relation Kindlestown Upper and Kindlestown Hill.</p> <p>The LVIA generally found that the proposed development would not obstruct views and was not incongruous.</p>
Housing Type and Tenure	
<p>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.</p>	<p>The provision of 586 new homes, 10% of which would be social housing will be beneficial to the local housing market.</p> <p>It should be noted that the proposed development will include the provision of 207 no. 3-bed units, 140 no. 4-bed units and 4 no.5 bed units.</p>

LAP Objectives	Application
RES14: To facilitate the development of housing options for older people within the plan area.	It should be noted that the proposed development will include the provision of 65 no. 1-bed and 139 no. 2-bed. These will provide suitable options for older persons.

Table 32: Social Infrastructure Objectives

LAP Objectives	Application
Provide community facilities, particularly playgrounds, multi-use games areas (MUGA) for teenagers, sports and recreation facilities and multi-purpose community buildings.	<p>The proposed development includes:</p> <ul style="list-style-type: none"> • A multi-purpose community centre which includes changing rooms. • A MUGA • A playing field
Provide active open space in accordance with the Wicklow Local Authorities 'Play Policy' and 'Sports and Recreation Policy' which require that AOS should be provided at a rate of 2.4ha per 1,000 population.	<p>The proposed development includes 2.355 ha of lands zoned active open space.</p> <p>In addition, it includes as part of the residentially zoned lands, 7,680 sqm of play areas in the form of equipped play, natural play and kickabout is provided throughout the lands.</p>
Ensure community facilities are financially and geographically accessible to all sectors of the community.	<p>The proposed development will include a community centre to be transferred to the council. As it will be publicly operated it will be affordable to existing and prospective communities.</p> <p>It will be located at the entrance of the site, the most accessible point for surrounding communities.</p>
Provide community facilities for older people.	The proposed community centre has been designed to be multi-purpose and will be accessible to all ages and abilities.
To provide community infrastructure in tandem with residential development.	A community centre and a creche are provided.
Active Open Space	

LAP Objectives	Application
SOC10 To provide for the development of active open space to meet the needs of the current and future population of the plan area	<p>The application site includes an area zoned active open space and an area zoned open space which have been zoned through the LAP process and were refined through the Area Plan process.</p> <p>Landscape proposals have been developed accordingly. The development complies.</p>
Community Buildings / Facilities	
SOC16: A new community building / facility shall be provided within AP1: Coolagad Action Plan. The size/configuration shall be determined in consultation with the Community and Enterprise Section of the Council.	<p>The proposed development will include a community centre to be transferred to the council.</p> <p>The size and configuration have been agreed with the Community and Enterprise Section of the Council. Please refer to the Community & Playing Fields WCC Letter of Support.</p>

Table 33: Infrastructure Strategy Objectives

LAP Objectives	Application
Services	
TS2: All new development shall be required to connect to the public mains systems for water supply and wastewater collection and disposal. Permission for the connection of single houses to private waste water systems and water supply systems will only be granted in exceptional circumstances, where there is no adverse effect on the environmental integrity of the area and in accordance with the proper planning and sustainable development of the area.	Irish Water was consulted as part of the preparation of the application. Please refer to the Confirmation of Feasibility and Design Acceptance letters.
Flooding	
TS6: Notwithstanding the identification of an area as being at low or no risk of flooding, where the planning authority is of the opinion that flood risk may arise or new information has come to light that may alter the flood designation of the land,	A site specific flood risk assessment accompanies this application as requested during consultations with the Council.

LAP Objectives	Application
an appropriate flood risk assessment may be required to be submitted by an applicant for planning permission.	
Roads and Transportation	
TS7: Promote the development of safe and accessible pedestrian and traffic routes	<p>The entire road network includes footpaths. In addition, where possible dedicated permeability links are provided for pedestrians away from road traffic.</p> <p>All traffic routes have been designed to be DMURS compliant, please refer to the TTA by AECOM.</p>
<p>TS8: To implement the objectives as set out in Table 7.1, for:</p> <ul style="list-style-type: none"> i) the development of new roads within the lifetime of the plan (indicated in purple on Map A) ii) the development of new roads beyond the lifetime of the plan (indicated in pink on Map A), and iii) the improvement/upgrading of existing roads, including for example new footpaths/cycleways, public lighting, road re alignments / widening, re-surfacing etc., within the lifetime of the plan (indicated in peach on Map A) 	A road is provided as indicated on Map A.
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	A new road is provided accordingly.
Sustainable Transportation Modes	
TS11: To provide for the development of sustainable modes of transportation within the plan area including public transport, walking and cycling, in particular to provide	<p>Internally to the site, there will be a dedicated off-road cycle track through the public park.</p> <p>The applicants have included works in their application with a view to provide for new cycle</p>

LAP Objectives	Application
<p>high quality pedestrian and bicycle links between residential areas and retail, recreation and education facilities. The Council will facilitate the following:</p> <p>Any works required to upgrade the frequency and capacity of existing DART services.</p> <p>Any works required to upgrade Kilcoole Train Station.</p> <p>The continued operation of Greystones park and ride.</p>	<p>paths on R761 as requested by Wicklow County Council. These works will tie in with planned works by the Council at the Redford Junction, which will include inter alia the provision of a cycle path.</p>
<p>TS13: Lands being developed at the periphery of the developed part of zoned lands should provide for corridors, to ensure lands that could be required to facilitate future population increases in future LAPs are not landlocked and can be effectively and efficiently accessed</p>	<p>The proposed distributor road is provided by the applicants insofar its alignment falls on lands within their ownership. It is paralleled to its north by a reservation which will also be transferred to the Council to allow for future upgrade of the road at a future stage. This reservation is part of the same landholding under the control of the applicants and forms part of this application.</p> <p>Internal roads have been designed to allow for future road developments which may occur on adjacent landbanks. The distributor road itself has been designed at existing levels as far as practical to allow for tie-in with potential roads coming from the northern landbank.</p>

Table 34: Built and Natural Heritage Objectives

LAP Objectives	Application
Built and Natural Heritage	
<p>HER1: Protect and enhance the character, setting and environmental quality of natural, architectural and archaeological heritage, and in particular those features of the natural landscape and built structures that contribute to its special interest. The natural, architectural and archaeological heritage of the area shall be protected in accordance with the objectives set out in the Wicklow County Development Plan</p>	<p>Landscape proposals will incorporate existing and proposed ecological features. The main archaeological feature is proposed for partial retention. Appropriate separation distances are applied along the watercourse. The layout and associated proposals have made every efforts possible to retain and enhance natural and archaeological heritage of the site.</p>

LAP Objectives	Application
HER2:	See relevant section of the CDP above.
<p>HER3 To protect, wherever possible, wildlife habitats that are located outside protected and designated areas, including the coast, cliffs, dunes, trees, hedgerows, drainage ditches, scrub, woodland, rock outcrops, watercourses, stone walls and other features of the natural landscape that provide wildlife corridors and which contribute to the biodiversity of the area. In the assessment of planning applications, the Council may require that such features are retained and incorporated into future development. In considering proposals for development, regard shall be paid to the Greystones- Delgany Local Biodiversity Area Study (2006). Recommendations set out in this study shall be implemented, as deemed appropriate, by the planning authority</p>	<p>Please refer to the arborist's drawings and to the EIAR chapter on Biodiversity.</p>
<p>HER5: To protect the biodiversity value and associated habitats of water bodies within the plan area in accordance with the objectives as set out in the Wicklow County Development Plan and Eastern River Basin District Management Plan. In considering proposals for development, regard shall be paid to the recommendations set out in Greystones- Delgany Local Biodiversity Area Study (2006). In particular, recommendations relating to the Three Trouts Stream shall be implemented, as deemed appropriate, by the planning authority. Water bodies within the plan area include the Three Trouts Stream, the Newtown River from Newtown to Kilcoole Marsh via Druids Glen Golf Course, Kilcoole Stream (from Kilpedder to Kilcoole feeding to Kilcoole Marsh), Kilcoole Marsh (a transitional estuarine water body), the southwestern Irish Sea-Killiney Bay (coastal water body) and a number of groundwater bodies.</p>	<p>The water chapter of the EIAR states the following in section 7.6.1.8:</p> <p><i>'it is considered that the design of the Proposed Development is in line with the objectives of the Water Framework Directive (2000/60/EC) to prevent or limit any potential impact on water quality'</i></p>

LAP Objectives	Application
Views and Prospects	
HER11: To protect the views and prospects as set out in the Wicklow County Development Plan and this plan. Protected views and prospects within the plan area are indicated in Appendix B and Map B.	Please refer to the LVIA chapter in the EIAR. It found in general that the development would not be incongruous or obstruct views.

15.7.4 Action Plans

Section 10.1 of the LAP relates to Action Plan areas which are *‘designated for comprehensive (not piecemeal) integrated schemes of development that hat allow for the sustainable, phased and managed development of the area during the plan period. Separate applications for sections of each area will not be considered until an overall action plan has been agreed in writing with the planning authority unless it can be shown that any application will not undermine the achievement of the overall objectives for that Action Area.’*

Section 10.1 also states:

‘In some cases, the planning authority may agree that an action plan does not have to be agreed prior to the submission of planning applications. This will only be permitted in cases where it is likely that all objectives for the area (including phasing, provision of infrastructure, design solutions, density etc) can be successfully addressed in a planning application. This approach is generally limited to cases where the action plan lands are held within single ownership, where there is a limited amount of easily achievable objectives and where there are relatively few environmental constraints.’

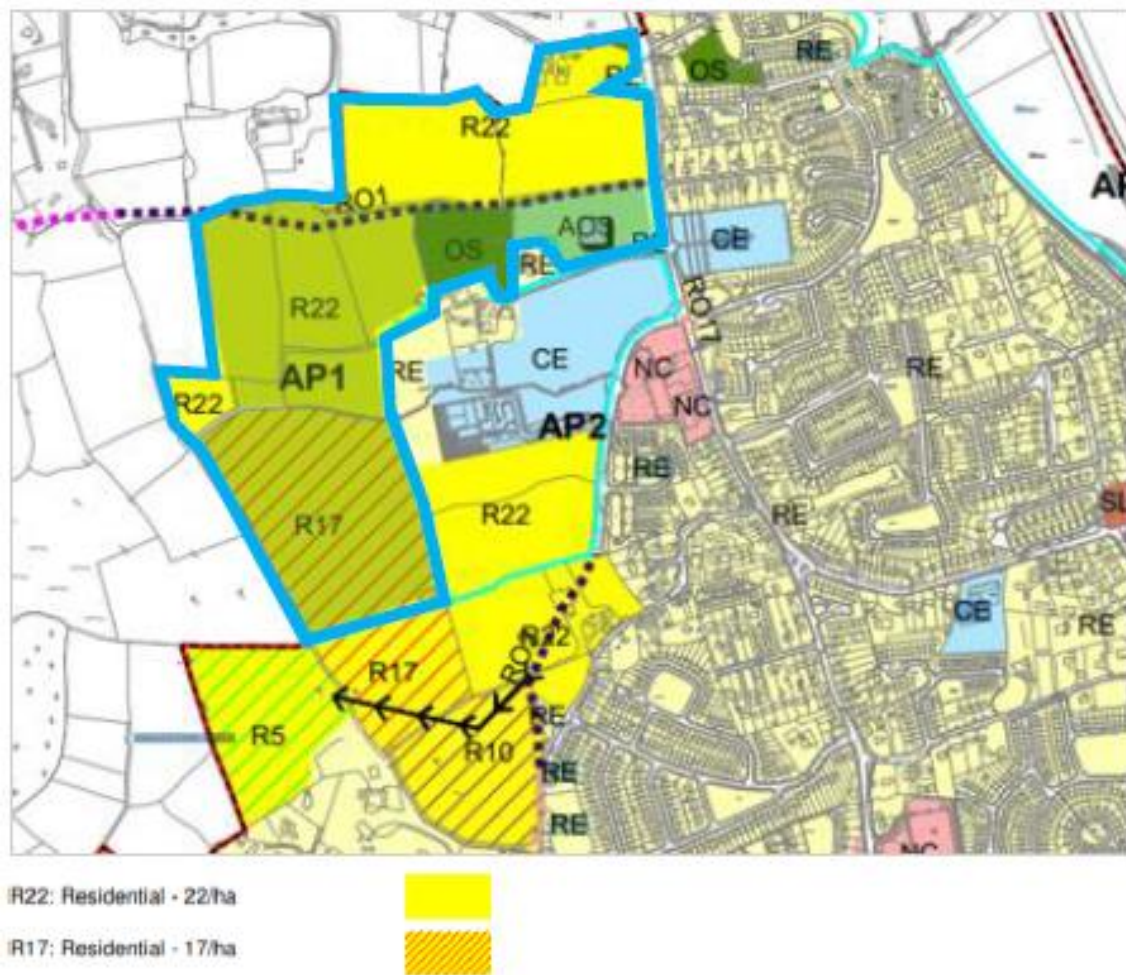
The lands form part of AP1 – Coolagad. Detailed provisions as set out in the LAP as they relate to Coolagad are discussed in Table 37 of this report.

An Action Plan was agreed between the previous owners of the application site and Wicklow County Council. As this application deviates on matters pertaining to density, the applicants did not obtain agreement from the Council as the Council would not have been in a position to agree on densities higher than those allowed under the LAP. In addition, the applicants are not the owners of the entire landholding. On the basis, the present application may be viewed as a material contravention of the procedure pertaining to making applications on lands forming parts of an action plan area.

Notwithstanding this, the applicants are of the view that they have successfully addressed all the requirements for the lands and are delivering all the required infrastructure without impinging on the development potential of the rest of the lands forming part of AP1 but not part of this application.

Figure 13 below shows the Coolagad Action Plan 1.

Figure 12: AP1 Coolagad outlined on extract from the LAP zoning map with application site shaded



Section 10.2 of the LAP details the provisions applying to AP1: Coolagad Action Plan. These are presented to in Table 37 hereafter.

“AP1: COOLAGAD ACTION PLAN

This Action Area is located at Templecarrig Lower, Coolagad and Kindlestown Upper, on a site approximately 34ha in size. This area shall be developed for a mix of uses including residential, community and open space, in accordance with the following:

This AP1 is showed in figure 13 above.

Table 35: AP1 as detailed in LAP

LAP Requirement relating to AP1	Application
c.29 ha for the development of residential units	The residential component of the application are located on a residentially zoned lands measuring 20.51ha, which are in the

LAP Requirement relating to AP1	Application
	ownership of the applicants (see figure below for ownership).
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.	<p>Together the lands zoned open space and active open space measure c.4 ha. As can be seen in the HQA a total of 4.3 ha of open space and active open space is provided. The development complies.</p> <p>All uses proposed on these lands may be considered in accordance with section 11 of the LAP. In addition to proposed active open space provisions made on the dedicated zoned lands, there are further recreation and play area located across the site.</p>
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 community centre is proposed at the entrance of the site to the south of the distributor road. This facility has been the subject of consultation with the Community and Enterprise Section of the Council and was agreed. Please refer to the Community & Playing Fields WCC Letter of Support.
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	A new road is provided for local access. It will be transferred to the Council.
Green routes shall be provided throughout the area to link residential areas with community infrastructure, schools, adjoining housing lands and the Blacklion neighbourhood centre.	There are permeability links proposed across the site. In addition, the roads and paths have been designed to meet suitable levels to allow for the provision of future links between landholdings should these be developed in the future, as these are not in under the control of the applicants. The applicants are satisfied that they have provided for adequate road levels for future constructability. Please refer to the Design Statement.

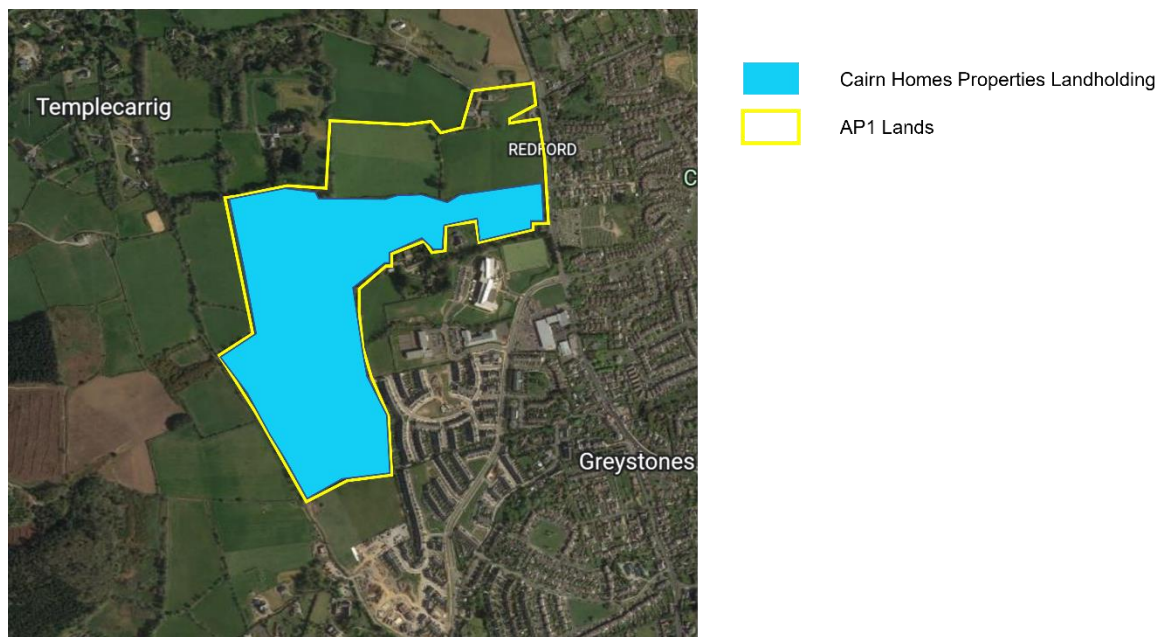
LAP Requirement relating to AP1	Application
<p>The residential amenity of existing and future adjoining properties shall be protected.</p>	<p>The site applies the appropriate parameters internally to avoid impact of the residential amenities of the prospective residents. In addition, it is adequately removed and screened from the rear boundary of Waverly so it will not impact on their amenity.</p> <p>The closest existing properties are located to the south of the MUGA (Eircode: A63 DN84) and to the east of the playing field (Gate Lodge). The distances applied are:</p> <p>Distances with A63 DN84 (NSR2 in figure 92 of EIAR):</p> <ul style="list-style-type: none"> • MUGA: c.40 m. • Sports field: c.45m <p>Distances with Gate Lodge (NSR1 in figure 92 of EIAR):</p> <ul style="list-style-type: none"> • MUGA: over 165m • Sports field: c.10m <p>The noise and vibration chapter of the EIAR states:</p> <p><i>‘A 2-3m berm is proposed along the boundary with NSR2 to mitigate the effects of MUGA related noise. The berm will, at a minimum, “break the line of sight” from the boundary of the property to the MUGA, assuming a height of 1.5m above ground level in the garden. This will ensure that external private amenity areas will not be above the range 50 – 55 dB $L_{Aeq,16hr}$ and therefore no significant effect will occur.</i></p> <p><i>Additionally, the landscaping plan will provide planted screening to NSRs 1 and 2 (including the cottages in the farmyard). This will not quantitatively mitigate noise but will qualitatively improve perceived tranquillity for existing residents.’</i></p>
<p>Protection of natural and built heritage, including rivers and trees.</p>	<p>The layout has sought to retain a maximum of existing natural features, particularly trees and hedgerows, as can be seen in drawings the arborist’s drawings.</p>

LAP Requirement relating to AP1	Application
	In relation to the stream, a 10m buffer was applied along the riparian corridor, for the exception of two crossing points which are necessary to the development of the lands.
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.	<p>An iterative design process has taken place whereby the visual impact of the zoned lands has been carefully considered and the topography of the site respected.</p> <p>Please refer to the LVIA chapter in the EIAR. It found in general that the development would not be incongruous or obstruct views. We note in particular:</p> <p><i>‘The existing topography has informed the design, arranging the buildings and road alignments according to the ground contours and mitigating the visual impact on the receiving environment and maximising the preservation of existing natural assets such as hedgerows, trees, streams, and wetland areas. In addition, the existing neighbouring residential development informs the proposed site design, using a similar design in terms of scale and architectural style, including form and materials; this allows the proposed development to blend in within its surrounding context, reducing its overall impact on the landscape. The precedent which has been set by the construction of these new residential developments, namely Waverly and Seagreen, will reduce the magnitude of the impact the proposed development. Additionally, the overall impact of the proposed development on the receiving environment will be reduced due to its proximity to with the adjacent town of Greystones which is of much greater scale. ‘</i></p>
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 AP2: Blacklion Action Plan and lands zoned for housing to the south at Kindlestown Upper	<p>Due regard was had to the scale of the lower lying developments, particularly Waverly. There will be no impacts on the amenities of the most western units located in Waverly.</p> <p>Transition of scale is applied through the provision of lower structures (up to two storey) along the southern and eastern</p>

LAP Requirement relating to AP1	Application
	<p>boundaries of the site. As noted above, there will be no impact on the residential amenities of Waverly and the development will no impinge on the development potential of lands zoned at Kindlestown Upper. We make particular reference to the fact that all roads and linkages proposed have been designed to allow connectivity with the undeveloped landbanks to the east (or at the back of the school) and to the south, should these be developed in the future.</p>
<p>Phasing shall be as follows:</p> <ul style="list-style-type: none"> • Phase 1: 200 units and completion of road • Phase 2: 150 units and provision of open space (AOS and OS) • Phase 3: 150 units and community centre/facility • Phase 4: remainder of units. 	<p>The proposed phasing is as follows:</p> <ul style="list-style-type: none"> - Phase 1 is split into two sub-phases: 1a and 1b. Together they will yield 194 units and the completion of the distributor road. - Phase 2 will yield 72 units and the delivery of the open space and active open space. - Phase 3 will yield 91 units, the creche and community facility. - Phase 4 will yield 229 units. <p>The Board will note that the applicants are committed to front-loading required infrastructure as required, even where they have not achieved the unit thresholds. The proposed phasing was devised to take account of the challenging conditions for the construction phase. Should the Board consider the phasing and therefore the proposed development phasing inadequate, the applicants will accept a condition to that effect.</p> <p>Notwithstanding this, as it may be viewed as a material contravention, please refer to Part C.</p>

For information, the figure below identifies the other lands forming part of the AP1 not under the control of the Applicants.

Figure 13: Land Ownerships AP1



Part C– Material Contravention

16 Statement of Material Contravention

16.1 Introduction

This section has been drafted in response to Item 13 of the Application Form and in accordance with Section 8(1)(a)(iv)(II) of the Planning and Development (Housing) and Residential Tenancies Act 2016 (as amended). The statement applies to the Wicklow County Development Plan 2016-2022 and to the Greystones- Delgany and Kilcoole LAP 2013-2019.

16.2 Legislative Provisions

Section 9(6)(a) of the Planning and Development (Housing) and Residential Tenancies Act 2016 states that the Board may decide to grant a permission for a proposed strategic housing development in respect of an application where the development materially contravenes the development plan relating to the area concerned.

It also states in s.9(6)(b) that grant of permission may not be given if the material contravention relates to zoning.

Finally, under s.9(6)(c) a grant of permission may be given by the Board where the Board considers that that if s.37(2)(b) of the Planning and Development Act 2000, as amended were to apply, it would grant planning permission.

Section 37(2)(b) of the Planning and Development Act 2000, as amended, effectively allows the Board to grant permission, when it considers that:

- (i) the proposed development is of **strategic or national importance**,*
- (ii) there are **conflicting objectives** in the development plan or the objectives are not clearly stated, insofar as the proposed development is concerned, or*
- (iii) permission for the proposed development should be granted **having regard to regional spatial and economic strategy for the area, guidelines under section 28, policy directives under section 29, the statutory obligations of any local authority in the area, and any relevant policy of the Government, the Minister or any Minister of the Government, or***
- (iv) permission for the proposed development **should be granted having regards to the pattern of development, any permissions granted, in the area since the making of the development plan.***

(bold our emphasis)

With regard to s.9(6)(b) we note that in this case, the possible contraventions relate to the density, plot ratio, the location and quantum of apartments and typology, archaeology, the feeder bus, the creche and car parking, in addition to provisions under sections 10.1 and 10.2 of the Greystones-Delgany and Kilcoole LAP. Therefore the Board can adjudicate on a material contravention. In addition, we refer the Board to s.10(2)(a) of the Planning and Development Act 2000, as amended which states:

- (10)(2) Without prejudice to the generality of subsection (1), a development plan shall include objectives for –*

(a) the zoning of land for the use solely or primarily of particular areas for particular purposes (whether residential, commercial, industrial, agricultural, recreational, as open space or otherwise, or a mixture of those uses), where and to such extent as the proper planning and sustainable development of the area, in the opinion of the planning authority, requires the uses to be indicated;'

The Act is specific in that it considers zoning to establish a use of a particular purpose and not a quantum of use in particular.

The applicants are of the view that s.37(2)(i) s.37(2)(ii), s.37(2)(iii) and s37(2)(iv) above are applicable to the proposed development.

16.2.1 Material Contravention 1 - Density including Plot Ratio

The application site is subject to a number of zonings: R17, R22, AOS,OS and CE in the Greystones- Delgany and Kilcoole LAP 2013-2019. The R17 and R22 objectives are set out in table 11.1 in the zoning matrix included in the LAP. Densities applying to the residentially zoned lands R17 and R22 are 17 uph and 22 uph respectively.

The proposed development is c 35.88 units per ha net (using the SRDUA Guidelines) or 30.6 units per ha (using WCC's method of calculation), therefore the density of the proposed development may be considered inconsistent with and materially contravene the R22 and R17 density objectives.

Policy RES5 of the LAP provides for the development of sustainable residential communities up to a maximum density, as prescribed by the land use zoning objectives indicated on Map A in paragraph 1.

'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'.

The policies in RES5 paragraph 1 are reflected in different wording in the County Development Plan in the following objective:

- Objective HD5 of the Wicklow County Development Plan 2016-2022 which relates to density and mix *"In order to make best use of land resources and services, unless there are cogent reasons to the contrary, new residential development shall be expected to aim for the highest density indicated for the lands. The Council reserves the right to refuse permission for any development that is not consistent with this principle."*

Section 1 of the Appendix 1 of the Development and Design Standards of the Wicklow County Development Plan 2016-2022 includes a table under the sub-section 'Intensity of development (density)'. This table is showed below:

Table 36: Extract from the Wicklow County Development Plan 2016-2022 setting maximum plot ratio

Location	Maximum plot ratio
Commercial, housing or mixed use core town centre area (zoned TC)	2 (20,000sqm of development per hectare)
Commercial, housing or mixed use edge of centre (zoned TC)	1 (10,000sqm of development per hectare)
Housing only edge of centre	0.5 (5,000sqm of development per hectare)
Housing only greenfield	0.35 (3,500sqm of development per hectare)

The proposed development would be located on a greenfield site and provides for a plot ratio of 0.43%. In light of the requirements of the County Development Plan it may be viewed as a material contravention.

As plot ratio is addressed in the development standards as ‘intensity of development (density)’, then the proposed plot ratio will be addressed with the proposed density.

16.2.2 Material Contravention 2 – Typologies

The applicants intend to address several objectives of the CDP and LAP together as in essence they relate to the same topic of typology. These are:

- RES5 paragraph 3 of the Greystones – Delgany and Kilcoole LAP 2013-2019 may be at issue in that apartments are proposed within this zoning objective which “generally” will only be permitted within Greystones Town Centre, Kilcoole Town Centre, Delgany Village Centre, Neighbourhood Centres, Small Local Centres, Greystones Harbour and North Beach Action Plan, South Beach Action Plan and within 10 minutes walking distance of Greystones DART station.
- Objective HD13 of the Wicklow County Development Plan 2016-2022 which relates to apartments *“Apartments generally will only be permitted within the designated centres in settlements (i.e designated town, village or neighborhood 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 of the Wicklow County Development Plan 2016 -2022 states that *‘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).’*

Reference is also made to Appendix 1 of the Development and Design Standards of the Wicklow County Council, specifically the sub-section relating to ‘Units sizes and formats’ in section 1, which states:

‘In ‘edge of centre’ or ‘out of centre’ new residential development, the quantum of apartments allowable will be regulated, as this dense format of development is more suited to urban core locations, where direct access to services is available. In this regard the maximum quantum of floor space that may be devoted to apartments in ‘edge-of-centre’ locations shall be 40% of the development and 20% in ‘out-of-centre’ locations.’

As the objectives and development standards noted above refer to typologies, these are addressed together.

16.2.3 Material Contravention 3 – Feeder Bus

Chapter 9 on Infrastructure of the CDP requires the following:

TR7 To promote the delivery of improved and new bus services both in and out of the County but also within the County by:

- *facilitating the needs of existing or new bus providers with regard to bus stops and garaging facilities (although unnecessary duplication of bus stops on the same routes / roads will not be permitted);*
- *requiring the developers of large-scale new employment and residential developments in the designated metropolitan and large growth towns in the County that are distant (more than 2km) from train / LUAS stations to fund / provide feeder bus services for an initial period of at least 3 years;*
- *promoting the growth of designated settlements to a critical mass to make bus services viable and more likely to continue;*
- *to work with Bus Eireann and the NTA to improve services in south and west Wicklow.*

The policies relating to the application site are fully set out in sections 14 and 15 above.

16.2.4 Material Contravention 4- Local Area Plan (Action Plan Area requirements)

This section will address two points:

Material contravention 4A as it relates to the procedure set out under section 10.1 of the Greystones – Delgany and Kilcoole LAP for making applications on lands forming part of an action plan area will be addressed. An AP was agreed (by a previous owner) with the Council in 2016 which applied the R17 and R22 zoning objectives. The Board may consider the proposed development as a material contravention of section 10.1 of the LAP as an amended AP has not been agreed with the Council in advance of submitting an application.

AP1 and the LAP density objectives preceded the higher-level government objectives contained in the NPF of compact growth, increasing residential density on serviced land and sustainable development. AP1 also preceded the relevant s28 guidelines, specifically the Apartment Design Guidelines that apply to residential development to which the applicant, the Planning Authority and the Board must have regard. While the Planning Authority must have regard to s 28 guidelines, they have not amended the relevant plans and therefore they are in a position where they must stand over the plans despite the density being at variance with government policy.

The applicant purchased the majority of land within AP1. The applicant is in a position where they must provide density in accordance with the NPF and suite of guidelines and is mindful of the position of the Board in relation to applications where the density was not considered sufficient on zoned lands.

The parcel of land outside the applicant's ownership which is zoned residential is located to the north of the proposed new road and access points are provided should that site be developed.

Section 10.1 of the Greystones – Delgany and Kilcoole LAP contains a paragraph as follows.

“While development shall be in accordance with the above agreed action plans, it should be noted that developers can at any stage submit proposals to revise an existing agreed action plan or make a new action plan for agreement. This shall generally only be permitted in cases where it is clear that the agreed action plan

differs from the objectives for that area, as set out within the current local area plan”.

While the preceding 2 paragraphs in section 10.1 specify existing agreed APs , it may appear that the quoted paragraph above captures an AP that was agreed after the LAP was adopted, such as AP1 in 2016.

As a planning authority is not in a position to agree to contravene the relevant density provisions of the LAP, an amendment process to the agreed AP1 where the density is increased in line with the NPF and s28 guidelines has not been submitted to the planning authority.

The issue of density is reiterated in AP1 as Map A delineating the AP boundary contains the Zoning objectives R17 and R22. Development on the subject site could not achieve the densities of 17 units per ha and 22 units per ha without conflicting with government policy.

Furthermore, section 10.1 states: *‘Separate applications for sections of each area will not be considered until an overall action plan has been agreed in writing with the planning authority unless it can be shown that any application will not undermine the achievement of the overall objectives for that Action Area.’*

As application is not made on foot of an agreed action plan, it may be viewed as a material contravention of the provisions of section 10.1 of the LAP.

Section 10.2 of the LAP provides a list of requirements in relation to the Coolagad AP1. The subject development is assessed against these requirements in section 15.7.4 of this report. It is acknowledged that the phasing proposed as part of this application does not strictly accord with the phasing requirements in section 10.2 of the LAP. Social and other infrastructure is front loaded in the development, which in planning terms, is better than that detailed in section 10.2 of the LAP. Notwithstanding this, the phasing in the subject application may be considered a material contravention of section 10.2 of the LAP. Accordingly, a material contravention statement is prepared on this issue.

16.2.5 Material Contravention 5- Archaeology

Policy BH2 of the CDP provides that any development that may, due to its size, location or nature, have implications for archaeological heritage (including that identified in Schedule 10.01 & 10.02 and Map 10.01 & 10.02) shall be subject to an archaeological assessment. The application site has been assessed and areas of archaeological interest are present.

None of the areas of interest are included in the record of monuments or are places or sites and areas of archaeological potential / significance as identified in Schedule 10.01 & 10.02 and Map 10.01 & 10.02 of the CDP.

Policy BH2 continues that when dealing with proposals for development that would impact upon archaeological sites and/or features, there will be presumption in favour of the ‘preservation in situ’ of archaeological remains and settings, in accordance with Government policy. Policy BH2 acknowledges that where permission for such proposals is granted, the Planning Authority will require the developer to have the site works supervised by a competent archaeologist.

Having regard to the wording of policy BH2, it is considered that the Board may interpret the proposed development which preserves part of a double ditch in situ and part by record as a material contravention of this policy and a material contravention statement is prepared. Other areas of archaeology that have been identified as part of the assessment are being preserved by record.

16.2.6 Material Contravention 6 – Creche

Appendix 1 – Development and Design Standards of the Wicklow County Development Plan contains standards for the development of childcare facilities in section 6. A number of requirements are attached to include:

‘Where a large development (or a development in conjunction with other developments in an Action Plan area) comprises more than 75 units, a single large childcare facility capable of serving all proposed units (and future units) may be permissible, subject to a ceiling of 100 places (full and part time)’

Having regard to the wording of the requirement, the Board may interpret the provision of a creche exceeding this cap as a material contravention.

16.2.7 Material Contravention 7 – Car Parking

Appendix 1 – Development and Design Standards of the Wicklow County Development Plan contains standards for the provision of car parking in section 1 to be applied to residential development. It states:

‘2 off street car parking spaces shall normally be required for all dwelling units over 2 bedrooms in size. For every 5 residential units provided with only 1 space, 1 visitor space shall be provided’

Having regard to the quantum of car parking spaces provided for the apartments and duplex units, the Board may interpret the provision of a lower number of car parking spaces for the apartments and duplex units as a material contravention.

16.2.8 Material Contravention 8 – Duplex Private Open Space

Appendix 1 – Development and Design Standards of the Wicklow County Development Plan contains standards for the provision of provision of private open space for ‘dwellings (including own duplexes) in section 1 as shown in the table below:

House size	Minimum private open space
1-2 bedrooms	50sqm
3+ bedrooms	60-75sqm

As seen in the HQA, the provision of private open space for the duplex units is aligned with the the Design Standards for New Apartments and not with the CDP standards. It therefore can be viewed as a material contravention.

16.3 Material Contravention 1 – Density including Plot Ratio

Greystones-Delgany and Kilcoole LAP 2013-2019

The site is zoned R 17 and R22 which have up to a maximum density of 17/22 units per hectare. The site is residentially zoned adjacent to new housing, a neighbourhood centre and a school campus and the policies at national level applies as provided in the statement of consistency. Objective RES5 of the Greystones-Delgany and Kilcoole Local Area Plan 2013-2019 states the applicable density, and this issue requires consideration in the material contravention justification.

16.3.1 Justification of Material Contravention s.37(2)(i) - Proposed development of strategic or national importance

The National Planning Framework sets out the importance of compact growth. In particular, reference is made to the following objectives of the NPF:

- NPO 2(a) – target growth of 50% of the future population to be focused in the existing cities and their suburbs.
- NPO 11 - In meeting urban development requirements, there will be a presumption in favour of development that can encourage more people and generate more jobs and activity within existing cities, towns and villages, subject to development meeting appropriate planning standards and achieving targeted growth
- NPO 32 - To target the delivery of 550,000 additional households to 2040
- NPO 33 - Prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location.
- NPO 34 - Support the provision of lifetime adaptable homes that can accommodate the changing needs of a household over time.
- NPO 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.

The proposed development has due regard to the above NPOs as demonstrated in Part B of this report. In addition, it is Government policy to provide more housing as set out in Rebuilding Ireland Action Plan for Housing and Homelessness 2016 and Housing for All – Ireland’s new Plan for Housing.

The development includes a significant number of residential units in a range of typologies. It contributes to the strategic provision of large scale housing in the County and Region.

On this basis, it is submitted that the proposed development is both, of strategic and national importance and the needs for housing has been clearly identified by the Government.

16.3.2 Justification of Material Contravention s.37(2)(iii) – Regard to s.28 guidelines and any relevant Government policy

Permission for the proposed development should be granted having regard to the regional spatial and economic strategy for the area, guidelines under section 28, the statutory obligations of any local authority in the area, and any relevant policy of the Government, the Minister or any Minister of the Government.

The policy is provided in Part B of this report and the key policies above that apply to the material contravention statement are reviewed in this statement. The development accords with NPF objective to provide housing on serviced lands.

National Planning Framework 2040

Justification

Of particular relevance to the proposed development is the relevant policy of the Government in the National Planning Framework and National Strategic Outcome 1 – Compact Growth and National Policy Objectives (NPO) in particular:

- NPO 2(a) – target growth of 50% of the future population to be focused in the existing cities and their suburbs.
- NPO 11 - In meeting urban development requirements, there will be a presumption in favour of development that can encourage more people and generate more jobs and activity within existing cities, towns and villages, subject to development meeting appropriate planning standards and achieving targeted growth
- NPO 32 - To target the delivery of 550,000 additional households to 2040
- NPO 33 - Prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location.
- NPO 34 - Support the provision of lifetime adaptable homes that can accommodate the changing needs of a household over time.
- NPO 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.

Having regard to the relevant objectives above, the proposed development is fully consistent with the NPF with regard to increased density and increased plot ratio and in particular with its principles of compact growth and the reinforcement of the country's existing urban structure at all levels.

Where housing policy is concerned, the proposed development accords with the NPF's core principles for housing delivery and in particular the location of the proposed new housing is prioritised within the existing settlement of Greystones. In particular, we refer to NPO 35 as it refers to increased residential densities. The proposed development will provide a continuous built form adjacent to the existing built-up area and within the settlement boundary of the LAP at an increased density.

As an increased plot ratio arises from the provision of higher density, it will not be discussed in detail as in essence these two elements are interlinked.

Sustainable Residential Development in Urban Areas – Guidelines for Planning Authorities 2009

Justification

The relevant sections are outlined in detail in section 14.3.12 and indicate that the appropriate density is c 35-50 dwellings per ha. In this regard the applicants have not sought a higher density development and have stayed to the lower end of the recommended density owing to the topography of the site, the visual impact on the surrounding area and to comply with the objectives of the CDP and LAP.

Urban Development and Building Heights – Guidelines for Planning Authorities 2018

Justification

The Guidelines state, *“where SPPRs are stated in this document, they take precedence over any conflicting, policies and objectives of development plans, local area plans and strategic development zone planning schemes.”*

SPPR4 requires that Planning Authorities must secure the minimum densities for such locations set out in the Guidelines issued by the Minister under Section 28 of the Planning and Development Act 2000 (as amended), titled “(2007)” or any amending or replacement Guidelines.

The relevant SPPRs are outlined above and in section B. In particular, the stated policy in SPPR 4 is new housing development shall have a greater mix of building heights and typologies in planning for the future development of suburban locations; and avoid mono-type building typologies (e.g. two storey or own-door houses only), particularly, but not exclusively so in any one development of 100 units or more. In this regard, both the proposed density and proposed apartments are justified on this site within an existing settlement.

In Part B of this report, justification is provided as why the site should be considered as a Category 2 ‘intermediate urban location’ and Category 3 ‘peripheral and/or less accessible urban location’. Category 2 envisages densities above 45 uph, whereas Category 3 envisages densities below 45 uph. As the Board will have read in other parts of this report, the achievement of a sustainable density on the site has been challenging and has to be viewed in the context of the natural and physical constraints attached to the site. It is therefore contended, the 35.88 uph is the highest density that could be achieved on the application lands and that this complies with the Guidelines.

16.3.3 Justification of Material Contravention s.37(2)(iv) – Pattern of Development and Permissions Granted

The applicant contends that permission for the proposed development should be granted having regard to the pattern of development, and permissions granted, in the area since the making of the development plan pursuant to s.37(2)(iv) of the Planning and Development Act 2000, as amended.

The R22 zoning applied to the decision by An Bord Pleanála (15/01/2020) at Farrankelly (ABP Ref. 305476) where the Board granted a material contravention of the R22 zoning. The Board granted permission for a density of 35.7ha. having regard to –

- a) the policies and objectives in the Wicklow County Development Plan 2016-2022,*
- b) the policies and objectives in the Greystones/Delgany and Kilcoole Local Area Plan 2013-2019;*
- c) the policies and objectives in the AP6- Farrankelly Action Plan;*
- d) the Rebuilding Ireland Action Plan for Housing and Homelessness 2016;*
- e) Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas and the accompanying Urban Design Manual;*
- f) Design Manual for Urban Roads and Streets (DMURS);*
- g) Guidelines for Planning Authorities on Urban Development and Building Heights;*
- h) Design Standards for New Apartments- Guidelines for Planning Authorities;*
- i) The Planning System and Flood Risk Management;*
- j) Architectural Heritage Protection, Guidelines for Planning Authorities;*
- k) the impact on any Protected Structure in the vicinity;*
- l) the nature, scale and design of the proposed development;*

- m) the availability in the area of a wide range of social and transport infrastructure;*
- n) the pattern of existing and permitted development in the area,*
- o) the submissions and observations received,*
- p) the report of the Inspector”*

The report of the Inspector referred to in point (p) on the order included the following.

“Section 5.11 of the sustainable residential guidance requires outer suburban sites to achieve densities of between 35-50 per hectare. The proposed density is at the minimum acceptable range for a suburban site although having regard to the active open space zoning on the site and requirement for the spine road, I consider it acceptable. A density of 22 units per ha would not comply with the national guidance or provide for an efficient use of lands within a defined settlement. Therefore, the terms of the section 28 guidelines on sustainable residential development and the required density for large towns would justify a grant of permission for the proposed development despite exceeding the prescribed 22ha in the LAP, in accordance with section 37(2) (b)(iii) of the planning act.”

Permission was also granted for a SHD Glenherron C (19/02/2020) ABP Ref. 305773 for a density of c 49 per ha also on R22 zoning objective with regard to similar matters as outlined above including; the policies and objectives in the Wicklow County Development Plan 2016-2022; the Greystones/Delgany and Kilcoole Local Area Plan 2013-2019; Guidelines for Planning Authorities on Sustainable Residential Development; Guidelines for Planning Authorities on Urban Development and Building Heights.

In this regard, it is respectfully requested that the proposed development should be considered having regard to the pattern permissions granted in the area since the making of the development plan pursuant to s.37(2)(iv) of the Planning and Development Act 2000, as amended.

16.3.4 Justification of Material Contravention s.37(2)(ii) – Conflicting Objectives

Wicklow County Development Plan 2016-2022

Justification

In accordance with Wicklow County Development Plan 2016-2022, Greystones-Delgany is designated a ‘Large Growth Town 2’ with a target population for Greystones/Delgany is set out in table 2.4 as 21,603 in 2022 up to 24,000 in 2028.

The CSO reports the population of Greystones-Delgany as 17,468 in 2011 with a 3.84 % increase by 2016 at 18,140. As a ‘Large Growth Town 2’, the proposed development will contribute to much needed housing to provide for the anticipated growth in population. The proposed scheme is consistent with the core strategy and settlement objectives of the plan which directs growth into Large Growth Towns.

Further details of the core strategy and consistency are provided above in the Statement of Consistency.

Objective HD5 states that in order to make best use of land resources and services, unless there “are cogent reasons” to the contrary, new residential development shall be expected to aim for the highest density indicated for the lands. The LAP provides a density of 17 and 22 units per ha. “Cogent reasons” may be interpreted as compliance with Government policy and relevant guidelines.

16.4 Material Contravention 2 – Typology

This section addresses two objectives of the CDP together as in essence they relate to the same topic of typology. These are:

- Objective HD13 of the Wicklow County Development Plan 2016-2022 which relates to apartments *“Apartments generally will only be permitted within the designated centres in settlements (i.e. designated town, village or neighborhood 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 of the CDP states that *‘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)’*.
- Appendix 1 of the Development and Design Standards of the Wicklow County Council, specifically the sub-section relating to ‘Units sizes and formats’ in section 1, which states: *‘In ‘edge of centre’ or ‘out of centre’ new residential development, the quantum of apartments allowable will be regulated, as this dense format of development is more suited to urban core locations, where direct access to services is available. In this regard the maximum quantum of floor space that may be devoted to apartments in ‘edge-of-centre’ locations shall be 40% of the development and 20% in ‘out-of-centre’ locations.’*

It also addresses the following objectives of the Greystones – Delgany and Kilcoole LAP 2013—2019:

- RES5 – paragraph 3: *Apartments generally will only be permitted within Greystones Town Centre, Kilcoole Town Centre, Delgany Village Centre, Neighbourhood Centres, Small Local Centres, Greystones Harbour and North Beach Action Plan, South Beach Action Plan and within 10 minutes walking distance⁴ of Greystones train station.*

16.4.1 Justification of Material Contravention s.37(2)(iii) – Regard to s.28 guidelines and any relevant Government policy

Permission for the proposed development should be granted having regard to the regional and economic strategy for the area, guidelines under section 28, policy directives under section 29, the statutory obligations of any local authority in the area, and any relevant policy of the Government, the Minister or any Minister of the Government.

The policy is provided in Part B of this report and the key policies above that apply to the material contravention statement are reviewed in this statement. The development accords with NPF objective to provide housing on serviced lands.

Wicklow County Development Plan 2016-2022

HD13 and HD15 (the latter as repeated in the Greystones – Delgany and Kilcoole LAP under RES5) and the development standards effectively restrict the provision of a wider range of typologies as part of large-scale development.

We would point the Board to the generous allocation of 1-bed apartments and ground floor duplexes which could be occupied by persons with limited mobility and older persons in close proximity to a range of amenities and facilities.

On this basis, we consider that the provision of duplex and apartments and the non-provision of bungalows on this site is appropriate. The Building Height Guidelines and particularly SPPR 4

which seeks to avoid exclusively mono-type developments came into force after the adoption of the County Plan and the LAP.

National Planning Framework

Justification

With regard to Objective HD13, the inclusion of apartments in response to the NPF, recognises that *“currently, 7 out of 10 households in the State consist of three people or less, with an average household size of 2.75 people. This is expected to decline to around 2.5 people per household by 2040. Yet, the stock of housing in Ireland is largely comprised of detached and semi-detached houses with three to four bedrooms.”* The proposed development will include apartments which will result in a variety of house types to accommodate a mix of household types, suitable for a variety of household sizes in order to ensure a social mix and balance is achieved.

The provision of ground floor duplex units compensates for the provision of bungalows in that they provide accessible ground floor units while meeting the NPF objective of compact growth.

Urban Development and Building Heights Guidelines 2018

Justification

We refer the board to SPPR 4 which states that *‘Planning Authorities must secure a greater mix of building heights and typologies in planning for the future development of suburban locations; and avoid mono-type building typologies (e.g. two storey or own-door houses only), particularly, but not exclusively so in any one development of 100 units or more’.*

Section 2 of the development standards of the CDP identify three types of locations for the development of apartments. As noted in earlier sections of this report, the application site is adjacent to existing housing surrounding the site and is located near school and a neighbourhood centre. It will provide consolidation of this part of the town and a variety of unit sizes.

In addition, the Guidelines provide in s. 2.5, that while the provision of apartments may not be required below the 45 dwellings per hectare, they can allow for greater diversity and flexibility in a housing scheme, whilst also increasing overall density and may be considered as part of a mix of housing types in a given housing development at any urban location, *“including suburbs, towns and villages”.*

16.4.1 Justification of Material Contravention s.37(2)(ii) – Conflicting Objectives

The applicants contend that there are conflicting objectives and statements in the County Development Plan. These are set out below.

Wicklow County Development Plan

Justification

It is considered that the wording *“Apartments generally will only be permitted...”* allows flexibility in the application of the objective and the objective is not mandatory.

Further, it may also be noted that Wicklow County Council pursues Part 8 residential development of apartments which are not in town centres and residential development without bungalows. WCC Ref. 211404 is a recent example. Councils are prohibited from contravening the Development Plan by section 178 of the Planning and Development Act 2000 as amended. This issue was also raised by an Inspector in ABP Ref. 311616-21, the Inspector held that where

a planning authority carried out development in a Part 8 that was applicable in a SHD application, that it is a reasonable interpretation that they accept such development does not materially contravene the plan.

16.4.2 Justification of Material Contravention s.37(2)(iv) – Pattern of Development and Permissions Granted

We refer the Board to a number of applications in the Greystones-Delgany LAP which were given planning permissions but included apartments and no bungalow. These are:

- Farrenkelly SHD (ABP.Ref.305476-19) was granted permission for a mix of apartments and houses excluding bungalows on the 15th January 2020.
- Glenherron C SHD (ABP Ref. 305773) was granted permission for a mix of apartments and houses excluding bungalows on the 19th February 2020.

In this regard, it is respectfully requested that the proposed development should be considered having regard to the pattern permissions granted in the area since the making of the development plan pursuant to s.37(2)(iv) of the Planning and Development Act 2000, as amended.

16.5 Material Contravention 3 – Feeder Bus

This section sets out the justification for the material contravention of TR7 which states:

TR7 To promote the delivery of improved and new bus services both in and out of the County but also within the County by:

- *facilitating the needs of existing or new bus providers with regard to bus stops and garaging facilities (although unnecessary duplication of bus stops on the same routes / roads will not be permitted);*
- *requiring the developers of large-scale new employment and residential developments in the designated metropolitan and large growth towns in the County that are distant (more than 2km) from train / LUAS stations to fund / provide feeder bus services for an initial period of at least 3 years;*
- *promoting the growth of designated settlements to a critical mass to make bus services viable and more likely to continue;*
- *to work with Bus Eireann and the NTA to improve services in south and west Wicklow.*

16.5.1 Justification of Material Contravention s.37(2)(ii) – Conflicting Objectives

The applicants contend that there are conflicting objectives and statements in the County Development Plan. These are set out below.

Wicklow County Development Plan

Justification

Chapter 9 of the CDP states in its introduction:

‘The Council will continue to provide for all components of the transportation system which are within its own remit and will encourage and facilitate the development of those other elements provided by external agencies, such as the National Transport Authority

(NTA) and Transport Infrastructure Ireland (TII, made up of the former NRA and RPA). In addition the strategy and objectives of this plan are required to be consistent with the transport strategy of the NTA.’ (bold our emphasis)

TR1 is specific in where lies the responsibility for the provision of public transportation:

*‘TR1 To cooperate with **NTA and other relevant transport planning bodies** in the delivery of a high quality, integrated transport system in the Greater Dublin Area.’ (bold our emphasis). See 16.5 feeder bus*

But the plan also states in objective TR7 that it seeks:

‘TR7 To promote the delivery of improved and new bus services both in and out of the County but also within the County by:

- *facilitating the needs of existing or new bus providers with regard to bus stops and garaging facilities (although unnecessary duplication of bus stops on the same routes / roads will not be permitted);*
- *requiring the developers of large-scale new employment and residential developments in the designated metropolitan and large growth towns in the County that are distant (more than 2km) from train / LUAS stations to fund / provide feeder bus services for an initial period of at least 3 years;*
- *promoting the growth of designated settlements to a critical mass to make bus services viable and more likely to continue;*
- *to work with Bus Eireann and the NTA to improve services in south and west Wicklow.*

The applicants contend that it is not their role to provide public transport in the form of feeder bus but rather that of the council and/or external agencies as is suggested in TR1 which discusses cooperation between the Council and the NTA and other relevant transport planning bodies. This is emphasised in the introduction of chapter 9 which states that *‘the Council will continue to provide for **all elements** of the transportation system within its remit’ (bold our emphasis).*

16.6 Material Contravention 4A – Local Area Plan – Provisions relating to Action Area plan as set out in S.10.1

This section addresses section 10.1 of the LAP in relation to Action Plans (AP).

Material contravention 4A as it relates to the procedure set out under section 10.1 of the Greystones – Delgany and Kilcoole LAP for making applications on lands forming part of an action plan area will be addressed. In particular section 10.1 states: *‘Separate applications for sections of each area will not be considered until an overall action plan has been agreed in writing with the planning authority unless it can be shown that any application will not undermine the achievement of the overall objectives for that Action Area.’*

As stated in Part B of this report, an action plan had been agreed between the previous owners of the site and the Council. As this application deviates on ground of density from the provisions of the LAP, this application is not made on foot of an agreed action plan as the Council would not have been in a position to agree on densities higher than those set out in the LAP.

Section 10.1 of the LAP provides for Action Plans (AP) for areas illustrated on Map A of the LAP. Details of the AP1 Coolagad Action Plan (AP1) are provided in section 10.2 of the LAP. The application of AP1 is detailed in the statement of consistency section 15.7.4 of this report.

As AP1 was agreed in 2016 with applicable densities of 17 units per hectare and R22 units per hectare, it is considered that the Board may consider the proposed development as a material contravention of the LAP, with reference to the specific requirements for the AP1 Coolagad Action Plan. The submission of an application therefore may be viewed as a material contravention of s.10.1 of the LAP.

16.6.1 Justification of Material Contravention s.37(2)(i) – Proposed development of strategic or national importance

The justification for the material contravention is for the same reasons as outlined above in section 16.3.1 above and in the interest of brevity they are not repeated.

16.6.2 Justification of Material Contravention s.37(2)(iii) – Regard to RSES, s.28 guidelines, s.29 direction and any relevant Government policy

The justification for the material contravention is for the same reasons as outlined above in section 16.3.1 and in the interest of brevity they are not repeated in full. In summary, they relate to the above detailed provisions of the following:

- NPF
- Sustainable Residential Development in Urban Areas (2009)
- Urban Development and Building Heights – Guidelines for Planning Authorities 2018

16.6.3 Justification of Material Contravention s.37(2)(iv) – Pattern of Development and Permissions Granted

The applicant contends that permission for the proposed development should be granted having regard to the pattern of development, any permissions granted, in the area since the making of the development plan pursuant to s.37(2)(iv) of the Planning and Development Act 2000, as amended.

The details of the pattern of development are provided above in section 16.3.3 and are applicable in this justification. As such, please note, the justification for the material contravention is for the same reasons as outlined above in section 16.3.3. and in the interest of brevity, they are not repeated.

16.7 Material Contravention 4B – Local Area Plan – Provisions relating to S.10.2 of the LAP on AP1-Coolagad, specifically phasing

Material Contravention 4B as it relates to the provisions as they relate to AP1 – Coolagad as set under section 10.2 of the LAP, specifically phasing which may be viewed as a material contravention.

The applicants have sought to deliver infrastructure in accordance with the LAP, but will not achieve the units thresholds as set out in section 10.2.

Section 10.2 of the LAP contains a list of criteria applicable to AP1, which includes a phasing in numerical terms which may be considered at variance with the proposed development. This variance with AP1 is assessed separately in the justification. It may be noted that a phasing

programme was agreed with the Council in 2016 but that applied to a lower density development and therefore it considered prudent to raise this in the material contravention statement.

The LAP AP1 states “Phasing shall be as follows:

- Phase 1: 200 units and completion of road
- Phase 2: 150 units and provision of open space (AOS and OS)
- Phase 3: 150 units and community centre/facility
- Phase 4: remainder of units.”

The proposed phasing is as follows:

- Phase 1 is split into two sub-phases: 1a and 1b. Together they will yield 194 units and the completion of the road.
- Phase 2 will yield 72 units and the delivery of the open space and active open space.
- Phase 3 will yield 91 units, the creche and community facility.
- Phase 4 will yield 229 units.

16.7.1 Justification of Material Contravention s.37(2)(iii) – Regard to RSES, s.28 guidelines, s.29 direction and any relevant Government policy

Sustainable Residential Development in Urban Areas Guidelines 2009

Justification – Phasing

The above guidelines provide the following.

“2.10 Some of the larger LAP areas will be developed over a longer period of time, and where this happens it is important that a phasing programme is put in place. The purpose of phasing is to ensure that the physical and social infrastructure required is provided in tandem with the residential development. The phasing programme will indicate the number of phases proposed and the enabling works that are required in each phase before being able to move onto the next phase. The programme will also specify the amount of residential development that should take place in each phase, integrated with the provision of the appropriate social facilities (such as schools, childcare and health facilities), transport access etc.

2.11 Where there is a substantial amount of zoning proposed relative to the size of the existing town or village, or where it is felt that the existing physical and social infrastructural services will be inadequate, planning authorities should develop the lands through an LAP and consider indicating, along with the sequencing and phasing parameters, the minimum services that are required for the development of the zoned land, and when these are likely to be provided.”

The LAP, by using the words “phasing shall be”, has created a potential material contravention, which would not have occurred if the words had been “up to” when stating a number of units. The Sustainable Residential Development Guidelines above clearly indicate that the physical and

social infrastructure required is in tandem with the residential development as described in the application phasing proposal.

The proposed phasing of infrastructure is aligned with the overall criteria in the LAP of early delivery of infrastructure. The Board will note that the applicants are committed to front-loading required infrastructure as required, in advance of achieving the unit thresholds. The proposed phasing was devised to align with the principles of AP1 and take account of the challenging conditions for the construction phase. Should the Board consider the proposed phasing as unacceptable, the applicants will accept a condition to that effect. In planning terms this is a positive proposal and not a negative contravention as infrastructure will be provided in advance of the majority of the homes.

16.8 Material Contravention 5- Archaeology

Archaeology Objectives are provided in Chapter 10 of the County Development Plan.

“BH2 Any development that may, due to its size, location or nature, have implications for archaeological heritage (including both sites and areas of archaeological potential / significance as identified in Schedule 10.01 & 10.02 and Map 10.01 & 10.02 of this plan) shall be subject to an archaeological assessment. When dealing with proposals for development that would impact upon archaeological sites and/or features, there will be presumption in favour of the ‘preservation in situ’ of archaeological remains and settings, in accordance with Government policy. Where permission for such proposals is granted, the Planning Authority will require the developer to have the site works supervised by a competent archaeologist.”

There are a number of sentences in this objective including *“there will be presumption in favour of the ‘preservation in situ’ of archaeological remains and settings”*. Having regard to this section of the wording of policy BH2, it is considered that the Board may interpret the proposed development which preserves part of a double ditch enclosure in situ and in part by record and other areas of interest by record as a material contravention.

The layout for the proposed development provides for the preservation in-situ of c 60% of the double-ditched enclosure at Archaeological Area 1 (northern portion and associated features) while all other Archaeological Areas identified during testing, as well as c 40% (southern portion) of Archaeological Area 1, will be directly impacted by the proposed development layout.

16.8.1 Justification of Material Contravention s.37(2)(i) – Proposed development of strategic or national importance

The justification for the material contravention is for the same reasons as outlined above in section 16.3.1 and in the interest of brevity they are not repeated.

16.8.1 Justification of Material Contravention s.37(2)(ii) – Conflicting Objectives

Wicklow County Development Plan

Justification

Within Policy BH2 there is ambiguity in the three sentences that make up the objective. Taking each point separately illustrates the conflict

“Any development that may, due to its size, location or nature, have implications for archaeological heritage (including both sites and areas of archaeological potential / significance as identified in Schedule 10.01 & 10.02 and Map 10.01 & 10.02 of this plan) shall be subject to an archaeological assessment.”

The archaeological finds on the site are not included in schedules or maps identified above. The site has been subject to an assessment and archaeology identified.

“When dealing with proposals for development that would impact upon archaeological sites and/or features, there will be presumption in favour of the ‘preservation in situ’ of archaeological remains and settings, in accordance with Government policy. ”

The second paragraph is a presumption and is not mandatory. The EIAR Chapter 11 provides the detailed assessment of the archaeological heritage that is on the site and the design rationale informing the extent of impact on archaeological features. Input was also sought from the National Monument Service via a number of meetings and pre-lodgement submission of documents including draft versions of the archaeological testing report and draft Monument Management Plan (Refer to the EIAR Technical Appendices)

National policy on the protection of the archaeological heritage in the course of development is set out in the Framework and Principles for the Protection of the Archaeological Heritage 1999 (FPPAH). Section 3.4 and section 3.5 relate to preservation in situ and by record respectively.

The criteria in the FPPAH not to retain development in situ in relation to development applies where it:

- cannot be re-located;
- cannot be re-designed to avoid removal (or portions of such); and
- is necessary.

In this regard, the EIAR chapter 11 states in detail, the design considerations, the complexity of the site and requirements of the Local Area Plan and higher level policies that must be achieved which result in that the development cannot be relocated, cannot be redesigned and is necessary.

Please also see Part A section 5 and to the response to item no. 1 of the opinion of the Board. This sets out in detail the competing policies applicable to the site.

Where archaeological sites or monuments (or portions of such) are to be removed due to development then it is essential that the approach of preservation by record be applied. This will be applied on the application site by the appointed archaeologist.

Where permission for such proposals is granted, the Planning Authority will require the developer to have the site works supervised by a competent archaeologist.”

This sentence acknowledges that preservation by record may occur. This is reinforced by the decisions of Wicklow County Council generally and the Board specifically to allow preservation by record (see section 16.8.2 below).

16.8.2 Justification of Material Contravention s.37(2)(iv) – Pattern of Development and Permissions Granted

Permission has been granted for development that included the preservation by record in case ABP.Ref. 305773 (permitted 15/01/2020 at Farankelly and Killincarraig townlands Delgany, Co. Wicklow).

In this regard, it is requested that the proposed development should be considered having regard to the pattern of permissions granted in the area since the making of the development plan pursuant to s.37(2)(iv) of the Planning and Development Act 2000, as amended.

16.9 Material Contravention 6 – Creche

Appendix 1 – Development and Design Standards of the Wicklow County Development Plan contains standards for the development of childcare facilities in section 6. A number of requirements are attached to include:

‘Where a large development (or a development in conjunction with other developments in an Action Plan area) comprises more than 75 units, a single large childcare facility capable of serving all proposed units (and future units) may be permissible, subject to a ceiling of 100 places (full and part time)’

The proposed development includes a creche to cater for up to 135 children based on the ratio 20 spaces for 75 units.

16.9.1 Justification of Material Contravention s.37(2)(i) – Proposed development of strategic or national importance

The justification for the material contravention is for the same reasons as outlined above in section 16.3.1 and in the interest of brevity they are not repeated.

16.9.2 Justification of Material Contravention s.37(2)(ii) – Conflicting Objectives

Wicklow County Development Plan

Justification

CD 24 of the Wicklow County Development Plan require that

‘Where considered necessary by the Planning Authority, to require the provision of childcare facilities in all residential developments comprising 75 houses or more (including local authority and social housing schemes). In accordance with Department of Environment, Heritage & Local Government guidelines, childcare places shall be provided at a ratio of 20 places per 75 residential units, having regard to cumulative effects of permitted development, (unless it can be demonstrated that having regard to the existing geographic distribution of childcare facilities and the emerging demographic profile of the area that this level of childcare facilities is not required). Without substantial cause, it is the policy of the Planning Authority not to allow a change of use of these premises within five years’

We note the plan refers to the applicable guidelines on the provision of childcare facilities which require that 20 places be provided for every 75 units. This objective is specific in that it states a ratio to be applied without putting a cap.

However, the development standards requirement effectively caps this at 100 children. If a developer was to provide up to 100 spaces but not the full amount modelled, they would effectively find themselves in a position of material contravention for lack of compliance with CD24.

In this regard, we contend that the development management standards in relation to childcare conflict with the requirements of CD24.

16.9.3 Justification of Material Contravention s.37(2)(iv) – Pattern of Development and Permissions Granted

We refer the Board ABP.Ref.305476-19 Farrenkelly SHD which was granted permission for a creche with up to 126 spaces on the 15th January 2020.

16.10 Material Contravention 7 – Car Parking

The proposed development includes 208 car parking spaces (206 at basement and 5 at surface) to serve the apartment blocks and 42 spaces (32 residents and 10 visitors) for the duplex.

Applying strictly the standards contained in the CDP would require the provision of 413 spaces (including 13 short-stay) to serve both the duplex units and the apartments.

16.10.1 Justification of Material Contravention s.37(2)(i) – Proposed development of strategic or national importance

The justification for the material contravention is for the same reasons as outlined above in section 16.3.1 above and in the interest of brevity they are not repeated.

16.10.2 Justification of Material Contravention s.37(2)(iii) – Regard to s.28 guidelines and any relevant Government policy

Permission for the proposed development should be granted having regard to guidelines under section 28, policy directives under section 29, the statutory obligations of any local authority in the area, and any relevant policy of the Government, the Minister or any Minister of the Government.

National Planning Framework

Justification

The policy is provided in Part B of this report and the key policies above that apply to the material contravention statement are reviewed in this statement. The development accords with the NPF NPO 13 which states that car parking ‘*will be based on performance criteria*’.

The text preceding NPO 13 in the NPF states that performance will take account of the urban location type and the level of public transport service. This application includes documentation by AECOM and Derry O’Leary which identify high levels of public transport capacity and a frequency of 10 min at peak hour.

On this basis, there is ample capacity to encourage a modal shift from car to bus usage and therefore lower parking standards should be considered.

Design Standards for New Apartments 2020

Justification

Section 4.21 of the Guidelines consider that in intermediate urban locations, *‘planning authorities must consider a reduced overall car parking standard and apply an appropriate car parking standard’*.

This document has established in Part B why the development qualifies as an intermediate urban location.

The CDP development standards as set out in section 1 of Appendix 1 *‘shall normally be required for all dwellings units over 2 bedrooms’*. The appendix was drafted prior to the publication of the guidelines and was not subsequently amended. In addition, it does not specify whether the standards are minimum or maximum.

In this regard, we argue that the provision of 253 car parking spaces for the apartments and duplexes instead of 418 is acceptable.

16.11 Material Contravention 8 – Duplex Private Open Space

The proposed development includes 32 duplex units, 16 of which are 2-bed and the 16 others are 3-bed. The private open space proposed to serve the duplex units meets the requirements of the Design Standards for New Apartments 2020 but not those as set out in the table below as extracted from section 1 of the Development Standards of the CDP.

House size	Minimum private open space
1-2 bedrooms	50sqm
3+ bedrooms	60-75sqm

16.11.1 Justification of Material Contravention s.37(2)(i) – Proposed development of strategic or national importance

The justification for the material contravention is for the same reasons as outlined above in section 16.3.1 above and in the interest of brevity they are not repeated.

16.11.2 Justification of Material Contravention s.37(2)(iii) – Regard to s.28 guidelines and any relevant Government policy

Permission for the proposed development should be granted having regard to guidelines under section 28, policy directives under section 29, the statutory obligations of any local authority in the area, and any relevant policy of the Government, the Minister or any Minister of the Government.

Design Standards for New Apartments 2020

Justification

Duplex units are considered to be apartments and therefore the standards contained in the Design Standards for New Apartment apply. Appendix 1 of the Guidelines set out the required minimum floor areas and standards. The table below is extracted from the guidelines and shows the applicable requirements:

Minimum floor areas for communal amenity space

Studio	4 sq m
One bedrooms	5 sq m
Two bedrooms (3 person)	6 sq m
Two bedrooms (4 person)	7 sq m
Three bedrooms	9 sq m

The CDP development standards have not been revised on foot of the publication of the guidelines. In this regard, we argue that the provision of private open space that complies with the Design Standards for New Apartments is acceptable.

16.12 Conclusion

Should the Board consider that the development be considered a material contravention, it is submitted that this statement justifies the proposed development and should be granted planning permission.

