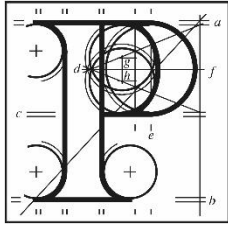


## Appendix 2.2 – Scoping Responses Received



An  
Bord  
Pleanála

**Case Reference:**  
**ABP-308291-20**

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

### **Notice of Pre-Application Consultation Opinion**

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**Proposed Development: 564 no. residential units (96 no. houses, 468 no. apartments), childcare facility and associated site works.**

**Former Bray Golf Club Lands, Off Ravenswell Road and Dublin Road, Bray, Co. Wicklow and Co. Dublin.**

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

An Bord Pleanála considers that the following issues need to be addressed in the documents submitted that could result in them constituting a reasonable basis for an application for strategic housing development.

#### ***Design and Layout***

1. Further consideration / amendment or justification of the design and layout of Block 1C to provide a strong urban edge for the development, in particular the ground floor uses on the southern elevation which front onto the 'Market Square' and future potential Luas Line.

2. Further consideration / amendment or justification of the scale and bulk of Block 1D having regard to the residential amenities of the adjoining properties and the visual amenities of Woodbrook Glen and the open space zoning objective of lands located to the north of the site.
3. Further consideration / amendment or justification of the proposed surface level car parking at 'The Orchard' along the southern site boundary, having regard to the proximity to existing and proposed public transport infrastructure and the potential negative impact of surface level car parking on the public realm.

### **Water Services**

4. Further consideration of the relocation of Irish Water infrastructure located underneath 'The Orchard' in the south west portion of the site having regard to its potential negative impact on the development potential of the site and the public realm. In the event that the infrastructure is not to be relocated then a justification should be submitted at application stage that seeks to address, *inter alia*, the potential negative impact on the development potential of the site and the public realm at this location.
5. Further consideration / amendment or justification of the design of the storm water management proposals, including the location of attenuation tanks, having regard to existing underground infrastructure within the site and to all available flood maps / information regarding the potential for pluvial, fluvial and coastal / tidal flood risk within the site. A site-specific Flood Risk Assessment should be submitted. Further consideration of the concerns raised in the report of Dun Laoghaire Rathdown County Councils Drainage Planning Section dated 12<sup>th</sup> October 2020 and concerns raised under the Drainage section of Wicklow County Councils written opinion dated 28<sup>th</sup> October 2020.
6. Further consideration / amendments of the documents as they relate to foul water drainage proposals to service the development. The documents should provide details of necessary upgrade works required to facilitate the development to include, *inter alia*: plans and particulars, having regard to the wastewater network constraints raised by Irish Water in their report dated 22<sup>nd</sup> October 2020.

## ***Transportation***

7. Further consideration of the documents as they related to access and emergency access to the site. Clarity is to be provided concerning who is to deliver the proposed road network; the status of any planning and other consents required to deliver the infrastructure; the timelines involved in the delivery of the required infrastructure in the context of the proposed strategic housing development. Further consideration of the concerns raised in the report of Dun Laoghaire Rathdown County Councils Transportation Planning Section dated 13<sup>th</sup> October 2020 and concerns raised in the report of Wicklow County Councils Roads Section dated 15<sup>th</sup> October 2020.

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

1. A report that addresses and provides a clear design rationale for the proposed height, density, design and character of residential units and details of the materials and finishes of the proposed development. Particular regard should be had to the requirement to provide high quality, robust and sustainable finishes and details which seek to create a distinctive character for the development, having regard to the coastal and highly visible location of the site.
2. A report that addresses and provides a justification for the proposed housing mix.
3. A building life cycle report in accordance with section 6.3 of the Sustainable Urban Housing: Design Standards for New Apartments (2018).



4. A site layout plan indicating what areas, if any, are to be taken in charge by the planning authority, and the phased delivery of such public open spaces.
5. A phasing plan for the proposed development which includes the phasing arrangements for the delivery of the public open spaces and Part V provision.
6. Childcare demand analysis, including but not restricted to the justification for size of the proposed crèche, having regard to the existing childcare facility in the vicinity of the site, the likely demand and use for childcare places and the accommodation of additional requirement resulting from the proposed development.
7. School Demand and Concentration Report, which identifies demand for school places likely to be generated by the proposal and the capacity of existing schools in the vicinity to cater for such demand.
8. A landscape and permeability plan of the proposed open spaces within the site clearly delineating public, semi-private and private spaces, areas to be gated and proposed boundary treatments, in particular the eastern boundary at the interface with the railway line.
9. Submission of a Traffic and Transport Assessment, including a quality audit of the junctions and road network between the proposed entrance and Castle Street / Dublin Road. The audit should include details of the capacity of the surrounding road network and the impact of the proposed development, details of available sightlines, pedestrian and cycle facilities and recommendations for potential improvements to the public road, if required.
10. Submission of an Archaeological Impact Assessment.
11. Where the applicant considers that the proposed strategic housing development would materially contravene the relevant development plan or

local area plan, other than in relation to the zoning of the land, a statement indicating the plan objective (s) concerned and why permission should, nonetheless, be granted for the proposed development, having regard to a consideration specified in section 37(2)(b) of the Planning and Development Act 2000. Notices published pursuant to Section 8(1)(a) of the Act of 2016 and Article 292 (1) of the Regulations of 2017, shall refer to any such statement in the prescribed format. The notice and statement should clearly indicate which Planning Authority statutory plan it is proposed to materially contravene.

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

1. Department of Education and Skills
2. Irish Water
3. Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media
4. The Heritage Council
5. An Taisce
6. The Commission for Railway Regulation
7. Iarnrod Eireann
8. Transport Infrastructure Ireland
9. Wicklow County Childcare Committee
10. Dun Laoghaire Rathdown Childcare Committee

**PLEASE NOTE:**

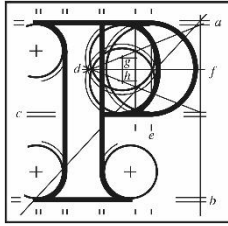
Under section 6(9) of the Planning and Development (Housing) and Residential Tenancies Act 2016, neither the holding of a consultation under section 6, nor the forming of an opinion under that section, shall prejudice the performance by the Board, or the planning authority or authorities in whose area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

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Rachel Kenny

Director of Planning

February, 2021



An  
Bord  
Pleanála

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

### **Inspector's Report on Recommended Opinion ABP-308291-20**

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<b>Strategic Housing Development</b>	564 no. residential units (96 no. houses, 468 no. apartments), childcare facility and associated site works.
<b>Location</b>	Former Bray Golf Club Lands, Off Ravenswell Road and Dublin Road, Bray, Co. Wicklow and Co. Dublin.
<b>Planning Authority</b>	Dun Laoghaire Rathdown County Council and Wicklow County Council
<b>Prospective Applicant</b>	Shankill Property Investments Limited
<b>Date of Consultation Meeting</b>	15 <sup>th</sup> December 2020
<b>Date of Site Inspection</b>	26 <sup>th</sup> November 2020
<b>Inspector</b>	Elaine Power

## 1.0 Introduction

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

## 2.0 Site Location and Description

- 2.1. The site is located at the northern boundary of Bray town centre. It has a stated area of 7.66ha and forms part of a larger landholding of 19ha, that was formerly Bray Golf Course. The lands are currently vacant.
- 2.2. The subject site is irregular in shape. The recently constructed Bray Golf Links (Road) is located along the southern portion of the site and is shown with the blue line boundary. This road provides a pedestrian and cycle link under the railway tracks to the town centre via Bray Harbour.
- 2.3. To the north it is bound the Woodbrook Glen, and the Rathmichael Stream which flows towards the Irish Sea, approx. 50m east of the site, to the south it is generally bound by lands within the ownership of the applicant, to the east by the railway line and to the west by the recently constructed Ravensdale Primary School, 2-storey housing on Croke Abbey and lands which are shown within the blue line boundary
- 2.4. Access to the site is available from Private Road that was constructed to provide access to school site to the west of the subject site. The route of the proposed Luas Green Line Extension to Bray is located to the south of the site.
- 2.5. There is an archaeological site comprising a linear earthwork (Ref. WI004 – DU026-124) running along the administrative boundary of Wicklow County Council and Dun Laoghaire County Council.

### 3.0 Proposed Strategic Housing Development

3.1.1. It is proposed to construct 564 no. residential units comprising 468 no. apartments and 96 no. houses. The site traverses the administrative boundaries of Wicklow County Council and Dun Laoghaire Rathdown County Council. The development would provide 283 no. residential units, 2 no. commercial units and a 668sqm creche on a 4.01 ha site within the administrative boundary of Wicklow County Council and 281 no residential units on a 3.65 ha site within the administrative boundary of Dun Laoghaire Rathdown County Council.

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

Parameter	Site Proposal
Application Site Area	Gross 7.66 ha
No. of Units	564 no.
Density	101 units per ha
Other Uses	Creche
Public Open Space	2.16 ha
Height	2- 8 storeys
Car Parking	635 no. spaces (231 no. surface level and 404 no. basement level).
Bicycle Parking	1,060 no. spaces (822 no. resident spaces and 238 no. visitor spaces)
Vehicular Access	Private Road to the south of the site

3.1.3. The breakdown of unit types as follows: -

Unit Type	1-bed	2-bed	3-bed	4-bed	Total
Houses	-	22 no.	60 no.	-	82 no.
Duplexes	-	-	5 no.	9 no.	14 no.

<b>Apartments</b>	176 no.	242 no.	50 no.	-	468 no.
<b>Total</b>	176 no.	264 no.	115 no.	9 no.	564 no.
<b>% Total</b>	31.2%	46.8%	20.4%	1.6%	-

- 3.2. The proposed development comprises 4 no. blocks ranging in height from 3-8 storeys. Block 1A and Block 1B are located at the eastern boundary of the site with views over the Irish Sea, Block 1C is located on the southern boundary and Block 1D is located on the northern boundary. The 2/3 storey duplex units and the 2-storey houses are provided in a grid pattern on the western and central portions of the site, with the 3-storey elements located on the corners.
- 3.3. Block 1A accommodates 150 no. apartments in 3 no. blocks above podium level. The blocks are 7-storeys in height and are provided on the northern, southern and eastern elements. The western element of the block comprises 9 no. 3-storey townhouses. The units are arranged around a central communal garden on the podium level above 153 no. car parking spaces.
- 3.4. Block 1B is located to the south of Block 1A, it accommodates 170 no. apartments and ranges in height from 7-8 storeys. Due to the topography of the site apartments are proposed on the eastern elevation of the basement level. The block includes 2 no. commercial units with a total gross floor area of 295sqm on the southern elevation of the basement level and a residential amenity area over 2 no. levels with a gross floor area of approx. 200sqm on the western elevation of the ground and first floor levels.
- 3.5. Block 1C is located to the west of Block 1B, along the southern boundary of the site. It accommodates 63 no apartments, 5 no. 3-storey townhouses and a creche and café at ground floor level. The apartments are provided on the eastern and western elements of the block and are 5-storeys in height. The houses are provided on the southern element. 36 no. car parking spaces are proposed at podium level. The units are arranged around a central communal garden. This block would create a strong urban edge to the proposed Green Line Luas Extension. To the front (south) of Block 1C is a 'Market Square' – public open space which would provide a link from the proposed Luas Line to the underpass to the town centre.

- 3.6. Block 1 D is located in the north western portion of the site. It is a 5 storey block comprising 29 no. units. 18 no. surface level car parking spaces are proposed to the rear (north) of this block. This block would provide passive overlooking of Woodbrook Glen, located to the north of the site.
- 3.7. The scheme is designed around 8 no. character areas. A total of 27,083 sqm of open space is proposed, including 5,477sqm of communal open space.

## 4.0 Policy Context

### 4.1. *Bray Local Area Plan 2018 - 2024*

The southern portion of the site is located within the settlement boundary for Bray and is zoned Mixed Use with the associated land use objective '*to provide for mixed use development*'.

The appeal site also forms part of a larger area which has the objective SLO3 – Former Bray Golf Club which has the potential to deliver 1,000 residential units. The Plan states that it is an objective that this land be developed as a mixed commercial, residential, education / community facilities and open space zone. While only c. 5ha has been developed to date (schools / sports zone) there is an extant permission on the remainder valid until 2020. If this permission is not taken up the plan sets out a number of requirements for the development of the SLO3 lands, which are noted below: -

- *The lands shall be developed as a extension to the existing town centre and shall involve the creation of a number of new streets and squares, where pedestrians and non-motorised forms of transport have priority, where buildings front directly onto streets and squares with active, attractive ground floor frontage;*
- *The design, finishes etc of all buildings shall draw reference and inspiration from the existing traditional town centre and the development shall flow from 'old' to 'new' without jarring distortions of scale, format or design;*
- *Excellent linkages shall be provided from the site to surrounding areas; multiple access points for both vehicles and cyclists / pedestrians shall be developed and in particular, the development shall include linkages through the site*



*between the Dublin Road and Bray seafront / the DART station and public walking route along the river;*

- *Car parking shall generally to located under or within buildings; not more than 20% of the total overall parking provision required for the entire MU area may be located on open surface locations;*
- *The residential element shall generally be delivered in a high-density format with the target provision of 1,000 units in a variety of unit sizes and formats;*
- *Retail development shall be integrated into the development in a manner that flows from the existing retail core of the town and brings vitality and vibrancy to the streets and squares of the new development. Retail floor space (including retail services such as restaurants, hairdressers etc) of not less than 20,000sqm (of which a minimum of 10,000sqm shall be comparison floorspace) will be required;*
- *Non retail commercial floor space, such as offices, professionals services etc of not less than 5,000sqm shall be integrated into the development at both ground and above retail levels;*
- *The existing schools / sports zone shall be retained; excellent access shall be retained to the schools and associated sports facilities and such access shall avoid the need to bring traffic through new residential areas or town shopping streets;*
- *Not less than 2ha shall be developed as public open space;*
- *Any application shall include a detailed phasing programme that ensures the timely delivery of all elements of the SLO. In order to 'kick start' the development, a first phase of housing, being those units that are not integrated into the mixed use retail / commercial element, in conjunction with the public park, may be developed as a 'Phase 1' of the overall development, strictly on the basis of the remaining housing being delivered in tandem with the retail / commercial element.*

**Objective BT2:** *To promote and support the development of significant new retail, retail services, commercial and cultural / community floorspace in Bray, at the following locations:*

- the 'Florentine Centre'(see Objectives for 'Opportunity Site 1' to follow)

- Former Bray golf club lands (see Objectives for SLO 3)

**Objective R05:** *With respect to the major development area at the former Bray Golf Course, excellent linkages shall be provided from the site to surrounding areas; multiple access points for both vehicles and cyclists / pedestrians shall be developed and in particular, the development shall include linkages through the site between the Dublin Road and Bray seafront / the DART station and public walking route along the river.*

Objectives R1, R3, R14, CD1, CD2, CD3, CW1, CW2, RO7, R09, R10, FL1, FL3, B1, B2, GI1 are also considered relevant.

Schedule 10.14(b) and Map H2 of the LAP set out protected views and prospects. It is noted that there are no protected views within the site. however, there are 3 no. protected views in close proximity to the site, in this regard 2 no. views south and 1 no. view west.

#### 4.2. ***Wicklow County Development Plan***

Bray is identified as a Metropolitan Consolidation Town in the settlement strategy. It is the largest town in the County and is located within a strategically important position within the metropolitan area and the eastern gateway of the county. It is a strong active town that provides a higher order economic and social function for its local residents and for residents from other surrounding towns and villages. The population of Bray is expected to increase from 29,339 in 2011 to 40,000 in 2028. This population increase would require an additional 5,378 residential units by 2028.

Table 2.8 notes there is a shortfall of zoned lands in Bray to accommodate the proposed population growth outlined in the core strategy. It is considered that a future LAP for Bray town and environs shall address the zoning shortfall in Bray.

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

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

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

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

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

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

#### 4.3. ***Dun Laoghaire Rathdown Development Plan***

The northern portion of the site is located within the administrative boundary of Dun Laoghaire Rathdown. This portion of the site is zoning 'Objective A' with the associated land use objective '*to protect and-or improve residential amenity*'. A small portion of land located along the northern site boundary is zoned 'Objective F' with the associated land use objective to '*preserve and provide for open space with ancillary active recreational amenities*'.

There is a national monument located within the site which comprises a linear earthwork (Ref. WI004 – DU026-124), which may form part of the Pale Ditch and runs along the administrative boundary between Wicklow County Council and Dun Laoghaire Rathdown County Council. There are 7 no. further recorded archaeological sites within 500m of the subject site.

Chapter 2 of the Plan notes that the Council is required to deliver 30,800 units over the period 2014-2022. Figure 1.3 of the Plan indicates that there are approx. 410 ha of serviced land available which could yield 18,000 residential units.

Section 1.2.5 of the Plan states 'in addition to the major parcels of zoned development land above, the ongoing incremental infill and densification of the existing urban area will generate, overtime and on a cumulative basis, relatively significant house numbers'

Of particular relevance is **Policy UD6: Building Height Strategy**: - 'It is Council policy to adhere to the recommendations and guidance set out within the Building Height Strategy for the County'.

Chapter 2: Sustainable Communities, Chapter 8: Principles of Development and Appendix 9: Building Height Strategy, Policy RES3: Residential Density, RES7: Overall Housing Mix, Policy RES8: Social Housing, Policy SIC11: Childcare Facilities, Policy UD1: Urban Design Principles, Policy UD2: Design Statements, Policy UD3: Public Realm Design, Architectural Heritage Objectives AH1 and AH2 and Section 8.2.3: Residential Development are also considered relevant.

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

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

The site is located with the 'Dublin Metropolitan Area'. The Metropolitan Area Strategic Plan (MASP), which is part of the RSES, seeks to focus on a number of large strategic sites, based on key corridors that will deliver significant development in an integrated and sustainable fashion. Bray is located on the north-south corridor, which is located on the Dart. It is envisioned that this corridor could accommodate a total population increase of 51,000. Lands at the former Bray Golf course are identified for development of new residential communities

With regard to infrastructure Table 5.1 notes that a short to medium term aim is for high capacity bus to Bray and water and wastewater upgrades. It is a long-term aim to facilitate LUAS extension to Bray.

The followings RPOs are of particular relevance:

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

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

#### 4.5. **National Planning Framework (2018)**

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

- National Policy Objective 4: Ensure the creation of attractive, liveable, well designed, high quality urban places that are home to diverse and integrated communities that enjoy a high quality of life and well-being.
- National Policy Objective 13: In urban areas, planning and related standards, including in particular building height and car parking, will be based on performance criteria that seek to achieve well-designed high quality outcomes in order to achieve targeted growth. These standards will be subject to a range of tolerance that enables alternative solutions to be proposed to achieve stated outcomes, provided public safety is not compromised and the environment is suitably protected.

- National Policy Objective 33: Prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location.
- National Policy Objective 35: Increase residential density in settlements, through a range of measures including reductions in vacancy, re-use of existing buildings, infill development schemes, area or site-based regeneration and increased building heights.

#### 4.6. **Section 28 Ministerial Guidelines**

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

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

#### 5.0 **Section 247 Consultation(s) with Planning Authority**

##### 5.1. **Wicklow County Council**

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

- There is an extant permission on the site. Comparison of the proposed development to that previously approved. Indicate compliance with Objective

SLO3 and justify the proposed density, having regard to the proximity to public transport.

- A phasing strategy is required to ensure adequate social infrastructure to accommodate the development.
- Concerns raised regarding the impact of the proposed height of Block 1B on areas of open space. A shadow analysis is required.
- Noted that an EIA is required.
- The visual impact of the development should be assessed, in particular from Bray promenade.
- High quality durable materials are required having regard to the high visibility and coastal location of the site
- Part V proposals should be clearly indicated in the application
- Hard surfaced area for Market Square is not considered to meet the public open space requirement. The approach to open space needs to be justified.
- Concerns regarding surveillance of open space along the eastern site boundary.
- Concerns regarding the capacity of the surrounding road network. It was not envisioned that the access road would serve these lands. Car parking strategy is required.
- Need to maintain a public walkway through open space to the south as a link to walkway along the River.
- Layout should highlight the alignment for the proposed public transport Bridge. Development contribution with regard to this public infrastructure.
- A DMURS compliance statement is required.
- A drainage strategy is required

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

## 5.2. ***Dun Laoghaire Rathdown County Council***

It is stated by the prospective applicant that a formal pre-planning consultation meeting took place with the Planning Authority in relation to the proposed development on the 12<sup>th</sup> August 2020. A summary of the consultants is outlined below: -

Concerns regarding the capacity of the surrounding road network. Demonstrate that there is capacity within the public transport network to accommodate the proposed development.

- This is a sensitive site, within 500 of a coastal zone. Consideration of the proposed height with regard to Appendix 9 of the development plan.
- Concerns regarding the relationship between Block 1A and the open space to the east.
- Assessment of existing capacity of childcare facilities is required.
- Ensure there is no development within lands zoned 'F' – Open Space
- Clarify if Bring Centres would form part of the application.
- A site-specific Flood Risk Assessment is required
- The National Monument on site should be clearly integrated into the development.
- Archaeological potential of the site needs to be addressed
- Linkages to the east, towards the East Coast Cycle Trail should be incorporated into the design.
- Clarity on how the open space along the eastern boundary is accessed and whether it would be publicly available
- Further detail on public lighting is required.

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

## 6.0 Planning History

### ***Subject Site***

**PL39.230246:** Permission was granted in 2010 for the demolition of 4 no. houses and the construction of a mixed use development comprising 603 no. residential units with 57,967sqm retail, 5,797sqm office, 8 screen cinema, 103 bed hotel, 6 no. bars, 11 no. restaurants, 2 no. creches, a doctor's surgery, a dentist surgery, community building, GAA pitch.

Extension of duration expires in 2025.



**PL06D.230215:** Permission was granted in 2010 for mixed use development comprising demolition of existing structures and construction of 348 no. residential units, a retail unit and a café and service infrastructure.

Permission has expired.

### ***Surrounding Sites***

**PL06D.244874, Reg. Ref. D15A/0112:** Permission was granted in 2015 for an access road to serve schools within the former Bray Golf Club lands.

## **7.0 Submissions Received**

***Irish Water:*** noted that to facilitate this connection to the public water network significant upgrades are required, these include but are not limited to the replacement of approx. 450m of existing watermain, in addition approx. 190m is required to connect to the existing network. The applicant be required to fund these upgrades.

With regard to wastewater it is noted that a connection is feasible subject to the completion of the Old Connaught Local Network Reinforcement Project, which is on the current Capital Investment Plan. The estimated time of completion for this project is Q2 2023.

## **8.0 Forming of the Opinion**

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

### **8.2. *Documentation Submitted by Applicant***

The prospective applicant has submitted information pursuant to section 5(5)(a) of the Planning & Development (Housing) and Residential Tenancies Act 2016 and Article 285 of the Planning and Development (Strategic Housing Development) Regulations 2017.

The information submitted included the following: SHD application form, letter of consent from the landowner, Planning Report and Statement of Consistency, Architectural Design Statement, Harbour Point Masterplan, DMURS Statement, Transport Statement, Landscape Design Strategy, Daylight and Sunlight Assessment, Balcony Assessment and Historical Weather Data Analysis, Flood Risk Assessment, Flood Risk Technical Note, Infrastructure Statement, Engineering and Energy Report, Appropriate Assessment Screening Report, Operational Waste Management Plan, Outline Construction Waste Management Plan, Archaeological and Built Heritage Assessment, Tree Survey Report, Building Lifecycle Report, Childcare Demand Analysis and Photomontages / verified Views

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

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

## 9.0 **Planning Authority's Submissions**

### 9.1. ***Wicklow County Council***

In compliance with section 6(4)(b) of the Act of 2016 the planning authority for the area in which the proposed development is located, Wicklow County Council, submitted a note of their section 247 consultations with the prospective applicant and also submitted their opinion in relation to the proposal. These were received by An Bord Pleanála on 28<sup>th</sup> October 2020.

Wicklow County Council's written opinion includes minutes of a pre-planning meeting, planning history, policy context, interdepartmental reports and an assessment of the proposed development. The content of the report is summarised as follows:

***Core Strategy and Settlement Strategy:*** The number of units is acceptable having regard to the targets outlined for the settlement in the core strategy. The development complies with the strategic objectives relating to the overall development strategy and

to the promotion of sustainable land use and transportation as set out in the LAP and development plan.

**Phasing:** The River Quarter as shown in the Masterplan is closer to the town centre than the subject site, Coastal Quarter. On this basis the proposal is not in accordance with the phasing policy of the LAP. However, the particular phasing objectives set out in Objective SLO3 allow for the development of housing in conjunction with a public park.

**Zonings:** The proposed uses are in accordance with the land use zoning objective (Mixed Use). The Masterplan indicates that Phase 2 can accommodate approx. 700 residential units, 20,000sqm retail and 5,000sqm commercial, a public park, public transport bridge and a southern access road. The overall site can accommodate all the uses for which this SLO area is zoned for.

**Objective SLO3:** The development is generally in compliance. However, the proposal to develop the housing in absence of the 2ha public park is not in line with the objective. In addition, the applicant shall ensure that no more than 20% of car parking is provided on open surface location.

**Density:** The suitability of the site for high rise apartments and the proposed density requires consideration. Objective R2 seeks a density of not less than 50 units per ha. The site is located c. 840m from the DART station and c. 750m to the bus corridor.

**Housing Mix:** considered acceptable. Objective HD16 requires the provision for bungalows. However, given the nature of the development bungalows would not be required in this instance.

**Visual Impact:** No objection to the visual impact of the development

**Flooding:** A portion of the southern site boundary is within Flood Zone A. Due to the River Dargle Flood Defence Scheme was completed in 2017 the applicant has considered the southern portion of the site to be classified as Flood Zone B. this requires consideration. Lands located in Flood Zone A require that a justification test be carried out.

**Transport and Accessibility:** Objective R09 seeks to provide a greenway along the northern side of the River Dargle, linking to the Harbour via an underpass. This is provided for within the scheme.

The linkages are provided within and through the site are acceptable and in accordance with Objective R05.

The impact of the development on junctions and capacity of the road network needs consideration. The assessment should include the overall masterplan area and indicate how the scheme is consistent with the measures outlined in the Bray Transport Plan.

The vehicular access from Ravensdale Road was considered temporary at the time that permission was granted for the schools (adjoining site). It was not envisioned that this road would serve a major development.

**Childcare:** If the 1-bed apartments are removed from the calculations there is sufficient capacity within the proposed creche. The applicant should consult with the Wicklow Childcare Committee to ascertain their requirements.

**Quality Design and Amenity for Future Residents:** the applicant shall indicate that the quality of the design is satisfactory. The open space located between the railway link and the apartment blocks is attractive, well supervised and active. The finish and treatment of the eastern elevations and landscaping proposals require careful consideration, in order to avoid a 'tunnel' effect within this open space.

**Car Parking:** Car parking proposals are not in accordance with development plan standards. It is noted that the plan does allow for relaxation of standards at locations where public transport and parking restrictions are available.

**Non-Residential:** Clarification on the proposed uses of the commercial units is required and suitability of its provision at basement level. The general approach of the non-residential uses along the southern boundary, in proximity to the underpass is welcome. Consideration should be given to the omission of residential units at the ground floor of Block 1C and provide access to the creche and café from market square.

The proposed 'landmark' building to the south of the site does not form part of this application. It would provide for mixed use commercial use and would be a hub of activity within the overall development. Consideration should be given to including this block within the development to ensure a cohesive and integrated development.

**Drainage:** Consideration should be given to the location of attenuation tanks within flood zone areas and close proximity to a river.

**Archaeology:** Need to ensure protection of the national monument within the site.

**Part V:** The applicant has had pre-planning discussion with the Housing Department. There is a requirement for 28 no. units. The preference would be for houses.

The Planning Authority considered that the following matters require further consideration: -

## 9.2. **Dun Laoghaire Rathdown County Council**

In compliance with section 6(4)(b) of the Act of 2016 the planning authority for the area in which the proposed development is located, Dun Laoghaire Rathdown County Council, submitted a note of their section 247 consultations with the prospective applicant and also submitted their opinion in relation to the proposal. These were received by An Bord Pleanála on 23<sup>rd</sup> October 2020.

Dun Laoghaire Rathdown County Council's written opinion includes a description of the proposed development, planning history, policy context, departmental reports and an assessment of the proposed development. The content of the report is summarised as follows:

**Principle of Development.** The principle of residential infill development at this location is acceptable.

**Density:** Having regard to the context of the site, and proximity to public transport the proposed development is generally compliant with the development plan and national guidance.

**Building Heights:** Proximity of the blocks to the coast could unduly impact on the visual amenity of the coastal environment. Proximity of Block 1D to the northern

boundary would unduly impact on the adjoining residents. The height of the duplexes and houses is generally considered acceptable. The proposed building heights require further consideration.

Policy UD1 requires that all design is of high quality. Further consideration is required of the proposed north west corner of the development.

**Housing Mix:** Is considered acceptable.

**Residential Standards:** No objection in principle. There are discrepancies between the drawings and the text provided. With regard to dual aspect units. The internal layout drawings should include dimensions / sizes to allow for a full assessment and consideration of all units. Details of proposed screening / treatments of balconies and terraces should also be provided.

Clarity is also required regarding the proposed number of houses / duplex units.

The development plan requires 75sqm of private open space for 4-bed units. The open space provision for House Types H5 does not achieve the minimum standards.

**Design and Massing:** Generally acceptable in principle.

Having regard to the transitional zoning objectives, the proposed separation distances and potential impact on residential amenity consideration of the layout of the proposed apartment elements is recommended.

**External Finishes and Elevations:** Having regard to the coastal location of the site, durable materials should be well considered. Additional photomontage and CGI's relative to the existing built form would be advisable. A Landscape Visual Impact Assessment would be welcomed.

**Residential Amenity:** Potential negative impact on existing adjoining residential properties.

**Permeability:** The principle of proposed access routes and public realm spaces access the site and proposed connections to the existing pedestrian and cyclist links are considered acceptable subject to the orderly management of same.

**Open Space / Public Realm:** The provision of open space is in accordance with development plan standards and national guidance.

**Sunlight and Daylight:** it is recommended that shadow cast analysis images be included for 21<sup>st</sup> March, 21<sup>st</sup> June and 21<sup>st</sup> December.

**Childcare:** it is noted that no details of existing childcare provision were submitted. The applicant should ensure that adequate provision is provided to serve the proposed development.

**Built Heritage:** A portion of the lands is identified as an archaeological site (DU-026-124: Linear Earthwork – Possible Site). This area has informed the layout of the scheme and would be used as open space. The contents of the Archaeological and Built Heritage Assessment are noted.

**Drainage:** In sufficient details have been submitted to full assess the application. A number of issues relating to site investigation details, green roof areas, attenuation storage and run-off, details pertaining to interception and treatment volumes and calculations, plans and particulars and site-specific flood risk assessment are outstanding. The applicant is revised to review the contents of the Drainage Planning Report.

**Transportation:** There are a number of issues of concern, including car parking provision; EV infrastructure; bicycle provision and typology; capacity of surrounding road network; provisions of the Bray Transportation Study; pedestrian and cycle links; road alignment with reference to DMURS; refuse vehicular movements; mobility management; and construction management details. The applicant is advised to review the contents of the Transportation Planning and that details of all finished surface of all routes should be provided.

**Parks and Landscaping:** The quality and quantity of open space is considered acceptable in principle.

**Taking in Charge:** The specifics of areas to be taken in charge should be provided in detail. This is particularly relevant for proposed pedestrian and cycle links from and through the development.

**Part V:** It is proposed to provide 56 units across the entire site, 29 units would be located within the administrative boundary of Dun Laoghaire Rathdown.

**Waste Management:** The contents of the Outline Construction Waste Management Plan and Operational Waste Management Plan are noted.

Having regard to the scale of the development the applicant should consider the potential to provide a local bring centre element as part of the scheme.

**Other Issues:** It is noted that there are some discrepancies in the drawings submitted including the location of doors. These should be removed and clarified prior to lodging an application.

It is noted that the eastern site boundary would be located in excess of 30m from an overhead power line.

**EIAR and AA Screening:** It is noted that an EIAR would be submitted with the application.

It is noted that it is not intended to submit an NIS.

## 10.0 The Consultation Meeting

10.1. A Section 5 Consultation meeting took place via a Conference Call on the 15<sup>th</sup> December 2020, commencing at 15.30. Representatives of the prospective applicant, both Planning Authorities and An Bord Pleanála were in attendance. An agenda was issued by An Bord Pleanála prior to the meeting.

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

1. Settlement Strategy – core strategy, phasing, Objective SLO3 of the Wicklow County Development Plan
2. Development Strategy – height, density, scale and massing, materiality, permeability
3. Open Space
4. Childcare Provision / Social Infrastructure
5. Water Services – flooding and drainage



6. Transportation and Car Parking

7. Any Other Matters

**Item 1:** In relation to the **Settlement Strategy** set out in the Wicklow County Development Plan 2017 – 2023 and Objective SLO3 of the Bray Local Area Plan, ABP representatives sought further elaboration / discussion / consideration on the following:

- Rationale for the proposed development having regard to the phasing principles set out in the Bray LAP and the justification for this development site above the Harbour Quarter site, which is within the ownership of the applicant and sequentially closer to Bray Town Centre.
- Rational of the proposed development having regard to the number of units allocated to Bray in the Wicklow County Development Plan and to the site in the Bray LAP.
- Consideration of the phasing of the development having regard to the proposed number of units, the mix used zoning objective on the southern portion of the site and the provision of adequate social infrastructure to support the development.
- Consideration of the inclusion of the 'Landmark Building' identified within the Masterplan and the mixed-use zoning objective of the southern portion of the site.
- Rationale for the provision of open space within the scheme having regard to Objective SLO3 of the Bray LAP to provide a '2 acre' area of public open space on the overall lands.
- Consideration of any material contravention of the Development Plans or the Bray Local Area Plan.

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

- Rationale for the proposed building height and density of the scheme and the visual impact at this coastal site. Consideration of the impact of height of Block 1D on the Open Space zoning objective 'F' to the north of the site.
- Rationale for the scale and massing of Block 1D and the potential negative impact on the adjoining existing residential estate of Corke Abbey.

- Rationale for the design and layout of Block 1C, which provides for 3-storey town houses along the southern site boundary, fronting out onto Market Square and the future Luas Line. Consideration of relocation of the café and creche unit to front onto the Market Square to provide a strong urban edge.
- Consideration of the relationship between the area of public open space to the east of Blocks 1A and 1B and the ground floor residential units.
- Rationale for location of commercial units at basement level and consideration of the proposed uses within these units.
- Rationale for the location of a car park along the southern site boundary and the potential negative impacts on the public realm.
- Consideration of the proposed elevational treatments and external materials / finishes having regard to the coastal location and the requirement for durable materials.

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

- Justification / rationale for open space provided having regard to Objective SLO3
- Rationale for the 'Coastal Garden' located in the south east portion of the site having regard to its relationship to the overall development and the future 'Landmark Building'. Consideration of the active and passive uses within this space and potential anti-social behaviour having regard to the lack of surveillance and proximity to a high boundary wall with the railway line.
- Consideration of open space at the 'Market Square' differentiating between areas of hard and soft landscaping.
- Justification for 'The Orchard' and the area of private open space and car parking and its impact on open space provision and the public realm.
- Consideration of the visual impact of the podium level car parking and the area of public open space to the east of Blocks 1A and 1B.
- Justification for the proximity of Block 1D to the area of open space to the north of the site which is Zoned 'F' and the impact of the development on this transitional zone, as identified in the Dun Laoghaire Rathdown County Development Plan.

**Item 4:** In relation to childcare provision / social infrastructure, ABP representatives sought further elaboration / discussion / consideration on the following:

- Justification for the proposed capacity of the creche having regard to the housing mix proposed on site and the capacity of existing facilities within the surrounding area.
- Consideration of the capacity of social infrastructure within Bray and the requirement for uses within the scheme to accommodate the number of residential units proposed.

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

- Clarification of Irish Water infrastructure located underneath 'The Orchard' in the south west portion of the site and its potential negative impact on the development of the site. Consideration of the relocation of this infrastructure.
- Clarification of the flood defence works along the River Dargle, to the south of the development site and the impact of these works on the development potential of the site.
- Clarification of potential pluvial, fluvial and tidal flooding and the location of flood zones within the site.
- Justification of the location of attenuation tanks within flood zones
- Consideration of the need for attenuation within the site and further discussion of the proposed drainage network within the site and its impact on potential flooding.
- Consideration of the report from Irish Water regarding the capacity of the wastewater network and upgrades that are required to facilitate the development.

**Item 6:** In relation to the **Traffic and Car Parking**, ABP representatives sought further elaboration / discussion / consideration in relation to:

- Clarification of the existing access to the site and legal right of way / ownership of the surrounding road network.
- Clarification on the operation of the pedestrian / cycle link via the underpass to the east of the site.

- Consideration of future public transport infrastructure within the vicinity of the site and ensure that the proposed development does not impede development.
- Consideration of the impact of traffic generated by the development on the surrounding road network and ensure the information provided in the traffic assessment is robust.
- Consideration of the objectives outlined in the Bray and Environs Transport Study
- Consideration of the cumulative impact of the proposed development and the overall masterplan area.
- Consideration of access for emergency vehicles
- Rationale for the proposed level of car parking having regard to the proximity to existing and proposed public transport infrastructure and the potential negative impact of surface level car parking on the public realm, in particular the surface car park proposed at 'The Orchard' along the southern site boundary.

**Item 7:** In relation to the ***Environmental Considerations***, ABP representatives sought further elaboration / discussion / consideration in relation to:

- Clarification on the timeframe for the application for the 'landmark building' located to the south of the subject site and the requirement for an EIAR to be submitted for this development. Consideration of the cumulative impact on the proposed development and the future / concurrent application for the 'landmark building'.
- Consideration of any potential impacts generated by the development on any designated sites in relation to AA.

10.3. The prospective applicant and the planning authority were given the opportunity to comment and respond to the issues raised by the representatives of ABP. Those comments and responses are recorded in the 'Record of Meeting 308291' which is on file. I have fully considered the responses and comments of the prospective applicant and planning authority in preparing the Recommended Opinion hereunder.

## 11.0 Conclusion and Recommendation

- 11.1. Based on the entirety of the information before me, it would appear that the proposed development falls within the definition of Strategic Housing Development, as set out in section 3 of the Planning and Development (Housing) and Residential Tenancies Act 2016.
- 11.2. I have examined all of the information and submissions before me including the documentation submitted by the prospective applicant, the submissions of the Planning Authority and the discussions which took place at the tripartite meeting. I have had regard to both national policy, via the Section 28 Ministerial Guidelines, and local policy, via the statutory plan for the area.
- 11.3. Having regard to the above, I recommend that the Board serve a notice on the prospective applicant, pursuant to Section 6(7)(b) of the Planning and Development (Housing) and Residential Tenancies Act 2016, stating that it is of the opinion that the documentation submitted with the consultation request under section 5(5) of the Act: **requires further consideration and amendment in order to constitute a reasonable basis** for an application under section 4 of the Planning and Development (Housing) and Residential Tenancies Act 2016.
- 11.4. I would also recommend that the prospective applicant be notified, pursuant to article 285(5)(b) of the 2017 Regulations, that specified information (as outlined hereunder) be submitted with any application for permission that may follow. I believe the specified information will assist the Board at application stage in its decision-making process. I am also recommending that a number of prescribed bodies (as listed hereunder) be notified by the prospective applicant of the making of the application.

## 12.0 Recommended Opinion

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

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

- 12.2. Following consideration of the issues raised during the consultation process, and having regard to the opinion of the planning authority, An Bord Pleanála is of the opinion that the documentation submitted requires **further consideration and amendment to constitute a reasonable basis for an** application for strategic housing development to An Bord Pleanála.

### ***Design and Layout***

1. Further consideration / amendment or justification of the design and layout of Block 1C to provide a strong urban edge for the development, in particular the ground floor uses on the southern elevation which front onto the 'Market Square' and future potential Luas Line.
2. Further consideration / amendment or justification of the scale and bulk of Block 1D having regard to the residential amenities of the adjoining properties and the visual amenities of Woodbrook Glen and the open space zoning objective of lands located to the north of the site.
3. Further consideration / amendment or justification of the proposed surface level car parking at 'The Orchard' along the southern site boundary, having regard to the proximity to existing and proposed public transport infrastructure and the potential negative impact of surface level car parking on the public realm.

### ***Water Services***

4. Further consideration of the relocation of Irish Water infrastructure located underneath 'The Orchard' in the south west portion of the site having regard to its potential negative impact on the development potential of the site and the public realm. In the event that the infrastructure is not to be relocated then a justification should be submitted at application stage that seeks to address, inter alia, the potential negative impact on the development potential of the site and the public realm at this location.
5. Further consideration / amendment or justification of the design of the storm water management proposals, including the location of attenuation tanks,

having regard to existing underground infrastructure within the site and to all available flood maps / information regarding the potential for pluvial, fluvial and coastal / tidal flood risk within the site. A site-specific Flood Risk Assessment should be submitted. Further consideration of the concerns raised in the report of Dun Laoghaire Rathdown County Councils Drainage Planning Section dated 12<sup>th</sup> October 2020 and concerns raised under the Drainage section of Wicklow County Councils written opinion dated 28<sup>th</sup> October 2020.

6. Further consideration / amendments of the documents as they relate to foul water drainage proposals to service the development. The documents should provide details of necessary upgrade works required to facilitate the development to include, *inter alia*: plans and particulars, having regard to the wastewater network constraints raised by Irish Water in their report dated 22<sup>nd</sup> October 2020.

### ***Transportation***

7. Further consideration of the documents as they related to access and emergency access to the site. Clarity is to be provided concerning who is to deliver the proposed road network; the status of any planning and other consents required to deliver the infrastructure; the timelines involved in the delivery of the required infrastructure in the context of the proposed strategic housing development. Further consideration of the concerns raised in the report of Dun Laoghaire Rathdown County Councils Transportation Planning Section dated 13<sup>th</sup> October 2020 and concerns raised in the report of Wicklow County Councils Roads Section dated 15<sup>th</sup> October 2020.

12.3. Pursuant to article 285(5)(b)(i) and (ii) of the Planning and Development (Strategic Housing Development) Regulations 2017, the prospective applicant is hereby notified that the **following specific information** should be submitted with any application for permission:

1. A report that addresses and provides a clear design rationale for the proposed height, density, design and character of residential units and details of the materials and finishes of the proposed development. Particular regard should be had to the requirement to provide high quality, robust and sustainable

finishes and details which seek to create a distinctive character for the development, having regard to the coastal and highly visible location of the site.

2. A report that addresses and provides a justification for the proposed housing mix.
3. A building life cycle report in accordance with section 6.3 of the Sustainable Urban Housing: Design Standards for New Apartments (2018).
4. A site layout plan indicating what areas, if any, are to be taken in charge by the planning authority, and the phased delivery of such public open spaces.
5. A phasing plan for the proposed development which includes the phasing arrangements for the delivery of the public open spaces and Part V provision.
6. Childcare demand analysis, including but not restricted to the justification for size of the proposed crèche, having regard to the existing childcare facility in the vicinity of the site, the likely demand and use for childcare places and the accommodation of additional requirement resulting from the proposed development.
7. School Demand and Concentration Report, which identifies demand for school places likely to be generated by the proposal and the capacity of existing schools in the vicinity to cater for such demand.
8. A landscape and permeability plan of the proposed open spaces within the site clearly delineating public, semi-private and private spaces, areas to be gated and proposed boundary treatments, in particular the eastern boundary at the interface with the railway line.
9. Submission of a Traffic and Transport Assessment, including a quality audit of the junctions and road network between the proposed entrance and Castle Street / Dublin Road. The audit should include details of the capacity of the surrounding road network and the impact of the proposed development, details of available sightlines, pedestrian and cycle facilities and recommendations for potential improvements to the public road, if required.
10. Submission of an Archaeological Impact Assessment.
11. Where the applicant considers that the proposed strategic housing development would materially contravene the relevant development plan or



local area plan, other than in relation to the zoning of the land, a statement indicating the plan objective (s) concerned and why permission should, nonetheless, be granted for the proposed development, having regard to a consideration specified in section 37(2)(b) of the Planning and Development Act 2000. Notices published pursuant to Section 8(1)(a) of the Act of 2016 and Article 292 (1) of the Regulations of 2017, shall refer to any such statement in the prescribed format. The notice and statement should clearly indicate which Planning Authority statutory plan it is proposed to materially contravene.

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

1. Department of Education and Skills
2. Irish Water
3. Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media
4. The Heritage Council
5. An Taisce
6. The Commission for Railway Regulation
7. Iarnrod Eireann
8. Transport Infrastructure Ireland
9. Wicklow County Childcare Committee
10. Dun Laoghaire Rathdown Childcare Committee

**PLEASE NOTE:**

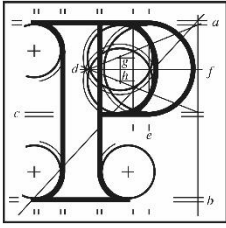
Under section 6(9) of the Planning and Development (Housing) and Residential Tenancies Act 2016, neither the holding of a consultation under section 6, nor the forming of an opinion under that section, shall prejudice the performance by the Board, or the planning authority or authorities in whose area the proposed strategic housing development would be situated, of any other of their respective functions under the

Planning and Development Acts 2000 to 2016 or any other enactment and cannot be relied upon in the formal planning process or in legal proceedings.

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Elaine Power  
Planning Inspector

1<sup>st</sup> February 2021



An  
Bord  
Pleanála

## Record of Meeting ABP-308291-20

<b>Case Reference / Description</b>	564 no. residential units (96 no. houses, 468 no. apartments), childcare facility and associated site works. Former Bray Golf Club Lands, Off Ravenswell Road and Dublin Road, Bray, Co. Wicklow and Co. Dublin.		
<b>Case Type</b>	Section 5 Pre-Application Consultation Request		
<b>Date:</b>	15 <sup>th</sup> December 2020	<b>Start Time</b>	15:37 p.m.
<b>Location</b>	Via Microsoft Teams	<b>End Time</b>	18:09 p.m.
<b>Chairperson</b>	Tom Rabbette	<b>Executive Officer</b>	Ciaran Hand

### Representing An Bord Pleanála:

Tom Rabbette, Assistant Director of Planning
Elaine Power, Planning Inspector
Ciaran Hand, Executive Officer

### Representing Prospective Applicant:

Helena Gavin, Planner
David McDowell, Project Architect
James O'Keeffe, Engineering Lead
Kieran Boyle, Traffic & Transport
Garry Hanratty, Drainage & Flooding
Deirdre Larkin, EIAR Lead
Mark Johnston, Landscape Architect
Michael Prenty, Applicant
Cathal Dalton, Applicant
Kieran Rush, Applicant

### **Representing Planning Authority- Wicklow County Council**

Fergal Keogh, Senior Engineer
Edel Bermingham, Senior Executive Planner
Aisling MacNamara, Executive Planner
Liam Bourke, Senior Executive Engineer, Bray Municipal District
Marc Devereux, Senior Engineer, Environment
Declan O'Brien, Executive Engineer, Roads and Transportation
Michael Flynn, Senior Engineer, Roads and Transportation

### **Representing Planning Authority- Dun Laoghaire Rathdown Council**

Cáit Ryan, Senior Executive Planner
Michael Mangan, Senior Engineer, (Transportation Planning Department)
Mary Hegarty, Senior Executive Engineer, (Public Lighting Section)
Alex Fahey, Executive Planner
Bernard Egan, Senior Executive Engineer

### **Introduction**

The representatives of An Bord Pleanála (ABP) welcomed the prospective applicant, Planning Authority (PA) and introductions were made. The procedural matters relating to the meeting were as follows:

- The written record will be placed on the pre-application consultation file and will be made public, along with that file, should an application arise following the conclusion of this consultation process,
- ABP received a submission from the PA on 23<sup>rd</sup> October 2020 providing the records of consultations held pursuant to section 247 and its written opinion of considerations related to proper planning and sustainable development that may have a bearing on ABP's decision,
- The consultation meeting will not involve a merits-based assessment of the proposed development,
- The meeting will focus on key site-specific issues at strategic overview level, and whether the documents submitted require further consideration and/or amendment in order to constitute a reasonable basis for an application.
- Key considerations will be examined in the context of the statutory development plan for the area and section 28 Ministerial Guidelines where relevant,
- A reminder that neither the holding of a consultation or the forming of an opinion shall prejudice ABP or the PA concerned in relation to any other of their respective functions under the Planning Acts or any other enactments and cannot be relied upon in the formal planning process or in legal proceedings.

The ABP representatives acknowledged the letter dated 29<sup>th</sup> September 2020 formally requesting pre-application consultations with ABP. Prospective applicant advised of the need to comply with definition of SHD as set out in the Act of 2016, in relation to thresholds of development. It was also noted that the Inspector dealing with the pre-application consultation request would be different to who would deal with the application when it was submitted. Recording of the meeting is prohibited.

## **Agenda**

- 1. Settlement Strategy – core strategy, phasing, objective SLO3 of the Wicklow County Development Plan**
- 2. Development Strategy – height, density, scale and massing, materiality, permeability**
- 3. Open Space**
- 4. Childcare Provision / Social Infrastructure**
- 5. Water Services – flooding and drainage**
- 6. Transportation and Car Parking**
- 7. Environmental Considerations**
- 8. Any Other Matters**

### **1. Settlement Strategy – core strategy, phasing, objective SLO3 of the Wicklow County Development Plan**

#### **• ABP Comments:**

- Having regard to the phasing principles set out in the Bray LAP, which require the sequential development of lands, a justification for this development above the ‘Harbour Quarter’ site, which is also within the ownership of the applicant and sequentially closer to Bray Town Centre should be provided.
- Having regard to the housing units allocated to Bray in the core strategy of Wicklow County Development Plan and to the units allocated to the site under Objective SLO3 of the Bray LAP the applicant should comment on the impact of the proposed development on the development potential of other sites.
- Objective SLO3 requires the provision of a 2-acre public park within the overall masterplan area. The proposed development should consider the provision of this public park.
- A justification for any material contravention of any statutory plans should be clearly addressed in the Material Contravention Statement.
- Consideration should be given to including the ‘Landmark Building’ referred to as Phase 1B with this application.

#### **• Prospective Applicant’s Comments:**

- Phase 1B and Phase 2 would be mixed use. Having regard to the SHD process it is proposed to proceed with the housing element of the development, which is permissible under Objective SLO3.
- An application for Phase 1B, which comprises a landmark mixed-use building will be lodged with Wicklow County Council, pre-planning discussions are currently underway.

#### **• Wicklow Planning Authority’s Comments:**

- The Bray LAP allows for the development of the phase 1 lands and the proposed development is compliant with the LAP and Objective SLO3.
- The overall masterplan lands are viewed as one site. The proposed development would not undermine or impede the development of Phase 1B or Phase 2.
- There is no concern regarding the number of units proposed having regard to the housing units allocated in the core strategy of the Development Plan.

- **Dun Laoghaire Rathdown Planning Authority's Comments:**

- No comments to make

## 2. Development Strategy – height, density, scale and massing, materiality, permeability

- **ABP Comments:**

- The development is located on a highly visible site. The potential visual impact of Blocks 1A and 1B on the coast and Bray promenade and the potential visual impact of Block 1D on Woodbrook Glen and the adjoining residential properties should be addressed.
- The potential impact on lands to the north of the site zoned 'F' – Open Space should be assessed having regard to Dun Laoghaire Rathdown County Council guidance regarding transitional zones
- Justify the proposed height, bulk and scale of Block 1D having regard to the potential negative impact on adjoining residential amenities.
- Details of the proposed use of the commercial units at basement level should be provided and the layout should have regard to access to sunlight / daylight for these units.
- It is proposed to provide 3-storey townhouses along the southern site boundary, adjoining the proposed 'Market Square' and future potential Luas Line. The scheme should provide for a strong urban edge at this location, consideration of the relocation of the creche and café unit on the eastern and western elevations of Block 1C to the southern elevation.
- Having regard to the coastal location and the high visibility of the site the external materials should be sufficiently robust.
- The building lifecycle report should indicate how the buildings would be maintained, in particular the apartment blocks.
- The linkages within and through the site are noted, in particular the underpass to the east of the site, which provides a link to Bray Harbour.

- **Prospective Applicant's Comments:**

- There are no conflicts with zone F. All development would be within the appropriately zoned lands.
- More detailed analysis regarding potential impacts of Block 1D on residential amenities will be undertaken.
- Additional CGI's and Photomontages can be provided
- The location of the taller buildings at the coast / eastern site boundary provides shelter for the adjoining units and avoids overshadowing.

- There are pedestrian and cycle linkages to parks, schools and the future transport bridge
  - The topography of the site allows for height at this location, 6 floors of Blocks 1A and 1B are above the railway line.
  - Considering the harbour and the views from the sea, the proposed scale is not out of context in the area
  - The design and layout are on-going and the ground floor uses of Block 1C, which front onto Market Square, are being considered with the potential to provide a more active frontage onto the square.
  - The materials proposed within the scheme would be robust. Render is proposed as it reflects the historical development within Bray in particular the seafront buildings along Bray Promenade. A variety of colours could be used to create a distinct character.
  - The issue of maintenance will be addressed within the Building Lifecycle Report.
- **Wicklow Planning Authority's Comments:**
    - No concern regarding height
    - More photomontages would be useful
    - The proposed density is not a material contravention
  - **Dun Laoghaire Rathdown Planning Authority's Comments:**
    - Height of block 1A is considered to be excessive having regard to the adjoining Woodbrook Glen and the Coast.
    - Block 1 D could potentially negatively impact the adjoining residential amenities
    - Photomontages should show different times of the year, when trees are not in full bloom.

### 3. Open Space

- **ABP Comments:**
  - Objective SLO3 of the LAP supports the provision of 2-acre public park within the masterplan area. This development should not impede the provision of the park.
  - 'The Orchard' is identified as open space, however, its layout indicates a car park and Multi-Use Games Area. Details of how this space would be used and how it relates to open space provision within the site.
  - Having regard to 'The Orchard' location adjacent to the southern site boundary the impact of the surface car park on the public realm should be addressed.
  - Justify why there is parking at this location and how these car parking spaces would be assigned to uses within the scheme
  - Market Square is indicated as a hard-landscaped area. Details of how this area contributes to the overall quantum of open space within the site should be provided.
  - Details of how the 'Coastal Gardens' would be overlooked and how they would interact with the proposed residential units and the wall of the railway line. Details of the active and passive uses proposed within the areas of open space should be provided.
  - Address the usability of the 'Coastal Garden' provided within the south east portion of the site and its relationship with the proposed 'Landmark Building'.

- Justification for the proximity of Block 1D to the area of open space to the north of the site which is Zoned 'F' and the impact of the development on this transitional zone, as identified in the Dun Laoghaire Rathdown County Development Plan.

- **Prospective Applicant's Comments:**

- Open space being provided exceeds that outlined in Objective SLO3.
- The open space at the Orchard site is facilitating private car parking associated with the commercial uses within the scheme and a MUGA. Access to the car park at would be restricted and barrier controlled.
- Intention is to have a strong urban frontage along the southern boundary.
- The layout of the open space ensures that existing wildlife corridors are retained.
- The different open space areas have a variety of characteristics and assists with permeability and connectivity.
- The Market Square and Costal Garden designs are evolving.
- The levels of the 'Coastal Gardens' adjoining Blocks 1A and 1B are being raised. This will avoid long blank facades and improve the relationship between the residential units and landscaped areas and improve the visual impact of the podium level car parking.
- Boundary treatment in accordance with Irish Rail requirements is 2.4 metres high. The site boundary with Irish Rail is under review to ensure the visual impact of the wall is reduced.

- **Wicklow Planning Authority's Comments:**

- To clarify the text of the LAP it is envisioned that the 2-acre public park would be provided as part of the first phase of the development.
- It is considered more appropriate to include the 'Landmark Building' with this application
- Detail the boundary treatment of Block 1B
- The development plan sets out a requirement for 15% of the site area to be provided as public open space. This space needs to be useable and functional

- **Dun Laoghaire Rathdown Planning Authority's Comments:**

- Underground tank at the Orchard site is a significant piece of Irish Water's infrastructure
- Ensure that the detailed design of 'The Orchard' area can accommodate parking over Irish Water's storage tanks.
- Justify why car parking at this location, having regard to the impact on the public realm
- Detail the elevational treatment of under-croft parking and its relationship with areas of public open space.
- The proximity of Block 1D to lands zoned F -Open space is noted.

#### 4. **Childcare Provision / Social Infrastructure**

- **ABP Comments:**

- Detail the capacity of the proposed creche having regard to the housing mix on site
- Consideration of the capacity of social infrastructure within Bray and the requirement for uses within the scheme to accommodate the number of residential units proposed.



- **Prospective Applicant's Comments:**
- Creche analysis has been done and it was difficult to contact operators over the summer period. Contact has been made with both Childcare Committees.
- Social infrastructure will be examined and would form part of the EIAR.
- **Wicklow Planning Authority's Comments:**
- Consult with Wicklow County Childcare Committee
- Outline social infrastructure to ensure the development can be accommodated. The proposed uses within the scheme should include an element of retail for the day to day needs of residents.
- Consult with the community and enterprise section
- **Dun Laoghaire Rathdown Planning Authority's Comments:**
- Provide an overview of the demographic profile of the area
- Have regard to capacity in the wider area of Bray

## 5. Water Services – flooding and drainage

- **ABP Comments:**
- Clarification of the flood defence works along the River Dargle, to the south of the development site and the impact of these works on the development potential of the site.
- Clarification of potential pluvial, fluvial and tidal flooding and the location of flood zones within the site.
- Details regarding the proposed location of attenuation tanks within the site and the proximity to flood zones.
- Consideration of the report from Irish Water and the capacity of the wastewater network.
- **Prospective Applicant's Comments:**
- Flood Risk Assessment is at stage 2 and modelling is being carried out. Full impact of the River Dargle and flood defence works carried out to date will be included.
- Modelling shows that the units are located outside the 100 year event
- The attenuation tank located in the south east is designed for a 1 in 100 year event
- Flood defence scheme is designed up to a 200-year event
- The attenuation tank is clear of Irish Water wayleaves and located outside of a floodzone.
- Modelling is for the worst-case scenario which would be a 100 year event
- Wastewater upgrade capacity works is at the CPO stage. The applicant is the owner and is happy for the works to be completed or for the developer to carry out the works to accommodate the development.
- **Wicklow Planning Authority's Comments:**

- The railway access is at risk of flooding in a 200-year event and this should be included in any FRA
  - The area between the arch and the river needs to be modelled
  - Flood scheme needs to have regard to 3 types of flood events
  - Show if attenuation is needed for surface water. It would be preferable to omit attenuation and to allow surface water entre the River Dargle.
  - The PA are happy to facilitate further detailed discussions with the applicant.
- **Dun Laoghaire Rathdown Planning Authority's Comments:**
  - Flood zones are still A and B but with a defended status
  - Consider the merits of holding back the water on the upper level. The surface water flows through 2 administrative areas and both should be consulted regarding the final design.

## 6. Transportation and Car Parking

- **ABP Comments:**
  - Clarification of the proposed access to the site, when the road was constructed, its intended purpose and the ownership of the private road.
  - A detailed and robust Traffic Assessment is required to fully assess the impact of the proposed development on the capacity of the surrounding road network.
  - Further details are required regarding the impact of the development on the junctions with Dublin Road
  - The proposed development should facilitate and not impinge of the proposed public transport bridge and the potential future Luas Line.
  - Clarify if the underpass is for pedestrian / cyclist movements only.
  - A car parking strategy is required to justify the proposed level of car parking.
  - Outline the potential impact of surface level car parking on the public realm
- **Prospective Applicant's Comments:**
  - There is existing access to the north of the site, through the public park which can provided access for emergency vehicles.
  - Road connectivity to the school is a private road. It was constructed through PPP as part of the construction of the school.
  - There is an application for this road to be taken in charge by Wicklow County Council
  - An analysis of the junctions has been carried out and there is capacity to accommodate the development and the development of Phase 2 lands. The potential cumulative effects for the both phases will be outlined in the TA.
  - Parking provision will be below 1 space per unit
- **Wicklow Planning Authority's Comments:**
  - The school wants the road taken in charge
  - This was built by the PPP on behalf of the Department of Education
  - There needs to be a full traffic analysis of the development. Show how the proposed development can be accommodated
  - Outline how the development would impact on Bus Connects
  - Future bridge connection is not necessary for this development

- Agreement is underway with Irish Rail for a licence for the underpass. This would be managed by WCC. The proposed opening hours for the link need to be confirmed
  - Having regard to the proximity of the site to public transport and Bray Town Centre a justification for the level of car parking is required.
  - Distinguish between public and private parking
  - The scheme should not be reliant on a Mobility Management Plan
- **Dun Laoghaire Rathdown Planning Authority's Comments:**
  - Detail the build out and phasing of the scheme.
  - Underpass is critical to the scheme and connectivity to Bray.
  - Confirm if the underpass can remain open 24/7
  - There is only one access road proposed to serve the site
  - Provision should be made for an emergency access point
  - Car parking over attenuation tanks cannot have EV. A potential EV charging point should be provided for all car parking spaces.
  - Clearly indicate how car parking spaces would be assigned and reserved.

## 7. Environmental Considerations

- **ABP Comments:**
  - It is proposed to provide an EIAR, this should take account of the cumulative impact of the 'Landmark Building'.
  - Consideration of any potential impacts generated by the development on any designated sites in relation to AA.
- **Prospective Applicant's Comments:**
  - AA screening shows that a NIS is not required
  - The EIAR will further address Archaeology and Cultural Heritage issues.
- **Wicklow Planning Authority's Comments:**
  - No further comments
- **Dun Laoghaire Rathdown Planning Authority's Comments:**
  - No further comments

## 8. Any other matters

- **ABP Comments with regard to application:**
- Clarify the number of houses and duplexes proposed.
- Total figures should be provided for the development, and should not be divided between the 2 administrative boundaries, in particular for the housing quality assessment

- **Wicklow Planning Authority's Comments:**

- No further comments

- **Dun Laoghaire Rathdown Planning Authority's Comments:**

- No further comments

- **Conclusion**

The representatives of ABP emphasised the following:

- There should be no delay in making the planning application once the public notice has been published
- Sample notices, application form and procedures are available on the ABP website
- Irish Water would like prospective applicants to contact Irish Water at [cdsdesignqa@water.ie](mailto:cdsdesignqa@water.ie) **between the Pre-Application Consultation and Application stages**, to confirm details of their proposed development and their proposed design.
- The email address to which applicants should send their **applications** to Irish Water as a prescribed body is [spatialplanning@water.ie](mailto:spatialplanning@water.ie)

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Rachel Kenny  
Director of Planning  
February, 2021



Atkins House  
150 Airside Business Park  
Swords,  
Co Dublin

17 August 2020

**Re: Harbour Point Strategic Harbour Development- EIAR scoping report**

**Your Ref: 5193890**

**Our Ref: 20/193**

Geological Survey Ireland is the national earth science agency and has datasets on Bedrock Geology, Quaternary Geology, Geological Heritage Sites, Mineral deposits, Groundwater Resources and the Irish Seabed. These comprise maps, reports and extensive databases that include mineral occurrences, bedrock/mineral exploration groundwater/site investigation boreholes, karst features, wells and springs. Please see our [website](#) for data availability and we recommend using these various data sets, when undergoing the EIAR, planning and scoping processes. Geological Survey Ireland should be referenced to as such and should any data or geological maps be used, they should be attributed correctly to Geological Survey Ireland.

Dear Sir/Madam,

With reference to your letter dated July 2020, concerning the Harbour Point Strategic Harbour Development EIAR scoping report, Geological Survey Ireland (a division of Department of Communications, Climate Action and Environment) would like to make the following comments.

### **Geoheritage**

Geological Survey Ireland (GSI) is in partnership with the National Parks and Wildlife Service (NPWS, Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs) to identify and select important geological and geomorphological sites throughout the country for designation as geological NHAs (Natural Heritage Areas). This is addressed by the Irish Geoheritage Programme (IGH) of GSI, under 16 different geological themes, in which the minimum number of scientifically significant sites that best represent the theme are rigorously selected by a panel of theme experts.

County Geological Sites (CGS), as adopted under the National Heritage Plan are now included in County Development Plans and in the GIS of planning departments, to ensure the recognition and appropriate protection of geological heritage within the planning system. CGSs can be viewed online under the Geological Heritage tab on the online [Map Viewer](#). The audit for Co. Wicklow was carried out in 2014. The full report details can be found at [The Geological Heritage of Wicklow](#). The audit for Dún Laoghaire-Rathdown was carried out in 2014. The full report details are available at [The Geological Heritage of Dún Laoghaire-Rathdown](#). **Our records show that there is a CGS in the vicinity of the proposed development.**

- **Killiney Bay**, Co Dublin. (Central ITM: 326272, 222516). Under IGH theme 'IGH 7 Quaternary'. Link to site report at [DLR007](#). A 5 kilometres long coastal section exposes a succession of several units of glacial till. A particularly impressive exposure into deep till with many sedimentological characteristics exposed.

With the current plan, there are no envisaged impacts on the integrity of current CGSs by the proposed development. However, if the proposed development plan is altered, please contact Clare Glanville (Clare.Glanville@gsi.ie) for further information and possible mitigation measures if applicable.



## Groundwater

Groundwater is important as a source of drinking water, and it supports river flows, lake levels and ecosystems. It contains natural substances dissolved from the soils and rocks that it flows through, and can also be contaminated by human actions on the land surface. As a clean, but vulnerable, resource, groundwater needs to be understood, managed and protected. Through our [Groundwater Programme](#), Geological Survey Ireland provides advice and maps to members of the public, consultancies and public bodies about groundwater quality, quantity and distribution.

Geological Survey Ireland monitors groundwater nationwide by characterising aquifers, investigating karst landscapes and landforms and by helping to protect public and group scheme water supplies. With regard to Flood Risk Management, there is a need to identify areas for integrated constructed wetlands. We recommend using the GSI's National Aquifer, Vulnerability and Recharge maps on our [Map viewer](#) to this end.

Our GWflood project is a groundwater flood monitoring and mapping programme aimed at addressing the knowledge gaps surrounding groundwater flooding in Ireland. The project is providing the data and analysis tools required by local and national authorities to make scientifically-informed decisions regarding groundwater flooding. While this is primarily focused on karst areas not found in Wicklow and Dún Laoghaire-Rathdown, there may be some useful information at a broader scale to benefit the EIAR scoping report. **We recommend using the GSI's [GWflood](#) tools found under our programme activities to this end.**

With regards to Climate Change, there is a need to improve the monitoring capacity of groundwater levels in Ireland so that the potential impacts of climate change can be monitored and assessed. In this context the GSI has established the GWClimate project in January 2020. GWClimate will 1) establish a long-term strategic groundwater level monitoring network and 2) develop modelling and analytical approaches for evaluating the impacts of Climate Change to Irish groundwater systems. **Further information can be found on the [Groundwater flooding page](#) of the [Groundwater Programme](#).**

## Geohazards

Geological Survey Ireland partners in, and has information available on, international projects such as the Tsunami Warning System, coordinated by the Intergovernmental Oceanographic Commission of UNESCO. Historical records and geological evidence indicate that, while tsunamis are unlikely events around Ireland, the Irish coast is vulnerable to tsunamis from submarine landslides and distant earthquakes. Associated levels of coastal flooding are expected to be similar to those seen during storm surges, but with much more energetic inundation and a much shorter time to react. Ireland participates in an international tsunami detection and alerting system, coordinated by the Intergovernmental Oceanographic Commission of UNESCO.

Geological Survey Ireland engages in national projects such as Landslide Susceptibility Mapping and Groundwater Flooding ([GWflood](#)) and impacts of climate change on groundwater (GWClimate). These projects and resources are freely available and are, described in the comments above relating to groundwater resources and tools. **We recommend that geohazards and particularly flooding be taken into consideration, especially when developing areas where these risks are prevalent, and we encourage the use of our data when doing so.**

## Natural Resources (Minerals/Aggregates)

Geological Survey Ireland highlights the consideration of mineral and aggregate resources and potential resources as a material asset which should be explicitly recognised within the environmental impact assessment process. Geological Survey Ireland provides data, maps, interpretations and advice on matters related to minerals and aggregates, their use and their development in our [Minerals section](#) of the website. The Active Quarries, Mineral Localities and the Aggregate Potential maps are available on our [Map Viewer](#).



### **Marine and Coastal Unit**

Geological Survey Ireland's Marine and Coastal Unit manages programmes, projects and partnerships aimed at increasing our knowledge of the marine and coastal realm, developing new methods and tools for understanding coastal processes and taking action on climate change. Geological Survey Ireland's Marine and Coastal Unit in partnership with the Marine Institute, jointly manages INFOMAR, Ireland's national programme focused on seabed mapping; providing key baseline data for Ireland's marine sector.

**The Marine and Coastal Unit also manage coastal monitoring programmes providing data on coastal erosion and sea level rise including the Climate, Heritage and Environments of Reefs, Islands and Headlands (CHERISH) and the Coastal Vulnerability Index (CVI) mapping projects. We would therefore recommend use of our Marine and Coastal Unit datasets available on our [website](#) and [Map Viewer](#).**

### **Coastal Vulnerability Index**

GSI is undertaking a new coastal vulnerability mapping initiative. Maps produced by this project will provide an insight into the relative susceptibility of the Irish coast to adverse impacts of sea-level rise through the use of a Coastal Vulnerability Index (CVI). Currently the project is being carried out on the east coast and will be rolled out nationally, detailed information and maps are available [here](#). These index-based maps will offer a simple, easy visual representation of sensitive areas based on robust methods and conceptualised metrics from latest research, adapted to the Irish context. This will enable coastal managers to prioritize or concentrate efforts on adaptation.

### **Other Comments**

Should development go ahead, all other factors considered, Geological Survey Ireland would much appreciate a copy of reports detailing any site investigations carried out. Should any significant bedrock cuttings be created, we would ask that they will be designed to remain visible as rock exposure rather than covered with soil and vegetated, in accordance with safety guidelines and engineering constraints. In areas where natural exposures are few, or deeply weathered, this measure would permit on-going improvement of geological knowledge of the subsurface and could be included as additional sites of the geoheritage dataset, if appropriate. Alternatively, we ask that a digital photographic record of significant new excavations could be provided. Potential visits from Geological Survey Ireland to personally document exposures could also be arranged.

The data would be added to GSI's national database of site investigation boreholes, implemented to provide a better service to the civil engineering sector. Data can be sent to Beatriz Mozo, Land Mapping Unit, at [Beatriz.Mozo@gsi.ie](mailto:Beatriz.Mozo@gsi.ie), 01-678 2795.

I hope that these comments are of assistance, and if we can be of any further help, please do not hesitate to contact me ([Trish.Smullen@dcaae.gov.ie](mailto:Trish.Smullen@dcaae.gov.ie)), or my colleague Clare Glanville ([Clare.Glanville@dcaae.ie](mailto:Clare.Glanville@dcaae.ie)).

Yours sincerely,

Trish Smullen  
**Geoheritage Programme**  
**Geological Survey Ireland**

## McCullom, Avril

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**From:** INFO <Information@tii.ie>  
**Sent:** 2020-08-12 15:05  
**To:** Larkin, Deirdre; McCullom, Avril  
**Subject:** FW: HARBOUR POINT STRATEGIC HOUSING DEVELOPMENT – PHASE 1: COASTAL QUARTER – EIAR SCOPING PHASE - FAO Ms. Spain  
**Attachments:** 5193890DG0029 rev 2- EIAR Scoping Report.pdf

Dear Ms. Larkin,

I wish to acknowledge receipt of your letter of 23 July 2020 regarding the above. Please note Transport Infrastructure Ireland's (TII) address for future correspondence as the address included in your letter is incorrect. Also, as TII's offices remain closed and access to post items is limited, correspondence for TII in relation to land use planning matters can be directed to [landuseplanning@tii.ie](mailto:landuseplanning@tii.ie).

TII wishes to advise that it is not in a position to engage directly with planning applicants in respect to proposed developments. TII will endeavour to consider and respond to planning applications referred to it given its status and duties as a statutory consultee under the Planning Acts.

The approach to be adopted by TII in making such submissions or comments in relation to TII's national road functions will seek to uphold official policy and guidelines as outlined in the Section 28 Ministerial Guidelines 'Spatial Planning and National Roads Guidelines for Planning Authorities' (DoECLG, 2012). Regard should also be had to other relevant guidance available at [www.tii.ie](http://www.tii.ie).

The issuing of this correspondence is provided as best practice guidance only and does not prejudice TII's statutory right to make any observations, requests for further information, objections or appeals following the examination of any valid planning application referred.

It is noted that the subject site is in the Bray urban area with potential for increased access to public transport services. However, it is also likely that a development of the scale proposed will result in additional car trips materialising on the strategic national road network in the vicinity, including the M/N11 and M50. The strategic national roads are of national significance providing access to international markets and strategic links to the national road radial network. The M/N11 and M50 at this location are also identified as part of the EU TEN-T Comprehensive Network. Such a designation has repercussions and action requirements for policies and objectives which should be considered in the preparation of an EIAR.

Project Ireland 2040 | National Development Plan, 2018 – 2027, outlines the investment priority to ensure that the existing extensive transport networks, which have been greatly enhanced over the last two decades, are maintained to a high level to ensure quality levels of service, accessibility and connectivity to transport users. Government also includes the objective to maintain the strategic capacity and safety of the national roads network, including planning for future capacity enhancements, in National Strategic Outcome 2 of the National Planning Framework.

The above should be reflected in the preparation of any planning application in the area concerned.

The NTA in collaboration with Wicklow County Council, Dun Laoghaire-Rathdown County Council and TII has prepared the Bray and Environs Transport Study (2019). Any development proposals for the Bray Golf Club Lands will have to take cognisance of the agreed Bray and Environs Transport Study.

The study was undertaken to identify a strategy to facilitate the land use objectives of Wicklow County Council and Dun Laoghaire – Rathdown County Council in relation to Bray, including Fassaroe, as provided for in statutory regional, county and local plans. The Study also addresses development requirements for the Bray Golf Club Lands.



Development proposals prepared in relation to the Bray Golf Club Lands, should take full cognisance of and demonstrate adherence with the NTA Bray and Environs Transport Study (2019).

The Transport Study identifies a number of phasing and transport interventions required to facilitate development in the Bray and Environs area. It is recommended that the scheme promoter liaises with Wicklow County Council and Dun Laoghaire – Rathdown County Council as planning and roads authorities for the area concerned. TII confirms availability to liaise with the Councils and the NTA in relation to development proposals in the area as required by the Councils.

In summary, there is a requirement at local policy level as well as regional and national policy to ensure that the strategic function of the M/N11 and M50 is safeguarded. Demonstration of the agreed requirements and adherence to the provisions included in the Bray and Environs Transport Study (2019) will be required in any subsequent development proposal.

With respect to EIAR scoping issues, the recommendations indicated below provide only general guidance for the preparation of an EIAR, which may affect the national road network.

The developer/scheme promoter should have regard, *inter alia*, to the following;

- Consultations should be had with the relevant Local Authority/National Roads Design Office with regard to locations of existing and future national road schemes in the vicinity,
- TII would be specifically concerned as to potential significant impacts the development would have on the national road network (and junctions with national roads) in the proximity of the proposed development; M/N11 and M50, national roads and associated junctions,
- The developer should assess visual impacts from existing national roads,
- The developer should have regard to any Environmental Impact Statement and all conditions and/or modifications imposed by An Bord Pleanála regarding road schemes in the area. The developer should in particular have regard to any potential cumulative impacts,
- The developer, in preparing EIAR, should have regard to TII Publications (formerly DMRB and the Manual of Contract Documents for Road Works),
- The developer, in preparing EIAR, should have regard to TII's Environmental Assessment and Construction Guidelines, including the *Guidelines for the Treatment of Air Quality During the Planning and Construction of National Road Schemes* (National Roads Authority, 2006),
- The EIAR should consider the Environmental Noise Regulations 2006 (SI 140 of 2006) and, in particular, how the development will affect future action plans by the relevant competent authority (see *Guidelines for the Treatment of Noise and Vibration in National Road Schemes* (1<sup>st</sup> Rev., National Roads Authority, 2004)).
- It would be important that, where appropriate, subject to meeting the appropriate thresholds and criteria and having regard to best practice, a Traffic and Transport Assessment be carried out in accordance with relevant guidelines, noting traffic volumes attending the site and traffic routes to/from the site with reference to impacts on the national road network and junctions of lower category roads with national roads.

TII'S Traffic and Transport Assessment Guidelines (2014) should be referred to in relation to proposed development with potential impacts on the national road network. The scheme promoter is also advised to have regard to Section 2.2 of the NRA/TII TTA Guidelines which addresses requirements for sub-threshold TTA.

Transport analysis should also consider;

- o A mobility management plan should accompany the transport assessment,
- o Modal share targets should be outlined and how any PT modal share is accommodated,
- o Measures proposed to reduce car dependency should be outlined,
- o Detailed phasing proposals of development with associated transport infrastructure provision is required,
- o Consider and address cumulative impacts of other development and impacts on limited national road capacity,
- o The traffic and transport assessment should consider all road users,
- o Mitigation measures should be aligned with phasing of road infrastructure improvements and required public transport interventions; all clearly outlined,

- Implementation of required transport measures outlined in the NTA Bray and Environs Transport Study (2019),
  - The designers are asked to consult TII Publications to determine whether a Road Safety Audit is required,
  - In the interests of maintaining the safety and standard of the national road network, the EIAR should identify the methods/techniques proposed for any works traversing/in proximity to the national road network,
  - In relation to haul route identification, the applicant/developer should clearly identify haul routes proposed and fully assess the network to be traversed. Separate structure approvals/permits and other licences may be required in connection with the proposed haul route and all structures on the haul route should be checked by the applicant/developer to confirm their capacity to accommodate any abnormal load proposed.
  - In relation to the operation and maintenance of the light rail network, it is vital that any works adjacent or interfacing with Luas infrastructure shall have regard to TII's "Code of engineering practice for works on, near, or adjacent the Luas light rail system" available at <https://www.luas.ie/work-safety-permits.html>. The assessment should include schedule of compliance with the design and mitigation measures in the Code of Practice for both the construction and operation phases of the development.

Notwithstanding any of the above, the developer should be aware that this list is non-exhaustive, thus site and development specific issues should be addressed in accordance with best practise.

I trust that the above comments are of assistance in your EIAR preparation.

Yours sincerely,

**Tara Spain**  
**Head of Land Use Planning**



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**From:** McCollom, Avril <[Avril.McCollom@atkinsglobal.com](mailto:Avril.McCollom@atkinsglobal.com)>  
**Sent:** Thursday 23 July 2020 13:18  
**To:** INFO <[Information@tii.ie](mailto:Information@tii.ie)>  
**Subject:** HARBOUR POINT STRATEGIC HOUSING DEVELOPMENT – PHASE 1: COASTAL QUARTER – EIAR SCOPING PHASE - FAO Ms. Spain

CAUTION: This email originated from outside of TII. Do not click links or open attachments unless you recognise the sender and are sure that the content is safe.

Dear Ms. Spain,

Atkins Ireland Ltd. (Atkins) on behalf of Shankill Property Investments Ltd. are currently delivering engineering and environmental services in respect of a masterplan residential development at Ravenswell Bray County Wicklow. Phase 1: Coastal Quarter is currently the subject of an EIAR. Please see attached a scoping report for the EIAR which provides further detail on the proposed development and includes an indicative layout of the EIAR.

We would appreciate a response (if relevant) in relation to any issues you may have regarding the receiving environment in writing by 17<sup>th</sup> August 2020 or earlier if possible. If you require any further information regarding The Coastal Quarter project or wish to discuss this further, please do not hesitate to contact me on 01 810 8000 / 087 4154813. We would greatly appreciate it if you could revert back at your earliest convenience or by 17<sup>th</sup> August 2020 by email [deirdre.larkin@atkinsglobal.com](mailto:deirdre.larkin@atkinsglobal.com).

Kind Regards,

**Avril McCollom** BSc (Hons)  
Environmental Consultant  
Ireland  
Environment

018108166  0867328441

Atkins House, 150 Airside Business Park, Swords, Co. Dublin. K67K5W4

Company



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**An Roinn Turasóireachta, Cultúir,  
Ealaíon, Gaeltachta, Spóirt agus Meán**  
Department of Tourism, Culture,  
Arts, Gaeltacht, Sport and Media

Your Ref: Harbour Point Shd P1 Coastal Qtr

Our Ref: G Pre00140/2020 (Please quote in all related correspondence)

15<sup>th</sup> March 2021

Deirdre Larkin  
Atkins  
Atkins House  
150 Airside Business Park  
Swords  
Co. Dublin

Via email: [Deirdre.Larkin@atkinsglobal.com](mailto:Deirdre.Larkin@atkinsglobal.com)

Re: Re: Notification to the Minister for Culture, Heritage and the Gaeltacht under the Planning and Development Act, 2000, as amended.

**Re: EIAR Scoping for Harbour Point SHD-Phase 1:Coastal Quarter: Ravenswell, Bray, Co Wicklow**

A chara

I refer to your pre-planning correspondence to the Department of Culture, Heritage and the Gaeltacht received on 22<sup>nd</sup> July 2020 in connection with the above proposed development for co-ordination across the heritage division by the Development Applications Unit of this Department.

Due in the main to the Covid 19 pandemic, the Development Applications Unit had to prioritise the workload and focus on statutory consultation planning cases. The Department have since had opportunity to consider your request and now outline below heritage-related observations/recommendations:

### **Nature Conservation**

The Department refers to the above proposed project and the request for scoping comments to further inform the EIA process. Please find scoping comments below.

#### **Aonad na nIarratas ar Fhorbairt**

*Development Applications Unit*

#### **Oifigí an Rialtais**

*Government Offices*

**Bóthar an Bhaile Nua, Loch Garman, Contae Loch Garman, Y35 AP90**

Newtown Road, Wexford, County Wexford, Y35 AP90



## **EIAR**

### Ecological Survey

With regard to scoping for an EIAR for a proposed development, in order to assess impacts on biodiversity, fauna, flora and habitats, ecological surveys of the development site should be carried out including the route of any access roads, pipelines or cables etc. to survey the habitats and species present.

Where ex-situ impacts are possible (such as recreational disturbance impacts) survey work may be required outside of the development site.

Surveys should be carried out by suitably qualified persons at an appropriate time of the year depending on the species being surveyed for. The EIAR should include the results of the surveys, and detail the survey methodology and timing of such surveys. It is expected by this Department that best practice survey methodology will be adhered to. The EIAR should cover the whole project, including construction, operation and, if applicable, restoration or decommissioning phases. Alternatives examined should also be included in the EIAR. Inland Fisheries Ireland should be consulted with regard to fish species, if applicable. For information on geological and geomorphological sites the Geological Survey of Ireland (GSI) should be consulted.

### Impact assessment

The Department welcomes that the EIAR will consider both the construction and operational phases of this development and will also take into consideration the potential for cumulative impacts with other projects / developments which have been granted planning permission within the surrounding area and within the town of Bray.

The River Dargle and its environs in this area may be used by otter (*Lutra lutra*), a species which is protected under the Wildlife Act, 1976, as amended and listed on Annexes II and IV of the Habitats Directive (92/43/EEC) and impacts on this species must be assessed.

### Alien invasive species

The EIAR should also address the issue of invasive alien plant and animal species, such as Japanese knotweed, and detail the methods required to ensure they are not accidentally introduced or spread during construction. Information on alien invasive species in Ireland can be found at <http://invasives.biodiversityireland.ie/> and at <http://invasivespeciesireland.com/>.



### Hedgerows, Treelines and protected species

Hedgerows and treelines form important wildlife corridors and provide areas for birds to nest in. In addition badger setts may be present. If suitable trees are present, bats may roost there and they also use hedgerows as flight routes. It is important that the connectivity of routes for the movement these species are not compromised should any hedgerows or treelines have to be removed. Adverse impacts from the removal of hedgerows and treelines could result in the natural range for bat species being reduced.

Any losses of habitat associated with this proposed development such as woodland, scrub, hedgerows and other habitats should be mitigated for. In order to ensure there is no net loss of biodiversity, like for like mitigation and compensation measures are required. Hedgerows and trees should not be removed during the nesting season (i.e. March 1<sup>st</sup> to August 31<sup>st</sup>).

### Bats

This area is considered to be in the higher range of suitability for bat species<sup>1</sup>. Bat species are strictly protected under the Wildlife Act, 1976, as amended as well as under Annex IV of the Habitats Directive. Bat roosts may be present in trees within the site. The Department considers that a bat survey should be carried out by a suitably qualified ecologist at appropriate times of the year. Any roosts identified, are protected under the provisions of Regulation 51 of the European Communities (Birds and Natural Habitats) Regulations 2011-2015. Damage to such roosts can only occur if a derogation licence under Regulation 54 of the European Communities (Birds and Natural Habitats) Regulations 2011-2015 is obtained. Applications for derogation licences can be made in writing, including survey results and proposed mitigation measures, to the Wildlife Licensing Unit, National Parks and Wildlife Service of this Department. It has been found that artificial lighting is particularly harmful if used along river corridors, near woodland edges and near hedgerows, and therefore lighting along the River Dargle and any woodland areas should be avoided<sup>2</sup>.

### Water quality

Ground and surface water quality should be protected during the construction and operation of the proposed development and if applicable the applicant should ensure that adequate sewage treatment facilities are or will be in place prior to any development. The applicant should also ensure that adequate water supplies are present prior to development.

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<sup>1</sup> <https://maps.biodiversityireland.ie/Map> accessed 04/01/21

<sup>2</sup> *Bats and Artificial Lighting in the UK, Guidance Note 08/18, Bat Conservation Trust and Institution of Lighting Professionals*, which can be downloaded from <https://www.theilp.org.uk/documents/guidance-note-8-bats-and-artificial-lighting/>



### Biodiversity maintenance and enhancement

IFI guidelines in relation to riparian buffer zones contained in the recently updated publication “Planning for watercourses in the urban environment”<sup>3</sup> should be followed.

Reference should be made to the National Biodiversity Action Plan 2017-2021 and any relevant Local Authority Biodiversity Plan, as well as the All Ireland Pollinator Plan 2015-2020. Landscaping plans must accord with the “*Pollinator Friendly Planting Code – Professional planting recommendations*”<sup>4</sup> of the All-Ireland Pollinator Plan 2015-2020.’

A move away from maintaining the greenfield runoff rate and use of attenuation tanks as ‘go to’ SUDS measures and towards the use of natural measures (bio retention, infiltration trenches, swales, ponds, basins and rain gardens) is encouraged. Such measures also benefit biodiversity. For larger scale developments such as this, the inclusion of details of the SUDS measures considered in principle and detailed reasons why natural measures were not considered is suggested.

### Appropriate Assessment (AA)

The proposed development site lies close to a number of Natura 2000 sites. In any Appropriate Assessment screening or full Appropriate Assessment carried out the following should be considered:

### Description of the project

In describing the project, it will be necessary to identify all those elements of the project or plan, alone or in combination with other projects or plans, that have the potential to have significant effects on Natura 2000 sites. Therefore, full project details must be given, including any planned access routes.

As outlined above, when determining likely significant effects, Article 6(3) of the Habitats Directive requires that in-combination effects with other plans or projects are considered. In combination impacts of new access route must be assessed.

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<sup>3</sup> <https://www.fisheriesireland.ie/extranet/fisheries-management-1/1756-ifi-urban-watercourses-planning-guide-2020-update.html>

<sup>4</sup> <https://www.biodiversityireland.ie/wordpress/wp-content/uploads/Pollinator-friendly-planting-code-temporary-draft.pdf>



### Conservation objectives

Once the effects of the project or plan have been identified and predicted, it is necessary to assess whether there will be adverse effects on the integrity of sites within the projects zone of influence as defined by the conservation objectives and the sites status. Details of designated sites status and conservation objectives can be found on [www.npws.ie/](http://www.npws.ie/). It should be noted that site-specific conservation objectives have recently been published for the Glen of the Downs SAC (000719)<sup>5</sup>.

### Impact assessment

Impacts, both direct and indirect, on Natura 2000 sites must be assessed. The indirect impacts of recreational disturbance on nearby Natura 2000 sites should be considered.

*Appropriate Assessment carried out under Article 6(3) of the Habitats Directive cannot have lacunae and must contain complete, precise and definitive findings and conclusions capable of removing all reasonable scientific doubt as to the effects of the works proposed on the protected site concerned.* Therefore, any conclusions of the proposed development having no impact on the qualifying interests and the integrity of the SAC must be supported by scientific data or survey work.

Should this survey work take place well before construction commences, it is recommended that an ecological survey of the site should take place immediately prior to construction to ensure no significant change in the baseline ecological survey has occurred. If there has been any significant change mitigation may require amendment and where a licence has expired, there will be a need for new licence applications for protected species.

### Mitigation measures

Mitigation measures need to be assessed against the adverse effects the project or plan is likely to cause (alone or in combination with other projects or plans). To assess mitigation measures, the following tasks must be completed:

- list each of the measures to be introduced (e.g. noise bunds, tree planting);
- explain how the measures will avoid the adverse impacts on the site;
- explain how the measures will reduce the adverse impacts on the site.

Then, for each of the listed mitigation measures:

- provide evidence of how they will be secured and implemented and by whom;

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<sup>5</sup> <http://bios.heritage.gov.ie/sitecard/Conservation%20Objectives%20Documents/CO000719.pdf>





- provide evidence of the degree of confidence in their likely success;
- provide a timescale, relative to the project or plan, when they will be implemented;

Where residual impacts remain, further mitigation measures may be required such as lining of the bypass channel and installation of silt curtains.

#### Monitoring

Evidence should be provided of how the mitigation measures will be monitored, and, should mitigation failure be identified, how that failure will be rectified.

The applicant should not use any proposed post construction monitoring as mitigation to supplement inadequate information in the assessment.

You are requested to send further communications to the Development Applications Unit (DAU) at [manager.dau@chg.gov.ie](mailto:manager.dau@chg.gov.ie), or to the following address:

The Manager  
Development Applications Unit (DAU)  
Government Offices  
Newtown Road  
Wexford  
Y35 AP90

Is mise, le meas

**Diarmuid Buttimer**  
**Development Applications Unit**



31 August 2020

G Pre 00140/2020

Deirdre Larkin  
Associate Director  
Atkins Global  
Atkins House,  
150 Airside Business Park,  
Swords, Co. Dublin. K67K5W4

Via email

**G Pre 00140/2020 by Atkins Ireland Ltd. (on behalf of Shankill Property Investments Ltd.)  
– EIAR Scoping for Harbour Point SHD – Phase 1: Coastal Quarter at Ravenswell, Bray  
Commons, Co. Wicklow & Cork Great, Co. Dublin**

A Chara,

I refer to the pre-planning enquiry and documents forwarded in relation to the above proposed development. Outlined below are the archaeological heritage observations of the National Monuments Service of the Department of Culture, Heritage and the Gaeltacht. Reference to the Minister/Department for Culture, Heritage and the Gaeltacht will, in the coming period, be amended to refer to the Minister/Department of Housing, Local Government and Heritage once the relevant legislative provisions to give effect to this change are completed.

The proposed greenfield development site is partly located on the site of the former golfcourse and covers a site area of approximately 44 acres located north of Bray town centre on Ordnance Survey six-inch sheets WI-4 and DU-26. The development site straddles the jurisdictional areas of two counties. The proposed Phase 1 development area, named the 'Coastal Quarter', is located within the confines of a Recorded Monument which is identified as WI004-005 *linear earthwork* and DU026-124 *linear earthwork*. The earthwork located along the current line of the county boundary between Dublin and Wicklow has been identified as possible remains of the Pale Ditch and described as follows in the Archaeological Survey of Ireland records:

*"A continuous curving section of flat-topped bank (L 150m; Wth at top 1.60m; Wth at base 10m; H.0.80m) which runs on a NNE-WSW axis. It follows the line of the county boundary and is in flat coastal terrain with view onto the Sugarloaf Mountain to the S. Some mature Sycamores grow along the side. Possibly part of the Pale Ditch. (pers. comm. Rob Goodbody; SMR file DU026-124---). Archaeological test trenching was carried out on a section of this ditch in 2002 (Excavation Licence 02E1717), the results suggested that it had been levelled in the area tested during the construction of the golf course (Gowan 2004, 533). Archaeological monitoring, carried out as part of the Shanganagh and Bray main drainage scheme in 2005 (Excavation Licence 02E1717 ext.), uncovered a low much-degraded bank (Wth 5.5m; H c. 0.3m) and a ditch (Wth 2.5m; D 0.6m) alongside it to the S (Moriarty 2005, 417)."*

**Aonad na nIarratas ar Fhorbairt, Bóthar an Bhaile Nua, Loch Garman, Y35 AP90**

Development Applications Unit, Newtown Road, Wexford, Y35 AP90

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www.chg.gov.ie



In addition to the extant remains of the possible Pale Ditch, the greenfield development site is located in a coastal location and north of the Dargle River in an area with potential for archaeological remains to survive. The discovery of a number of Romano-British burials in the area now occupied by Esplanade Terrace in the shoreline area of Bray town (RMP WI004-004 *burial*) demonstrates the potential for similar archaeological features to survive in the area. The development site is located south-east of Recorded Monuments DU026-068 *church & graveyard* (Cork Abbey) and DU026-069 *holy well*. Recorded Monuments WI004-001001 *cross-slab*, WI004-001006 *castle – towerhouse*, WI004-002 *martello tower* and DU026-070 *martello tower* are also located closeby.

Previous archaeological investigations carried out in the area have produced varied results indicating that some sections of the surviving earthwork (WI004-005 *linear earthwork* and DU026-124 *linear earthwork*) may be 18<sup>th</sup>/19<sup>th</sup> century in date while other investigations of the earthwork have produced archaeological evidence to indicate modifications to and possible association with the earlier medieval Pale Ditch. Further archaeological investigative work, initially in the non-intrusive form of geophysical survey and topographical survey, will be required to develop an informed archaeological strategy and to ensure the comprehensive assessment of the potential impact of the proposed development on the archaeological heritage.

The developer is advised to engage an archaeologist to carry out a detailed archaeological impact assessment and to prepare a comprehensive report to be submitted with any future planning application. The assessment will involve documentary and cartographic research, an analysis of all previous archaeological assessments carried out in the area, fieldwork, topographical survey and geophysical survey to identify any anomalies that may indicate the survival of archaeological features within the development area and examination of any available plans for development. Pending the results of the survey work, targeted archaeological testing within the proposed development site (licensed under the National Monuments Acts 1930-1994) may be considered necessary.

An assessment of the potential visual impact of the proposed development on the extant earthwork (WI004-005 *linear earthwork* and DU026-124 *linear earthwork*) and any associated features should also be included. Visual material including section drawings, elevation drawings, annotated photographs and photomontage as appropriate to illustrate any conclusions made should be included in the report.

Following completion of the above surveys and any targeted archaeological testing, the archaeologist shall prepare a written report, including an archaeological impact statement, to form an integral part of any future planning application. Where archaeological material/features are shown to be present, preservation *in situ*, preservation by record (archaeological excavation) or monitoring may be required. The establishment of a 'buffer area' surrounding and including any identified archaeological features, in which no development or groundworks would be considered, might be recommended pending the results of the archaeological assessment. Mitigatory measures to ensure the preservation in-situ and/or recording of archaeological material/features should be suggested in the archaeological assessment report and the Department of Culture, Heritage & the



Gaeltacht will advise further with regard to any archaeological requirements following receipt of the assessment.

### **Framework and Principles for the Protection of the Archaeological Heritage**

The developer should have regard to the archaeological policy of the Department of Culture, Heritage & the Gaeltacht as outlined in our policy document entitled *“Framework and Principles for the Protection of the Archaeological Heritage”*, (1999) and summarised below.

With regard to the preservation in-situ of archaeological remains, it is stated in our policy document that *“there should always be a presumption in favour of avoiding developmental impacts on the archaeological heritage. Preservation in-situ must always be the preferred option to be considered rather than preservation by record in order to allow development to proceed, and preservation in-situ must also be presumed to be the preferred option.”*

It should also be noted that *“if preservation by record is to be applied the developer must accept responsibility for the costs of archaeological excavation to the extent necessitated by the development. Such costs include those arising from the preparation of a report on the excavation.”*

### **Wicklow County Development Plan 2016-2022**

The developer should be aware of the archaeological objectives included in the current County Wicklow Development Plan:

BH1 - No development in the vicinity of a feature included in the Record of Monuments & Places (RMP) will be permitted which seriously detracts from the setting of the feature or which is seriously injurious to its cultural or educational value.

BH2 - Any development that may, due to its size, location or nature, have implications for archaeological heritage shall be subject to an archaeological assessment. When dealing with proposals for development that would impact upon archaeological sites and/or features, there will be presumption in favour of the ‘preservation in situ’ of archaeological remains and settings, in accordance with Government policy. Where permission for such proposals is granted, the Planning Authority will require the developer to have the site works supervised by a competent archaeologist.

### **Dun-Laoghaire Rathdown Development Plan 2016-2022**

The developer should be aware of the archaeological objectives included in the current Dun-Laoghaire Rathdown County Development Plan:

AH1 – It is Council policy to protect archaeological sites, National Monuments (and their settings), which have been identified in the Record of Monuments and Places (RMP) and, where feasible, appropriate and applicable to promote access to and signposting of such sites and monuments.

AH2 – It is Council policy to seek the preservation in-situ (or where this is not possible or appropriate, as a minimum, preservation by record) of all archaeological monuments included in the Record of Monuments and Places, and or previously unknown sites, features and objects of archaeological interest that become revealed through development activity. In respect of decision



making on development proposals affecting sites listed in the RMP, the Council will have regard to the advice and/or recommendations of the Department of Arts, Heritage and the Gaeltacht.

The above observations and recommendations are based on the papers submitted to this Department on a pre-planning basis and are made without prejudice to any observations the Minister may make in the context of any consultation arising on foot of any development application referred to the Minister, by the planning authority or An Bord Pleanála, in her role as statutory consultee under the Planning and Development Act 2000, as amended.

Kindly forward to this office any additional documentation received or in the event of a final decision being made please forward a copy of same to the address on the cover page or via email to [manager.dau@chg.gov.ie](mailto:manager.dau@chg.gov.ie)

Is mise le meas,

Handwritten signature of Michael Murphy in blue ink.

Michael Murphy,  
Development Applications Unit  
053 – 9117516.

**Response to Pre-Planning Submission**  
**Strategic Housing Development**



REPORT BY DUN LAOGHAIRE RATHDOWN COUNTY COUNCIL PURSUANT TO S.5 OF THE PLANNING AND DEVELOPMENT (HOUSING) AND RESIDENTIAL TENANCIES ACT 2016 AND THE PLANNING AND DEVELOPMENT (STRATEGIC HOUSING DEVELOPMENT) REGULATIONS 2017 OPERATIONAL FROM JULY 3RD 2017.

Prospective Applicant:	Shankill Property Investments Limited
Prospective Development Address:	Former Bray Golf Club Lands, Off Ravenswell Road and Dublin Road, Bray, Co. Wicklow and Co. Dublin.
DLR File Reference:	PAC/SHD/161/20
ABP File Reference:	ABP-308291-20
ABP Description of Prospective Development:	564 no. residential units (96 no. houses, 468 no. apartments), childcare facility and associated site works.
Receipt of details pursuant to s.5(7)	02/10/2020
ABP written notification pursuant to s.6(4)(a)	10/13/2020
Due Date pursuant to s.6(4)(b)	27/10/2020

**1.0 Statutory Requirements of this Report pursuant to s. 6(4)(b)**

- (i) Copies of all records of the consultation(s) held with the prospective applicant by the authority pursuant to s.5(2); and
- (ii) The planning authority's opinion in writing (including the reasons for its opinion) of what considerations, related to proper planning and sustainable development of the area concerned, may have a bearing on the Board's decision in relation to the proposed strategic housing development having regard to the provisions of the relevant development plan, or local area plan, as the case may be.

And shall send to the prospective applicant copies of the records and the opinion so submitted.

**Note:** The Planning Authority's opinion is set out in this report and is without prejudice to third-party submissions or observations, as well as any decision by the Board on this prospective application, following its submission.

### **1.1 Competency**

The Planning Authority notes the Board is the competent authority in relation to

- (i) Screening the prospective development as a Strategic Housing Development (SHD)
- (ii) Environmental Impact Assessment (EIA) Screening/Scoping, the consideration of any EIA Report prepared by the applicant and the carrying out of an EIA of any SHD application
- (iii) The consideration of Stage 1/Stage 2 Natura Impact Statement prepared by the applicant and the carrying out of an Appropriate Assessment Screening or Appropriate Assessment of any SHD application
- (iv) The determination of any SHD application.

### **1.2 Status of s.247 Consultation and Requirements of Section 5(2) of the Planning and Development (Housing) and Residential Tenancies Act 2016**

In accordance with Circular PL3/2017, the Planning Authority considers the consultations undertaken between the Applicant and the Planning Authority to satisfy the requirements of Section 5(2) of the Planning and Development (Housing) and Residential Tenancies Act 2016. Record of relevant meeting is appended to this report as Appendix A and details of pre-planning file reference: PAC/SHD/161/20.

### **1.3 Internal Reports**

This report was informed by in-house reports on (i) Drainage, (ii) Transportation, (iii) Public Lighting, (iv) Waste Management, and (v) Housing.

#### **(i) Drainage**

Correspondence from Drainage Planning, dated 12/10/2020, noted the following:

##### ***"Drainage Planning Report***

*While there is no requirement to provide a detailed technical submission on Water Services at the pre-application consultation stage the absence of same makes it difficult to form an opinion, positive or negative, on what has been presented.*

*The submission is therefore deficient in content of what needs to be submitted if constructive, specific, feedback is to be provided. In the absence of a detailed drainage proposal it is not possible to assess the submission or be prescriptive in determining what items need to be included, clarified, or altered. Issues may arise that have not been covered in the observations that follow below.*

*As the SHD process does not provide for Further Information, the applicant should be strongly advised to consult with and reach agreement with the Drainage Planning Section of Municipal Services on surface water drainage proposals for this site in advance of the lodgment (subject to the consent of An Bord Pleanála following this stage of the process) of a planning application.*

- 1. The applicant is required to consult with Drainage Planning and agree the attenuation storage provision and allowable site runoff in advance of the submission of a full planning application to the Bord.*

2. *The applicant is required to submit the complete Site Investigation Report and results, including Infiltration tests, and a plan showing the trial pits/soakaway test locations across the site. The report should address instances where groundwater, if any, was encountered during testing and its impact.*
3. *As standard, the applicant is required to demonstrate by calculation and by representation on a drawing that the proposed green roof extents are in accordance with the Council's Green Roof Policy such that the minimum coverage requirement of 60% is achieved. The applicant shall also provide details of maintenance access to the green roofs and should note that, in the absence of a stairwell type access to the roof, provision should be made for alternative maintenance and access arrangements such as external mobile access that will be centrally managed. A detailed cross section of the proposed buildup of the green roof should be provided, including dimensions. The applicant should comment on the compatibility of the green roof with PV panels if they are to be incorporated into the design. Consistency between engineering drawings and Architectural drawings is essential. Proposals for PV coverage should be shown on both sets of drawings.*
4. *As standard, the applicant is required to provide fully dimensioned plans and sections of the attenuation storage system. All relevant inlet and outlet levels, dimensioned clearances between other utilities, and actual depths of cover to the tank shall be provided. The applicant shall include confirmation from the chosen manufacturer of the storage system that the specific model chosen, with the depth of cover being provided, has the required load bearing capacity to support the loading that may imposed upon it.*
5. *As standard, the applicant will be required to provide long sections of the surface water drainage system.*
6. *As standard, the applicant will be required to agree the run-off coefficients (if proposed) and the methodology of calculation of interception and treatment volume storage requirements with Drainage Planning and, once agreed, to show the options being proposed for interception and treatment volume storage with contributing areas on a drawing together with an accompanying text and tabular submission showing the calculations, to demonstrate compliance with GSDSDS requirements.*
7. *As standard, the applicant is required to show the options being proposed for interception and treatment with contributing areas on a drawing together with an accompanying text and tabular submission showing the calculations, to demonstrate that the entire site is in compliance with GSDSDS requirements. The applicant should note that over-provision in one location does not compensate for under provision elsewhere.*
8. *As standard, the applicant is required to provide a penstock in the flow control device chamber and ensure that the flow control device provided does not have a bypass door. The applicant shall also clarify whether a silt trap is being provided in the flow control device chamber and if not to make provision for same.*

### **Site Specific Flood Risk Assessment**



9. From the information submitted the proposed northern site boundary is outside the flood extents shown on the OPW Old Connaught & Wilford Fluvial Flood Extents map No. E10OLD\_EXFCD\_F0\_02 dated 27<sup>th</sup> July 2016. The Site Specific Flood Risk Assessment should refer to this map and the predicted flood levels shown thereon with specific reference to proposed floor levels within the development. Details of the proposed northern boundary treatment (to include sections) should extend to include the predicted flood extents immediately adjoining the site and demonstrate that such boundary treatment does not alter the predicted flood extents or potential conveyance routes.
10. The applicant is requested to comment on the proposed surface water drainage system in the event of blockage or partial blockage of the system, commenting on any surcharging or flood risk that may be identified. The applicant is requested to submit a drawing identifying and showing details of safe overland flow routes both within and without the site. The overland flow route plan should identify drop kerbs or ramps required for channelling the flow, should address low point areas in the site and should detail how properties, both within the development and on adjacent lands, will be protected in the event of excessive overland flows".

**(ii) Transportation**

Correspondence from Transportation Planning, dated 13/10/2020, noted the following:

**"Car Parking Provision – Residential Dwelling Houses**

Transportation Planning consider that parking provision for all proposed residential dwelling units shall be in accordance with Table 8.2.3 of the current DLRCC County Development Plan. A total of 96 No. dwelling houses (22 No. 2-bed houses and 74 No. 3 bed houses) are included as part of the proposed development and 170 No. dedicated car parking spaces are required in accordance with the current DLRCC County Development Plan.

Transportation Planning consider that a parking ratio of 1 space per apartment/duplex unit is acceptable. This requirement includes visitor/disabled/EV/Carshare spaces.

The required car parking levels (in accordance with DLRCC County Development Plan) and allowable applicable standards are outlined in the table below:

**Table 1: Residential Car Parking Provision**

Type	Total No.	DLRCC CDP Requirement	2018 DHPLG DLR Reduced Standard (Allowable)	Proposed
2-Bed House	22	22	---	---
3-Bed House	60	120	---	---
3-Bed Townhouse	14	28	---	---
<b>SubTotal</b>	<b>96</b>	<b>170</b>	---	---
1 Bed Apt	176	176	176	---
2Bed Apt/Duplex	242	363	242	---
3-Bed Apt/Duplex	50	100	50	---
<b>SubTotal</b>	<b>468</b>	<b>639</b>	<b>468</b>	---

<b>Total</b>	<b>564</b>	<b>809</b>	<b>638</b>	<b>635</b>
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*It is noted that 231 No. surface level (outside) parking spaces are proposed, with a further 404 No. spaces at basement level.*

*Transportation Planning consider that further information should be submitted, which clearly demonstrates the allocation of all residential parking at the proposed development, to each individual residential dwelling/apartment.*

*All residential dwelling houses shall have on/near curtilage car parking at the rate prescribed in Table 8.2.3: Residential Land Use – Car Parking Standards of the current DLRC County Development Plan 2016/2022.*

**Car Parking Provision – Other**

*The submitted Transport Statement states that Creche parking will be provided within the basement parking area. 10 No. car parking spaces are proposed, including 2 No. set-down. It is noted that the creche is located within the portion of the development within the Wicklow County boundary, however, transportation planning consider that parking provision should be in accordance with the DLRC required parking standard.*

*It is noted that the "Orchard" open space zone includes the provision of 54 No. car parking spaces as part of an overflow car park in a permeable reinforced grass surfacing.*

*Further details shall be submitted which demonstrate the justification and proposed end-use for these car parking spaces.*

*A number of commercial areas/café have been demonstrated on submitted drawings. Parking provision to serve this land use has not been outlined.*

**Car Parking – General**

*Transportation planning consider that all allocated parking shall be demonstrated on submitted drawings. The drawings shall show the proposed locations for EV charging, disabled parking, creche parking/set-down, car sharing schemes etc.*

*Electric vehicle charging points shall be provided at a rate of 1 No. fully functional charging point per ten residential units. This shall be demonstrated on submitted drawings.*

*Submitted drawings shall demonstrate that all proposed car parking spaces are designed to be fitted with operational vehicle charging points, without the requirement for further excavations. Drawings shall demonstrate the provision of ducting, mini pillars, sub stations etc. where required. Details of the proposed charging units shall be submitted.*

*The submitted reports state that between 4% and 5% of all proposed car parking spaces will be suitable for use by disabled persons;. Transportation Planning consider that a portion of proposed disabled car parking shall be provided at surface level at a rate of 4% of total provision. The proposed total number of disabled car*

parking spaces is unclear. Further information should be submitted which demonstrates the exact number of disabled car parking spaces at the development. All proposed disabled car parking spaces shall be a minimum of 2.4m wide, with a 1.2m buffer on both sides – and 6.0m in depth. Disabled parking shall also be provided outside at surface level.

Driveways for the proposed dwelling houses shall be no more than 3.5m in width. A footprint of 3m x 5.5m should be provided for each car.

**Cycle Parking Provision-Residential**

1060 No. cycle parking spaces are included as part of the proposed development to serve the apartment and house units.

The proposed and required levels of cycle parking provision are shown in Table 2 below:

**Table 2: Residential Cycle Parking Provision**

Unit Type	No. of Units	No. of APT Bedrooms	DLRCC Std.	DHPLG Std.	Proposed
2-Bed House	22	-----	26	-----	-----
3-Bed House	60	-----	72	-----	-----
3-Bed Townhouse	14	-----	17	-----	-----
<b>SubTotal</b>	<b>96</b>	-----	<b>115</b>	-----	-----
1 Bed Apt	176	176	211	264	-----
2Bed Apt/Duplex	242	484	290	605	-----
3-Bed Apt/Duplex	50	150	60	175	-----
<b>SubTotal</b>	<b>468</b>	-----	<b>561</b>	<b>1044</b>	-----
<b>Total</b>	<b>564</b>	<b>810</b>	<b>676</b>	<b>1159</b>	<b>1060</b>

Table 7-3 of the submitted Transport Statement by Atkins states that 822 No. long term and 238 No. short term cycle parking spaces will be provided at the proposed development (A total of 1060 No. cycle parking spaces). In addition, 16 No. cycle parking spaces are included for the proposed childcare facility.

Transportation Planning consider that a total of **1159 No.** residential cycle parking spaces shall be provided as part of the proposed development in accordance with both the DLRCC "Standards for Cycle Parking and associated Cycling Facilities for New Developments" and the DHPLG Design Standards for New Apartments - Guidelines for Planning Authorities (March 2018).

Cycle parking quantity for the proposed dwelling houses shall be in accordance with the DLRCC "Standards for Cycle Parking and associated Cycling Facilities for New Developments".

As there is a reduced level of residential car parking at the proposed development in accordance with the DHPLG Design Standards, it is considered that the quantity of provision of cycle parking for apartments/duplexes shall be increased to be in accordance with the same standard.

### **Cycle Parking Provision-Non Residential**

*16 No. cycle parking spaces are provided to serve the proposed childcare facility.*

*2 No. commercial units are indicated within Block 1B (294.6 m<sup>2</sup>)*

*A Café is indicated within Block 1C (180.7 m<sup>2</sup>)*

*No cycle parking provision has been outlined for the other Non-residential land uses.*

*Transportation Planning consider that this should be addressed as part of any further submission.*

### **Cycle Parking Provision-General**

*All proposed cycle parking appears to be within basement/undercroft areas. Transportation Planning consider that a portion of visitor cycle parking should be located outside of these areas, in order to encourage their use and to improve levels natural surveillance.*

*The type of proposed cycle parking has not been outlined. Stacked cycle parking should be avoided, and the preferred type is the Sheffield Stand. An area of 2m x 1m should be provided for each cycle parking space in accordance with the DLRCC "Standards for Cycle Parking and associated Cycling Facilities for New Developments".*

*Proposed cycle parking for the proposed dwelling houses is also unclear.*

*Transportation Planning consider that significant further information with regard to cycle parking across the entire site should be submitted as part of any future submission.*

### **Transport Statement**

*The submitted Transport Statement by ATKINS is noted. The report states: "Junction counts were undertaken at a number of junctions in the vicinity of the site in 2019, and 5 of these counts will be utilised for the traffic assessment of this development." Further traffic count locations are identified within the report, and further proposed future counts are referenced in order to allow assessment of the Covid19 impacts on traffic between the 2019 and 2020 counts.*

*"Section 9 of the report states that detailed modelling of the junctions will be undertaken using the appropriate traffic modelling software package. All junction modelling includes for both AM and PM peak hour assessments. The assessment will also take into consideration the cumulative impact of recently committed developments in the vicinity of the proposed development site. "*

*Any future submission should clearly demonstrate any impact of extra traffic on the Wilford interchange and the Dublin Road. The surrounding existing road network must have sufficient capacity for the proposed development. Should further works be required to achieve this, these works shall be detailed and included within the red-line boundary of the site.*

*It is understood that the existing vehicular access to Castle Street from Ravenswell Road (at the bridge) is to be re-allocated to pedestrian/cyclist use only. This should be considered in all assessments.*

*It is noted that Section 2.3.2 of the Bray and Environs Transport Study that the following is required to serve the full build-out of Bray Golf Club lands:*

- *Golf Club Lands development roads;*
- *Pedestrian and cycle links from the Golf Club to Bray Town Centre;*
- *Dublin Road bus priority (part of Bray Core Bus Corridor);*
- *Public transport, pedestrian and cycle bridge from the Golf Club Lands to Bray DART station for future use by Luas;*
- *Development of interchange at Bray DART Station; and*
- *Commitment to the phased introduction of bus and enhanced rail services in line with increased demand.*

*Due consideration should be given to these requirements in liaison with Wicklow Co. Co.*

#### **Pedestrian & Cyclist Links**

*The proposed pedestrian/cyclist links are welcomed. However, the proposed "future connections" do not provide adequate connectivity in their current form. The following statement is noted within the submitted Landscape Design Strategy by parkhood:*

*"The developer proposes upgrading the landscaping of the existing parkland at Woodbrook Glen in partnership with DLR Co Co. The landscape treatment of the Woodland Setting will be seamlessly integrated into this".*

*It is also a Specific Local Objective (No. 82) of DLRCC to: "upgrade and enhance the linear park at Woodbrook Glen/Corke Abbey." This objective is listed within Section 9 of the current DLRCC County Development Plan.*

*Transportation Planning consider that further details should be submitted, which demonstrate how these links will be achieved. A letter of consent should be sought and provided, from DLRCC or other relevant 3<sup>rd</sup> party landowner where required and included as part of any future submission. Transportation Planning consider that the red line boundary should be altered to include these proposed required works.*

*All internal shared pedestrian/cyclist routes shall be a minimum of 3m in width.*

#### **Quality Audit & Internal Layout**

*The submitted DMURS Statement by ATKINS is noted. However, Transportation Planning are concerned that the presence of straight sections may encourage increased vehicle speeds. Further details should be submitted which demonstrate appropriate measures to reduce vehicle speeds, especially at straight sections with no on-street parking in accordance with DMURS 2019.*

*A detailed Quality Audit should be submitted which shall include a Road Safety Audit, Access Audit, Cycle Audit and a Walking Audit, to demonstrate that appropriate consideration has been given to all relevant aspects of the proposed residential development in accordance with DMURS.*

**Vehicle Movements**

*Access arrangements and vehicle movements required for refuse collection, emergency vehicles and deliveries within the proposed development should be submitted.*

**Travel Plan (Mobility Management Plan)**

*A detailed Travel Plan (Mobility Management Plan) shall be submitted and should detail measures which will reduce reliance on the private car as a means of transport to and from the proposed development.*

**Taking in Charge**

*It is noted that no areas are shown to be proposed Taking In Charge within the DLRCC controlled portion of the site.*

**Construction Management Plan**

*A detailed construction management plan should be submitted, which demonstrates measures to mitigate against negative impacts on the surrounding transport network during construction.*

**Transportation Planning Consider that the following items should be addressed as part of any future submission:**

*1. The Applicant shall submit revised drawings which demonstrate the provision of 170 No. car parking spaces to serve the proposed **dwelling houses** in accordance with the current DLRCC County Development Plan 2016-2022. All proposed car parking spaces shall be on/near curtilage. The drawings shall demonstrate the allocation of all parking spaces, and that parking spaces for dwelling houses have a minimum length of 5.5m depth and a minimum width of 3m. Driveway widths shall be demonstrated to be no more than 3.5m in width. These requirements are in accordance with Section 8.2.4.9 Vehicular Entrances and Hardstanding Areas (i) General Specifications of the current DLRCC County Development Plan 2016-2022.*

*2. The Applicant shall submit revised drawings which demonstrate the provision of car parking spaces for apartment/duplex units at a rate of 1 No parking space per residential unit. The submitted drawings and details should also clearly mark the number and location of car parking spaces assigned to visitors, car sharing schemes, deliveries, etc.*

*3. The Applicant shall submit revised drawings and details which demonstrate any proposed provision of parking for all non-residential land uses (childcare/café/commercial use) in accordance with Table 8.2.4: Non Residential Land Use – Maximum Car Parking Standards of the current DLRCC County Development Plan. Where reduced standards are proposed, the applicant shall provide adequate justification.*

4. The Applicant shall submit details which demonstrate the justification and purpose of the proposed overflow car park within the Orchard Area which contains 54 No. car parking spaces.

5. The Applicant shall submit details/drawings which demonstrate how unauthorised car parking will be prevented and controlled at the proposed development.

6. The Applicant shall submit revised drawings which demonstrate that one car parking space per 10 no. residential units is equipped with fully functional electric vehicle charging points. Further details of the proposed type of chargers, their management and how all car parking spaces will be equipped to allow the future installation of car charging points to all car parking spaces (e.g. ducting etc.).

7. The Applicant shall submit revised drawings and details which demonstrate that all proposed car parking spaces will be constructed so as to allow the future installation of electric vehicle charging points without the requirement for future intrusive works. The drawings shall demonstrate the provision of roped ducting, capping, mini-pillars and substations to facilitate future installation. On-street parking spaces and residential dwelling house parking spaces (driveways) shall also be included.

8. The Applicant shall submit revised drawings and details which demonstrate that a minimum of 4% of all car parking spaces are suitable for use by people with disabilities. Disabled Parking shall be proportionally shown at surface level. **Note:** Parking bay widths suitable for people with disabilities shall be a minimum of 2.4m wide – with a 1.2m buffer on both sides – and 6.0 m in depth.

9. The Applicant shall submit revised drawings which demonstrate that all residential dwelling vehicular entrances are a maximum of 3.5m in width (single entrance) or 4.0m in width (shared entrance) in accordance with Section 8.2.4.9 of the current DLRCC County Development Plan.

10. The Applicant shall submit revised drawings and details which demonstrate a minimum of 1159 No. cycle parking spaces to serve the **residential** portion of the proposed development. All cycle parking shall be designed in accordance with Section 3 & Section 4 of DLRCC's Standards for Cycle Parking and associated Cycling Facilities for New Developments (January 2018). Stacked cycling parking is **not** recommended and the preferred type of cycle parking stand is the Sheffield cycle stand. Accordingly, all proposed cycle parking at the development should be of the preferred "Sheffield" type and have an adequate accessible footprint space. In determining recommended space for bicycle parking a footprint of 2m x 1m is required for 2 standard bicycles parked at 1 Sheffield stand in accordance with the DLRCC standard. A portion of visitor parking shall also be provided at surface level in order to encourage use and improve natural surveillance levels.

11. The Applicant shall submit revised drawings and details which demonstrate the provision of cycle parking for all proposed non-residential land uses (childcare/café/commercial use) in accordance with DLRCC's Standards for Cycle Parking and associated Cycling Facilities for New Developments (January 2018).

12. The Applicant shall submit a 'Traffic and Transport Assessment report with up-to-date and historic relevant baseline data accumulated from Traffic Surveys on the local road network. As the development will generate trips on the existing transport network (car, commercial vehicle, cycling, walking or public transport), the Applicant shall provide a full and detailed assessment of how the trips to and from the development might affect the transport network. The assessment should be an impartial description of the impacts of the proposed developments and should outline both its positive and negative aspects especially on the Wilford interchange and Dublin Road in the context of the capacity of the current road network. The report shall also take into account the future potential change to cyclist/pedestrian only access onto Ravenswell Road from Castle Street.

13. The Applicant shall demonstrate that due consideration has been given to the Bray and Environs Transport Study, especially Section 2.3.2.

14. The Applicant shall submit revised drawings and details which demonstrate in detail how connections to the linear park at the north of the site will be achieved. The red line boundary should be adjusted to include all required works to achieve the connections, and a letter of consent should be sought and provided, from DLRCC or other relevant 3<sup>rd</sup> party landowner where required and included as part of any future submission.

15. The Applicant shall submit revised drawings and details which demonstrate that all proposed shared cycle/pedestrian routes are a minimum of 3m in width.

16. The Applicant is requested show on a detailed plan layout drawing the access arrangements and vehicle manoeuvres required for refuse collection, emergency vehicles and delivery, collection etc. within the proposed development. The Applicant shall show the above on a detailed layout drawing by using a Computer Aided Design (CAD) software such as Autoturn or similar computerised design software.

17. The Applicant is requested to submit a detailed Quality Audit (which shall include a Road Safety Audit, Access Audit, Cycle Audit and a Walking Audit) to demonstrate that appropriate consideration has been given to all relevant aspects of the proposed residential development in accordance with the Design Manual for Urban Roads & Streets (DMURS). The independent Audit Team shall be approved by the Planning Authority (Transportation Planning Section) and all measures recommended by the Auditor shall be undertaken unless the Planning Authority approves any departure in writing. A feedback report should also be submitted providing a response to each of the items.

18. The Applicant is requested to submit a Travel Plan (Mobility Management Plan) for the proposed residential development in accordance with Section 8.2.4.3 of CDP 2016-2022. A Travel Plan (Mobility Management Plan) for the proposed residential development shall detail:

- a. Proposed measures to encourage the use of sustainable transport modes and reduce reliance on the private car as a means of transport to and from the proposed residential development.



- b. *The appointment of a Travel Coordinator (to include Contact Details).*
- c. *Methods to monitor the progress of the Travel Plan to meet the Travel Plan targets.*

19. *The Applicant shall submit a detailed Construction Management Plan to the Planning Authority (Transportation Planning Section) indicating measures dealing with:*

- a. *Traffic management plan including Construction vehicular access to site in particular to avoid conflict between construction activities and traffic on the surrounding road network.*
- b. *How it will be intended to avoid conflict between construction activities and pedestrian movements on adjoining roads during construction works.*
- c. *Where it is intended to provide for site staff car parking during construction in that is not acceptable to have long term parking in the nearby residential areas.*
- d. *Proposed measures to minimise /eliminate nuisance caused by noise and dust, proposed working hours and measures to minimise/prevent transfer of dirt to the public road with associated measures to clean the public roads / gullies etc in the vicinity of the site and continuing replacement of roads line markings resulting therefrom”.*

**(iii) Public Lighting**

Correspondence from Public Lighting Section of Transportation Planning, dated 07/10/2020, noted the following:

*“There is insufficient information for me to comment on the lighting design at this time.*

*I have a plan showing where they want to put the lighting columns and the type of lantern to be used with the wattage they plan to use but I am missing the following:*

- 1. *Lux contour diagram showing where the light will fall and the numbers on the road, footpaths and potential obtrusive light for the units.*
  - a. *Full light spread needed with lux contours from 1 lux to 20 lux at various levels*
- 2. *There are numerous tree conflict locations and locations where adjacent trees will stop light reaching the road surface*
- 3. *Some walkways are lit and some are not with no indication why they’ve taken those decisions*
- 4. *There is no information on the lighting design for the apartment block courtyard areas, which is also needed*
- 5. *Circuit diagram showing the mini-pillar locations and where the lights will be fed from are needed*
- 6. *How they plan on dealing with the difference in light levels between the main road, and the development”.*

**(iv) Waste Management**

Correspondence from Waste Management Section, dated 02/10/2020, noted the following:

**"General Comments**

*Environmental Enforcement notes that this site is located directly adjoining a large school and a newly completed housing development. In this context it is considered*

that the construction stage environmental management of the proposed development will require careful consideration.

While Environmental Enforcement are generally happy with the submitted "Outline Construction Waste Management Plan" and the "Operational Waste Management Plan", it is considered that these aspects of the development will require to be addressed in greater detail, as follows

### **Construction Waste & Environmental Management**

Environmental Enforcement considers that the applicant should be conditioned to submit, prior to commencement of site works, a Detailed Construction Waste Management Plan together with a detailed 'Environmental Management Construction Plan' consistent with "The DLR Guidance Notes for Environmental Management of Construction Projects " taking full account of the following;

#### **1. Waste – Construction phase**

- Management of waste, including measures to ensure tracking of all waste generated to final destination. In the absence of gate receipts for the licenced facility to which, particularly excavation and demolition waste are brought there is no evidence that materials removed from sites were properly disposed of or that site management is in compliance with statutory obligations under the Waste Management Acts 1996, as amended.
- Plans, including applications under Article 27 of the European Communities (Waste Directive) Regulations, 2011 for re-use of building materials, recycling of demolition material and the use of materials from renewable sources. In all developments in excess of 10 housing units and commercial developments in excess of 1000 sq.m, a materials source and management plan showing type of materials/proportion of reuse/recycled materials to be used shall be implemented by the developer.
- Identification and management of any Hazardous Wastes likely to arise during the construction process. In the event that hazardous waste is encountered during the work, the contractor must notify Dún Laoghaire Rathdown County Council, Environmental Enforcement Section, and provide a Hazardous Waste Management Plan, to include estimated tonnages, description of location, any relevant mitigation, destination for authorised disposal/treatment, in addition to information on the authorised waste collector(s)

#### **2. Environmental Impacts – Construction Phase**

##### **a. Noise & Vibration**

Detailed consideration should be given to;

- Details of the measures that require to be implemented to ensure that potential impacts relating to noise nuisance and disturbance and vibrational impacts are effectively minimised, controlled and monitored to ensure that site construction activities do not have an adverse or unacceptable impact on local receptors, adjacent property, adjacent users and human health and on the wider receiving environment.

##### **b. Dust & Odour**

- *All operations on-site shall be carried out in a manner such that air emissions do not result in significant impairment of, or significant interference with amenities or the environment beyond the site boundary.*

- *A dust monitoring strategy should be implemented for the development.*

*c. Complaints Handling*

- *Maintenance of a site complaints log detailing*

- *Name and address of complainant*

- *Time and date complaint was made*

- *Date, time and duration of noise*

- *Characteristics, such as rumble, clatters, intermittent, etc.*

- *Likely cause or source of noise*

- *Weather conditions, such as wind speed and direction*

- *Investigative and follow-up actions*

- *Liaison with Local Community and Businesses*

- *Appointment of a Liaison Officer as a single point of contact to engage with the community and respond to concerns*

- *Keeping local residents informed of progress and timing of particular construction activities that may impact on them*

***Operational Waste Management***

*Environmental Enforcement considers that the submitted "Operational Waste Management Plan" is largely aspirational and lacks relevant detail. The applicant should be conditioned to submit a Detailed Operational Waste Management Plan consistent with "The DLR Guidance Notes for Waste Management Planning DLR" taking full account of the following;*

*Standards for Residential Developments/Apartments*

*The requirements set out in the Dún Laoghaire-Rathdown County Council (Segregation, Storage And Presentation Of Household And Commercial Waste) Bye-Laws, 2019 must be adhered to and, in particular, the requirement in the bye-laws to segregate waste into separate fractions to facilitate the collection of dry recyclables, organic kitchen/garden waste and residual waste in line with Waste Management (Food Waste) Amendment Regulations 2015 (S.I. 190 of 2015) and the European Union (Household Food Waste and Bio-waste) Regulations 2015 (S.I. 191 of 2015), Waste Management (Food Waste) Regulations 2009 (S.I. 508/2009) and the Eastern-Midlands Regional Waste Management Plan 2015 – 2021.*

*Waste storage issues should be considered at the initial apartment design stage, taking full account of the Dún-Laoghaire Rathdown "Guidance Notes for Waste Management in Residential Developments", to ensure access for all (including people with disabilities) in a brightly lit, safe and well-signed area, spacious enough for easy manoeuvrability, good ventilation and ready access if required for the control of potential vermin.*

*Where storage is provided in a basement area, sufficient access and egress must be provided to enable receptacles to be moved easily from the storage area to an appropriate collection point within the curtilage of the development in accordance*

with Dún LaoghaireRathdown County Council (Segregation, Storage And Presentation Of Household And Commercial Waste) Bye-Laws, 2019, Section 9.

The following are also requirements:

*A Common Waste Storage Areas design*

- 1. A defined pedestrian route from apartment areas to the nearest waste storage area*
- 2. Waste storage areas should not present any safety risks to users*
- 3. A non-slip surface within the waste storage area*
- 4. Adequate ventilation to avoid the creation of stagnant air or foul odours*
- 5. Appropriate sensor controlled lighting*
- 6. Suitable wastewater drainage points and water supply points should be installed in the bin storage area for cleaning and disinfecting*
- 7. Provision of appropriate graphical signage to inform residents of their obligation to reduce waste, segregate waste and in the correct bin.*
- 8. Measures to control access to waste storage areas*
- 9. Adequate space for separate storage of general mixed waste, general recyclable waste, organic, glass WEEE and hazardous waste*
- 10. Worst case sizing of waste storage containers with reference to BS 5906:2005.Waste Management in Buildings – Code of Practice*

*B Requirements for units not using common waste storage area*

- 1. Provision of a suitable sized and located bin storage area to accommodate a standard 3 bin system*
- 2. Workable provision for leaving out bins for collection*

*C Requirements within Residential Units*

- 3. Provision of sufficient space for the storage of general domestic waste, green recyclable waste, glass waste and organic waste.*
- 4. Each apartment shall include individual waste storage bins which shall be sized to allow their easy manual handling to be brought to the central waste storage area*

*D Initial Waste Management*

- 1. Provision of a full waste collection service from the date of first occupation of units in the development.*
- 2. Provision of a guidance document to all occupants from the date of first occupation of units in the development.*

*E Waste Collection system*

- 1. Identification of a suitable location within the curtilage of the development where the waste bins can be left out for collection*
- 2. Access for waste collection trucks, including design of turning circles and headroom requirements.*
- 3. Avoidance of traffic hazard*
- 4. Avoidance of environmental pollution, including visual pollution*
- 5. Avoidance of environmental nuisance and litter*
- 6. Door access to bin area that allows for 1100litre bins plus 20% over width*

7. Robust design of doors to bin area incorporating steel sheet covering where appropriate

### **Environmental Impacts – Operational Phase**

#### **A. Noise, Vibration and Odour**

Consideration should be given to measures that require to be implemented to avoid the creation of serious environmental nuisance in the operation of the completed development, with specific reference to avoidance of the creation of noise nuisance to any third party receptor or on any residential units which form part of the development. For night time noise assessment the relevant World Health Organisation guidelines should be taken into account. Particular consideration should be given to the ventilation strategy for buildings.

Detailed consideration should be given to;

- Measures required to avoid the generation of potential conflicts in terms of noise amenity within the development itself, whether from the incorporation of uses that can serve as noise generators or improperly sited building services.
- Appropriate design of the commercial units, including the mechanical services associated with these units shall be undertaken to ensure that the completed development provides a very high degree of sound insulation between adjoining units, so that one unit does not have a negative noise or vibration impact on another

#### **B. Pest Control**

An appropriate rodent/pest control plan should be put in place for the overall development”.

### **(v) Housing**

Correspondence from Housing Department, dated 20/10/2020, noted the following:

**"Re: ABP-308291-20 - Proposed Development at Former Bray Golf Course Lands – Stage 2**

*I refer to your request for a housing report in connection with the above proposed development. It is noted that the total number of proposed units in the development is 564, 278 of which are located within the administrative area of Dun Laoghaire-Rathdown County Council.*

*It is noted that the applicant proposes to comply with the Part V requirement for the proposed development by way of transfer of 28 units on site at a total indicative cost of €11,514,365 inclusive of VAT, comprising; 4 x one-bedroom units at an average indicative cost of €274,151 per unit, 18 x two-bedroom units at an average indicative cost of €411,227 per unit and 6 x three-bedroom units at an average indicative cost of €502,611 per unit.*

*While the average unit cost exceeds the Council's approved acquisition cost threshold, it is acknowledged that the stated costs are estimated, as actual costs cannot be quantified at this preliminary stage. As such, the on-site proposal has the potential to comply with the requirements of Part V of the Planning and Development Act 2000 as amended, the County Development Plan and the Housing*

*Strategy 2016-2022, subject to agreement being reached on land values and development costs and funding being available. Should planning permission be granted and validated costs prove to be of similar values, the council will review the proposal and seek an alternative compliance option.*

*In order to fully assess the applicant's proposal, the Housing Department will require in the event that planning permission is granted, a detailed submission to include, inter alia, existing and development use land values, construction, development and any attributable costs associated with the development. Furthermore, in determining whether to enter into an agreement under Section 96(3)(b) of the Acts the Council will consider the applicant's proposal having regard to the criteria set out in Sections 96(3)(c) and (h) of the Acts.*

*It is therefore recommended that should a decision be made to grant planning permission for the proposed development a condition be attached requiring the applicant/developer to enter into an agreement in accordance with Part V of the Planning and Development Act, 2000, as amended, prior to commencement, unless the applicant/developer shall have applied for and been granted an exemption certificate under section 97 of the Acts".*

#### **1.4 Development Proposal**

The proposed development comprises a 564 residential unit development on lands forming the northern portion of the former Bray Golf Club lands, on a 7.66 hectare site which traverses the administrative boundaries of Dun Laoghaire Rathdown County Council and Bray Municipal District of Wicklow County Council.

The development subject to this application would provide for 281 residential units on 3.65 hectares within the administrative area of Dun Laoghaire Rathdown County Council; and 283 residential units, commercial units, a 668.8sqm childcare facility, and a café unit on 4.01 hectares within the administrative area of Wicklow County Council.

The development within the administrative area of Dun Laoghaire Rathdown County Council would provide for 281 apartment, duplex and dwelling house units ranging from two to eight storeys in height, including:

- 179 apartment units, located within proposed apartment blocks of Block 1A and proposed apartment Block 1D, comprising:
  - 68 one-bedroom apartment units,
  - 100 two-bedroom apartment units, and
  - 11 three-bedroom apartment units.
- 102 duplex (proposed House Types H1 and H2) and terraced dwelling houses (proposed House Types H3, H4 and H5), comprising:
  - 32 two-bedroom dwelling units (8 x House Type H1, 9 x proposed House Type H2, and 15 x proposed House Type H3),
  - 61 three-bedroom dwelling units (8 x House Type H1, 9 x proposed House Type H2, and 44 x proposed House Type H4),
  - 9 four-bedroom own-door, three storey terraced dwelling units (proposed House Type H5 'triplex units') forming part of the footprint of proposed Block 1A,

with associated resident's amenity spaces; communal and public open spaces; and car, bicycle, and motorcycle parking at surface and undercroft level. The proposed development would also provide for all associated plant, drainage arrangements, utility connections, sedum roofs, boundary treatment, landscaping, public lighting and site development works.

Proposed Block 1A, with a north-south orientation, would be located in the northeastern portion of the subject site and comprise three seven storey (six floors over podium level) blocks arranged in a U-shaped layout, and the terrace of nine three-storey dwellings (proposed House Type H5) as a perimeter block around a central courtyard area. Proposed apartment Block 1D, with an east-west orientation, would be located in the northwestern corner of the subject site and comprise a five storey (four floors over podium level) rectangular-shaped block. Parking would be provided within the podium levels of proposed apartment Blocks 1A and 1D, and to proposed House Type H5 units within the footprint of these dwelling units accessed from the overall podium level of Block 1A. The two and three storey dwelling house and duplex units within the remaining portion of the subject site within the administrative area of Dun Laoghaire Rathdown County Council would be arranged in two extended terraces along the western boundary of the subject site, and eight terraces arranged in two block-type layouts to the east of same.

The proposed development would be accessed via two existing vehicular accesses off the R761 Dublin Road, from the Ravenswell Road Junction and the School Junction, in addition to existing pedestrian and cycle routes. New pedestrian/cycle routes that would link into the existing pedestrian and cycle network in the area are also proposed. Car parking for dwelling units would be provided at a ratio of 1 space per two-bedroom dwelling house; 1.4 spaces per three-bedroom dwelling house; 2 spaces per three and four-bedroom townhouse units; 1 space per two-bedroom duplex units; 1.4 spaces per three-bedroom duplex units; and 0.875 spaces per apartment unit. Proposed apartments within Block 1A would be served by 153 car parking spaces, including 6 accessible parking bays and 18 parking spaces allocated to dwelling units (9 x three storey, four-bedroom proposed House Type H5 detailed above), with proposed Block 1D served by 18 car parking spaces including 2 accessible parking bays.

The proposed development within the administrative area of Dun Laoghaire Rathdown County Council would provide for a density of approximately 77 units per hectare, based on a proposed 281 residential units on a stated site area of 3.65 hectares.

The submission included the following documents:

- Planning Report and Statement of Consistency, dated 25/09/2020 and prepared by RPS,
- Harbour Point Masterplan Document, dated 23/09/2020 and prepared by Ballymore, RPS, Atkins, Reddy Architecture and Urbanism, Park Hood, and Glenn Howells Architects,
- Architectural Design Statement, dated 25/09/2020 and prepared by Reddy Architecture and Urbanism,
- Verified Views document comprising CGI images, dated September 2020 and prepared by 3D Design Bureau,
- Childcare Demand Analysis report, dated 25/09/2020 and prepared by RPS,
- Daylight and Sunlight Assessment Report, dated September 2020 and prepared by 3d Design Bureau,

- Archaeological and build heritage assessment report, dated September 2020 and prepared by John Cronin & Associates,
- Infrastructure Statement, dated September 2020 and prepared by Atkins,
- Flood Risk Assessment – Stage 1 report, dated September 2020 and prepared by Atkins,
- Transport Statement report, dated September 2020 and prepared by Atkins,
- DMURS Statement report, dated September 2020 and prepared by Atkins,
- Engineering & Energy Report (MEP Section), dated 23/09/2020 and prepared by Atkins,
- Landscape Design Strategy report, dated September 2020 and prepared by Park Hood,
- Tree Survey Report, dated June 2020 and prepared by Independent Tree Surveys,
- Outline Construction Waste Management Plan, dated 23/09/2020 and prepared by Atkins,
- Operational Waste Management Plan, dated 21/09/2020 and prepared by Atkins,
- Appropriate Assessment Screening Report, dated 18/09/2020 and prepared by Atkins,
- Balcony Assessment and Historical Weather Data Analysis report, dated 22/09/2020 and prepared by B-Fluid Ltd.,
- Building Lifecycle Report, dated 23/09/2020 and prepared by Atkins.

### **1.5 Relevant Recent Planning History**

#### **Subject and adjoining lands within Dun Laoghaire Rathdown County Council administrative area:**

**D07A/1495/E1** – Permission sought at Site of c. 4.48 hectares, Which Incorporates The North Eastern Portion Of, The Bray Golf Club Lands, (zoned 'A' Under The Dun Laoghaire - Rathdown County Development Plan) And Part Of, The Industrial Yarns Site, All At Bray, Co. Dublin for an Extension of Duration of development previously permitted under D07A/1495 / PL06D.230215.

Decision due date: 26/11/2020.

**D07A/1495/E** – Permission refused by the Planning Authority at Site of c. 4.48 hectares, Which Incorporates The North Eastern Portion Of, The Bray Golf Club Lands, (zoned 'A' Under The Dun Laoghaire-Rathdown County Development Plan) And Part Of, The Industrial Yarns Site, All At Bray, Co. Dublin for an Extension of Duration of development previously permitted under D07A/1495 / PL06D.230215.

Permission was refused by the Planning Authority on 07/09/2020 for the following reason:

Having regard to the information provided, including the extent of infrastructural works commenced and completed to date prior to the expiration of the grant of permission under D07A/1495 / PL06D.230215, it is considered that this application does not accord with the requirements of Section 42(1)(a)(i) of the Planning and Development Act 2000, as amended, as the Planning Authority is not satisfied that substantial works were carried out.

As such, an Extension of Duration of Permission under D07A/1495 / PL06D.230215 cannot be permitted.

**D07A/1495 / PL06D.230215** – Permission granted by the Planning Authority and granted on appeal by An Bord Pleanála at Site of c. 4.48 hectares, which incorporates the north eastern portion of The Bray Golf Club Lands, (zoned 'A' Under The Dun Laoghaire-Rathdown County Development Plan) and part of the Industrial Yarns Site, all at Bray, Co. Dublin for 348 No. residential units comprising:- 46 No. 1 bed apartments, 171 No. 2 bed



apartments, 124 No. 3 bed apartments, 6 No. 2 bed duplex units, 1 No. 3 bed duplex units (Total Residential Gross Floor Area 37,664 sq.m); 1 No. retail unit (80 sq.m of Gross Lettable Retail Floorspace); 1 No. Cafe (135 sq.m GFA); 368 No. car parking spaces will be provided to service the proposed scheme (of which 350 No. will be provided at basement level and 18 No. will be provided at surface level); The demolition of an outbuilding at Industrial Yarns; Provision of a new vehicular access off the Dublin Road and new internal road network to service the proposed scheme (which will link into the proposed new road network for the Bray Golf Club lands lying within the administrative area of Bray Town Council for which a separate concurrent planning application is being made by Pizarro Developments); The upgrading and extension of the existing vehicular access road to the Industrial Yarns site to provide for a new access to the existing St. Philomena's National School (in tandem with a concurrent planning application being made by Pizarro Developments to Bray Town Council in respect of the former Golf Club lands); Provision of a new access to the St. John of Gods site off the proposed new internal road network (in tandem with a concurrent application by Pizarro Developments to Bray Town Council in respect of the former Golf Club lands); Associated landscaping, site development and service works (which will link into proposed landscaping, site development and service infrastructure for adjoining lands for which a separate concurrent planning application is being made by Pizarro Developments to Bray Town Council in respect of the former Golf Club lands); The total GFA of development proposed under this application is 37,879 sq.m (above ground) plus basement of 16,851 sq.m (which will accommodate car parking); This planning application is accompanied by an Environmental Impact Statement (EIS).

The reasons and considerations of an Bord Pleanála to grant permission for the proposed development noted the following:

Having regard to the nature of the proposed development as part of a wider development that forms an extension to Bray town centre, the provisions of the current development plan and the Bray Golf Club Area Action Plan, planned and permitted improvements in access to the site and the layout of the proposed development, it is considered that the proposed development would not seriously injure the area, would be acceptable in terms of traffic safety and convenience, would not be prejudicial to public health and would, therefore, be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission due to the issue of flooding on the overall landholding, the proposed development of which was also appealed, the Board had regard to the further submissions made in relation to flooding on that site, the Inspector's associated addendum report and was satisfied that the adjoining proposed development provided adequately for flood management and would not put other lands at risk flooding.

Permission was granted by An Bord Pleanála on 03/06/2010 subject to 30 conditions.

**D15A/0112** – Permission refused by the Planning Authority and granted on appeal by An Bord Pleanála at site within the former Industrial Yarns Complex, Co Dublin, to serve the proposed schools site within the former Bray Golf Club Lands, Bray, Co Dublin for development at this site (within the Planning Permission granted under reference D07A/1495) of c.1.46 hectares within the former Industrial Yarns Complex, Co Dublin. The development will consist of: A new vehicular access road off the Dublin road, including dedicated pedestrian and cycling routes and a new pedestrian and cycle route off the Dublin Road with ancillary engineering services and all associated landscaping and site development works (which will link into the proposed new road to serve the proposed schools site within the former Bray Golf club Lands, Bray Co Wicklow), the demolition of an outbuilding at the Industrial Yarns Complex and of part of the extension to no. 70 Corke Abbey and the provision of a new access road to the St John of Gods site off the proposed new internal road (for which a separate concurrent planning application is being made by

the Board of Managements of St Philomena's Primary School and Coláiste Raithín Post Primary School on behalf of the Department of Education and Skills to Wicklow County Council).

**Other relevant history within Dun Laoghaire Rathdown County Council administrative area:**

**ABP30584419** – Permission granted by An Bord Pleanála at Townland of Cork Little, Woodbrook, Shankill, Co. Dublin for a Strategic Housing Development consisting of a residential-led development comprising 685no. residential units and 1 no. childcare facility in buildings ranging from 2 to 8-storeys. The breakdown of residential accommodation is as follows: - 207no. own door detached, semi-detached, terraced and end of terrace houses, including: - 134no. 3-bed 2-storey houses (House Type 01, 02, 03, 08, 10) - (House Type 01 are provided with optional ground floor extensions and/or attic conversions, House Type 03 are provided with optional ground floor extensions); 48no. 4-bed 2 - 3-storey houses (House Type 04, 05, 07) - (House Type 05 are provided with optional ground floor extensions); 25no. 5-bed 3-storey houses (House Type 06). 48no. duplexes (33no. own door), in 3 to 4-storey buildings, including: - Old Dublin Road Blocks accommodating 16no. 2-bed duplex and 17 no. 3-bed duplex; Park Edge Block accommodating 6no. 2-bed duplex 6no. 3-bed duplex; Block A accommodating 3no. duplexes (3no. 2-beds). 430no. apartment units accommodated in 6no. 3 to 8-storey buildings, including : - Block A accommodating 66no. apartments (14no. 1-beds and 52no. 2-beds) and Tenant Amenity area (c. 93 sq. m gross floor area); Block B accommodating 151no. apartments (47no. 1-beds and 104no. 2-beds) and Tenant Amenity area (c. 203 sq. m gross floor area); Block C accommodating 151no. apartments (47no. 1-beds and 104no. 2-beds) and Tenant Amenity area (c. 203 sq. m gross floor area); Block D accommodating 36no. apartments (13no. 1-beds, 18no. 2-beds and 5no. 3-bed); Block E accommodating 21no. apartments (7no. 1-beds, 13no. 2-beds and 1 no. 3-bed); Old Dublin Road Block accommodating 5no. apartments (2no. 1-beds and 3no. 2beds). Private rear gardens are provided for all houses. Private patios/ terraces and balconies are provided for all duplex and apartment units at ground floor. Balconies are proposed on elevations to all upper levels of duplex and apartment buildings. The proposed development includes 1 no. childcare facility (c. 429 sq. m gross floor area). And, all associated and ancillary site development and infrastructural works (including plant), hard and soft landscaping and boundary treatment works (including temporary hoarding to undeveloped lands), including : - Provision of Woodbrook Distributor Road/ Woodbrook Avenue from the Old Dublin Road (R119) to the future Woodbrook DART Station, including the provision of a temporary surface car park (164no. parking spaces including set down areas and ancillary bicycle parking and storage) adjacent to the future Woodbrook DART Station in northeast of site on lands currently forming part of Woodbrook Golf Course; New vehicular access provided from the Old Dublin Road (R119) opposite Woodbrook Downs entrance including new junction arrangements and associated road re-alignment; Provision of emergency access to Shanganagh Cemetery access road; Provision of internal road network including pedestrian and cycle links; Provision of a series of linear parks and green links (Coastal Park and Corridor Park), including 2no. pedestrian/ cycle links to Shanganagh Public Park to allow full north/ south connection, supplemented by smaller pocket parks; Provision of SuDS infrastructure and connection to existing surface water culvert on Old Dublin Road (R119); Provision of waste water infrastructure (pumping station including 2.4m fencing to perimeters, 24 hour emergency storage and rising foul main through Shanganagh Public Park to tie-in to existing services at St. Anne's Park Residential Estate) and the extension of and connection to public watermain on Old Dublin Road (R119); 844no. car parking spaces; 1,305no. long and short-term bicycle parking spaces; Bin store and bicycle storage for all terraced houses, duplex/ apartment and apartment blocks; 2no. ESB Unit Sub- stations; Provision of 2no. replacement golf holes in lands to the east of the rail line (northeast of the future DART Station) and associated 2m paladin fence to western and northern perimeter. All on a total site area of approximately 21.9 Ha.

**Relevant history within Wicklow County Council administrative area (adjoining lands):**

**20/672** – Permission granted by Wicklow County Council for Extension of Duration of Permission of development previously approved under 07630194 / PL39.230246 on a site incorporating part of the former Bray Golf Club lands; part of the Saint John of God's site and part of the Sisters of Charity Convent/Saint Philomena's School Site, all at Bray, Co. Wicklow.

**07630194 / PL39.230246** – Permission granted by Wicklow County Council and granted on appeal by An Bord Pleanala on a site generally incorporates (but is not exclusive to): part of the former Bray Golf Club lands; part of the Saint John of God's site and part of the Sisters of Charity Convent/Saint Philomena's School Site, all at Bray, County Wicklow for mixed use development of residential (603 units), community and commercial and all other associated site, access and landscaping works on a site of c.15.99 hectares.

The reasons and considerations of an Bord Pleanala to grant permission for the proposed development noted the following:

Having regard to the location of the site across the river from the historic town centre of Bray, the town centre zoning of the site, the provisions of the current development plan and Bray Golf Club Area Action Plan, the nature of the proposed development which would constitute an extension to Bray town centre; the planning history of the site, national policy on flood risk management and the provisions for flood alleviation within the proposed development and planned and permitted improvements in access to the site, it is considered that the proposed development would not seriously injure the amenities of the area, would be acceptable in terms of traffic safety and convenience, would not be prejudicial to public health and would, therefore, be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission, the Board had regard to the further submissions made in relation to flooding during the course of the appeal, the Inspector's addendum report and was satisfied that the proposed development provided adequately for flood management and would not put other lands at risk flooding.

In relation to the impact of traffic generated by the proposed development on the N11, the Board had regard to the town centre location of the site and the improvements planned for the local road network and public transportation system in proximity to the site and so did not consider it appropriate to refuse permission on grounds related to the capacity of the N11.

Permission was granted by An Bord Pleanala on 03/06/2010 subject to 46 conditions.

### **1.6 Pre-Planning History**

PAC/SHD/161/20 - The proposed development has been the subject of a pre planning meeting with Dun Laoghaire Rathdown County Council held on 12/08/2020.

A copy of the pre-planning minutes is contained in Appendix A.

### **1.7 Site and Surrounding Area**

The subject site comprises a 7.66 hectare site on lands forming part of the former Bray Golf Club lands, which traverses the administrative boundaries of Dun Laoghaire Rathdown County Council and Bray Municipal District of Wicklow County Council. As noted above, approximately 3.65 hectares of the subject site are located within the administrative boundary of Dun Laoghaire Rathdown County Council, with 4.01 hectares located within Wicklow County Council.

The subject site comprises the northern portion of an approximately 19 hectare, L-shaped landholding located to the north of Bray town centre for which a development framework, 'Harbour Point Masterplan', has been developed by the owners of same. The 7.66 hectare subject site comprises lands relating to proposed 'Phase 1 - Coastal Quarter' of this development framework. The remaining lands, all located within the administrative area of Wicklow County Council, would comprise the 'Phase 2 - River Quarter' of the overall 'Harbour Point' development site.

The area of the subject site located within the administrative area of Dun Laoghaire Rathdown County Council is roughly rectangular in shape, with the overall subject site located to the east of the R761 Dublin Road and former Industrial Yarns premises, now the Industrial Yarns Complex accommodating a supermarket retail unit and other commercial premises. The area of the subject site within the administrative area of Dun Laoghaire Rathdown County Council is bounded to the east by the railway line, to the south by former Bray Golf Club lands within the administrative area of Wicklow County Council, to the west by the grounds of the Ravenswell and St. Philomena's Primary School properties, to the northwest by the Corke Abbey residential estate, and to the north by an area of public open space/woodland referred to as Woodbrook Glen Park. The residential development of Woodbrook Glen is located further north of this woodland area. The River Dargle is located to the south of the overall subject site, with Bray Harbour approximately 50m from the southeastern extent of the subject site.

The subject site is located approximately 800m north of Bray Daly railway station, serving DART, commuter and main line rail services. Exiting bus routes along the R761 Dublin Road to the west of the subject site include the 45A, 84N, 144, 145 and 184 services. The topography of the subject site falls from north to south, with the northern portion of the site located at an elevated position to the southern portion of the site and adjacent to Ravenswell Road.

## **2.0 ASSESSMENT OF PROSPECTIVE APPLICATION**

### **2.1 General Observations**

The proposed development has been the subject of a pre-planning meeting with Dún Laoghaire-Rathdown County Council, as noted above.

The Planning Authority is bound by the provisions of the Dun Laoghaire Rathdown County Development Plan 2016-2022.

The following report highlights the views, requirements and aspirations of the Planning Authority in relation to the subject site with appended reports detailing the specific views and requirements of internal departments and these issues may be taken into consideration by the Board in any decision.

### **2.2 Policy Context**

The National Planning Framework (NPF), approved in February 2018, sets out the Government's high-level strategic vision for shaping the future growth and development of the country. Compact growth is a key objective of the NPF which seeks to locate a greater portion of future housing development (40%) within and close to the footprint of existing built-up areas. The objectives of the NPF will be underpinned by the Regional Spatial and Economic Strategies (RSES) for the Northern and Western, Eastern and Midlands, and Southern regions of the country. The Regional Spatial and Economic Strategy (RSES) 2019-2031 for the Eastern and Midland Regional Assembly (EMRA) was adopted in June 2019.

In this regard, it is noted that Regional Policy Objective (RPO) 4.3 of the RSES for the EMRA relates to Consolidation and Re-Intensification, stating an intention to

"Support the consolidation and re-intensification of infill/brownfield sites to provide high density and people intensive uses within the existing built up area of Dublin City and suburbs and ensure that the development of future development areas is co-ordinated with the delivery of key water infrastructure and public transport projects".

RPO 5.3 of the RSES for the EMRA states that future development in the Dublin Metropolitan Area should be planned and designed in a manner that facilitates sustainable travel patterns, with a particular focus on increasing the share of active modes and public transport use. RPO 5.4 of the RSES for the EMRA also notes that future development of strategic residential development areas within the Dublin Metropolitan area shall provide for higher densities and qualitative standards as set out in the 'Sustainable Residential Development in Urban Areas', 'Sustainable Urban Housing: Design Standards for New Apartments' Guidelines and 'Urban Development and Building Heights Guidelines for Planning Authorities'.

In this regard the proposed infill residential development to the north of Bray town centre is considered accord with policy objectives.

### **Dun Laoghaire Rathdown County Development Plan 2016-2022**

Under the Dun Laoghaire-Rathdown County Development Plan 2016-2022, the lands forming part of the overall subject site located within the administrative area of Dun Laoghaire Rathdown County Council are predominantly subject to zoning objective A, which seeks "to protect and/or improve residential amenity". Two small areas along the northern extent of the subject site, and a strip of land along the eastern extent of same are subject to zoning objective 'F', which seeks to 'preserve and provide for open space with ancillary active recreational amenities'.

The portion of the subject lands located within the administrative area of Dun Laoghaire Rathdown County Council is also identified as an archaeological site, as included in the Record of Monuments & Places (DU-026-124: Linear Earthwork – Possible Site).

The open space to the north of the development site is subject to Specific Local Objective SLO82, which seeks to 'upgrade and enhance the linear park at Woodbrook Glen-Cork Abbey, and subject to an objective to 'protect and preserve Trees and Woodlands'.

Proposed Quality Bus Priority Routes are identified along the R761 Dublin Road to the west of the subject lands, and along Old Connaught Avenue to the west of same.

The alignment of the Proposed LUAS Line Extension also runs along Old Connaught Avenue and the R761 Dublin Road to the southwest of the overall development lands.

A Six-Year Road Proposal is identified for access through the Industrial Yarns site to access Bray Golf Club lands. A Six-Year Road Proposal is also identified for Dublin Road, Bray (Wilford to Wicklow County Boundary).

To the east of the rail line is an objective for the East Coast Trail Cycle Route.

Relevant Dun Laoghaire Rathdown County Development Plan 2016-2022 policies:

- Policy RES3 Residential Density
- Policy RES4 Existing Housing Stock and Densification
- Policy RES5 Institutional Lands
- Policy RES7 Overall Housing Mix
- Policy RES9 Housing for All
- Policy ST5 Walking and Cycling
- Policy ST25 Roads
- Policy OSR5 Public Open Space Standards
- Policy OSR8 Greenways Network – East Coast Trail, Booterstown to Bray
- Policy OSR14 Play Facilities
- Policy CC7 Energy Performance in New Buildings
- Policy CC9 Sustainability in Adaptable Design
- Policy AR5 Buildings of Heritage Interest
- Policy SIC11 Childcare Facilities
- Policy UD1 Urban Design Principles
- Policy UD2 Design Statements
- Policy UD3 Public Realm Design
- Policy UD6 Building Height Strategy
- Section 8.2.3.1 Quality Residential Design
- Section 8.2.3.2 Quantitative Standards
- Section 8.2.3.3 Apartment Development
- Section 8.2.3.4 Additional Accommodation in Existing Built-up Areas
- Section 8.2.3.4(xi) Institutional Lands
- Section 8.2.3.4(xiv) Demolition and Replacement Dwellings
- Section 8.2.3.5 Residential Development – General Requirements
- Section 8.2.4.5 Car parking Standards
- Section 8.2.4.9 Vehicular Entrances and Hardstanding Areas
- Section 8.2.4.12 Electrically Operated Vehicles
- Section 8.2.8.1 Landscape Plans
- Section 8.2.8.2 Public/Communal Open Space Quantity
- Section 8.2.8.3 Public/ Communal Open Space Quality
- Section 8.2.8.4 Private Open Space – Quantity
- Section 8.2.8.5 Apartment – Play Facilities
- Section 8.2.8.6 Trees and Hedgerows
- Section 8.2.9.4 Appropriate Assessment
- Section 8.2.9.7 New Developments – Environmental Impacts
- Section 8.2.9.10 Development and Overhead Power Lines
- Section 8.2.11.1 Archaeological Heritage
- Section 8.3.2 Transitional Zonal Areas
  
- Appendix 9 Building Height Strategy

- Appendix 13 Flood Risk Assessment
- Appendix 16 Green Roof Strategy

### **Relevant National Planning Policy and Section 28 Ministerial Guidelines**

- National Planning Framework (NPF), (2018)
- Regional Spatial and Economic Strategy for the Eastern and Midland Region (2019)
- Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (Department of Housing, Planning and Local Government December 2018)
- Guidelines for Planning Authorities on Urban Development and Building Heights (2018)
- Design Manual for Urban Roads and Streets (2013, DoTTS)
- Urban Design Manual – a Best Practice Guide (2009, DoEHLG)
- Sustainable Residential Development in Urban Areas – Cities, Towns and Villages (2009, DoEHLG)
- The Planning System and Flood Risk Management (2009)
- Quality Housing for Sustainable Communities-Best Practice Guidelines (DEHLG, 2007)
- Guidelines for Planning Authorities on Childcare Facilities (2001)
- Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities (DoEHLG, 2009)
- Guidelines for Planning Authorities on Childcare Facilities (2001)

It is noted that both the Urban Development and Building Heights Guidelines for Planning Authorities (2018), and Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (2018) were issued by the Minister for Housing, Planning and Local Government under Section 28 of the Planning and Development Act 2000 (as amended). Planning Authorities and An Bord Pleanála are required to have regard to the guidelines and are also required to apply any specific planning policy requirements (SPPRs) of the guidelines, within the meaning of Section 28 (1C) of the Planning and Development Act 2000 (as amended) in carrying out their functions. Where SPPRs are stated in these documents, they take precedence over any conflicting, policies and objectives of development plans, local area plans and strategic development zone planning schemes.

### **2.3 Principle of the Proposed Development**

The proposed development is located in an area predominantly zoned 'A' with the stated objective to 'protect and/or improve residential amenity'. Residential development is indicated to be 'permitted in principle' on A zoned lands, subject to compliance with relevant policies, local objectives, standards and requirements of the Dun Laoghaire Rathdown County Development Plan 2016-2022. The submission states that no part of the residential development proposed within the Dun Laoghaire Rathdown County Council administrative area of the subject site would be located on lands subject to zoning objective 'F', located along the northern and eastern boundaries of the site, under which residential development is not listed as a permitted use class.

Policy RES4 of the Dun Laoghaire Rathdown County Development Plan, 2016-2022 in relation to Existing Housing Stock and Densification, states that it is the policy of the Planning Authority to improve and conserve housing stock of the County, to densify

existing built-up areas with due regard to the amenities of existing established residential communities, and to retain and improve residential amenities in established residential communities. In addition, Section 1.2.5.1 of the Dun Laoghaire Rathdown County Development Plan, 2016–2022 states that;

“A key strand of the overall Settlement Strategy focuses on the 'continued promotion of sustainable development through positively encouraging consolidation and densification of the existing urban / suburban built form - and thereby maximising efficiencies from already established physical and social infrastructure”.

The proposed development, which would provide for 564 residential units, 281 of which would be located within the administrative area of Dun Laoghaire Rathdown County Council, would be located on lands to the north of Bray town centre and to the south and southeast of existing residential development. In this regard, it is considered that the principle of residential infill development at this location is acceptable.

## **2.4 Details of the Prospective Development**

### **(i) Density**

The proposed development within the administrative area of Dun Laoghaire Rathdown County Council would provide for a density of approximately 77 units per hectare. The submission states that the proposed 'Phase 1 - Coastal Quarter' development of 564 residential units on an overall site of 7.66 hectares would provide for an “overall gross density [of] 74 uph. Part of the site is devoted to the land use zoning objective 'F', thereby reducing the level of developable area. Excluding this area results in a net density of 101 uph”.

As noted above, Regional Policy Objective (RPO) 4.3 of the Regional Spatial and Economic Strategy (RSES) 2019-2031 for the Eastern and Midland Regional Assembly (EMRA), supports the consolidation and re-intensification of infill/brownfield sites to provide high density and people intensive uses within the existing built up area of Dublin City and suburbs, with RPO 5.4 of the RSES for the EMRA stating that future development of strategic residential development areas within the Dublin Metropolitan area shall provide for higher densities and qualitative standards as set out in relevant national guidance.

Section 2.12 of the Urban Development and Building Heights Guidelines for Planning Authorities (2018) regarding Building Height and the Development Plan notes that matters to be considered in the assessment of residential development in excess of 45 residential units per hectare in intermediate urban locations would include proximity to high quality public transport connectivity. In addition, Specific Planning Policy Requirement (SPPR) 1 of these Guidelines states that

“In accordance with Government policy to support increased building height and density in locations with good public transport accessibility, particularly town/ city cores, planning authorities shall explicitly identify, through their statutory plans, areas where increased building height will be actively pursued for both redevelopment, regeneration and infill development to secure the objectives of the National Planning Framework and Regional Spatial and Economic Strategies and shall not provide for blanket numerical limitations on building height”.



Section 3.4 of the Urban Development and Building Heights Guidelines for Planning Authorities (2018) regarding Building height in suburban/edge locations (City and Town) states that

“Newer housing developments outside city and town centres and inner suburbs, i.e. the suburban edges of towns and cities, typically now include town-houses (2-3 storeys), duplexes (3-4 storeys) and apartments (4 storeys upwards). Such developments deliver medium densities, in the range of 35-50 dwellings per hectare net. Such developments also address the need for more 1 and 2 bedroom units in line with wider demographic and household formation trends, while at the same time providing for the larger 3, 4 or more bedroom homes across a variety of building typology and tenure options, enabling households to meet changing accommodation requirements over longer periods of time without necessitating relocation...”.

Policy RES3 of the Dun Laoghaire Rathdown County Development Plan 2016-2022 in relation to Residential Density states that consolidation through sustainable higher densities allows for a more compact urban form that more readily supports an integrated public transport system, which has the potential to reduce the urban and carbon footprint of the County. Policy RES3 also states that residential densities of 50 dwelling units per hectare is encouraged where a site is located within 1 kilometre pedestrian catchment of a rail station, Luas line, BRT, Priority 1 Quality Bus Corridor, with a minimum default density of 35 units per hectare for new residential developments on greenfield sites or larger 'A' zoned areas. In addition, Policy RES4 of the Dun Laoghaire-Rathdown County Development Plan, 2016-2022 in relation to Existing Housing Stock and Densification, states that it is the policy of the Planning Authority to densify existing built-up areas, having due regard to the amenities of existing established residential communities.

The subject site is located approximately 800m to the north of Bray Daly railway station, with an approximately 2.2km walking distance to same via existing road infrastructure to the west of the subject site. As per plans and particulars submitted with this application, and proposed pedestrian/cycle links from the subject site to existing routes to the north of same, existing bus services located along the R761 Dublin Road would be located within a walking distance of approximately 0.8km of the subject site. As noted above, proposed Quality Bus Priority Routes are identified along the R761 Dublin Road to the west of the subject lands, and along Old Connaught Avenue to the west of same, with the Dublin Road subject to a Six-Year Road Proposal in addition to aligning with the Proposed LUAS line Extension route.

Having regard to the context of the subject site, and location of the subject site relative to existing and proposed public transport provision, the proposed development is generally compliant with the provisions of the Dun Laoghaire Rathdown County Development Plan, 2016-2022, and national policy with regard to density.

## **(ii) Building Heights**

With regard to height, the provisions of the Urban Development and Building Heights Guidelines for Planning Authorities, (2018) are noted, including SPPR 1 which states support for increased building height and density in locations with good public transport accessibility, with planning authorities to identify areas where increased building height will be actively pursued for both redevelopment, regeneration and infill development to

secure the objectives of the National Planning Framework and Regional Spatial and Economic Strategies.

The provisions of the Building Heights Strategy comprising Appendix 9 of the Dun Laoghaire Rathdown County Development Plan 2016-2022, is also noted. Section 4.8 of the Strategy regarding Policy for Residual Suburban Areas not included within Cumulative Areas of Control, refers to 'Upward or Downward Modifiers' of building height assessment. The Strategy notes that Upward Modifiers may apply where the development would create urban design benefits; provide major planning gain; would be of civic, social or cultural importance; could accommodate increased height/scale by virtue of existing built environment or topography; contribute to the promotion of higher densities in areas with exceptional public transport accessibility (within a 500m walkband of a LUAS corridor, DART station, or the N11, or within a 100m walkband of a QBC), whilst retaining and enhancing high quality residential environments; and the potential for a site of 0.5 hectares or more to set its own context for development, with greater building heights away from boundaries with existing residential development. With regard to upward modifiers, the Strategy also states that the "overall positive benefits of a development proposal would need to be of such a significance as to clearly demonstrate to the satisfaction of the Planning Authority that additional height is justified. It will be necessary, therefore, for a development proposal to meet more than one 'Upward Modifier' criteria".

The Strategy also details Downward Modifiers which may apply where a proposed development would adversely impact on the receiving environment, for example an area of particular character such as the Coastal Fringe of the County, defined as a 500m 'Coastal Fringe Zone' along the coastline. The Strategy notes that there will be occasions where the criteria for Upward and Downward Modifiers overlap and could be contradictory, for instance, when in close proximity to both a DART station yet within the Coastal Fringe; in such cases, a development's height will be considered on its own merits on a case-by-case basis.

The three apartment block elements of proposed Block 1A, located in the northeastern portion of the subject site, would be seven storeys in height (six floors over podium level), with Block 1D in the northwestern corner of the subject site comprising a single five storey block (four floors over podium level). The maximum building ridge height of the proposed apartment blocks within Block 1A would be approximately 23m in height, with the ridge level of proposed apartment Block 1D stated as 15.6m in height above adjacent ground levels. As noted above, the subject site is located within an approximately 2.2km walking distance of Bray Daly railway station via existing road infrastructure to the west of the subject site, and within a walking distance of approximately 0.8km of existing bus services along the R761 Dublin Road via existing and proposed pedestrian/cycle links to the north of the subject site. Proposed Quality Bus Priority Routes identified along the R761 Dublin Road and Old Connaught Avenue to the west of the site, proposal regarding the Dublin Road and alignment of the Proposed LUAS line Extension route are also noted.

While the subject site size and proximity to existing and proposed public transport infrastructure is noted with regard to the upward modifier criteria of the Dun Laoghaire Rathdown County Development Plan 2016-2022 and national policy in relation to building heights generally, the context and location of the subject site within the Coastal Fringe Zone as identified in the Building Height Strategy is particularly noted. It is considered that while increased height within the scheme may be considered, proposed Block 1A by

virtue of its overall height across all three apartment block elements comprising same, taken in conjunction with its proximity to the adjacent coastline could unduly impact on the visual amenity of the receiving coastal environment.

Concern is also noted with regard to proposed Block 1D due to its relative height and proximity to existing adjacent two storey residential properties to the northwest of the subject site. It is considered that this apartment block would unduly impact on the amenities of existing adjacent properties by reason of same.

Separately, it is considered that the height of dwelling and duplex units proposed as part of the scheme is considered acceptable in principle with regard to the context of the subject site and existing established pattern of development in the vicinity of same.

Under Policy UD1 of the Dun Laoghaire Rathdown County Development Plan 2016-2022, in relation to Urban Design Principles, it is Council policy to ensure that all development is of high quality design that assists in promoting a 'sense of place' in line with guidance principles set out in the 'Urban Design Manual – A Best Practice Guide' (2009), and in the 'Design Manual for Urban Roads and Streets' (2013), and to ensure that development proposals are cognisant of the need for proper consideration of context, connectivity, inclusivity, variety, efficiency, distinctiveness, layout, public realm, adaptability, privacy and amenity, parking, wayfinding and detailed design. While the contents of the submission including submitted Planning Report are noted in this regard, it is considered that development proposed in the northwestern corner of the subject site would require further consideration with respect to the receiving environment.

**(iii) Residential accommodation and residential mix**

As noted above, the development within the administrative area of Dun Laoghaire Rathdown County Council would provide for 281 apartment block and dwelling house units, including:

- 179 apartment units, located within proposed apartment block of Block 1A and proposed apartment Block 1D, comprising:
  - 68 one-bedroom apartment units,
  - 100 two-bedroom apartment units, and
  - 11 three-bedroom apartment units.
- 102 duplex (proposed House Types H1 and H2) and terraced dwelling houses (proposed House Types H3, H4 and H5), comprising:
  - 32 two-bedroom dwelling units (8 x House Type H1, 9 x proposed House Type H2, and 15 x proposed House Type H3),
  - 61 three-bedroom dwelling units (8 x House Type H1, 9 x proposed House Type H2, and 44 x proposed House Type H4),
  - 9 four-bedroom own-door, three storey terraced dwelling units (proposed House Type H5 'triplex units') forming part of the footprint of proposed Block 1A.

The proposed apartment units would include a number of own-door units at ground floor level with duplex dwelling units over same.

The submission states that the overall development across the subject site would provide for a residential mix comprising 31% one-bedroom units, 47% two-bedroom units, 20% three-bedroom units, and 2% four-bedroom units. In terms of apartment units, the

submission states that the mix of same would provide for 31.2% one-bedroom units, 42.9% two-bedroom units, and 8.9% three-bedroom units.

Regional Policy Objective (RPO) 5.5 of the Regional Spatial and Economic Strategy (RSES) 2019-2031 for the Eastern and Midland Regional Assembly (EMRA), relating to Consolidation and Re-Intensification, states that:

“Future residential development supporting the right housing and tenure mix within the Dublin Metropolitan Area shall follow a clear sequential approach, with a primary focus on the consolidation of Dublin and suburbs, and the development of Key Metropolitan Towns, as set out in the Metropolitan Area Strategic Plan (MASP) and in line with the overall Settlement Strategy for the RSES. Identification of suitable residential development sites shall be supported by a quality site selection process that addresses environmental concerns”.

Specific Planning Policy Requirement (SPPR)<sup>1</sup> of the Guidelines states that:

“Apartment developments may include up to 50% one-bedroom or studio type units (with no more than 20-25% of the total proposed development as studios) and there shall be no minimum requirement for apartments with three or more bedrooms. Statutory development plans may specify a mix for apartment and other housing developments, but only further to an evidence based Housing Need and Demand Assessment (HNDA), that has been agreed on an area, county, city or metropolitan area basis and incorporated into the relevant development plan(s)”.

Section 8.2.3.3(iii) of the Dun Laoghaire Rathdown County Development Plan, 2016-2022, notes that apartment developments should provide a mix of units to cater for different size households, such that larger schemes over 30 units should generally comprise of no more than 20% 1-bed units and a minimum of 20% of units over 80 sqm. Policy RES7 of the Dun Laoghaire Rathdown County Development Plan, 2016-2022, in relation to Overall Housing Mix encourages a wide mix of housing and apartment types, sizes and tenure. The Sustainable Urban Housing: Design Standards for New Apartments Guidelines (2018), state that “Development Plans should provide for flexibility in respect of dwelling mix in small-scale building refurbishment and urban infill development schemes”.

As per the aforementioned Ministerial Guidelines, which supersede some sections of the Dun Laoghaire Rathdown County Development Plan, 2016-2022, it is considered that the proposed mix of apartment and dwelling units on the subject site (with proposed one-bedroom apartment units comprising approximately 31% of the overall apartment unit number) would be in accordance with the requirements of the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities, (2018). Having regard to existing residential stock and typology in the wider area of the site, the proportion of residential dwelling houses proposed as part of the overall scheme is also considered to generally accord with the provisions of the Dun Laoghaire Rathdown County Development Plan 2016-2022 with regard to residential mix.

#### **(iv) Residential Unit Standards**

##### *Apartment Standards*

The Sustainable Urban Housing: Design Standards for New Apartments Guidelines (2018), set out a range of Specific Planning Policy Requirements (SPPRs) that must be adhered to. The relevant policy requirements are identified in the following table:

Section	Specific Planning Policy Requirement
SPPR 3	Minimum Floor Area: Studio apartment (1 person) 37sq.m 1 bedroom unit (2 person) – 45 sq.m 2 bedroom unit (4 person)– 73 sq.m 3 bedroom unit (5 person)– 90 sq.m
SPPR 4	Dual Aspect Apartments Minimum number shall be 50% dual aspect in a single scheme
SPPR 5	Floor to Ceiling Height Ground Floor – 2.7 metres
SPPR 6	Individual Stair / Lift Core – up to 12 apartments per floor per core may be provided in apartment schemes.
Appendix	<b>Storage</b> Studio - 3 sq.m 1 bedroom unit – 3 sq.m 2 bedroom unit – 6 sq.m 3 or more bedroom unit – 9 sq.m <b>Private Amenity Space</b> Studio - 4 sq.m 1 bedroom unit – 5 sq.m 2 bedroom unit – 7 sq.m 3 bedroom unit – 9 sq.m (Balcony Depth – 1.5 metres)

With regard to proposed apartment units, the submission states that “no more than 12 no. apartments per floor on a lift core are proposed”, and that “a minimum of 2.7m floor to ceiling heights on the ground floors shall be provided. Where departure occurs from the requirement these issues will be rectified in the final design and application submission”. Subject to same, the proposed development would accord with the requirements of SPPR5 and SPPR6 detailed above.

For clarity, it is noted that the submitted section drawings pertaining to proposed apartment Blocks 1A and 1D indicated a minimum internal floor to ceiling height of 2.7m. Internal floor to ceiling heights directly affect the internal amenity of apartment units with respect to sunlight and daylight access, ventilation and storage space provision. Daylight and sunlight access is particularly noted in the context of apartment units served by recessed balcony/terrace elements, as in the proposed residential scheme. As such, it is considered that internal floor to ceiling heights at a minimum of 2.7m at all floor levels of proposed apartment blocks would ensure the internal amenities of apartment units with regard to daylight, sunlight, and ventilation.

With regard to the minimum number of dual aspect apartments that may be provided in any single apartment scheme, Specific Planning Policy Requirement (SPPR) 4 of the Sustainable Urban Housing: Design Standards for New Apartments Guidelines (2018), states that in suburban or intermediate locations it is an objective that there shall generally be a minimum of 50% dual aspect apartments in a single scheme. In this regard, it is noted that the submission states that 62% of overall proposed apartment units would be dual aspect in nature. The proportion of dual aspect units proposed, as stated, would therefore accord with the requirements of SPPR4 of the Sustainable Urban Housing: Design Standards for New Apartments Guidelines (2018).

It is noted, however, that there appears to be a discrepancy in relation to the number of dual aspect apartment units as indicated on floor plans submitted, specifically across the

second and third floor levels of proposed Block 1A. While the submitted Housing Quality Assessment schedule indicates the number of single aspect units on the second and third floor of proposed Block 1A as 11 and 13 respectively, the floor layout plans relating to same show 12 single aspect units on these floors, as on upper floor levels. It is also noted that while apartment unit numbers are indicated for ground floor level units within proposed Block 1A, apartment units numbers are not indicated on any upper level floor plans. In the interest of clarity, the applicant is advised to review same in advance of the lodgement of a planning application to An Bord Pleanála.

With regard to internal floor areas, the contents of the submission including floor area schedules for each apartment and duplex unit within the proposed development, are noted. The submission states that "in excess of the units exceed by 10% or more the minimum floor areas", and refers to the floor area schedule contained in the submitted Architectural Design Statement report. The submission also states that all proposed apartment units "are provided with balconies, terraces or gardens that exceed the minimum standards set out in the Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities 2018...The proposed balconies achieve minimum required depths to allow future residents to furnish and enjoy these spaces". Based on plans and particulars submitted, it appears that the proposed apartment units meet the minimum standards of SPPR3 with regard to minimum floor areas and private open space in the form of balconies/terrace areas.

The applicant should note that internal layout plans of the proposed apartment development should include dimensions to allow for the full assessment and consideration of all proposed units. Full details of the screening/treatment of private balcony and terrace areas, including treatment proposed between adjoining terrace areas serving separate apartment units, should also be clearly dimensioned and detailed.

#### *Dwelling Unit Standards*

With regard to dwelling house units proposed, comprising proposed House Types H3, H4 and H5, the plans and particulars submitted indicate that all proposed dwelling house units would generally meet or exceed the requirements of the Quality Housing for Sustainable Communities-Best Practice Guidelines, 2007 for two-bedroom, four person, two storey dwellings (House Type H3); three-bedroom, five person, two storey dwellings (House Type H4); and four-bedroom, seven person, three storey dwellings (House Type H5).

With regard to private open space provision, the submission states that "all proposed houses are provided with rear gardens that meet or exceed the minimum standards set out in the DLRCDP and the Wicklow CDP. The proposed rear gardens are appropriately proportioned to ensure the spaces are usable and can be adapted to suit the needs of residents". It is noted that plans and particulars submitted indicate a minimum rear garden depth of approximately 10m to proposed dwelling units House Type H3 and H4 within the administrative area of Dun Laoghaire Rathdown County Council. The applicant is advised that the quantum of private open space serving each proposed dwelling house should be clearly annotated on plans and particulars to allow for the full consideration of all proposed units.

As noted above, the terrace of nine proposed House Type H5 units, forming part of the rectangular footprint of proposed Block 1A of the development within the administrative area of Dun Laoghaire Rathdown County Council, would comprise three storey, four-bedroom units. Whilst described as 'triplex' units in the plans and particulars submitted

with this application, as each House Type H5 unit forms a single three storey residential element (i.e.: not horizontally separated into multiple units), these units are considered to comprise dwelling houses rather than apartment or duplex-type units.

Under Section 8.2.8.4(i) of the Dun Laoghaire Rathdown County Development Plan 2016-2022 regarding Private Open Space for Houses, a minimum of 75sqm private amenity space is required for a dwelling house with four or more bedrooms. As per plans and particulars submitted, proposed House Type H5 units would be served by a terrace and projecting balcony element at first floor level (9.56sqm and approximately 1.7sqm in area respectively), and an inset corner terrace area at second floor level (3.66sqm in area), providing for an overall quantum of approximately 15sqm. As such, the private amenity space provision for proposed House Type H5 units would not accord with the requirements of Section 8.2.8.4(i) of the Dun Laoghaire Rathdown County Development Plan 2016-2022. Notwithstanding landscaped areas/communal amenity space provision to the front (west) and rear (east) of the terrace of proposed House Type H5 units, the applicant is advised to review the quantum of private amenity space provision to serve these dwelling houses in advance of the lodgement of a planning application to An Bord Pleanála.

#### **(v) Design and Massing**

##### *Massing*

As noted above, proposed Block 1A in the northeastern portion of the subject site would comprise three seven storey blocks arranged in a U-shaped layout, with the terrace of nine House Type H5 three-storey dwellings completing the perimeter block of same around a central courtyard area. The principle facades of the northern and southern blocks of Block 1A would be approximately 56m in length, with the principle façade of the western block of Block 1A approximately 43m in length. The overall length of proposed Block 1A along the eastern and western elevations of same would be 110m, as indicated on layout plans submitted. The apartment block elements of proposed Block 1A would be set back by a minimum of 12m from the northern boundary of the subject site, and by a minimum of 23m from the eastern boundary of the subject site. Façade articulation of the three proposed apartment blocks of Block 1A is provided through projecting balcony/terrace elements and fenestration on all elevations. Having regard to the overall form of proposed Block 1A, the massing of same as an overall block is considered generally acceptable in principle.

Proposed apartment Block 1D, in the northwestern corner of the subject site, would comprise a five storey rectangular-shaped block with a maximum elevation width of 48.5m. Proposed Block 1D would be located a minimum of approximately 10m from the northwestern site boundary, within approximately 10m of proposed House Type H2 duplex units to the southwest of Block 1D, and within approximately 15m of proposed House Type H1 duplex units to the south of Block 1D. Façade articulation through projecting balcony/terrace elements would be provided on the eastern, southern and western elevations of proposed Block 1D, with the northern elevation accommodating an external circulation walkway at first, second, third and fourth floor level, serving the primary access doors of each proposed apartment unit. While the overall massing of proposed Block 1D is considered generally acceptable in principle, the scale and proximity of same to subject site boundaries and existing adjacent residential development to the northwest requires further consideration.

Separately, the massing of the proposed dwelling and duplex units are considered generally acceptable with regard to the existing established pattern of development in the area of the subject site.

#### *Siting, Layout and separation distances*

As noted above, under the Dun Laoghaire-Rathdown County Development Plan 2016-2022, the lands forming part of the overall subject site located within the administrative area of Dun Laoghaire Rathdown County Council are predominantly subject to zoning objective 'A', with two areas along the northern extent of the subject site and a strip of land along the eastern extent of same are subject to zoning objective 'F', which seeks to 'preserve and provide for open space with ancillary active recreational amenities'. Section 8.3.2 of the Dun Laoghaire Rathdown County Development Plan 2016-2022 in relation to Transitional Zonal Areas states that in dealing with development proposals contiguous transitional zonal areas, it is necessary to avoid developments which would be detrimental to the amenities of the more environmentally sensitive zone. Section 8.3.2 also notes that while zoning objectives and development management standards indicate the different uses, densities, etc. permitted in each zone, it is important to avoid abrupt transitions in scale and use in the boundary areas of adjoining land use zones.

While the submission notes that no part of the residential development proposed within the Dun Laoghaire Rathdown County Council administrative area of the subject site would be located on lands subject to zoning objective 'F', proposed apartment Block 1D would be located to the immediate south of the alignment of 'F' zoned lands in the northwestern area of the subject site, with the northeastern building line of proposed Block 1A directly aligned with the 'A'/'F' land use zonal areas boundary at this location. A proposed House Type H1 duplex unit in the northern portion of the subject site would also abut the boundary of 'F' zoned lands within the administrative area of Dun Laoghaire Rathdown County Council. Having regard to same, concern is noted in relation to the siting of proposed built form within the subject site relative to lands subject to zoning objective 'F', with the scale of proposed apartment block elements relative to the open coastal nature of same particularly noted.

Under the provisions of Section 8.2.3.3(iv) of the Dun Laoghaire Rathdown County Development Plan 2016-2022 in relation to Separation between Blocks, all proposals for residential development, particularly apartment developments and those over three storeys high, should provide for acceptable separation distances between blocks to avoid negative effects such as excessive overlooking, overbearing and overshadowing effects and provide sustainable residential amenity conditions and open spaces. In this regard, Section 8.2.3.3(iv) seeks to provide for a minimum clearance distance of circa 22 metres between opposing windows in the case of apartments up to three storeys in height, with greater separation distances potentially prescribed having regard to the layout, size and design of the development.

It is noted that a minimum separation distance of approximately 15m would be provided between upper floor level external balcony/terrace areas and windows serving apartment units located within Block 1A (within the administrative area of Dun Laoghaire Rathdown County Council) and opposing external private amenity space areas and fenestration serving apartment units within proposed Block 1B to the immediate south of same, located within the administrative boundary of Wicklow County Council. As such, the layout of these proposed apartment block elements would not accord with the provisions of Section 8.2.3.3(iv) of the Dun Laoghaire Rathdown County Development Plan 2016-2022. Additionally it is noted that separation distances of 21m would be provided between opposing windows serving apartment units within the western block element of proposed



Block 1A and second floor level windows on the rear (eastern) elevation of proposed House Type H5 dwelling houses, falling short of the provisions of Section 8.2.3.3(iv).

Having regard to the above, further consideration of the layout of proposed apartment block elements across the subject site is recommended in this regard.

#### *Contiguous views*

While the submitted contiguous elevations of the proposed development are noted, the submission of contiguous elevations of the proposed development relative to existing adjacent properties (residential and school properties), are advised to allow for full assessment of the proposed scheme. Development proposed in the northwestern and western portions of the subject site are particularly noted in this regard.

#### **(vi) External Finishes and Elevations**

The submitted Harbour Point Masterplan document indicates that the external materials of proposed apartment blocks and dwelling house units would reflect the materiality and character of existing built form in Bray, with render comprising the principle material across the site "with brick adopted in small areas". The submission states that "high quality materials and finishes have been carefully selected to ensure consistency with existing surrounding developments while creating a strong sense of identity and distinctiveness informed by the Harbour Point Masterplan. Proposed materials will be submitted as part of the application package".

All proposed finishes on site should ensure that the proposed development is distinguishable and of a high quality, with particular cognisance of the context and visually prominence of the subject site. Having regard to the coastal location of the subject site, the durability of external materials should also be well considered.

The photomontage and CGI images submitted show the proposed development from sixteen viewpoints in the immediate vicinity of the site, including multiple points along the R761 Dublin Road, from Bray Harbour, and from existing residential development to the north and northwest of the subject site. Images of the proposed development from a further six viewpoints in the wider area of the subject site, including from Bray Head, were also submitted.

While the dates/timeframe during which the baseline photo surveying was undertaken was not stated, it is noted that all images included are with existing trees in leaf. Visualisations of the proposed development in winter when the trees are not in full leaf would be advisable in this regard. Additional photomontage and CGI image of the proposed development relative to existing adjacent built form, in particular a view/s of the proposed development relative to existing adjacent school properties to the west of the site, would also be advisable to present a view of the proposed relative to these existing adjacent school buildings.

The submission refers to the submitted photomontage images of the proposed development, and notes that a Landscape Visual Impact Assessment (LVIA) of the proposed scheme is being undertaken by Park Hood. The contents of the submission in this regard are noted and considered pertinent to present an overall visual assessment of the proposed development at this location.

**(vii) Protection of adjoining residential amenities**

*Visual impact, potential overlooking & noise intrusion*

As noted above, the area of the subject site within the administrative area of Dun Laoghaire Rathdown County Council is bounded to the northwest by the Corke Abbey residential estate. The submission indicates that the northern portion of the subject site, within which proposed apartment Block 1D and dwelling house and duplex units would be located, would comprise the 'Woodland Setting' area of the subject development. The submission states that "this 5-storey block will provide a strong edge and passive surveillance onto the woodland park within which it is set".

While annotation on submitted layout plans includes reference to "existing woodland buffer to be retained and enhanced" along the northwestern boundary of the subject site, it is noted that balcony/terrace areas on the western elevation and external circulation areas on the northern elevation of proposed apartment Block 1D at first through fourth floor levels would be located a minimum of approximately 10m from the subject site boundary. In addition, it is noted that a proposed apartment and duplex unit located in the northwestern corner of the subject site (House Type H2), which would be served by upper floor balcony/terrace elements, would be located 14.5m from the rear building line of the existing two storey semi-detached dwelling at 112 Corke Abbey, as indicated on layout plans submitted, and would be located within approximately 6m from the rear (southeastern) boundaries of adjacent Corke Abbey residential properties.

Notwithstanding the orientation of proposed apartment Block 1D relative to existing adjacent Corke Abbey properties to the immediate northwest of the subject, having regard to the full five storey profile of Block 1D proximate to the shared boundary with same, and proximity of the proposed House Type H2 duplex unit in the northwestern extent of the subject site, the Planning Authority would note concern in relation to the potential view of the proposed development from existing adjacent Corke Abbey properties and the private amenity spaces serving same, particularly when existing trees along the northwestern site boundary are not in full leaf. Due to the elevated position of balcony/terrace/external circulation areas of development in the northwestern corner of the subject site relative to existing Corke Abbey properties, the Planning Authority would also note concern in relation to the potential overlooking of private amenity spaces serving same from the proposed development.

A review of the fenestration arrangement and balcony/terrace screening detail of proposed apartment Block 1D and the duplex unit located in the northwestern corner of the subject site is advised in advance of the lodgement of a planning application to An Bord Pleanála to demonstrate that the proposed development would not adversely impact on existing adjacent properties by way of overbearing appearance or overlooking. The submission of full details in relation to measures proposed to ensure the protection of the natural screening of the subject site context in this location is also recommended in this regard.

The potential impact of the play area proposed to the immediate west of proposed apartment Block 1D (within the area identified as 'Block 1D communal open space') on existing adjacent Corke Abbey properties is also noted.

Detailed contextual elevations of the proposed development and existing adjacent residential properties to the northwest of the subject site are recommended to provide a complete view of the proposed development relative to same.

Separately, due to the position of the existing residential development of Woodbrook Glen to the north of the area of public open space/woodland to the north of the subject site, it is considered that the proposed development would not significantly adversely impact on the existing amenities of these properties.

#### *Shadow cast analysis*

The submitted Daylight and Sunlight Assessment Report indicates that the Average Daylight Factor (ADF) assessment was carried out in relation to "private habitable rooms across the lowest floors" of the four proposed apartment blocks within the overall scheme, and the sunlight levels of three identified outdoor amenity spaces adjacent to same.

While the Daylight and Sunlight Assessment Report included details of modelling and the methodology of the study undertaken in addition to the results of same, with reference to Sunpath Analysis of 'key spaces' within the overall development included in the submitted Harbour Point Masterplan document, the submission of shadow cast analysis images of the existing environment and images demonstrating the impact the proposed development on existing adjacent properties is advised to allow for full assessment of the proposed scheme.

#### **(viii) Permeability/pedestrian flow**

The contents of the submission, including Transport Statement report, are noted. The submission states that the proposed development would be accessed via two existing vehicular accesses off the R761 Dublin Road, from the Ravenswell Road Junction and the School Junction, in addition to "3 no. dedicated pedestrian and cycle accesses from Ravenswell Road, the railway line underpass from Bray Harbour and Woodbrook Glen Park. Street typology and green links will be aligned with public plazas and open spaces to create a strong urban layout that ensures visual permeability through the site to create a highly legible network pedestrian and cycle routes. The proposed pedestrian/cycle routes will tie in with a wider network of routes within the Harbour Point Masterplan area. The geometry of roads within the proposed scheme cater for all forms of movement however the layout of the proposed development has been designed to favour walking, cycling and public transport".

The submission states that existing and proposed pedestrian and cyclist connections would include the following:

- Existing connection to Bray Daly railway station and promenade area via railway line underpass,
- Existing connection to Bray town centre via walkway along Dargle River and via Ravenswell Link Road,
- Existing connection to Dublin city centre via the R761 Dublin Road, with dedicated cycle lanes and footpaths,
- Proposed connection to existing public open space (Woodbrook Glen) to the north of the subject site, and "adjacent developments future pedestrian and cyclist connections",
- Proposed pedestrian and cyclist improvements on Castle Street bridge,
- Improved pedestrian and cyclist facilities to Dublin city centre as part of Bus Connects (Core Corridor 13 Scheme),
- Connection to Bray Daly railway station "via public transport bridge proposed by WCC", and
- East Coast Trail, "delivery of which is ongoing".

The submission states that the “cumulative impact of the proposed routes integrating with existing and planned green routes will be to provide a coherent and comprehensive network of east – west and north – south linkages providing permeability within Harbour Point and connecting with external destinations including Bray town centre and Bray Daly railway station”.

The principle of proposed access routes and public realm spaces across the subject site, and proposed connections to existing pedestrian and cyclist links, are considered generally acceptable subject to the orderly management of same.

**(ix) Open space/public realm**

The contents of the submission with regard to open space and public realm details, including submitted Landscape Design Strategy report, are noted.

As noted above, no part of the residential development proposed within the Dun Laoghaire Rathdown County Council administrative area of the subject site would be located on lands subject to zoning objective ‘F’, with the submission stating “for clarity open space proposed on lands under the ‘F’ zoning objective will be surplus to the requirements of the development management guidelines and section 28 Ministerial Guidelines”. The submission states that the landscape scheme of the proposed development seeks to create a high quality landscape for future residents with cognisance of the surrounding environment, establish a clear distinction between public and private spaces within the development, and to provide high quality pedestrian and cycle linkages to Bray town centre, Bray Daly railway station, the waterfront, Woodbrook Glen Park, the River Dargle Greenway and East Coast Cycle Trail.

Section 8.2.8.2(i) of the Dun Laoghaire Rathdown County Development Plan, 2016-2022, in relation to Public/Communal Open Space-Quantity for Residential/Housing Developments, states that for all developments with a residential component (5+ units) the requirement of 15-20sqm of public/communal open space is required per person based on the number of residential/housing units. For calculation purposes, open space requirements are based on a presumed occupancy rate of 3.5 persons in the case of dwellings with three or more bedrooms and 1.5 persons in the case of dwellings with two or fewer bedrooms. Notwithstanding this, a minimum of 10% of the overall site area for all residential developments should be reserved for use as Public Open and/or Communal Space irrespective of the occupancy parameters detailed above.

The overall quantum of open space provision within the 7.66 hectare subject site would be 27,083sqm, as stated, comprising 14,932sqm of public open space (Areas A, B, C, D, E and G), 5,477sqm communal open space (Areas Block 1A, Block 1B, Block 1C and Block 1D), and 6,674sqm of lands subject to zoning objective ‘F’ within the administrative area of Dun Laoghaire Rathdown County Council along the northern and northwestern boundary of the subject site. The submission details the areas of each identified public and communal open areas, and identifies a number of play spaces proposed across the scheme, and a Multiple Use Games Area (MUGA) in the southwestern corner of the overall subject site (Public Open Space Area G).

The overall open space provision for the proposed development would equate to approximately 35% of the overall site area. The submission states that in line with the provisions of Section 8.2.8.2 of the Dun Laoghaire Rathdown County Development Plan

2016-2022 regarding open space provision, the area of the subject site within the administrative area of Dun Laoghaire Rathdown County Council (at 3.65 hectares) would require an open space provision quantum of "3,349sq.m...However, a total of 4,201sq.m of public open space and 2,192sq.m of communal open space is provided within the DLRCC area zoned for residential development in the form of parks and podium gardens. An additional 6,674sqm of open space is also provided within that part of the site under the 'F' zoning objective, resulting in 13,067sqm overall". The submission also states that the open space provision of the proposed development within the administrative area of Dun Laoghaire Rathdown County Council would exceed the 15sqm per person occupancy-based requirements of Section 8.2.8.2(i) of the Dun Laoghaire Rathdown County Development Plan 2016-2022, calculated to a total of 8,760sqm based on 584 occupants (300 occupants of 2-bedroom or fewer units, and 284 three-bedroom or more units). The proposed development within the administrative area of Dun Laoghaire Rathdown County Council would therefore accord with the provisions of Section 8.2.3.4(i) of the Dun Laoghaire Rathdown County Development Plan, 2016-2022, regarding open space provision for Residential/Housing Developments.

The minimum floor areas for communal amenity space required under the provisions of the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (2018), Appendix 1, equates to 1,139sqm for the proposed apartment units located within proposed Blocks 1A and 1D only, at 5sqm communal amenity space for a one-bedroom apartment unit ( $68 \times 5 = 340$ ), 7sqm communal amenity space for a two-bedroom, four person apartment unit ( $100 \times 7 = 700$ ), and 9sqm communal open space for a three-bedroom apartment unit ( $11 \times 9 = 99$ ). Having regard to same, the proposed development would quantitatively exceed the requirement of the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (2018) with regard to communal amenity space provision.

**(x) Sunlight and Daylight Access**

The contents of the submission, including submitted Daylight and Sunlight Assessment Report, are noted.

The submission states that the aspect and orientation of proposed apartment units have been designed to maximise favourable south and west aspects, with 62% of proposed apartment units to be dual aspect, as stated. With regard to daylight and sunlight analysis of the proposed development, the submission also states that "preliminary results indicate that all residential units will enjoy daylight and sunlight consistent with guidelines and that those communal and public open spaces assessed will enjoy at least 2 hours sunshine during the day. This analysis will be repeated when the layout and confirmation has been finalised and submitted with the planning application".

As noted above, the submitted Daylight and Sunlight Assessment Report was carried out in relation to the Average Daylight Factor (ADF) of private habitable rooms at the lowest floor levels of the four proposed apartment blocks of the overall scheme, and in relation to the levels of sunlight within three identified outdoor amenity spaces adjacent to same. This report states that three outdoor amenity spaces assessed with regard to level of sunlight on March 21<sup>st</sup> (comprising the courtyard areas of proposed Block 1A located within the administrative area of Dun Laoghaire Rathdown County Council, and the courtyard area of proposed Block 1B and play area serving proposed Block 1C, both located within the administrative area of Wicklow County Council), "would meet the criteria as set out in the BRE Guidelines".

With respect to Average Daylight Factor (ADF), the report states that across the proposed four apartment blocks comprising 412 units and approximately 1,050 rooms overall, approximately 21 rooms within same would not meet the BRE Guidelines recommended level of daylight, representing a "compliance rate...above 99%". The submission concludes that "future occupants will enjoy good levels of daylight within the vast majority of the proposed units and will have access to amenity areas that are capable of receiving adequate levels of sunlight. The spaces that do not meet the Guidelines presently will benefit from larger or additional glazing as the design progresses. As the design is still undergoing design changes, these results are preliminary and will be used to further develop and improve the design of the proposed scheme. The compliance rate of the apartment blocks is currently over 99% which is considered a positive result".

As noted above, while the Daylight and Sunlight Assessment Report included details of modelling and the methodology of the study undertaken in addition to the results of same, with reference to Sunpath Analysis of 'key spaces' within the overall development included in the submitted Harbour Point Masterplan document, the submission of full shadow cast analysis images of the proposed development is recommended to allow for full assessment of the impact of the development on the existing receiving environment and on areas of communal open space within the subject scheme. In this regard, it is recommended that shadow cast analysis images demonstrate the impact of the proposed development on the existing environment on March 21<sup>st</sup>, June 21<sup>st</sup> and December 21<sup>st</sup>.

**(xi) Childcare Facilities**

The contents of the submission, including submitted Childcare Demand Analysis report, are noted.

As noted above, a 668.8sqm childcare facility to accommodate 100 children is proposed as part of the subject scheme on lands located within the administrative area of Wicklow County Council.

Policy SIC11 of the Dun Laoghaire Rathdown County Development Plan, 2016-2022, with regard to Childcare Facilities states that where a new residential development is proposed, with 75+ dwellings (or as otherwise required by the Planning Authority), one childcare facility shall be provided on site in accordance with Sections 2.4, 3.3.1 and Appendix 2 of the 'Childcare Facilities Guidelines for Planning Authorities' (2001). Policy SIC11 also seeks to encourage the provision of affordable and appropriate facilities as an integral part of proposals for new developments and states that 'In general at least one childcare facility should be provided for all new residential developments subject to demographic and geographic needs'.

Section 4.7 of the Sustainable Urban Housing: Design Standards for New Apartments Guidelines (2018), which states the following, is noted:

"Notwithstanding the *Planning Guidelines for Childcare Facilities (2001)*, in respect of which a review is to be progressed, and which recommend the provision of one child-care facility (equivalent to a minimum of 20 child places) for every 75 dwelling units, the threshold for provision of any such facilities in apartment schemes should be established having regard to the scale and unit mix of the proposed development and the existing geographical distribution of childcare facilities and the emerging demographic profile of the area. One-bedroom or studio type units should not

generally be considered to contribute to a requirement for any childcare provision and subject to location, this may also apply in part or whole, to units with two or more bedrooms”.

The submission states that in line with the provisions of the Sustainable Urban Housing: Design Standards for New Apartments Guidelines (2018), the proposed development would generate a need for 100 childcare spaces, based on 388 residential units (excluding one-bedroom apartment units).

The submission includes reference to CSO data from 2016 regarding the demographic profile in the vicinity of the subject site, and details of 42 existing childcare facilities and three permitted facilities all within 3km of the subject site. While the submission states that “such a high number of facilities means childcare spaces will become available on an ongoing basis as older children exit the childcare sector”, it is noted that no details in relation to the capacity of existing childcare facilities were submitted. Consideration of same is advised in advance of the lodgement of a planning application to An Bord Pleanála to ensure adequate childcare provision for the proposed 564 unit residential development at the subject site.

#### **(xii) Built Heritage**

As noted above, the portion of the subject lands located within the administrative area of Dun Laoghaire Rathdown County Council is identified as an archaeological site, as included in the Record of Monuments & Places (DU-026-124: Linear Earthwork – Possible Site). The submission notes same, and states that “a number of archaeological investigations of this earthwork have concluded that it comprises an 18<sup>th</sup>/19<sup>th</sup> century landscape feature and is not a section of the ‘Pale’ ditch as has been previously postulated. A programme of licensed monitoring of the construction of the adjacent school development built on the footprint of the west end of this earthworks also revealed nothing of archaeological significance. While the current proposed development will result in direct, negative impacts to this earthwork, the available evidence based on the results of these prior archaeological investigations suggest that this feature is not an archaeological monument.... The development proposal will see the earthwork removed but the footprint of the feature will inform the design and layout of an outdoor extension of the amenity space for the scheme. The area will contain low-key play opportunities and is intended to allow for the historical significance of the county boundary to be highlighted within the landscape and new public realm”.

The submission notes a further seven recorded archaeological sites located in the vicinity of the subject site, noting that the proposed development would not result in any direct impacts on same. The submission also states that the applicant’s environmental consultants “have liaised with the Development Applications Unit (DAU) of the Department of Housing, Local Government and Heritage (DoHLGH). Following this engagement, the DoHLGH have recommended that a programme geophysical survey and subsequent programme of archaeological testing be undertaken. It is expected that archaeological geophysical survey will be completed in early October 2020. It is recommended the excavation of the test trenches during the testing programme be undertaken by mechanical excavator operating under constant archaeological supervision, as was the case during previous licensed mitigation programmes which investigated the probable 18<sup>th</sup>/19<sup>th</sup> century earthwork feature in this area. These investigations will help refine

archaeological mitigation measures that will form part of the Strategic Housing Development application to An Bord Pleanála”.

The contents of the submission, including submitted 'Archaeological and build heritage assessment' report, are noted in this regard.

### **3.0 Drainage Planning (Surface Water)**

The contents of the submission, including Infrastructure Statement and Flood Risk Assessment – Stage 1 report, are noted.

The Drainage Planning report, dated 12/10/2020 and detailed in full above, notes the level of detail submitted with this application and states that in the absence of a detailed drainage proposal, the assessment of the submission and/or identification of items requiring clarification is not possible at this time. The Drainage Planning report recommends consultation in this regard prior to the lodgement of a planning application to An Bord Pleanála, and notes a number of issues relating to site investigation details, green roof areas, attenuation storage and run-off, details pertaining to interception and treatment volumes and calculations, plans and particulars required, and site specific flood risk assessment.

As the SHD process does not provide for Further Information, the applicant is advised to review the contents of the Drainage Planning report of 13/10/2020 and consider outstanding items identified in same in advance of the lodgement of a planning application to An Bord Pleanála.

### **4.0 Transportation Planning**

The contents of the submission, including Transport Statement report and DMURS Statement report, are noted.

The Transportation Planning report, dated 13/10/2020 and detailed in full above, raised several issues relating to items including car parking provision, the allocation of same, and accessible parking spaces; Electric Vehicle (EV) charging infrastructure provision; bicycle parking provision and typology; details relating to the impact of the proposed development on existing road infrastructure and the capacity of same; the provisions of the Bray and Environs Transportation Study, 2019 (NAT, WCC, DLRCOCO, TII); details of proposed pedestrian and cycle links, including with reference to Specific Local Objective SLO82 of the Dun Laoghaire Rathdown County Development Plan 2016-2022; internal roadway alignment with reference to DMURS; access and vehicle movements of refuse and tender vehicles within the scheme; mobility management; and construction management details.

The applicant is advised to review the contents of the Transportation Planning report of 13/10/2020 and consider same in advance of the lodgement of a planning application to An Bord Pleanála. The applicant is also advised that details relating to the proposed finished surface of all accessible routes for pedestrians and cyclists throughout the site should be provided.

### **5.0 Public Lighting**



The contents of the submission, including submitted Engineering & Energy Report (MEP Section) document and associated plans and particulars, are noted. The submission states that public lighting through the proposed development has been designed to ensure appropriate levels of light provision in key public areas, with particular attention paid to the proposed entrances to the scheme including the pedestrian/cyclist entrance on Church Road and new link at 66 Watson Drive. The submission also states that lighting has been designed to ensure existing and proposed landscaping will not interfere with lighting levels within the scheme, in addition to the consideration of the impact lighting proposals on existing adjacent residential properties.

The Public Lighting Section report, dated 07/10/2020 and detailed in full above, recommended further details in relation to a number of items regarding lighting of the proposed scheme, including location and typology of lighting proposed. The applicant is advised to review the contents of same in advance of the lodgement of a planning application to An Bord Pleanála.

### **6.0 Parks and Landscaping**

The contents of the submission, including submitted Landscape Design Strategy report and Tree Survey Report, are noted. The overall quantum, detailed itemisation of open space areas within the subject scheme, and plans/images relating to same are also noted and considered acceptable in principle.

### **7.0 Taking in Charge**

The contents of the submission, including submitted 'Taking in Charge' drawing (Drawing BRA-RAU-90-CQ\_XX-DR-A-1005 Rev P02.01), are noted. The submission states that "a portion of the local distributor serving the development is proposed to be taken in charge by WCC...All other public areas shall be designed and constructed to a standard which may be taken in charge however the development will be privately managed. An Estate Management Strategy will be prepared by Ballymore and will be submitted as part of the final application documentation".

At SHD application stage, the specifics of areas to be managed by a management company and those to be taken in charge, as indicated in this submission, should be detailed in full. This is particularly relevant for proposed pedestrian and cycle links from/through the site which link into the wider area.

### **8.0 Part V of the Planning and Development Act, 2000 (as amended) – Social and Affordable Housing**

With respect to Part V, the applicant proposes to provide 56 units on site across the entire subject site, 29 units of which would be located within the administrative area of Dun Laoghaire Rathdown County Council and would comprise:

- 21 x one-bedroom apartment units
- 8 x two-bedroom apartment units

The proposed units would all be located within proposed Block 1D in the northeastern corner of the subject site, across ground, first, second, third and fourth floor level of same. The submission states that all 56 Part V units proposed would be transferred "to the planning authorities for social and affordable housing". The submission indicates that

engagement with Dun Laoghaire Rathdown County Council and Wicklow County Council in this regard, with a summary of costings also detailed in the submission.

The contents of the submission are noted in this regard. The applicant is advised to review the contents of the Housing Department report, dated 20/10/2020 and detailed in full above, in advance in advance of the lodgement of a planning application to An Bord Pleanala.

## **9.0 Waste Management Planning**

The contents of the submission, including submitted Outline Construction Waste Management Plan, and Operational Waste Management Plan, are noted.

The submission indicates that the submitted reports were prepared with regard to relevant Dun Laoghaire Rathdown County Council guidance documents regarding waste management for residential and commercial developments. The submission states that "individual houses will have their own storage areas for waste bins", and that proposed apartment units would be served by communal refuse storage facilities at basement level, "ensuring proximity for residents and minimisation of visual impact and surface clutter".

Under Section 8.2.9.7 of the Dun Laoghaire Rathdown County Development Plan 2016-2022 regarding New Developments – Environmental Impacts, it is stated that applications for development of 50 or more residential units shall make provisions for composting and recycling, and incorporate local 'Bring Centres' for recyclable materials where appropriate. Notwithstanding existing facilities in the surrounding area, having regard to the scale of development proposed at the subject site and immediate context of same, the applicant is requested to consider the potential of a local bring centre element as part of the development proposal.

The applicant is also advised to review the contents of the Environment Section report, dated 02/10/2020 and detailed in full above, in advance of the lodgement of a planning application to An Bord Pleanala.

## **10.0 Other Issues**

### *Detail on plans and particulars submitted*

Submitted layout plans of proposed apartment units appear to include discrepancies in relation to access provision to a number of units within the proposed scheme. Said discrepancies include, but are not exclusive to, no indication of the primary access door to two-bedroom apartment units located at the northwestern corner of proposed Block 1A across the second, third, fourth and fifth floor level of same; conflict between the primary access door and an internal doorway serving a bathroom in two-bedrooms apartment units located at the southeastern extent of proposed Block 1A across the first, second, third, fourth and fifth floor level of same; and conflict between the primary access door and internal partition walls of a one-bedroom apartment unit at the southwestern corner of proposed Block 1A at first floor level. Clarification of same is advised in advance of the lodgement of a planning application to An Bord Pleanala.

### *Overhead Power Line*

Submitted layout plans indicate a 10kv overhead power lines along the coastline to the east of the subject site. Section 8.2.9.10 of the Dun Laoghaire Rathdown County Development Plan 2016-2022 regarding Development and Overhead Power Lines identifies clearance distances recommended by the Electricity Supply Board (ESB) and other service providers between overhead power lines and new development. Under the provisions of Section 8.2.9.10 of the Dun Laoghaire Rathdown County Development Plan 2016-2022, no specific clearance is required for development in proximity to a 10kv or 38kv overhead line. It is noted that the eastern boundary of the subject site would be located in excess of 30m from the overhead power lines to the east of the site.

### **11.0 E IAR and AA Screening**

The contents of the submission, including the submitted Appropriate Assessment Screening Report, dated 18/09/2020 and prepared by Atkins, are noted.

The submission states that the overall proposed development would comprise 564 residential units, thus exceeds the threshold of development requiring an Environmental Impact Assessment Report (EIAR) under the provisions of Schedule 5, Part 2 of the Planning and Development Regulations 2001 (as amended). The submission states that "an EIAR is currently being co-ordinated by Atkins, on behalf of the applicant, in accordance with Planning and Development Regulations as amended 2001-2019, and with due regard to relevant best practice guidance...The EIAR process is ongoing; the scoping phase is complete, and consultation with various statutory and non-statutory bodies is ongoing. The EIAR will include all necessary technical studies to fully address the likely environmental impacts of the construction and operation of the proposed residential development". The submission states that the forthcoming EIAR will include a technical assessment of a range of environmental topics, including biodiversity, air quality and climate, cultural heritage, and material assets; and include an assessment of potential cumulative impacts of the proposed development with other permitted development in the area of the subject site.

The submission states that Bray Head SAC is located approximately 1.7km to the south of the subject site, with "no direct connectivity from the project site to Bray Head SAC or any other European site via physical means such as woodlands, hedgerows or treelines. There is potential indirect connectivity from the proposed development site to coastal and marine based European sites via the Irish Sea. The closest European sites with connectivity via the Irish Sea are: Bray Head SAC (c. 1.7km), Rockabill to Dalkey Island SAC (ca.4.1km) and Dalkey Islands SPA (ca. 6.4km). Given the dilution factor the Irish Sea would present, this hydrological connectivity is not considered a viable pathway through which any of the European sites could be impacted. As such, it is considered there is no viable indirect connectivity through surface water features, drains or any other vectors from the development site to any European site". The submission concludes that due to the location, scale and nature of the proposed 'Phase 1 - Coastal Quarter' development proposed, of which lands within the administrative boundary of Dun Laoghaire Rathdown County Council forms the northern portion of, "either alone or in combination with other plans or projects, will not result in likely significant effects on any European site, in view of their conservation objectives...Thus, it is recommended that it is not necessary for the project to proceed to Appropriate Assessment".

Pursuant to the Planning and Development Act, 2000, as amended and the Planning and Development Regulations, 2001, as amended, the competent authority responsible for the

purposes of environmental impact assessment screening and appropriate assessment screening is An Bord Pleanála.

### **CONCLUSION AND SUMMARY OF CONSIDERATION/ISSUES THAT MAY HAVE A BEARING ON THE BOARD'S DECISION**

The Planning Authority considers the principle of a residential infill development at this site to be acceptable, with some concerns noted in relation to the height, layout, and position/siting of proposed apartment block and duplex units relative to existing adjacent properties.

The Planning Authority also considers that the following matters require further consideration and may have a bearing on the Board's decision:

- The height of proposed apartment Block 1A with regard to its location within the Coastal Fringe Zone as identified in the Building Height Strategy (Appendix 9) of the Dun Laoghaire Rathdown County Development Plan 2016-2022, whilst also having regard to the Guidelines for Planning Authorities on Urban Development and Building Heights (2018)
- The height and proximity of the proposed development Block 1D to the northwestern boundary of the subject site and resultant visual impact of same as viewed from existing adjacent properties to the northwest; including with regard to tree retention along site boundaries and photomontage images submitted.
- Siting of proposed built form within transitional zonal areas of the subject site, in particular the location of proposed apartment Blocks 1A and 1D relative to areas of the subject site within the administrative boundary of Dun Laoghaire Rathdown County Council subject to zoning objective 'F'.
- Potential overlooking of the proposed development on existing adjacent residential properties to the northwest due to the proximity of and position of upper floor level balcony/terrace areas on the elevations of proposed apartment Block 1D and House Type H2.
- Location of proposed play spaces relative to subject site boundaries and existing adjacent residential properties.
- Separation distances between proposed apartment blocks, and between proposed apartment block and proposed dwelling/duplex units within the scheme,
- Requirement for more detailed and supplementary contextual elevations and photomontage images of the proposed development with regard to the visual impact of same.
- Requirement for shadow cast analysis images of the existing environment and images demonstrating the impact the proposed development on existing adjacent properties is advised to allow for full assessment of the proposed scheme.
- Discrepancies regarding floor layout plans, specifically proposed apartment Block 1A.
- Issues raised in the Drainage report of 12/10/2020.
- Issues raised in the Transportation Planning report of 13/10/2020.
- Issues raised in the Public Lighting report of 07/10/2020.
- The contents of the Environment Section report regarding waste management, and the potential provision of a local bring centre element as part of the development proposal in line with Section 8.2.9.7 of the Dun Laoghaire Rathdown County Development Plan 2016-2022.
- The contents of the Housing Department report of 20/10/2020.

- Details pertaining to areas to be managed by a management company, and details of any areas of the site proposed to be taken in charge by the Planning Authority as applicable,
- While not indicated as such, if the subject development or part thereof is proposed as build to rent (BTR), this must be clearly identified as such in the development description and public notices pertaining to the proposed development, in line with the provisions of SPPR7 of the Sustainable Urban Housing: Design Standards for New Apartments Guidelines (2018). In addition, if BTR is proposed, developments full compliance with the requirements of SPPR7 must be demonstrated.
- A Building Maintenance report will be required.

**ALEX FAHEY**

*Alex Fahey*  
*Executive Planner*

**CÁIT RYAN**

*Cáit Ryan*  
*Senior Executive Planner*

**Liam Walsh**

*Liam Walsh*  
*Senior Planner*

**Appendix A**

**RECORD OF PRE-PLANNING MEETING FOR PROPOSED STRATEGIC HOUSING DEVELOPMENT (SHD) AT FORMER BRAY GOLF CLUB LANDS.**

DATE : 12<sup>th</sup> August 2020

TIME: 10.00

VENUE: Teams Meeting

REFERENCE: PAC/SHD/161/20

Present : Dún Laoghaire Rathdown County Council  
Liam Walsh, Senior Planner  
Cáit Ryan, Senior Executive Planner  
Laura Creagh, Assistant Planner  
Michael Mangan, Senior Engineer  
Mary Hegarty, Senior Executive Engineer, Public Lighting  
Bernard Egan, Senior Executive Engineer, Drainage Planning

External Attendees

Helena Gavin  
Michael Higgins  
Cathal Dalton  
Alan Larkin  
Mark Johnston  
David McDowell  
Tony Reddy  
Kieran Boyle  
Michael Prenty  
Katie Bradshaw  
Kieran Rush

[Note: The external attendees will be collectively referred to as the Applicant hereunder in the interest of clarity].

**WELCOME AND INTRODUCTIONS**

L. Walsh, representing the Planning Department of Dún Laoghaire-Rathdown County Council, welcomed those present. The purpose of this Pre-Planning Meeting was noted and the format of the Meeting was outlined. Meeting participants in turn introduced themselves and identified which organisation they represented at this meeting.

**PROPOSED DEVELOPMENT**

The Applicant presented the proposed development as follows:  
570 units proposed in overall scheme  
- 278 units in Dún Laoghaire Rathdown

- 206 units in Wicklow County Council

## MAIN ISSUES DISCUSSED/CONCERNS RAISED

### Transportation Planning

Issues raised, and comments made as follows:

- Concern raised regarding impact of the proposed development on areas to the north, and impact on capacity of existing Old Dublin Road. Bus Connects proposals were highlighted.
- Concerns raised regarding impact on Wilford Junction and N11, and north towards Shankill. Concern also regarding impact of traffic going through Bray.
- Underpass - route available at present but outside DLR area. Confirmation needed from Irish Rail that underpass to remain open and maintained as needed.
- Public transport bridge noted – not part of this application.
- Awareness of planning history of this site is important.
  - o Previous planning conditions from ABP and previous grants of permission by DLR and Wicklow County Council (WCC) relating to the Old Dublin Road scheme
  - o Existing condition relating to access at northern part of the site
- DLR response to school application should be viewed – issues with road
- DLR would need to see more than one access into the site
- Issues of capacity/traffic in Bray at present
- Bus service is unreliable
- It must be demonstrated that proposal would not adversely impact on public transport route
- Provide connectivity

### Drainage/Surface Water

Issues raised, and comments made as follows:

- Flood extents not shown on submitted drawings
- The existing extents need to be superimposed on site layouts
- No highly vulnerable development allowed in Flood Zones A and B
- Site Specific Flood Risk Assessment required
- Element with DLR to be DLRCC drainage standards and requirements
- All drainage inputs to be supported by site specific data
- Groundwater levels to be determined
- Green roof requirements as standard to be addressed

### Parks and Landscape

Note: Comments provided by Planning Department

Issues raised, and comments made as follows:

- The boundary of the Pale is shown as a 'character area' on the submitted documentation. However, on the proposed site plan, it is indicated very faintly only. Details required as to what remains of the Pale boundary, and how this will be treated. This detailing should be clearly shown on the site layout, and the Pale boundary should be referenced/recognised in the scheme.
- Southern boundary of DLR lands indicated on CDP mapping to show Area of Archaeological Potential. The matter of archaeology to be addressed.
- Regarding parks and open space strategy, permeability to the indicative East Coast Cycle Trail Route and existing park/open space to the north would be important elements
- Regarding detailing of open space, there needs to be clarity regarding the nature of the open space in the podium garden (in apartment block west of rail line). How is the podium garden accessed, and is this publicly accessible, or is it communal or private open space.



- Open space calculations for the scheme are required, which show compliance with DLR County Development Plan 2016-2022 standards and with the Apartment Guidelines (Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities, March 2018)
- The relevant contact personnel in Parks and Landscape Services were provided.

#### Public Lighting

Issues raised, and comments made as follows:

- Position of lights – ensure good lighting where there are pedestrian and cycling routes
- Over-lighting is not necessary. Scheme should be cognisant of it being a residential development
- Home zones – unsuitable. Instead concrete pads where light can land. This is easier for future maintenance.
- Lighting circuits cannot be split between councils. Bordering lands/schemes will be fully taken in charge by one council. Decision to be made as to which Council will be responsible.

#### Planning Matters

Issues raised, and comments made as follows:

- Regarding building height, Appendix 9 of the CDP is relevant (Building Height Strategy). This is a sensitive site, and attention should be given to both upward and downward modifiers. Site is within 500m of the coast, coastal zone refers
- Building height guidelines (Urban Development and Building Heights – Guidelines for Planning Authorities, December 2018) – Justification for building height proposed close to coast required.
- Proposed density was noted
- Concern raised regarding interface between eastern elevation of Block 1A and open space directly to the east – how will this elevation be treated at ground floor level.
- Regarding Apartment Guidelines (2018), all relevant standards/SPPRs to be taken into account. As a general comment, minimum 50% true dual aspect apartments required. In terms of detailing, care to be taken that undue overlooking from corner apartment units facing the inner courtyards into neighbouring apartments is avoided.
- Childcare facilities – Childcare proposal within WCC part of overall scheme is noted. Analysis for basis of childcare provision (relevant calculations) required. While noted that the childcare provision is located within WCC, concern raised regarding quantum of outdoor play area associated with the facility.
- 'F' - Open Space zoning with the site and to the north of the site was raised. Remove residential and ancillary from the 'F' zoning.

#### Part V

It was advised that correspondence relating to Part V would be provided by the Housing Department, and forwarded to the Applicant.

#### Waste Management

An email received from Environmental Enforcement/Waste Section in relation to the proposed development was read out. The relevant email correspondence is attached under Appendix 1.

The Applicant was also advised that clarity would be required as to whether any bring centres are proposed as part of the scheme.

## **Appendix 1**

**From:** O'Connor Dermot <doconnor@DLRCOCO.IE>

**Sent:** 11 August 2020 17:07

**To:** Ryan Cait <cryan@DLRCOCO.IE>

**Subject:** Re: PAC/SHD/161/20

Many thanks Cait

At this stage we would only seek that the applicant take the DLR Guidance Notes on Construction Management and on Operational Waste Management into account in preparing their detailed submission.

Our only other question would be to ask if the staging of the development will facilitate access for the residents to Shanganagh Recycling Center.

Dermot O'Connor

DLR ENVIRONMENTAL ENFORCEMENT

# MEMO

## WICKLOW COUNTY COUNCIL

From:	Declan O'Brien Executive Engineer TWES	To:	Michael Flynn Senior Engineer TWES
Roads Ref:		Your Ref:	SHD 2020.98

Date: 15<sup>th</sup> October 2020

Re: **SHD 2020.98 (Stage 2) – Bray, Golf Club Lands, Bray, Co. Wicklow**

Having regard to the strategic housing application to An Bord Pleanála (Stage 2) in relation to a development on the former Bray Golf Club lands, I wish to make the following observations:

### Pedestrian Facilities

- Ped1. The termination details of road MC50 at the railway underpass need to be submitted and agreed.
- Ped2. The existing pedestrian/cycle link to the rail underpass via Ravenswell road (within the red line boundary) should be retained and upgraded to ensure that there are high quality connections in the area.

### Cycle Facilities

- CYC1. The termination of the cycle paths at all of the vehicular entrances/access points to the proposed development should be designed in accordance with the National Cycle Manual.

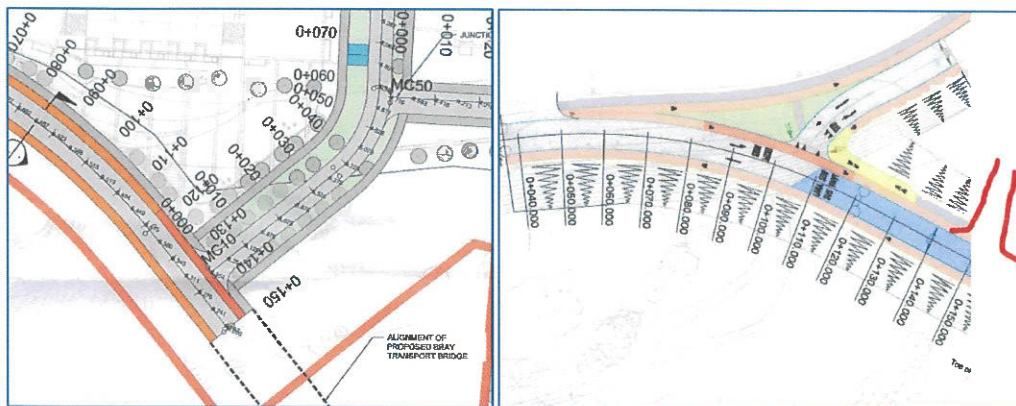
### Public Transport Facilities

- PT1. No information provided on public transport facilities, consider the provision of bus stops along the main development access road to facilitate/promote modal shift.

### Roads

- R1. Road marking and signage details should be submitted for all modes of transport.
- R2. Road construction details (road make up, typical cross sections etc) should be submitted as part of any application and those details shall encompass road cycle, pedestrian, bus and parking facilities.
- R3. Sightlines/visibility envelopes information drawings should be included in any application. They will need to demonstrate that adequate visibility has been provided at all junctions.
- R4. It is noted that the road alignment is designed in accordance with DMURS; however some of the link streets appear to be excessively straight which may lead to the potential for vehicles to travel at higher undesirable speeds. Details should be submitted on how to keep vehicle speed at or below the design speed for the project.

- R5. It is noted that the Junction of MC10 and MCX0 is approximately 50m closer to the river when compared to the proposed junction improvements proposed for the delivery of the River Dargle Alternative Transport Bridge Project. Further discussions are required between the Applicant and the design team for the bridge to ensure that both projects will not be adversely impacted.



- R6. It is likely that improvement to the existing road infrastructure outside the red line boundary will be required (the R761 Dublin Road). Analysis of existing junctions will be required and any improvement clearly identified and agreed with the local authorities before any final submission is made to An Bord Pleanála. Initial junctions to be assessed would be the main access off the R761 north of the Lidl site and the junction within the development beside the schools.
- R7. A review of the safe operation of the internal road network is required, details such as swept path analysis should be provided there is a concern that some junctions/bends may not operate safely.
- R9. Need to demonstrate that access to the basement car park for Block 1B can be negotiated safely.
- R10. Table 2-1 of the DMURS statement shows the adopted design speed limit, however it is recommended that the design speed be increased to the anticipated speed limit on the various sections of road e.g. the Link Street would potentially have a speed limit of 50km/h and the local streets and home zones could have a speed limit of 30km/h in the interest of safety. Increase design speeds will increase sightlines etc.
- R11. The applicant should be aware of the requirement on the Bray Transport Study and the measures required to fully develop the golf club lands. The applicant should consider and comment on each of the following measures (the need for any/all of these measures in phase 1, delivery of these measures, are any of these measures necessary for the development of phase 1 and that need to be in place before the development is occupied etc.)

*The following is required to serve the full build-out of Bray Golf Club lands:*

- *Golf Club Lands development roads;*
- *Pedestrian and cycle links from the Golf Club to Bray Town Centre;*
- *Dublin Road bus priority (part of Bray Core Bus Corridor);*
- *Public transport, pedestrian and cycle bridge from the Golf Club Lands to Bray DART station for future use by Luas;*
- *Development of interchange at Bray DART Station; and*
- *Commitment to the phased introduction of bus and enhanced rail services in line with increased demand.*

#### **Transport Assessment/Traffic Impact Assessment**

- TA1. A Transport statement was provided in this submission. A full TA will need to be provided for this development and submitted as part of any final application. Any issues identified and proposed

solutions need to be agreed with the local authorities prior to the submission of the Stage 3 application.

- TA2. A scoping study should be carried out and the extent of the assessment should be agreed with the local authorities. It is noted that proposed junctions to be assessed have been outlined in Section 8.6
- TA3. When modelling for the TA, should look at including the traffic generated in Phase 2 in the analysis. Any upgrade of the existing network will need to be completed in Phase 1 and these upgrades should be able to accommodate future traffic that would be generated in phase 2.
- TA4. The applicant should be aware that it is the Council's intention to close the Ravenswell Road (Southern Development Access) to vehicular traffic and that reliance on this as a vehicular access point for the residential areas in the medium to long term is questionable. In this regard an assessment should be undertaken to demonstrate that the remaining access points would be able to cater for additional traffic if Ravenswell Road is closed to the vehicular traffic.
- TA5. A sensitivity analysis should be undertaken to demonstrate that the road network still works in the event that long term working from home increase (modal shift) does not fully materialise as outlines in section 8.3

#### Road Safety Audit

- RSA1. A Stage 1 and or 2 Road Safety Audit should be carried out and included in any application. Any issues that were found and accepted by the design should then be incorporated into the design.

#### Public Lighting

- PL1. Further Public lighting details shall be provided if this development is granted permission:
- Details of the lights proposed to be taken in charge by each local authority shall be clearly identified and are supplied from separate independent supplies. It should be noted from the Taking in Charge map that the lighting will remain in private ownership and operation.
  - Other details for example on circuit layout, column type and the like shall be submitted and agreed with each local authority. The scope of the documentation to be submitted is to be agreed with each local authority.
- PL2. Please confirm or otherwise that the lights will be taken in charge by the local authorities.

#### Parking Facilities

- PK1. No initial comment on the parking strategy and quantum of spaces.
- PK2. It is noted that disabled parking is to be incorporated into the development.
- PK3. It is noted that EV provision is to be incorporated into the proposed development.
- PK4. Please confirm that all proposed parking spaces within phase 1 are easily accessible. I would appear that some parking spaces may be located in difficult locations for easy access.

#### Road Drainage

- RD1. No detailed drainage information was provided as part of the stage 2 application, such details should be provided in any application to An Bord Pleanála.

#### Other

- O1. Wicklow County Council is about to commence the Part 8 process in November 2020 for the Bray Public Alternative Transport Bridge and associated link roads, the application should have regard to this project and were possible incorporate into their application.
- O2. Need to review the extents of the Taking in Charge map. It would appear that the footpaths and any cycle provision have been excluded.

- O2. It is noted that the applicant in the masterplan has shown the LUAS alignment on the north of the existing road serving the rail underpass while Wicklow Co Co in its development of the bridge shows the LUAS alignment on the south side of the road.

Wicklow Co Co undertook a design based on the original planning to fix the position of the bridge structure. We have currently shown this feasible alignment on our Part 8 documents to demonstrate that the LUAS can be accommodated and is shown for illustrative purposes only (planning is not been sought for the LUAS Alignment). If the applicant proposes to change the alignment of the LUAS it should be done in such a manner as not to affect the viability and use of the proposed public transport bridge.

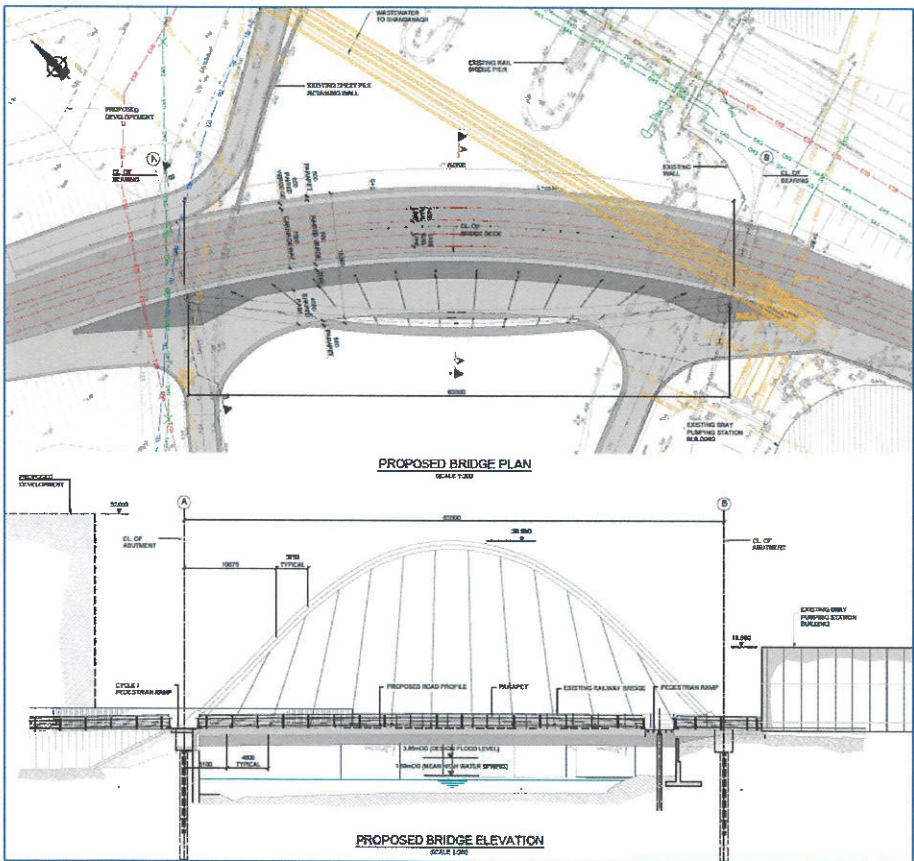
#### **Recommendation**

It is recommended that the comments and observations are considered by the applicant prior to submission of any application to An Bord Pleanála.

---

Declan O'Brien  
Executive Engineer  
Transportation, Water & Emergency Services (TWES)





Link to Standard  
 Planning Responses

**Section 5** Please provide observations here

*Irish Water has the following observations in respect of the proposed development:*

- 1) Where the applicant proposes to connect to a public water/wastewater network operated by Irish Water, the applicant must sign a connection agreement with Irish Water prior to the commencement of the development and adhere to the standards and conditions set out in that agreement.*
- 2) In the interest of Public Health and Environmental Sustainability, Irish Water Infrastructure capacity requirements and proposed connections to the Water and Waste Water Infrastructure will be subject to the constraints of the Irish Water Capital Investment Programme.*
- 3) All development shall be carried out in compliance with Irish Water Standards codes and practices.*
- 4) Connection is provided it is carried out in accordance with the conditions set in the Pre-connection Enquiry Report by Irish Water and any further conditions that are set out in the written connection agreement with Irish Water.*
- 5) It may be necessary to connect to the public water mains at Upper Dargle Road not at the location indicated on the proposed watermains layout, sheet 2.*

No Objection

<b>Completed by</b>	<b>Name</b>	<b>Organisation</b>
Water Section	Eoin Heslin	Local Authority
Waste Water Section	Cian Madden	Local Authority
Approved by	Maria O'Dwyer	Irish Water





## Planning Observation Report

Section 1		General Information	
1.1 Planning Application No:			SHDPP20/98
1.2 Description of the development: (Copy description provided in notification letter/planning list)	Pre-planning Consultation Strategic Housing Development		
1.3 Location: (Copy/Paste from description provided in notification letter/planning list. Include coordinates where available)	Former Bray Golf Club Lands		
1.4 Planning Authority			Wicklow County Council
1.5 Type of Planning Permission			Pre Planning
1.6 Date Application Lodged with Planning Authority			30/09/2020
Section 2		Water Connection Planning Assessment (NOTE Observations should be aligned with COF where available)	
2.1 Does the proposed development require a WATER service connection from Irish Water?			Yes
2.2 Please provide PCE number for this development if PCE has been submitted.		<b>IW New Connections Viewer</b>	N/A
2.3 Please provide COF number for this development if COF has been issued.			N/A
2.4 Water Plant Name			BRAY DIRECT PUBLIC SUPPLY
2.5 Scheme Code			SZPUB0600
2.6 Is water connection feasible			Yes
2.7 Is the development in close proximity to, or propose to Build Over an IW Asset			Yes
Section 3		Waste Water Connection Planning Assessment (NOTE Observations should be aligned with COF where available)	
3.1 Does the proposed development require a WASTE service connection from Irish Water?			Yes
3.2 Please provide PCE number for this development if PCE has been submitted.		<b>IW New Connections Viewer</b>	N/A
3.3 Please provide COF number for this development if COF has been issued.			N/A
3.4 Waste Water Scheme Name			Bray
3.5 Agglomeration Code			D0005-01
3.6 Is waste water connection feasible			Yes
3.7 Is the development in close proximity to, or propose to Build Over an IW Asset			Yes
Section 4		Impact on Wastewater Treatment Plant	
4.1 Is the development likely to cause overloading potentially impacting receiving waters			No
4.2 Is a Section 16 licence required			No
4.3 Is the proposed development within the buffer zone of a waste water treatment plant			No
Section 5		Impact to Drinking Water Source	
5.1 Is the development located within an Inner or Outer Source Protection Zone		<b>Link to IW Source Protection Viewer</b>	Neither
5.2 Is the development proposal likely to impact an IW drinking water source during construction			No

## McCullom, Avril

---

**From:** euplanningregulation <euplanningregulation@housing.gov.ie>  
**Sent:** 2020-07-28 16:04  
**To:** Larkin, Deirdre  
**Subject:** HARBOUR POINT STRATEGIC HOUSING DEVELOPMENT – PHASE 1: COASTAL QUARTER – EIAR SCOPING PHASE

Dear Deirdre,

I write with regard to your request for a response in connection to the Coastal Quarter development and associated EIA Scoping report.

I wish to advise that under Section 30 of the Planning and Development Act 2000, as amended, the Minister, and by extension this Department, is specifically precluded from exercising any power or control in relation to any particular case with which a planning authority or An Bord Pleanála is or may be concerned.

Kind regards  
Morgan

**Morgan O Reilly**  
*EU and International Planning Regulation, Planning Division*

**An Roinn Tithíochta, Pleanála agus Rialtais Áitiúil**  
Department of Housing, Planning and Local Government

Teach an Chustaim, Baile Átha Cliath 1. D01 W6X0  
Custom House, Custom House Quay, Dublin D01 W6X0

T (+353) 1 8882710

[www.tithiocht.gov.ie](http://www.tithiocht.gov.ie) [www.housing.gov.ie](http://www.housing.gov.ie)

\*\*\*\*\*

Is faoi rún agus chun úsáide an té nó an aonán atá luaite leis, a sheoltar an ríomhphost seo agus aon comhad atá nasctha leis. Má bhfuair tú an ríomhphost seo trí earráid, déan teagmháil le bhainisteoir an chórais.

Deimhnítear leis an bhfo-nóta seo freisin go bhfuil an teachtaireacht ríomhphoist seo scuabtha le bogearraí frithvíorais chun víorais ríomhaire a aimsiú.

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## McCullom, Avril

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**From:** EIAPlanning <eiaplanning@epa.ie>  
**Sent:** 2020-07-23 12:30  
**To:** McCullom, Avril  
**Subject:** Automatic reply: HARBOUR POINT STRATEGIC HOUSING DEVELOPMENT – PHASE 1: COASTAL QUARTER – EIAR

Thank you for contacting [eiaplanning@epa.ie](mailto:eiaplanning@epa.ie)

We have received your email and will deal with it as soon as possible.

Regards

EIA team  
Environmental Protection Agency

## McCollom, Avril

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**From:** noreply@salesforce.com on behalf of Do Not Reply - Bus Éireann Support  
<noreply@buseireann.ie>  
**Sent:** 2020-07-23 12:07  
**To:** McCollom, Avril  
**Subject:** Cúram Custaiméirí - Admháil / Customer care acknowledgement # 00471213

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

### Cúram Custaiméirí - Admháil

Go raibh maith agat as teagmháil a dhéanamh le Bus Éireann. Is admháil é seo go bhfuarthas an scéal uait. Cuirtear uimhir thagartha ar gach teachtaireacht a sheoltar chuig Bus Éireann; is féidir an uimhir sin a lua más gá duit teagmháil a dhéanamh linn arís. Sa chás seo is é 00471213 an uimhir thagartha. Bí cinnte go mbeimid i dteagmháil leat go luath.

Le dea-ghuí,

Bus Éireann – Cúram Custaiméirí

### Customer care acknowledgement

Thank you for contacting Bus Éireann. This message is to confirm receipt of your communication. As with all enquiries to Bus Éireann, we assign a reference number you can quote if you need to get in touch with us again. The number of this case is 00471213. Please rest assured we will be in contact with you soon

Regards  
Bus Éireann – Customer Care





Office of the Minister for Agriculture, Food and the Marine, Dublin 2.

Oifig an Aire Talmhaíochta, Bia agus Mara, Baile Átha Cliath 2.

28 July 2020

Ms. Deirdre Larkin  
Atkins House  
150 Airside Business Park  
Swords  
Co. Dublin

HN	File No.		
Recd by	Reply		
ATKINS ATKINS HOUSE 150 AIRSIDE BUSINESS PARK SWORDS CO. DUBLIN			
29 JUL 2020			
To Act			
To See			
Initials			
Copy to			Action Taken

**PLEASE QUOTE REF NUMBER ON ALL CORRESPONDENCE.**

Our Ref: 2020/63744N /AS

Your Ref: 5193890-21-CO-00067

Dear Ms. Larkin

I wish to acknowledge receipt of your recent correspondence addressed to the Minister for Agriculture, Food and the Marine, Dara Calleary, TD concerning Strategic Housing Development.

I will bring your correspondence to the Minister's attention as soon as possible. In the interim I have forwarded your correspondence for the attention of relevant Department officials.

Yours sincerely,

Aiden Kelly  
Private Secretary

All personal data processed by this Office will take place in accordance with the law on Data Protection and will only be for the purpose(s) connected to the functions of the Office. Further information is available on the Department's Data Protection page:  
<https://www.agriculture.gov.ie/dataprotection/>

## McCullom, Avril

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**From:** info@birdwatchireland.ie  
**Sent:** 2020-07-23 14:20  
**To:** McCullom, Avril  
**Subject:** RE: HARBOUR POINT STRATEGIC HOUSING DEVELOPMENT – PHASE 1: COASTAL QUARTER – EIAR - FAO of Ms. Olivia Crowe

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Hi Avril ,  
Thank you for your email .I will forward this along to Oonagh Duggan our Policy officer .

Regards,  
Michelle Kavanagh,  
Membership Department.  
BirdWatch Ireland  
Unit 20 Block D | Bullford Business Campus | Kilcoole | Greystones | A63 RW83 | Co.Wicklow | Ireland  
Tel: +353 (0)1 281 9878 email: mkavanagh@birdwatchireland.ie  
Website: [www.birdwatchireland.ie](http://www.birdwatchireland.ie)

***‘Please note that due to current Covid-19 restrictions most BirdWatch Ireland Staff will be working from their homes .Please be assured that your email will be answered as soon as possible.’***

***BirdWatch Ireland - protecting wild birds and their habitats***

***BirdWatch Ireland - protecting birds and biodiversity***

***Cairde Éanlaith Éireann - ag caomhnú éin agus bithéagsúlacht***

To join as a member, make a donation, volunteer or shop online visit [www.birdwatchireland.ie](http://www.birdwatchireland.ie) or call us on +353 (0)1 281 9878

---

**From:** McCullom, Avril [mailto:Avril.McCollom@atkinsglobal.com]  
**Sent:** Thursday 23 July 2020 11:05  
**To:** info@birdwatchireland.ie  
**Subject:** FW: HARBOUR POINT STRATEGIC HOUSING DEVELOPMENT – PHASE 1: COASTAL QUARTER – EIAR - FAO of Ms. Olivia Crowe

Dear Ms. Crowe,

I am re-sending this email with the EIAR Scoping Report now attached.  
Apologies, it was omitted from the previous email.

Kind Regards,

Avril McCollom BSc (Hons)  
Environmental Consultant  
Ireland  
Environment

 018108166  0867328441

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**From:** McCollom, Avril  
**Sent:** 2020-07-23 10:39  
**To:** [info@birdwatchireland.ie](mailto:info@birdwatchireland.ie)  
**Cc:** Larkin, Deirdre <[Deirdre.Larkin@atkinsglobal.com](mailto:Deirdre.Larkin@atkinsglobal.com)>  
**Subject:** HARBOUR POINT STRATEGIC HOUSING DEVELOPMENT – PHASE 1: COASTAL QUARTER – EIAR - FAO of Ms. Olivia Crowe

Dear Ms. Crowe,

Atkins Ireland Ltd. (Atkins) on behalf of Shankill Property Investments Ltd. are currently delivering engineering and environmental services in respect of a masterplan residential development at Ravenswell Bray County Wicklow. Phase 1: Coastal Quarter is currently the subject of an EIAR. Please see attached a scoping report for the EIAR which provides further detail on the proposed development and includes an indicative layout of the EIAR.

We would appreciate a response (if relevant) in relation to any issues you may have regarding the receiving environment in writing by 17<sup>th</sup> August 2020 or earlier if possible.  
If you require any further information regarding The Coastal Quarter project or wish to discuss this further, please do not hesitate to contact me on 01 810 8000 / 087 4154813.  
We would greatly appreciate it if you could revert back at your earliest convenience or by 17<sup>th</sup> August 2020 by email [deirdre.larkin@atkinsglobal.com](mailto:deirdre.larkin@atkinsglobal.com).

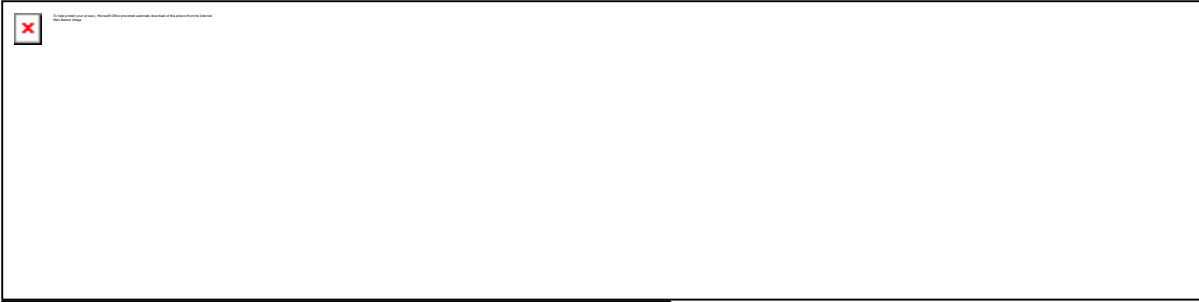
Kind Regards,

Avril McCollom BSc (Hons)  
Environmental Consultant  
Ireland  
Environment

 018108166  0867328441

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## CONFIRMATION OF FEASIBILITY

Ailis Corrigan,  
Atkins House,  
150 Airside Business Park,  
Swords,  
Co. Dublin

**Uisce Éireann**  
Bosca OP 448  
Oifig Sheachadta na  
Cathrach Theas  
Cathair Chorcaí

**Irish Water**  
PO Box 448,  
South City  
Delivery Office,  
Cork City.

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

2 September 2022

**Our Ref: CDS22005393 Pre-Connection Enquiry  
Lands at the Old Bray Club, Bray, Co. Wicklow**

Dear Applicant/Agent,

### **We have completed the review of the Pre-Connection Enquiry.**

Irish Water has reviewed the pre-connection enquiry in relation to a Water & Wastewater connection for a Multi/Mixed Use Development of 590 unit(s) at Lands at the Old Bray Club, Bray, Wicklow, (the **Development**).

Based upon the details provided we can advise the following regarding connecting to the networks;

#### **Water Connection**

- Feasible Subject to upgrades.
- This connection is feasible subject to confirmation that the proposed water main connection point is as constructed and live. If the proposed connection point is not viable, then a new connection point will need to be agreed at Application stage.

#### **Wastewater Connection**

- Feasible Subject to upgrades.
- This connection is feasible subject to the completion of the Old Connaught LNRP.
- The connection is also contingent on completion of the required diversion works within the development (DIV21013).

This letter does not constitute an offer, in whole or in part, to provide a connection to any Irish Water infrastructure. Before the Development can be connected to our network(s) you must submit a connection application and be granted and sign a connection agreement with Irish Water.

As the network capacity changes constantly, this review is only valid at the time of its completion. As soon as planning permission has been granted for the Development, a completed connection application should be submitted. The connection application is available at [www.water.ie/connections/get-connected/](http://www.water.ie/connections/get-connected/)

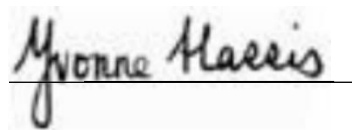
### Where can you find more information?

- **Section A** - What is important to know?
- **Section B** - Details of Irish Water's Network(s)

**This letter is issued to provide information about the current feasibility of the proposed connection(s) to Irish Water's network(s). This is not a connection offer and capacity in Irish Water's network(s) may only be secured by entering into a connection agreement with Irish Water.**

For any further information, visit [www.water.ie/connections](http://www.water.ie/connections), email [newconnections@water.ie](mailto:newconnections@water.ie) or contact 1800 278 278.

Yours sincerely,

A handwritten signature in black ink that reads "Yvonne Harris". The signature is written in a cursive style and is positioned above a thin horizontal line.

**Yvonne Harris**  
**Head of Customer Operations**

## Section A - What is important to know?

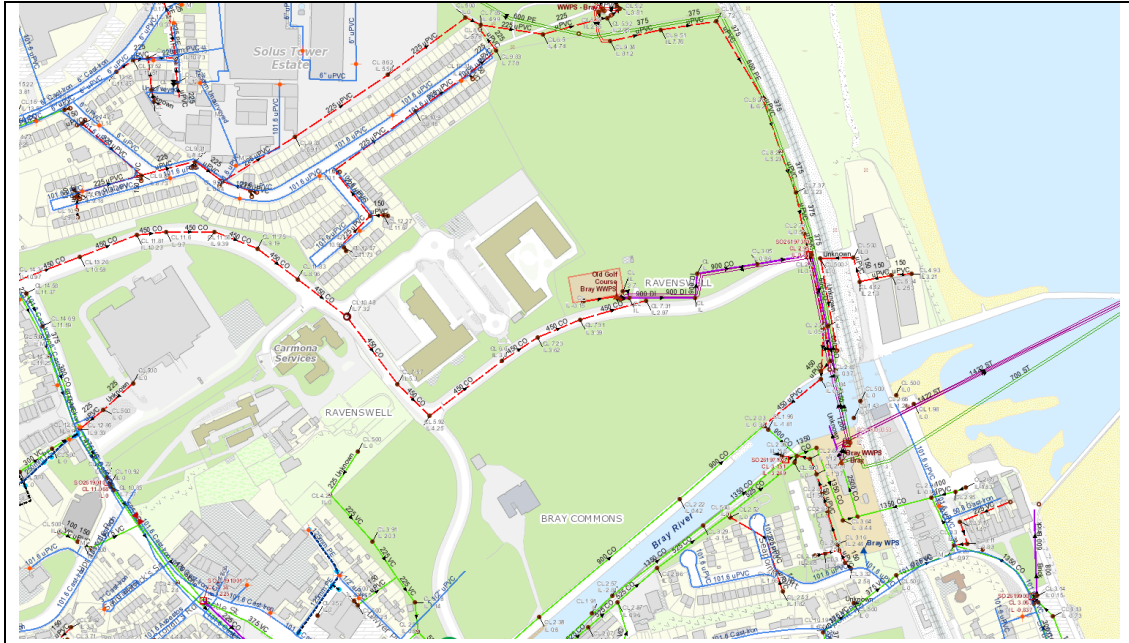
What is important to know?	Why is this important?
<b>Do you need a contract to connect?</b>	<ul style="list-style-type: none"> <li>• Yes, a contract is required to connect. This letter does not constitute a contract or an offer in whole or in part to provide a connection to Irish Water's network(s).</li> <li>• Before the Development can connect to Irish Water's network(s), you must submit a connection application <u>and be granted and sign</u> a connection agreement with Irish Water.</li> </ul>
<b>When should I submit a Connection Application?</b>	<ul style="list-style-type: none"> <li>• A connection application should only be submitted after planning permission has been granted.</li> </ul>
<b>Where can I find information on connection charges?</b>	<ul style="list-style-type: none"> <li>• Irish Water connection charges can be found at: <a href="https://www.water.ie/connections/information/charges/">https://www.water.ie/connections/information/charges/</a></li> </ul>
<b>Who will carry out the connection work?</b>	<ul style="list-style-type: none"> <li>• All works to Irish Water's network(s), including works in the public space, must be carried out by Irish Water*.</li> </ul> <p>*Where a Developer has been granted specific permission and has been issued a connection offer for Self-Lay in the Public Road/Area, they may complete the relevant connection works</p>
<b>Fire flow Requirements</b>	<ul style="list-style-type: none"> <li>• The Confirmation of Feasibility does not extend to fire flow requirements for the Development. Fire flow requirements are a matter for the Developer to determine.</li> <li>• <b>What to do?</b> - Contact the relevant Local Fire Authority</li> </ul>
<b>Plan for disposal of storm water</b>	<ul style="list-style-type: none"> <li>• The Confirmation of Feasibility does not extend to the management or disposal of storm water or ground waters.</li> <li>• <b>What to do?</b> - Contact the relevant Local Authority to discuss the management or disposal of proposed storm water or ground water discharges.</li> </ul>
<b>Where do I find details of Irish Water's network(s)?</b>	<ul style="list-style-type: none"> <li>• Requests for maps showing Irish Water's network(s) can be submitted to: <a href="mailto:datarequests@water.ie">datarequests@water.ie</a></li> </ul>

<p><b>What are the design requirements for the connection(s)?</b></p>	<ul style="list-style-type: none"> <li>The design and construction of the Water &amp; Wastewater pipes and related infrastructure to be installed in this Development shall comply with <b><i>the Irish Water Connections and Developer Services Standard Details and Codes of Practice</i></b>, available at <a href="http://www.water.ie/connections">www.water.ie/connections</a></li> </ul>
<p><b>Trade Effluent Licensing</b></p>	<ul style="list-style-type: none"> <li>Any person discharging trade effluent** to a sewer, must have a Trade Effluent Licence issued pursuant to section 16 of the Local Government (Water Pollution) Act, 1977 (as amended).</li> <li>More information and an application form for a Trade Effluent License can be found at the following link: <a href="https://www.water.ie/business/trade-effluent/about/">https://www.water.ie/business/trade-effluent/about/</a></li> </ul> <p>**trade effluent is defined in the Local Government (Water Pollution) Act, 1977 (as amended)</p>

## Section B – Details of Irish Water’s Network(s)

The map included below outlines the current Irish Water infrastructure adjacent the Development: To access Irish Water Maps email

[datarequests@water.ie](mailto:datarequests@water.ie)



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**Note:** The information provided on the included maps as to the position of Irish Water’s underground network(s) is provided as a general guide only. The information is based on the best available information provided by each Local Authority in Ireland to Irish Water.

Whilst every care has been taken in respect of the information on Irish Water’s network(s), Irish Water assumes no responsibility for and gives no guarantees, undertakings or warranties concerning the accuracy, completeness or up to date nature of the information provided, nor does it accept any liability whatsoever arising from or out of any errors or omissions. This information should not be solely relied upon in the event of excavations or any other works being carried out in the vicinity of Irish Water’s underground network(s). The onus is on the parties carrying out excavations or any other works to ensure the exact location of Irish Water’s underground network(s) is identified prior to excavations or any other works being carried out. Service connection pipes are not generally shown but their presence should be anticipated.

Shankill Property Investments Limited  
One Royal Canal House  
Royal Canal Park  
Dublin 15

Uisce Éireann  
Bosca OP 448  
Oifig Sheachadta na  
Cathrach Theas  
Cathair Chorcaí

Irish Water  
PO Box 448,  
South City  
Delivery Office,  
Cork City.

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

11 August 2022

To Whom It May Concern,

**Re: Diversion Reference DIV21013 Diversion enquiry. Subject to contract | Contract denied**

Irish Water has reviewed your enquiry in relation to a diversion of Irish Water's sewers as part of the proposed Development at Lands at the Old Bray Golf Club, Bray, Wicklow as indicated on drawing no. 5214419-ATK-00-ZZ-SK-CE-0013.

Based upon the details you have provided with your enquiry and as assessed by Irish Water, we wish to advise you that, in this instance, Irish Water has no objection to the proposed extension subject to the following conditions;

- The applicant shall carry out site investigation works to confirm the location of existing IW assets and that the network connectivity of IW assets matches what is shown on IW GIS;
- The applicant shall submit a detailed design outlining the following:
  - coordination between the sewer diversions and the local network reinforcement project;
  - the choice of the contractor who will be carrying out the works; and
  - at the request of Wicklow County Council, a pedestrian and cycle route between the schools and the URB138 to the harbour be kept open and maintained in a safe condition throughout the proposed works.

You are advised that this correspondence does not constitute an agreement in whole or in part to provide a diversion or to build near any Irish Water infrastructure and is provided subject to diversion agreement being executed at a later date. You are advised to make contact with the diversions team at [diversions@water.ie](mailto:diversions@water.ie) once planning permission has been granted and prior to any works commencing on site in order to enter into a diversion agreement with Irish Water.

If you have any further questions, please contact Jurica Matosevic from the diversions team on 01 8925846 or email [jmatosevic@water.ie](mailto:jmatosevic@water.ie). For further information, visit [www.water.ie/connections](http://www.water.ie/connections).

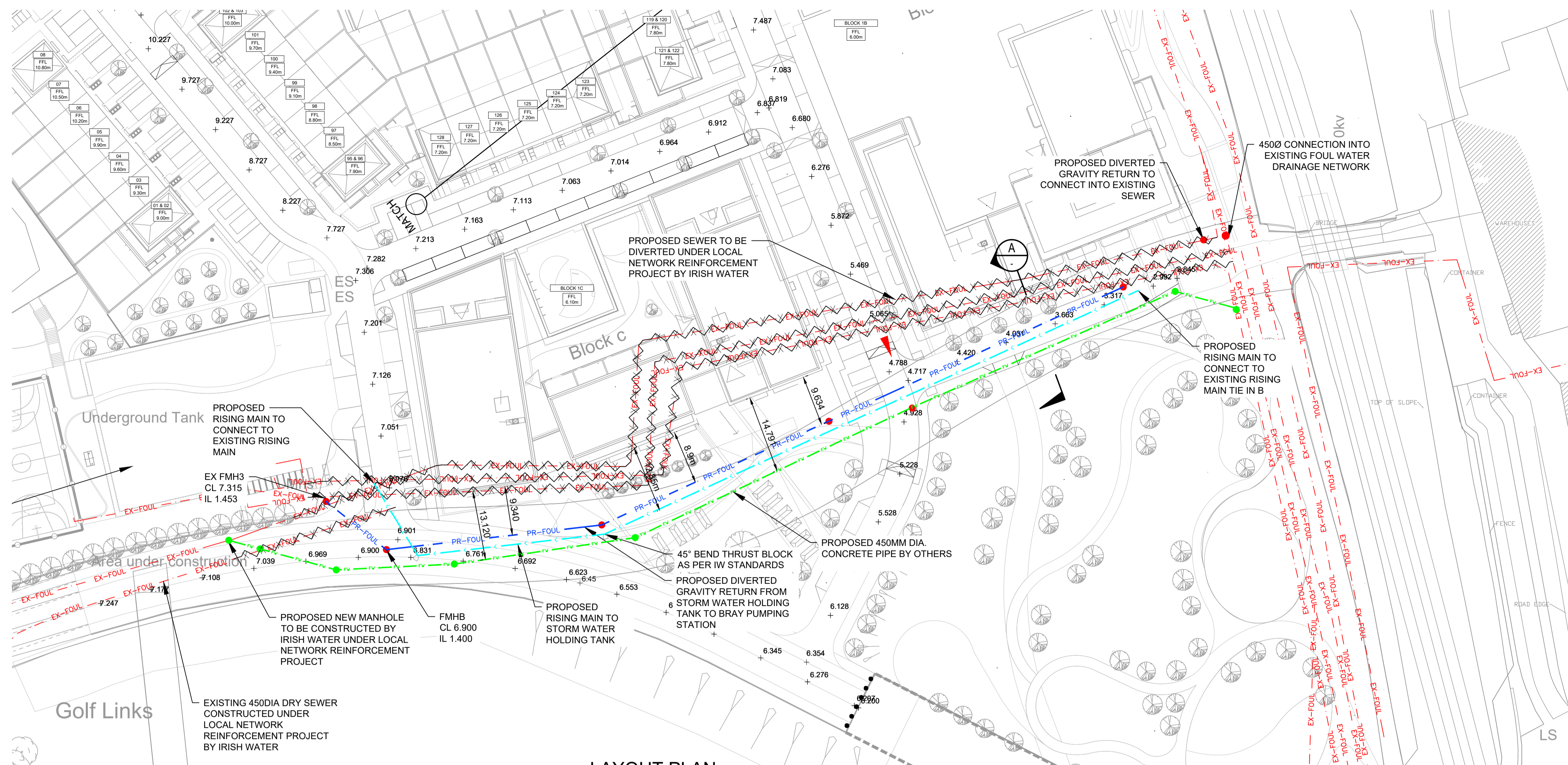
Yours sincerely,



**Yvonne Harris**

**Head of Customer Operations**

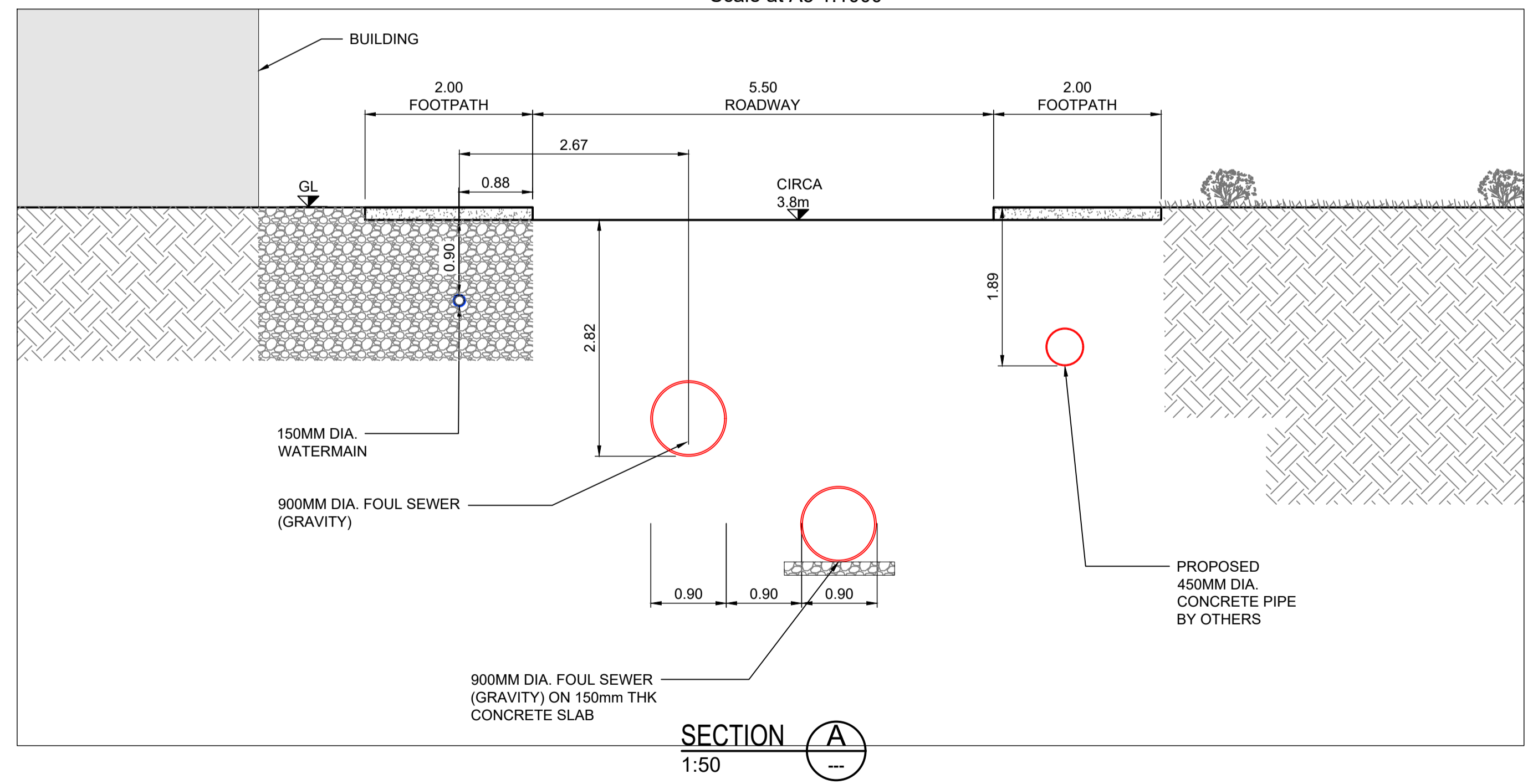




- GENERAL NOTES
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  2. ONLY WRITTEN DIMENSIONS SHALL BE USED. NO DIMENSIONS SHALL BE SCALED FROM THE DRAWINGS
  3. ALL LEVELS ARE IN METRES AND ARE TO MALIN HEAD DATUM
  4. ALL COORDINATES ARE IN METRES AND ARE TO IRISH TRANSVERSE MERCATOR

DRAFT

LAYOUT PLAN  
Scale at A1 1:500  
Scale at A3 1:1000



SECTION A  
1:50

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ORDNANCE SURVEY IRELAND & GOVERNMENT OF IRELAND

LEGEND	
	SITE BOUNDARY
	PROPOSED (UPVC) GRAVITY FOUL DRAINAGE, DIAMETER AS INDICATED (IW-CDS-5030-03, SECTION 3.13.3)
	PROPOSED FOUL MANHOLE (IW-STD-WW-09.10.11.12)
	PROPOSED RISING MAIN, 900mm OD HDPE SDR17 CONNECTION (IW-STD-WW-03, 13)
	PROPOSED 900Ø (UPVC) GRAVITY FOUL DRAINAGE, (IW-CDS-5030-03, SECTION 3.13.3)
	EXISTING FOUL MAIN
	PROPOSED SEWER UNDER LOCAL NETWORK REINFORCEMENT PROJECT BY IRISH WATER
	PIPE WORK TO BE REMOVED
	PROPOSED FOUL WATER WAYLEAVE

Rev	Description	By	Date	Chk'd	Auth
-	FOR INFORMATION	PS	06.07.22	AC	GH



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Fax (+353) 021 429 0360

1st Floor Technology House Parkmore Technology Park, Galway  
Tel (+353) 091 786 050  
Fax (+353) 091 779 830

Client	SHANKILL PROPERTY INVESTMENTS LTD			
Project	COASTAL QUARTER PLANNING APPLICATION			

INFORMATION				
Title	IRISH WATER DIVERSION CROSS SECTION			
Original Scale	Design/Drawn	Checked	Authorised	
AS SHOWN	PS	AC	GH	
Date	Date	Date	Date	
04.07.22	04.07.22	04.07.22	04.07.22	
Status	Drawing Number	Rev		
----	5214419-ATK-00-ZZ-SK-CE-0013	-		



Garry Hanratty  
Atkins House  
150 Airside Business Park  
Swords  
Dublin K67 K5W4

Uisce Éireann  
Bosca OP 448  
Oifig Sheachadta na  
Cathrach Theas  
Cathair Chorcaí

Irish Water  
PO Box 448,  
South City  
Delivery Office,  
Cork City.

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

31 August 2022

**Re: Design Submission for Lands at the Old Bray Golf Club, Bray, Co. Wicklow (the “Development”)  
(the “Design Submission”) / Connection Reference No: CDS22005393**

Dear Garry Hanratty,

Many thanks for your recent Design Submission.

We have reviewed your proposal for the connection(s) at the Development. Based on the information provided, which included the documents outlined in Appendix A to this letter, Irish Water has no objection to your proposals.

This letter does not constitute an offer, in whole or in part, to provide a connection to any Irish Water infrastructure. Before you can connect to our network you must sign a connection agreement with Irish Water. This can be applied for by completing the connection application form at [www.water.ie/connections](http://www.water.ie/connections). Irish Water’s current charges for water and wastewater connections are set out in the Water Charges Plan as approved by the Commission for Regulation of Utilities (CRU)([https://www.cru.ie/document\\_group/irish-waters-water-charges-plan-2018/](https://www.cru.ie/document_group/irish-waters-water-charges-plan-2018/)).

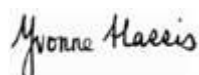
You the Customer (including any designers/contractors or other related parties appointed by you) is entirely responsible for the design and construction of all water and/or wastewater infrastructure within the Development which is necessary to facilitate connection(s) from the boundary of the Development to Irish Water’s network(s) (the “**Self-Lay Works**”), as reflected in your Design Submission. Acceptance of the Design Submission by Irish Water does not, in any way, render Irish Water liable for any elements of the design and/or construction of the Self-Lay Works.

If you have any further questions, please contact your Irish Water representative:

Name: Dario Alvarez

Email: [dalvarez@water.ie](mailto:dalvarez@water.ie)

Yours sincerely,



**Yvonne Harris**  
Head of Customer Operations



## Appendix A

### Document Title & Revision

- 5214419-ATK-01-ZZ-DR-CE-2701 – Watermain layout 1
- 5214419-ATK-01-ZZ-DR-CE-2702 – Watermain layout 2
- 5214419-ATK-01-ZZ-DR-CE-0551 – Foul sewer layout 1
- 5214419-ATK-01-ZZ-DR-CE-0552 – Foul sewer layout 2
- 5214419-ATK-01-ZZ-DR-CE-0560 – Foul sewer long sections

**Standard Details/Code of Practice Exemption: N/A**

For further information, visit [www.water.ie/connections](http://www.water.ie/connections)

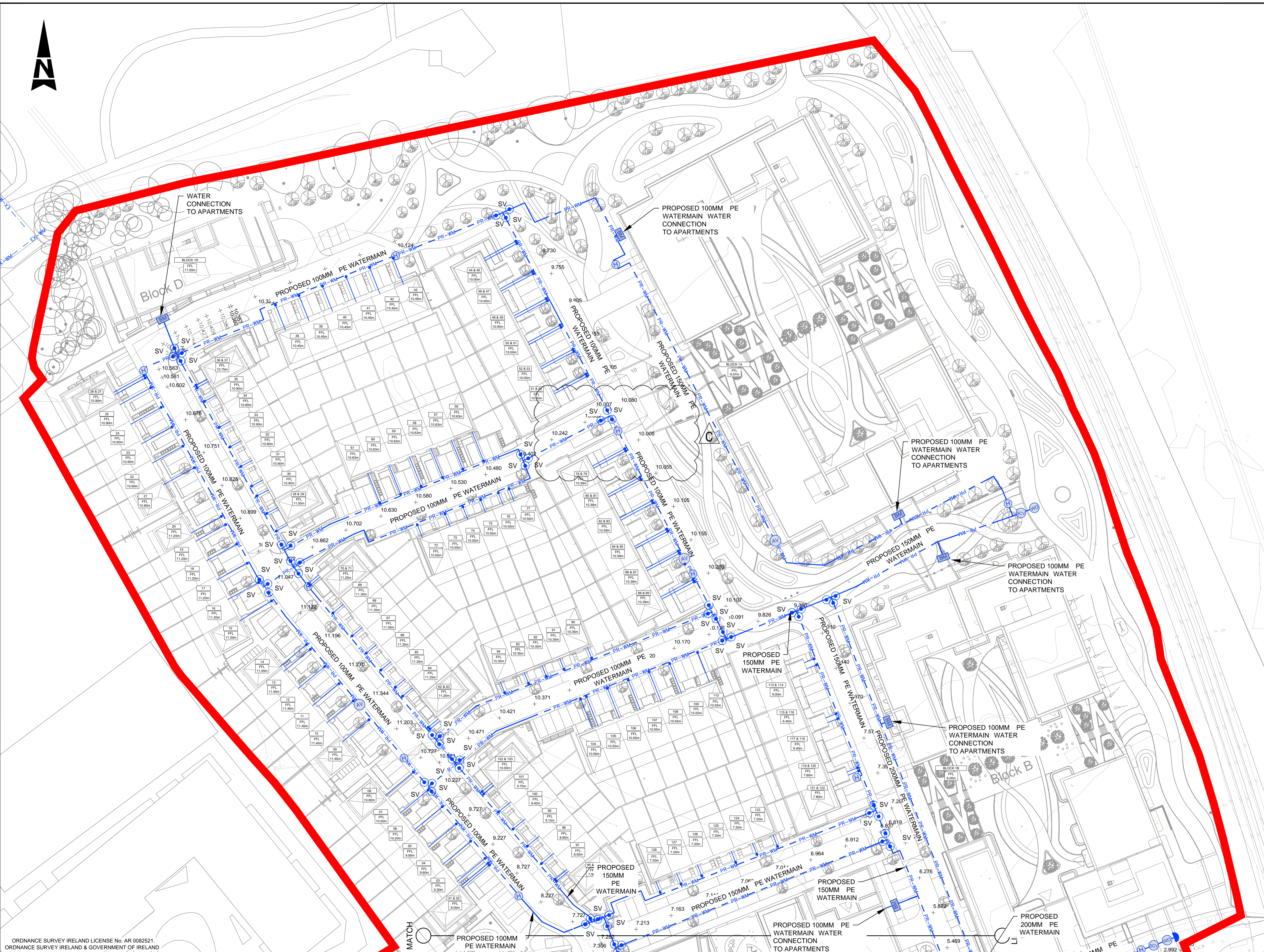
Notwithstanding any matters listed above, the Customer (including any appointed designers/contractors, etc.) is entirely responsible for the design and construction of the Self-Lay Works. Acceptance of the Design Submission by Irish Water will not, in any way, render Irish Water liable for any elements of the design and/or construction of the Self-Lay Works.



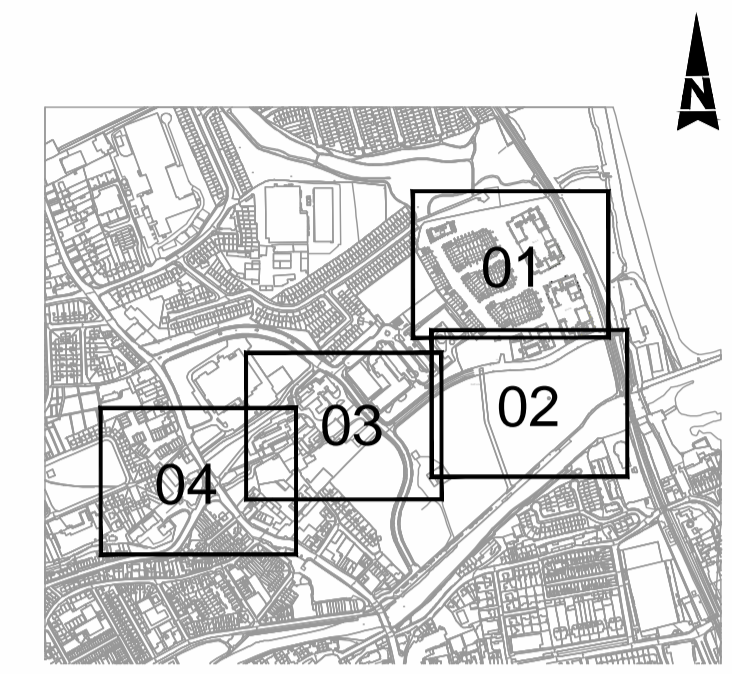
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A1

DO NOT SCALE

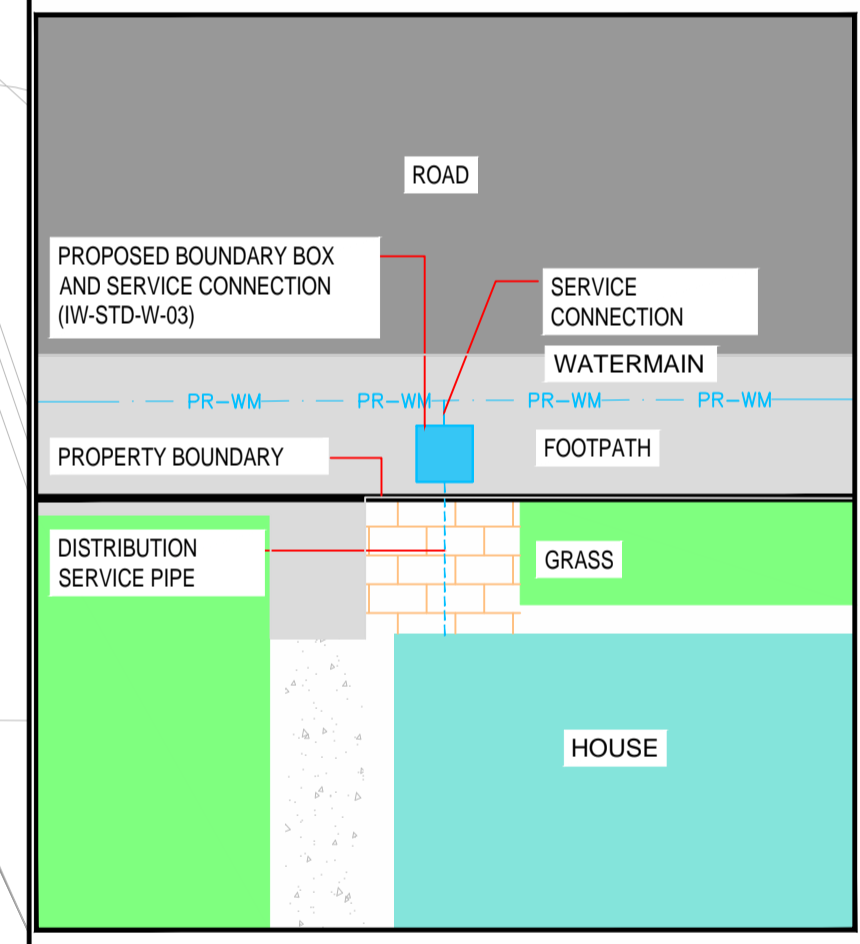
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Date: Aug 25, 2022 - 11:22am  
Plotted by: P.Murray



- GENERAL NOTES**
1. ALL DIMENSIONS ARE IN MILLIMETRES UNLESS NOTED OTHERWISE
  2. ONLY WRITTEN DIMENSIONS SHALL BE USED. NO DIMENSIONS SHALL BE SCALED FROM THE DRAWINGS
  3. ALL LEVELS ARE IN METRES AND ARE TO MALIN HEAD DATUM
  4. ALL COORDINATES ARE IN METRES AND ARE TO IRISH TRANSVERSE MERCATOR



**KEY PLAN**  
Scale NTS



**TYPICAL BOUNDARY BOX DETAIL**  
Scale at A1 1:100

**NOTE:**  
INSTALLATION OF WATER MAIN SHALL BE IN ACCORDANCE WITH IRISH WATER, WATER INFRASTRUCTURE STANDARD DETAILS (IW-CDS-5020-01) & CODE OF PRACTICE FOR WATER INFRASTRUCTURE (IW-CDS-5020-03)  
INSTALLATION OF WATER MAIN AND ALL OTHER DEVELOPMENT SERVICES SHALL BE IN ACCORDANCE WITH IRISH WATER STD-W-11  
AIR VALVE AND HYDRANTS COVERS, WHERE LOCATED IN GRASS AREAS, SHALL BE SURROUNDED BY A CONCRETE PLINTH, 200MM ALL ROUND AND 100MM DEEP FORMED WITH C20/25 CONCRETE, 20MM AGGREGATE SIZE, BEDDED IN CLAUSE 804 MATERIAL. THE PLINTH SHALL INCORPORATE MILD STEEL REINFORCEMENT LINKS AND SHALL HAVE A BULL-NOSE FINISH AROUND ITS EXTERNAL PERIMETER. SEE SECTION 3.18 OF WATER CODE OF PRACTICE A GEOTEXTILE PIPE WRAP ROOT PROTECTION SYSTEM WILL BE APPLIED TO THE PIPES WHERE IT IS LAID WITHIN THE MINIMUM DISTANCE GIVEN IN TABLE A1 OF BS 5837 AS SPECIFIED IN SECTION 3.26 OF THE IRISH WATER CODE OF PRACTICE FOR WATER INFRASTRUCTURE

ORDNANCE SURVEY IRELAND LICENSE No. AR 0082521  
ORDNANCE SURVEY IRELAND & GOVERNMENT OF IRELAND

LEGEND	
— EX-WM —	EXISTING WATERMAIN
— PR-WM —	PROPOSED (HPP/HDPE PE-100 SDR-17) WATERMAIN DIAMETER AS INDICATED
SV	PROPOSED SLUICE VALVE (IW-STD-W-15)
H	PROPOSED FIRE HYDRANT (ONLINE IW-STD-W-18) (OFFLINE IW-STD-W-19)
BM	PROPOSED BULK METER (IW-STD-W-26)
— OD —	PROPOSED 25MM (OD) PE SERVICE PIPE AS PER STD-W-01
AV	PROPOSED AIR VALVE (ONLINE IW-STD-W-22) (OFFLINE IW-STD-W-23)
SCV	PROPOSED SCOUR VALVE (IW-STD-W-30)
MC	PROPOSED MANHOLE CHAMBER (IW-CDS-5020-03, SECTION 3.14)
EC	PROPOSED END CAP (IW-STD-W-05)
WHD	PROPOSED WASH OUT HYDRANT (IW-STD-W-30A)
— RB —	SITE BOUNDARY

Rev	Description	By	Date	Chk'd	Auth
C	ISSUED FOR IW REVIEW	PS	24.08.22	AC	GH
B	ISSUED FOR IW REVIEW	PS	23.08.22	AC	GH
A	ISSUED FOR IW REVIEW	PS	02.08.22	AC	GH
-	FOR INFORMATION	PS	26.05.22	AC	GH



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Tel (+353) 021 429 0300 Fax (+353) 021 429 0360

1st Floor Technology House Parkmore Technology Park, Galway  
Tel (+353) 091 786 050 Fax (+353) 091 779 830

Client	SHANKILL PROPERTY INVESTMENTS LTD		
Project	COASTAL QUARTER BRAY		

Purpose	INFORMATION		
Title	PROPOSED WATERMANS LAYOUT SHEET 1		
Original Scale	1:500 at A1	Design/Drawn	PS
1:1000 at A3	Date	26.05.22	Checked
			AC
			Authorized
			GH
Status	1	Drawing Number	5214419-ATK-01-ZZ-DR-CE-2701
		Rev	C

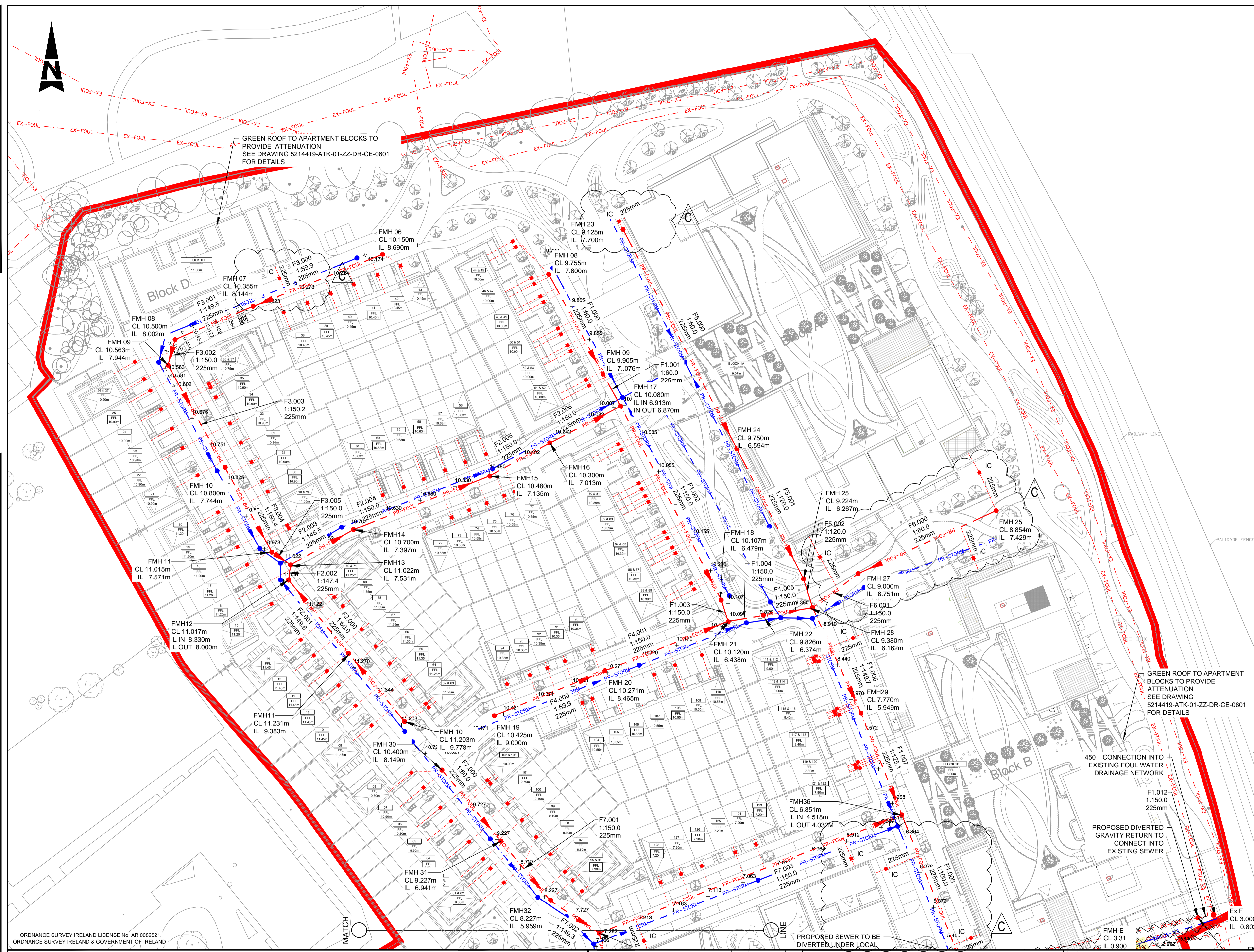




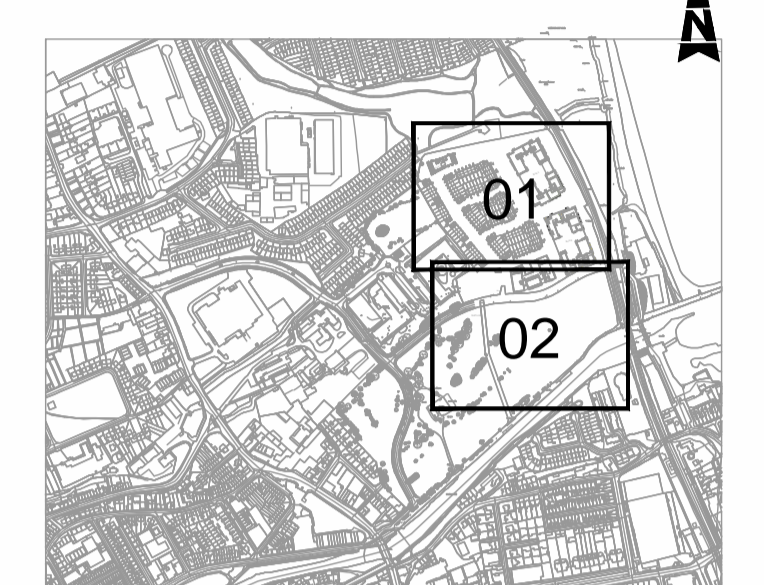


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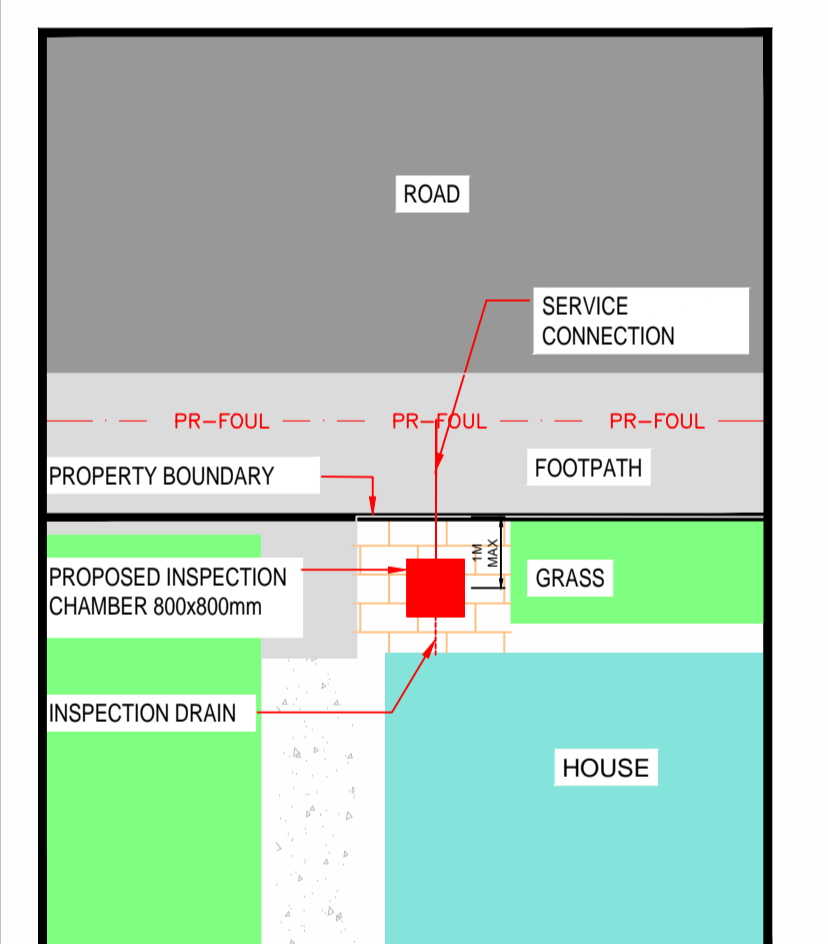
DO NOT SCALE



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  4. ALL COORDINATES ARE IN METRES AND ARE TO IRISH TRANSVERSE MERCATOR



KEY PLAN  
Scale NTS



INSPECTION CHAMBER LOCATION TYPICAL DETAIL  
Scale at A1:1:00

NOTE:  
INSTALLATION OF FOUL SEWER SHALL BE IN ACCORDANCE WITH IRISH WATER WASTEWATER INFRASTRUCTURE STANDARD DETAILS (IW-CDS-5030-01) & CODE OF PRACTICE FOR WASTEWATER INFRASTRUCTURE (IW-CDS-5030-03)  
INSTALLATION OF FOUL SEWER AND ALL OTHER DEVELOPMENT SERVICES SHALL BE IN ACCORDANCE WITH IRISH WATER STD-WW-05. A GEOTEXTILE PIPE WRAP ROOT PROTECTION SYSTEM WILL BE APPLIED TO THE PIPES WHERE IT IS LAID WITHIN THE MINIMUM DISTANCE GIVEN IN TABLE A1 OF BS 5837 AS SPECIFIED IN SECTION 3.21 OF THE IRISH WATER CODE OF PRACTICE FOR WASTEWATER INFRASTRUCTURE

ORDNANCE SURVEY IRELAND LICENSE NO. AR 0082521  
ORDNANCE SURVEY IRELAND & GOVERNMENT OF IRELAND

LEGEND	
	SITE BOUNDARY
	PROPOSED (UPVC) GRAVITY FOUL DRAINAGE. DIAMETER AS INDICATED (IW-CDS-5030-03, SECTION 3.13.3)
	PROPOSED FOUL MANHOLE (IW-STD-WW-09.10.11,12)
	PROPOSED RISING MAIN, 900mm OD HDPE SDR17
	PROPOSED INSPECTION CHAMBER & 100MM PVC CONNECTION (IW-STD-WW-03, 13)
	PROPOSED 900 (UPVC) GRAVITY FOUL DRAINAGE. (IW-CDS-5030-03, SECTION 3.13.3)
	EX-FOUL EXISTING FOUL MAIN
	FW PROPOSED SEWER UNDER LOCAL NETWORK REINFORCEMENT PROJECT BY IRISH WATER
	PIPE WORK TO BE REMOVED
	PROPOSED FOUL WATER WAYLEAVE

File: 5214419-ATK-01-ZZ-DR-CE-0551\_0552.dwg  
Date: Aug 24, 2022 - 6:10pm  
Plotted by: PMurphy



Client  
SHANKILL PROPERTY INVESTMENTS LTD

Project  
COASTAL QUARTER BRAY

Rev	Description	By	Date	Chk'd	Auth
C	ISSUED FOR IW REVIEW	PS	24.08.22	AC	GH
B	ISSUED FOR IW REVIEW	PS	23.08.22	AC	GH
A	ISSUED FOR IW REVIEW	PS	02.08.22	AC	GH
-	FOR INFORMATION	PS	26.05.22	AC	GH

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Fax (+353) 01 810 8001 Fax (+353) 021 429 0360 Fax (+353) 091 779 830

INFORMATION	
Title PROPOSED FOUL WATER LAYOUT SHEET 1	
Original Scale 1:500 at A1 1:1000 at A3	Design/Drawn PS Date 26.05.22
Checked AC Date 26.05.22	Authorised GH Date 26.05.22
Status I	Drawing Number 5214419-ATK-01-ZZ-DR-CE-0551
	Rev C



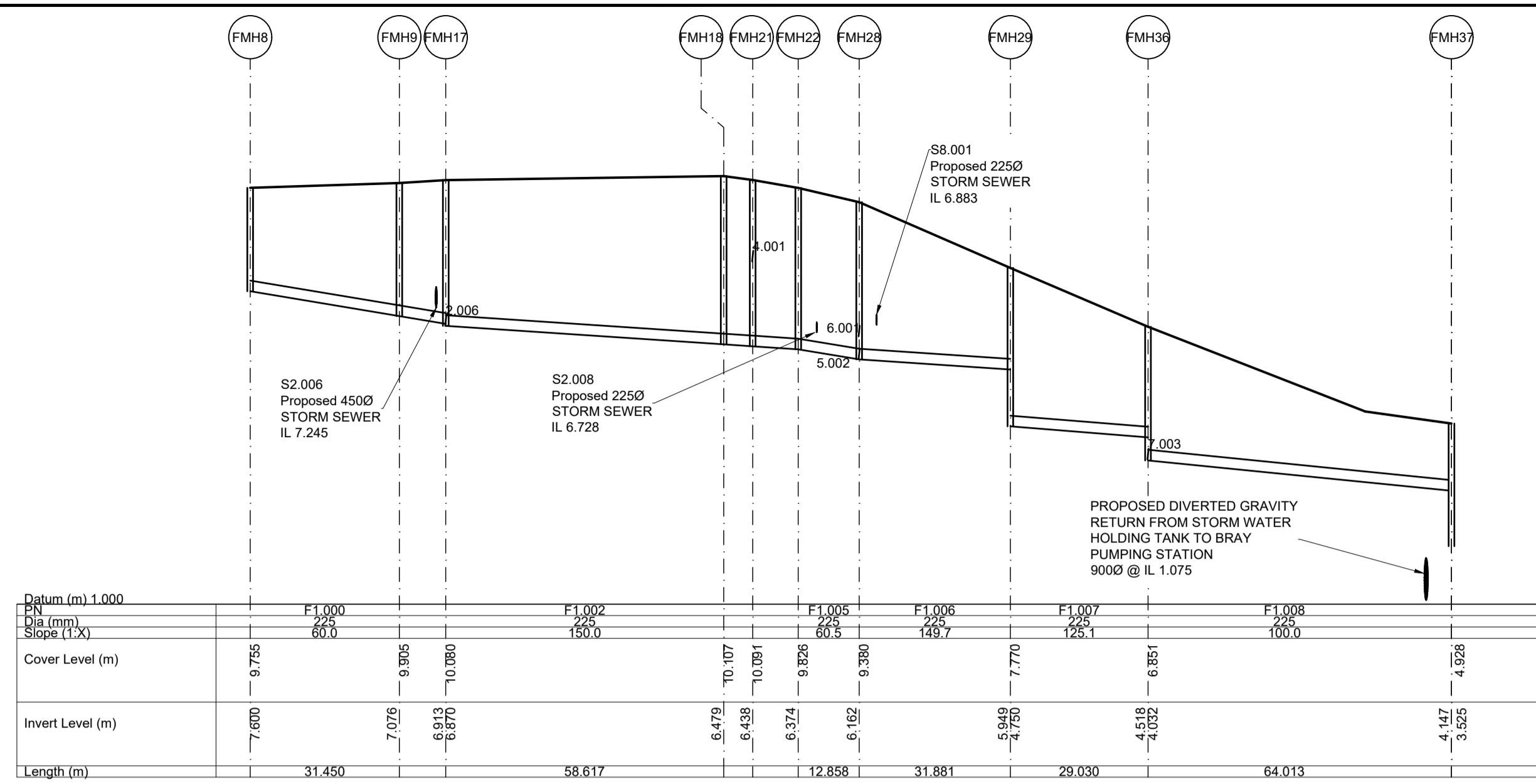




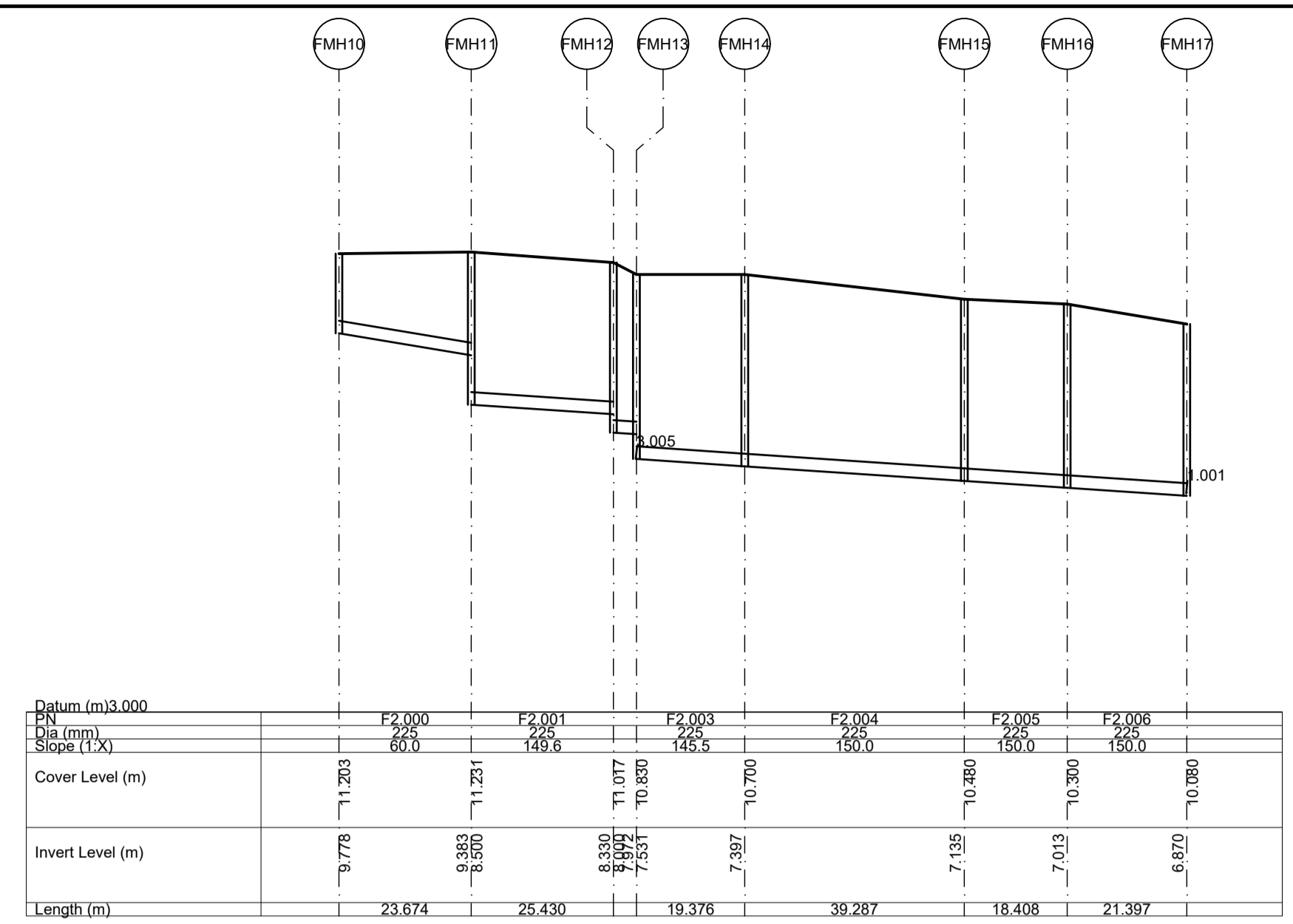
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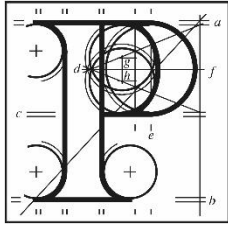
DO NOT SCALE

File: 5214419-ATK-01-ZZ-DR-CE-0560.dwg  
Date: Aug 04, 2022 - 11:40am  
Plotted by: patrick.sheridan



Longitudinal Section FMH8 - FMH33  
Scale 1:1000 (Horizontally), 1:100 (Vertically)





An  
Bord  
Pleanála

**Case Reference:  
ABP-312257-21**

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

### **Notice of Pre-Application Consultation Opinion**

---

**Proposed Development: 564 no. residential units (96 no. houses, 468 no. apartments), creche and associated site works. Former Bray Golf Club Lands, off Ravenswell Road and Dublin Road, Bray, Co. Wicklow.**

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

An Bord Pleanála considers that the following issues need to be addressed in the documents submitted that could result in them constituting a reasonable basis for an application for strategic housing development.

#### **1. Development Strategy.**

- (a) Further clarity / consideration / justification of the documents as they relate to what precisely is being proposed as part of any future proposed development, what the redline boundary encompasses. Regard being had to portion of the site permitted under SHD – 311181 and how any future proposal links with the approved portion of that permission. The further

consideration of these issues may require an amendment to the documents and/or design proposals submitted.

- (b) Further consideration with respect to design rationale for the proposed height, density, design and character of residential units and details of the materials and finishes of the proposed development. Particular regard should be had to the previous reason for refusal on foot of SHD 311181-21 and justification of the proposal in terms of urban design such as height, scale, massing in the context of the site's location and architectural design treatment and interface with Bray seafront and the requirement to provide high quality, robust and sustainable finishes and details which seek to create a distinctive character for the development, having regard to visual amenity given the coastal and highly visible location of the site and its interface with Bray seafront.

## **2. Intensity of Development:**

Further consideration and / or justification of the documents as they relate to the height, scale, massing, plot ratio, tenure mix and tenure type and overall intensity of development given the provisions of the DLRDCDP 2022 – 2028 and the Bray MD LAP 2018.

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

- 1.** A detailed statement of consistency and planning rationale, clearly outlining how in the prospective applicant's opinion, the proposal is consistent with the zoning objectives of the DLRDCDP 2022 – 2028 and the Bray MD LAP 2018.
- 2.** A detailed statement, which should provide adequate identification of all such elements and justification as applicable, where the proposed development



materially contravenes the DLRD County Development Plan 2022 - 2028 and Bray MD LAP 2018 other than in relation to the zoning of the land, indicating why permission should, nonetheless, be granted, having regard to a consideration specified in section 37(2)(b) of the Act of 2000.

3. A visual impact assessment of the proposed development that addresses, inter alia, the height, scale and massing of the proposal in the context of the nature of the receiving environment. Long range views / photomontages of the proposed development from the surrounding area, in particular from the east.
4. An assessment on how the proposed scheme ties in with the expansion of the overall Bray seafront area in particular in light of recent split decision on foot of SHD 311181-21. It is important that the proposed scheme should be highly visually and functionally connected to the portion of the scheme permitted under the recent SHD 311181-21. There needs to be strong permeability within the scheme and into adjoining lands.
5. A Housing Quality Assessment that provides details in respect of the proposed apartments set out as a schedule of accommodation, with the calculations and tables required to demonstrate compliance with the various requirements of the 2020 Guidelines on Design Standards for New Apartments. It is important that the proposal meets and preferably exceeds the minimum standards in terms of dual aspect and proportion of apartments which exceed the floor area by 10%. In the interests of clarity clear delineation / colour coding of floor plans indicating which of the apartments are considered by the applicant as dual / single aspect, single aspect north facing and which apartments exceeds the floor area by 10%.
6. A Traffic and Transportation Impact Assessment.
7. Details of a Green Infrastructure Plan, Landscaping Plan, Arboriculture Drawings, and Engineering Plans that take account of one another.

- 8.** A report that addresses issues of residential amenity, specifically with regards to potential overlooking, overshadowing and overbearing. The report shall include full and complete drawings including levels and cross-sections showing the relationship between the proposed development and any adjacent existing or permitted development.
- 9.** A Daylight and Shadow Impact Assessment of the proposed development, specifically with regard to impact upon adequate daylight and sunlight for individual units, public open space, courtyards, communal areas, private amenity spaces and balconies. Impact to any neighbouring properties.
- 10.** A full response to matters raised within the PA's CE Opinion's (both Wicklow County Council and Dun Laoghaire Rathdown County Council) and addendum reports submitted to ABP.
- 11.** Detailed landscape drawings that illustrate hard and soft landscaping, useable communal open space, meaningful public open space, quality audit and way finding. The public open space shall be usable space, accessible and overlooked to provide a degree of natural supervision. Details of play equipment, street furniture including public lighting and boundary treatments should be submitted.
- 12.** A report on surface water drainage, surface water management strategy and flood risk which deals specifically with quality of surface water discharge.
- 13.** An AA screening report which considers potential impacts on the Qualifying Interests of any Natura 2000 site.
- 14.** An up to date Ecological Impact Assessment, inclusive of a Bird and Bat Survey.
- 15.** Where an EIAR is not being submitted the applicant should submit all necessary information referred to in article 299B(1)(b)(ii)(II) and article 299B(1)(c) of the Planning and Development Regulations 2001-2018 for the purposes of EIAR screening.

**16.** A Microclimate Impact Assessment.

**17.** A site layout plan indicating what areas, if any, are to be taken in charge by the planning authority.

**18.** Site Specific Construction and Demolition Waste Management Plan.

**19.** A life cycle report shall be submitted in accordance with section 6.13 of the Sustainable Urban housing: Design Standards for New Apartments (2020). The report should have regard to the long-term management and maintenance of the proposed development. The applicant should consider the proposed materials and finishes to the scheme including specific detailing of finishes, the treatment of balconies in the apartment buildings, landscaped areas, child friendly spaces, pathways, and all boundary treatments. Particular regard should be had to the requirement to provide high quality and sustainable finishes and details which seek to create a distinctive character for the development.

**20.** Details of public lighting.

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

- 1. Irish Water (IW)**
- 2. The Commission for Railway Regulation**
- 3. Iarnrod Eireann**
- 4. Transport Infrastructure Ireland (TII)**
- 5. National Transport Authority (NTA)**
- 6. Dun Laoghaire Rathdown County Council Childcare Committee.**

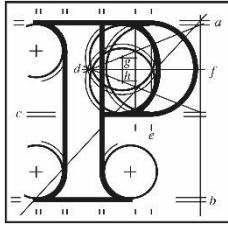
- 7. Wicklow County Childcare Committee.**
- 8. The Minister for Culture, Heritage and the Gaeltacht,**
- 9. The Heritage Council**
- 10. An Taisce — the National Trust for Ireland**
- 11. Fáilte Ireland**

**PLEASE NOTE:**

Under section 6(9) of the Planning and Development (Housing) and Residential Tenancies Act 2016, as amended, neither the holding of a consultation under section 6, nor the forming of an opinion under that section, shall prejudice the performance by the Board, or the planning authority or authorities in whose area the proposed strategic housing development would be situated, of any other of their respective functions under the Planning and Development Acts 2000 to 2020 or any other enactment and cannot be relied upon in the formal planning process or in legal proceedings.

---

Stephen O'Sullivan  
Assistant Director of Planning  
June , 2022



An  
Bord  
Pleanála

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

**Inspector's Report on  
Recommended Opinion  
312257-21**

---

**Strategic Housing Development**

564 no. residential units (96 houses and 468 apartments), creche and associated site works.

**Location**

Former Bray Golf Course Lands, off Ravenswell Road and Dublin Road, Bray, Co. Wicklow.

**Planning Authority**

Wicklow County Council &  
DunLaoghaire Rathdown County  
Council

**Prospective Applicant**

Shankill Property Investments Ltd.

**Date of Consultation Meeting**

6<sup>th</sup> May 2022

**Date of Site Inspection**

28<sup>th</sup> April 2022

**Inspector**

F. Fair

## 1.0 Introduction

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

## 2.0 Site Location and Description

- 2.1.1. The site is located to the northwest of Bray Town Centre and is within the administrative boundary of both Wicklow County Council (southern portion of the site) and Dun Laoghaire Rathdown County Council (northern portion of the site). The Dublin-Bray Railway line is located to the eastern boundary of the site and the M11 and R761 roads are located further west. A new link street from the R761 connects from the east serving the adjoining school sites, with this route connecting south to the Upper Dargle Road (temporary vehicular connection) and to the east to the application lands. The street terminates for vehicles east of the application site at the railway underpass, where there is pedestrian/cyclist connection only to the Harbour, north beach and town centre.
- 2.1.2. The development site is bounded along its eastern extent by the Dublin-Rosslare railway line/Dublin-Bray DART line. On the eastern side of the train line is a coastal path which travels south to Bray Harbour and north towards Shanganagh. The site is approx. 100m back from the coastline. To the immediate north of the site is Corke Abbey Valley Park (public open space) and northwest is Corke Abbey residential development; to the west is the grounds of Ravenswell School Campus (primary and secondary schools) built in recent years; and to the south is the existing access link street which serves the schools and these undeveloped lands. In terms of

topography the site slopes from the north to the south, from c. 11mAOD to 1.5m AOD, dropping more steeply to the south of the link street, onto existing undeveloped lands, which are within the floodplain of the River Dargle. The river Dargle has been subject to flood alleviation works with the delivery along the northern boundary of the river of a formalised promenade and public amenity space, which connects via a pedestrian/cyclist pathway to the application site and railway underpass.

2.1.3. The site comprises mainly grassland, as a result of its former use as a golf course, with a section of hardstanding / gravel surfaced area which has become overgrown. In this area there is an existing underground Irish Water foul storage tank and above ground odour control unit, which is accessed directly off the link street. There is an archaeological site comprising a linear earthwork (Ref. WI004 – DU026-124) running along the administrative boundary of Wicklow County Council and Dun Laoghaire County Council through the centre of the lands. Lands to the south, which are also zoned for development, are currently under grassland.

2.1.4. The wider area to the west/north comprises generally low density two storey residential developments and associated retail/commercial/amenity services to serve this population, with lands to the south comprising a greater mix of uses associated with the town centre of Bray.

### 3.0 **Proposed Strategic Housing Development**

3.1.1. The proposed development consists of a residential development consisting of:

3.1.2. The following development parameters are noted: **Table 1**

<b>Site area</b>	<b>7.66 ha 4.01 ha within WCC and 3.65 with DLRDCC (Net 5.58 ha excluding F zoned lands)</b>	
Site Area	7.66 ha (4.01 within WCC and 3.65 within DLRDCC)	
No. of units	564 units 281 within DLRDCC 283 within WCC	412 Apartments Units 96 Housing Units 56 Duplex Units
Density	101 u / ha  DLRD 94 u / ha  WCC 109 u / ha	
Other uses	Café 191 sq. m in Block 1C  Commercial units (GFA of 295 sq. m) within Block 1B	
childcare	669 sq. m to cater for 100 children in Block 1C	
Height	Block 1A: 3 - 7 Storeys  Block 1B: 7 - 8 Storeys  Block 1C: 3 - 5 Storeys  Block 1D: 5 Storeys  2 storey housing  3 Storey duplex	
Dual Aspect	62%  DLRD 72%	



	WCC 54%
Communal Open Space	Requires 2575 sq. m – Proposed 5477 sq. m
Public Open Space	15% (DLRD 12% and WCC 17%)
Car parking	635 no. spaces (231 no. spaces will be provided on street and 404 no. spaces will be provided at basement level)
Cycle Parking	c. 1060
Access	The site is accessed from the R761 (Dublin Road) via the recently constructed Northern Access Road
Part V	10% 56 units

## 4.0 National and Local Planning Policy

### 4.1.1. National

#### **Project Ireland 2040 - National Planning Framework**

Chapter 4 of the Framework addresses the issue of ‘making stronger urban places’ and sets out a range of objectives which it is considered will assist in achieving same. National Policy Objective 4 sets out to ensure the creation of attractive, liveable, well designed, high quality urban places that are home to diverse and integrated communities that enjoy a high quality of life and well-being.

The directly relevant National Policy Objectives as contained within the NPF include:  
National Policy Objective 3a: Deliver at least 40% of all new homes nationally, within the built-up footprint of existing settlements.

National Policy Objective 3b: Deliver at least half (50%) of all new homes that are targeted in the five Cities and suburbs of Dublin, Cork, Limerick, Galway and Waterford, within their existing built-up footprints.

National Policy Objective 11: In meeting urban development requirements, there will be a presumption in favour of development that can encourage more people and generate more jobs and activity within existing cities, towns and villages, subject to development meeting appropriate planning standards and achieving targeted growth.

National Policy Objective 13: In urban areas, planning and related standards, including in particular building height and car parking will be based on performance criteria that seek to achieve well-designed high quality outcomes in order to achieve targeted growth. These standards will be subject to a range of tolerance that enables alternative solutions to be proposed to achieve stated outcomes, provided public safety is not compromised and the environment is suitably protected. National Policy

Objective 35: Increase residential density in settlements, through a range of measures including reductions in vacancy, re-use of existing buildings, infill development schemes, area or site-based regeneration and increased building heights.

National Policy Objective 57 sets out to enhance water quality and resource management, this includes the requirement to ensure that flood risk management informs place making by avoiding inappropriate development in areas at risk of

flooding in accordance with The Planning System and Flood Risk Management Guidelines for Planning Authorities. Relevant Section 28 Ministerial Guidelines:

- Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas' (including the associated 'Urban Design Manual')
- Design Manual for Urban Roads and Streets (Interim Advice Note Covid -19, May 2020)
- Guidelines for Planning Authorities on Urban Development and Building Heights, 2018
- Sustainable Urban Housing: Design Standards for New Apartments (2020),
- The Planning System and Flood Risk Management (including associated Technical Appendices).
- Appropriate Assessment of Plans and Projects in Ireland – Guidelines for Planning Authorities (2009).
- The Architectural Heritage Protection Guidelines for Planning Authorities (2011).

#### 4.1.2. **Regional Policy**

- Regional Spatial and Economic Strategy (RSES) for Eastern and Midland Assembly, 2019

#### 4.1.3. **Local Policy**

Bray Municipal District Local Area Plan 2018 & Dun Laoghaire Rathdown Development Plan 2022 – 2028.

The portion of the site located within Wicklow County Council is zoned "TC", Town Centre. The zoning Objective is: "To provide for the development and improvement of appropriate town centre uses incl. retail commercial, office and civic use, and to provide for 'Living Over the shop' residential accommodation, or other ancillary residential accommodation.'

SLO3 relates

The portion of the site within Dun Laoghaire Rathdown County Council to the north is zoned objective A – ‘To provide residential development and improve residential amenity while protecting the existing residential amenities’ and objective ‘F’ – ‘To preserve and provide for open space with ancillary active recreational amenities.’

Specific Objective 119 refers.

To provide a permeability link between the Green Area/Linear Park between Corke Abbey and Woodbrook Glen, and any development on the Former Bray Golf Club lands to allow access towards Bray Harbour.

**SLO3: Former Bray Golf Course** (of which a portion of the application site relates): ‘This MU zoned area measures c. 17ha. It is an objective that this land be developed as a mixed commercial, residential, education / community facilities and open space zone. While only c. 5ha has been developed to date (schools / sports zone) there is an extant permission on the remainder valid until 2020. If this permission is not taken up the plan sets out a number of requirements for the development of the SLO3 lands, which are noted below: -

The lands shall be developed as a extension to the existing town centre and shall involve the creation of a number of new streets and squares, where pedestrians and non-motorised forms of transport have priority, where buildings front directly onto streets and squares with active, attractive ground floor frontage;

The design, finishes etc of all buildings shall draw reference and inspiration from the existing traditional town centre and the development shall flow from ‘old’ to ‘new’ without jarring distortions of scale, format or design;

Excellent linkages shall be provided from the site to surrounding areas; multiple access points for both vehicles and cyclists / pedestrians shall be developed and in particular, the development shall include linkages through the site between the Dublin Road and Bray seafront / the DART station and public walking route along the river;

Car parking shall generally to located under or within buildings; not more than 20% of the total overall parking provision required for the entire MU area may be located on open surface locations;

The residential element shall generally be delivered in a high-density format with the target provision of 1,000 units in a variety of unit sizes and formats;

Retail development shall be integrated into the development in a manner that flows from the existing retail core of the town and brings vitality and vibrancy to the streets and squares of the new development. Retail floor space (including retail services such as restaurants, hairdressers etc) of not less than 20,000sqm (of which a minimum of 10,000sqm shall be comparison floorspace) will be required;

Non retail commercial floor space, such as offices, professionals services etc of not less than 5,000sqm shall be integrated into the development at both ground and above retail levels;

The existing schools / sports zone shall be retained; excellent access shall be retained to the schools and associated sports facilities and such access shall avoid the need to bring traffic through new residential areas or town shopping streets;

Not less than 2ha shall be developed as public open space;

Any application shall include a detailed phasing programme that ensures the timely delivery of all elements of the SLO. In order to 'kick start' the development, a first phase of housing, being those units that are not integrated into the mixed use retail / commercial element, in conjunction with the public park, may be developed as a 'Phase 1' of the overall development, strictly on the basis of the remaining housing being delivered in tandem with the retail / commercial element.

## 5.0 Planning History

### 5.1.1. ABP 311181 – Split Decision

Permission be REFUSED for proposed Blocks A and B, for the reasons and consideration marked (1) below and I recommend that permission be GRANTED for the remainder of the development, as proposed, in accordance with the said plans and particulars based on the reasons and considerations marked (2) under and subject to the conditions set out below.

1. Having regard to the Urban Development and Building Heights Guidelines for Planning Authorities, issued by the Department of Housing Planning and Local Government in December 2018, it is considered that the proposed Blocks A and B by reason of their design, scale, bulk and mass would be visually obtrusive and would seriously detract from the visual amenities and character of the area when viewed from the east, and in combination with the poor design in terms of façade treatment and architectural expression would not constitute an adequate design response to the context and opportunity of this coastal urban site, and would not, therefore, be in accordance with the criteria set out under section 3.2 of the Urban Development and Building Heights Guidelines for Planning Authorities 2018 and would not be in accordance with the proper planning and sustainable development of the area.

**311071** – EIA Screening Determination under Article 140, related to LA proposal for construction of the Bray Sustainable Transport Bridge, link road and associated works.

The following two history applications were submitted at the same time and granted permission by ABP-

This following application relates largely to the area of the current application (excluding a section to the southwest):

**PL06D.230215 (DLR Ref Ref D07A/1495)** – Permission GRANTED for a period of 10 years for 338 residential units. The scale of development permitted ranged between 2 and 8 storeys, with the predominant height being 5 to 6 storeys. The form of development centred around a central boulevard running north – south and Blocks to the east facing the coast were U or L shaped with courtyards facing east towards the sea.

**D07A/1495/E1** – Extension of duration of application lodge. FI requested on 25th November 2020 but a response was not received.

The following application relates largely to the land mainly to south of the current application site (part of site application site boundary with area of permitted application):

**ABP Ref. PL39.230246 (Bray TC Reg Ref. 07630194)** – Permission GRANTED in June 2010 for a mixed use development comprising 601 no. residential units, c.58,243 sq. metres of retail, c.5,800 sq. metres of office, cinema (5,237 sq. metres), hotel, bars, restaurants, 2 x creches, medical surgery, community building, and GAA pitch, on the former Bray Golf Club lands. Permission was granted by the Planning Authority and ABP.

**Reg Ref 20672** – Extension of duration of permission granted until 2025.

## 6.0 **Section 247 Consultation(s) with Planning Authority**

It is stated by the prospective applicant that a Section 247 pre-planning meeting took place with Wicklow County Council (WCC) on 22nd July 2020.

No consultation regarding the current proposal was undertaken between DLRDCC and the applicant. Record of relevant meeting in the case of history file ABP-308291-20 is appended to the CE report.

## 7.0 Submissions Received

Irish Water (report dated 27<sup>th</sup> January 2022)

Irish Water has reviewed the plans and particulars submitted and confirms that a Confirmation of Feasibility was issued to the applicant on 14th July 2020 relating to the provision of a multi/mixed use development, including the provision of 524 no. residential units on the subject site.

Irish Water notes the current SHD planning application proposes 564 no. residential units, 40 no. in excess of our previous consultation response. Irish Water therefore considers the previous Pre-Connection Enquiry is not relevant to the subject development.

Irish Water therefore requests the applicant re-engage with Irish Water to obtain a Confirmation of Feasibility for all 564 no. residential units proposed. It is further noted that the previous Pre-connection Enquiry response identified the following capacity issues in the area.

### **In respect of Water:**

The proposed water connection is feasible for 524 no. residential units subject to upgrades, namely;

To connect this development to Irish Water's water network significant upgrades are required, these include but are not limited to the replacement of approx. 450m of existing 6inch watermain to 200mm ID main. In addition to this approx. 190m of new 200mm ID main is required to connect the existing network to the development. 2 Uisce Éireann Irish Water Given the nature of these works, Irish Water would request the applicant engage with Irish Water, prior to the submission of a full SHD planning application to agree these upgrade works.,

### **In respect of Wastewater:**

The proposed wastewater connection is feasible for 524 no. residential units subject to upgrades, namely;



The connection is feasible subject to the completion of the Old Connaught LNRP. Your site layout and connection point does not align with the proposed LNRP route and existing infrastructure, these issues will need to be addressed between the applicant and the Irish Water Asset Delivery Project Manager. The applicant was advised to contact Irish Water to discuss further.

While the above assessment identifies issues surrounding the proposed connections, this information should be used for guidance purposes only. As noted above, given the previous Pre-Connection Enquiry did consider the full extent of the subject SHD planning application, a new Pre-Connection Enquiry will be required to confirm feasibility.

Should the applicant wish to proceed with the subject 564 no. unit development, a new Pre-Connection Enquiry, obtained from Irish Water is required, prior to the submission of the Final SHD application.

## 8.0 **Forming of Opinion**

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

## 9.0 **Documentation Submitted**

The prospective applicant has submitted information pursuant to section 5(5)(a) of the Planning & Development (Housing) and Residential Tenancies Act 2016 and Article 285 of the Planning and Development (Strategic Housing Development) Regulations 2017. This information included, inter alia,

- Architecture Drawings (including A3 booklet)
- Engineering Drawings

- Landscape Drawings
- Development & Unit Schedules
- Harbour Point, Bray Masterplan Document prepared by Glenn Howell Architects
- Architectural Design Statement prepared by Reddy A&U
- Landscape Design Strategy prepared by Park Hood Landscape Architects
- Infrastructure Statement prepared by Atkins
- Irish Water Confirmation of Feasibility
- Engineering & Energy Report including Public Lighting Report
- Building Life Cycle Report
- Daylight and Sunlight Assessment
- Tree Survey Report
- Balcony Assessment and Historical Weather Data Analysis
- Flood Risk Assessment – Stage 1
- Technical Note Statement of Consistency (Flood Risk Guidelines)
- Transport Statement
- DMURS Statement prepared by Atkins
- Appropriate Assessment Screening Report
- Archaeological and built heritage assessment
- Outline Construction Waste Management Plan
- Operational Waste Management Plan
- Verified Views
- Planning Report & Statement of Consistency
- Statement of Material Contravention

- Record of Pre-Application Consultation Meeting with Wicklow and Dun Laoghaire-Rathdown County Councils
- Part V Information

I have considered all of the documentation submitted by the prospective applicant, relating to this case.

## 10.0 Planning Authority Submission

In compliance with section 6(4)(b) of the 2016 Act the planning authority for the area in which the proposed development is located Wicklow County Council, submitted copies of their section 247 consultation with the prospective applicant and also submitted their opinion in relation to the proposal. These were received by An Bord Pleanála on the 20th of January 2022. The DLRDCC CE report was also received on the 20<sup>th</sup> of January 2022.

The Planning Authorities have identified a number of considerations which may have a bearing on the Board's decision as to whether the proposal constitutes a reasonable basis for an application. They are summarised as follows:

### WCC Opinion

- Previous report stands
- Visual impact of the development, particularly, need to look at how it impacts visually from the Promenade in Bray.
- Viewpoints Identified on drawings would appear acceptable. Previous permission CGI's showing impact on Bray Prom etc, these would be required again.
- Consider that materials are key, particularly given prominence and coastal location.
- hat heights and massing was similar to that permitted under previous permitted application in '07.

- Need to justify the density given core location
- Concern as to impact of height of Block 1B on POS/Communal areas – shadow analysis required.
- Inaccuracies in unit Mix between supporting information and plans and drawings.
- More active frontages to Market Sq

### **DLRDCC Opinion**

- Generally acceptable in principle with respect to zoning and density.
- Concern regarding height of Block 1D north-western corner of the site requires further consideration.
- Concern with respect to Block 1A in the north-eastern portion of the site. 56m in length to north and south and principle length of the western façade 43m with overall eastern and western elevations 110m
- Inaccuracies in dual aspect ratio
- Private amenity spaces would not accord with DRDCDP for some of the houses.
- Siting layout and separation distances – concern.
- External finishes and elevations

I have reviewed and considered all of the documentation submitted by the relevant planning authority's relating to this case.

## **11.0 Consultation Meeting**

A Section 5 Consultation meeting took place via Microsoft Teams on the , 6<sup>th</sup> May 2022 commencing at 10.00 am. Representatives of the prospective applicant, the planning authority and An Bord Pleanála were in attendance. An agenda was issued by An Bord Pleanála prior to the meeting.

The main topics raised for discussion at the tripartite meeting were as follows:

1. Compliance with statutory Development Plan policies and Bray Municipal District LAP 2018. (Height, massing and SLO3)

2. Previous Split Decision under 311181 (omits two apartment Blocks A and B) and justification that the reason for refusal has been overcome.

3. Residential Amenity (proposed and existing)

- Sunlight and Daylight and Overshadowing
- Overlooking to the northwest
- Open Space and public realm

4. Transportation, permeability, connectivity and pedestrian flow.

5. AOB

11.1.1. In relation to, compliance with statutory Development Plan policies for both the DLRDCC CDP 2022 – 2028 and Bray Municipal District LAP 2018, An Bord Pleanála representatives sought further elaboration / discussion / consideration on the following:

- Further clarity with respect to red line boundary and what precisely is being proposed under any future application, cognisance being had to information submitted with the pre application and the subsequent information presented at the meeting.
- How any future proposal differs from that of the recent history file on this site SHD 311181-21, in terms of site area, site boundary, nature of the proposal, density and how it all ties in with the permitted portion of that permission.

- Clarity is of utmost importance. Consistency between all drawings and documentation, no room for inaccuracies, drawings need to be sufficiently detailed, accurate, have regard to one another and legible.
- Further consideration with respect to design rationale for the proposed height, density, design and character of residential units and details of the materials and finishes of the proposed development. Particular regard should be had to the requirement to provide high quality, robust and sustainable finishes and details which seek to create a distinctive character for the development, having regard to the coastal and highly visible location of the site and its interface with Bray seafront.
- Further consideration and justification of how the proposal is consistent with and has regard to the new DLRDCDP 2022 – 2028 and how SLO3 objectives within the Bray MD LAP are met.
- A report that addresses and provides a justification for the proposed housing mix.
- A building life cycle report in accordance with section 6.3 of the Sustainable Urban Housing: Design Standards for New Apartments (2018).

11.1.2. In relation to the recent split decision under 311181, An Bord Pleanála sought further elaboration/discussion/consideration of the following:

- Justification that the reason for refusal has been overcome.
- There is cross over between issues on the agenda and the issues raised under Item 1, with respect to design, scale, bulk and mass being visually obtrusive are pertinent to this item. Clarity is of utmost importance in any proposal submitted. Applicant to indicate what is to be included within the red line boundary and how this relates to the permitted part of the previous application ABP – 311181-21.
- Further CGI's and photomontages are required to assess visual impact, in particular, from the east.

- Further consideration of design in terms of façade treatment and architectural expression given the context and opportunity of this coastal urban site and Bray seafront.
- Further justification of the proposal with respect to the criteria set out under section 3.2 of the Urban Development and Building Heights Guidelines for Planning Authorities 2018.

11.1.3. In relation to residential amenity, An Bord Pleanála sought further elaboration/discussion/consideration of the following:

- It is noted given the nature of the discussion at the meeting and how the proposal has evolved from that submitted with the pre application with the planning authority to that now proposed by the applicant with respect to red line boundary and splitting of the site to omit the portion previously permitted on foot of SHD-311181-21 overlooking to the northwest and public realm of the overall scheme, is not of particular relevance.
- Regard should be had, however, to any possible/perceived impacts on existing / proposed residential properties, setbacks, site slope, landscaping and boundary treatments.
- There is a requirement to carry out a daylight and sunlight assessment as part of any future application. The assessment should set out where the proposal complies with relevant BS or BRE standards and any noncompliance or shortfall should be clearly identified, justified and mitigation measures proposed.
- Further consideration of over shadowing to amenity spaces within the development and to adjoining properties and their amenity spaces.
- Residential amenity in the context of separation distances between proposed blocks.

11.1.4. In relation to transportation, permeability, connectivity and pedestrian flow, An Bord Pleanála sought further elaboration/discussion/consideration of the following:

- Further consideration and clarity with respect to the permeability of the proposed development.
- Consideration of a detailed up to date Traffic and Transportation Report and a Mobility Strategy and details of any consultation with NTA regarding planned improvements to public transport and cognisance to same.
- It is essential that indicative possible future pedestrian and cycling connections are shown to link the proposed development with the surrounding road network.

11.1.5. In regard to any other matters, An Bord Pleanála sought further elaboration / discussion / consideration of the following:

- Clarification that all items raised by the PA in their report submitted to the Board are addressed, further meetings should be sought to resolve outstanding issues.
- A site layout plan indicating what areas, if any, are to be taken in charge by the planning authority, and the phased delivery of such public open spaces.
- A phasing plan for the proposed development which includes the phasing arrangements for the delivery of the public open spaces and Part V provision.
- Further consideration that where the applicant considers that the proposed strategic housing development would materially contravene the relevant development plan or local area plan, other than in relation to the zoning of the land, a statement indicating the plan objective (s) concerned and why permission should, nonetheless, be granted for the proposed development, having regard to a consideration specified in section 37(2)(b) of the Planning and Development Act 2000. Notices published pursuant to Section 8(1)(a) of the Act of 2016 and Article 292 (1) of the Regulations of 2017, shall refer to any such statement in the prescribed format. The notice and statement should clearly indicate which Planning Authority statutory plan it is proposed to materially contravene.
- Further consideration and clarity that issues raised by IW are addressed.



- Consideration that further information is only sought in exceptional circumstances and that all technical issues need to be resolved prior to an application being submitted. All plans, drawings and supporting documentation needs to have account to one another, no room for inaccuracies. The information needs to be clear and accurate for an informed assessment and decision to be forthcoming from the Inspector and the Board within the timeframe for an SHD application.

## 12.0 Conclusion and Recommendation

- 12.1.1. An Bord Pleanála refers to your request pursuant to section 5 of the Planning and Development (Housing) and Residential Tenancies Act 2016. Section 6(7)(a) of the Act provides that the Board shall form an opinion as to whether the documents submitted with the consultation request (i) constitute a reasonable basis for an application under section 4 of the Act, or (ii) require further consideration and amendment in order to constitute a reasonable basis for an application under section 4.
- 12.1.2. Following consideration of the issues raised during the consultation process, and having regard to the opinion of the planning authority, **An Bord Pleanála is of the opinion that the documentation submitted requires further consideration and amendment to constitute a reasonable basis for an application for strategic housing development to An Bord Pleanála.**
- 12.1.3. In the opinion of An Bord Pleanála, the following issues need to be addressed in the documents submitted to which section 5(5) of the Act of 2016 relates that could result in them constituting a reasonable basis for an application for strategic housing development:
1. Development Strategy.
    - (a) Further clarity / consideration / justification of the documents as they relate to what precisely is being proposed as part of any future proposed development, what the redline boundary encompasses. Regard being had to

portion of the site permitted under SHD – 311181 and how any future proposal links with the approved portion of that permission. The further consideration of these issues may require an amendment to the documents and/or design proposals submitted.

- (b) Further consideration with respect to design rationale for the proposed height, density, design and character of residential units and details of the materials and finishes of the proposed development. Particular regard should be had to the previous reason for refusal on foot of SHD 311181-21 and justification of the proposal in terms of urban design such as height, scale, massing in the context of the site's location and architectural design treatment and interface with Bray seafront and the requirement to provide high quality, robust and sustainable finishes and details which seek to create a distinctive character for the development, having regard to visual amenity given the coastal and highly visible location of the site and its interface with Bray seafront.
2. Intensity of Development: Further consideration and / or justification of the documents as they relate to the height, scale, massing, plot ratio, tenure mix and tenure type and overall intensity of development given the provisions of the DLRDCDP 2022 – 2028 and the Bray MD LAP 2018.

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

1. A detailed statement of consistency and planning rationale, clearly outlining how in the prospective applicant's opinion, the proposal is consistent with the zoning objectives of the DLRDCDP 2022 – 2028 and the Bray MD LAP 2018.

2. A detailed statement, which should provide adequate identification of all such elements and justification as applicable, where the proposed development materially contravenes the DLRD County Development Plan 2022 - 2028 and Bray MD LAP 2018 other than in relation to the zoning of the land, indicating why permission should, nonetheless, be granted, having regard to a consideration specified in section 37(2)(b) of the Act of 2000.
3. A visual impact assessment of the proposed development that addresses, inter alia, the height, scale and massing of the proposal in the context of the nature of the receiving environment. Long range views / photomontages of the proposed development from the surrounding area, in particular from the east.
4. An assessment on how the proposed scheme ties in with the expansion of the overall Bray seafront area in particular in light of recent split decision on foot of SHD 311181-21. It is important that the proposed scheme should be highly visually and functionally connected to the portion of the scheme permitted under the recent SHD 311181-21. There needs to be strong permeability within the scheme and into adjoining lands.
5. A Housing Quality Assessment that provides details in respect of the proposed apartments set out as a schedule of accommodation, with the calculations and tables required to demonstrate compliance with the various requirements of the 2020 Guidelines on Design Standards for New Apartments. It is important that the proposal meets and preferably exceeds the minimum standards in terms of dual aspect and proportion of apartments which exceed the floor area by 10%. In the interests of clarity clear delineation / colour coding of floor plans indicating which of the apartments are

considered by the applicant as dual / single aspect, single aspect north facing and which apartments exceeds the floor area by 10%.

6. A Traffic and Transportation Impact Assessment.
7. Details of a Green Infrastructure Plan, Landscaping Plan, Arboriculture Drawings, and Engineering Plans that take account of one another.
8. A report that addresses issues of residential amenity, specifically with regards to potential overlooking, overshadowing and overbearing. The report shall include full and complete drawings including levels and cross-sections showing the relationship between the proposed development and any adjacent existing or permitted development.
9. A Daylight and Shadow Impact Assessment of the proposed development, specifically with regard to impact upon adequate daylight and sunlight for individual units, public open space, courtyards, communal areas, private amenity spaces and balconies. Impact to any neighbouring properties.
10. A full response to matters raised within the PA's CE Opinion's (both Wicklow County Council and Dun Laoghaire Rathdown County Council) and addendum reports submitted to ABP.
11. Detailed landscape drawings that illustrate hard and soft landscaping, useable communal open space, meaningful public open space, quality audit and way finding. The public open space shall be usable space, accessible and overlooked to provide a degree of natural supervision. Details of play equipment, street furniture including public lighting and boundary treatments should be submitted.

12. A report on surface water drainage, surface water management strategy and flood risk which deals specifically with quality of surface water discharge.
13. An AA screening report which considers potential impacts on the Qualifying Interests of any Natura 2000 site.
14. An up to date Ecological Impact Assessment, inclusive of a Bird and Bat Survey.
15. Where an EIAR is not being submitted the applicant should submit all necessary information referred to in article 299B(1)(b)(ii)(II) and article 299B(1)(c) of the Planning and Development Regulations 2001-2018 for the purposes of EIAR screening.
16. A Microclimate Impact Assessment.
17. A site layout plan indicating what areas, if any, are to be taken in charge by the planning authority.
18. Site Specific Construction and Demolition Waste Management Plan.
19. A life cycle report shall be submitted in accordance with section 6.13 of the Sustainable Urban housing: Design Standards for New Apartments (2020). The report should have regard to the long-term management and maintenance of the proposed development. The applicant should consider the proposed materials and finishes to the scheme including specific detailing of finishes, the treatment of balconies in the apartment buildings, landscaped areas, child friendly spaces, pathways, and all boundary treatments. Particular regard should be had to the requirement to provide high quality and

sustainable finishes and details which seek to create a distinctive character for the development.

## 20. Details of public lighting.

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

1. Irish Water (IW)
2. The Commission for Railway Regulation
3. Iarnrod Eireann
4. Transport Infrastructure Ireland (TII)
5. National Transport Authority (NTA)
6. Dun Laoghaire Rathdown County Council Childcare Committee.
7. Wicklow County Childcare Committee.
8. The Minister for Culture, Heritage and the Gaeltacht,
9. The Heritage Council
10. An Taisce — the National Trust for Ireland
11. Fáilte Ireland

### **PLEASE NOTE:**

Under section 6(9) of the Planning and Development (Housing) and Residential Tenancies Act 2016, neither the holding of a consultation under section 6, nor the forming of an opinion under that section, shall prejudice the performance by the Board, or the planning authority or authorities in whose area the proposed strategic housing development would be situated, of any other of their respective functions

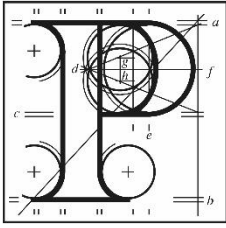
under the Planning and Development Acts 2000 to 2016 or any other enactment and cannot be relied upon in the formal planning process or in legal proceedings.

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Fiona Fair

Senior Planning Inspector

09.05.2022



<b>Case Reference / Description</b>	564 no. residential units (96 no. houses, 468 no. apartments). Former Bray Golf Club Lands, off Ravenswell Road and Dublin Road, Bray, Co. Wicklow.		
<b>Case Type</b>	Section 5 Pre-Application Consultation Request		
<b>Date:</b>	6 <sup>th</sup> May 2022	<b>Start Time</b>	10:00am
<b>Location</b>	Remotely via Microsoft teams.	<b>End Time</b>	11:30am
<b>Chairperson</b>	Stephen O'Sullivan	<b>Executive Officer</b>	David Behan

**Representing An Bord Pleanála:**

Stephen O'Sullivan, Assistant Director of Planning
Fiona Fair, Senior Planning Inspector
David Behan, Executive officer

**Representing Prospective Applicant:**

Cathal Dalton, Shankill Property Investments limited
Kieran Rush, Shankill Property Investments limited
Daniel Mulligan, GHA Architects
Oran O'Siochain, GHA Architects
Kieran Boyle, Atkins Global
Garry Hanratty, Atkins Global

**Representing Planning Authorities**

Johanne Codd, Executive Engineer, DLR CoCo
Alex Fahey, Executive Planner, DLR CoCo
Paul Conlon A/Executive Parks Superintendent, Landscape, DLR CoCo
Fergal Keogh, Senior Engineer, Wicklow CoCo



## **Introduction**

The representatives of An Bord Pleanála (ABP) welcomed the prospective applicant, Planning Authority (PA) and introductions were made. The procedural matters relating to the meeting were as follows:

- The written record will be placed on the pre-application consultation file and will be made public once the Opinion has issued,
- ABP received a submission from the PA on, February 4<sup>th</sup> 2022, providing the records of consultations held pursuant to section 247 of the Planning and Development Act, 2000, as amended and its written opinion of considerations related to proper planning and sustainable development that may have a bearing on ABP's decision,
- The consultation meeting will not involve a merits-based assessment of the proposed development,
- The meeting will focus on key site-specific issues at strategic overview level, and whether the documents submitted require further consideration and/or amendment in order to constitute a reasonable basis for an application.
- Key considerations will be examined in the context of the statutory development plan for the area and section 28 Ministerial Guidelines where relevant,
- A reminder that neither the holding of a consultation or the forming of an opinion shall prejudice ABP or the PA concerned in relation to any other of their respective functions under the Planning Acts or any other enactments and cannot be relied upon in the formal planning process or in legal proceedings.

The ABP representatives acknowledged the letter dated, 17<sup>th</sup> December 2021, formally requesting pre-application consultations with ABP. The prospective applicant advised of the need to comply with the definition of SHD as set out in the (Housing) and Residential Tenancies Act of 2016, as amended, in relation to thresholds of development. The representatives of ABP advised that the Inspector dealing with the pre-application consultation request would be different to the Inspector who would deal with the application when it was submitted. Recording of the meeting is prohibited.

## **Agenda**

1. **Compliance with statutory Development Plan policies and Bray Municipal District LAP 2018. (Height, massing and SLO3)**
2. **Previous Split Decision under 311181 (omits two apartment Blocks A and B) and justification that the reason for refusal has been overcome.**
3. **Residential Amenity (proposed and existing)**
  - **Sunlight and Daylight and Overshadowing**
  - **Overlooking to the northwest**
  - **Open Space and public realm**
4. **Transportation, permeability, connectivity and pedestrian flow.**
5. **AOB**

## **1. Compliance with statutory Development Plan policies and Bray Municipal District LAP 2018. (Height, massing and SLO3)**

### **ABP Comments:**

- Clarification sought on how previous refusal reasons have been overcome
- Prospective applicant advised that no new information could be introduced to the meeting
- Further clarity with respect to red line boundary and what precisely is being proposed under any future application, cognisance being had to information submitted with the pre application and the subsequent information presented at the meeting.
- How any future proposal differs from that of the recent history file on this site SHD 311181-21, in terms of site area, site boundary, nature of the proposal, density and how it all ties in with the permitted portion of that permission.
- Clarity is of utmost importance. Consistency between all drawings and documentation, no room for inaccuracies, drawings need to be sufficiently detailed, accurate, have regard to one another and legible.
- Further consideration with respect to design rationale for the proposed height, density, design and character of residential units and details of the materials and finishes of the proposed development. Particular regard should be had to the requirement to provide high quality, robust and sustainable finishes and details which seek to create a distinctive character for the development, having regard to the coastal and highly visible location of the site and its interface with Bray seafront.
- Further consideration and justification of how the proposal is consistent with and has regard to the new DLRDCDP 2022 – 2028 and how SLO3 objectives within the Bray MD LAP are met.
- A report that addresses and provides a justification for the proposed housing mix.
- A building life cycle report in accordance with section 6.3 of the Sustainable Urban Housing: Design Standards for New Apartments (2018).

### **Prospective Applicant's Comments:**

- Expressed difficulties with lack of clarity regarding the legal context of SHD developments in December 2021
- It is proposed to seek permission for Blocks A and B only
- Any proposal will link back into infrastructure permitted as part of the previous permission,
- Request made to submit new information at meeting.
- Previous scheme did not positively contribute to undulating skyline, massing, height, lack of variety and variation, relentless fenestration.
- Future application will have greater regard to seaside location, extend the promenade from the sea front to this site.
- Propose to break Blocks A and B into 4 blocks essentially, increase the widths between the blocks, lift the architecture, use higher quality materials, much larger balconies, variety in use of materials, art deco feel.
- Variety of window typologies
- Under pass increased in width to 3 m
- Inclusion of a retail unit on the corner and active frontages.
- Undulation of the roof line to connect visually.
- Propose future development will blend in more successfully and be moderate in scale.

### **Planning Authorities' Comments:**

- Unable to comment on 2 new blocks solely, change in red line boundary may raise legal issues.
- While cognisance is had to timelines and uncertainty the applicant cant just present a materially different application to that submitted at pre application.
- Important for all parties to be cognisant of the process.
- Stage 2 information submitted should procedurally align with that stage.
- Not appropriate for the PA's to comment on new information at this stage.
- The previous refusal reason related to architectural treatment, lack of uniformity, any future proposal needs to address issues raised in the previous application.

## **2. Previous Split Decision under 311181 (omits two apartment Blocks A and B) and justification that the reason for refusal has been overcome**

### **ABP Comments:**

- Prospective applicant can use slides to provide context at meeting, but board's opinion can only refer to information submitted with request
- Building life cycle report is required at application stage.
- Justification that the reason for refusal has been overcome.
- There is cross over between issues on the agenda and the issues raised under Item 1, with respect to design, scale, bulk and mass being visually obtrusive are pertinent to this item. Clarity is of utmost importance in any proposal submitted. Applicant to indicate what is to be included within the red line boundary and how this relates to the permitted part of the previous application ABP – 311181-21.
- Further CGI's and photomontages are required to assess visual impact, in particular, from the east.
- Further consideration of design in terms of façade treatment and architectural expression given the context and opportunity of this coastal urban site and Bray seafront.
- Further justification of the proposal with respect to the criteria set out under section 3.2 of the Urban Development and Building Heights Guidelines for Planning Authorities 2018.

### **Prospective Applicant's Comments:**

- Request made to submit new information at meeting
- Changes made to massing and height
- Windows have been redesigned to avoid an appearance of relentless fenestration
- Windows are contextual to rooms
- Balconies have been redesigned to be strong wraparound balconies
- Entrance to costal path now included in design
- Overall look of scheme has a seaside context which links with theme of Bray
- Consideration given to breaking blocks into 4 smaller blocks
- Increases to urban area
- High quality materials used in building finishes
- Underpass has a further 3 metres added
- Retail unit at corner gives strong edge

- Storey drop gives an undulating roofline
- Parking is now underground
- Use of planting to provide screening

**Planning Authorities' Comments:**

- Maintains position set out in opinion
- Unable to comment on slide presentation
- Suggested that a brick finish be used
- Welcomed mitigation of uniformity and design changes

**3. Residential Amenity (proposed and existing)**

- **Sunlight and Daylight and Overshadowing**
- **Overlooking to the northwest**
- **Open Space and public realm**

**ABP Comments:**

- Prospective applicant advised that while a precedent exists for a second meeting it is highly unusual and unlikely in this instance
- Prospective applicant advised that request would be reflected in the minutes
- Prospective applicant advised to make clear distinction between permitted and proposed development in any application, reduction in the area covered by red line boundary at application stage not necessarily problematical (whereas an extension could be)
- It is noted given the nature of the discussion at the meeting and how the proposal has evolved from that submitted with the pre application to that now proposed by the applicant (with respect to red line boundary and splitting of the site to omit the portion previously permitted on foot of SHD-311181-21) overlooking to the northwest and public realm of the overall scheme is not of particular relevance.
- Regard should be had, however, to any possible/perceived impacts on existing / proposed residential properties, setbacks, site slope, landscaping and boundary treatments.
- There is a requirement to carry out a daylight and sunlight assessment as part of any future application. The assessment should set out where the proposal complies with relevant BS or BRE standards and any noncompliance or shortfall should be clearly identified, justified and mitigation measures proposed.
- Further consideration of over shadowing to amenity spaces within the development and to adjoining properties and their amenity spaces.
- Residential amenity in the context of separation distances between proposed blocks.

**Prospective Applicant's Comments:**

- Requested for a second meeting
- Option to leave the red line as is or to bring the red line around units A and B – tight timelines and the split decision had bearing on the decision to include the entire site.
- Now have had time to integrate options and there is a precedent for changing the red line boundary and reducing what is included in stage 3 application.

**Planning Authorities' Comments:**

- Agreed with ABP comments.
- A disclaimer applies, but a distinction was already put in place by the Board, in the split decision.

- Applicant needs to be very clear in what is being applied for – 2 sites either option should be Ok
- Red line boundary clarity – important that it is clearly set out how different sites relate to one another, connectivity is important.

#### **4. Transportation, permeability, connectivity and pedestrian flow**

##### **ABP Comments:**

- Prospective applicant advised to show how 2 sites relate to each other
- Further consideration and clarity with respect to the permeability of the proposed development.
- Consideration of a detailed up to date Traffic and Transportation Report and a Mobility Strategy and details of any consultation with NTA regarding planned improvements to public transport and cognisance to same.
- It is essential that indicative possible future pedestrian and cycling connections are shown to link the proposed development with the surrounding road network.

##### **Prospective Applicant's Comments:**

- Physical layout will not change
- Amended access to threshold of buildings
- Improved pedestrian access on Railway site to the east and separation between buildings. Positive changes.
- Access to granted site via pedestrian footpaths and bicycle lanes
- No material changes to what was previously granted.
- Any future application will quantify the traffic impact in detail.

##### **Planning Authorities's Comments:**

- Maintains position set out in opinion
- Prospective applicant advised of DLR's new CDP and new SLO 119 came into effect on the 21<sup>st</sup> April 2022
- Permanent link to Woodbrook and Glen Road required
- Improved access to Bray harbour required
- Change to land use zoning to north of site, from land use zoning Objective F to Objective A
- Reiterated concerns with respect to heights proposed
- Height will be assessed under new County Development Plan

#### **5. AOB**

##### **ABP Comments:**

- Clarification that all items raised by the PA in their report submitted to the Board are addressed,
- A site layout plan indicating what areas, if any, are to be taken in charge by the planning authority, and the phased delivery of such public open spaces.
- A phasing plan for the proposed development which includes the phasing arrangements for the delivery of the public open spaces and Part V provision.

- Further consideration that where the applicant considers that the proposed strategic housing development would materially contravene the relevant development plan or local area plan, other than in relation to the zoning of the land.
- Further consideration and clarity that issues raised by IW are addressed.
- Consideration that further information is only sought in exceptional circumstances and that all technical issues need to be resolved prior to an application being submitted. All plans, drawings and supporting documentation needs to have account to one another, no room for inaccuracies. The information needs to be clear and accurate for an informed assessment and decision to be forthcoming from the Inspector and the Board within the timeframe for an SHD application.
- Reasonable to make the scheme smaller and omit things at stage 3

#### **Prospective Applicant's Comments:**

- Will seek to engage further with Irish Water to address concerns raised.
- Process is on-going, here to get things right.
- Happy to have further discussions with the planning authority and internal departments.

#### **Planning Authorities' Comments:**

- Reiterated concerns raised regarding height
- Height will be assessed, having regard to the new plan
- This is an important site.
- Cross boundary issues need to be addressed comprehensively.

#### **Conclusion**

The representatives of ABP emphasised the following:

- There should be no delay in making the planning application once the public notice has been published.
- A Schedule of Documents and Drawings should be submitted with the Application.
- Sample notices, application form and procedures are available on the ABP website.
- Irish Water would like prospective applicants to contact Irish Water at [cdsdesignqa@water.ie](mailto:cdsdesignqa@water.ie) **between the Pre-Application Consultation and Application stages**, to confirm details of their proposed development and their proposed design.
- The email address to which applicants should send their **applications** to Irish Water as a prescribed body is [spatialplanning@water.ie](mailto:spatialplanning@water.ie).

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Stephen O'Sullivan,  
Assistant Director of Planning  
June 2022