

# FASSAROE PHASE 1 SHD DEVELOPMENT

## Planning Report

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F01  
08 April 2022

## PLANNING REPORT

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# Contents

<b>1</b>	<b>INTRODUCTION .....</b>	<b>1</b>
1.1	Purpose of Report .....	1
<b>2</b>	<b>PROCEDURAL ASPECTS OF THE APPLICATION .....</b>	<b>2</b>
2.1	Applicant Details .....	2
2.2	Landownership / Legal Interest .....	2
2.3	Prescribed Authorities Notified of Application .....	2
2.4	EIA Portal Notification .....	3
2.5	Newspaper Notice .....	3
2.6	Site Notice .....	3
2.7	Irish Water Confirmation of Feasibility .....	3
<b>3</b>	<b>SUBJECT SITE.....</b>	<b>4</b>
3.1	Site Location and Context .....	4
3.2	Site Description .....	8
3.3	Existing Services and Utilities Crossing the Lands .....	9
<b>4</b>	<b>NATURE AND EXTENT OF THE PROPOSED DEVELOPMENT .....</b>	<b>11</b>
4.1	Scope of Current Proposed Development .....	11
4.2	Description of Proposed Development .....	11
4.2.1	Road Link Connecting N11 to Ballyman Road .....	11
4.2.2	Internal Street Network .....	12
4.2.3	Pedestrian and Cycle Provision.....	12
4.2.4	Pedestrian / Cycle Route (including bridge across the N11) connecting to Dargle Road Upper.....	12
4.2.5	District Park / Active Open Space.....	13
4.2.6	Residential Development.....	15
4.2.7	Creche .....	19
4.2.8	Retail Unit / Café Kiosk.....	19
4.2.9	Neighbourhood Centre Phase 1 .....	20
4.2.10	Demolition of Existing Dwelling at Berryfield Lane .....	21
4.2.11	Car Parking Proposals .....	22
4.2.12	Bicycle Parking .....	23
4.2.13	District Heating System .....	24
4.2.14	Services and Utilities Proposals .....	24
4.2.15	ESB Connections and Proposals .....	26
4.2.16	Utilities .....	27
4.2.17	Public Lighting.....	27
4.2.18	Site Development and Ground Works .....	27
4.2.19	Provisions for Bus Services .....	27
4.2.20	Landfill Remediation Proposals .....	28
4.2.21	Slope Stabilisation .....	30
4.2.22	Part V Proposals .....	30
4.3	Indicative Phasing of Development and Duration of Permission .....	31
4.4	Construction of the Development.....	31
4.4.1	Sequencing of Works.....	31
4.4.2	Site Entrance and Access.....	32
4.4.3	Construction Compound .....	32
<b>5</b>	<b>PLANNING CONTEXT .....</b>	<b>33</b>
5.1	Strategic Policy.....	33
5.1.1	Project Ireland 2040: National Planning Framework (NPF) .....	33
5.1.2	Eastern and Midland Regional Assembly, Regional Spatial and Economic Strategy 2019 – 2031 (RSES) .....	33

5.2	Statutory Planning Context .....	33
5.2.1	Draft Wicklow County Development Plan 2021 – 2027 .....	33
5.2.2	Wicklow County Development Plan 2016 – 2022.....	34
5.2.3	Bray Municipal District Local Area Plan 2018.....	34
5.2.4	Bray and Environs Transport Study.....	39
5.3	Ministerial and Other Guidelines and Policy Documents .....	42
<b>6</b>	<b>PRE-PLANNING CONSULTATION AND ABP OPINION.....</b>	<b>43</b>
<b>7</b>	<b>PLANNING HISTORY.....</b>	<b>48</b>
7.1	Previous Application for Mixed Use Development by Cosgrave Property Group .....	48
7.2	Reason No. 1 - Unsustainable form of development .....	48
7.3	Reason No. 2 - Adverse impact on the carrying capacity and strategic function of the N11/M11 .....	49
7.4	Reason No. 3 – Retail Component would be Excessive .....	50
7.5	Reason No. 4 – Determining impact on the integrity of Ballyman Glen SAC .....	51
<b>8</b>	<b>CONCLUSION .....</b>	<b>53</b>

## Tables

Table 4.1:	Total Apartments, Types and Numbers.....	16
Table 4.2:	Total Houses, Types and Numbers .....	16
Table 4.3:	Total Houses and Apartments, Types and Numbers .....	16
Table 4.4:	Apartment Type Per Apartment Block.....	17
Table 4.5:	House Types and Number in Character Area 2 .....	17
Table 4.6:	House Types and Number in Character Area 4 .....	17
Table 4.7:	House Types and Number in Character Area 5 .....	18
Table 4.8:	Indicative Construction Programme .....	31
Table 5.1:	Compliance with Objectives for Fassaroe AAP set out in Bray MD LAP .....	36
Table 5.2:	Delivery of Public Infrastructure for Fassaroe .....	38
Table 5.3:	Delivery of BETS Table 3.1 Requirements.....	40
Table 5.4:	Additional Elements Identified in BETS to be Delivered in Application .....	41

## Figures

Figure 3-1:	Site Location Map .....	4
Figure 3-2:	Extent of Masterplan Zoned Lands under Bray Environs Municipal District Local Area Plan 2018 .....	5
Figure 3-3:	Aerial Photo of Fassaroe Zoned Action Area Lands in Wider Context of Bray .....	6
Figure 3-4:	Locations of Historic Unregulated Landfill Sites.....	7
Figure 3-5:	Location and Extent of Ballyman Glen SAC .....	8
Figure 3-6	Phase 1 Site Area and General Layout .....	9
Figure 3-7:	Route of Existing Watermains within red line boundary .....	10
Figure 4-1:	Pedestrian / Cycle Route from Fassaroe to Upper Dargle Road .....	13
Figure 4-2:	Proposed District Park and Active Open Space .....	14
Figure 4-3:	Photo of Rear Lane Access at Other Development by the Applicant .....	19
Figure 4-4:	Artists Impression of Proposed Retail Unit / Café Kiosk.....	20
Figure 4-5:	Artists Impression of Final Neighbourhood Centre (Current Phase 1 and Future Phase).....	21
Figure 4-6:	Dwelling at Berryfield Lane to be Demolished .....	21
Figure 4-7:	Location of Proposed Part V Provision .....	30

## Appendices

Appendix A Letter from WCC re. Proposed Action Area Plan

Appendix B N11 Junction 6 Traffic Management Framework Agreement

Appendix C TII Response to Junction 6 Traffic Management Proposals

Appendix D NTA Response to Junction 6 Traffic Management Proposals

Appendix E TII Traffic Management Framework Agreement, 16/04/2021

Appendix F NTA Agreement to Public Transport Access Strategy

# 1 INTRODUCTION

## 1.1 Purpose of Report

This planning report relates to the proposed Phase 1 development at Fassaroe, Bray, Co. Wicklow which comprises a Strategic Housing Development application. The proposed development comprises primarily of residential development with ancillary and associated open space, childcare, retail and infrastructural development.

The scope of this report addresses the following key planning issues:

- Procedural aspects of the application relating to the applicant, the application site and the content of the application.
- Description of the nature and extent of the development and the rationale for same.
- Compliance with relevant strategic and statutory planning policy and objectives, with other relevant policy provisions of key stakeholders and with national planning guidance as appropriate.
- Pre-planning consultation undertaken with Wicklow County Council and An Bord Pleanála including the Opinion of An Bord Pleanála
- Planning history of the site, and how the current application proposal addresses previous planning issues arising.

## 2 PROCEDURAL ASPECTS OF THE APPLICATION

### 2.1 Applicant Details

The applicant is Cosgrave Property Group which is a co-ownership founded in 1979 and has developed a number of sites in the Greater Dublin Area. These projects include both residential and commercial developments.

### 2.2 Landownership / Legal Interest

Cosgrave Property Group has been the owner of approximately 113ha of lands at Fassaroe for a number of years. This includes the majority of the Fassaroe Action Area lands to the north of Berryfield Lane and the existing access road and roundabouts from the N11 at the eastern side of the land (with the exception generally of the Greenstar lands and the existing private residences at Thornhill Road). It also includes lands to the south of Berryfield Lane at the western side of the Action Area lands (excluding the ESB substation), and extends westwards beyond the zoned lands to both north and south of Berryfield Lane, and providing a connection to Ballyman Road. At the eastern side of Fassaroe, it also includes the lands to the south of the access road and roundabout.

In October 2020 (after the request for pre-application consultation to An Bord Pleanála), the CPG lands at Fassaroe were purchased by Borg Developments Unlimited Company.

A letter of consent from Borg Developments Unlimited to the making of the application by Cosgrave Property Group is enclosed with the application.

The Directors of Borg Developments Unlimited Company are also the members of co-ownership group of Cosgrave Property Group. Therefore for the purposes of the application documentation the extent of lands in the ownership of Borg Developments Unlimited Company are identified in blue on the Site Location Map.

As part of the application, it is proposed to provide a pedestrian / cycle route across the N11 connecting to Dargle Road. Part of these roads / connection are on public roads. A letter confirming same is enclosed herewith from Wicklow County Council, which is aware that these are incorporated in the planning application boundary.

The proposed link road through the site to Ballyman Road will necessitate a revised access into third party lands. The application boundary includes this access point to provide for the revised arrangement. A letter of consent from Mr. Dermot Fisher is accordingly provided.

The ESB works proposed as part of this application have been prepared in consultation and agreement with ESB. The works incorporate some new connection works within the existing ESB Fassaroe substation in the ownership of ESB. A letter of consent to the making of the application is enclosed with the application.

### 2.3 Prescribed Authorities Notified of Application

Pursuant to article 285(5)(a) of the Planning and Development (Strategic Housing Development) Regulations 2017, An Bord Pleanála advised that the following authorities should be notified of the making of an application in accordance with section 8(1)(b) of the Planning and Development (Housing) and Residential Tenancies Act 2016, as amended:

- NTA
- TII
- Dun Laoghaire-Rathdown County Council
- Minister for Housing, Local Government & Heritage
- EPA
- Heritage Council
- An Taisce
- Fáilte Ireland
- Inland Fisheries Ireland

- Commission for Energy Regulation
- Irish Water
- Wicklow Childcare Committee

All of these bodies have been notified and provided with paper and electronic copies of the application including the EIAR and NIS. Copies of letters of notification to these prescribed bodies are provided with this application.

### **2.4 EIA Portal Notification**

The Application contains an EIAR. The EIA Portal has been notified of the application. Acknowledgment of receipt of the notification dated 05/04/2022 is enclosed with the application documentation.

### **2.5 Newspaper Notice**

Notice of the application was published in the Irish Examiner on Wednesday, 6<sup>th</sup> April 2022. An original and copies of this notice are lodged with the application to An Bord Pleanála.

### **2.6 Site Notice**

7 no. site notices were erected on site on Monday, 11<sup>th</sup> April 2022 at the locations identified on the Site Location Map by MCORM lodged with this planning application.

### **2.7 Irish Water Confirmation of Feasibility**

Confirmation of Feasibility from Irish Water dated 08.11.21 is enclosed with the Planning Application documentation.



### 3 SUBJECT SITE

#### 3.1 Site Location and Context

The application site is located at Fassaroe, Bray, Co. Wicklow which lies on the western side of Bray and to the north east of Enniskerry. The lands lie immediately to the west of, and are accessed from, the N11 / M11 via an interchange which also provides direct connection to the existing built-up area of Bray at Dargle Road. An access road, roundabouts and bus bays are already in place providing access into the Fassaroe lands.

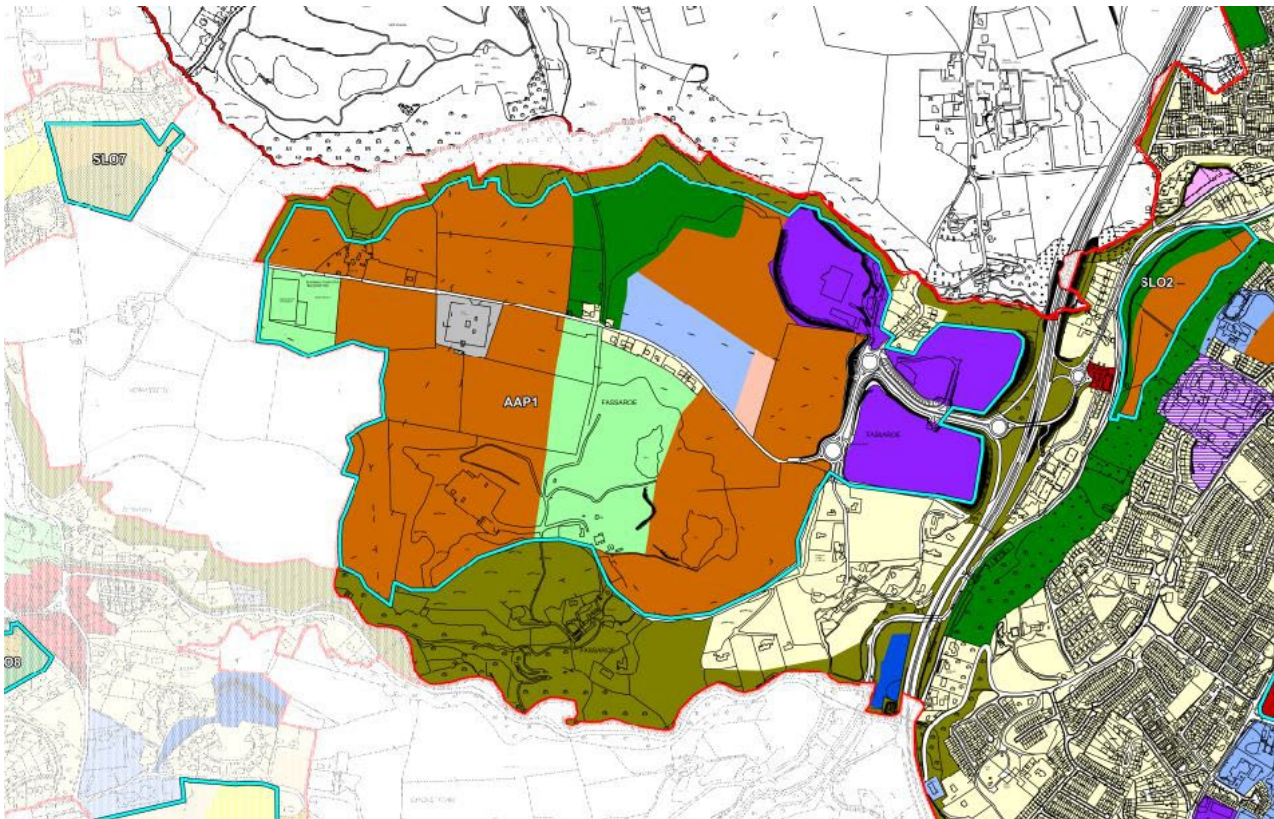
The general location of the Fassaroe development lands is identified in **Figure 3.1** below. They are bounded by the N11 / M11 to the east, Ballyman Glen and the County Brook (Fassaroe Stream) to the north, the Cookstown River to the south, and agricultural land to the west. The existing built-up area of Bray is located immediately to the east of the N11.



**Figure 3-1: Site Location Map**

The proposed application site forms part of a larger designated new development area under the Bray Municipal District Local Area Plan 2018 -2024 (LAP). These wider development lands are identified as an 'Action Area' in the LAP. **Figure 3.2** illustrates the zoned lands at Fassaroe with the Action Area boundary outlined in blue.

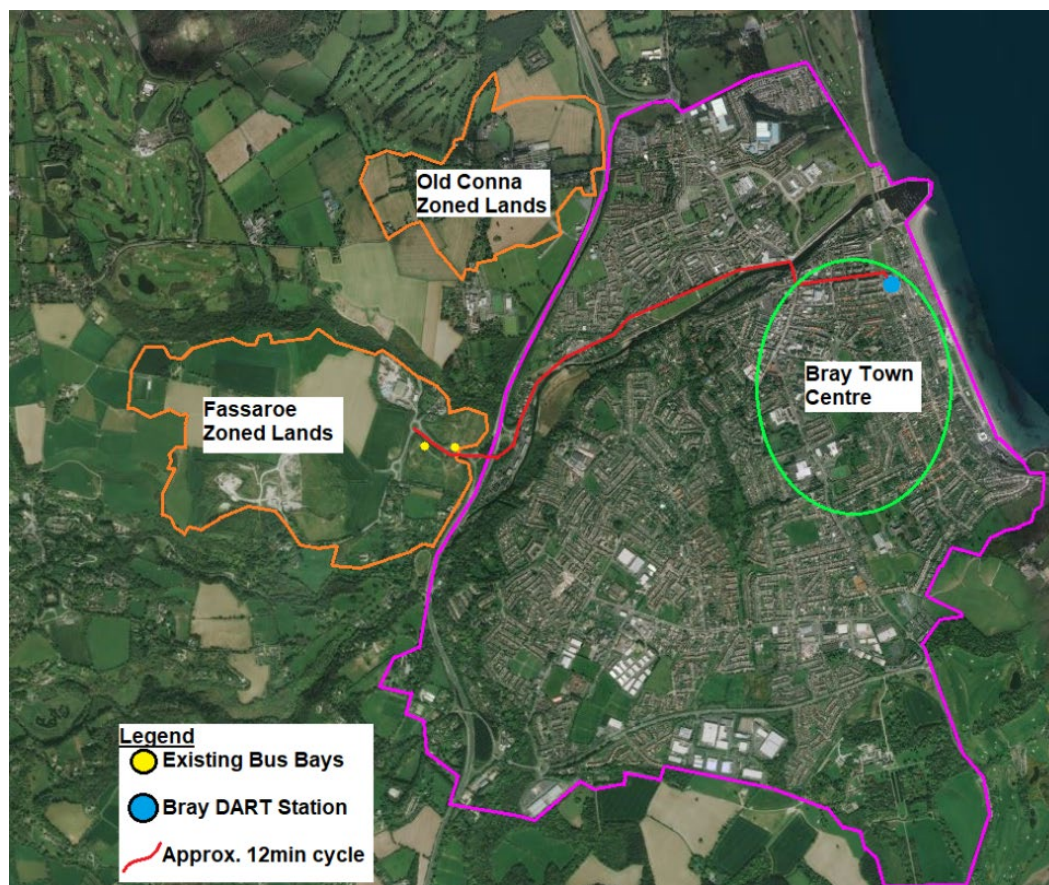
The majority of the zoned development lands within the Fassaroe Action Area are currently in agricultural use, although there are a number of other notable uses within the overall lands. They are framed by the Ballyman Glen in the north and the Cookstown River valley in the south. The most significant of these are a Roadstone quarry (no longer operational) and batching operation within the south eastern quadrant of the lands. This facility and former quarry lies outside of the current proposed application site, beyond the south eastern boundary. There are also a number of residential clusters in the Fassaroe area; at Thornhill Road, adjacent to a Greenstar facility in the north east, along Kilbride Lane in the south east, and along Berryfield Lane which runs east-west through the development lands and connects to the Ballyman Road in the west. There are a number of small businesses located within the residential clusters at Thornhill Road and Berryfield Lane.



**Figure 3-2: Extent of Masterplan Zoned Lands under Bray Environs Municipal District Local Area Plan 2018**

**Figure 3.3** below presents an aerial photograph of the lands at Fassaroe in the overall context of Bray. Lands to the north of Fassaroe at Old Conna are also zoned for future development under the Dún Laoghaire Rathdown County Development Plan 2016. Given the physical restrictions on the future growth of Bray to the east by the sea and to the south by Bray Head and Sugar Loaf Mountains, the most significant direction for future growth of Bray is westwards to Fassaroe with new development also identified at Woodbrook to the north of Bray.



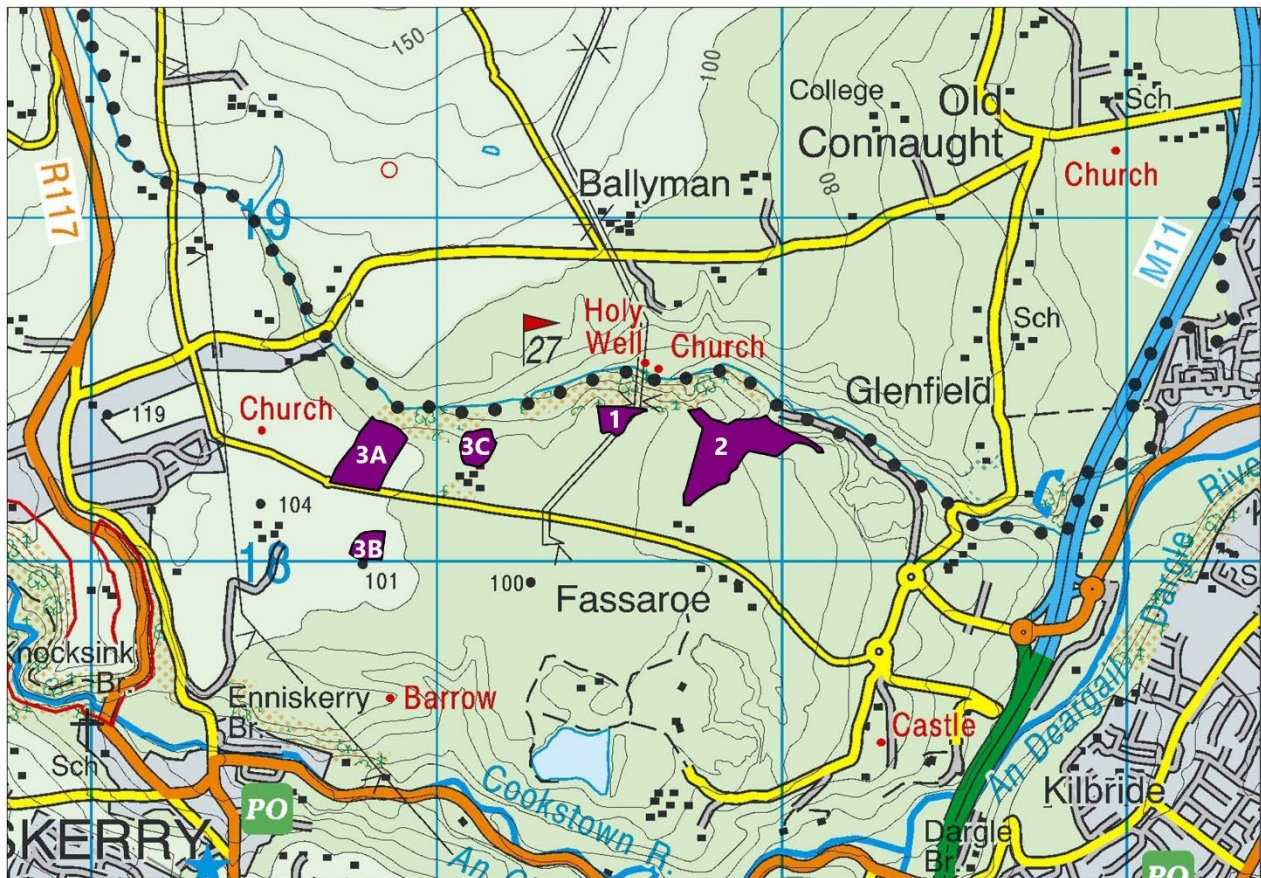


**Figure 3-3: Aerial Photo of Fassaroe Zoned Action Area Lands in Wider Context of Bray**

The lands at Fassaroe benefit from significant roads access infrastructure from the N11 which was previously constructed by Cosgrave Property Group (CPG) as part of a permitted commercial development that was subsequently not constructed. This comprises of part of a distributor road with existing laybys and a series of 3 no. roundabouts. This existing boulevard type road is referred to as Fassaroe Avenue in this planning application. Drainage infrastructure was also installed within these roads by CPG at the time. In addition, 280m approx. of an access road into the Fassaroe lands from Ballyman Road to the west has also recently been provided by the Applicants (which was granted as part of a housing development permission at Monastery, Enniskerry (Wicklow County Council Ref. 17/15 / ABP Ref. PL 27.248914)).

There are 5 no. historic landfill locations within the northern part of the overall Action Area Plan lands which were previously operated by Wicklow County Council. These landfill sites had previously been used for quarrying activities. The landfill operations ceased in the early 1990s at which time these areas were covered in topsoil and returned to agricultural use. The locations of these sites and their designated numbers are shown on **Figure 3.4** below. Localised landslips have occurred in four areas to the north of Landfill Site 2.

In accordance with the requirements of the Waste Management Act 1996, 4 no. of these former landfill sites are classified as Historic Unlicensed Waste Disposal sites which require Certificates of Authorisation from the EPA for their remediation. One of the sites, though operated by Wicklow County Council, does not fall under the certification requirements of the Waste Management Act due to its age. In any event, applications were made by Wicklow County Council to the EPA for the remediation of the 4 sites. The Environmental Risk Assessment for the applications had regard to the presence and need for remediation of all 5 sites. In November 2019, the EPA issued final Certificates of Authorisation for the remediation of the 4 no. sites.



**Figure 3-4: Locations of Historic Unregulated Landfill Sites**

To the north of the Fassaroe Action Area lands is the Ballyman Glen SAC. The extent of the SAC is shown in **Figure 3.5**. The qualifying interests of the SAC are groundwater dependant habitats of Petrifying springs with tufa formation and alkaline fens.





**Figure 3-5: Location and Extent of Ballyman Glen SAC**

The Action Area lands rise steeply to the west from the N11. They also rise from Ballyman Glen in the north and from Cookstown River valley in the south. The highest point of the overall lands is just to the south of Berryfield Lane at the western extent of the Action Area boundary from where the land falls north-eastwards and south-eastwards and rises to the west.

The current planning application relate to the first phase of proposed development within the Action Area. This lands which are the subject of this Phase 1 proposed development comprise a substantial part of the northern portion of the overall Action Area lands.

## 3.2 Site Description

The Phase 1 planning application site extends to a large proportion of the northern half of the Action Area lands on the northern side of Berryfield Lane. The application site however also extends to the south of Berryfield Lane to provide active public open space, the main east-west link road and a small number of houses. The extent of the application site extends beyond the Action Area lands to the west to provide for the east west road connection to Ballyman Road and to the east to provide for a proposed pedestrian and cycle route (including bridge) connection across the N11 to Dargle Road. The extent of the Phase 1 application boundary and general layout are show in **Figure 3.6** below. More detailed drawings are presented in the MCROM Site Layout Plans submitted with the application.

The overall application site area comprises a total of 78.522 hectares.



**Figure 3-6 Phase 1 Site Area and General Layout**

The Phase 1 lands are currently largely in agricultural use. The easternmost part of the application site adjoining the previously constructed road access has been the subject of some site development work in the past in preparation for an intended commercial development which was not subsequently constructed. This is the lowest part of the application site. The Phase 1 lands are sloped with the highest point in the west and falling northwards and north-eastwards to Ballyman Glen and eastwards towards the N11.

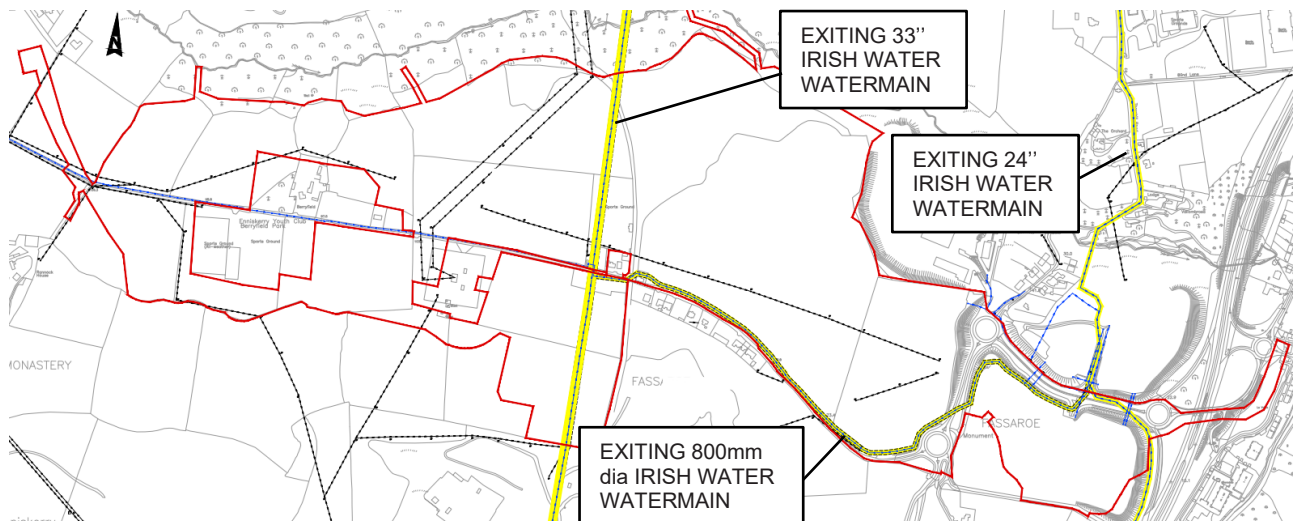
All five of the historic landfill sites are included within the application for the purposes of remediation works in accordance with the Certificates of Authorisation issued by the EPA to Wicklow County Council. Two of the sites are also subject of landscaping proposals for the District Park provision, one will partly accommodate the route of the east-west link road, and two will be simply grassed following remediation.

The 110kV ESB sub-station on Berryfield Lane also forms part of this Phase 1 application site in order to accommodate the proposed undergrounding and rerouting of ESB lines across the site.

### 3.3 Existing Services and Utilities Crossing the Lands

There are 3 no. existing Irish Water watermains which cross the Phase 1 lands; a 33" watermain running north south through the centre of the Phase 1 site, a 24" watermain also running generally north south through the eastern side of the Phase 1 site, and an 800mm dia interconnector watermain between the existing 33" and 24" crossing from west to east along Berryfield Lane. **Figure 3.7** below shows the route of these mains as they cross the overall proposed red line boundary. The layout of the proposed development and positioning of proposed structures has had regard to these wayleaves to ensure appropriate access for maintenance is provided and that no structures are proposed within the existing wayleaves in accordance with Irish Water Code of Practice.





**Figure 3-7: Route of Existing Watermains within red line boundary**

There are a number of electricity lines which cross the lands and which will need to be diverted and undergrounded in order to accommodate the proposed development. These relate to an existing 110kV overhead line and 2 no. existing 38kV overhead lines, all of which run to the existing Fassaroe ESB sub-station. The 110kV line runs from the north of the site (within Dun Laoghaire Golf Club lands at Ballyman) across Ballyman Glen in a north south direction. Just to the south of the glen it currently swings south-westwards to a point on the northern side of Berryfield Lane just to the northwest of the sub-station. From here it swings back to a north south alignment and enters the existing ESB substation on its western side.

One of the existing overhead 38kV lines runs from a point to the northeast of the subject site across Ballyman Glen and the development lands to the ESB substation. The second runs south-eastwards from the ESB substation, to the south of Berryfield Lane to a point adjacent to the roundabout at Kilbride Lane.

## 4 NATURE AND EXTENT OF THE PROPOSED DEVELOPMENT

### 4.1 Scope of Current Proposed Development

The current proposal comprises the first stage of 'Phase 1' as identified in the Bray MD LAP. The nature and extent of the currently proposed development is as follows:

- Road link (2.4km) connecting N11 to Ballyman Road (with westerly connection to Ballyman Road already in place).
- Pedestrian / cycle route including bridge across the N11 to Dargle Road Upper.
- 15.3ha of District Park / Active Open Space.
- 650 no. residential units comprising 241 no. houses and 409 no. apartments.
- 3 no. pocket park areas comprising a total of 0.43ha.
- 733sq.m approx. crèche with capacity for approx. 138 no. childcare spaces.
- Retail unit / café kiosk (108sq.m.) in district park.
- Neighbourhood Centre Phase 1 comprising:
  - 1,035sq.m. retail;
  - 360sq.m. café;
  - 480sq.m community concierge (serving entire Fassaroe community);
  - 414sq.m. residential ancillary uses for residents of the neighbourhood centre apartments (residents lounge 256sq.m., residents gym 90sq.m., and residents concierge 68sq.m.).
- Demolition of an existing dwelling at Berryfield Lane.
- Undergrounding and alteration of overhead ESB lines (110kV and 38kV lines) across site and into existing ESB Substation including new associated infrastructure.
- Site development / ground works on future development areas to ensure sustainable cut and fill balances across the lands.
- Water supply, foul and surface water drainage proposals.
- Provisions for public bus services in line with demand towards Bray (DART and Bray bus interchange) and towards the Luas at Cherrywood / Brides Glen.
- Remediation of 5 no. historic landfill sites in line with Certificates of Authorisation issued to Wicklow County Council by the EPA in 2019.

Drawing Nos. PL102 – PL104 by MCORM Architects enclosed with the application drawing shows the overall extent of the proposed development at 1:2,000. Site Layout Plans at 1:500 are also provided with the application drawing package. Figure No 3.6 above also identifies the development proposed within the current application. The various elements of the development are described in more detail below.

### 4.2 Description of Proposed Development

#### 4.2.1 Road Link Connecting N11 to Ballyman Road

Under the Bray Municipal District Local Area Plan 2018, the development of lands at Fassaroe are subject to the provisions of a new link road from the N11 to the Ballyman Road. The eastern (Fassaroe Avenue) and western extents of this overall link road have already been provided by the Applicant under two previous permissions. The current application will complete the connecting 2.4km section of this road, thereby providing for the full extent of the link road from the N11 through to Ballyman Road. This new Link Road will be call Berryfield Avenue and will take a route to the north of Berryfield Lane as it runs through the main development area. At the western side of the development lands the new access road will cross to the south of Berryfield Lane immediately to the east of the existing ESB substation. From the sub-station it will run east west to the south of the existing Enniskerry Youth Club /AFC pitches before crossing Berryfield Lane



again as it heads north to join with Ballyman Road at a new access point. This section is referred to as Ballyman Link Road.

This proposed link road runs through existing large open agricultural fields. It also passes through part of one of the historic landfill sites. The roadworks here, combined with the landfill remediation as authorised by the EPA, require a modest amount of waste removal along with a cap and gas management strategy.

### 4.2.2 Internal Street Network

The masterplanning of the CPG controlled lands has been developed in a collaborative and iterative process amongst the design team to ensure that the layout was designed to follow the road hierarchy with pedestrian at the top and vehicles at the bottom of the priority, in line with the principles of design set out in DMURS. The internal layout looks to maximise permeability and opportunities for walking and cycling. External access points including some pedestrian cycle only access points which are located along predicted desire lines to facilitate easy access to public transport, local services and amenities.

### 4.2.3 Pedestrian and Cycle Provision

The provision of high-quality pedestrian and cyclist facilities within the development is central to the filtered permeability design principles. The development of the lands at Fassaroe accords with the '15-minute neighbourhood' principle in that the range of primary and secondary schools, commercial uses, leisure, amenity and employment later phases uses will provide residents and users with a significant range of facilities on their door stop that will encourage walking and cycling and minimise the need to travel short distances by private car.

The masterplan for the CPG controlled lands has been developed to maximise connectivity and permeability through the site through a network of walking and cycling paths and tracks that provide directly overlooked linkages to and from all major destinations including public transport bus stops. The range of pedestrian and cyclists' facilities includes:

- Footpaths adjoining the external and internal road network;
- Internal pedestrian and cycle only routes;
- Segregated cycle tracks along Berryfield Avenue; and
- Segregated pedestrian and cycle links from the site across the N11 to Lavallee Roundabout.

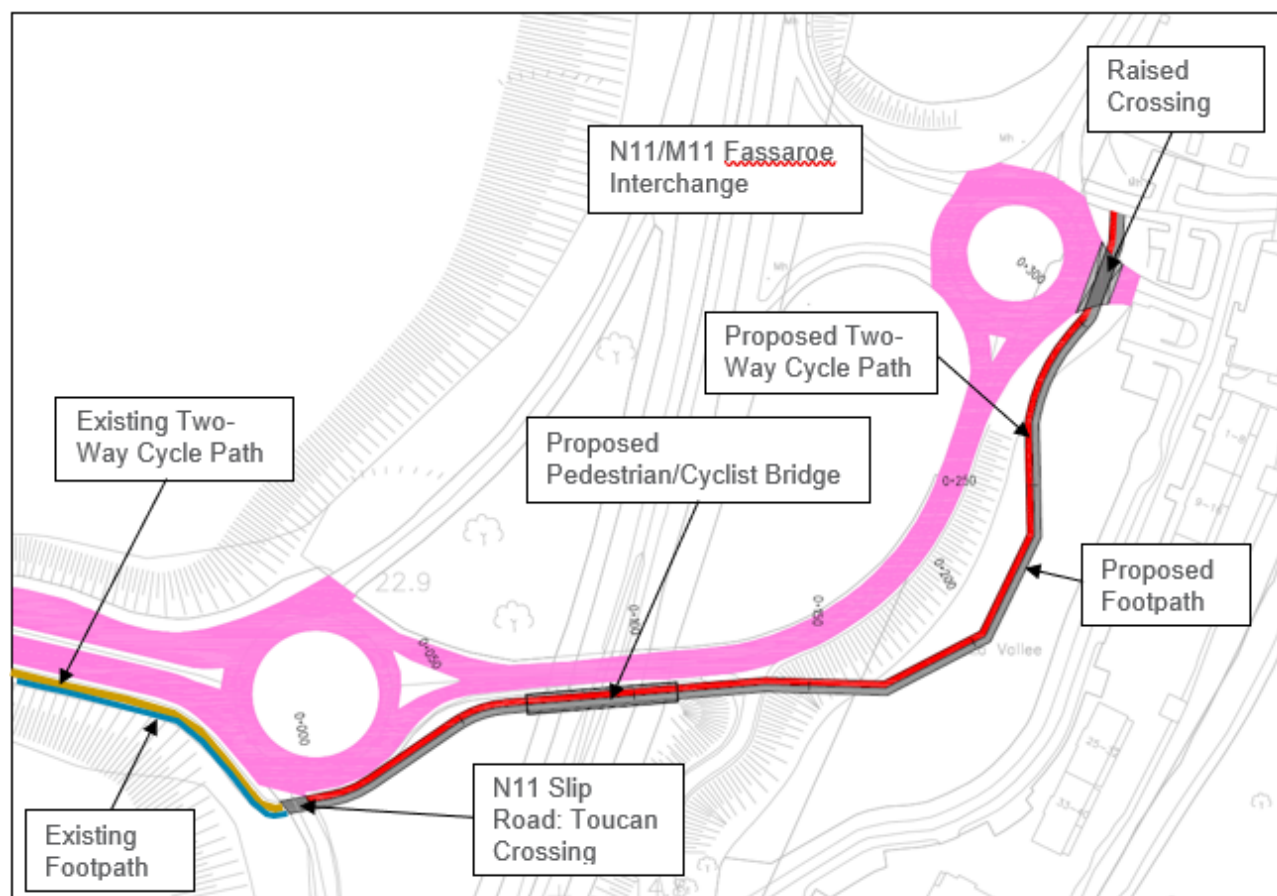
Cycle facilities will be a mix of segregated provision on Boulevard and Link Streets and integrated shared street provision on Local and Homezone streets in line with the principles set out in the National Cycle Manual and reinforced within DMURS.

### 4.2.4 Pedestrian / Cycle Route (including bridge across the N11) connecting to Dargle Road Upper

The segregated cycle track provided along the main east west link road will connect with the existing segregated cycle track already in place at the eastern extent of the Fassaroe lands between the Junction 6 roundabout and the Thornhill Road roundabout. From The Junction 6 roundabout a new segregated cycle track and footpath will be provided to link to the La Vallee roundabout at Upper Dargle Road. This will include a new pedestrian / cycle bridge immediately south of the existing road bridge. The bridge will comprise a main span of approximately 45m across the N11 which would accommodate future widening of the N11 by an extra lane in each direction, if required as part of the N11 / M11 Junction 4 to Junction 14 Improvement Scheme.

The bridge construction will be undertaken by the applicant in consultation with Wicklow County Council and Transport Infrastructure Ireland. This bridge will serve the full build out of Fassaroe and will form a key link on cycle route W2a between Bray, Fassaroe and Enniskerry as set out in the Greater Dublin Area Cycle Network Plan. This cycle route will be fully completed through Fassaroe in the first phase of development. The bridge will be completed and open for use in advance of the occupation of dwellings in Phase 1.

The route of this new pedestrian / cycle connection across the N11 to Upper Dargle Road is shown in **Figure 4.1**.



**Figure 4-1: Pedestrian / Cycle Route from Fassaroe to Upper Dargle Road**

## 4.2.5 District Park / Active Open Space

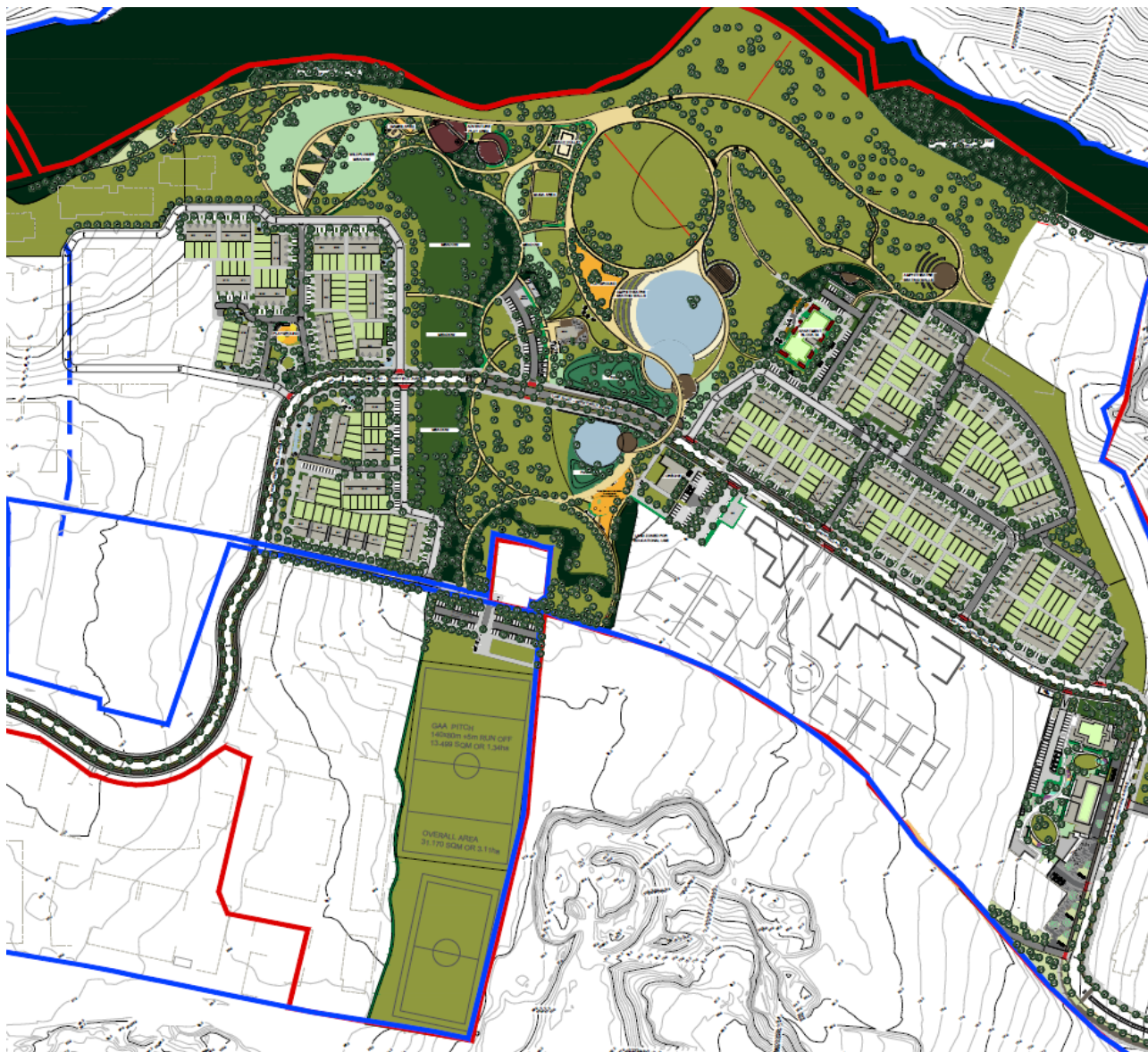
The District Park will provide the principle green open space for the Fassaroe development. It will in time, along with future phases of development, also connect the Ballyman Glen with the Cookstown Dargle Glen creating a North - South green corridor enhancing biodiversity through the development.

The Ballyman Glen SAC, straddles the County boundary between Dublin and Wicklow and extends beyond this proposed planning application boundary. It is orientated in an east-west direction with a stream running through the centre. Currently the glen is bounded by steeply sloping ground with Gorse and areas of woodland and scrub. The masterplan design retains the open space adjacent to this glen by locating the district park along its length acting as a buffer for the glen to ensure nature conservation and to discourage and prevent access into the glen through the use of landscape. The design of this open space has been sensitively developed to protect the SAC and its surrounding woodland with levels to the perimeter of the park seamlessly integrating with the existing levels so as to avoid any disturbance of the tree rooting zones of Ballyman Glen. The layout of the District Park including the Active Open Space is shown on **Figure 4.2**.

The District Park will consist of the following components which are described in detail in the Landscape Strategy and Design Rationale by Mitchell + Associates Landscape Architects submitted with this application:

- District Park including 11.5 hectares of passive parkland within the open space area to the north of Berryfield Lane.
- Active Open Space area of 3.8 hectares to the south of Berryfield Lane.

The district park provides a sinuous arrangement of pathways through a variety of spaces. There are large open grassed spaces for both active organised sport and informal kick about spaces to occur. These spaces are punctuated with large parkland and native trees which reveal and frame views as one moves through the spaces. Open character and close character planting create a sequence and variety of parkland areas within the district park. Picnic tables and seating areas are provided throughout the park for passive recreation and areas for families to sit while others play close by.



**Figure 4-2: Proposed District Park and Active Open Space**

The park area to the north of Berryfield Lane provides generally for passive open space and recreation purposes but with active elements interwoven. It also incorporates a number of different play areas of difference sizes and character and which will appeal to different ages.

The park area to the south of Berryfield Lane provides for active recreation and will be laid out as playing pitches, etc.

One of the main elements of the district park are the Ponds. These are designed to provide an aesthetic focus in the park, maximise the restorative benefits of the open space, increase biodiversity and amenity and operate as part of the overall SuDS strategy for the development. Viewing platforms are dotted along a sinuous walkway across the ponds and strategically located information boards provide information re the Fauna and flora and the working of the attenuation ponds.



To create a multifunctional park a wide variety of open spaces have been created, these spaces offer a range of experiences, providing for different ages groups and abilities. Some areas have been created as universally accessible with gentle gradients and in other areas the natural sloping topography has been retained and the challenge of the gradients has become part of the enjoyment of the space.

To the forefront of the design is creating a park that can be utilised by all. Universal access routes from the “Arrivals Plaza” through the parkland open space, around the attenuation ponds, to and from the car park and main playground have been provided. This provides for a variety of experiences encompassing a wide range of ages and abilities.

There are a number of additional access points from the residential buildings and through the residential park to ensure permeability. A gently sloped access route is provided from the car park up into the main parkland area that can be utilised by older people, families with buggies, cyclists and wheelchair users etc. A sinuously shaped pathway provides breath-taking views over the Ballyman Glen and beyond.

The main entrance area is located off the proposed main Link Road (Berryfield Avenue). At this point there is an area of hardstanding for events or park activities to take place and on a daily basis it provides a space for users of the park to enjoy views over the attenuation ponds with seating areas. A small designated area is proposed to provide a mobile ice cream van or local farmers produce stall. The entrance area also connects the park north and south by a generous raised crossing point, this will also act as a traffic calming measure along the main link road.

Where Berryfield Lane intersects the District Park to the north and the active open space to the south, a continuous raised platform will be created across the frontage to create a physical and visual link and gateway between the two spaces that prioritises pedestrian activity.

A small car park providing for 40 no. spaces including 4 no. disabled car park spaces is proposed to the west of the arrival plaza accessed immediately from the Link Road Berryfield Avenue. This car park is densely planted with trees to the perimeter and arranged on a sinuous curving line to help integrate the car park into the surroundings and reduce the visual impact of the cars. While residents of the Fassaroe development will be able to access the district park through a network of pathways this district park will welcome visitors from a wider catchment area to come and enjoy the space and park facilities and it is for these users that this car park has been provided. Strong connections are also provided for visitors to access the park through a designated cycle track along the length of Berryfield Avenue or along the shared surface route of Berryfield Lane. In addition to these facilities a bus stop is proposed close to the district park to encourage further sustainable modes of transport. The park will not be gated and will remain open to the public throughout.

The car park area also allows room for a kiosk type structure which can operate as a coffee shop facility with long views over the glen, the new ponds and to the sugarloaf. The kiosk will also provide for public toilet facilities and function as a security and maintenance storage kiosk. In the short term it can also deliver a local retail function for residents of Fassaroe pending the delivery of a Neighbourhood Centre within the development.

The District Park will be taken in charge and managed and maintained by Wicklow County Council. A Management and Operation Plan for the Park is provided as part of the application documentation. This was prepared by RPS on behalf of the Applicant and in consultation and agreement with Wicklow County Council.

### 4.2.6 Residential Development

#### 4.2.6.1 Total Units Proposed

The proposed development incorporates a total of 650 no. residential units. These comprise of 241 no. houses and 409 no. apartments.

Of the 409 no. apartments proposed, the unit breakdown is as shown in **Table 4.1**.

**Table 4.1: Total Apartments, Types and Numbers**

Apt Type	No. Units	% of Apartments
1 Bed (incl. 1 Bed plus study)	99	24%
2 Bed	279	68%
3 Bed	31	8%
Total Apts	409	

Of the 241 no. houses proposed, the breakdown of units is as shown in **Table 4.2**.

**Table 4.2: Total Houses, Types and Numbers**

House Type	No. Units	% of Houses
3 Bed (+ study)	50	21%
4 Bed	88	36%
5 Bed	103	43%
Total Houses	241	

These result in an overall unit size breakdown as shown in **Table 4.3**.

**Table 4.3: Total Houses and Apartments, Types and Numbers**

Unit Type	No. Units	% of Units
1 Bed	99	15%
2 Bed	279	43%
3 Bed / 3 bed + study)	81	12%
4 Bed	88	14%
5 Bed	103	16%
Total Units	650	

#### 4.2.6.2 Apartment Blocks Proposed

The proposed apartments are provided in 4 no. apartment blocks and within the Neighbourhood Centre, above the proposed ground floor retail.

Three of the blocks (Blocks 1, 2 and 3) are located at the eastern side of the development. These three blocks are five storey over basement car parks. Blocks 1 and 2 have a combined basement with a separate basement to Block 3. These basements also contain secure bicycle parking and segregated waste collection points. Blocks 1 – 3 are located within Character Area 1 along with the proposed Neighbourhood Centre.

Block 4 is a four storey building with no basement. Car parking for residents of Block 4 will be provided at grade at the streets surrounding the block. 2 no. single storey bicycle stores are proposed on the northern side of the apartment block, one of which includes a bin store. These provide for secure residents bicycle parking and segregated waste collection. Block 4 is located within Character Area 2.

The breakdown of apartment types per Block is shown on **Table 4.4**.

**Table 4.4: Apartment Type Per Apartment Block**

Block	Apartment Type				Total
	1 Bed	1 Bed & Study	2 Bed	3 Bed	
Block 1	13	0	77	6	96
Block 2	18	0	82	6	106
Block 3	47	0	53	12	112
Block 4	5	0	23	4	32
Neighbourhood Centre	13	3	44	3	63
TOTAL	96	3	279	31	409

### 4.2.6.3 Proposed Housing Areas and Types

The housing element proposed within the development comprises of 3, 4 and 5 bed dwellings. These are provided across three character areas; character areas 2, 4 and 5. The different house types and numbers in each area are presented in **Tables 4.5 – 4.7** below.

**Table 4.5: House Types and Number in Character Area 2**

Character Area 2 House Types	Description	No. Proposed
2A	5 Bed – Terrace and semi-detached house – 3 storey	52
2B	5 Bed – End of terrace – side entrance– 3 storey	8
2B1	5 Bed – End of terrace – side entrance special end – 3 storey	2
2C	4 Bed – Terraced house – 2 storey	48
2D	4 Bed – End of terrace – side entrance – 2 storey	4
2D1	4 Bed – End of terrace – side entrance special end – 2 storey	6
2E	3 Bed – Terraced house – 2 storey	28
2F	5 Bed – Terraced house – 3 storey	4
Total		152

**Table 4.6: House Types and Number in Character Area 4**

Character Area 4 House Types	Description	No. Proposed
4A	5 Bed - Terraced house – 3 storey	30
4B	5 Bed - End of terrace - side entrance – 3 storey	7
4C	4 Bed - Terraced house – 2 storey	6
4D	4 Bed - End of terrace - side entrance – 2 storey	1
4E	3 Bed - Terraced house – 2 storey	10
Total		54

**Table 4.7: House Types and Number in Character Area 5**

Character Area 5 House Types	Description	No. Proposed
5C	4 Bed - Terraced house – 2 storey	17
5D	4 Bed - End of terrace - side entrance – 2 storey	6
5E	3 Bed - Terraced house – 2 storey	7
5E1	3 Bed – End of terraced house – 2 storey	5
Total		35

#### 4.2.6.4 Layout of Housing

Housing is provided in semi-detached and terraced blocks with a maximum of 6 no. units in a terrace. The majority of the houses have in curtilage car parking to the front and all have private gardens to the rear. End of terrace or semi-detached houses which side on to a public street have their front entrance on the gable side of the house and appear as dual frontage units. In addition, public open space strips or private garden areas are generally provided at these locations. These design features eliminate the potential for long runs of rear garden walls bounding onto public streets, and also deliver secure and defensible private space for all dwellings.

All houses have external access to rear gardens via side and rear laneways incorporated into the housing layout. **Figure 4.3** shows a photograph of this design approach adopted by the same developer in their housing developments at Honeypark and Cualanor in Dún Laoghaire.

Differences in ground levels across the site will be accommodated by stepping levels of houses within a terrace and also by sloping of rear gardens. This will ensure private open space is useable and easy access can be achieved for all. **Figure 4.3** also shows this stepping within a terrace and also along the length of a back garden (see stepped fence panels).

#### 4.2.6.5 Design and Materials

The houses proposed will be primarily finished with a high-quality brick finish on all primary elevations facing the street or other public realm areas. As a low maintenance material, a variety of different bricks chosen for different character areas will ensure that the streetscapes created will endure and retain a high-quality feel for longer. The roofs of the houses will be completed with a dark coloured concrete roof tile to complement the brickwork & U-PVC windows add to the high thermal efficiency of each unit and will also be very low maintenance components.

The apartment units will also be finished in brickwork matching the houses in their respective character areas. Durable materials on management-controlled buildings is critical to avoid the deterioration of external finishes over time.

For more details on materials please refer to the Architectural Design Statement by MCORM Architects submitted with this application.



**Figure 4-3: Photo of Rear Lane Access at Other Development by the Applicant**

#### 4.2.6.6 Pocket Parks

Additional public and communal open space provision is proposed within the residential areas. The distribution and layout of these spaces provide for visual and physical connections to the district park insofar as is reasonably possible. They are also located so as to benefit houses which have less direct visual connection with the main district park.

These residential pocket parks have been designed for the local residents and provides for informal meeting and gathering places. They are fully overlooked due to their locations within residential cells with adjacent dwellings providing for passive surveillance. A low-key toddler playground is proposed in some instances for local residents. This compliments the larger play area located within the district park. This low-key playgrounds favour the immediate local residents, without attracting increased vehicular traffic to utilise the facilities.

Traffic calming measures like raised table crossings and shared surfaces are proposed to access the pocket parks. These aim to reduce traffic speeds and highlight to motorists that pedestrians have priority. Gently sloped pathways will provide for universal access.

#### 4.2.7 Creche

A crèche of 733sq.m with capacity for 138 no. childcare spaces approx. is proposed to be delivered as part of the Phase 1 development. This is proposed to be located at the western end of the Community and Education zoned lands adjacent to the proposed district park. This is a central location which allows the crèche to benefit from the amenities of the public open space both visually and also allowing easy and safe physical access. It will also be immediately adjacent to the school complex (on the lands zoned for Community and Education use under the Local Area Plan) in the long-term.

#### 4.2.8 Retail Unit / Café Kiosk

The first phase of the Neighbourhood Centre proposed under the current application will be provided at the latter stages of construction, when an on-site customer base has been established. In advance of this, in order to provide some element of local retail provision within Fassaroe in the short term, it is proposed to provide a retail unit / café kiosk within the public park close to the main access road through the site. At 108sq.m. this will be of a scale akin to a traditional local shop. In the short term it will serve local everyday convenience requirements for the Phase 1 residents. In the long term this local café / retail unit which would be compatible with and enhance the amenities of the District Park. An Artists Impression of the kiosk is provided at **Figure 4.4**





**Figure 4-4: Artists Impression of Proposed Retail Unit / Café Kiosk**

#### 4.2.9 Neighbourhood Centre Phase 1

The proposed development comprises the first phase of a Neighbourhood Centre at Fassaroe. This first phase comprises of ground floor parking, retail, café and community concierge / gym uses. At podium level above this are two apartment blocks of five storeys above ground.

The total retail provision proposed within the neighbourhood centre is 1,050sq.m. This comprises of two units which are in turn sub-dividable so as to be able to accommodate a variety of different potential future end users. Permission is also sought for these units for retail, retail services or commercial uses – again to provide for flexibility of end users.

A café of 335 sq.m is also proposed, as well as a community residents concierge area (490sq.m.) which will serve residents of the entire future Fassaroe development. This service will provide a number of functions for residents such as:

- Contact point for maintenance or operational queries in respect of public areas within the development.
- Meeting facilities for residents.
- Post / parcel collection service.
- Information in respect of public transport services and car club operations within Fassaroe.

A second phase of the Neighbourhood Centre will be provided as part of a future phase of development at Fassaroe. This will comprise an anchor convenience store (envisaged to be of the order of 1,650sq.m. approx.).

This phased delivery of the Neighbourhood Centre will establish a mix of services and amenities for residents at an earlier stage and will provide for the immediate everyday convenience needs of the Phase 1 population. It will also control the provision of a larger format retail store until there is a larger onsite population at Fassaroe to sustainably support such a service.

**Figure 4.5** presents an Artists Impression of the final Neighbourhood Centre including both the currently proposed Phase 1 element (on the right hand side of the image), and the future anchor unit phase (on the left hand side of the image).



**Figure 4-5: Artists Impression of Final Neighbourhood Centre (Current Phase 1 and Future Phase)**

#### 4.2.10 Demolition of Existing Dwelling at Berryfield Lane

There is an existing single storey dwelling on the northern side of Berryfield Lane which will be demolished to accommodate the district park and to enhance the connectivity between the passive and active parts of the park. This dwelling is not protected and is not of any particular significant architectural or historic interest. The dwelling is shown on **Figure 4.6** below.



**Figure 4-6: Dwelling at Berryfield Lane to be Demolished**



## 4.2.11 Car Parking Proposals

A range of parking solutions is proposed across the development including in curtilage private parking within house, parking bays perpendicular to streets, parking plots and basement car parking. Car parking provisions have been designed so that they do not dominate the visual character of the surrounding environment.

Car parking is provided in accordance with the provisions in WCC Development Plan- Volume 3 Appendix 1 Development Standards Section 7, **Table 7.1**. The level of car parking proposed is appropriate to the location and level of access to public transport and active travel infrastructure to ensure sustainable travel is not undermined.

### 4.2.11.1 Residential Car Parking

All houses are provided with 2 no. spaces – either in curtilage or within parking bays adjacent to houses.

For Apartment Blocks 1 and 2, 253 no. car parking spaces are provided in a combined basement, along with 5 no. surface level spaces. A total of 258 no. parking spaces are provided, of which 13 no. are disabled access spaces.

At Block 3, there are 67 no. car parking spaces provided at surface level, and 68 no. spaces at the Undercroft/ Basement Floor level. Of these 135 no. spaces, 7 no. are disabled access spaces.

Serving Block 4, there are 42 no. surface level parking spaces provided of which 2 no. are disabled access spaces.

### 4.2.11.2 Neighbourhood Centre Car Parking

Parking at the Neighbourhood Centre is provided within the undercroft / basement area as well as at surface/podium level. This comprises of:

Commercial parking total 120 no. spaces consisting of 10 no. surface / podium level spaces and 110 no. undercroft / basement spaces, of which 7 no. are disabled access spaces

Residential parking total 77 no. spaces consisting of 38 no. surface / podium level spaces and 39 no. undercroft / basement spaces, of which 4 no. are disabled access spaces.

### 4.2.11.3 Creche Car Parking

The proposed creche has a designated adjacent car park comprising of 28 no. spaces.

### 4.2.11.4 District Park / Active Open Space Car Parking

Parking to serve the Park is provided in two locations given its size, configuration and differing use profile. There is a parking area with 33 no. spaces proposed within the passive District Park accessed from the northern side of Berryfield Avenue (the east-west link road). 4 no. of the parking spaces proposed here will be disabled access spaces. In addition, 46 no. spaces are proposed in a parking area on the southern side of Berryfield Lane, with 4 no. of these being disabled access spaces. These will serve the Active Open Space lands, but also the passive district park area which is directly accessible on the northern side of Berryfield Lane.

### 4.2.11.5 Electrical Vehicle Charging Provisions

The strategy for Electrical Vehicle Charging (EVC) provisions at Fassaroe is set out below in respect of the different elements of the development.

**Housing Areas:** The developer will provide cabling to in curtilage parking and parking bays serving the proposed houses. This will allow easy installation of car charging points for residents in the future as required.

**Apartment Buildings:** When being constructed basement parking areas (and surface parking spaces in the cases of Blocks 3 and 4) will be cabled to allow for installation of car charging points at each parking space as required in the future. The electricity supply to these charging points will be from the landlord supply and managed by an interface system such as 'Randridge' to manage usage and payment for use at any given charging point.

**Neighbourhood Centre:** It is proposed to provide 2 no. EVC spaces within the car parking areas serving the retail / commercial use.

### 4.2.12 Bicycle Parking

#### 4.2.12.1 Residential Bicycle Parking Provisions

Residential bicycle parking is proposed as follows:

**Apartment Blocks 1 and 2:** There are a total of 606 no. spaces provided. 268 no. bicycle parking spaces proposed within the basement of Blocks 1 and 2. At the Ground Floor, there are an additional 324 no. bicycle spaces provided, with 14 no. surface level spaces.

**Block 3:** There is a total of 280 no. bicycle spaces proposed. This comprises of 250 no. spaces within the basement and 30 no. at surface level.

**Block 4:** At Block 4 secure bicycle parking is provided in a single storey bicycle and waste storage unit on the northern side of the apartment building. This shelter provides 64 no. spaces, with an additional 16 no. spaces at surface level. A total of 80 no. bicycle spaces is provided.

**Neighbourhood Centre Bicycle Parking:** A total of 168 no. spaces are provided at podium level, including 120 no. resident spaces and 48 no. visitor spaces.

#### 4.2.12.2 Neighbourhood Centre Bicycle Parking

Public bicycle parking provision is proposed at a number of points within the public plaza area around the Neighbourhood Centre. This will provide parking primarily for people accessing the services of the Neighbourhood Centre. It will also serve those transferring to bus services, but given the presence of bus stops along the length of the east-west Link Road (Berryfield Avenue) it is likely that most residents of Fassaroe accessing bus services out of the area will do so by foot. A total of 36 no. cycle spaces are provided.

#### 4.2.12.3 Creche Bicycle Parking

30 no. secure bicycle parking will be provided at the proposed creche to serve employees and parent drop-off/pick-up at the creche and to encourage sustainable modes of travel. Staff parking will be covered.

#### 4.2.12.4 District Park / Active Open Space Bicycle Parking

77 no. Bicycle parking stands are provided at a number of convenient and safe locations around the park. These are:

- Adjacent to the car parking area at the Active Open Space lands,
- Inside pedestrian entrance to the southern section of the passive open space area to the south of Berryfield Avenue overlooking one of the proposed ponds,
- Adjacent to the toddler and children's playground within the southern section of the passive open space,
- Inside pedestrian entrance to the northern section of the passive open space area to the north of Berryfield Avenue,
- Adjacent to main car parking area on northern side of Berryfield Avenue,
- Adjacent to the children's playground within the northern section of the passive open space,
- At the Multi Use Games Area (MUGA) at the northern end of the passive open space.

In total, 154 no. cycle spaces are provided to serve the district park / active open space.

### 4.2.13 District Heating System

A centralised district heating system is proposed to serve all houses and apartments. The plant is proposed to be centralised in the basement of one of the apartment blocks and will be a combination of heat pumps, combined heat and power engines and boilers. The boilers are only envisaged to operate during peak periods and this will equate to 15% of the operation period of the system. Using a district heat plant allows significant benefits of scale with the overall capacity required greatly reduced due to the diversified load profile.

All of the plant installed will be A rated, at the highest efficiency level and the repair maintenance and replacement of the system will all be captured in the single billing solution. In the future if a waste heat source becomes available it will be possible to network this around the site.

### 4.2.14 Services and Utilities Proposals

A number of new and upgraded utilities / services are proposed as part of the proposed Phase 1 development application. Utilities and services comprise, inter alia, water mains, storm water and foul sewers; electricity ducts and cabling; gas mains; as well as telecommunications ducting and cabling. In addition, and as part of the initial development the provision for suitably protected underground crossings of the roadbed will be made where required. New utilities will be laid at a location, depth and spacing in agreement with the utility owner. They will also be tested and commissioned by the utility owner prior to any of the existing utilities being decommissioned. The existing network on site includes the following infrastructure:

- Watermains – including existing 24", 33" and 800mm strategic mains;
- Foul Sewers;
- Storm Water Drainage;
- Gas Network;
- Electricity (110 kV, 38 kV and other lower voltage lines);
- Telecommunications (such as Eircom);
- Public Lighting; and
- Utilities owned by other stakeholders

The proposed services include for the provision of the services to facilitate the proposed Phase 1 development but also, in the majority of cases, to provide the service requirements associated with the ultimate development anticipated under the Action Area for the lands in question. A description of each of those services is as outlined below.

#### 4.2.14.1 Water Supply

The existing water supply infrastructure in the area comprises of a 24" trunk main which traverses the eastern Action Area lands of the Fassaroe development and a 33" main which traverses the western lands of the proposed Fassaroe Development. Both of these transfer treated water from the Irish Water Vartry Waterworks to the Stillorgan reservoir. An 800mm trunk main was constructed through the proposed Fassaroe development in 2009 to interconnect both pipes along a route parallel to Berryfield Lane. Wicklow County Council have a connection from this main and pump water from it to Killegar Reservoir to supply the Enniskerry area. There are connections from the trunk mains to supply water locally, with recent improvement works being carried out to improve the supply at Berryfield lane.

The current permanent plan for the region is to supply water via two storage reservoirs permitted at Ballyman – high and low level reservoirs (at 100m and 120m OD). This will serve the future water supply needs of Fassaroe lands and general south Dun Laoghaire /North Wicklow lands. These reservoirs will be served by the existing 33" main. These reservoirs are permitted.

As part of the multiple liaison / discussions with Irish Water in relation to this application, a pre-connection application for 2,000 units on the entire Cosgrave Property Group landholding was submitted to Irish Water on 21<sup>st</sup> March 2019 with a confirmation of feasibility received on 24<sup>th</sup> April 2019. To allow for a phased solution for the development, a revised 650 unit pre-connection application was submitted to Irish Water on 16<sup>th</sup> July 2021 with a confirmation of feasibility received on 8<sup>th</sup> November 2021.

It is agreed with IW that a proposed temporary reservoir will be constructed as part of the phase 1 development that will be supplied from the existing 800mm along Berryfield Lane and will be located within apartment Block 3 at the eastern end of the site to allow for required management and maintenance. The temporary reservoir will have a maximum volume of 98m<sup>3</sup> of capacity and has been sized based on providing sufficient storage to allow for water supply to the phase 1 during times of low pressure from the IW main supply.

Following completion of the proposed Ballyman Reservoir and associated infrastructure by IW which have been indicated by IW in the confirmation of feasibility letter to be due for completion in 2022, potable water supply for the proposed developed will be transferred and the temporary reservoir will be decommissioned. All necessary connections required to connect to the new mains from the Ballyman Reservoir have been included as part of this application and will be constructed as part of the proposed phase 1 construction works.

The proposed potable water supply for the site has been designed in accordance with Irish Water Code of Practice and standard construction details. The watermain throughout the site will be sized to meet Irish Water requirements and standards. In line Fire Hydrants will be located on the watermain in accordance with Irish Water standard construction details and “2006 Building Regulations” (Part B Fire Safety), so that no Fire Hydrant is > 46m and < 6m from any building. Fire Hydrants will be provided at a minimum rate of 1 for every 1000m<sup>2</sup> of the area covered at ground level in accordance with “2006 Building Regulations” (Part B Fire Safety).

### 4.2.14.2 Foul Waste Disposal

The nearest existing foul water connection to the proposed Fassaroe development is located close to the Berryfield Lane Roundabout at the western end of Fassaroe Lane. This sewer line was constructed by the Cosgrave Property Group in anticipation of a previously proposed (but not constructed) Fassaroe Business Park development and it caters for the entire development lands. This sewer system ultimately connects to an existing 450mm diameter sewer, which was laid under the N11 National Road by CPG as part of the above development and which in turn connects into the Upper Dargle Road sewer. The Upper Dargle Road sewer is a 525mm diameter sewer which drains the western Bray catchment into the existing system.

As part of the multiple liaison / discussions with Irish Water in relation to this application, a pre-connection application for the 2000 unit Masterplan lands was submitted to Irish Water on the 21st of March 2019 with a confirmation of feasibility received on the 24th of April 2019. To allow for a phased solution for the development a revised 650 unit pre-connection application was submitted to Irish Water on the 16th of July 2021 with a confirmation of feasibility received on the 8th of November 2021.

A recent Drainage Area Plan (DAP) was undertaken by Irish Water to determine the capacity of the existing Foul drainage network within Bray. It is noted that some constraints within the existing network may need some upgrade works, however, none are envisaged as part of the phase 1 application. Bray PS and the Shanganagh WWTP have sufficient capacity to cater foul loadings from Fassaroe.

### 4.2.14.3 Surface Water Management

#### Surface Water Drainage Design

The majority of the Phase 1 lands (and indeed the wider Fassaroe Action Area lands) drain naturally at present to the Brook, Cookstown and Dargle River systems. There are minimal existing piped storm drainage facilities except in the lower eastern section of the Fassaroe lands, where water and drainage services were previously installed by the Cosgrave Property Group in anticipation of a previously proposed Business Park development which ultimately did not proceed. This existing storm drainage system extends from the Berryfield Lane roundabout eastwards to the N11 National Road. A connection is available at this roundabout at the head of the system to a 750mm diameter culvert laid under the N11 Road, into the River Dargle.

The new network to serve the Phase 1 development lands will be provided within the alignment of the proposed roads network with spurs into individual development areas. Soakaway areas will be provided throughout the development in order to retain infiltration rates as close to existing pre-development conditions as possible. The overall network will allow excess flow in storm events to discharge to the County Brook at a controlled rate via the proposed attenuation ponds within the District Park, and the River Dargle and the Cookstown Stream, via the connection previously installed as described above.

The proposed Surface Water Drainage including SuDS has been designed in accordance with Wicklow County Development Plan 2016 – 2022, the Greater Dublin Strategic Drainage Study (GDSDS) and CIRIA report C753 The SuDS Manual-v6. The principles behind the proposed design have been discussed and agreed in principle between Atkins and Wicklow County Council (WCC) drainage department.

The proposed SuDS measures included (where suitable) within the design proposal are as follows:

- Swales in open space areas adjacent to roads.
- Permeable paving type systems in light traffic areas (parking bays).
- Porous asphalt in parking bays within car park areas
- Green Roofs to a minimum of 60% of the total roof area of suitable flat roofs (apartments).
- Underground Modular attenuation system within green corridors / park areas.
- Filter Drains in rear gardens where suitable.
- Attenuation Ponds incorporated into landscape features in public parks.
- Flow Control devices including vortex and orifice plates.

Surface water generated from the proposed development will be conveyed through a new surface water network including SuDS and attenuated at the agreed Qbar greenfield run-off rates prior to discharging to the existing watercourse / storm drainage network.

### 4.2.15 ESB Connections and Proposals

This planning application incorporates the undergrounding and alteration of two existing high voltage (HV) overhead lines (2 no. 110kV (as a single circuit)) and 2 no. 38kV. The proposed works are required to facilitate the development of the land immediately to the north of the existing ESB substation on Berryfield Lane.

2 no. existing Single Circuit overhead 110kV lines (the Fassaroe – Carrickmines East 110kV and Fassaroe – Carrickmines West 110kV) runs from the north of the site (within Dun Laoghaire Golf Club lands at Ballyman) across Ballyman Glen in a north-south direction. Just to the south of the glen (within the application site) it currently swings south-westwards (from 2 no. existing pylons) to a point on the northern side of Berryfield Lane just to the northwest of the sub-station. From here it swings back to a north-south alignment and enters the ESB substation on its western side.

It is proposed to underground part of the existing route. The existing 2 no. Pylons to the South of the Ballyman Glen will be decommissioned and replaced with 2 no. proposed Line Cable Interface Masts (steel lattice masts to a maximum height of 17m), approximately at the location of the existing pylons. From here the 2 no. 110 kV lines will be undergrounded and the 2 no. 110 kV cables will travel in the pre-agreed route with the ESB within the proposed open space areas and through the alignment of proposed future Fassaroe phase 2 roads (as set out by the application in the CPG masterplan). The underground cables will then cross Berryfield Lane to enter the ESB substation underground at its western boundary. The 2 no. new underground route will measure approximately 605m in length.

An existing overhead 38kV line (Fassaroe-Little Bray 38kV single circuit) runs from a point to the northeast of the subject site across the proposed development lands to the ESB Fassaroe substation. It is proposed to underground this 38kV overhead line from a point on the southern side of Ballyman Glen to the ESB Fassaroe substation. The proposed underground 38kV cable will be routed through the proposed open space park and within the distributor road alignment. (1.No) new Type 63E - 12meter cable to line interface mast 12m above ground will be required to the South of the Ballyman Glen where the 38kV overhead line is proposed to go underground. Approximately 655m of 38kV overhead line (wires) and (4.No) four double wood. pole sets of the existing 38kV overhead line will be removed from this point back to the ESB Fassaroe substation. The replacement underground 38kV cable route will be a total of 750m.

There is also another existing (Fassaroe-Bray 38kV single circuit) overhead line running south-eastwards from the ESB Fassaroe substation to Fassaroe Lane. The current alignment runs to the south of Berryfield Lane to a point adjacent to the Kilbride Lane roundabout. It is proposed to remove 855m of 38kV overhead line (wires), 5 no. pole sets of double wood poles and 1 no. cable to line interface mast between these two points and to replace it with a new underground 38kV cable running from ESB Fassaroe substation along the distributor road to the roundabout and back to start of Berryfield Lane. The replacement underground cable route will be a total of 615m.



### 4.2.16 Utilities

There will be a comprehensive site infrastructure provided throughout the scheme. Services to be ducted around the site are:

- Gas
- Water
- ESB
- Eir
- Virgin

There is an existing 110kV step down station on site and subject to agreement with the ESB it is proposed to power the site off this. There will be a number of substations needed around the site for distribution with single phase supplies to the houses and 3 phase power to the neighbourhood centre.

The telecoms ducting infrastructure for the proposed development will be designed to cater for full scale development within the Fassaroe Action Area lands. This seeks to minimise any future disruption along the proposed and existing road networks and minimise any abortive works during the initial phases of construction.

Ducting laid under this planning application will facilitate the provision of telecoms throughout the Fassaroe Action Area lands. The design proposes a bank of ducts within footpaths and cycle tracks along the road infrastructure, this is best practice where maintenance can be carried out without disruption to traffic.

### 4.2.17 Public Lighting

Public lighting is proposed through the scheme at three main levels of lighting. Lighting on the proposed main access route on Fassaroe Avenue and Berryfield Avenue will be provided at 60W LED and will tie in the lighting already provided at the part of Fassaroe Avenue already constructed. Lighting along the access routes within the residential areas and in the parking areas of the Neighbourhood Centre will be at a 20W LED. Lower lighting level provisions at 12W LED will be made along pedestrian routes within open spaces and accessing communal areas around apartment blocks. Lighting plans and reports are submitted with this application.

### 4.2.18 Site Development and Ground Works

Construction of the proposed development will require considerable amounts of cut and fill across the site. This is to achieve suitable site development levels on a site with variations in height. The proposed east-west road through the site will require significant amounts of cut while the landfill remediation capping works will require significant amounts of fill / cover.

The site layout and site levels across the site have been designed so as to maximise the opportunity for achieving a sustainable materials balance which will minimise the need for import of material to the site. Due to the need for significant additional fill material on site for the landfill remediation capping however, it has not been possible to avoid a deficit of fill. Based on the development proposed under this current Phase 1 application alone it has been calculated that there will be a deficit of fill material of the order of 130,000m<sup>3</sup> required within the Phase 1 development areas. This is primarily arising due to the need for substantial fill / capping material for the historic landfill remediation proposals. The proposed landscaping on top of the remediated landfill sites has been designed to minimize any further fill requirements.

### 4.2.19 Provisions for Bus Services

There are currently two bus layby stops in place on the existing dual carriageway at the eastern extent of the overall Fassaroe lands between the Junction 6 roundabout and the Thornhill Road / Greenstar roundabout. The east bound bus stop will be relocated further west bringing it closer to the proposed Neighbourhood Centre and the Phase 1 lands making it easier and more convenient for users to utilise the bus services.

Three pairs of future stops are proposed along the east-west link road as part of this application including a pair at the Neighbourhood Centre and another in close proximity to the District Park. The final pair of stops will be located at the western housing area to the south east of the ESB substation.



The location of the stops will ensure that all residents are within a 400m to 800m walking distance of a bus stop to minimise walking distances and maximise catchment potential. All bus stops will be inline in accordance with NTA guidance to ensure bus services are not adversely impacted.

Further detail of bus services and bus priority measures are set out in the Atkins report Fassaroe Public Transport Access Strategy (REF 5186693DG86) that forms part of the planning application. This has been agreed in principle with the NTA. These will comprise a new bus service from Fassaroe to Bray (No. 185A) and a new bus service to Brides Glen Luas station.

### 4.2.20 Landfill Remediation Proposals

#### 4.2.20.1 Background and Existing EPA Remediation Consent

As described at section 3.1 above there are 5 no. historic landfill sites which were previously operated by Wicklow County Council within the Fassaroe area. These sites which are designated Sites 1, 2, 3A, 3B and 3C were operated by the Local Authority between the early 1970s and the mid-1990s.

At the time of operation of these landfill sites there were no licensing provisions in place. The Waste Management (Certification of Historic Unlicensed Waste Disposal and Recovery Activity) Regulations 2008 require Local Authorities to register unlicensed closed landfills which operated between 15th July 1977 and 27th March 1997 with the EPA and to obtain Certificates of Authorisation (CoA) to control and remediate (as appropriate) them. The objective of the legislation and the CoAs from the EPA is to ensure that waste disposed or recovered in unlicensed closed landfills is not causing, or is not likely to cause, environmental pollution.

The operation of Fassaroe Site No. 1 was terminated prior to 15th July 1977 and accordingly was not subject of a CoA application to the EPA. Wicklow County Council has however applied to the EPA and received CoAs in respect of Fassaroe Site Nos 2, 3A, 3B and 3C. These are provided at Volume 3, Part 2 of the EIAR submitted with this application. The application documentation lodged with the EPA provided information in respect of Site 1 also to the same standard as that supplied for Sites 2, 3A, 3B and 3C. This allowed the EPA to assess remediation requirements at Fassaroe in a comprehensive manner, in the full knowledge of how all of the historic landfill sites are currently behaving (in terms of potential impact on groundwater and gas generation).

Significant site investigations were undertaken at the site in order to prepare an Environmental Risk Assessment (ERA) which in turn was used to inform and the remediation measures proposed to the EPA and for which Certificates of Authorisation have now issued. The ERA as submitted to the EPA is provided at Volume 3 Part 3 of the EIAR submitted with this application and presents the detailed findings of the various site investigations undertaken. The ERA assesses and presents the potential risks to human or environmental receptors associated with the presence of the waste material in the historical landfills. It also provides an outline assessment of options for managing risks identified and sets out recommendations for remedial options. A subsequent accompanying remediation proposal report was prepared by RPS 'Fassaroe Historic Landfills Remediation Strategy Report', July 2018 and was lodged with the EPA also by WCC. This report was updated for the purposes of this current SHD application to ensure it reflects the provisions of the Certificates of Authorisation issued by the EPA. It forms part of the current application documentation.

The application to the EPA by Wicklow County Council also contained a Gas Management Strategy for the remediation proposals. This Gas Management Strategy has also now been updated for the current application documentation. It presents an outline design for the management of gas and a monitoring and sampling plan to ensure the effectiveness of the remedial measures are verified. This is based on a previous Gas Management Strategy submitted to the ERA in 2018 and now updated to take account of the pumped gas trials undertaken on foot of the CoAs. This updated Gas Management Strategy is provided at as part of the application documentation.

Combined the Landfill Remediation Strategy and the Gas Management Strategy presents the remediation proposals necessary to ensure that the closed landfills are not causing, or are not likely to cause, environmental pollution or to impact on human health and, in turn, to facilitate future development proposals such as the current proposed development.

Following receipt of the Certificates of Authorisation from the EPA, further gas pumping trials were undertaken in 2020. An Addendum to the original ERA was prepared which considers data from these trials as well as the full monitoring data from 2016 and 2017 and presents an updated appraisal in relation to ground gas. This Addendum is presented at Volume 3 Part 4 of the EIAR.

The responsibility for implementation of the CoA rests with Wicklow County Council. It has been agreed with Wicklow County Council that these works will be undertaken by the applicant on its behalf. In this regard the Board should note that Wicklow County Council and the Applicant have worked in close collaboration with each other in relation to the remediation of these landfill site for the past 5 years or more, with a view to the works being undertaken by the Applicant as part of the overall development works at the site.

### 4.2.20.2 Scope of Landfill Remediation Proposals

The proposed landfill capping remedial measures proposed are as permitted under the Certificates of Authorisation issued by the EPA and as required to accommodate the construction of the Phase 1 proposed development, specifically to:

- Minimise infiltration of water and maximise clean run off from the landfill areas;
- Promote surface drainage and maximise clean run off from the landfill areas;
- Control landfill gas migration; and
- Provide a physical separation between waste and human and environmental receptors.

The proposed landfill capping measures comprise mitigation and management proposals to eliminate any potential adverse impacts of the landfills on the development proposed, and in particular any potential to impact on human health or the uses proposed which include residential and amenity uses. The proposals will effectively close off any potential pathways from the landfills to the proposed new uses, including amenity uses on top of the landfills and residential uses adjacent to them, all in accordance with best practice.

It should be noted that while the lands on which Sites 2, 3A, 3B and 3C are located are controlled by Cosgrave Property Group (owned by Borg Developments Unlimited Company), Wicklow County Council as the CoA holder, is responsible for the operation, control and maintenance the sites and for ensuring the conditions of the Certificates of Authorisation are complied with. Accordingly, agreement has been obtained from Wicklow County Council to include the capping of the landfills (including Site 1) within the proposed Phase 1 development as it is acknowledged that the remediation of the sites in accordance with the Certificates of Authorisation is intrinsically linked to the future afteruse of the site post-development.

The remediation measures presented in detail in the Landfill Remediation Strategy and the Gas Management Strategy lodged with this application include:

- A Landfill Capping System.
- Leachate Interception.
- Surface Water Drainage.
- Excavation and Disposal (in localised areas). Where possible the material will be relocated within the waste bodies to minimise removal per the CoAs issued by the EPA.
- Gas Management: Virtual Gas Curtain around landfill sites. This is a fully enclosed barrier that is proposed around the perimeter of each of the landfill sites. The concept of the VGC is to form a low pressure or low gas concentration area relative to the surrounding gassing ground, to encourage gas to flow towards the barrier, and allow subsequent venting to atmosphere.
- Gas Management: In addition, a pumped gas collection system and flare compound is proposed to serve sites 2, 3a and 3c.
- Gas Management: Building Protection Measures.

These measures set out above are as approved by the EPA in the Certificates of Authorisation. As the current application now incorporates development in the vicinity of the site the Gas Management Strategy submitted with this application also proposes the buildings on site will incorporate additional built in protection measures. The ERA undertaken for the sites determined the site risk classification with respects to CIRIA C665, Assessing risks posed by hazardous ground gases to buildings (subsequently replaced with BS 8485:2019 – Code of practice for the design of protective measures for methane and carbon dioxide ground gases for new buildings (BSI, 2019)) and the UK National House Building Council (NHBC) Traffic Light System. These guidance define gas protection scores for different types of buildings within areas of different risk. The Gas Management Strategy by RPS lodged with this application has applied the classification system to the site and specified the need for building protection measures to be incorporated into the detailed design of the building foundations and basements. These measures will typically comprises of

slabs, voids, barrier layers. As set out in the Gas Management Strategy submitted with this application, the exact nature of these protection measures will be designed at detailed construction design phase as the foundation details of each building are finalised.

### 4.2.21 Slope Stabilisation

In order to accommodate both the construction of the landfill capping system and the Phase 1 development, slope stabilisation measures will need to be installed in four landslip areas previously identified to the north of Site 2.

This will need to be done at an early stage in the Phase 1 development and prior to the installation of the capping system or loading/surcharging on the landfill areas. These measures have been designed by Atkins and are illustrated in the application drawings submitted with the application.

### 4.2.22 Part V Proposals

It is proposed to transfer the entirety of proposed apartment Block No. 3 to the Housing Association. Block 3 comprises a total of 112 no. units. This will comprise the 65No Part V 10% requirement plus an additional 8 no. units for the current Phase 1 application plus 39 no. units as advance Part V provision for a future Phase 2 application.

Based on previous experience of the Applicant in residential schemes elsewhere within the Greater Dublin Area, the delivery of social housing within an entire apartment block ensures ease of management by the Housing Body; allowing it to control ongoing management costs, which is ultimately to the benefit of residents.

The transitional provision for 10% applies in this case. This is set out in the Part V report by RPS enclosed with this application which also includes agreement in principle by Wicklow County Council with the Part V proposals.



**Figure 4-7: Location of Proposed Part V Provision**

## 4.3 Indicative Phasing of Development and Duration of Permission

The indicative programme for the construction of the development is set out in **Table 4.8** below. This presents a four year programme which includes timelines for the various elements of the development which will overlap in many cases. It is possible however that the duration of each element may take longer than estimated and the overlap of phases may be shortened. This programme also assumes a speedy commencement of construction following receipt of permission. It is possible however, that the commencement of the construction may take longer to allow for compliance agreements etc. Having regard to these potential practical implementation requirements, planning permission is sought for a total period of 8 years.

**Table 4.8: Indicative Construction Programme**

Development Element	Approximate Duration	Approximate Timeline
Site Development Works, Distributor Road Construction, ESB Diversions	12 months	Q3 2022 – Q3 2023
Landfill Remediation, associated landscaping, district park	16 months	Q4 2022- Q1-2024
Phase 1a Residential and creche	16 months	Q1 2023 – Q2 2025
Phase 1b Residential	14 months	Q1 2024 – Q2 2025
Neighbourhood Centre	12 months	Q2 2025 - Q3 2026

## 4.4 Construction of the Development

### 4.4.1 Sequencing of Works

Given the size and scale of the proposal, it is necessary for the development to be implemented in a number of stages. Given the extent of infrastructural works required at the site to facilitate development, much of this needs to be undertaken from the outset in advance of and in parallel with the residential development. Undertaking the roadworks and the landfill remediation works in tandem also helps to achieve a good materials balance at the site, with excess soils material generated through road construction being utilised for landfill cap material and / or fill on areas of the site requiring localised reprofiling.

The general sequencing / phasing of construction works at the site will be as follows:

- Secure site boundaries with temporary fencing.
- Establish contractor's compound(s).
- Commence construction of proposed new main access road from eastern side of site to western side of development areas, as far as ESB substation (including provision for rerouted 38kV ESB lines) – including all associated roadside landscaping, drainage and utilities.
- Commence construction of new structures for rerouted ESB lines.
- Commence land fill remediation works at Landfill Sites 1, 2 and 3c (including provision for rerouted 38kV ESB lines).
- Commence construction of First Phase of Residential Development
- Continue construction of western end of distributor road to Ballyman Road (including works to and remediation of landfill Site Nos. 3A and 3B).
- Complete remediation of Landfill Site Nos. 1, 2 and 3c and set out as Passive Park
- Complete ESB diversion works and decommission existing.
- Complete remediation of Landfill Site No. 3A and 3B.
- Complete construction of distributor road.
- Complete construction of First Phase of Residential Development including crèche
- Undertake Second Phase of Residential Development
- Undertake Third Phase of Residential Development.



#### 4.4.2 Site Entrance and Access

Access to the lands are from the N11 to the east and Ballyman Road to the west. Access has already been partially provided into the lands from both the east and west. The road access from the N11 was previously constructed as part of a permitted commercial development which was not subsequently constructed. These constructed roads and roundabouts, now referred to as 'Fassaroe Avenue' form part of the application site. The new main access road through the overall lands will connect into this. It will take a route to the north of Berryfield Lane as it runs through the main development area. At the western side of the development lands the new access road will cross to the south of Berryfield Lane immediately to the east of the existing ESB substation. From Fassaroe Avenue to the ESB substation the new access road will be referred to as Berryfield Avenue. From the sub-station it will run east west to the south of the pitches before crossing Berryfield Lane again as it heads north to join with the recently constructed access and junction from the Ballyman Road.

The access road through the site will be one of the first parts of the development to be constructed to open access to the development areas. The road will be constructed in two rolling phases from east to west. The first phase will comprise the link road from the east of the site as far as the ESB substation. This will provide all necessary access for the initial phases of construction and will also facilitate the timely diversion of the various ESB lines. The construction of the western part of the link road will form a continuous process which will ensure that the road is fully operational by the time of occupancy of the first houses at Fassaroe.

All construction traffic will access the lands from the N11. The access from Ballyman Road will not be opened until prior to the occupation of the initial phases of the development. Even when opened during the later stages of construction, construction traffic will not be permitted to access the site from the west.

Local access for existing residents will be retained along Berryfield Lane for the duration of construction. Access will be maintained to Berryfield Lane from both the east and west throughout the construction period. It is noted that Berryfield Lane is not formally a through road but is regularly used by local traffic as such. During construction of the new distributor road at the points where it crosses Berryfield Lane there will be some interruptions to local access. In these periods the through route along Berryfield Lane will be restricted when the crossing points are under construction. This may cause some temporary inconvenience to residents, ESB workers and users of the pitches as they may be required to follow detoured routes for a period of time.

#### 4.4.3 Construction Compound

A contractor's site compound will be established at the site and the working area fenced off to provide a secure site. Due to the scale of development and the phased approach to development this compound may move positions throughout the construction period. It is likely however that it will be located for much of the construction phase at the location of the Neighbourhood Centre as this will be one of the later elements of the current application development to be constructed.

The construction compound will accommodate a site office and staff welfare facilities (including a canteen, drying room, toilets and first aid) as well as storage areas for materials, waste areas and plant and machinery. All surplus plant and materials shall be stored in this location when not in use and will be secured here at night when the site is not operational.

An electricity connection will be provided to the site at the outset. However, it will also be necessary on occasions to use diesel generators. A fuel storage area will be provided at the site compound.

Temporary portable toilet facilities will be provided within the compound. These units will be maintained, and the waste collected therein will be disposed of using an appropriately licensed contractor.

## 5 PLANNING CONTEXT

### 5.1 Strategic Policy

We refer to the Statements of Consistency report enclosed with this pre-planning submission for details on how the proposed development aligns with the relevant policies and principles of the '*National Planning Framework*', '*Rebuilding Ireland: An Action Plan for Housing and Homelessness*', '*Climate Action Plan 2019*', '*Smarter Travel: A Sustainable Transport Future*', the '*Eastern and Midland Regional Spatial and Economic Strategy*' and the '*Transport Strategy for the Greater Dublin Area*'.

A number of key policy provisions of the key national and regional policy documents are set out.

#### 5.1.1 Project Ireland 2040: National Planning Framework (NPF)

In 2018, the Government published *Project Ireland 2040: National Planning Framework* (NPF) which sets out "the Government's high-level strategic plan for shaping the future growth and development of our country to the year 2040". The NPF outlines a national target to deliver 550,000 additional households by 2040. For the Eastern and Midland Region, the NPF has a population growth target between 490,000 – 540,000 additional people up to 2040.

The proposed development includes 650 no. residential units on appropriately zoned lands. Based on an average household size of 2.7 persons per dwelling (based on 2016 Census data for Wicklow) this development will provide accommodation for approx. 1,755 no. additional persons, thereby making a significant contribution to this Objective.

#### 5.1.2 Eastern and Midland Regional Assembly, Regional Spatial and Economic Strategy 2019 – 2031 (RSES)

Bray is identified in the Eastern and Midland's Regional Spatial and Economic Strategy (RSES) as one of three 'Metropolitan Key Towns'. These towns are strong active towns within the Dublin Metropolitan Area with high quality transport links and capacity for increased residential and employment densities. In terms of strategic development of these Towns, the RSES confirms that they should be developed at an appropriate scale as part of the overall development of the wider metropolitan area.

The RSES identifies that Bray is the largest town in County Wicklow, with a population of 32,600 in 2016, and strategically located at the eastern gateway to the County, with access to the N/M11 corridor (including M50), DART/rail line and quality bus service. It records that it is a strong active town that provides higher order services, including tertiary education, health, cultural and leisure facilities and is a major retail and shopping destination, attracting people from the surrounding towns and villages.

With reference to residential development specifically the RSES sets out that population growth in Bray has been modest compared to other settlements as expansion of the town is constrained by the coast to the east, Bray Head/Sugarloaf mountains to the south and the N/M11 to the east. The RSES states that in order for Bray to fulfil its growth potential, the lands at Fassaroe to the west of the N/ M11 are targeted for new housing, employment and major community and sports facilities, along with development of lands at Old Connaught (Conna)-Fassaroe, which are within Dún Laoghaire-Rathdown.

RPOs 4.37 and 4.40 of the RSES have specific regard to the development of Bray and note the importance of the westward extension of the town into Fassaroe.

### 5.2 Statutory Planning Context

#### 5.2.1 Draft Wicklow County Development Plan 2021 – 2027

The population of Bray Metropolitan Key Town is targeted to increase from 29,646 in 2016 to 40,425 in 2031 under the Draft Wicklow County Development Plan 2021 – 2027.

## 5.2.2 Wicklow County Development Plan 2016 – 2022

The Wicklow County Development Plan serves at the key planning policy document for the county. The Wicklow County Development Plan 2010 was prepared in the context of the Regional Planning Guidelines for the Greater Dublin Area 2010 – 2022. In that context the RPGs had indicated that 42% of the growth allocated to County Wicklow should be directed to the Metropolitan Area settlements of Bray and Greystones, with the remainder of the growth allocated to be distributed around the County, with the majority being directed into the growth towns.

The predicted population growth set out in the County Development Plan was for a population of 45,000 in 2022 from its measured population of 28,814 in 2006. The Plan notes that in order for Bray to fulfil its growth potential, lands at Fassaroe to the west of the N/M11 are targeted for new housing and other facilities.

There are a number of policies of note with reference to the content of the current proposal:

Policy HD15 sets out the need for a range of unit types and size within medium to large range housing developments. The proposal responds to this requirement with a mix of apartments and houses ranging between one and five-bedroom units.

Policy HD17 requires housing developments of more than 200 units to be broken into a number of smaller 'estates'. The proposal is accordingly split into 6 no. character areas which will ensure the overall development will be perceived as being composed of different 'estates'.

Policy CD24 sets out the need for childcare facilities to be provided in all residential developments comprising 75 or more houses. The development includes a 733sq.m crèche which can accommodate 138 no. childcare spaces. As set out in more detail in section 3.5 of the Statements of Consistency report this is considered to be sufficient for the demand which will be generated as a result of the proposed development.

## 5.2.3 Bray Municipal District Local Area Plan 2018

The Bray Municipal District Local Area Plan 2018 (Bray MD LAP) sets out that in considering how and where to grow the town further, the historical development and physical limitations must be recognised. The solution for the growth of Bray has a number of elements, one of which is:

*"The development of a major new centre at Fassaroe, west of the M11, targeted to be developed as a mixed residential, open space, community and employment area, with the potential to meet up to 60% of the new housing need of the settlement."*

The Bray MD LAP sets out a residential strategy for the municipal district with five key objectives, one of which is:

*"To promote and facilitate the rapid delivery of the maximum number of housing units in the key development areas of Fassaroe and the former Bray golf club".*

The Bray MD LAP identifies development lands at Fassaroe as an Action Area and includes a concept plan and objectives for development within this area. The LAP makes provision for a total future provision of approximately 4,000 no. residential units for the full build out of the zoned lands. The LAP also identifies employment, recreational, educational, retail and commercial uses within the area.

The Bray Municipal District Local Area Plan (LAP) 2018 outlines the specific planning provisions for Bray and the surrounding areas. Details of compliance of the different elements of the development with the development plan zoning objectives are set out in section 5.2 of the accompanying Statements of Consistency report. As set out above and in section 5.2 of the Statements of Consistency report the current proposed development comprises a first stage of the 'Phase 1' development as identified in the LAP. All necessary infrastructure to serve this development is provided as part of the application.

### 5.2.3.1 Fassaroe Action Area

The LAP states as follows in respect of Action Areas:

*“‘Action Area Plans’ have been identified in this plan. ‘Action Area Plans’ are to be the subject of comprehensive (not piecemeal) integrated schemes of development that allow for the sustainable, phased and managed development of the Action Area during the plan period. Separate applications for sections of each Action Area Plan will not be considered until an overall Action Area 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 and would contribute its ‘pro rata’ share of the public infrastructure and facilities set out in this plan for that specific area.”*

Housing Objective R5 of the Plan provides as follows:

*“Designated housing lands at Fassaroe (Action Area 1) shall only be developed as part of comprehensive (not piecemeal) integrated schemes, in accordance with the objectives for this Action Area set out in this plan”*

From the foregoing, the proposed development is of a strategic nature and substantial scale. It is a comprehensive (not piecemeal) integrated scheme establishing a first phase of development at Fassaroe and facilitating future phases in due course.

The LAP sets out a Concept Plan for the Fassaroe Action Area and well as 11 no. objectives. These objectives are set out in **Table 5.1** below along with a statement of how the proposed development complies with each. In this regard it is submitted that the development is in compliance with Objective R5.

The LAP, as noted above, also requires that application either be brought forward when an Action Area Plan has been agreed in writing with the Planning Authority, or if the application shows how it will not undermine the achievement of the overall objectives for the Action Area and how it would contribute its ‘pro-rata’ share of the public infrastructure. Section 5.3.3.2 and **Table 5.1** and **Table 5.2** below set out how Wicklow County Council has agreed in writing that the Proposed Action Area Plan appears to be in accordance with the objectives of the LAP and also how the application would contribute more than its ‘pro-rata’ share of the public infrastructure.

#### 5.2.3.1.1 Proposed Action Area Plan

In advance of preparation of the current application a Proposed Action Area Plan was prepared and issued to Wicklow County Council. The proposed Action Area Plan was revised on foot of comments from the Planning Authority and subsequently issued to the other main owner of lands within the Action Area as requested by the Planning Authority.

This Proposed Action Area Plan was subject of discussion with Wicklow County Council with revisions incorporated on foot of responses from the Planning Authority. By letter dated 01.11.21 Wicklow County Council confirmed that the was considered the Plan would in principle accord with the zoning objectives and overarching Action Area criteria of the Bray MD LAP. A copy of this letter is provided at **Appendix A**.

In any event, as clearly provided for in the LAP as quoted above, agreement with an Action Area Plan by the Planning Authority is not required where it can be shown that the application does not undermine the achievement of the overall objectives of the AAP and that the development would contribute its ‘pro rata’ share of the public infrastructure and facilities.

We submit that as detailed in section 5.2 of the Statements of Consistency report and as set out in **Table 5.1** and **Table 5.2** below, the proposed development is in line with the overall objectives of the LAP and that it contributes more than its ‘pro rata’ share of public infrastructure and facilities.

On the basis of the foregoing then, the application documentation has both:

- shown that it is in compliance with the Action Area objectives and contributes more than its ‘pro rata’ share of the public infrastructure and facilities, and
- provided written confirmation from the Planning Authority that the Action Area Plan appears to be in compliance with the objectives of the LAP.



**Table 5.1: Compliance with Objectives for Fassaroe AAP set out in Bray MD LAP**

AAP Objectives as set out at Pages 59 – 60 of LAP	Compliance
<p>Development to be carried out in phases in the following manner</p> <p><b>Phase 1</b> Road link from N11 to Ballyman Road Passive Park (minimum of 8ha) Active Open Space / Sports Zone (minimum of 14 ha) Site identified and reserved for school campus Neighbourhood Centre Up to 2,000 residential units</p> <p><b>Phase 2</b> Identification and reservation of site for additional primary school Remainder of residential units [approx. further 2,000 units]</p>	<p>The proposed development comprises a first phase of the overall Phase 1. With 650 no. residential units it comprises approx. 33% of the overall Phase 1 housing. It also delivers</p> <ul style="list-style-type: none"> <li>• Full road link from N11 to Ballyman Road</li> <li>• Full provision of Passive Park – 11.5ha (148% of requirement)</li> <li>• Active Open Space / Sports Zone – 3.1ha football pitch previously provided by Applicant + additional 3.8ha – 6.9ha in total = 49% of Phase 1 requirement.</li> <li>• Site identified and reserved for school campus (in ownership of Applicant – available for development by local authority / DoES when deemed appropriate)</li> <li>• Neighbourhood Centre site identified (in ownership of Applicant, to be developed as part of next application for balance of overall Phase 1 development.</li> </ul>
<p>The development of this area shall include the provision of an access road from the N11 to Ballyman Road</p>	<p>The eastern and western extents of this road are already provided by the Applicant. The current application includes the full connection which will be fully completed before the occupation of any development.</p>
<p>Provision shall be made for a north-south link from the new distributor road to cross Ballyman Glen.</p>	<p>The nature and location of this link has not yet been fully confirmed by the transport agencies / local authority. Accordingly, the current layout proposals exclude an area where this link will arrive into the Fassaroe lands, thereby providing sufficient space availability in the next application to accommodate whatever nature of link is determined to be required. Within the detailed layout proposed as part of this application provision has been made to potentially accommodate bus or Luas, in the event it is delivered to Fassaroe at some time in the future.</p>
<p>The development of this area shall make provision for Luas or other mass transit public transport services, and any necessary infrastructure such as depots / stabling</p>	<p>The current proposed layout has made provision for the accommodation of Luas requirements if delivered to Fassaroe at some time in the future. The proposed Action Area Plan also indicates a likely route for same should it be delivered to Fassaroe (across the N-S link, past the Neighbourhood Centre site and onwards to lands in the south). If delivered to Fassaroe, stabling would be provided at the end of the line in the southern part of the Fassaroe lands which are outside the scope of the current application.</p> <p>Accordingly, the current application complies with this objective.</p>
<p>All new development shall be accompanied by appropriate transport services, the format and scale of which shall be in accordance with the Bray and Environs Local Transport Study. . . . Developers shall be responsible for the provision and funding of the required transport services until such time as public services are extended to the area.</p>	<p>As detailed in section 2.4.9 above, the lands will be serviced by the bus services identified in the NTAs Bray Environs Transport Study (BETS) to serve the area and as further set out in the Public Transport Access Strategy by Atkins. Provision of public transport services will be by public service providers and the level of service will be increased as population numbers increase as indicated in the BETS. In the immediate term, until such time as the public transport services are provided a bus service connecting to schools and to Bray town centre / DART station will be provided by the Applicant.</p>

AAP Objectives as set out at Pages 59 – 60 of LAP	Compliance
The scale of the neighbourhood centre shall be in accordance with the retail floorspace objectives of the County Retail Strategy	The current application comprises only a first stage of the Neighbourhood Centre and is well below the floorspace objectives of the Retail Strategy. This is to ensure the level of retail provision with this application is reflective of the first phase application which will have a limited population level. A further Neighbourhood Centre phase will be provided with a future phase application at the site in line with the overall County Retail Strategy, to be delivered when the population at Fassaroe expands to a level to sustain the Neighbourhood Centre.
Lands immediately west of the designated 'neighbourhood centre' shall be reserved for the future development of a multi school campus;	The location of the future multi-school campus is identified in this application in line with the zoning objectives set out in the Bray MD LAP. The creche proposed as part of this application are within the 'Community and Education' zoned lands also. This proposal allows sufficient undeveloped 'Community and Education' zoned land to accommodate a national and secondary school and a creche is a compatible use adjacent to the future schools campus. The Department of Education is already in discussions with the Applicant with regard to purchase of lands here for a school.
The neighbourhood centre zone and major park shall be accessible to all areas by high quality, direct and safe pedestrian and cycle routes	The layout provides for easy and safe access throughout by pedestrians and cyclists with a segregated cycle path provided on the main east west through road (with direct connection to the Neighbourhood Centre site and the District Park) and the road hierarchy off this providing for safe cycling – all in accordance with Design Manual for Urban Roads and Streets.
Lands of not less than 22 ha shall be laid out and dedicated to parks and active / sports uses (this corresponds to land use zones OS1 and AOS, but not OS2). . . . . These lands [the OS2 lands] are generally not considered suitable for new development, including for park use, and shall not be included in the required 22ha major open space.	<p>A total of 15.3ha of District Park / active open space is proposed under the current application. This equates to almost 70% of the total Phase 1 open space requirements set out in the LAP. The total open space proposed in this application then is at a higher rate than the residential provision.</p> <p>Parts of the proposed landscaping extends into areas zoned OS2 Open Space. The objective for OS2 is <i>"to protect and enhance existing open, undeveloped lands"</i>. While the proposed development proposes landscaping within part of this zone it is not within natural untouched areas. It includes two areas of a former landfill sites to be remediated and connecting areas which will front proposed development in the neighbouring residential zone. It is submitted that this extent of proposed landscaping in OS2 is in accordance with the overall zoning objective.</p>
All development proposals within the Fassaroe Action Area shall take cognisance of the requirement to maintain the rate, quality and general areas where groundwater recharge occurs in order to maintain or enhance the recharge supplying the groundwater-dependent habitats of Ballyman Glen SAC.	<p>The SW proposals for the development incorporates soakaway attenuation areas throughout the development to allow water to filter back to ground in areas and at rates as close to existing pre-development conditions as possible (to minimise potential impact on the groundwater dependant features of the Ballyman Glen SAC).</p> <p>The only areas of the development proposals where surface water will be intercepted and not recharged to groundwater will be where the landfill sites are remediated with an engineered cap which includes a non-permeable membrane. The overall reduction in groundwater recharge rate as a result of the capping system is calculated at 7%. Surface water intercepted from these areas will be captured in the surface water network. These proposals have already been subject of Appropriate Assessment by the EPA as part of the Certificate of Authorisation (CoA) consent procedures. An NIS was provided to the EPA by WCC as part of its CoA applications to the EPA. Given the surface water drainage system proposed in the current application no further reduction in groundwater recharge levels will arise beyond that required for the landfill capping.</p>

AAP Objectives as set out at Pages 59 – 60 of LAP	Compliance
	It is also noted that the landfill cap which will intercept water from filtering through the waste bodies will also result in an improvement in groundwater quality emerging within the glen. An NIS is provided with the application which include a conceptual groundwater model.
Private Open Space for houses at Fassaroe shall not be subject to the standard requirements set out in the County Development Plan. However, private open space will be provided as follows: <ul style="list-style-type: none"> <li>- For 1 or 2 bedroom houses a minimum of 50 sqm</li> <li>- bedroom houses to have a minimum of 60 sqm</li> <li>- bedroom (or more) to have a minimum of 75 sqm</li> </ul>	The garden sizes of the proposed houses all meet these requirements.

**Table 5.2: Delivery of Public Infrastructure for Fassaroe**

Public Infrastructure Element	Extent of Delivery by Applicant
Link Road from N11 to Ballyman Road	This is being fully implemented under the current application by the Applicant
N-S Link	This is not part of the current application but when the nature / function of the link is determined in due course by the Transport Agencies / Local Authorities it will be provided for on the lands in control of the applicant – the current proposals are such as to allow for future flexibility of design of this link.
Open Space	A total of 22 ha (minimum) is required for the entire development of the Fassaroe lands. The current application comprises 16% of the total number of houses that will be provided at Fassaroe (650 no. of a total estimate of 4,000 no.). It also comprises 15.3 ha of passive and active open space which is 70% of the total minimum area of 22 ha for the entire Fassaroe development. Local open space provision is also provided within the residential areas.
Neighbourhood Centre	A first stage of the Neighbourhood Centre is provided as part of this 'Phase 1' application. The balance of the Neighbourhood Centre will be provided by the Applicant in future phase planning application.
Multi-school campus	The 'Community and Education' zoned lands identified in the LAP for the provision of a multi-school campus are within the control of the Applicant. The site is identified in the current application as reserved for school campus. It will be made available for development when deemed appropriate by the Department of Education and Skills / Local Authority. As noted above the Department of Education is already in discussions with the applicant regarding purchase of lands for a future school.

A copy of the Proposed Action Area Plan forms part of this current application to An Bord Pleanála. It also forms the basis for a masterplan layout prepared by MCORM on behalf of the Applicant for development on all of the lands within the control of CPG. Preparation of such a masterplan ensures that the layout and design of the extent of development in the currently proposed application will be compatible with future phases of development at Fassaroe. Reference to the Proposed Action Area Plan also ensures that more strategic connections are provided for to development lands in the southern area of the Fassaroe lands in the ownership of another landowner. In any event the key Concept Plan and Objectives for the overall Fassaroe lands are already set out in the LAP itself.

Compliance with any other relevant elements of the Bray MD LAP are set out in the accompanying Statements of Consistency Report.

## 5.2.4 Bray and Environs Transport Study

The Bray and Environs Transport Study (BETS) published in April 2019 by the National Transport Authority (NTA) is the product of a collaboration between the National Transport Authority (NTA), Transport Infrastructure Ireland (TII), Wicklow County Council and Dún Laoghaire Rathdown County Council. This is not a statutory document in itself but the preparation of same was referenced in the Bray MD LAP and it provides for a synchronised approach to land use and transport planning to support sustainable development. In this regard it is noted that the Introduction to the BETS states that:

*“The preferred approach set out in this Study does not define rules that must be complied with when administrative consent of projects is being granted. They are non-binding and advisory and do not comprise public policy”*

However, the Study does it notes draw from a large number of statutory documents which themselves have been subject of legislative requirements regarding consultation and environmental assessment. In this regard, the Study does establish a co-ordinated land use and transportation framework. It identifies transport elements for delivery by transport agencies, local authorities and developers in line with delivery of development as provided for in the land use plans of Wicklow County Council and Dún Laoghaire Rathdown County Council.

Section 3.2 of the BETS identifies a ‘first growth area – Phase 1(a)’ at Fassaroe as comprising circa 650 no. residential units and appropriate residential support facilities. It sets out several provisions for transportation infrastructure / services that are required in order to sustainably develop this first phase of development.

The BETS states as follows in relation this first tranche of housing:

*“Phase 1 (a) of the development of Fassaroe would comprise c.650 residential units and appropriate residential support facilities. The measures required to deliver this development are set out in Table 3.1 below. These would be agreed between the applicant, Wicklow County Council, the NTA and TII and are recommended to be subject to monitoring and review with a view to their improvement and alteration as investment in future phases is realised, in particular Woodbrook DART station and the extension to Bray of the Luas.*

*Due to the need to address the impact of any proposal on the existing congested national road network in advance of NDP N11/M11 Junction 4 to Kilmacanogue – Junction 14 Improvement Scheme, it would be necessary for Wicklow County Council, in agreement with TII, to prepare a framework for a Traffic Management System to facilitate phase 1(a) development of the Fassaroe lands. It is recommended that the agreed framework includes in its scope the identification of traffic management measures and infrastructure to minimise the impact of the Fassaroe proposal on the mainline the N/M11 and to enhance Wicklow and TII’s ability to manage traffic flow on the N11 corridor pending future national road schemes. This Framework is recommended to be undertaken within two months of the date of the agreement of this Study.*

Table 3.1 Transport Requirements for Phase 1 of Fassaroe

Infrastructure or Service	Delivery Process	Work Commenced	Completed to a Standard to be Taken in Charge
Fassaroe Development Roads	Part of Planning Application	Prior to Occupation of any dwellings	Prior to Occupation of any dwellings
N11 Cycle and Pedestrian Bridge	Part of Planning Application	Prior to Occupation of any dwellings	Prior to Occupation of any dwellings
Traffic Management Measures at Fassaroe Interchange arising from the development	Wicklow County Council Traffic Management System Framework to be agreed with TII within 2 months of the agreement of the Bray Study .	Prior to Occupation of any dwellings	Prior to Occupation of any dwellings
New bus services in line with demand	Part of Planning Application with agreement of NTA	Phased introduction as dwellings are completed	n/a
Bus Priority on Upper Dargle Road including the approach to Sunnybank Junction	In conjunction with Phase 1(a) development	Prior to occupation of any dwellings	n/a – WCC Scheme
Bus priority on Dublin Road – Castle Street	Prior to occupation of 50% of Development	Prior to occupation of 100% of Development	n/a – WCC / NTA Scheme

Each of the requirements of Table 3.1 of the BETS are set out in **Table 5.3** below along with a description of how they are each addressed and / or provided for in the Application .

**Table 5.3: Delivery of BETS Table 3.1 Requirements**

Infrastructure or Service for Delivery by Applicant	Provision in Application / Proposed Delivery
Fassaroe Development Roads	The east west N11 to Ballyman Road link is fully provided for in the current application. The function of the N-S link is not yet determined so the layout proposed in the current application allows for a flexible design response in the next phase of development following confirmation by the transport agencies of the function of the connection.
N11 Cycle and Pedestrian Bridge	This is provided for in the proposed application. It will be provided immediately adjacent to the existing vehicular bridge and connect to Dargle Road. It will be in place prior to the occupation of any residences.
Traffic Management Measures at Fassaroe Interchange	Following detailed traffic modelling and consultation between Wicklow County Council, TII and the NTA, a Traffic Management Framework has been agreed between Wicklow County Council (WCC) and TII at this junction, incorporating an agreed set of measures to appropriately manage traffic flow and minimise the impact of traffic on the N11 and adjacent M50 mainlines. This framework agreement is presented in a N11 Junction 6 Traffic Management Framework Agreement Technical Note by Wicklow County Council dated September 2020 and issued by email from WCC to TII and NTA on 09.09.20. A copy of this is presented in <b>Appendix B</b> . By letter dated 09.10.20 ( <b>Appendix C</b> ) the NTA confirmed that subject to the agreement of TII and progress on the delivery of bus priority between Fassaroe and Bray Rail station that the measures contained in the Framework Agreement technical note were sufficient to accommodate the first phase development of approximately c.650 residential units. By Letter dated 01.10.20 TII confirmed general agreement subject of a number of provisions ( <b>Appendix D</b> ). A series of emails from WCC to TII followed on 8.04.21 and 12.04.21 which provided responses and commitments to TII on the various provisions raised in its letter of 01.10.20. By letter dated 16.04.21 TII confirmed



Infrastructure or Service for Delivery by Applicant	Provision in Application / Proposed Delivery
	that “as a result of these commitments outlined above by Wicklow County Council, TII can now confirm agreement to the proposals outlined by Wicklow County Council for N11 Junction 6 Traffic Management Framework Agreement in order to facilitate the development of 650 residential units and appropriate residential support facilities on the lands at Fassaroe”. This letter confirming agreement with the framework is provided at <b>Appendix E</b> .
New bus services in line with demand	Physical provision is made in the development proposals for bus service access through the development. This will be served initially by a private bus service provided by the Developer pending commencement of public bus services to / through the site by the NTA as set out in the Bray and Environs Transport Study. Further details are set out in the proposed Public Transport Access Strategy by Atkins supplied with this application and as agreed to in principle by the NTA (see <b>Appendix F</b> ).
Bus Priority on Upper Dargle Road	This is the responsibility of WCC - to be implemented in conjunction with the implementation of the first phase of development at Fassaroe. Wicklow County Council is currently undertaking a study to provide enhanced bus priority measures along the Upper Dargle Road to Castle Street.
Bus Priority on Dublin Road – Castle Street	These measures are to be implemented as part of the BusConnects measures by the NTA for BusConnects Corridor Route 13 to Bray. In the Bray area, the bus priority measures include improvements on Castle Street, Dublin Road and the junction of Dublin Street / Castle Street / Upper Dargle Road. It is important to note that once permission is granted for BusConnects it will be possible for sections in the Bray area, such as Castle Street, to be implemented ahead of the delivery of the entire BusConnects Corridor Route 13 and in tandem with the delivery of the Upper Dargle Road and Bray Bridge bus priority measures.
New bus services in line with demand	Physical provision is made in the development proposals for bus service access through the development. Further detail of bus services and bus priority measures are set out in the Atkins report Fassaroe Public Transport Access Strategy (REF 5186693DG86) that forms part of the planning application. This has been agreed in principle with the NTA. These will comprise a new bus service from Fassaroe to Bray (No. 185A) and a new bus service to Brides Glen Luas station. The site will be served by a private bus service provided by the Developer pending commencement of bus services to / through the site by the NTA as set out in the Bray and Environs Transport Study.

In addition to the above, the BETS recommends that any application for development of the Fassaroe lands demonstrates a number of items. These are set out in **Table 5.4** below along with responses as to how the application provides for these items:

**Table 5.4: Additional Elements Identified in BETS to be Delivered in Application**

Items to be Demonstrated by Application	Provision within Application
That the proposed development provides fully for walking and cycling trips to all local services within Fassaroe	<p>The proposed layout delivers a highly accessible and permeable development for pedestrian and cycling trips within the development itself but also connecting across the N11/M11 to Dargle Road.</p> <p>Please refer to drawings provided with the application, to details presented in Chapter 8 of the EIAR Traffic and Transportation Impact Assessment, and the Engineering Planning Report for Roads, Traffic and Transport by Atkins.</p> <p>It is clear that all parts of the proposed development can easily and safely access the key local services of the proposed district park, the future Neighbourhood Centre site, the future school site.</p>
That the applicant will provide a bus service to Bray DART station in advance of demand justifying public investment as part of the expansion of the bus network under BusConnects	As part of this application the Applicant proposes to provide a private bus service to Bray DART station pending the commencement of public bus services as outlined in the BETS and further detailed and agreed in principle with the NTA as per the Public Transport Access Strategy submitted with the application.

Items to be Demonstrated by Application	Provision within Application
That the applicant has fully assessed a requirement for a bus service to Bride's Glen or Cherrywood Luas and provides same if demand is deemed sufficient in advance of demand justifying public investment as part of the expansion of the bus network under BusConnects	Further to the Public Transport Access Strategy prepared and agreed in principle with the NTA, a public bus from Fassaroe to Brides Glen Luas will be provided.
That the applicant demonstrates how demand for travel to schools from Fassaroe can be accommodated without undue recourse to the private car.	The Public Transport Access Strategy contains an assessment of likely school demand arising at Fassaroe and how this can be accommodated by sustainable travel modes before a school can reasonably be expected to be delivered on site.

BETS goes on to state that,

*"If the above elements are delivered and demonstrated, the development of Phase 1 of Fassaroe would be regarded by TII and the NTA as a development which:*

- (i) Is sufficiently served by public transport, walking and cycling;*
- (ii) Would not be excessively car-dependent;*
- (iii) Would not adversely impact on the safe and efficient operation of the national road network;*
- (iv) Would not adversely impact on the carrying capacity and strategic function of the national road network; and*
- (v) Demonstrate close integration between transport planning and land use planning.*

It further states,

*"As such, the development of c650 residential units and appropriate residential support facilities on the lands at Fassaroe on this basis could be considered to be consistent with the Transport Strategy for the Greater Dublin Area and DHPLG's Spatial Planning and National Roads Guidelines for Planning Authorities'.*

As set out in **Table 5.5**, these requirements of the BETS are provided for within the proposed application so it is anticipated that the proposal shall now be regarded by TII and the NTA as an appropriate development delivering on these criteria and compliant with *Transport Strategy for the Greater Dublin Area and Spatial Planning and National Roads Guidelines for Planning Authorities*.

## 5.3 Ministerial and Other Guidelines and Policy Documents

The Statements of Consistency report which forms part of the submission to An Bord Pleanála identifies a range of Guidelines and policy documents which are of relevance to the proposed development. That report presents a detailed assessment of how the development now proposed addresses and complies with these relevant policies and Guidelines. In addition, the Engineering Planning Report for Roads, Traffic and Transport by Atkins enclosed with this application includes an assessment of compliance with DMURS requirements.

## 6 PRE-PLANNING CONSULTATION AND ABP OPINION

The Opinion of An Bord Pleanála stated that it was of the opinion that the documents submitted with the request to enter into consultations require further consideration and amendment to constitute a reasonable basis for an application for strategic housing development. In this regard, the Board advised that the further issues set out in **Table 6.1** 'Statement of Proposals' below, were required to be addressed in the documents submitted with the application, which could result in them constituting a reasonable basis for an application for strategic housing development.

The Statement of Proposals at **Table 6.1** also explains how and where each of these issues are now addressed in the documentation submitted as part of this application.

**Table 6.1: Statement of Proposals - Issues to be Addressed to Constitute a reasonable basis for an Application for SHD**

Issue identified in ABP Opinion	Statement of Proposals - How and Where Issue Addressed in Application Documentation
<p>1. Documentation should clearly demonstrate how the development is aligned with the provisions of the Bray Environs Transport Study 2019 and the requirements of Section 3.2 <i>First Growth Area – Phase 1(a) Fassaroe</i>. In particular, the following matters should be addressed:</p> <p>a) demonstrate how the development is aligned with the development threshold identified for Phase 1(a) in the study of 650 no. residential units.</p> <p>b) Provide details of the Traffic Management System Framework to be implemented at junction 6 with the agreement of TII, including details of responsibility, and a timeframe, for implementation.</p> <p>c) Details of the traffic modelling assessment undertaken, including the assumed modal split informing the assessment.</p> <p>d) Clear proposals are required for the provision and operation of new bus services to meet predicted demand, as identified in the Public Transport Access Strategy. Evidence of the agreement of the NTA to the proposed rerouting of existing services should be provided.</p> <p>In advance of the extension of public bus services to meet identified demand, clear commitments should be provided with regard to the operation of such bus services in the intervening period.</p>	<p>1. Section 12.3.3 of Chapter 12 (Traffic and Transportation) of the EIAR sets out how the development is aligned with the provisions of the Bray Environs Transport Study 2019 and the requirements of Section 3.2 <i>First Growth Area – Phase 1(a) Fassaroe</i>. This is also addressed at section 5.2.4 of this Planning Report.</p> <p>a) The application proposals have now been revised to comprise of 650 no. residential units. All of the planning drawings and documentation submitted reflect this proposal.</p> <p>b) This is referenced in section 12.3.3 of Chapter 12 of the EIAR. It is also referenced in section 3.2.2.1 of Chapter 3 (Planning and Policy Context) of the EIAR and in Chapter 5 of this Planning Report. The Traffic Management System Framework and TII agreement is presented in Appendices A – D of this Planning report and Appendices 3A – 3D of the EIAR. These documents confirm that the measures will be put in place by the Applicant prior to the occupation of any residential unit at the lands.</p> <p>c) Details of the traffic modelling and modal split assumptions are set out in Chapter 12 ((Traffic and Transportation) of the EIAR and the Microsimulation Traffic Model Report is provided at Appendix 12A of the EIAR.</p> <p>d) The Public Transport Access Strategy document submitted with this application sets out the proposed bus provisions for the site. The NTA has responded confirming that it is satisfied with this overall approach proposed in the PTAS. See <b>Appendix F</b> of this Planning Report. The NTA is satisfied with the proposal to bring a bus service through the site, and suggests it will best be provided with a new service from Fassaroe. The NTA also requests a turning / layover area – this is shown on the Site Layout plans adjacent to the ESB Fassaroe substation.</p>

Issue identified in ABP Opinion	Statement of Proposals - How and Where Issue Addressed in Application Documentation
<p>2. A review of the design and layout of Character Area 1 - Neighbourhood Centre should be undertaken. A specific design statement should be provided having regard to the objectives of the Bray Municipal District LAP – <i>Action Area Plan 1 – Fassaroe</i>, in respect such facilities and in particular the provision of outdoor spaces within the centre. The extent of car parking provision within this local centre should also be justified and regard should be had to the comments of Wicklow County Council in their submission of 22/03/2021.</p> <p>The relocation of proposed childcare uses to within or adjacent to the neighbourhood centre as part of the community service offering should also be examined.</p>	<p>2. A design statement in respect of the Neighbourhood Centre at Character Area 1 is specifically provided within the overall Architectural Design Statement (pages 26 – 28 section 2.10). This query is further addressed at page 50 section 3.02 of the Architectural Design Statement.</p> <p>It references the objectives of the Bray MD LAP and the extent of parking proposed, and the rationale for the car parking provided at the Neighbourhood Centre. It also notes that more details can be found in MCORM drawings PL150 to PL155 illustrating the extent of the parking and its relationship to the buildings served</p> <p>The design team examined the suggestion of moving the childcare proposal but considered that the location as proposed at pre-application stage is the most appropriate. This matter is addressed on Page 48 Section 3.02 of the Architectural Design Statement</p>
<p>3. Having regard to the varying topography in this area, further detailed section drawings should be provided demonstrating the treatment of ground levels across the site. Particular regard should be had to existing and proposed levels within / adjoining the neighbourhood centre, and to the relationship between Character Area 1 (Apartment Blocks 1, 2 and 3) and the adjoining industrial lands to the north. Any requirement for retaining walls across the site should be identified and suitably described in the application.</p>	<p>3. This matter is addressed at Page 51 section 3.02 of the Architectural Design Statement which includes additional section drawings showing site levels across the site in this area and clarifying the relationships of different buildings and lands to each other.</p>
<p>4. Full details of measures for the remediation of the former landfill sites within the Fassaroe lands should be included in any application, to include confirmation of ownership of these sites and responsibility for implementation of the remediation works. Details of gas management measures including odour management, should be provided and an assessment of potential impacts on residential amenity should be undertaken.</p>	<p>4. Detailed proposals for the remediation of the former landfill sites are presented in Historic Landfill Remediation Strategy Report, RPS and the Gas Management Strategy Report, RPS both submitted with this application. Section 4.2.20.1 of this Planning Report also sets out the history and responsibilities in relation to the landfill sites as well as confirmation that it has been agreed with Wicklow County Council that the works on site will be undertaken by the Applicant as part of the overall development works.</p> <p>The Gas Management Strategy Report submitted comprises various proposals for the management of gas (which in turn manages odour during the operational phase of the development). We also refer the Board to Chapter 8 Air Quality and Climate of the EIAR which specifically addresses potential impacts on air quality including odour during both construction and operation. It also sets out mitigation measures as necessary to control odour and air quality during construction and operation.</p> <p>Consideration of potential air quality / odour impacts with reference to human beings is addressed in Chapter 4 Population and Human Health of the EIAR.</p>

Issue identified in ABP Opinion	Statement of Proposals - How and Where Issue Addressed in Application Documentation
5. Full details of the proposed new pedestrian / cycle bridge over the M11 / N11 and connectivity to existing networks to the east should be provided. The design proposals should consider public safety and security along route, including supervision of the route from <i>La Vallee</i> .	<p>5. Please refer to Atkins Drawing No.</p> <ul style="list-style-type: none"> <li>5186693/HTR/01/DR/0114 and 5186693/HTR/01/DR/0114a</li> </ul> <p>or layout proposals of the of the pedestrian /cycle bridge and</p> <ul style="list-style-type: none"> <li>5186693/HTR/SK/1704 REV</li> <li>5186693/HTR/SK/1705 REV</li> </ul> <p>for design details of the bridge. Full details of N11 Bridge Options are set out in Atkins Technical Note (5186693DG0097) Located in Appendix A of the Engineering Report (5186693DG0092) submitted in support of this planning application.</p> <p>The cross section of the proposed bridge would provide a 2.0m wide pedestrian footpath and a 3.15m wide cycle lane with a 2.7m vertical clearance along its entire length over the N11. The choice of a through truss offers the advantage of providing a built-in, fully contained pedestrian parapet railing supported via the vertical bracing members. The fully contained parapet system also reduces the potential for anti-social behaviour on the bridge.</p> <p>In the interests of public safety and security we also proposed appropriate public lighting along the route – please refer to Drawing No. E069 by McElligott Consulting Engineers which sets out a Lighting proposal. We also refer to the accompanying Public Lighting Link Road Report which presents proposals for this area.</p>

Pursuant to article 285(5)(b)(i) and (ii) of the Planning and Development (Strategic Housing Development) Regulations 2017, An Bord Pleanála also notified the prospective applicant that further specific information should be submitted with any application for permission. That specific information is set in **Table 6.2** ‘Statement of Responses’ below along with an explanation of how and where the information is provided within the application documentation.

**Table 6.2: Statement of Responses - Further Specific Information to be Submitted with and Application for Permission**

Further Specific Information identified in ABP Opinion to be provided with application	Statement of Responses - How and Where Information provided in Application Documentation
1. A phasing plan for the development proposed as part of this application, which comprises Phase 1 of the overall development of lands at Fassaroe.	1. Please refer to MCORM Drg No. PL02 – Overall Cosgrave lands Phasing Diagram. This drawing sets out a phasing plan for all of the lands at Fassaroe in the control or ownership of CPG. Phases 1a and 1b as identified on this drawing set out a two stage construction phasing for the current Phase 1 development proposed. See also Section 4.3 of this Planning Report.
2. Address the requirements of the Bray Municipal District Local Area Plan 2018, and Housing Objective R5, that development at Fassaroe should be undertaken in accordance with an agreed Action Area Plan that allows for the	2. See section 5.2.3.1 of this Planning Report and <b>Appendix A</b> .



Further Specific Information identified in ABP Opinion to be provided with application	Statement of Responses - How and Where Information provided in Application Documentation
sustainable, phased and managed development of the overall area.	
3. The application should clearly identify all areas proposed to be taken in charge by the local authority on satisfactory completion of development.	3. Please refer to MCORM Drg Nos. PL170 and PL171.
4. A comprehensive landscaping scheme for the entire site to include: <ul style="list-style-type: none"> <li>(i) a detailed survey of existing trees and hedgerows and an assessment of any specimens to be removed, along with measures to protect any trees and hedgerows to be retained during construction;</li> <li>(ii) detailed landscaping proposals, including details of hard and soft landscaping, play equipment, boundary treatments, the delineation of public and communal open space provision and consideration of biodiversity enhancement measures;</li> <li>(iii) proposals for the treatment of external boundaries of proposed public open spaces having regard to the varying quality, character and use of adjoining lands.</li> </ul>	<p>4. Please refer to the enclosed drawings and documents by Mitchell + Associates submitted with this application:</p> <ul style="list-style-type: none"> <li>• Drg Nos. L-0100 -L-0108, L-0200 – L-0210, L0301-L0309, L-0401-L0403, L0501-L0502, L-7001</li> <li>• Landscape Design Rationale</li> <li>• Material, Furniture, Planting Booklet</li> </ul> <p>This Landscape Design Rationale incorporates a Linear Feature and Tree survey report by FGE Consulting, an Arboricultural Impact Report and Arborist Tree Protection Strategy and Method Statement both by CML Hort. + Arb Ltd.</p> <p>The details of the landscaping proposals are set out in the suite of drawings and the Material, Furniture and Planting Booklet. The design concept and rationale are set out in the Landscape Design Rationale.</p> <p>All details of the proposed landscaping of public open spaces including their boundary areas are set out in these drawings and documents.</p>
5. A management and operation plan for the proposed District Park and Active Open Space / Sports Zone. Any proposed role for the local authority as part of the management plan should be clearly identified.	5. A District Park and Active Open Space Management and Operation Plan, RPS is enclosed with this application. This has been prepared in consultation and agreement with Wicklow County Council. It has been agreed with the Director of Services for the Community, Cultural & Social Development Directorate and the District Administrator of the Municipal District of Bray on 7 <sup>th</sup> January 2022. It clarifies the management and maintenance roles and responsibilities for the future management of the passive open space, active open space and the historic landfill aspects.
6. A Quality Audit Report in accordance with Advice Note 4 of the Design Manual for Urban Roads and Streets (DMURS), which should include in particular pedestrian and cycling audits and a Community Street Audit. Regard should be had to the topography of the area and gradient of roads and streets accessing the lands.	6. A Stage 1 Quality Audit Report, Atkins is submitted with the application. This consists of a Road Safety Audit (Stage 1), an Accessibility Audit, a Walkability / Pedestrian Audit and a Cycle Audit. The Quality Audit has been prepared in accordance with Advice Note 4 of DMURS.
Road safety audits should include the junction of the proposed link road with Ballyman Road, having regard to the additional traffic loading which will arise at this junction as a result of the proposed development, and the comments of the Bray Municipal District Engineer.	<p>With regard to the reference to a Community Street Audit, Atkins Consulting advise that it is not appropriate or possible in this instance to prepare a Community Street Audit. Such an audit would be appropriate within an existing built up area with an existing Community where the proposals would affect existing streets etc. This is not the case for the current application which is proposed within a greenfield site and where new roads and streets are proposed.</p> <p>As also noted in the Audit report, the the junction of the proposed link road with Ballyman Road is already in place. A road safety audit addresses the geometry of road proposals rather than the volume of traffic utilising it. Accordingly it is not appropriate to undertake a road safety audit of this junction as part of this current application. As noted in the Audit Report however, a</p>

Further Specific Information identified in ABP Opinion to be provided with application	Statement of Responses - How and Where Information provided in Application Documentation
	safety audit was previously undertaken in an Atkins report 519100DG010_Stage 1 RSA in respect of this junction and the issues identified in that Stage 1 RSA were addressed at detailed design phase.
7. The architectural design statement should consider the relationship between proposed housing and the Link Road and how an appropriate sense of place will be achieved within the development in terms of connectivity, enclosure, active edge and pedestrian activity as described in the Design Manual for Urban Roads and Streets.	7. This is addressed at Page 52 section 3.02 of the Architectural Design Statement enclosed with the application.
8. A landscape and visual impact assessment prepared by a suitably qualified practitioner.	8. Chapter 10 of the EIAR submitted with the application comprises a Landscape and Visual Impact Assessment. This has been prepared by a suitably qualified practitioner as set out in Chapter 1 of the EIAR.
9. An assessment of the Daylight and Sunlight characteristics of the proposed development, having regard to the provisions of relevant S.28 Ministerial Guidelines.  Proposed dual aspect apartments should be clearly identified in the application drawings / floor plans.	9. A Daylight and Sunlight Assessment of the proposed development prepared by Passive Dynamics is provided with the application.  The dual aspect apartments are labelled (in red text) on the MCORM floor plan drawings submitted with the application.
10. A report that specifically addresses the proposed materials and finishes to the scheme, including specific detailing of external finishes, landscaped areas, pathways, entrances and boundary treatments, public lighting, car and cycle parking areas and refuse storage areas. Particular regard should be had to the requirement to provide high quality and sustainable finishes and details which create a distinctive character for the development.	10. Please see enclosed with the application a Materials and Finishes Report by MCORM Architects. Please refer also to the Material, Furniture, Planting Booklet by M+A Landscape Architects.
11. A life cycle report in accordance with section 6.3 of the Sustainable Urban housing: Design Standards for New Apartments (2018). The report should have regard to the long-term management and maintenance of the proposed development.	11. Please see enclosed Building Life Cycle report by Wyse Property Management
12. Proposals under Part V of the Act of 2000.	12. Please see enclosed Part V report which includes correspondence with Wicklow County Council and outline financial proposals.

## 7 PLANNING HISTORY

### 7.1 Previous Application for Mixed Use Development by Cosgrave Property Group

There is one previous planning application in Fassaroe which is considered relevant to the proposed development. Cosgrave Property Group applied to Wicklow County Council for planning permission for a mixed-use development under Reg. Ref. 16/999. This comprised of 658 no. residential units (390 no. apartments and 268 no. houses); a neighbourhood centre (total gross floor area of 2,963 square metres approximately), comprising a convenience food store (including an area for off-licence sale of alcohol) (1,727 square metres approximately), 6 no. retail/commercial units (1,058.5 square metres approximately) a café (178 square metres approximately) and security kiosk (8 square metres approximately); 3 no. three-storey office blocks (total 9,177 square metres approximately); a two-storey crèche (768 square metres approximately); a district park (12.1 hectares approximately) including a kiosk (21 square metres approximately); residential public open space; realignment of part of existing road and provision of new road through the site connecting to Ballyman Road (total length 2.9 kilometres approximately); a new pedestrian/cycle bridge across the N11 connecting to Dargle Road; the diversion and rerouting of a twin 110kV ESB electricity line and two 38kV electricity lines; demolition of an existing dwelling at Berryfield Lane; parking and cycling facilities throughout; remediation works for historic landfill locations within the site; ancillary site development, drainage and landscaping works.

This previous development was subject of a decision to grant planning permission by Wicklow County Council. The decision was appealed to An Bord Pleanála and the application was refused permission for four reasons. We refer to each of these reasons for refusal hereunder and set out how they are now addressed and no longer relevant to the current proposed development.

### 7.2 Reason No. 1 - Unsustainable form of development

Reason for Refusal No. 1 stated as follows:

*“Having regard to:*

- (a) the location of the subject site remote from existing high capacity public transport services, which would lead to an excessively car-dependant development, and also remote from necessary community, social and educational facilities,*
- (b) the lack of integration between land use and sustainable forms of transport on the overall lands of which the site forms part, and*
- (c) the fact that high capacity public transport services are not currently planned to serve the lands of which the site forms part, notwithstanding the zoning of these lands;*

*it is considered that the proposed development would represent an unsustainable form of development which would be contrary to National Policy, as set out in “Smarter Travel – A Sustainable Transport Future, A New Transport Policy for Ireland”, issued in February, 2009. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.”*

At the time of issue of this reason for refusal, there was uncertainty regarding the nature and extent of public transport which would serve the lands at Fassaroe. Since the issue of this reason for refusal however, there has been considerable further action which has clarified that Fassaroe will be served by a public bus service.

In the first instance the NTA published the Bray and Environs Transport Study (BETS) in April 2019. As noted above, this study was prepared in consultation and agreement with TII, Wicklow County Council and Dún Laoghaire Rathdown County Council, and draws from a wide number of transport studies and policy provisions of the NTA, TII, Wicklow County Council, Dún Laoghaire Rathdown County Council and the NDP. This Study therefore provides for an updated and co-ordinated approach to land use and sustainable transport planning. As set out in the introduction of the Report, *“the overarching purpose in undertaking this study was to seek to facilitate the land use objectives of Wicklow County Council and Dún Laoghaire-Rathdown County Council as provided for in statutory regional, county and local plans”*.

This study confirmed that the development lands at Fassaroe will be served by bus based public transport. As set out at section 5.2.4 above, the BETS sets out proposals to facilitate the development and full build out of Fassaroe based on the provision of frequent bus services to Bray Main Street and DART Station and to Woodbrook DART Station. It specifically sets out that, for the full build out, Fassaroe bus services to Bray DART will operate at up to 5-minute frequency and to Woodbrook DART would operate, via Old Conna, at up to 10 minute frequency.

Further to these provisions of BETS, Atkins Consulting Engineers have prepared a Public Transport Access Strategy (PTAS) for development at Fassaroe. The PTAS is for the phased development at Fassaroe and clarifies the integration between public transport and land use planning by means of a phased public transport delivery programme aligned with the phased delivery of residential and other lands use development at Fassaroe. This PTAS was submitted to the NTA by Wicklow County Council and the NTA has issued its agreement in principle to WCC (see **Appendix F**).

Given the clarity on the public transport services which will be provided to Fassaroe, reason for refusal no. 1 is no longer applicable to the current proposed development.

We also refer to section 5.2.4 above which sets out how the proposed application demonstrates / delivers a number of key elements specified in BETS and on the basis of which BETS states that the development could be considered consistent with both the *Transport Strategy for the Greater Dublin Area* and also *Spatial Planning and National Roads Guidelines for Planning Authorities*.

Finally, we note with reference to recent precedent that An Bord Pleanála is not opposed to new residential development which will access the N11/ M11 corridor where it is satisfied that it also has access to public transport. In this regard we refer for example to a recent permission granted by An Bord Pleanála in January 2020 for the development of 426 no. residential units at Farrankelly and Killincarraig townlands, Delgany, Greystones, Co. Wicklow. It is noted that this development will be served by a local bus route. It is also noted that it is further distant from the Greystones DART station than is Fassaroe from the Bray DART Station. Given the similar public transport provisions which will now serve Fassaroe, combined with the traffic management measures to address any immediate capacity issues at junction 6, it is submitted that Fassaroe will have a similar relationship with / impact on the N11 as will the recently permitted development at Farrankelly which was deemed to be in accordance with proper planning and sustainable development.

### 7.3 Reason No. 2 - Adverse impact on the carrying capacity and strategic function of the N11/M11

Reason for Refusal No. 2 stated as follows:

*“Having regard to:*

- (a) the scale of the development proposed,*
- (b) the car-based nature of the development proposed, resulting from the absence of a high capacity public transport mode conveniently serving the site or plans for the provision of such a service,*
- (c) the volume of traffic likely to be generated by the development and the percentage of that traffic likely to use the existing N11/M11 route, and*
- (d) the existing congested nature of this route and the trend of increasing traffic volumes, as set out in the submission made by Transport Infrastructure Ireland, and the anticipated timescale within which such capacity issues will be resolved,*

*it is considered that the proposed development would have a significant adverse impact on the carrying capacity and strategic function of the N11/M11. The proposed development would, therefore, be contrary to the Ministerial Guidelines – “Spatial Planning and National Roads Guidelines for Planning Authorities”, issued by the Department of the Environment, Community and Local Government in January 2012, and would be premature pending necessary improvements to this route. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.”*

As set out in response to reason for refusal no. 1 above, a public transport system to serve the Fassaroe lands has now been confirmed in the NTA's Bray and Environs Transport Study and a Public Transport Access Strategy (PTAS) specifically prepared for Fassaroe to support this application has also been agreed to by the NTA.



A bus-based system has been confirmed as the provision for the full build out of the lands zoned at Fassaroe which will accommodate in the region of 4,000 no. residential units. The frequency of services will increase as the development levels and population numbers increase. These services will run through the heart of the development and will be conveniently located for access for all. Obviously, as with any new development area the public transport system will not be provided in advance of the development. In accordance with the provisions identified in BETS and detailed in the PTAS which accompanies this application there will be a co-ordinated roll out of services in parallel with increasing development and population levels.

The bus services to Fassaroe will provide for fast and easy access to rail and DART services also, such that the lands at Fassaroe will be well connected and well served by public transport. It is therefore no longer appropriate to conclude that the proposed development will be of a 'car-based nature'.

The proposed development will have vehicular access to the N11 and to Ballyman Road. In this regard, while some trips to and from Fassaroe will be to the west of the lands, the development will also inevitably lead to some increase in traffic numbers on the N11 / M11. Given the clarity on the public transport system to serve Fassaroe now however, the proportion of trips from Fassaroe reliant on private car however cannot be as high as the Board previously estimated on the basis of its opinion that the previously proposed development would have been of a 'car-based nature'.

Regarding potential impacts on the N11 / M11, as set out above, the BETS identified a need for Traffic Management Measures to be proposed by Wicklow County Council at Fassaroe Interchange so as to manage the impact on the N11. Subsequently, Atkins on behalf of Wicklow County Council has undertaken a detailed traffic microsimulation model incorporating the M50, M11 and N11 mainline between Junctions 16 M50 and Junction 8 Kilmacanogue and all junction interchanges. This model incorporated the impact of background growth in current traffic and the development traffic associated with key development sites in the Bray environs within a 9-year period up to 2028 and prior to the N11 / M11 Improvement Scheme. The model incorporated the impacts of the full build out of residential development at Woodbrook, Shanganagh Castle and Bray Golf Club and up to a proposed 1,200 units approx. at Fassaroe (the current application and a future Phase 2 application). The detailed findings of the model, formed the basis of the required Traffic Management System Framework under the BETS. This Traffic Management System Framework has now been agreed by between Wicklow County Council and TII (see **Appendices B - E**).

In conclusion then the new growth centre at Fassaroe will be a bus-based development with a high frequency of service and will be well connected to social and community services available within Bray as well as the onward rail services available in Bray. While the development will also inevitably have some impact on the N11, detailed traffic modelling undertaken by Wicklow County Council has identified a number of traffic management options at Fassaroe Junction 6 on foot of which the junction would operation with nominal additions to traffic delays or queuing on the N11/M11. These measures have been agreed with TII.

The current application then is presented on the basis of synchronised land use and transportation provisions and is in accordance with the provisions of the '*Spatial Planning and National Roads Guidelines for Planning Authorities*'.

## 7.4 Reason No. 3 – Retail Component would be Excessive

The third reason for refusal states as follows:

*"By reason of its scale and location, it is considered that the retail component of the proposed development, which is based on a catchment area extending beyond the boundaries of the lands of which the site forms part and significantly in excess of the needs of the proposed local residents, would be excessive in the context of the remainder of the proposed development and would have a potentially significant negative impact on established retail centres, including Bray town centre. The proposed retail development would, therefore, be contrary to the provisions of the Retail Planning Guidelines for Planning Authorities, issued by the Department of the Environment, Community and Local Government in April 2012, and would be contrary to the proper planning and sustainable development of the area."*

The previous application incorporated a full scale neighbourhood centre for the entire Fassaroe lands. This comprised a convenience store of 1,795 sq. metres floor area, six retail / commercial units of 1,166 sq. metres and a café with a floor area of 204 sq. metres. This was proposed in the context of an application incorporating 735 no. residential units.

The Bray MD LAP requires that the Neighbourhood Centre be provided as part of the Phase 1 development identified in the Plan. Phase 1 of the LAP however relates to 2,000 residential units, which will be achieved at Fassaroe over a number of planning applications. On foot of pre-application consultation with An Bord Pleanála it was considered appropriate to provide a first stage of the Neighbourhood centre as part of this current application to ensure that there will be suitable on-site retail and retail services for the first phase of new residents. This will ensure access to local services and appropriate levels of amenity for future residents from the early stages of the overall Fassaroe development.

The scale of retail provision now proposed is significantly reduced from that of the previously refused permission. The current application comprises 1,035sq.m. of retail space within the Neighbourhood Centre. This 1,035 sq.m. of retail space represents approx. 30% of the overall maximum retail floorspace for the long term Neighbourhood Centre facilities for Fassaroe as provided for in the Bray MD LAP 2018 and the Wicklow County Development Plan 2016 -2022 (max, 2,500sq.m. convenience and 1,000sq.m. comparison). A café of 360sq.m. is also proposed at the Neighbourhood Centre along with community concierge facilities.

The second phase of the Neighbourhood Centre will be provided with a later phase of the overall development at Fassaroe as the on-site population expands. This will ensure full and appropriate Neighbourhood Centre Facilities are on site when an appropriate population level is achieved to support it.

The retail space is currently identified as two units but this can be subdivided in various ways in response to the identified requirements of future occupiers. It is envisaged that these units will provide retail (both convenience and comparison) and personal services (such as hairdressers, beauty salon etc). The later second phase of the Neighbourhood Centre will include an anchor convenience store (envisaged to be of the order of 1,650sq.m. approx.). It is considered appropriate to provide a number of smaller units in Phase 1 rather than the larger convenience store. This order of delivery of the Neighbourhood Centre will establish a larger number of services and amenities for residents at an earlier stage and will provide for the immediate everyday convenience needs of the Phase 1 population. It will also control the provision of a larger format retail store until there is a larger onsite population at Fassaroe to sustainably support such a service and to protect against potential negative impacts on established retail services in Bray town centre.

In addition to the first phase of the Neighbourhood Centre further local retail provision is proposed for the Phase 1 application within a kiosk building at the district park which would accommodate immediate local retail convenient services and a café use. This will provide for local services at the very first stages of Phase 1 implementation even in advance of the phase 1 Neighbourhood Centre being constructed. It is also noted that there are existing convenience retail services available within easy walking distance of the proposed development - at the Spar shop and petrol station at Monastery Road / R117 (approx. 1.5m from the western side of the development) and at the Centra on Upper Dargle Road at Egan's Business Centre (approx. 1.3km from the eastern side of the development).

It is submitted that the revised retail and services now proposed for this Phase 1 application with the balance of the Neighbourhood Centre to be provided at a later date will deliver services in a logical and sustainable phased manner. This approach will ensure a suitable on site services offering is provided for residents from the outset. It will grow in later phases when a sufficient on site population is available to support the long term full scale of retail and services provision envisaged for the Neighbourhood Centre under the Bray MD LAP and the Wicklow County Development Plan.

It is submitted that these current proposals address Reason for Refusal No. 3 of the previous proposal.

## 7.5 Reason No. 4 – Determining impact on the integrity of Ballyman Glen SAC

Reason for Refusal No. 4 stated as follows:

*“Having regard to the presence of three historic landfills on the subject site, to the requirement that these landfills would be the subject of authorisations from the Environmental Protection Agency, to the location of these landfills in close proximity to proposed residential development and within amenity and service areas of the site, and to the uncertainty with regard to the final requirements of the Environmental Protection Agency and resolution of the issue, it is considered that the Board cannot, beyond reasonable scientific doubt, determine that the proposed development would not have an adverse effect on the integrity of the Ballyman Glen Special Area of Conservation (Site Code 000713), having regard to the conservation objectives for the site, and that to allow development to proceed would, therefore, be premature, and could lead to works that would seriously injure the amenities of future residents of the*

*development, and that could affect the conservation objectives of the European Site. The proposed development would, therefore, be contrary to the requirements of the Habitats Directive and contrary to the proper planning and sustainable development of the area.”*

Since the issue of this reason for refusal, Wicklow County Council has sought and been issued authorisation from the EPA for the remediation of the historic landfill sites. The remediation measures to be undertaken are now confirmed by way of the Certificates of Authorisation issued by the EPA. Accordingly, planning permission is now sought for the remediation of the landfills in line with the authorisations of the EPA. The planning application measures presented in the Gas Management Strategy also incorporate additional gas management measure for the proposed development.

The NIS accompanying this application has regard to the landfill remediation measures as permitted by the EPA.

There is therefore no longer any uncertainty regarding the final requirements of the EPA which was the basis for concern giving rise to reason for Refusal No. 4 in the previous application. The Board will now be in a position to undertake Appropriate Assessment and make a determination on the implications for the Ballyman Glen SAC within the confines of reasonable scientific doubt. As noted earlier in this report, the remediation proposals which will have some impact on the groundwater regime at the overall lands (a reduction in groundwater recharge due to the capping of landfill sites) have already been subject of AA by the EPA and were determined by it not to give rise to adverse impacts on the integrity of Ballyman Glen SAC. The additional development now subject of the current application is designed so as to allow water elsewhere on the site (other than the landfill areas) to recharge to groundwater at its pre-development rates and at widespread locations across the site.

In any event, An Bord Pleanála will now be in a position of clarity on the final requirements of the EPA so that it will have sufficient information available to it to make a sound and informed Appropriate Assessment determination.

## 8 CONCLUSION

Overall, it is considered that the proposal is an acceptable development of the lands at Fassaroe. The proposal is in line with the development goals for Fassaroe as set out in the Bray Municipal District Local Area Plan and forms a comprehensive Phase 1(a) scheme for the implementation of the Action Area Plan of Fassaroe.

The proposed development includes a number of ancillary works for the area, including the construction of a link road between the N11 and Ballyman Road, remediation works to historic landfill sites, 15.3ha of district park/open space, and the provision of water and electrical services throughout the area. It is therefore considered that the proposed development serves as a suitable first phase of development in Fassaroe from which future phases can be developed.

The proposed 650 no. residential units comprise a suitable mix of houses and apartments of various sizes. These units have been designed and laid out into different character areas to provide an attractive and varied built form. Following the development of the associated works including those detailed above, these units will be implemented in appropriate stages. It is proposed the construction of the dwellings will move from east to west, with the units closest to Bray being provided first. These units are primarily comprised of apartments. The second phase will include a greater proportion of houses. Once completed, the development will serve as an appropriate expansion to Bray town while also providing sufficient amenities for use by the wider population in the area.



## **Appendix A**

### **Letter from WCC re. Proposed Action Area Plan**



# Comhairle Contae Chill Mhantáin Wicklow County Council

## Forbairt Pleanála agus Comhshaol Planning Development and Environment

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**Maria Lombard  
RPS Consulting,  
Innishmore,  
Ballinacollig,  
Cork P31 KR68**

Date : 1<sup>st</sup> November 2021.

RE : Fassaroe Proposed Action Area Plan

Dear Ms Lombard,

I am writing in reference to the Proposed Action Area Plan submitted on the 28<sup>th</sup> September 2021 by RPS in respect of AAP1 : Fassaroe. This Action Area is submitted having regard to the zoning objectives, and Action Area criteria set out in the Bray Municipal District Plan 2018. On initial review of the proposed Action Area Plan, it is considered that this Plan would appear, in principle, to accord with the zoning objectives and overarching Action Area criteria identified in the Bray Municipal District Plan 2018. The Planning Authority would intend to issue this Proposed Plan to all stakeholders encompassed by the Action Area boundary, to seek their comment, before final assessment, and potential Approval.

Regards,

Edel Bermingham SEP



## **Appendix B**

# **N11 Junction 6 Traffic Management Framework Agreement**



# N11 Junction 6 Traffic Management Framework Agreement

**WICKLOW COUNTY COUNCIL**

Technical Note

September 2020

Client:  
Wicklow County Council,  
County Buildings,  
Station Road,  
Wicklow,  
Co. Wicklow.





## DOCUMENT CONTROL SHEET

Client	Wicklow County Council
Project Title	N11 Junction 6 Traffic Management Framework Agreement
Project Phase	
Document Title	Technical Note

Issue	Status	Author(s)	Reviewed By	Approved By	Issue Date
1	Final Draft		DO'B	MF	Sept 2020

## 1.0 INTRODUCTION

As described in the NTA coordinated Bray and Environs Transport Study, a traffic management framework is to be established between Wicklow County Council and TII. The aim of the Framework is to identify appropriate local and national road mitigation measures which will facilitate traffic monitoring and management of queuing in the vicinity of the Junction 6, N11 Interchange and also facilitate the development of the lands at Fassaroe.

A proposed agenda for the draft traffic management framework was drafted as part of the Bray and Environs Transport Study. This agenda is included in Appendix A and the items identified therein are referenced in the following sections.

The recommendations set out within this framework include installation of several traffic management measures. The details of these measures will be subject to further detailed design and will be agreed with the relevant stakeholders throughout this design process.

## 2.0 TRAFFIC MANAGEMENT FRAMEWORK AGREEMENT

### 2.1 Identification of Appropriate Traffic Modelling to be Undertaken

The type and extent of modelling to be undertaken was identified in a scoping document prepared in May 2019 and agreed by all parties. Microsimulation was agreed as the most appropriate modelling type and the extent of this is as shown in the figure below.

**Figure 0-1 - Agreed Microsimulation Model Extent**



The completed model includes for all existing geometry within the study extents with volumes and journey times calibrated for both the AM and PM peak periods (3+ hours). Future year scenarios have been modelled to include committed infrastructure upgrades such as the N11 Junction 8 upgrade scheme and committed development throughout the Bray area. The results of this modelling are detailed in the Microsimulation Modelling Results Report (doc ref: 5186693DG0058) and the recommendations set out within are included in and inform the recommendations below.

## **2.2 Identification of Required Existing Bray North Internal Road Network Modifications**

In line with the BETS requirements Wicklow County Council is undertaking infrastructure improvements on Upper Dargle Road, Castle Street (Bray Bridge) and Main Street in Bray that will complement the Bus Connects Core Bus Corridor proposals and significantly improve bus journey times. These improvements will facilitate the efficient operation of bus services between Fassaroe and Bray town centre and DART Station.

Proposals on Upper Dargle Road are being prepared to provide bus priority in the Little Bray area between Junction 6 Fassaroe and the Sunnysbank Junction, where it will tie-into existing bus priority infrastructure on Dublin Road and Castle Street. The current priority measures on Dublin Road and Castle Street will be further enhanced by the National Transport Authority as part of the Route 13 Bray Core Bus Corridor project. The Little Bray scheme is programmed for construction completion before the end of 2021, in advance of the first occupations in Fassaroe.

The works that Wicklow County Council are designing, including the Bray Bridge and on Main Street will further extend the Bus Connects proposals south of the river in Bray offering fully enhanced bus priority measures from Fassaroe to Bray Main Street and DART Station. The Bray Bridge scheme consists of footbridges on either side of the existing bridge and the provision of a southbound bus lane on the existing bridge. The design of this scheme is being coordinated with the Council's Main Street Decongestion Scheme. The latter is, inter alia, being designed to improve bus priority on Main Street. The Bray Bridge scheme is programmed for construction completion in September 2021 which is again ahead of the proposed first occupations in Fassaroe.

In addition to these significant bus priority improvement schemes, detailed design is currently ongoing on the Bray DART Station Transport Interchange scheme. This scheme is being implemented to improve bus interchange at the station together with enhanced pedestrian and cyclist access. This scheme is programmed to be completed construction in early 2021.

## **2.3 Identification of Appropriate Physical Demand Management Measures at N11 Junction 6**

### **2.3.1 CCTV Camera and Traffic Counters**

A CCTV camera will be provided at the interchange which will be connected to the Dublin Traffic Management and Incident Centre. The preferred location for this will be agreed prior to installation. Detection loops will be provided on both on-ramps in conjunction with traffic signals as part of the installation and operation of ramp metering. These loops will also be used as traffic counters to monitor traffic movements entering the N11 at Junction 6.

### **2.3.2 Queue Detection and Traffic Monitoring Units**

TMUs will be installed on the N11 mainline on the approach to the junction in both directions. The location of these will be agreed with TII, noting the presence of an existing TMU 500m north of the southbound off-ramp at Junction 6.

The recommended option for traffic management at N11 Junction 6 is to maintain the existing priority operation of the two roundabouts. The results of the modelling for all scenarios including priority operation indicate that there are minimal queues and delays on all arms of the roundabouts at Junction 6 and therefore the installation of queue detection on the N11 off-ramps is not required.

### **2.3.3 Appropriate Traffic Signals at N11 Junction 6**

The results of the modelling for all scenarios ultimately conclude that traffic signals are not recommended at Junction 6. Whilst signals have a small benefit to travel times on the N11, the installation of signals would have a significant negative impact on traffic travelling through the two Junction 6 junctions, including ultimately significant queues and delays on multiple arms with potential to impact on the N11 mainline. These queues and delays would also have a corresponding significant negative impact on the public transport bus routes travelling across the N11 through Junction 6.

In all modelled scenarios, the results indicate that there is more than sufficient capacity at the existing roundabout to cater for predicted traffic volumes with minimal queues and delays. These minimal queues and delays also determine that no further measures are required to prioritise bus movements through the two junctions across the N11. It is therefore recommended to retain the two priority-controlled roundabouts in their current layout.

In order to provide the ability to control traffic accessing the N11 when necessary, ramp metering signals will be introduced on the northbound and southbound on-ramps at Junction 6 with associated traffic detection and control equipment to allow demand management to be employed, if necessary. These measures, in coordination with the CCTV cameras and traffic monitoring and equipment will allow for appropriate control of traffic at N11 Junction 6 when required.

## **2.4 *Assessment of Potential for Additional Storage on Diverge Lanes***

In all modelled scenarios with the retention of the current roundabout priority control there is minimal queueing and delays on all arms of the Junction 6 roundabouts, including the N11 diverge lanes. Therefore, no additional storage on these lanes is required.

## **2.5 *Appropriate Safety Standards***

No changes to existing road geometry or junction controls are proposed. Ramp metering signals, CCTV cameras and traffic monitoring equipment will be installed. There will, therefore, not be any significant changes to the operation or safety of the junction when compared to the existing scenario. The proposed traffic management measures will be subject to a Road Safety Audit process.



## ***2.6 Compatibility of the Framework with M11 Junction 4 to Junction 14 Improvement Scheme***

The scope of the framework and the recommendations herein incorporate the retention of the current roundabout priority operation and the introduction of ramp metering at the two on ramps along with provision of CCTV cameras and traffic monitoring equipment. In this context it can be concluded that these recommendations would not prejudice, and would be compatible and complimentary with, the progression of the M11 N11/M11 Junction 4 to Junction 14 Improvement Scheme. It is recognised that some of these recommendations may be superseded by the N11 upgrade scheme which will incorporate any required appropriate upgrade of this junction in accordance with that project's overall objectives.

## ***2.7 Appropriate Mechanism for Delivery***

The delivery mechanisms for infrastructure will be contingent on the ongoing transport improvement proposals at and adjacent to the Fassaroe junction. These include, but are not limited to, the M11/N11 Junction 4 to 14 scheme, M11 Bus priority scheme, pedestrian and cycle bridge over the N11 and links to Bray town centre, Bus priority on the Upper Dargle Road and the development of lands at Fassaroe.

## APPENDIX A - AGENDA FOR DRAFT TRAFFIC MANAGEMENT FRAMEWORK AGREEMENT

### NTA Bray and Environs Transport Study

#### Item: Proposed Agenda for Draft Traffic Management Framework Agreement

As described in the NTA coordinated Bray and Environs Transport Study, a traffic management framework is to be established between Wicklow County Council and TII. The aim of the Framework is to identify appropriate local and national road mitigation measures which will facilitate traffic monitoring and management of queuing in the vicinity of the Junction 6, N11 Interchange and also facilitate phase 1 (a) Fassaroe development proposal of 658 houses and associated supporting facilities.

The agenda for the Framework should include for following:

1. The identification of appropriate traffic modelling to be undertaken to establish the capacity of the junction within the existing N11/M11 traffic regime. The scope of the modelling and its nature to be agreed between TII and Wicklow County Council.
2. Subsequent to item no. 1, identification of required existing Bray North internal road network modifications to alleviate/manage/limit traffic congestion on the N11 and associated local road network (bus priority, widening, dedicated left/right turns, signalling etc.),
3. The identification of appropriate physical demand management measures to “limit” the amount of traffic accessing the N11 at agreed peak hours. Infrastructural requirements to be investigated as part of this process include:
  - a) CCTV camera at the interchange to be connected to the Dublin Traffic Management and Incident Centre, together with traffic counters to monitor traffic movements exiting and entering M11 at J6.
  - b) Queue detection technology, and traffic monitoring units on the mainline N11 in advance of the off ramps.
  - c) Appropriate Traffic signals Junction 6 and local road network in the vicinity including Upper Dargle Road, La Vallee and Fassaroe Link Road to be connected to the Dublin Traffic Management and Incident Centre.
4. Assessment of potential for modification to Interchange to give additional storage on diverge lanes.
5. Demonstration that all appropriate safety standards can be addressed.
6. Demonstration that the outcomes of the Framework will need to be compatible and complementary to the progression of the M11 N11/M11 Junction 4 to Junction 14 Improvement Scheme.
7. Appropriate mechanisms for delivery. The cost of the design and implementation of this infrastructure shall not be borne by TII therefore Wicklow County Council will devise the appropriate mechanisms for delivery.

## **Appendix C**

# **TII Response to Junction 6 Traffic Management Proposals**

Michael Flynn  
Senior Engineer  
Wicklow County Council

By email: Michael Flynn <MiFlynn@wicklowcoco.ie>

Dáta | Date  
1 October, 2020

Ár dTag | Our Ref.  
TII20-110924

**Re. N11 Junction 6 Traffic Management Framework Agreement**

Dear Mr. Flynn,

I wish to welcome and acknowledge receipt of your email of 9 September, 2020, in relation to the above matter which included the Technical Note dated September, 2020, titled N11 Junction 6 Traffic Management Framework Agreement.

The Technical Note addresses the Draft Traffic Management Framework Agreement Agenda agreed between Wicklow County Council and TII in response to the requirements outlined in Table 3.1 of the NTA Bray and Environs Transport Study, 2019, in order to facilitate the development of 650 residential units and appropriate residential support facilities on the lands at Fassaroe.

TII welcomes the commitments and proposals outlined in the Technical Note and can confirm general agreement to the proposals outlined by Wicklow County Council, subject to the following;

- An appropriate scheme or arrangement is in place to deliver all the proposed measures as TII will not be responsible for the costs of mitigation required to facilitate private development proposals impacting the national road network.
- All proposed measures to be in place prior to the first occupation of any residential unit on the proposed Fassaroe lands.
- In the interests of completeness, queue detectors on the off-ramps shall be installed. In particular, the southbound off ramp (eastern roundabout) is a very compact arrangement and potential queuing all the way through the junction is a possibility which will require monitoring.
- Appropriate Traffic signals at Junction 6 and local road network in the vicinity, are to be connected to the Dublin Traffic Management and Incident Centre/Motorway Traffic Control Centre.
- In accordance with the NTA Bray and Environs Transport Study (April, 2019), the Traffic Management Framework Agreement facilitates the development of 650 residential units and appropriate residential support facilities on the lands at Fassaroe. Further phases of the build out of the lands at Fassaroe are required to be governed by a separate implementation and monitoring plan to be developed by the Council. It is TII's understanding that work on this requirement has not yet commenced.

Subject to your commitment to the above provisions, TII will arrange for formal confirmation of TII's agreement with proposals outlined in the Technical Note to issue to the Council and the NTA.

Yours sincerely,



Tara Spain,  
Head of Land Use Planning.

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## **Appendix D**

# **NTA Response to Junction 6 Traffic Management Proposals**

Mr Michael Flynn,  
Senior Engineer,  
Wicklow County Council

9<sup>th</sup> October 2020

**Re. N11 Junction 6 Traffic Management Framework Agreement**

Dear Mr Flynn,

The NTA welcomes the receipt of your email of the 9<sup>th</sup> September and the attached Technical Note related to the Traffic Management Framework Agreement for the development of Fassaroe.

The NTA is of the view that, subject to the agreement of Transport Infrastructure Ireland (TII) and subject to the progress in the delivery of bus priority between Fassaroe and Bray Rail station, the proposals contained within the technical note are sufficient to accommodate a development of approximately c.650 residential units, as per the Bray and Environs Transport Study (BETS). The NTA would like to highlight the additional requirements set out for this first phase of the development of Fassaroe in section 3.2 of the BETS, namely:

- a) That the proposed development provides fully for walking and cycling trips to all local services within Fassaroe;
- b) That the applicant will provide a bus service to Bray DART station in advance of demand justifying public investment as part of the expansion of the bus network under BusConnects;
- c) That the applicant has fully assessed a requirement for a bus service to Bride's Glen or Cherrywood Luas and provides same if demand is deemed sufficient in advance of demand justifying public investment as part of the expansion of the bus network under BusConnects; and
- d) That the applicant demonstrates how demand for travel to schools from Fassaroe can be accommodated without undue recourse to the private car.

As required under section 3.3 of the BETS, further phases of the build out of these lands beyond c.650 units are to be governed by a separate implementation and monitoring plan to be developed by Wicklow County Council (WCC) with input from the NTA and TII.

Subject to the above, the NTA will confirm our agreement with the proposals outlined in the Technical Note and issue same to WCC and TII.

Yours sincerely,



---

Michael MacAree  
**Head of Strategic Planning**

**Appendix E**  
**TII Traffic Management Framework Agreement,**  
**16/04/2021**

Michael Flynn  
Senior Engineer  
Transportation & Roads Infrastructure Department.  
Wicklow County Council

By email: Michael Flynn <MiFlynn@wicklowcoco.ie>

Dáta | Date  
16 April, 2021

Ár dTag | Our Ref.  
TII20-110924, TII21-112999

## Re. N11 Junction 6 Traffic Management Framework Agreement

Dear Mr. Flynn,

I wish to welcome and acknowledge receipt of your emails of 8<sup>th</sup> and 12<sup>th</sup> April 2021 (see attached) in relation to the above matter and material included in the Technical Note dated September, 2020, entitled N11 Junction 6 Traffic Management Framework Agreement.

The Technical Note addresses the Draft Traffic Management Framework Agreement Agenda agreed between Wicklow County Council and TII in response to the requirements outlined in Table 3.1 of the NTA Bray and Environs Transport Study, 2019, in order to facilitate the development of 650 residential units and appropriate residential support facilities on the lands at Fassaroe. In response to this note, TII requested a number of commitments by letter dated 1<sup>st</sup> of October 2021 from Wicklow County Council.

For clarity, Wicklow County Councils responses, in above mentioned emails, are denoted in red to TII's letter dated 1<sup>st</sup> of October 2021 are as follows:

- An appropriate scheme or arrangement is in place to deliver all the proposed measures as TII will not be responsible for the costs of mitigation required to facilitate private development proposals impacting the national road network.

Wicklow County Council envisage that any grant of planning permission will condition the developer to pay for the cost of the traffic management infrastructure as set out in the framework agreement. Otherwise Wicklow county council will deliver this infrastructure at their own cost.

- All proposed measures to be in place prior to the first occupation of any residential unit on the proposed Fassaroe lands.

The Bray Transport Study agreed by all parties' sets out the timeframe for delivery of the traffic management measures at junction 6. These traffic management measures are required to be in place prior to the first occupancy of any residential unit at the Fassaroe development. This matter will be dealt with by way of a condition of any grant of planning permission.

- In the interests of completeness, queue detectors on the off-ramps shall be installed. In particular, the southbound off ramp (eastern roundabout) is a very compact arrangement and potential queuing all the way through the junction is a possibility which will require monitoring.

Wicklow County Council will ensure that queue detectors will be installed on the off ramps and monitored as requested.

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- Appropriate traffic signals at Junction 6 and local road network in the vicinity, are to be connected to the Dublin Traffic Management and Incident Centre/Motorway Traffic Control Centre.

Wicklow county council will ensure that Traffic signals at Junction 6 and the local road network in the vicinity are connected to the Dublin Traffic Management and Incident Centre/Motorway Traffic Control Centre.

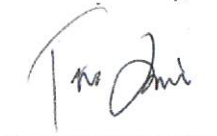
- In accordance with the NTA Bray and Environs Transport Study (April, 2019), the Traffic Management Framework Agreement facilitates the development of 650 residential units and appropriate residential support facilities on the lands at Fassaroe. Further phases of the build out of the lands at Fassaroe are required to be governed by a separate implementation and monitoring plan to be developed by the Council. It is TII's understanding that work on this requirement has not yet commenced.

Further phases of the build out of the Fassaroe Lands are recommended to be governed by a separate implementation and monitoring plan to be developed by Wicklow County Council with input from the NTA and TII, in accordance with Section 3.3 of the Bray and Environs Transport Study. (Clarified in email dated 12<sup>th</sup> April 2021)

As a result of these commitments outlined above by Wicklow County Council, TII can now confirm agreement to the proposals outlined by Wicklow County Council for N11 Junction 6 Traffic Management Framework Agreement in order to facilitate the development of 650 residential units and appropriate residential support facilities on the lands at Fassaroe.

TII looks forward to inputting with the NTA into the further phases of the build out of the lands at Fassaroe which are required to be governed by a separate implementation and monitoring plan to be developed by the Council in due course.

Yours sincerely,



Tara Spain,  
Head of Land Use Planning.

## Spain Tara

---

**From:** Michael Flynn <mflynn@wicklowcoco.ie>  
**Sent:** Monday 12 April 2021 13:27  
**To:** Landuse Planning  
**Cc:** Spain Tara; Douglas Winston; Fitzsimons John; Colm Lavery; John Bowes; Deirdre Forde; 'Michael MacAree'; 'David Clements'; Keenan Declan  
**Subject:** RE: Fassaroe Meeting Requirements and Response

Hi Tara

Yes –I can confirm that further phases of the build out of the Fassaroe Lands are recommended to be governed by a separate implementation and monitoring plan to be developed by Wicklow County Council with input from the NTA and TII, in accordance with Section 3.3 of the Bray and Environs Transport Study.

Regards,

Michael

---

**From:** Landuse Planning [mailto:LandUsePlanning@tii.ie]  
**Sent:** 12 April 2021 12:48  
**To:** Michael Flynn  
**Cc:** Spain Tara; Douglas Winston; Fitzsimons John; Colm Lavery; John Bowes; Deirdre Forde; 'Michael MacAree'; 'David Clements'; Keenan Declan  
**Subject:** RE: Fassaroe Meeting Requirements and Response

Michael

Thank you for this email.

Before we can sign off , could you please clarify that in accordance with Section 3.3 Further Phases of Fassaroe of the Bray and Environs Transport Study that further phases of the build out of these lands are recommended to be governed by a separate implementation and monitoring plan to be developed by Wicklow County Council with input from the NTA and TII rather than a traffic management and monitoring plan as indicated in the email below.

Both the developer and ABP should be aware of this requirement.

Regards

Tara

Tara Spain  
[Head of Land Use Planning  
**Transport Infrastructure Ireland**  
Parkgate Business Centre, Parkgate St., D08 DK10, Ireland.  
[ web: [www.tii.ie](http://www.tii.ie)  
[email:LandUsePlanning@tii.ie  
[t:+353 1 6463600



**From:** Michael Flynn <mflynn@wicklowcoco.ie>

**Sent:** Thursday 8 April 2021 15:45

**To:** Landuse Planning <LandUsePlanning@tii.ie>

**Cc:** Spain Tara <Tara.Spain@tii.ie>; Douglas Winston <Winston.Douglas@tii.ie>; Fitzsimons John <John.Fitzsimons@tii.ie>; Colm Lavery <clavery@wicklowcoco.ie>; John Bowes <JBowes@wicklowcoco.ie>; Deirdre Forde <DMForde@wicklowcoco.ie>; 'Michael MacAree' <michael.macaree@nationaltransport.ie>; 'David Clements' <David.Clements@nationaltransport.ie>

**Subject:** RE: Fassaroe Meeting Requirements and Response

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Hi Tara

I refer to your correspondence in response to the draft N11 Junction 6 Traffic Management Framework Agreement. We have been liaising with the project team working on the M11/N11 Junction 4 to Junction 14 scheme and you might ensure that all departments in TII are fully briefed on the proposed Framework Agreement.

I would respond to the issues raised in your correspondence as follows;

- An appropriate scheme or arrangement is in place to deliver all the proposed measures as TII will not be responsible for the costs of mitigation required to facilitate private development proposals impacting the national road network.  
Wicklow County Council envisage that any grant of planning permission will condition the developer to pay for the cost of the traffic management infrastructure as set out in the framework agreement. Otherwise Wicklow county council will deliver this infrastructure at their own cost.
- All proposed measures to be in place prior to the first occupation of any residential unit on the proposed Fassaroe lands.  
The Bray Transport Study agreed by all parties sets out the timeframe for delivery of the traffic management measures at junction 6. These traffic management measures are required to be in place prior to the first occupancy of any residential unit at the Fassaroe development. This matter will be dealt with by way of a condition of any grant of planning permission.
- In the interests of completeness, queue detectors on the off-ramps shall be installed. In particular, the southbound off ramp (eastern roundabout) is a very compact arrangement and potential queuing all the way through the junction is a possibility which will require monitoring.  
Wicklow County Council will ensure that queue detectors will be installed on the off ramps and monitored as requested.

- Appropriate Traffic signals at Junction 6 and local road network in the vicinity, are to be connected to the Dublin Traffic Management and Incident Centre/Motorway Traffic Control Centre.  
Wicklow county council will ensure that Traffic signals at Junction 6 and the local road network in the vicinity are connected to the Dublin Traffic Management and Incident Centre/Motorway Traffic Control Centre.

As agreed in the Bray Transport Study, further build out of the Fassaroe site will be governed by a further traffic management and monitoring plan.

My understanding is that the developer is scheduled to meet with ABP for a pre-planning meeting in the coming weeks. I trust it is order to inform ABP that the N11 Junction 6 Traffic Management Framework Agreement in respect of the initial 650 units at Fassaroe is in place subject to formal sign-off by TII.

Regards,

Michael

---

**From:** Landuse Planning [<mailto:LandUsePlanning@tii.ie>]

**Sent:** 06 October 2020 15:54

**To:** Michael Flynn

**Cc:** Spain Tara; McCormack Michael; 'David Clements ([David.Clements@nationaltransport.ie](mailto:David.Clements@nationaltransport.ie))'; Kangley Virginia; Douglas Winston; Keenan Declan

**Subject:** FW: Fassaroe Meeting Requirements and Response

Hello Michael

I forward TII's feedback on the draft framework agreement.

As indicated Subject to the Council's commitment to the provisions outlined in the letter, TII will arrange for formal confirmation of TII's agreement with proposals outlined in the Technical Note to issue to the Council and the NTA.

Regards

Tara

Tara Spain  
[Head of Land Use Planning  
**Transport Infrastructure Ireland**  
[ web: [www.tii.ie](http://www.tii.ie)  
[email:[LandUsePlanning@tii.ie](mailto:LandUsePlanning@tii.ie)



[www.tii.ie](http://www.tii.ie)

[info@tii.ie](mailto:info@tii.ie)

+353 (01) 646 3600

---

**From:** Michael Flynn <[MiFlynn@wicklowcoco.ie](mailto:MiFlynn@wicklowcoco.ie)>

**Sent:** Wednesday 9 September 2020 21:10

**To:** Landuse Planning <[LandUsePlanning@tii.ie](mailto:LandUsePlanning@tii.ie)>; Michael Flynn <[MiFlynn@wicklowcoco.ie](mailto:MiFlynn@wicklowcoco.ie)>



Cc: 'Michael MacAree' <[michael.macaree@nationaltransport.ie](mailto:michael.macaree@nationaltransport.ie)>; McCormack Michael <[Michael.McCormack@tii.ie](mailto:Michael.McCormack@tii.ie)>; David Clements <[David.Clements@nationaltransport.ie](mailto:David.Clements@nationaltransport.ie)>; Spain Tara <[Tara.Spain@tii.ie](mailto:Tara.Spain@tii.ie)>; Colm Lavery <[clavery@wicklowcoco.ie](mailto:clavery@wicklowcoco.ie)>; Declan O'Brien <[DPOBrien@wicklowcoco.ie](mailto:DPOBrien@wicklowcoco.ie)>; 'Boyle, Kieran' <[Kieran.Boyle@atkinsglobal.com](mailto:Kieran.Boyle@atkinsglobal.com)>  
**Subject:** RE: Fassaroe Meeting Requirements and Response

Hi to All

Please find attached draft N11 Junction 6 Traffic Management Framework Agreement.

The draft framework agreement is proposed on the basis of extensive modelling and assessment of options for traffic management at N11 junction 6, and in response to the comments and feedback received in relation to this work.

I would draw you attention to the conclusion that the provision of traffic signals are not recommended at this junction. Notwithstanding the foregoing, traffic signals will be provided on the northbound and southbound on-ramps at Junction 6 with associated traffic detection, control equipment and CCTV to allow demand management to be employed, if necessary.

Can you please let me have your comments on the draft framework agreement.

Regards,

Michael

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## Appendix F

# NTA Agreement to Public Transport Access Strategy

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**Subject:**

FW: NTA Feedback - Fassaroe PTAS

---

**From:** David Clements [<mailto:David.Clements@nationaltransport.ie>]**Sent:** 17 January 2022 13:16**To:** Michael Flynn**Cc:** Michael MacAree**Subject:** NTA Feedback - Fassaroe PTAS

Hi Michael,

We reviewed the PTAS for Fassaroe and have the following comments:

- NTA are satisfied with the overall approach to bringing bus services through Fassaroe;
- For Phase 1, this can be achieved either by diverting the 185 (L15) as proposed, or more amenably, by the provision of an additional service to meet demand from Fassaroe specifically without running services on to Enniskerry;
- The applicant / WCC will be required to identify a turning / layover area in Fassaroe for 2 buses for Phase 1. This will need to be expanded in later phases as additional services and higher frequencies come on stream;
- For later phases, the NTA is satisfied that the approach proposed is broadly consistent with the Bray and Environs Transport Study and, in the context of the emerging Transport Strategy Park & Ride proposals for Fassaroe, can deliver the public transport services required;
- The above is based on the condition that other measures as agreed previously by NTA, TII and WCC (titled N11 Junction 6 Traffic Management Framework Agreement) are in place which will encourage the use of sustainable transport modes and protect the capacity of the N11;
- The above comments relate to the Public Transport elements of the application only and the NTA reserves the right to submit observations and recommendations on all other aspects of any planning application which may come forward for development at Fassaroe, as they relate to impacts on transportation.

I have told Peter Foley of Atkins that our feedback has been sent to WCC and that if another meeting is required, we can attend.

Regards,  
David


---

Tá eolas sa teachtaireacht leictreonach seo a d'fhéadfadh bheith príobháideach nó faoi rún agus b'fhéidir go mbeadh ábhar rúnda nó pribhléideach ann. Is le h-aghaidh an duine/na ndaoine nó le h-aghaidh an aonáin atá ainmnithe thuas agus le haghaidh an duine/na ndaoine sin amháin atá an t-eolas. Tá cosc ar rochtain don teachtaireacht leictreonach seo do aon duine eile. Murab ionann tusa agus an té a bhfuil an teachtaireacht ceaptha dó bíodh a fhios agat nach gceadaítear nochtadh, cóipeáil, scaipeadh nó úsáid an eolais agus/nó an chomhaid seo agus b'fhéidir d'fhéadfadh bheith mídhleathach.

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