

DRAFT BRAY MUNICIPAL DISTRICT
LOCAL AREA PLAN 2018 - 2024

**CHIEF EXECUTIVE'S REPORT ON
SUBMISSIONS MADE TO THE
PROPOSED MATERIAL ALTERATIONS
TO THE
DRAFT PLAN**



WICKLOW COUNTY COUNCIL

April 2018

PART I: INTRODUCTION

1.1 Introduction

This Chief Executive's Report relates to the submissions or observations received on the Proposed Material Alterations of the Draft Bray Municipal District Local Area Plan (LAP) 2018- 2024. This Chief Executive's Report is submitted under Section 20(3)(k) of the Planning and Development Act 2000 (as amended). This report contains the following:

- (i) a list of the persons or bodies that made submissions,
- (ii) a summary of the issues raised by them,
- (iii) the opinion of the Chief Executive in relation to the issues raised, and his recommendations in relation to the proposed material alteration to the Draft LAP, including any change to the proposed material alteration as he considers appropriate, taking account of the proper planning and sustainable development of the area, the statutory obligations of any local authority in the area and any relevant policies or objectives for the time being of the Government or of any Minister of the Government.

The members of the planning authority are required to consider the proposed material alterations of the Draft LAP and the report of the Chief Executive.

It should be noted that submissions or observations on issues that do not relate to the Proposed Material Alterations will not be considered at this stage in the plan making process.

A number of issues have been raised in some valid submissions that do not relate to any proposed material alteration; a brief summary of said issues, for information purposes only, has been set out alongside the relevant summary of the submission. Three submissions were received that do not relate to any specific proposed alteration, a summary of these submissions, for information purposes only, has been set out at the end of this report.

All submissions are available to view at the Planning Office, Wicklow County Council.

1.2 Next steps

Following consideration of this Chief Executive's Report, the local area plan shall be made by the planning authority by resolution, with all, some or none of the material alterations.

Where the planning authority decides to make the local area plan or further modify the material alteration of the local area plan by resolution, (A) shall apply in relation to the making of a resolution, and (B) shall apply in relation to any change to the material alteration proposed:

- (A)** It shall be necessary for the passing of the resolution that it shall be passed by not less than half of the members of the planning authority. This requirement is in addition to, and not in substitution for, any other requirements applying in relation to such a resolution.
- (B)** A further modification to the material alteration:
 - i. may be made where it is minor in nature and therefore not likely to have significant effects on the environment or adversely affect the integrity of a European site,
 - ii. shall not be made where it refers to
 - (a) an increase in the area of land zoned for any purpose, or
 - (b) an addition to or deletion from the record of protected structures.

When performing their functions under this subsection, the members of the planning authority shall be restricted to considering the proper planning and sustainable development of the area, the statutory obligations of any local authority in the area and any relevant policies or objectives for the time being of the Government or of any Minister of the Government.

In this regard, this report is being issued to the members in April 2018, and will appear on the agenda of the next Council meeting in May 2018. The local area plan shall have effect four weeks from the day that it is made.

1.3 Strategic Environmental Assessment and Appropriate Assessment

In accordance with the relevant legislative requirements, the draft Local Area Plan was accompanied by the Strategic Environmental Assessment - Environmental Report, an Appropriate Assessment and a Strategic Flood Risk Assessment; the Proposed Material Alterations to the draft LAP were accompanied by an Addendum to the Environmental Report, an Addendum to the Appropriate Assessment Report and an Addendum to the Strategic Flood Risk Assessment. This Chief Executive Report should be read in conjunction with all of these reports, with specific reference to the addendums as they assess the Proposed Material Alterations.

A further modification to Proposed Material Alteration No. 16 has being proposed here, the original assessment of proposed material alteration no.16 as presented in the addendum reports still stands and therefore it is not considered necessary to prepare additional addendums to this Chief Executive's report.

SEA - The Proposed Alterations to the Draft Local Area Plan have been evaluated in the manner set out in the SEA Regulations and the findings of that analysis was published with the Proposed Alteration. **This SEA analysis has determined that a number of the Proposed Alterations (No.1 and 18) would, if not mitigated, conflict with the protection of the environment.** No further SEA assessment of the further modification is required as the original assessment of proposed material alteration No. 16 covers the further modification.

AA - An Appropriate Assessment Report accompanied the Draft Local Area Plan 2018-2024. The Proposed Alterations to the draft plan have also been evaluated in this manner and it has been determined that none of the Proposed Material Alterations to the LAP have been considered to have the potential for significant effects on Natura 2000 sites. No further AA assessment of the further modification is required as the original assessment of proposed material alteration No. 16 covers the further modification.

SFRA - The Proposed Alterations have undergone Strategic Flood Risk Assessment and the results of that assessment are presented in the addendum to the proposed material alterations. **One of the Proposed Alterations are shown to be within the Flood Zone A and Flood Zone B.** No further SFRA is required on the proposed 'further modification' to the proposed material alterations therefore there is no SFRA addendum to this second Chief Executive's report.

It is incumbent on the elected members to take account of these finding and to have regard to same in their decision whether to adopt or modify the plan / proposed alterations. In all cases, it will be necessary for a full record to be made of any decision made and how the environmental consideration were taken account of in the decision making process.

1.4 Consultation Process & List of Submissions

The Proposed Material Alterations of the Draft Bray Municipal District Local Area Plan (LAP) 2018-2028 were on public display during the period 09.02.2018 to 09.03.2018. During this period, a total of **27** submissions were received.

Group A Prescribed bodies

No.	Organisation	Representative
A1	Minister for Housing, Planning & Local Government	Niall Cussens
A2	National Transport Authority (NTA)	David Clements
A3	Minister for Agriculture, Food and the Marine	Liz McDonnell
A4	Minister for Culture, Heritage and the Gaeltacht (MCHG)	Michael Murphy
A5	Environmental Protection Agency (EPA)	David Galvin
A6	Transport Infrastructure Ireland (TII)	Michael McCormack

Group B General Submissions (public individuals and groups)

No.	Name / Group	Representative
B1	Cosgrave Property Group	RPS Group
B2	CRHE (Roadstone Ltd & CRH Estates Ltd)	SLR Consulting Ireland & Loci
B3	Pauline Crowley	
B4	Friends of the Little Sugarloaf	Fia O' Caoimh
B5	Sylvia Geraghty	
B6	Maurice Gillen	McCutcheon Planning
B7	Edmund Holfeld	PD Lane Associates
B8	Jack Kennedy	Vincent JP Farry and Co Ltd
B9	Rosalind Lane & Margaret Cavanagh	
B10	The Leddy Family	Thornton O'Connor Town Planning
B11	MBCC Food (Ireland) Ltd	John Spain Associates
B12	Dairina McMichael	
B13	Thomas and Valerie McMullan	Cliona Ryan
B14	Nechouka Limited	John Spain Associates
B15	Stephen O'Leary	
B16	Alan and Nicola Ralph	
B17	Darren, Marilyn & Valerie Redmond	
B18	Rego Property	Marston Planning Consultancy
B19	RGRE J&R Valery's Limited	John Spain Associates
B20	Tessa Stewart	
B21	TIO ICAV	RPS Group

1.5 Considering the Submissions

The written submissions have been analysed by the Planning Executive of the County Council. The individual submissions are summarised and the opinion and recommendations of the Chief Executive have been given in Part III.

Wherever the published proposed alterations are referred to, changes are shown as follows: Amended / new text in **red**, deleted text in **blue strikethrough**. Any **further modification** proposed is shown in **purple text**.

Each proposed material alteration and the recommended further modification has been assessed for impacts on the environment and / or impacts on designated Natura 2000 sites. Section 1.3 is still applicable should a proposed material amendment be made.

This Report is submitted to the Members for their consideration.

The Chief Executive has recommended the following:

No.	Brief description	Submissions	CE recommendation
1 (a)	Alter zoning of lands to the east of the current boundary	MHPlanningLG, EPA, TII, P Crowley, Friends of the Little Sugarloaf, E Holfeld, D M V Redmond	Not Proceed
1 (b)	Zone the land between Kilmacanogue and Kilmurray		Not Proceed
2	Population and Housing (2016 CSO)	TII	Proceed
3	Cookstown, Enniskerry - Residential	S Geraghty	Not Proceed
4	BT2 & BT3 text		Proceed
5	OP2- Former Heiton Buckley's		Proceed
6	OP3- Former Everest Centre		Proceed
7	Education		Proceed
8	CD5 text		Not Proceed
9	Dargle River Walk (linked to No.15 (b))	T V McMullen, S O'Leary, A N Ralph	Not Proceed
10	Roads & Transportation	NTA	Proceed
11	Public transport	NTA, TII	Proceed
12	Cycling & Walking	NTA	Proceed
13	Public Roads	NTA	Proceed
14	Architectural heritage		Proceed
15(a)	GI4, paragraph	MCHG,	Proceed
15(b)	GI5 (Linked to No.9)	T V McMullen	Not Proceed
16	AAP1 Fassaroe	MCHG, TII, CPG, CRHE, RGRE J&R Valery's Ltd, T Stewart	Further modify and proceed
17	AAP2 Parknasilloge	MCHG	Proceed
18	SLO1 Kilruddery	EPA, D MCMichael, T Stewart	Not proceed
19	SLO3 Former Golf Club		Proceed
20(a)	SLO4 Former Dell site-point1		Proceed
20(b)	SLO4 Former Dell site-point 2&3		Proceed
21	SLO5 Gateway&Hub		Proceed
22	SLO9 AO Smith site	M Gillen	Proceed (map correction)
23	SLO10 Oldcourt House	Lane & Cavanagh, Rego Property, T Stewart	Proceed
24	SLO11 Southern Cross NC	Nechouke Ltd, D McMichael	Proceed
25	Zoning table	MBCC Foods Ltd	Proceed
26	Retail Warehousing	TIO ICAV	Not Proceed
27	RE to OS1		Proceed
28	RE to NC		Proceed
29	GI map	Rego Property	Proceed (map correction)
30	Delivery Schedule	NTA, TII	Proceed

1.6 Guidance for the Elected Members

Responsibility for approving a local area plan, including the various policies and objectives contained within it, in accordance with the various provisions of the Planning and Development Act 2000 as amended, rests with the elected members of the planning authority, as a reserved function under Section 20 of the Act.

In making the local area plan, the elected representatives, acting in the interests of the common good and the proper planning and sustainable development of the area, must, in accordance with the "Code of Conduct for Councillors" prepared under the Local Government Act 2001, carry out their duties in this regard in a transparent manner, must follow due process and must make their decisions based on relevant considerations, while ignoring that which is irrelevant within the requirements of the statutory planning framework.

The members, following consideration of the draft plan and this report, shall decide whether to adopt the local area plan or to amend the plan.

PART II: CHIEF EXECUTIVE'S RECOMMENDATED FURTHER MODIFICATION TO THE PROPOSED MATERIAL ALTERATIONS OF THE DRAFT BRAY MUNICIPAL DISTRICT LOCAL AREA PLAN 2018-2024

Proposed material alterations to the written statement of the Draft Local Area Plan (LAP) are indicated as follows: new text in **red**, deleted text in ~~blue strikethrough~~. The proposed alterations are ordered in the sequence of the LAP and should be read in conjunction with the Draft LAP.

One 'further modification' is proposed to the 'Proposed Material Alterations' of the Draft LAP and the further modifications are indicated as follows: new text in **purple**, deleted text in ~~purple strikethrough~~.

Proposed Further Modification

FURTHER MODIFICATION PROPOSED TO PROPOSED ALTERATION NO. 16

Action Area Plan 1: Fassaroe

The Action Area Plan and development that will arise therefore shall comply with the following objectives:

1. Development shall be carried out in phases in the following manner

~~Phase 1—Generally to the east of the major open space shown on the concept plan above; any proposed development to the west shall only occur in tandem with significant development to the east of the OS;
Shall include the 'village centre' and at a minimum the reservation of a site for a school campus, the scale of which reservation shall be agreed with the Department of Education and Skills
Three more easterly blocks of 'new residential' development
The agreement of the design of the major open space and a delivery programme for same with all relevant stakeholders~~

~~Phase 2—Generally to the west of the major open space shown on the sketch
No residential development may commence until the delivery programme for the major open space is well underway and will be completed by the time housing units are ready for occupation~~

Phase 1	<ul style="list-style-type: none"> o Road link from N11 to Ballyman Road o Passive park (minimum of 8ha) o Active Open Space / Sports Zone (minimum of 14 ha) o Site identified and reserved for school campus o Neighbourhood Centre o 1,500 residential units
Phase 2	<ul style="list-style-type: none"> o 1,500 residential units o Active Open Space / Sports Zone (minimum of 8 ha)
Phase 3	<ul style="list-style-type: none"> o Identification and reservation of site for additional primary school o Remainder of Active Open Space / Sports Zone (to reach total of 14ha) o Remainder of residential units

2. The development of this area shall include the provision of an access road from the N11 to Ballyman Road; the scale of such a route shall reflect its primary function as a service road for a new neighbourhood, rather than that of a 'by-pass'; the design and location of this route shall not affect the functionality of the major open space as a single park and an innovative design solution where park crossing is necessary will be required;
3. Provision shall be made for a north – south link route from the new distributor road to cross Ballyman Glen and continue in County Dublin and link up with old Conna Avenue. The nature and function of this link i.e. the type of traffic it will carry (vehicles / pedestrian / cyclist / light rail) shall be determined at application stage, following consultation with the transport agencies and the neighbouring local authority.

4. The development of this area shall make provision for LUAS or other mass transit public transport services, and any necessary infrastructure such as depots / stabling.
5. All new development shall be accompanied by appropriate transport services, the format and scale of which shall be in accordance with the Bray and Environs Local Transport Plan (to be carried out by the NTA in collaboration with Wicklow County Council and Transport Infrastructure Ireland). Developers shall be responsible for the provision and funding of the required transport services until such a time as public services are extended to the area.
6. The scale of the **village neighbourhood** centre shall be in accordance with the retail floorspace objectives of the County Retail Strategy; as well as shopping this centre shall include a range of retail and commercial services as well as community facilities, in order to create a vibrant heart of this new community; all uses shall be serviced by wide pedestrian streets and squares (to allow for outdoor uses), and while the new distributor road through the site should provide access to the village centre, neither the road nor significant car parking areas shall dominate the centre or be located directly along the frontage of buildings. **The area to be dedicated to retail, retail services, commercial / community use shall not be expected to exceed 1ha; residential development will be expected to be interspersed through this area, particularly on upper floors, of the order of 75 units. Single storey supermarkets will not be permitted; retail uses shall be integrated into a larger overall mixed use development.**
7. Lands **immediately west of the** ~~in the~~ designated '**village neighbourhood** centre' shall be reserved for the future development of a multi school campus; **in** the event that further schools are required, these shall be located ~~to the west of the major open space~~ **at an appropriate location** on residentially zoned land.
8. The '**village neighbourhood** centre' zone and major park shall be accessible to all areas by high quality, direct and safe pedestrian and cycle routes;
9. Lands of not less than ~~20ha~~ **22ha** shall be laid out and dedicated to parks and active / sports uses (this corresponds to land use zones OS1 and AOS, but not OS2). Lands identified as OS2 generally comprise open, undeveloped lands encompassing flood plains, buffer zones along watercourses, rivers and Natura 2000 sites, steep banks, green breaks between built up areas, green corridors and areas of natural biodiversity. These lands are generally not considered suitable for new development, including for park use, and shall not be included in the required 20ha major open space.
10. All development proposals within the Fassaroe Action Area shall take cognisance of the requirement to maintain the rate, quality and general areas where groundwater recharge occurs in order to maintain or enhance the recharge supplying the groundwater-dependent habitats of Ballyman Glen SAC. This shall be **through the review of existing hydrogeological assessment(s) and the carrying out of new hydrogeological assessment to inform the development of** ~~achieved by the use of~~ an appropriate SuDS system(s) ~~developed~~ throughout any development site and taking into account the cumulative in-combination impact of other development.
11. **Private Open Space for houses at Fassaroe shall not be subject to the standard requirements set out in the County Development Plan. However, private open space will be provided as follows:**
 - **For 1 or 2 bedroom houses a minimum of 50 sqm**
 - **3 bedroom houses to have a minimum of 60 sqm**
 - **4 bedroom (or more) houses to have a minimum of 75 sqm.**

PART III: SUMMARY OF ISSUES RAISED AND CHIEF EXECUTIVE'S OPINION AND RECOMMENDATIONS ON THE PROPOSED MATERIAL ALTERATIONS

The Proposed Material Alteration are presented in the order they appear in the Local Area Plan. The Proposed Material Alterations are presented in the 'Proposed Material Alterations to the LAP' document published in February 2018.

CHAPTER 1 INTRODUCTION

No alterations

CHAPTER 2 OVERALL VISION & DEVELOPMENT STRATEGY

PROPOSED MATERIAL ALTERATION No. 1

2.2 FACTORS INFLUENCING THE STRATEGY

2.2.1 Role and function of settlements in the Bray MD

KILMACANOGUE

Kilmacanogue is identified as 'Rural Town' (Level 6) in the County settlement hierarchy. Level 6 towns are strong rural towns, with a good range of infrastructural services. These towns are differentiated in this plan from 'small growth towns' having regard to their more rural character and the rural nature of their catchments. Such rural centres are considered to contain the potential to consolidate rural development needs and support the maintenance of essential rural social and community infrastructure such as schools, shops, public houses, post offices and local sporting organisations.

These settlements should aim to attract local investment, mainly in 'product' intensive industries with some 'people' intensive industries particularly within centres. There may be scope for these settlements to capitalize on opportunities to provide tourism infrastructure and to tap into developments based on rural pursuits within the rural area.

These settlements are suited to accommodating a significant element of urban generated housing demand, with necessary controls in place to ensure that local demand can also be met. As set out in the Sustainable Rural Housing Guidelines (which are relevant to settlements under 1,500 in size, such as these towns), the NSS suggest that in stronger rural areas the small town and village structure has much potential in accommodating additional housing development catering for persons working in larger cities and towns, but desiring a rural lifestyle.

In these settlements it is essential that growth is supported while also strictly controlled so that development is undertaken in a manner that is respectful to the character of these towns and the environmental sensitivities of the rural area. It is of utmost importance to ensure that the design of development is appropriate to the rural setting within which these towns are situated.

KILMURRAY

Kilmurray, an unstructured 'hamlet' of c. 30 houses south of the main core of Kilmacanogue, is was previously identified as 'Rural Cluster' (Level 9) in the County settlement hierarchy. ~~Level 9 'rural clusters' are 'unstructured' settlements considered suitable for very limited new rural development, with the main purpose of the designation being to direct rural generated housing into clusters rather than the open countryside.~~ Due to its proximity to Kilmacanogue, it's functional and community links to Kilmacanogue which is the main service centre for sports, schools etc for Kilmurray, and the shortage of housing land in Kilmacanogue to meet Core Strategy housing targets, this plan expands the boundary of Kilmacanogue to include the former cluster and the intervening land.

The key purpose of this expanded area is to facilitate low to medium density housing as allowed by the 'tertiary zone' designation, as well as some employment on existing employment lands (designated 'secondary zone').

2.2.2 Physical context

Kilmacanogue

The town of Kilmacanogue is located at the junction of the R755 to Roundwood and the N11, 5km south of Bray town centre. Kilmacanogue is located equidistant between the Little Sugar Loaf to the east and the Great Sugar Loaf to the west, in the north eastern foothills of the Wicklow Mountains. The town itself is named after St. Mochonog who was an early Irish saint with strong associations with Glendalough. The location of the town at the foothills of the Great Sugar Loaf Mountain makes it a popular destination for recreational users.

The town of Kilmacanogue is spread out, with no real definition in terms of a town core and over the years the N11 has come to dominate the town. The properties on the east side of the N11, which includes some residential and employment properties and a service station, have become somewhat cut-off from the majority of services, which are located on the west side of the N11. The pedestrian link bridge over the N11 and the vehicular flyover are important links to connect the two sides of the town.

Existing services in the primary lands on the west side of the N11 comprise a post office, service station, public house, church, two crèches and primary school. The 'Avoca Handweavers' outlet and the business park to the north of the settlement are a popular destination for tourists, locals and those travelling on the N11. While these facilities are all in close proximity and together would form the basis for a town 'core', the dominance of the N11 and associated roundabouts / slip roads has hindered the development and improvement of this core area and has impacted on town 'identity'.

In light of these factors the key aim of this plan is to consolidate the town; to encourage the development commercial and community development in the core, particularly that which can contribute towards creating a more defined 'town centre' and town streetscape; and to allow for the development of housing on infill, rather than out of centre, sites.

Kilmurray

~~Kilmurray is an 'unstructured' cluster of rural housing at the south end of the 'Quill Road' south of Kilmacanogue. Such settlements considered suitable for very limited new rural development, with the main purpose of the designation being to direct rural generated housing into clusters rather than the open countryside. The cluster boundary generally reflects the existing developed area, and the development strategy is generally to fill in gaps between existing houses, rather than to expand the extent of the cluster.~~

Proposed Material Alteration No. 1 above necessitates the following consequential changes:

Change consequent No. 1(i)

Residential Development Objectives (General)

~~Kilmurray Specific Housing Objectives~~

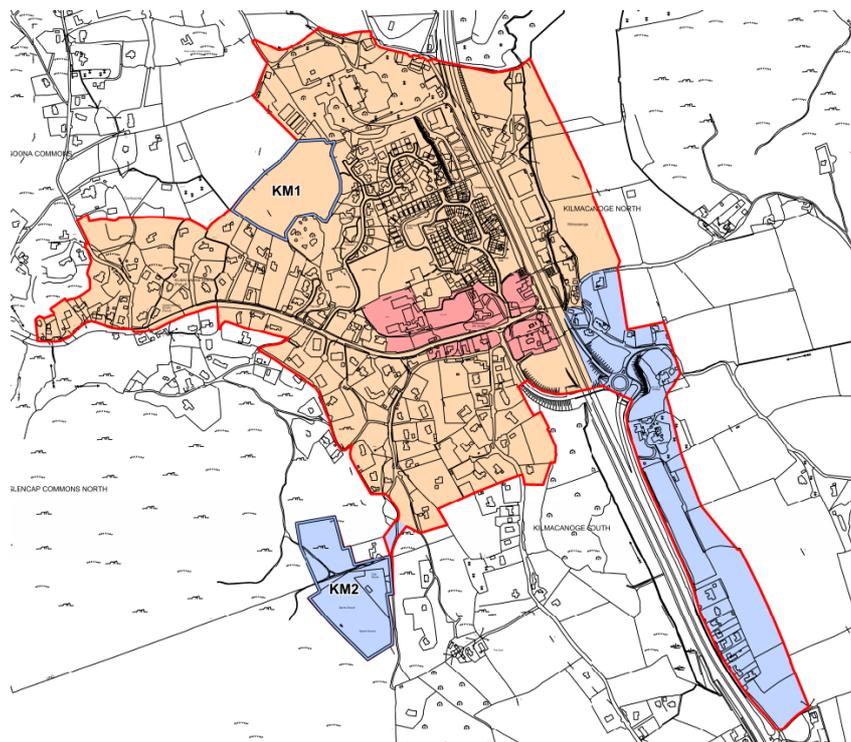
~~**R15** — The indicative growth target for Kilmurray is in the order of 4 units given the overall population target for the rural clusters. Given the controls that apply for these clusters, some flexibility in this target may be applied where the number of bona fide applicants exceeds the target. Where permission is sought for development that would result in the development of more than 5 units in Kilmurray during the lifetime of the plan, permission may be considered subject to it being determine that (a) the settlement has the form and infrastructural capacity to accommodate the additional development proposed and (b) the total housing growth target for the rural clusters as a group will not be exceeded.~~

Change consequent No. 1(ii)

Amend Map No's. 4 and 5

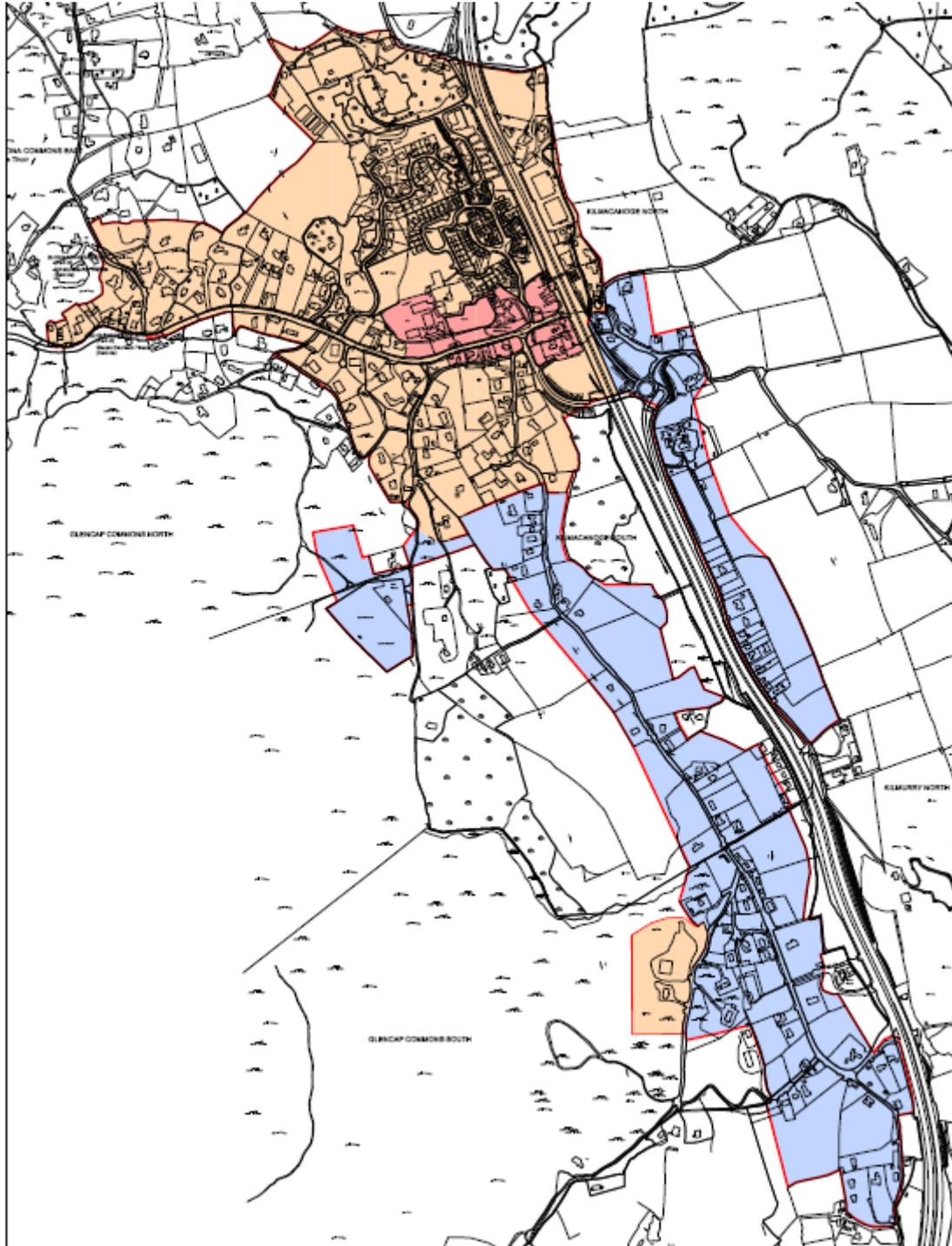
Proposed Alteration Map to follow incorporates additional alterations made to (i) Kilmacanogue boundary to the east of the N11 and (ii) Kilmacanogue boundary at overbridge west of N11

Change from: Kilmacanogue Settlement Plan



Kilmurray rural cluster boundary



Change to: Kilmacanogue Settlement Plan**PROPOSED MATERIAL ALTERATION No. 1****Submissions****A1 Minister for Housing, Planning & Local Government**

The Department notes Proposed Material Alteration No. 1 which concerns the extension of the Kilmacanogue development area southwards to reach and incorporate the Kilmurray area.

This zoning extension would significantly expand the 'Tertiary Development Zone' southwards from Kilmacanogue paralleling the N11 and would permit additional housing and other development in an area not designated for new development under the County Development Plan (CDP) core strategy.

Kilmacanogue is designated as a *Level 6 Rural Town* in the core strategy of the Wicklow CDP 2016-2022 and includes a Specific Development Objective to consolidate and grow the settlement at site 'KM1' on the north western side for 25 new dwellings.

To the contrary, proposed Material Alteration No. 1 seeks to extend Kilmacanogue southwards along a rural road to reach Kilmurray which is designated as a *Level 9 – Rural Cluster* in the Wicklow CDP 2016-2022 and '*considered suitable for very limited new rural development, with the main purpose of the designation being to direct rural generated housing into clusters rather than the open countryside*' (Chapter 3 of the CDP).

The Department is strongly of the view that Material Alteration No.1 is not justified with respect to the zoning assessment criteria of the *Development Plans Guidelines, 2007* in terms of housing need, policy, infrastructure provision, sequential approach or protection of natural heritage.

Moreover, Material Alteration No.1 is also not consistent with the designation of Kilmacanogue as Level 6 Rural Town or Kilmurray as a Level 9 Rural Cluster in the Core Strategy of the Wicklow CDP 2016-2022.

Accordingly and to ensure the plan as adopted is compliant with statutory requirements in relation to consistency of plans between the various tiers of the planning policy structure, the Planning Authority must not adopt this alteration and should remove this proposed zoning objective from the Local Area Plan.

Failure by the planning authority to ensure statutory requirements are observed may result in the consideration, by the Minister, of the use of the powers available under Section 31 of the Act.

A5 Environmental Protection Agency (EPA)

The EPA notes that Alteration No. 1 has the potential for likely significant effects. The EPA notes the commitment that site specific environmental assessments will be carried out in respect of Proposed Alteration No. 1, as required, to ameliorate the potential for significant environmental effects.

A6 Transport Infrastructure Ireland (TII)

TII notes proposals to amalgamate the settlement boundaries for Kilmacanogue and Kilmurray including additional infill 'Tertiary Development Area' proposed in material alteration no. 1 and consequential mapping amendments.

In the initial submission on the Draft Plan, TII requested an amendment of Objective RO2 (*To support improvements to the national road by reserving corridors, as and when these are identified, of any proposed road improvements or new road construction free of development, which would interfere with the provision of such proposals. In particular, to reserve corridors along all potential route improvements / new routes identified in the 2017 Transport Infrastructure Ireland M11/N11 Corridor Study*), and associated mapping, including Kilmacanogue, to include the specific proposals outlined in Table 5.7 of the M11/N11 Corridor Study. It does not appear that the Council has included such proposals on the Local Area Plan mapping relevant to Kilmacanogue and it is requested, in the interests of clarity, that the mapping would be amended to include the roads/transport proposals included in the M11/N11 Corridor Study.

In relation to proposals to include additional 'Tertiary Development Area' at this location and to amalgamate the settlement boundaries for Kilmacanogue and Kilmurray, TII acknowledges that the lands concerned access the local road network. Notwithstanding this, existing access is facilitated to the N11, national primary road, via left-in, left-out arrangements. The Council will be aware that the M11/N11 is of strategic importance nationally and this is reflected in its inclusion within the EU TEN-T comprehensive network. Therefore, there is a requirement to confirm that the additional development planned in the area can be accommodated without compromising the safety and efficiency of the adjoining strategic national road network. The M11/N11 Corridor Study identifies that to bring this section of the N11 between Junction 8 and 14 up to the required standard existing direct accesses and left on/left off junctions should be closed or reconfigured.

B3 Pauline Crowley

As a result of removal of the secondary zoning to the east of Kilmacanogue, the proposed road R08 (*To provide for the development of a new route east of the Kilmacanogue Interchange that would serve (from the east) zoned lands and properties that currently are accessed only via the N11. No further development of any lands to the NE of Kilmacanogue interchange will be permitted unless access from the east (rear) is provided / available*) should be removed from maps.

as it was part of the rezoning proposal that was rejected. The result of this alteration by the Council on Jan 15, 2018, was to remove R08 from any maps. This was to be replaced by a laneway.

B4 Friends of the Little Sugarloaf

Wicklow County Council voted unanimously at the Council meeting of 15th January 2018, to remove Roadway Objective R08 as proposed in the draft Bray Municipal District Local Area Plan 2017 to 2023. It was agreed by the councillors that Roadway R08 would be removed from the LAP in full, and that the re-zoning of the mountain slopes north of Kilfenora Lane would not now proceed.

It was further agreed that a simple "driveway" would be provided along the base of the mountainside to provide safe access to the four houses which are located alongside the N11. Its purpose is to serve the four houses only, and it is not intended as a public roadway, as a means of "opening up" lands, or as a means of servicing the backs of the garage, or any of the adjacent industrial/ workshop units.

The submission references a map drawing of the redesigned "laneway/driveway" was referred to at length in the council meeting, and it formed the basis of the consensus which emerged from the cross-party discussion.

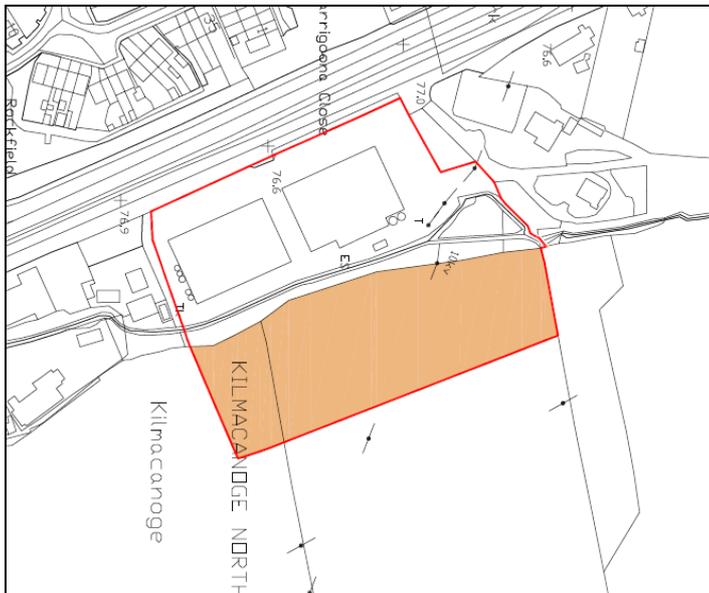
It is vital that the main elements of this drawing are incorporated into the LAP as follows:

1. Roadway 08 must be removed from the LAP (both drawings and text) in full.
2. The safe access route to the four houses should be provided in the form of a "driveway" and not a roadway. Its design should be rustic and modest, and in keeping with the other shared driveways along the base of the hillside.
3. It is not intended as a precursor to opening up lands for future development, and is not intended as a rear service road for the garage or any of the adjacent commercial businesses. It is intended to provide safe access to the four houses only.

The submitters ask that the Bray Municipal District Local Area Plan is revised to reflect these matters as unanimously agreed by the Council members.

B7 Edmund Holfeld

This submission relates to lands owned by the submitter in Kilmacanogue outlined in red on map below which are located to the rear of the submitters existing commercial premises:



The subject lands were proposed for inclusion within the 'Settlement Boundary' and zoned as a 'Secondary Development Area' under the draft Bray LAP 2018.

However, the proposed Material Alterations has proposed to exclude the subject lands the 'Development Boundary' and the lands are proposed to be de-zoned.

The proposed Material Alterations document does not provide any explanation / rationale for this proposed de-zoning and exclusion from within the 'Settlement Boundary'. The draft Bray LAP 2018 Plan indicates 'Local Road Improvement Objective R08' across the Subject Lands, which states *'To provide for the development of a new route east of the Kilmacanogue Interchange that would serve (from the east) zoned lands and properties that currently are accessed only via the N11.'*

Any de-zoning of the lands to the east (rear) of the properties that currently access onto the N11 will potentially hinder the realisation of a proposed new route under Objective R08. The owner of the land would like to make it clear that he will accept a Special Development Contribution conditioned as part of any planning application that is granted on the Subject Lands for the delivery of the new route under Objective R08.

Furthermore, it should be pointed out that the roads authority have approached the owner of the subject lands regarding using part of the front of his premises along the N11 in relation to road widening for additional slip-road capacity. This would further impinge on the asset value of his premises and the current proposed zoning of his land to the rear would alleviate matters in this regard.

It is respectfully requested Wicklow County Council to reinstate the 'Settlement Boundary' as under the current draft Bray LAP 2018 and zoning designation 'Secondary Development Area' for the Subject Lands.

This will greatly enhance the realisation of the proposed new route to the east of Kilmacanogue ('Objective R08') and would be a natural extension to the remainder of the landholding which is being used for employment purposes. The Subject Lands have full access to services inclusive of public roads, drainage and water supply and is outside the area designated for potential flood risk. Furthermore, the subject lands are located at Kilmacanogue North, which is within the 'Metropolitan Area' designated in the Regional Planning Guidelines for the Greater Dublin Area. The National Spatial Strategy ('NSS') advocates the importance of consolidation of growth within the Dublin Metropolitan Area.

B17 | Darren, Marilyn & Valerie Redmond

As a result of removal of the secondary zoning to the east of Kilmacanogue, the proposed road R08 should be removed from maps as it was part of the rezoning proposal that was rejected. The result of this amendment by the Council on Jan 15 2018, was to remove R08 from any maps. This was to be replaced by a laneway.

Opinion of Chief Executive

This alteration was proposed by the Elected Members at the County Council meeting in January 2018. As this proposed alteration includes a number of distinct elements, for the purpose of evaluation of submission, it is broken down into the following issues:

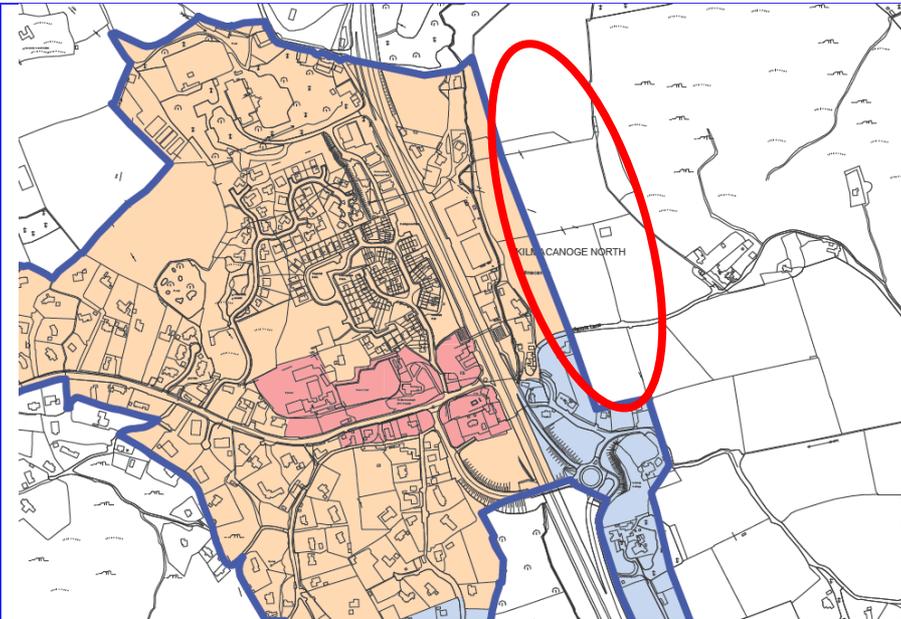
1 (a) Alter zoning of the lands to the east of the current boundary

1 (b) Zone the land between Kilmacanogue and Kilmurray and alter the designation of Kilmurray from 'rural cluster' to part of Kilmacanogue settlement boundary with associated designation of land for secondary and tertiary use.

Note: This proposed material alteration did not entail an alteration to roads objectives which are the subject of a number of submissions. These are also addressed to follow.

1 (a) Alter zoning of the lands to the east of the current boundary

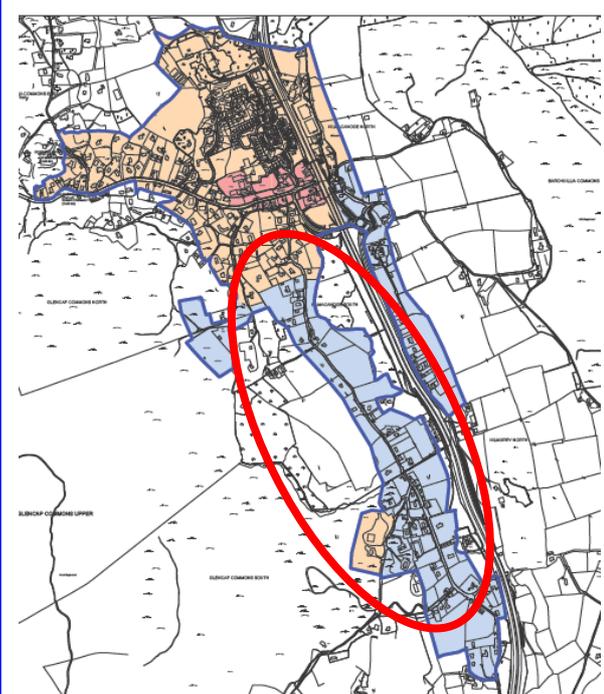
Omission of secondary zoned lands to the east of the watercourse on the eastern side of the settlement as shown on map below:



The CE notes the public submissions made in this regard and is not in favour of the proposed zoning alteration and recommends that this alteration **NOT** be made for the following reasons:

- these lands could be developed as a small scale expansion of the settlement centre, for a range of 'secondary uses' including employment uses as suggested by one of the affected landowners, without impacting on the environment of the area, in particular the setting of the Little Sugarloaf;
- these lands are very close to the settlement centre and are no more distant to existing settlement services or transport links than other already zoned land in the settlement; and
- the extension area proposed is small and therefore unlikely to contribute to coalescence with Bray.

1 (b) Zone the land between Kilmacanogue and Kilmurray and alter the designation of Kilmurray from 'rural cluster' to part of Kilmacanogue settlement boundary with associated designation of land for secondary and tertiary use.



The CE notes the opinion of the Minister and is **not** in favour of the proposed alteration and recommends that this alteration **NOT** be made for the following reasons:

- It is considered that to designate a vast area of land between Kilmacanogue and Kilmurray, and Kilmurray itself, as 'tertiary land', where development controls are significantly fewer and weaker than the existing 'rural' and 'rural cluster' controls, would simply result in urban generated housing sprawl along Quill Road, in this highly sensitive area at the base of the great Sugarloaf, one of the most prized and iconic landscape in the county.
- There is no justification for this zoning change in terms of housing demand and furthermore, there is no assessment of the capacity of infrastructure to accommodate the type of development proposed; in particular Quill Road is severely substandard along the majority of its length and at the junctions at each end; is lacking in footpaths, cycleways and public lighting; and is simply not suitable to accommodate more intensive development.

Roads Objectives

With respect to the submission from TII, as the proposed alterations did not include amendments to road objectives, the TII's request for modification to **Objective R02** (and associated mapping) is not covered by law, as the Planning Act does not allow for further changes to be considered at this stage of plan making.

With respect to a number of the submissions that raise **Objective R08** no motion was passed at the council meetings of January 2018 to omit route R08 from the plan and associated maps.

At the County Council meeting of the 15th January 2018, the matter of the Objective R08 roadway and the removal of the secondary zoning to the east of Kilmacanogue was the subject of Cllr. C. Fox's proposed amendment No. 3 and Cllr. S. Matthews proposed amendment No.11.

Cllr. S. Matthews withdrew his amendment as he was "*happy to join in that (Cllr. C. Fox's) proposal that we remove the secondary zoning and we retain the option of the service road*"¹. No drawings or maps with respect to road objectives were formally put to the Council with regard to this matter at the County Council meeting.

The minutes of these meeting clearly recorded the decision made on that date as follows:

C. Fox No.3 : Cllr. S. Matthews advised that he did not want the road to be removed. *Cllr. C. Fox proposed removing the 2nd zoning and including the roadway. This was seconded by Cllr. S. Matthews* (Proposed by Cllr. C. Fox, seconded by Cllr. J. Behan as amended by Cllr. C. Fox and seconded by Cllr. S. Matthews and passed by a margin of 27 votes for and 5 not present)

Detailed review of the meeting transport reveals that it was clearly set out that what was proposed was to remove the secondary zoning but to maintain the road objective R08.

SEA - Proposed Material Alterations No. 1 has been identified as having potential to result in significant environmental effects. Where the potential for significant environmental effects exist, site-specific environmental assessment will be carried out, as required. The SEA assessment includes the incorporation of site-specific detailed mitigation measures to ameliorate the potential for significant environmental effects.

Recommendation of Chief Executive

To **not** make Proposed Material Alteration No.1 (a)

To **not** make Proposed Material Alteration No.1 (b)

¹ Quote from the meeting transcript

PROPOSED MATERIAL ALTERATION No. 2

2.2.3 Population and Housing

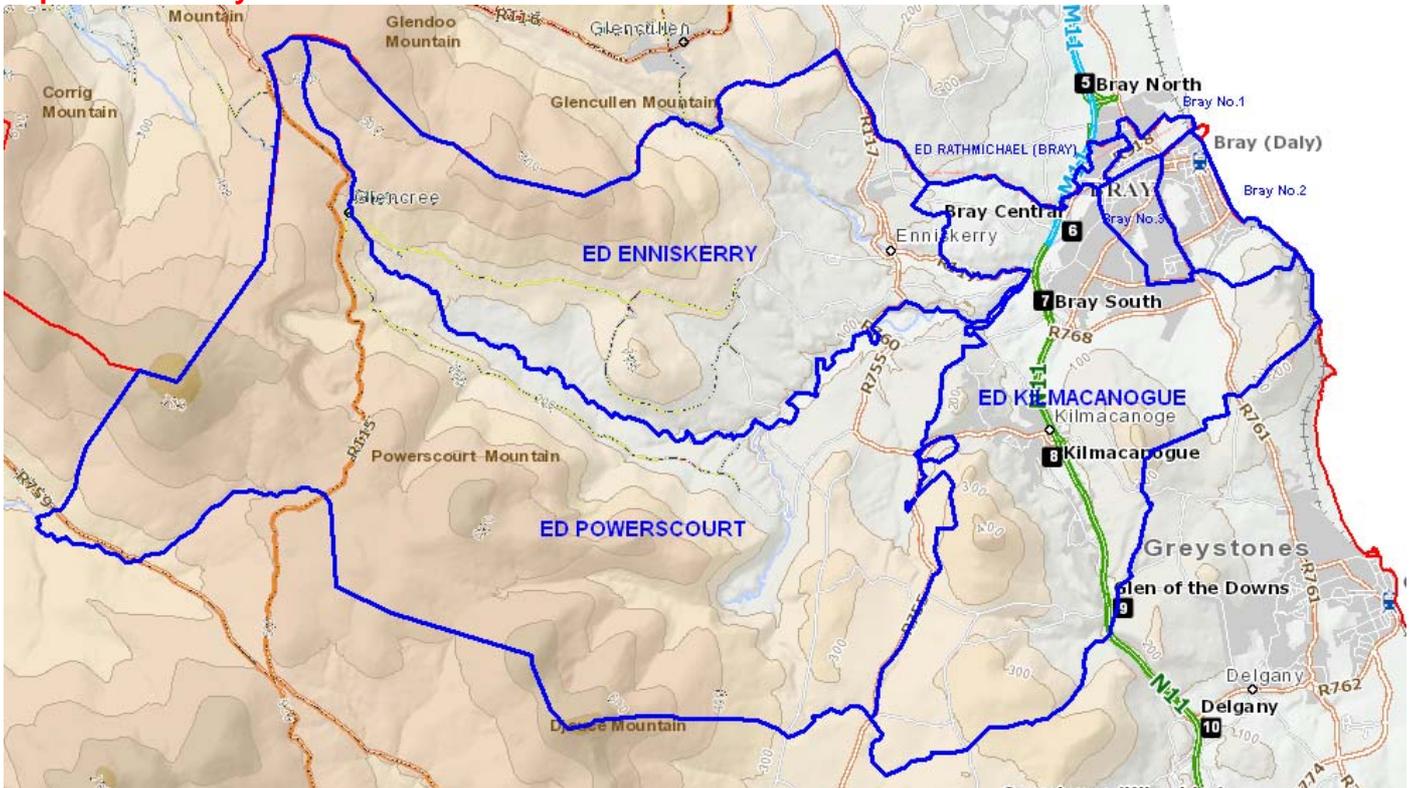
The population of the Bray MD in 2016 was 35,530 persons, showing a slight increase of 3.5% from the 2011 population (34,335). This Municipal District is made up 7 'electoral divisions' and the population is broken down as follows:

Table 2.1 Population of Bray MD and associated Electoral Divisions 2006, 2011 and 2016

	2006	2011	2016	2016 Housing Stock
Bray No. 1	1700	1746	1845	837
Bray No. 2	6305	6192	6410	2622
Bray No. 3	6557	6424	6481	2659
Rathmichael (Bray)	2431	2380	2418	850
Kilmacanogue	13772	14043	14694	5031
Enniskerry	2696	2765	2894	990
Powerscourt	773	785	788	301
Total	34,234	34,335	35,530	13,290

Source: CSO

Map 2.1 Bray MD Electoral Divisions



As well as providing data at the MD and ED geographical unit, the CSO also provides the result expressed in units such as 'legal towns', 'towns and their suburbs / environs' and 'small areas'.

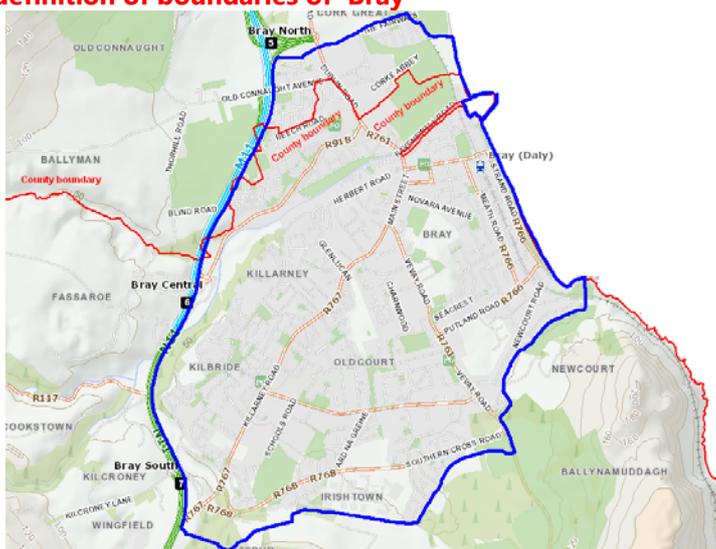
Town data

Bray

Table 2.2 Population of Bray 'town', 2006, 2011 and 2016

	2006	2011	2016 ²
Bray (legal town)	27,041	26,852	-
Bray & suburbs / environs (in Wicklow)	28,814	28,592	
Bray & suburbs / environs (Wicklow + DLR)	31,901	31,872	
Bray (new 2016 boundary defined)			32,600

Map 2.2 2016 CSO definition of boundaries of 'Bray'

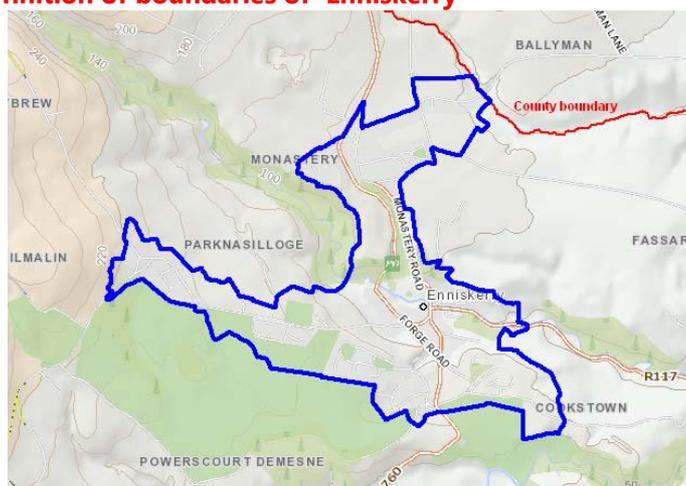


Enniskerry

Table 2.3 Population of Enniskerry 'town', 2006, 2011 and 2016

	2006	2011	2016
Enniskerry town³	1881	1811	1889

Map 2.3 2016 CSO definition of boundaries of 'Enniskerry'



² With regard to the 2016 figure, the CSO states the following: '80 legal towns were abolished under the Local Government Reform Act 2014. Census towns which previously combined legal towns and their environs have been newly defined using the standard census town criteria (with the 100 metres proximity rule). For some towns the impact of this has been to lose area and population, compared with previous computations'.

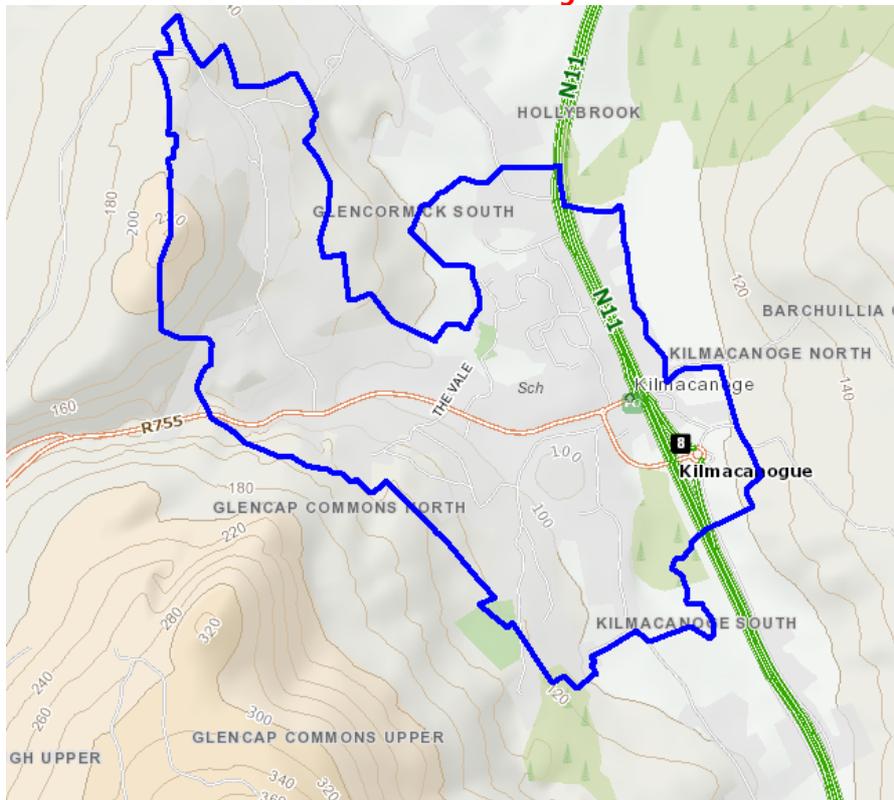
³ 'Town' as defined by the CSO

Kilmacanogue

Table 2.4 Population of Kilmacanogue 'town', 2006, 2011 and 2016

	2006	2011	2016
Kilmacanogue town⁴	839	1028	1042

Map 2.4 2016 CSO definition of boundaries of 'Kilmacanogue'



Estimates of 2016 population, based on plan boundaries

Each ED is broken into a number of smaller units, called 'small areas'. It is not considered necessary to display this level of detail in this plan, but the data provided by the 'SAPS' are essential for estimations of current population in each of these settlements, as none of the ED or 'town' boundaries and associated population data aligns with the town boundaries used in this LAP.

Using the ED and SAPS data (taking a 'best fit' approach⁵), and cross referencing it with the GeoDirectory, the estimated 2016 populations of each settlement in the plan area is:

Table 2.5 2016 Population and Housing Stock in Bray MD area, by settlement

	Bray	Enniskerry	Kilmacanogue ⁶	Rural Area
2016 Population	29,624	1,889	934	3,230
2016 Housing Stock	11,225	640	374	1,051

Source: Forward Planning Unit, WCC

Population & Housing growth targets

The 2022, 2025 and 2028 population targets for the settlements in the Bray MD are provided in the Core Strategy of the County Development Plan – the County Development Plan does not provide a target for the overall MD or for rural areas.

⁴ 'Town' as defined by the CSO

⁵ That is, using that set of SAPS that most closely match each settlement boundary in this plan

⁶ Extended Kilmacanogue boundary including Kilmurray as per Proposed Material Alteration No. 1

Table 2.6 Population Targets for settlements in Bray MD – 2022, 2025 and 2028

Settlement	2022	2025	2028
Bray	36, 237	38,119	40,000
Enniskerry	2,302	2,401	2,500
Kilmacanogue	1,012	1,038	1,065

Source: Wicklow County Development Plan 2016

As set out in the Wicklow County Development Plan, it is never possible to manage growth in any particular settlement to come in at an exact population figure at a set time, which is 2028 for the purposes of the County Development Plan. As development in 3 of the 6 growth towns, representing towards 35% of the projected County growth, is reliant on the cooperation and financing of Transport Infrastructure Ireland (formerly National Roads Authority and the Railway Procurement Agency), as is the case in Bray, or Irish Water (as is the case in Arklow and Blessington), it is not possible to make accurate predictions. The town population allocations set out above have thus incorporated 'compensatory headroom' of 15% to accommodate this uncertainty and to ensure that there will be sufficient capacity in other settlements if some growth towns are unable to deliver the necessary infrastructure to service their projected populations.

While this plan will have a duration of 6 years initially, ~~up to 2023~~, the provisions of the Planning Act allow in certain circumstances for the duration of local area plans to be extended to 10 years ~~i.e. up to 2027~~. It is considered likely that between ~~2017~~ 2018 and 2022 (date of the next County Development Plan) that the population targets for the County and this MD will be revised in light of the findings of Census 2016 and the provisions of the new National Planning Framework (NPF)⁷ and the Regional Spatial and Economic Strategy (RSES). In this uncertain context, it is considered appropriate at this stage that the plan shall put in place a structure to meet the short term 6 year target only, with ~~2 years~~ ~~1 year~~ 'headroom'. "Headroom" or "market factor" which is 'extra' land that is zoned over and above the minimum amount needed to accommodate the 2023 population target. Headroom is provided so as to allow for greater location choice and deal with any land supply inflexibility which may arise. Therefore the population and housing unit targets for 2025 are utilised in this plan.

~~The population and housing unit figures used in the 2016 County Development Plan are derived from the 2011 Census, as the full results of the 2016 Census were not available at the time of the making of the County Development Plan. As the Census 'town boundaries' do not always necessarily match our plan boundaries, the Census figures have been amended where required, using additional data sources such as the CSO 'Small Area Population Statistics' and the An Post GeoDirectory. The housing stock requirement is based on these population targets, a decreasing numbers of occupants of each house and built in assumptions about the level of vacancy / second homes⁸.~~

Table 2.7 Housing Stock growth target up to 2025 in Bray MD area, by settlement

	Bray	Enniskerry	Kilmacanogue	Rural Area
2016 Population	29,624	1,889	934	3,230
2016 Housing Stock	11,225	640	374	1,051
2025 Housing target	17,651	1,112	481	-
Growth	6,426	472	107	-

This plan includes details regarding the capacity of zoned lands for housing. The estimated potential number of additional units indicated for each piece of land is indicative only. The actual amount of units that may be permitted on a site will be determined having regarded to all normal planning considerations, such as access, site services, topography, flooding, heritage issues etc. However, in accordance with Objective HD5 of the County Development Plan, in order to make best use of land resources and services, unless there are cogent reasons to the contrary, new residential development shall be expected to aim for the highest density indicated for the lands.

⁷ The draft NPF was published during the writing of this report

⁸ For more information, see Wicklow County Development Plan, Chapter 2

Settlement	Population 2011	Housing Stock 2011	Population 2025	Housing Stock 2025	Housing stock growth required
Bray	29,339	11,518	38,119	17,651	+6,133
Enniskerry	1,940	642	2,401	1,112	+470
Kilmacanogue	799	277	923	428	+151
Kilmurray		28			+6 ⁹

Proposed Material Alteration No. 2 above necessitates the following consequential changes:

Change consequent No. 2(i)

Chapter 3

Table 3.3 Kilmacanogue

LOCATION/DESCRIPTION	ZONING	POTENTIAL NO. OF UNITS
Primary Zone	Primary Development Zone	20
Secondary Zone	Secondary Development Zone	105 60
Tertiary Zone	Tertiary Development Zone	25 30
TOTAL		150 110

PROPOSED MATERIAL ALTERATION No. 2

Submissions

A6 | **TII**

Amendment to Section 2.2.3 of the Draft Plan incorporates a new subsection titled 'Population and Housing Growth Targets'. Within this subsection, the proposed material alteration outlines that accurately predicting population growth is difficult as growth will be reliant, in relation to Bray, on the cooperation and financing of TII.

In the interests of clarity, TII advises that the M11/N11 Corridor Study referred to above and in detail in the Authority's initial submission on the Draft Plan outlines improvement works, consistent with those included in the NTA Transport Strategy, for the M11/N11 Corridor and elaborates further on off-network, i.e. complementary local transport measures required to facilitate the on-going strategic function of the M11/N11 national road corridor. The purpose of the improvements identified is not to accommodate population growth in Wicklow, this is a matter for the Council and infrastructure improvements required to facilitate such growth are also a matter for the Council. Future public transport provision is a matter for the NTA. TII would welcome clarification of this in the Local Area Plan prior to adoption in the interests of clarity.

Opinion of Chief Executive

This proposed alteration was recommended by the Chief Executive in his previous report (and notes that his recommendation was subject to a minor change by the members, to which he has no objection).

The CE is surprised at the submission from the TII which effectively states that any improvement to the M/N11, and presumably the LUAS B line that are now proposed are not for the purposes of supporting growth and development in County Wicklow. This was certainly not the understanding of the Wicklow executive in its interactions with the TII and NTA in the development of the TII's M11/N11 Corridor Study Needs Assessment Report of April 2017 or the NTA's Transport Strategy for the Greater Dublin Area 2016 that proposed improvements to the N/M11 would not support the development and growth objectives for Wicklow as set out in the Regional Planning Guidelines for the GDA and the Wicklow County Development Plan.

The CE recommends the making of this proposed material alteration.

Recommendation of Chief Executive

To proceed to make Proposed Material Alteration No.2

⁹ In accordance with Chapter 3 of the Wicklow County Development Plan, indicative growth target for such 'rural clusters' during the six year lifecycle of County Development Plan is in the order of 4 units.

PROPOSED MATERIAL ALTERATION No. 3

Table 3.2 Enniskerry

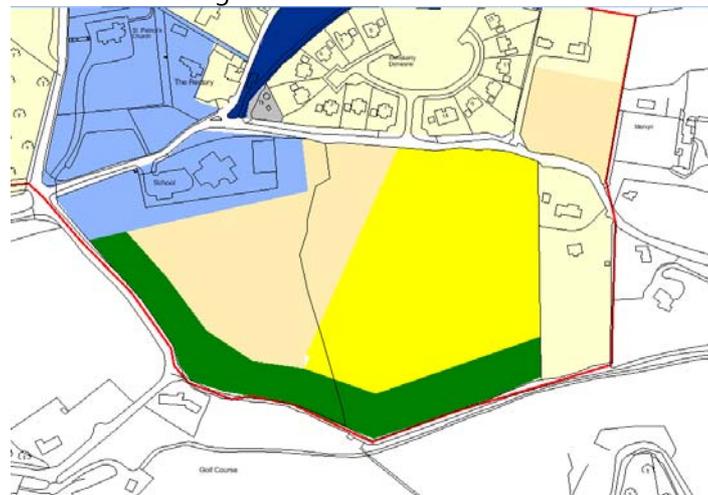
LOCATION/DESCRIPTION	ZONING	POTENTIAL NO. OF UNITS	PROPOSED MATERIAL ALTERATION
Lands at Monastery Grove	R20	72	(see associated land use map change below)
Lands at Cookstown	R10	8	
Action Area 1 - Lands at Parknasilloge	R20	156	
SLO 1 - Lands at Ballyman	R Special	12 max	
Action Area 2 - Lands at Kilgarron	R Special	28	
Action Area 3 - Lands at Cookstown	R20	105	
Lands at Powerscourt	R20	44	
Lands at Cookstown (east of AA3)	R Special	5	No. 3
Infill on other TC / RE lands		45	
	TOTAL	470-475	

Enniskerry Specific Housing Objectives

RXX To allow for a maximum of 5 new dwelling units on the lands zoned R-Special on the Cookstown Road (east of AA3), to accommodate the family of the existing dwelling unit on the lands.

PROPOSED MATERIAL ALTERATION No. 3 (associated map change)

From: RE Existing Residential



To: R Special



PROPOSED MATERIAL ALTERATION No. 3

Submissions	
B5	Geraghty, Sylvia
<p>The submitter is the owner of the land that is proposed to be zoned from RE to R Special. They are seeking to either (a) retain the R Special zoning and to omit the following text "RXX To allow for a maximum of 5 new dwelling units on the lands zoned R-Special on the Cookstown Road (east of AA3), to accommodate the family of the existing dwelling unit on the lands." <u>or</u> (b) rezone the land from R Special to R20 New residential.</p> <p>The following reasons are put forward in favour of the proposed change:</p> <ul style="list-style-type: none"> -Changes are consistent with the core strategy. The existing and permitted pattern of development in the adjoining/adjacent lands. Enniskerry village has an average density of 20 units per hectare. The neighbouring AA3, 	

Powerscourt and Enniskerry Demense lands are zoned with a range of 10, 15 and 20 units to the hectare.

- There is a need for more housing in the area.
- Ministerial Guidelines recommend a density of 20/25 units per hectare for edge of centre location in villages.
- Allowing for a high density will eliminate the need for one off housing.
- The site has an appropriate topography, services and is in close proximity to educational and community facilities.
- The site has never flooded and there are no heritage issues on the site.

Opinion of Chief Executive

This alteration was proposed by the Elected Members at the County Council meeting in January 2018.

The Chief Executive considers that the proposed alteration from 'RE' to 'R Special' is unnecessary as the existing 'RE' zoning (set out below) and the objectives of the County Development Plan clearly already allow for infill development. Furthermore, under a RE designation, there would be no restriction on who could develop or occupy such houses; therefore the proposed alteration would be *more restrictive* than the current zoning. However, in planning terms this change is not significant, and the CE does not strongly oppose it.

Bray MD LAP

RE Zone – *'To provide for house improvements, alterations and extensions and appropriate infill residential development in accordance with principles of good design and protection of existing residential amenity'*

Wicklow County Development Plan

HD9 In areas zoned / designated 'existing residential', house improvements, alterations and extensions and appropriate infill residential development in accordance with principles of good design and protection of existing residential amenity will normally be permitted. While new developments shall have regard to the protection of the residential and architectural amenities of houses in the immediate environs, alternative and contemporary designs shall be encouraged (including alternative materials, heights and building forms), to provide for visual diversity.

HD10 In existing residential areas, infill development shall generally be at a density that respects the established character of the area in which it is located, subject to the protection of the residential amenity of adjoining properties. However, where previously unserved, low density housing areas become served by mains water services, consideration will be given to densities.

Further to this as the Chief Executive is not in favour of the proposed alteration and he is not in favour of either of the submitter further modification proposals. Only minor further modifications are possible at this stage of the plan making process therefore to rezone the land to R20 would increase the development potential of the land (0.45ha) from 5 units to 9 units and this is not considered minor. Albeit the CE is not in favour of the original proposed alteration, should it proceed the CE does not oppose the proposal to omit the text "~~to accommodate the family of the existing dwelling unit on the lands~~" from the written objective as Enniskerry is a Level 5 Growth Town with no restrictions on the occupancy of housing within the settlement.

Recommendation of Chief Executive

To **not** make Proposed Material Alteration No.3

CHAPTER 4 ECONOMIC DEVELOPMENT & EMPLOYMENT

No alterations

CHAPTER 5 TOWN / NEIGHBOURHOOD CENTRES & RETAIL**PROPOSED MATERIAL ALTERATION No. 4****5.3 Bray Town Centre Specific Objectives**

- BT2** To promote and support the development of significant new retail, retail services, commercial and cultural / community floorspace in Bray ~~town centre~~, at the following locations:
- the 'Florentine Centre'(see Objectives for 'Opportunity Sites' to follow)
 - Former Bray golf club lands (see Objectives for SLO 3)
- BT3** Generally, a ~~maximum~~ height of ~~3-storeys above ground level~~ **4 storeys (including ground floor)** will be considered appropriate in ~~the~~ Bray 'town centre' ~~zone~~, irrespective of adjoining property heights. However, the Council may permit heights above this, where the specific context of the site and the design of the building allow it (for example where additional storeys are set back from street frontage).

PROPOSED MATERIAL ALTERATION No. 4**No submissions****Opinion of Chief Executive**

This alteration was proposed by the Elected Members at the County Council meeting in January 2018. The Chief Executive has no objections to this alteration.

Recommendation of Chief Executive

To proceed to make Proposed Material Alteration No.4

PROPOSED MATERIAL ALTERATION No. 5

5.5 Bray Opportunity Sites

OP2 Former Heiton Buckley's, Dublin Road



These 'town centre' zoned lands measure c. 0.6ha (including all existing buildings thereon) and have road frontage onto Castle Street and Dwyer Park. At the time of the crafting of this plan, the existing buildings and associated yards were vacant. The site is suitable for a high intensity mixed commercial and residential development.

Objectives OP2

- To provide for a mixed use development including commercial, retail, residential, community and cultural uses;
- **Active commercial, community or cultural uses will generally be required at ground and street levels, with residential use above, other than (a) along the Dwyer Park frontage and (b) on the truncated northernmost sector of the site.**
- A high density development, that makes the best use of this serviced urban land will be expected, **with a plot ratio of not less than 2**, in a 3-4 storey development;
- The design (including height) of any development shall pay particular regard to the height of immediately adjoining (mostly 2-storey) residences and in general heights shall not exceed 3-storeys along Dwyer Park;
- Any development on the lands shall include street frontage directly onto Castle Street, ideally with limited set back across the frontage of the site; (other than that required for adequate pedestrian / cyclist usage); any set back in excess of 5m from the road kerb will require to be justified based on specific design criteria and in any event buildings shall not be set back any further than 15m from the kerb.
- Those parts of any proposed development that adjoin existing streets shall provide for an active street frontage **that addresses and connects with the public domain; in particular, where residential use is the ground floor use, front doors and façade shall active commercial use shall be expected at ground floor, opening onto the street.**

PROPOSED MATERIAL ALTERATION No. 5

No submissions

Opinion of Chief Executive

This proposed alteration was recommended by the Chief Executive in his previous report and is still recommended.

Recommendation of Chief Executive

To proceed to make Proposed Material Alteration No.5

PROPOSED MATERIAL ALTERATION No. 6

OP3 Former Everest Centre, Dublin Road



These 'town centre' zoned lands measure c. 0.16ha and have road frontage onto Castle Street, close to the Dargle Road junction. At the time of the crafting of this plan, the site was vacant, all former buildings having been demolished. This is an important site, forming the northern bookend to the Castle Street commercial area and being located immediately adjoining the likely main route into the golf course development to the east. The site is suitable for a high intensity mixed commercial and residential development.

Objectives OP3

- To provide for a mixed use development including commercial, retail, residential, community and cultural uses;
- A high density development, that makes the best use of this serviced urban land will be expected, with a high plot ratio **of not less than 2 in a 3-4 storey development;**
- Any development on the lands shall include full street frontage across the majority of the site onto Castle Street, ideally with limited set back across the frontage of the site; (other than that required for adequate pedestrian / cyclist usage); any set back in excess of 5m from the road kerb will require to be justified based on specific design criteria and in any event buildings shall not be set back any further than 15m from the kerb.
- Those parts of any proposed development that adjoin Castle Street shall provide for an active street frontage; in particular, active commercial use shall be expected at ground floor, opening onto the street.

PROPOSED MATERIAL ALTERATION No. 6

No submissions

Opinion of Chief Executive

This proposed alteration was recommended by the Chief Executive in his previous report and is still recommended.

Recommendation of Chief Executive

To proceed to make Proposed Material Alteration No.6

CHAPTER 6 COMMUNITY DEVELOPMENT**PROPOSED MATERIAL ALTERATION No. 7**

The provision of an adequate community infrastructure is critical to facilitate and sustain the growth of the Bray Municipal District County over the lifetime of the plan and beyond. The community development and infrastructure strategies, objectives and standards set out in the Wicklow County Development Plan will apply directly in the Bray MD. In particular, the County Development Plan addresses:

- **The role of land use planning in community development; link between land use planning and the Local Economic & Community Plan (LECP)**
- **Community Facilities Hierarchy Model**
- **Education and Development**
- **Health, Care and Development**
- **Childcare and Preschool**
- **Community Centres**
- **Culture & the Arts, including libraries and places of worship and burial**
- **Open space, Leisure and Recreation, including sports, children's play, facilities for teenagers and young adults**

It is not considered necessary to re-state the majority of the objectives for these areas in this plan; however, a priority concern in the Bray MD is the provision of adequate Open space, Sport and Play facilities **and schools (particularly in areas designated for significant growth)**, and therefore this issue is addressed to follow.

6.2 Education

The Bray MD is generally well provided with educational facilities, there being a total of 15 primary schools, 7 secondary schools¹⁰ and one institute of third level education in the district

Primary Schools

School name	Zoning	Area (Ha)
St. Philomena's / Ravenswell ¹¹	R-HD	3
St. Peter's	CE	0.6
St. Patrick's	CE	2.2
St. Cronan's	CE	1.4
Gaelscoil Ui Cheadaigh Bre	CE	0.2
New Court	CE	2.4
St. Andrew's	CE	
Scoil Chualann	CE	0.6
St. Fergal's	CE	2.3
Bray School Project	CE	0.9
Marino School	CE	0.75
St. Mary's & St. Gerard's	CE	0.6
Powerscourt	CE	0.8
St. Patricks (Curtlestown)	Rural	0.3
St. Mochonog's	PZ	1.1

¹⁰ Plus 2 additional secondary schools very close by in Co. Dublin – St.Brendan's/Woodbrook and St. Gerard's.

¹¹ This school is relocating to a newly build campus on the old Bray golf course. The land may become viable for an alternative residential use thereafter and therefore has been zoned 'Residential – High Density'

Secondary Schools

School name	Zoning	Area (Ha)
Presentation College	CE	7.5
Loreto	CE	5.4
Colaiste Raithin	TC	Due to relocate 2017 to new school on former Bray GC
St. Killian's	CE	3.4
North Wicklow Educate Together	R-HD	Temporary location on former grounds of Pres
New Court	CE	Shared with St. Andrew's
Marino School		

Third Level Education

School name	Zoning	Area (Ha)
Bray Institute of Further Education	CE	4.7 - Former St. Thomas's Community College
Bray Institute of Further Education	TC	Town campus

Additional lands zoned / identified for school expansion / new schools

School name	Zoning	Area (Ha)
St. Philomena's + Colaiste Raithin	MU	5 - Former Bray GC
AA2 Enniskerry	CE	1.4
Surrounding Powerscourt NS	CE	0.7
Fassaroe neighbourhood centre	CE	5
Fassaroe south / west	R-HD	1.6

Education Objectives

- ED1** To facilitate the provision of schools by zoning suitable lands capable of meeting the demands of the projected populations.
- ED2** Where lands are zoned for educational use, to facilitate the development of facilities that provide for linkages between schools types. For example, particular encouragement will be given to primary and secondary school campuses, the linking of pre-school services with primary schools and the linking of secondary schools with vocational training facilities.
- ED3** Where lands are zoned for employment use, to facilitate the development of employment training facilities (privately and/or publicly funded).
- ED4** Where practicable, education, community, recreational and open space facilities shall be clustered. However schools shall continue to make provision for their own recreational facilities as appropriate
- ED5** To facilitate and promote the use of education facilities after school hours / weekends for other community and non-school purposes, where possible.
- ED6** To facilitate and promote the continuation and expansion of rural/village primary schools.

PROPOSED MATERIAL ALTERATION No. 7

No submissions

Opinion of Chief Executive

This proposed alteration was recommended by the Chief Executive in his previous report with further minor alterations to the wording proposed by the Elected Members at the County Council meeting in January 2018. The CE has no issue with the further alterations and this proposed alteration is still recommended.

Recommendation of Chief Executive

To proceed to make Proposed Material Alteration No.7

PROPOSED MATERIAL ALTERATION No. 8

6.1 Open Space & Play Objectives

CD5 In existing residential areas, the areas of open space permitted, designated or dedicated solely to the use of the residents will normally be zoned 'RE' as they form an intrinsic part of the overall residential development. ~~Non community uses on such lands will not normally be permitted.~~ The Council will not normally permit development that will result in a loss of public or private playing fields, parks, children's play spaces, residential amenity open space or land zoned for recreational or open space purposes. The Council will not normally permit development that would result in a loss of open space within the Municipal District.

PROPOSED MATERIAL ALTERATION No. 8

No submissions

Opinion of Chief Executive

This alteration was proposed by the Elected Members at the County Council meeting in January 2018.

While the CE supports the apparent intention of the amendment, which is protect open spaces from unacceptable forms of development, the CE does not support the making of the proposed alteration as it is considered that the wording would likely curtail desirable and necessary development, and for example could prevent otherwise necessary and suitable access routes into development land being created or could prevent development projects that could ultimately deliver extended or enhanced amenity provision for the populace.

Recommendation of Chief Executive

To **not** make Proposed Material Alteration No. 8

CHAPTER 7 TOURISM & RECREATION**PROPOSED MATERIAL ALTERATION No. 9****7.4 The Dargle River**

Bray is located on the River Dargle, which is an important natural amenity. As the river has a strong visual relationship with the built environment of the town, it forms an attractive setting that is rich in flora and fauna. Unfortunately, the recreational amenity and development potential of the riverbank has not yet been fully exploited and it remains an under-utilised resource. The Council aims to facilitate the appropriate development of the area so that the full potential of the area can be utilised to the benefit of the town's economic, recreational and natural environment.

The Dargle River is also an important environmental and recreational amenity to the wider municipal district, providing opportunities for walking and fishing, as well as a partial link between Bray, Enniskerry and Powerscourt Estate.

Along the River Dargle, the following objectives shall apply:

- To promote the use of the Dargle riverbank, between Bray Harbour and 'La Vallee' as a leisure and natural amenity area, through the development of a Dargle River Walk along the south bank of the river, **in agreement with affected landowners**.
- To reserve lands along the river bank of not less than 10m free of all development;
- To appropriately manage and control development along the Herbert Road so that existing or potential access points to the Dargle are not impeded; in addition, any development in the vicinity of the meeting of the Swan River with the Dargle shall make provision for direct access between the two river banks and pedestrian access from Herbert Road.
- To resist development that would prevent or unduly restrict the long term development of a complete green route along the Dargle from Bray to Powerscourt

PROPOSED MATERIAL ALTERATION No. 9**Submissions****B13 Thomas & Valerie McMullen**

The submitters are residents of Killarney Glen. The submitters previous submission to the draft plan set down reason why a walk along the rear garden areas of Killarney Glen is impossible due to insurmountable restrictions related to; residential amenity protection; identified flooding risk; and the fact that the lands held by the Council at this location are too limited in width and location to achieve a walkway of sufficient width standard.

They reiterate that for the reasons summarised above and set out in detail in the previous submission that a River Dargle Walk from Bray Harbour to Rehills along the southern bank of the River at Killarney Glen is infeasible and better facilitated on the opposite side of the River (northern bank) utilising existing and planned crossings.

The submitters have reviewed the proposed material alterations to the Draft LAP and note that Section 7.4 'The Dargle River' of the Plan now contains the following proposed material alteration no. 9 :

"Along the River Dargle, the following objectives shall apply:

- To promote the use of the Dargle riverbank, between Bray Harbour and 'La Vallee' as a leisure and natural amenity area, through the development of a Dargle River Walk along the south bank of the river, **in agreement with affected landowners**."

The submitters also note proposed material alteration no. 15 at 'Green Infrastructure Objectives' of the LAP. This provision of obtaining agreement with the affected landowners for the River Dargle Walk appears at Green Infrastructure Objective (GI) 5 as follows;

"GI5 To promote the development of a series of major open spaces and recreational areas linked by green corridors where feasible (See map GI1), in the Bray MD area as follows:

- along the south bank of River Dargle from Bray Harbour, as far as Rehills (SLO-2) **in agreement with affected landowners;**"

The submitters further note that for reasons of recognising the requirement for Appropriate Assessment and protection of biodiversity and ecology that the Green Infrastructure Objectives of the LAP as part of proposed amendment no. 15 opens with the statement that; **"The exact route for these developments is not yet known..."**

Support of proposed material alterations nos. 9 and 15

The McMullans support the proposed material alterations no. 9 and 15 as they explicitly recognise the requirement for agreement with affected landowners for the imposition of a Walk, that itself requires permitting.

Material alterations nos. 9 and 15 do not go far enough

The McMullans, long-time residents of the area and Bray citizens who support the sustainable development of the town, in deference to the LAP recognising the requirement for detailed design of the Walk, here make the submission that the proposed material alterations 9 and 15 should be revised to include the potential of the northern river bank in order to achieve the objective a River Dargle Walk and avoid its imposition at Killarney Glen.

B15 | Stephen O'Leary

The submitter agrees with the proposed amendment. This is an improvement on the previous wording however the submitter's preference, as stated previously, is for no walkway to be implemented along the banks of the Dargle river to Rehills. This is for the following reasons:

- 1) the cost of such a scheme when limited funds are available in the county
- 2) the impact a walkway so close to the houses at Killarney Glen would have on family lives and privacy
- 3) the safety of families and property due to ongoing trespass and public order issues in the area
- 4) the safety for walkers and cyclists on a path that would be less than 3 feet wide in parts

B16 | Alan & Nicola Ralph

The submitters wish to support the change of wording proposed. The submitters' family home backs onto the River Dargle's south bank and in their previous email of 10-09-2017 they outlined their concerns about the proposed walkway and its proximity to their home, from a safety and privacy perspective.

Despite the considerable stress and other implications of the 10 years of the flood defence process, they have always strived to work in an open and cooperative way with the Council and their agents.

Opinion of Chief Executive

This alteration was proposed by the Elected Members at the County Council meeting in January 2018.

The Chief Executive **does not** support this alteration for the following reasons:

- The Council will always endeavour to achieve its objectives through cooperation with the public and especially those who are most affected by proposals. However, the Council works in the interest of the common good and is tasked to provide services to all in society, and this aim should not be unduly constrained by a limited number of individuals who might, for example, object to a particular project.
- Furthermore, it is considered that the proposed alteration is somewhat vague in that it is not clear who is meant by 'affected landowners'; does this refer to those that own land for example that is needed to achieve a particular objective or simply those who own land in the vicinity of the project? To require agreement for example from landowners close to a project that is on Council owned land would undoubtedly stymie the delivery of essential and important services and projects.

With regard to the issue of relocating the river walkway to the northern bank of the river, this issue is considered too significant to be considered at this latter stage of the plan making process. Changes that are minor in nature can only be consider at this stage.

This alteration no.9 is associated with proposed alteration no. 15 (b) Additional text to GI5, the Chief Executive recommends to **not** make both Proposed Material Alterations No 9 and No. 15 (b).

Recommendation of Chief Executive

To **not** make Proposed Material Alteration No.9

PROPOSED MATERIAL ALTERATION No. 10

8.1 Roads & transportation

While the overarching rationale for the production of a development plan is to guide land-use, the integration of good land use planning with transportation is a key that can unlock significant improvements in the quality of life, in ways that are tangible to many in the District, who have long identified car dependency and commuting as being a major drawback to living in the area. Reducing the need to travel long distances by private car, and increasing the use of sustainable and healthy alternatives, can bring multiple benefits to both our environment and communities.

The Council will continue to provide for all components of the transportation system which are within its own remit and will encourage and facilitate the development of those other elements provided by external agencies, such as the National Transport Authority (NTA) and Transport Infrastructure Ireland (TII, made up of the former NRA and RPA). In addition the strategy and objectives of this plan are required to be consistent with the transport strategy of the NTA.

It is therefore the strategy of this plan to craft land use policies to produce settlements of such form and layout that facilitates and encourages sustainable forms of movement and transport, prioritising walking, cycling and ~~bus transport~~ public transport. In this regard, the Council is particularly guided by the strategies and objectives of the transport authorities, namely the National Transport ~~Agency~~ Authority and Transport Infrastructure Ireland. At the time of the publication of this draft plan, a number of transport studies had been completed or were in train that directly affect the Bray MD area, in particular:

- NTA Greater Dublin Area Transport Strategy 2016-2025
- TII M11/N11 Corridor Study (April 2017)
- ~~Local Transport Plan for~~ Bray & Environs Local Transport Study (NTA, in progress)

In particular, this plan has been crafted with the following goals in mind:

- To promote development that facilitates the delivery of improved local transport links within towns (such as feeder buses to train stations), between towns and in rural areas;
- To promote development that delivers improvements to public transport services, in particular the upgrading of the Dublin – Rosslare train line, improved DART Services, bringing the LUAS or other mass transit to Bray and Fassaroe and the development of improved bus services;
- To allow for the improvement or provision of new walking and cycling facilities throughout the District;
- To facilitate the improvement of the existing road network, ~~to remove bottlenecks and increase free flow;~~ to maximise the number of people who can move within the Municipal District and between the Municipal District and other centres of population and activity;
- To improve east – west linkages in the District particularly by walking, cycling and public transport; and
- To improve facilities for pedestrians and access for people with special mobility needs.

PROPOSED MATERIAL ALTERATION No. 10

Submissions	
A2	NTA
The NTA are satisfied that their recommendations made in their submission on the draft plan have been taken on board, insofar as they relate to public transport, walking and cycling and regional and local roads.	
Opinion of Chief Executive	
The Chief Executive notes the opinion of the NTA.	
This proposed alteration was recommended by the Chief Executive in his previous report and is still recommended.	
Recommendation of Chief Executive	
To proceed to make Proposed Material Alteration No.10	

PROPOSED MATERIAL ALTERATION No. 11

8.1.2 Public Transport

Wicklow County Council recognises the progress made in the national public transport network over the past number of years, while acknowledging that deficiencies still exist within the Bray Municipal District and the wider County.

The key to getting people out of their cars and into public transport is to have a reliable, convenient, frequent and fast service available, that brings people to the places they want to go, and in the case of the Bray MD this will primarily mean into (1) Bray town centre, to the transport hub at Bray train station and the main employment zones in Bray that are outside the town centre, such as along the Southern Cross Road and (2) Dublin, namely Dublin city centre, Sandyford and the M50 ring (~~pending the rebalancing of employment and retail opportunities into Wicklow~~).

While Wicklow County Council is not itself a public transport provider, and cannot force providers to deliver services in any particular area, development plans can put in place the necessary policy framework to encourage and facilitate the improvement of public transport.

Public Transport Objectives

PT2 ~~To support the NTA in the crafting of a Local Transport Plan for the Bray area and to facilitate the implementation of measures contained therein.~~ To support and facilitate the implementation of measures to improve overall accessibility, public transport and walking / cycling opportunities within the Municipal District and between the Municipal District and other centres of population and activity identified in the Bray and Environs Local Transport Study, currently being undertaken by the NTA, Wicklow County Council and TII.

PT7 To promote the delivery of improved and new bus services both in and out of the District but also within the District by:

- facilitating the needs of existing or new bus providers with regard to bus stops and garaging facilities (although unnecessary duplication of bus stops on the same routes / roads will not be permitted);
- **facilitating the provision of bus priority where a requirement for such is identified by the NTA;**
- requiring the developers of large-scale new employment and residential developments in Bray that are distant (more than 2km) from train / LUAS stations to fund / provide feeder bus services until public bus services have been extended to that location.

PROPOSED MATERIAL ALTERATION No. 11

Submissions	
A2	NTA
The NTA are satisfied that their recommendations made in their submission on the draft plan have been taken on board, insofar as they relate to public transport, walking and cycling and regional and local roads.	
A6	TII
TII acknowledges the commitment in proposed revisions to Objective PT2 to support and facilitate the implementation of measures identified in the Bray and Environs Local Transport Study, currently being undertaken by the NTA, Wicklow County Council and TII.	
As outlined in TII's initial submission of the Draft Plan, it is considered essential that the Local Area Plan is fully informed and, if necessary, amended to reflect the Bray and Environs Local Transport Study in relation to location, and quantum of lands zoned for development, necessary improvements and interventions and phasing proposals prior to the adoption of the plan. This remains the position of TII. The Councils commitment to supporting and facilitating the implementation of measures identified in the Study, outlined in Proposed Material Alteration No. 30 is acknowledged.	

Opinion of Chief Executive

The Chief Executive notes the opinion of the NTA.

With respect to the submission from the TII, the Chief Executive notes that the purpose of the NTA's Bray and Environs Local Transport Study is *'to identify the appropriate transport solutions for the area which will allow development to occur in line with the objectives of the Regional Planning Guidelines'¹²* and NOT to dictate or even advise the Local Authority with respect to the *'location, and quantum of lands zoned for development, necessary improvements and interventions and phasing proposals prior to the adoption of the plan'* as is suggested in this submission.

This proposed alteration was recommended by the Chief Executive in his previous report and is still recommended.

Recommendation of Chief Executive

To proceed to make Proposed Material Alteration No.11

¹² As per the Preliminary Draft Bray and Environs Transport Study (unpublished to date)

PROPOSED MATERIAL ALTERATION No. 12

8.1.3 Cycling and Walking

There are a number of factors that will influence whether one will walk or cycle to a destination (rather than taking the car), including distance, weather, safety, topography, bicycle parking facilities and the availability of car parking at the destination. A land-use plan cannot influence many of these factors, but through the implementation of the following objectives, it is intended that facilities will be significantly improved, thereby promoting these forms of transport.

Cycling and Walking Objectives

CW1 To improve existing or provide new foot and cycleways on existing public roads, as funding allows, and to facilitate the development of a cycling and walking amenity routes throughout the District **in accordance with the NTA's "Permeability Best Practice Guide"** including foot and cycleways off road (e.g. through open spaces, along established rights-of-way etc), in order to achieve the most direct route to the principal destination (be that town centre, schools, community facilities or transport nodes), while ensuring that personal safety, particularly at night time, is of the utmost priority.

CW2 To require all new regional and local roads to include foot and cycleways, except in cases where shared road space is provided¹³.

CW3 To continue to cooperate with the NTA in the implementation of the Greater Dublin Area Cycling Network Plan

CW4 To ensure that cycle infrastructure provided in the Bray MD is delivered in a manner consistent with the National Cycle Manual

PROPOSED MATERIAL ALTERATION No. 12

Submissions	
A2	NTA
The NTA are satisfied that their recommendations made in their submission on the draft plan have been taken on board, insofar as they relate to public transport, walking and cycling and regional and local roads.	
Opinion of Chief Executive	
The Chief Executive notes the opinion of the NTA.	
This proposed alteration was recommended by the Chief Executive in his previous report and is still recommended.	
Recommendation of Chief Executive	
To proceed to make Proposed Material Alteration No.12	

¹³ Streets where real and perceived barriers to movement within and between modes of transport are removed to promote improved interaction between users in a safe and traffic calmed environment.

PROPOSED MATERIAL ALTERATION No. 13

8.1.4 Public Roads

Objectives for regional and local roads

- To maintain / upgrade and provide new regional and local routes as may be necessary, in accordance with the Principles of Road Development as set out in Section 5.8.3 of the Transport Strategy with overall objective to:
 - Develop orbital roads around town centres accompanied by and facilitating enhanced public transport, cycling and pedestrian facilities in the relevant centre
 - Develop appropriate road links to service development areas
 - Enhance pedestrian and cycle safety through the provision of safer road junctions, improved pedestrian crossing facilities and the incorporation of appropriate cycle measures including signalised crossings where necessary;
 - Address localised traffic delay locations, in cases where the primary reason for intervention is to address safety or public transport issues at such locations;
 - Implement various junction improvements and local reconfigurations on the regional and local road network.

Regional Roads: Regional roads play a key role in the future development of the District, by linking the principal towns and villages to each other, serving local traffic and providing access to the national road network within the County.

Local Roads: Local roads provide the principal circulation networks through the District, meeting the needs of local journeys and providing connections to higher order routes. The 'Design Manual for Urban Roads and Street's (March 2013) set out the following street hierarchy and functions for roads within urban areas:

Arterial Routes: These are the major routes via which major centres/nodes are connected. They may also include orbital or cross metropolitan routes within cites and larger towns.

Link Roads: These provide the links to *Arterial* streets, or between *Centres*, *Neighbourhoods*, and/or *Suburbs*.

Local Roads: These are the streets that provide access within communities and to *Arterial* and *Link roads*.

Rural local roads serve an important function providing access to rural properties and agricultural lands within the countryside while also providing linkages to regional and local collector roads.

PROPOSED MATERIAL ALTERATION No. 13

Submissions
NTA
The NTA are satisfied that their recommendations made in their submission on the draft plan have been taken on board, insofar as they relate to public transport, walking and cycling and regional and local roads.
Opinion of Chief Executive
The Chief Executive notes the opinion of the NTA.
This proposed alteration was recommended by the Chief Executive in his previous report and is still recommended.
Recommendation of Chief Executive
To proceed to make Proposed Material Alteration No.13

PROPOSED MATERIAL ALTERATION No. 14

9.1 Architectural Heritage

Record of Protected Structures: A 'protected structure' is any structure or specified part of a structure, which is included in the RPS. The purpose of the RPS is to protect structures, or parts of structures, which form part of the architectural heritage and which are of special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest. Every development plan shall include a record of protected structures, and shall include in that record every structure which is, in the opinion of the planning authority, of such interest within its functional area.

The placing of a structure on the RPS seeks to ensure that the character and interest of the structure is maintained and any changes or alterations to it are carried out in such a way as to retain and enhance that character and interest. The inclusion of a structure in the RPS confers certain responsibilities upon the owner of the structure and requires that planning permission be sought for any changes or alterations to the structure. The definition of a 'structure' or 'a specified part of a structure' for the purpose of the RPS includes "the interior of the structure; the land lying within the curtilage of the structure; any other structures lying within the curtilage of that structure and their interiors; and all fixtures and features which form part of the interior or exterior of the structure". From the date of notification of an intention to include a structure in the RPS, the owner has a duty to protect that structure from endangerment. The Council may, on receipt of a written request from the owner or occupier of a protected structure, issue a declaration under Section 57 of the Planning and Development Act 2000 (as amended), outlining certain works it considers would not materially affect the character and interest of the protected structure and which are, therefore, exempted from the requirement for planning permission. Any works that would materially affect the character and interest of a structure require planning permission. In general works to a protected structure should comply with the [statutory guidelines as set out in the 'Architectural Heritage Protection Guidelines for Planning Authorities' \(2004, 2011\) from the Department.](#)

AH5 To maintain and protect the nationally significant demesne settings of the Powerscourt Estate and Kilruddery House, and to require all development proposals within or directly adjoining these demesnes to fully evaluate and address any impacts of the setting and character [of the demesne.](#)

PROPOSED MATERIAL ALTERATION No. 14

No submissions

Opinion of Chief Executive

This proposed alteration was recommended by the Chief Executive in his previous report and is still recommended.

Recommendation of Chief Executive

To proceed to make Proposed Material Alteration No.14

PROPOSED MATERIAL ALTERATION No. 15

9.3 Green Infrastructure & Recreational Use of Natural Resources

Green Infrastructure Objectives

- GI4** To promote the preservation of trees, groups of trees or woodlands in particular native tree species, and those trees associated with demesne planting, **where considered to be viable, safe and in line with sound arboricultural management**, in the interest of amenity or the environmental, as set out in the Heritage Schedules of this plan.
- GI5** To promote the development of a series of major open spaces and recreational areas linked by green corridors where feasible (See map GI1), in the Bray MD area as follows:
- along the south bank of River Dargle from Bray Harbour, as far as Rehills (SLO-2) **in agreement with affected landowners**;
 - on the former Bray golf course lands / Ravenswell Road, linked to harbour and north beach to the east and the People's Park to the west ;
 - From Bray Head, down to the Esplanade, and up through Bray Harbour, to the north beach;
 - On the Kilruddery estate as part of SLO-1 linking along the Swan River, through the OS to the west of Hollybrook Park; from the Bray SCR, through lands zoned for employment use onto the Boghall Road; continuing through new and proposed residential areas onto Herbert Road and onto the River Dargle; in particular, (a) any new development at or in the vicinity of Oldcourt House shall make provision for the continuation of the green corridor between Giltspur Brook and Rycroft; (b) any infill development along Herbert road adjacent to the green corridor shall make provision for green link between Herbert Road and the Dargle corridor.
 - In the new development zone of Fassaroe west of the N11, linking river valleys to the north and south of the action area ;
 - A linked area from Enniskerry GAA, through the open space in Action Area 2, connecting to Knocksink Wood / Glencullen River, through the Bogmeadow recreational area, and onto the Cookstown River.

The exact route for these developments is not yet known so detailed ecological assessment for impacts on important ecological features, including general ecological impact assessment and specifically Appropriate Assessment, is best carried out when these routes are designed. The detailed design of these schemes will need to take into account the relevant ecological features in proximity to the proposed routes and the potential for impacts arising from the routes will need to be taken into account including both construction and operational phases.

PROPOSED MATERIAL ALTERATION No. 15

For Clarification this alteration has been broken into two parts

15 (a) Additional text to GI4 and the last paragraph of new text in section 9.3.

15 (b) Additional text to GI5.

Submissions

A4 | Minister for Culture, Heritage & The Gaeltacht

The Department previously commented on the Draft Plan. A number of concerns were addressed regarding possible negative impacts on the natural heritage and/or European sites from greenways, roads and residential development. The current documents sent to this Department consist of proposed material alterations to the draft LAP and it is not clear that the concerns of this Department have been adequately dealt with.

Where there have been amendments to deal with some of the above concerns the result appears to push the assessment to project level.

For proposed material alteration no. 15, with regard to possible impacts on Knocksink Wood SAC and Nature Reserve, the route selection and assessments have been pushed down to project level.

While this Department acknowledges that detailed assessments and route selection will have to be left to project level, it should also be possible to carry out assessments at Plan level. Such an assessment could flag options that are not viable. The absence of such assessments not only raises doubts as to the adequacy of the original NIR, but could also pose a risk to projects.

B13 | [Thomas & Valerie McMullen](#)

The submitters are residents of Killarney Glen.

The submitters previous submission to the draft plan set down reason why a walk along the rear garden areas of Killarney Glen is impossible due to insurmountable restrictions to related to; residential amenity protection; identified flooding risk; and the fact that the lands held by the Council at this location are too limited in width and location to achieve a walkway of sufficient width standard.

They reiterate that for the reasons summarised above and set out in detail in the previous submission that a River Dargle Walk from Bray Harbour to Rehills along the southern bank of the River at Killarney Glen is infeasible and better facilitated on the opposite side of the River (northern bank) utilising existing and planned crossings.

The submitters have reviewed the proposed material alterations to the Draft LAP and note that Section 7.4 'The Dargle River' of the Plan now contains the following proposed material alteration no. 9 :

"Along the River Dargle, the following objectives shall apply:

- To promote the use of the Dargle riverbank, between Bray Harbour and 'La Vallee' as a leisure and natural amenity area, through the development of a Dargle River Walk along the south bank of the river, **in agreement with affected landowners."**

The submitters also note proposed material alteration no. 15 at 'Green Infrastructure Objectives' of the LAP. This provision of obtaining agreement with the affected landowners for the River Dargle Walk appears at Green Infrastructure Objective (GI) 5 as follows;

"GI5 To promote the development of a series of major open spaces and recreational areas linked by green corridors where feasible (See map GI1), in the Bray MD area as follows:

- along the south bank of River Dargle from Bray Harbour, as far as Rehills (SLO-2) **in agreement with affected landowners;"**

The submitters further note that for reasons of recognising the requirement for Appropriate Assessment and protection of biodiversity and ecology that the Green Infrastructure Objectives of the LAP as part of proposed amendment no. 15 opens with the statement that;

"The exact route for these developments is not yet known..."

Support of proposed material alterations nos. 9 and 15

The McMullans support the proposed material alterations no. 9 and 15 as they explicitly recognise the requirement for agreement with affected landowners for the imposition of a Walk, that itself requires permitting.

Material alterations nos. 9 and 15 do not go far enough

The McMullans, long-time residents of the area and Bray citizens who support the sustainable development of the town, in deference to the LAP recognising the requirement for detailed design of the Walk, here make the submission that the proposed material alterations 9 and 15 should be revised to include the potential of the northern river bank in order to achieve the objective a River Dargle Walk and avoid its imposition at Killarney Glen.

[Opinion of Chief Executive](#)

[15 \(a\) Additional text to GI4 and the last paragraph of new text in section 9.3.](#)

This proposed alteration was recommended by the Chief Executive in his previous report and is still recommended.

The Chief Executive notes the opinion of the Minister for Culture, Heritage & The Gaeltacht, but considers the

suggestion of project specific environmental assessment / appropriate assessment of *possible* projects that *might* arise on foot of any objective of this plan to be unnecessary and unreasonable and beyond the requirements of the law in respect of SEA and AA of development plans. .

15 (b) Additional text to GI5.

This alteration was proposed by the Elected Members at the County Council meeting in January 2018.

The Chief Executive's assessment of this Proposed Alteration and submission No. B13 is as set out under Proposed Material Alteration No. 9.

This alteration no.15 (b) is associated with proposed alteration no. 9, the Chief Executive recommends to not make both Proposed Material Alterations No 9 and No. 15 (b).

Recommendation of Chief Executive

To proceed to make Proposed Material Alteration No.15 (a)

To not make Proposed Material Alteration No.15 (b)

CHAPTER 10 KEY DEVELOPMENT AREAS

PROPOSED MATERIAL ALTERATION No. 16

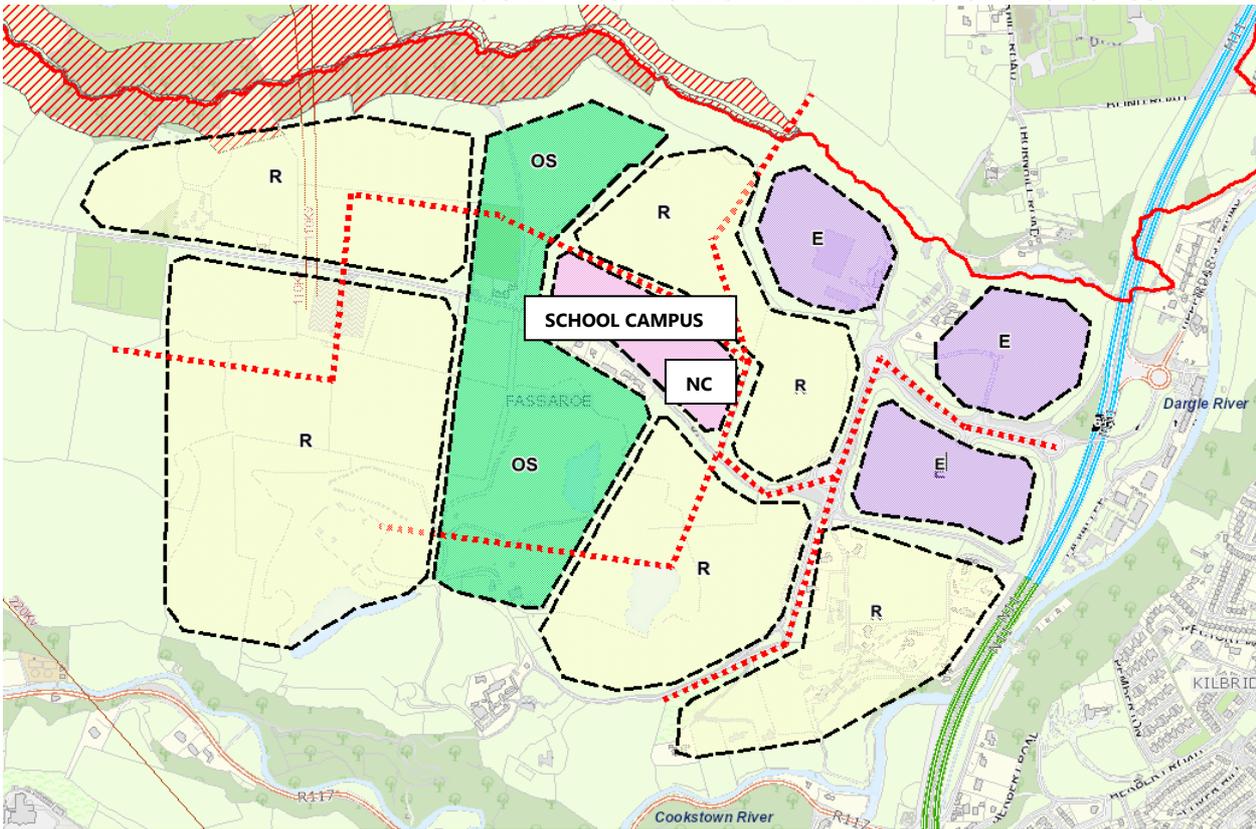
Action Area Plan 1: Fassaroe

Fassaroe is identified as the location of major development in Bray; the growth of the settlement in accordance with regional plan targets is contingent on the delivery of the major residential and community services development at this location, there being no other suitable lands in the environs of Bray for such large scale development.

While a large part of the lands that are the subject of this action area were zoned in previous plans, and on foot of such zonings, a masterplan produced and agreed, that masterplan is now moot as the development requirements and expectation for this lands has been revised in light of changed circumstances and additional research.

The 'concept plan' for Fassaroe is set out on the sketch to follow, the land use zones shown on Land Use Map No. 2 reflect this layout. Key parameters that have lead to this concept include:

- Existence of a Natura 2000 site along the northern boundary (Ballyman Glen SAC); development will be suitably set back from this site and lands reserved for passive open uses;
- The necessity of a link road through the area from Bray directly to Enniskerry; the provision of such a road could provide an alternative link to Enniskerry, allow for adjustment to the existing main access road to Enniskerry from the N11, the R117;
- While plans for LUAS extension to Bray have undergone a number of revisions, the plan should retain the possibility of LUAS extension to and stabling in Fassaroe;
- The area will require a new, central 'village centre' which will provide for both the retail and services needs of the resident population but will also include a school campus;
- The need for a significant new open space facility to serve both the future residents of the area and the wider area; significant parts of the area were formerly used for aggregate extraction and for land filling and such areas are considered optimal for such use.



The Action Area Plan and development that will arise therefore shall comply with the following objectives:

12. Development shall be carried out in phases in the following manner

~~Phase 1—Generally to the east of the major open space shown on the concept plan above; any proposed development to the west shall only occur in tandem with significant development to the east of the OS; Shall include the ‘village centre’ and at a minimum the reservation of a site for a school campus, the scale of which reservation shall be agreed with the Department of Education and Skills Three more easterly blocks of ‘new residential’ development The agreement of the design of the major open space and a delivery programme for same with all relevant stakeholders~~

~~Phase 2—Generally to the west of the major open space shown on the sketch No residential development may commence until the delivery programme for the major open space is well underway and will be completed by the time housing units are ready for occupation~~

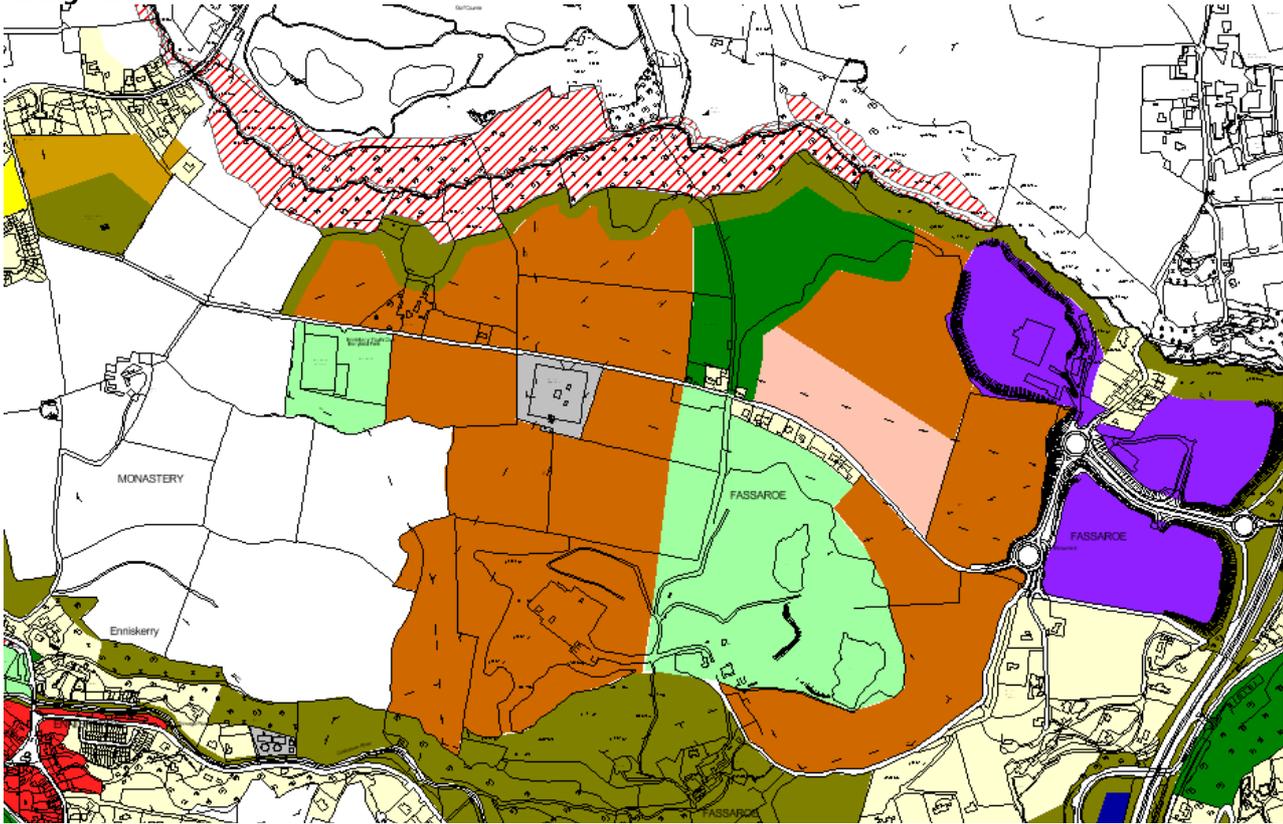
Phase 1	<ul style="list-style-type: none"> o Road link from N11 to Ballyman Road o Passive park (minimum of 8ha) o Active Open Space / Sports Zone (minimum of 14 ha) o Site identified and reserved for school campus o Neighbourhood Centre o 1,500 residential units
Phase 2	<ul style="list-style-type: none"> o 1,500 residential units
Phase 3	<ul style="list-style-type: none"> o Identification and reservation of site for additional primary school o Remainder of residential units

13. The development of this area shall include the provision of an access road from the N11 to Ballyman Road; the scale of such a route shall reflect its primary function as a service road for a new neighbourhood, rather than that of a 'by-pass'; the design and location of this route shall not affect the functionality of the major open space as a single park and an innovative design solution where park crossing is necessary will be required;

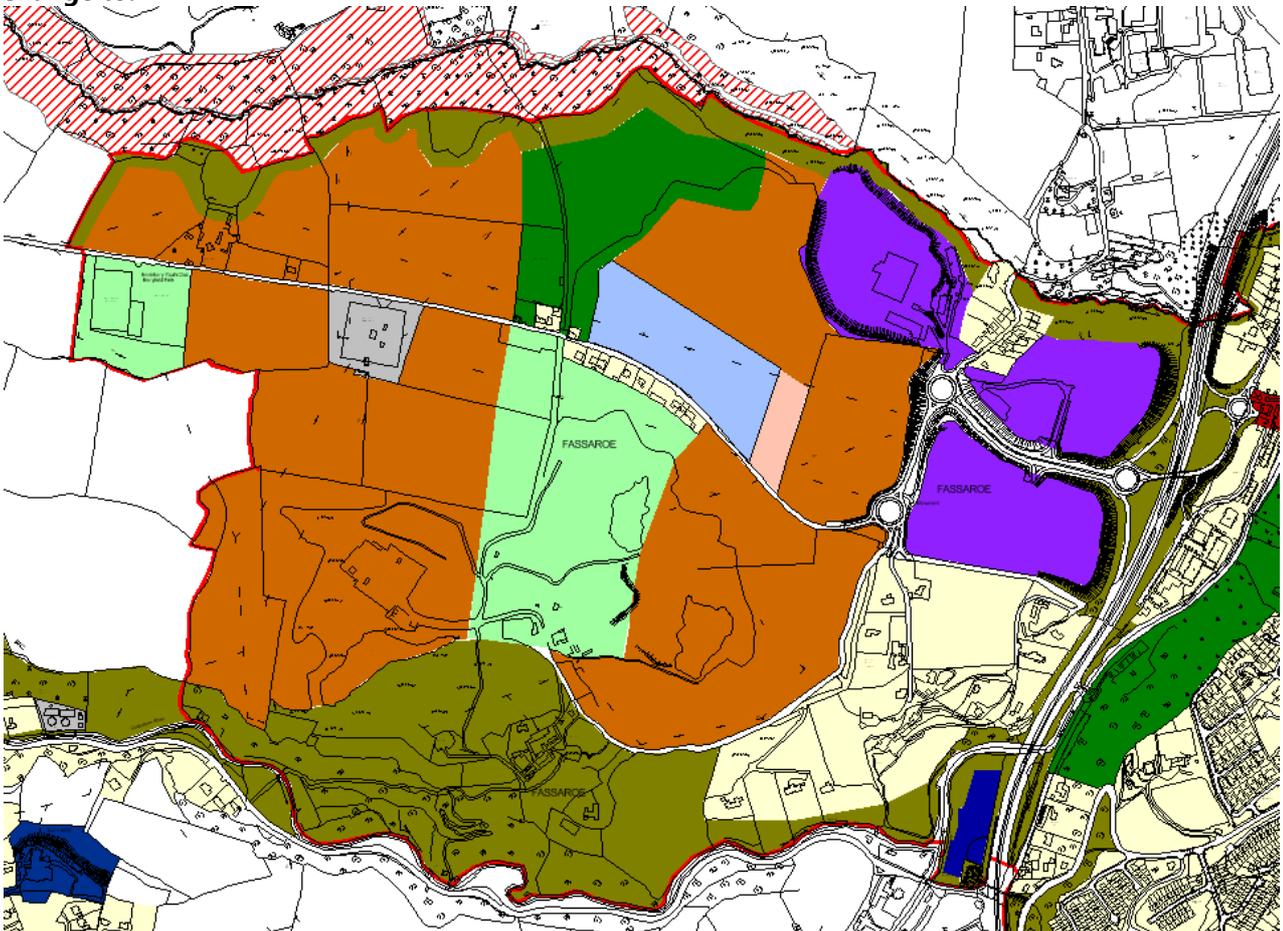
14. Provision shall be made for a north – south link route from the new distributor road to cross Ballyman Glen and continue in County Dublin and link up with old Conna Avenue. The nature and function of this link i.e. the type of traffic it will carry (vehicles / pedestrian / cyclist / light rail) shall be determined at application stage, following consultation with the transport agencies and the neighbouring local authority.
15. The development of this area shall make provision for LUAS or other mass transit public transport services, and any necessary infrastructure such as depots / stabling.
16. All new development shall be accompanied by appropriate transport services, the format and scale of which shall be in accordance with the Bray and Environs Local Transport Plan (to be carried out by the NTA in collaboration with Wicklow County Council and Transport Infrastructure Ireland). Developers shall be responsible for the provision and funding of the required transport services until such a time as public services are extended to the area.
17. The scale of the **village neighbourhood** centre shall be in accordance with the retail floorspace objectives of the County Retail Strategy; as well as shopping this centre shall include a range of retail and commercial services as well as community facilities, in order to create a vibrant heart of this new community; all uses shall be serviced by wide pedestrian streets and squares (to allow for outdoor uses), and while the new distributor road through the site should provide access to the village centre, neither the road nor significant car parking areas shall dominate the centre or be located directly along the frontage of buildings. **The area to be dedicated to retail, retail services, commercial / community use shall not be expected to exceed 1ha; residential development will be expected to be interspersed through this area, particularly on upper floors, of the order of 75 units. Single storey supermarkets will not be permitted; retail uses shall be integrated into a larger overall mixed use development.**
18. Lands **immediately west of the** ~~in the~~ designated '**village neighbourhood** centre' shall be reserved for the future development of a multi school campus; **in the event that further schools are required, these shall be located** ~~to the west of the major open space~~ **at an appropriate location** on residentially zoned land.
19. The '**village neighbourhood** centre' zone and major park shall be accessible to all areas by high quality, direct and safe pedestrian and cycle routes;
20. Lands of not less than ~~20ha~~ **22ha** shall be laid out and dedicated to parks and active / sports uses (this corresponds to land use zones OS1 and AOS, but not OS2). Lands identified as OS2 generally comprise open, undeveloped lands encompassing flood plains, buffer zones along watercourses, rivers and Natura 2000 sites, steep banks, green breaks between built up areas, green corridors and areas of natural biodiversity. These lands are generally not considered suitable for new development, including for park use, and shall not be included in the required 20ha major open space.
21. All development proposals within the Fassaroe Action Area shall take cognisance of the requirement to maintain the rate, quality and general areas where groundwater recharge occurs in order to maintain or enhance the recharge supplying the groundwater-dependent habitats of Ballyman Glen SAC. This shall be **through the review of existing hydrogeological assessment(s) and the carrying out of new hydrogeological assessment to inform the development of** ~~achieved by the use of~~ an appropriate SuDS system(s) ~~developed~~ throughout any development site and taking into account the cumulative in-combination impact of other development.
22. **Private Open Space for houses at Fassaroe shall not be subject to the standard requirements set out in the County Development Plan. However, private open space will be provided as follows:**
 - For 1 or 2 bedroom houses a minimum of 50 sqm
 - 3 bedroom houses to have a minimum of 60 sqm
 - 4 bedroom (or more) houses to have a minimum of 75 sqm.

PROPOSED MATERIAL ALTERATION No. 16 (associated map change)

Change from:



Change to:



Proposed Material Alteration No. 16 above necessitates the following consequential changes:**Change consequent 16 (i)**

Alteration to Table 3.1 in Chapter 3 will be required on foot of this proposed Material Alteration (see p73 to follow)

PROPOSED MATERIAL ALTERATION No. 16

Submissions							
A4	Minister for Culture, Heritage & The Gaeltacht						
<p>The Department previously commented on the Draft Plan. A number of concerns were addressed regarding possible negative impacts on the natural heritage and/or European sites from greenways, roads and residential development. The current documents sent to this Department consist of proposed material alterations to the draft LAP and it is not clear that the concerns of this Department have been adequately dealt with.</p> <p>Where there have been amendments to deal with some of the above concerns the result appears to push the assessment to project level.</p> <p>For example material alteration no. 16 proposes a review of the existing hydrogeological assessments and carrying out a new hydrogeological assessment(s) to inform the development of appropriate SUDS system(s) at Fassaroe to protect Ballyman SAC. This Department would have expected that adequate assessments would have taken place before any decision to zone the area for development in order to remove any risk that it could not be developed due to impacts on groundwater.</p> <p>While this Department acknowledges that detailed assessments and route selection will have to be left to project level, it should also be possible to carry out assessments at Plan level. Such an assessment could flag options that are not viable. The absence of such assessments not only raises doubts as to the adequacy of the original NIR, but could also pose a risk to projects.</p>							
A6	TII						
<p>In relation to phasing proposals included in the proposed material alteration, TII recommends review of proposals in the context of the NTA's Bray and Environs Local Transport Study which is currently being undertaken. TII also notes the associated amendment to Table 3.1 which indicates additional housing provision for Fassaroe. TII considers that the location, and quantum of lands zoned for development, necessary improvements and interventions and phasing proposals should be fully informed and, if necessary, amended to reflect the Bray and Environs Local Transport Study.</p>							
B1	Cosgrave Property Group (CPG)						
<p>This submission relates to the proposed material alteration to the proposed phasing for development on lands at Fassaroe. Cosgrave Property Group are one of the owners of lands within the Fassaroe area. The reason for this submission is grounded in practical implications of open space aspects of the proposed revised phasing, multiple landownership within the overall lands and the practical difficulties it would present for the development management process and the content of future phased planning applications for the lands.</p> <p>The current proposed phasing for the lands at Fassaroe under the proposed material alterations is as follows:</p> <table border="1"> <tbody> <tr> <td>Phase 1</td> <td> <ul style="list-style-type: none"> o Road link from N11 to Ballyman Road o Passive park (minimum of 8ha) o Active Open Space / Sports Zone (minimum of 14 ha) o Site identified and reserved for school campus o Neighbourhood Centre o 1,500 residential units </td> </tr> <tr> <td>Phase 2</td> <td> <ul style="list-style-type: none"> o 1,500 residential units </td> </tr> <tr> <td>Phase 3</td> <td> <ul style="list-style-type: none"> o Identification and reservation of site for additional primary school o Remainder of residential units </td> </tr> </tbody> </table>		Phase 1	<ul style="list-style-type: none"> o Road link from N11 to Ballyman Road o Passive park (minimum of 8ha) o Active Open Space / Sports Zone (minimum of 14 ha) o Site identified and reserved for school campus o Neighbourhood Centre o 1,500 residential units 	Phase 2	<ul style="list-style-type: none"> o 1,500 residential units 	Phase 3	<ul style="list-style-type: none"> o Identification and reservation of site for additional primary school o Remainder of residential units
Phase 1	<ul style="list-style-type: none"> o Road link from N11 to Ballyman Road o Passive park (minimum of 8ha) o Active Open Space / Sports Zone (minimum of 14 ha) o Site identified and reserved for school campus o Neighbourhood Centre o 1,500 residential units 						
Phase 2	<ul style="list-style-type: none"> o 1,500 residential units 						
Phase 3	<ul style="list-style-type: none"> o Identification and reservation of site for additional primary school o Remainder of residential units 						

It is noted that the general proposed approach to phasing was recommended to be revised from the approach set out in the original draft LAP by the Chief Executive in his Report of November 2017. The recommendation of the Chief Executive was for three phases of development – generally as outlined above – but with the delivery of 8ha of passive park in Phase 1; 50% of the active open space proposed in Phase 2; and 50% in Phase 3. The final form of the proposed material amendment for Phasing as now proposed was determined on foot of discussions and voting by the elected representatives.

The submitters confirm that in general they support the three phase approach and the general development and infrastructural content of each phase. It is noted however that due to the nature of landownership at Fassaroe there are practical impediments to the implementation by developers of both 8ha of passive park and a full 14 ha of active open space all within the first development phase. In practice, permission for these parks will be secured and implemented by developers through the development management process, and it noted that no single landowner at Fassaroe would be in a position to deliver 22ha of open space in total within Phase 1. For example, while CPG is in a position to provide all other elements of the identified Phase 1 development, infrastructure and passive open space, it could deliver only on a small portion of the total 14ha of Active Open Space at Fassaroe, as it does not have ownership of same. It would require agreement from third party landowners outside the control of CPG. Furthermore, neither the Draft LAP nor planning legislation provides any mechanism to acquire such agreement. Accordingly it would not be possible to implement Phase 1 as suggested.

The reasonable and equitable approach to delivery of major open space is to proportionately link its delivery to the phased delivery of housing. Indeed, this is the approach to open space delivery enshrined in the Wicklow County Development Plan 2016 – 2022. We refer for instance to objective CD43 which is *“to require open space to be provided in tandem with new residential development (in accordance with the standards set out in the Development & Design Standards Appendix)”*. This objective is carried through in practical terms to the development standards for planning applications also set out in the County Development Plan. As the Planning Authority is also aware, under section 19(2) of the Planning and Development Act 2000 as amended, a local area plan must be consistent with the objectives of the County Development Plan.

In order to comply with the overall objectives of the County Development Plan to deliver open space in tandem with residential development, and also to facilitate the practical implementation of the LAP, the submitters request that the phasing proposals be amended to proportionately link open space delivery with residential delivery. In this regard it is noted that the proposed LAP now provides for a total of 4,040 residential units in Fassaroe and for 22 ha of passive park / active open space provision. The proportionate open space for each phase then would be as follows:

Phase	No. Units	% of total Residential	Equivalent Proportionate Open Space
1	1,500	37%	8 ha
2	1,500	37%	8 ha
3	1,040	26%	6 ha
	4,040	100%	14 ha

The suggested revised phasing table then would be as follows:

Phase 1	<ul style="list-style-type: none"> o Road link from N11 to Ballyman Road o Passive park (minimum of 8ha) o Site identified and reserved for school campus o Neighbourhood Centre o 1,500 residential units
Phase 2	<ul style="list-style-type: none"> o Active Open Space / Sports Zone (minimum of 8 ha) o 1,500 residential units
Phase 3	<ul style="list-style-type: none"> o Identification and reservation of site for additional primary school o Remainder of Active Open Space / Sports Zone (to reach total of 14ha) o Remainder of residential units

It is acknowledged that this proposal is similar to the approach that had been proposed in the report of the Chief Executive November 2017. We respectfully submit that the general approach set out in the recommendations of the Chief Executive in November 2017 had regard to:

- a) Practical realities of landownership at Fassaroe and the planning application processes by different landowners which will give effect to the objectives of the plan;
- b) Need to adopt a plan with some degree of flexibility to ensure future applications can comply with the provisions of the LAP; and
- c) Statutory requirement for LAP to be inconsistent with objectives of the County Development Plan.

While the phasing now proposed above would still achieve these important requirements, it would more accurately rebalance the open space and residential provision in Phases 2 and 3 than that set out in the Chief Executives Report of November 2017; and would also provide for the increase from 20 ha of combined passive and active open space as originally proposed to 22 ha in total as voted for at a Council meeting in January 2018.

The submitters hope that Wicklow County Council will recognise the practical implications and value of making this proposed revision to the LAP. It will ensure the delivery of the same amount of open space at Fassaroe as that required under the published draft material alterations, but will allow it to be brought forward in an orderly and equitable manner in accordance with the general objectives set out in the Wicklow County Development Plan.

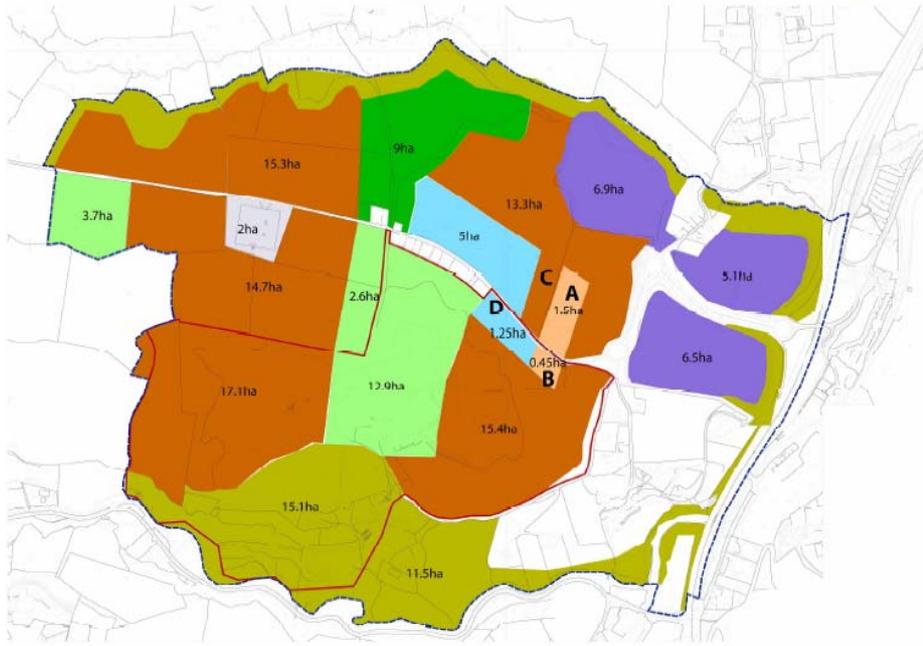
B2 | **CRH Estates Ltd (CRHE)**

1. Zoning

The zoning proposed in the material amendments requires alterations to facilitate the development of the lands. These include:

- A) Relocate Neighbourhood Centre zoning to the east of its current position to reflect the optimal location for the centre and critical urban structure (roads, water, waste, light rail reservation etc.). This is also required to reflect the current development proposal by Cosgrave Property Group (CPG) (under judicial review).
- B) Extend the Neighbourhood Centre zoning to the south of Berryfield Lane to allow for independent provision of local services to serve the development of the CRHE-owned lands, if so required. An area of approximately 0.3ha – 0.5ha would suffice. This zoning could accommodate a mixed use development comprising between 1,000sqm and 1,500sqm of commercial floor space and approximately 25 residential units.
- C) The area previously zoned in the material amendments as the Neighbourhood Centre (north of Berryfield Lane - 1.2ha.) should be rezoned to Residential use to compensate for the relocation of the Neighbourhood Centre zoning). This would also provide an appropriate zoning adjacent to the neighbourhood centre and a transition to the Education zoning, immediately to the west. The Educational zoning would remain as set out in the Material Alterations, retaining frontage to the Open Space zoning to its west.
- D) New educational zoning (primary school) in lands south of Berryfield Lane (CRHE-owned) and adjoining proposed Active Open Space and Neighbourhood Centre zonings

The proposed amendments to the zoning are shown in figure included in submission (below). The zoning diagram in the material amendments will need to be amended to reflect zoning changes.



2. Phasing

The phasing proposed is inconsistently described in the document. It is also considered too general in nature leaving uncertainty about the location and timing of key pieces of local infrastructure. Of great concern is that the current proposed phasing and zoning would, in effect, hinder the development of the two major land holdings (CRH Estates (CRHE) and the Cosgrave Property Group (CPG) lands) independently of each other.

The Fassaroe lands comprise two large land holdings and these should be zoned and phased in such a way as to allow either or both to progress in delivering development and the necessary local infrastructure. It is imperative that the phasing and zoning is amended to facilitate this.

In terms of specifics, the key concerns are that:

- i) The phasing is inconsistently described in Chapter 10 and Appendix D. The zoning schedule in Chapter 10 (p.27) is at variance with Appendix D (p.58). Phase one of the schedule in Chapter 10 includes 'Active Open Space/Sports Zone (minimum 14ha)'. This is absent from the same schedule in Appendix D.
- ii) Phase One development would require the delivery of the vast bulk of the physical and social infrastructure in order to release the first tranche of residential development (1,500 units). All of these elements, with the exception of the Active Open Space, would be located on the CPG lands. This means that development of the CRHE-owned lands cannot commence without the parallel provision of key infrastructure on the CPG-owned lands. Conversely, development of the CPG-owned lands cannot proceed without the development of the Active Open Space, which is located at the heart of the CRHE lands.
- iii) Significant infrastructural provision for additional educational facilities (primary school) and LUAS depot and stabling are not factored into the phasing and zoning in the Draft LAP. Both should be identified, zoned and given a potential phasing at this key planning stage.
- iv) Delivery phases for the LAP are included in Appendix D of the Proposed Material Alterations document. Short term delivery is stated as Year 3 to Year 5. Medium term delivery is stated as Year 5 to Year 10. Long term is stated as 10 Years plus. Critical transport elements (Mass transit/LUAS to Bray, N11/M11 upgrade, and Alternative road link between N11 and Enniskerry/Ballyman link) are all listed as being delivered between 3 and 10 years (Appendix D, page 57). The timing of this transport infrastructure indicates that Phase One development in Fassaroe will be on this short to medium term timeframe.

The phasing for the LAP should be more explicit and should, as a principle, allow for the independent development of both major land holdings. The phasing should be amended as set out below and as is set out in the proposed Phasing Schedule provided in Appendix A of this document:

- A. Five phasing periods to reflect more manageable scales of development and greater certainty on parallel social and physical infrastructure provision.
- B. Each phase delivering 750 residential units, with requisite, parallel physical and social infrastructure.
- C. Provision of Phase 1 and 2 social and physical infrastructure in either, or both, major land holdings (north and/or south of Berryfield Lane). This requires alteration to the proposed zoning to include neighbourhood centre and educational zoning south of the Berryfield Lane in the CRHE-owned lands
- D. Phased provision of open space (both active and passive). Flexibility to allow the use of open space to change between active and passive to reflect the phasing and delivery of development.
- E. Provision of a civic facility (such as a local community/educational/health space or facility) in Phase 1, which could be provided north or south of Berryfield Lane in the Neighbourhood Centre.
- F. Local transport improvements and public transport services to support early phases of development

3. Infrastructure

It may not be possible for either or both major land-owners to deliver elements of local infrastructure within their own land holdings. This may, for example, apply to the provision of certain elements of open spaces, key routes or water and waste services. If this is the case, then development contributions (s.48 Planning and Development Act, 2000, as amended) can be made in lieu of their provision, in line with normal practice. A supplementary contributions scheme (s.49 Planning and Development Act, 2000, as amended) may also be contemplated by the planning authority, if key pieces of local infrastructure are provided by the local authority. This may be necessary if either landholder is not in a position to deliver key elements of the infrastructure.

B19 | RGRE J & R Valery's Ltd

This submission relates to proposed material alteration No. 16 (Action Area Plan 1: Fassaroe) with regard to the lands zoned as RE – Existing Residential within the curtilage of St. Valery's House.

1. Boundary of Fassaroe Action Area

The Action Area Plan 1: Fassaroe sets out a "Concept Plan" for the development of the area. The concept plan includes areas zoned existing residential, new residential, open space, employment and neighbourhood centre. The majority of the lands contained within the "Concept Plan" are undeveloped, therefore require an overall strategy and phasing plan for the delivery of residential and commercial development and related infrastructure within this area to facilitate future development of the lands.

The south eastern portion of lands, however, included within the "Concept Plan" to which the submitter's lands are located is zoned RE existing residential and contains a number of existing residential dwellings. Therefore the development of these lands for appropriate infill development is not reliant of the overall development strategy for the delivery of infrastructure to serve the lands in order to progress appropriate infill development.

The Draft LAP sets out development descriptions for the various zonings as set out in the LAP zoning map for the AAP1: Fassaroe area. It is clear that intention of the existing residential RE zoning is to provide for infill residential development in accordance with the existing residential properties in the area, therefore is not compatible with the overall "Concept Plan" design approach which incorporates new development on undeveloped lands.

Having regard to the zoning objectives within the "Concept Plan" area, it is respectfully submitted that the existing residential RE zoned area be omitted from the "Concept Plan" and be subject to a separate assessment of development based on the merits of the subject development site.

It should also be noted that the other area zoned RE Existing Residential within Fassaroe to the north east of the site is excluded from the "Concept Plan" therefore it is respectfully submitted that the same approach should be considered with regard to the south east portion of lands to which the submitters site is located.

2. Phasing

The phasing plan identified in proposed material amendment No. 16 sets out specific requirements for development within the "Concept Plan" Action Area Plan 1: Fassaroe.

The phasing plan sets out a clear strategy for the delivery of development within the Action Area "Concept Plan" within 3 no. phases, however the lands to which each phase relate is not set out within the plan. It is therefore

respectfully requested that the lands to which each phase relate be clearly identified.

It is also evident that the phasing is focused on the delivery of new residential and employment lands on green field lands in order to create a new neighbourhood centre. The existing residential RE zoned lands due to the zoning objective can provide for infill residential development where appropriate. As such it is considered that to tie these RE zoned lands into the "Concept Plan" as set out in the AAP1 strategy and to restrict these lands to specific phasing is an unsustainable development approach.

The existing residential infill lands should therefore not be subject to detailed phasing or infrastructure restrictions and infill residential development should be considered subject to each specific application demonstrating adequate infrastructure provision to serve its own development.

It is therefore requested that the AAP1: Fassaroe "Concept Plan" be revised to exclude the existing residential RE zoned lands in the south east portion of the AAP.

In addition, it is requested that an additional bullet point (No. 12) should be added to Action Area Plan 1: Fassaroe which states:

"12. The phasing of lands or infrastructure restrictions shall not apply to existing residential RE zoned lands within the AAP1 area subject to any proposal for development demonstrating adequate infrastructure can be provided to serve the relevant development".

B20 | **Stewart, Tessa**

This development needs 100 acres zoned for sports, recreation, a park and amenities. The recommended 40 acres is too little. The submitter walks around that area all the time, and knows there is very little space available other than the few paths provided by Coillte on the hills. Everybody needs open space to chill out in, and especially youngsters. There also needs to be a good sized sports centre for organized activities, with provision for permanent facilities for local clubs, including indoor sports for winter, such as badminton. Most essential is a good neighborhood community centre. The submitter's background is in social work, and she has seen for herself how all these facilities really can prevent antisocial problems developing.

The submitter would like to bring it to the Councillor's attention that at the back of the existing Roadstone facility in Old Fassaroe there are little hills of grey concrete rising up and being dumped on that are like a moonscape. There is no designated channel for the run off, and these hills will create a long lasting problem and difficult problem to clean up. The ground around sometimes has this grey stuff seeping into it, and possibly into the run-off into ground water, which may connect with the beautiful river flowing below this site. If it is concrete mix, as the submitter thinks it must be, it is toxic to tree roots and animal and plant life. The submitter puts forward that the public should not end up paying for cleanup of the damaged part of this site, as we have seen happen in Wicklow before.

Opinion of Chief Executive

This proposed material alteration contains a number of distinct elements, with the majority referring to the Action Area Plan criteria objectives as set out in the bullet points 1 to 11 in the proposed alteration above. It is proposed to address them in the following order:

- 1. Bullet Point 1: Phasing**
- 2. Bullet Points 6, 7 and 8: Neighbourhood Centre + zoning alteration: Neighbourhood Centre (c. 6ha) to Neighbourhood Centre (c. 1ha) plus Education zone (c. 5ha)**
- 3. Bullet Point 9: Open space**
- 4. Bullet Point 10: Environmental Assessment**
- 5. Bullet Point 11: Private Open Space**
- 6. Zoning Alteration 1: AOS to R-HD south of Berryfield Lane**

A number of submission raised additional issues that were not the subject of any of these proposed amendments. These cannot be considered at this stage of plan making.

1. Bullet Point 1. Development shall be carried out in phases in the following manner

~~Phase 1 Generally to the east of the major open space shown on the concept plan above; any proposed development to the west shall only occur in tandem with significant development to the east of the OS; Shall include the 'village centre' and at a minimum the reservation of a site for a school campus, the scale of which reservation shall be agreed with the Department of Education and Skills
Three more easterly blocks of 'new residential' development
The agreement of the design of the major open space and a delivery programme for same with all relevant stakeholders~~

~~Phase 2 Generally to the west of the major open space shown on the sketch
No residential development may commence until the delivery programme for the major open space is well underway and will be completed by the time housing units are ready for occupation~~

Phase 1	<ul style="list-style-type: none"> o Road link from N11 to Ballyman Road o Passive park (minimum of 8ha) o Active Open Space / Sports Zone (minimum of 14 ha) o Site identified and reserved for school campus o Neighbourhood Centre o 1,500 residential units
Phase 2	<ul style="list-style-type: none"> o 1,500 residential units
Phase 3	<ul style="list-style-type: none"> o Identification and reservation of site for additional primary school o Remainder of residential units

1. Phasing

TII: With respect to the submission from the TII, the Chief Executive notes that the purpose of the NTA's Bray and Environs Local Transport Study is *'to identify the appropriate transport solutions for the area which will allow development to occur in line with the objectives of the Regional Planning Guidelines'¹⁴* and NOT to dictate or even advise the Local Authority with respect to the *'location, and quantum of lands zoned for development, necessary improvements and interventions and phasing proposals prior to the adoption of the plan'* as is suggested in this submission.

The Chief Executive has carefully considered the submissions from **Cosgrave Property Group, CRH Ltd** and **RGRE J & R Valery's Ltd** in respect of phasing.

In his first report, the Chief Executive recommended alterations to the phasing objectives for this action area. This recommendation had been particularly focused on ensuring the practical, timely and proportionate delivery of open space, tied to the delivery of housing on a pro rata basis i.e.

4,000 housing units – 22 ha of open space

Equivalent of 55sqm per unit

1,500 units = 8.25ha

The Chief Executive continues to recommend this approach, as he is concerned that the current alteration would inhibit the supply of housing, which is a national priority, and as a result also delay the actual provision of the active open space, and therefore recommends that the members make the proposed material alteration, with the following further modification:

Phase 1	<ul style="list-style-type: none"> o Road link from N11 to Ballyman Road o Passive park (minimum of 8ha) o Active Open Space / Sports Zone (minimum of 14 ha) o Site identified and reserved for school campus
---------	---

¹⁴ As per the Preliminary Draft Bray and Environs Transport Study (unpublished to date)

	<ul style="list-style-type: none"> o Neighbourhood Centre o 1,500 residential units
Phase 2	<ul style="list-style-type: none"> o 1,500 residential units o Active Open Space / Sports Zone (minimum of 8 ha)
Phase 3	<ul style="list-style-type: none"> o Identification and reservation of site for additional primary school o Remainder of Active Open Space / Sports Zone (to reach total of 14ha) o Remainder of residential units

The Chief Executive is not supportive of the suggestion made by CRH that the zoning and phasing provisions for this action area should be set out in such a way as to allow both holdings to be developed independently – it is the intention that this entire action area would be developed in a coordinated manner as set out in the draft plan which states:

R5 *Designated housing lands at Fassaroe (Action Area 1) shall only be developed as part of comprehensive (not piecemeal) integrated schemes, in accordance with the objectives for this Action Area set out in this plan.*

Action Areas

'Action Areas' have been identified in this plan. Action Areas are to be the subject of comprehensive (not piecemeal) integrated schemes of development that allow for the sustainable, phased and managed development of the Action Area during the plan period. Separate applications for sections of each Action Area will not be considered until an overall Action Area Plan has been agreed in writing with the Planning Authority **unless** it can be shown that any application will not undermine the achievement of the overall objectives for that Action Area and would contribute its 'pro rata' share of the public infrastructure and facilities set out in this plan for that specific area¹⁵.

The position, location and size of the land use zonings shown on plan maps are indicative only and may be altered in light of eventual road and service layouts, detailed design and topography, subject to compliance with the criteria set out for the Action Areas.

By time related conditions, agreements or otherwise, the Council will regulate the building programme to ensure that the needs of the population do not exceed the provision of essential support systems and the Council will use its powers under the Planning & Development Acts to effect this control.

Furthermore, given the road infrastructure needed to service this area (such as the link road to Enniskerry, bridge over Ballyman Glen), which cannot be delivered on the CRH holding, it is not clear how the plan could be drafted that would allow for the CRH land be developed independently of the CPG landholding. It is not simply the case that CRH could make a proportionate financial contribution towards this infrastructure for the Local Authority to deliver same, as these works have the sole function of opening this land for development and therefore the cost of same must be completely borne by the developers rather than the tax payer.

With respect to the issue raised in relation to phasing for the 'RE' lands, while the Chief Executive would be generally supportive of the suggestion made by RGRE J & R Valery's Ltd, it is considered that such a change cannot be made at this stage of the plan making process as there is no proposed alteration under consideration relating to the phasing of RE lands.

2. Bullet Points 6, 7 and 8: Neighbourhood Centre + zoning alteration: Neighbourhood Centre (c. 6ha) to Neighbourhood Centre (c. 1ha) plus Education zone (c. 5ha)

6. The scale of the **village neighbourhood** centre shall be in accordance with the retail floorspace objectives of the County Retail Strategy; as well as shopping this centre shall include a range of retail and commercial services as well as community facilities, in order to create a vibrant heart of this new community; all uses shall be serviced by wide pedestrian streets and squares (to allow for outdoor uses), and while the new distributor road through the site should provide access to the village centre, neither the road nor significant car parking areas shall dominate the centre or be located directly along the frontage of buildings. **The area to be dedicated to retail, retail services,**

¹⁵ Based on the quantum of development proposed in any individual application vis-à-vis the total amount of development targeted as per the objectives of this plan.

commercial / community use shall not be expected to exceed 1ha; residential development will be expected to be interspersed through this area, particularly on upper floors, of the order of 75 units. Single storey supermarkets will not be permitted; retail uses shall be integrated into a larger overall mixed use development.

7. Lands immediately west of the ~~in the~~ designated 'village neighbourhood centre' shall be reserved for the future development of a multi school campus; in the event that further schools are required, these shall be located ~~to the west of the major open space~~ at an appropriate location on residentially zoned land.

8. The 'village neighbourhood centre' zone and major park shall be accessible to all areas by high quality, direct and safe pedestrian and cycle routes;

2. Neighbourhood Centre

This proposed alteration involves:

- (a) changing the term 'village centre' to 'neighbourhood centre'
- (b) Specifying that the commercial / community centre shall not exceed 1ha in area
- (c) Specifying that residential development of the order of 75 units should be interspersed in this area
- (d) Specifying that single storey supermarkets will not be permitted and retail use shall be integrated into an overall larger mixed use development
- (e) Zoning / drawing modification to reflect the 1ha:5ha split between neighbourhood centre and education use.

No specific submission has been made in relation to this change, although CRH Ltd has suggested an alternative change entailing locating some of the neighbourhood centre south of Berryfield lane. It is considered that such a change cannot be considered at this stage as this issue does not relate to the proposed alteration (or any other alteration).

This suggestion has been coupled with

- a proposal to locate some of the education zoning (1.25ha) to south of Berryfield Lane
- a proposals to zone land in between the neighbourhood centre and the education zone for residential use north of Berryfield lane

The Chief Executive does not consider that these changes can be made at this stage but does not support these changes for the following reasons:

- it would not allow for a sufficient land block to deliver a school campus (which requires c. 6ha – 8ha)
- it would not allow for sufficient land for a primary school on the CRH holding which requires 1.6ha
- it is intended that the neighbourhood centre and school campus would read as a single undivided new 'town centre' providing a new primarily commercial and community quarter in the centre of the overall area; allowing for close connectivity between the neighbourhood centre and the school campus could potentially also allow for shared services, such as car parking and proximity of the school to community facilities such as crèches, health / well being support services etc located in the neighbourhood. It is considered that it would be illogical to split these uses with an intervening residential zone.

3. Bullet Point 9: Open space

9. Lands of not less than ~~20ha~~ 22ha shall be laid out and dedicated to parks and active / sports uses (this corresponds to land use zones OS1 and AOS, but not OS2). Lands identified as OS2 generally comprise open, undeveloped lands encompassing flood plains, buffer zones along watercourses, rivers and Natura 2000 sites, steep banks, green breaks between built up areas, green corridors and areas of natural biodiversity. These lands are generally not considered suitable for new development, including for park use, and shall not be included in the required 20ha major open space.

3. Open space

This alteration relates to the increase in size in open space zoned from 20ha to 22ha. Only one of the submissions (Tessa Stewart) raised the issue of the quantity of open space – she considers that an area of 100 acres (40.4ha) is needed. While it is noted that there may be a deficiency in formal open space in the area, it is considered that it would be unreasonable to seek that a small number of landowners would deliver such a large quantum of opens

space which would be way over and above the needs of their developments alone. The open space being required in this area (22ha park area plus residential open space within housing areas) would amount to c. 28-30ha which is 30% higher than the adopted County open space and play policy would require (2.4ha per 1,000 population).

It is agreed with Ms. Stewart's submission that a large active open space and sport area is required for the district and the plan objectives provide for such an area of c. 35 acres. This is considered a significant space, particularly compared to other sports grounds such as the National Sports Campus which measures approximately 70 acres, of the Charlesland sport and recreation centre which measures c. 16 acres.

4. Bullet Point 10: Environmental Assessment

10. All development proposals within the Fassaroe Action Area shall take cognisance of the requirement to maintain the rate, quality and general areas where groundwater recharge occurs in order to maintain or enhance the recharge supplying the groundwater-dependent habitats of Ballyman Glen SAC. This shall be **through the review of existing hydrogeological assessment(s) and the carrying out of new hydrogeological assessment to inform the development of** ~~achieved by the use of~~ an appropriate SuDS system(s) ~~developed~~ throughout any development site and taking into account the cumulative in-combination impact of other development.

4. Environmental Assessment

Minister for Culture, Heritage & The Gaeltacht:

The Chief Executive notes the opinion of the Minister for Culture, Heritage & The Gaeltacht, but considers the suggestion of project specific environmental assessment / appropriate assessment of *possible* projects that *might* arise on foot of any objective of this plan to be unnecessary and unreasonable and beyond the requirements of the law in respect of SEA and AA of development plans.

T. Stewart: The environmental concerns noted by the submitter are not strictly relevant to this amendment but the Chief Executive notes the issues raised and will bring to the attention of the Environment Department of the Local Authority.

5. Bullet Point 11: Private Open Space

11. **Private Open Space for houses at Fassaroe shall not be subject to the standard requirements set out in the County Development Plan. However, private open space will be provided as follows:**

- For 1 or 2 bedroom houses a minimum of 50 sqm
- 3 bedroom houses to have a minimum of 60 sqm
- 4 bedroom (or more) houses to have a minimum of 75 sqm.

5. Private Open space

No specific submission have made in relation to this proposed change.

6. Zoning Alteration 1: AOS to R-HD south of Berryfield Lane

6. Zoning alteration 1: AOS to R-HD

No specific submission have made in relation to this proposed change.

Note 1: It is considered that the request from **RGRE J & R Valery's Ltd** cannot be considered at this stage of the plan as there is no amendment under consideration with respect to the RE zoned land around St. Valery's. However, the Chief Executive would respond that it is considered that the development of the 'RE' lands **are** reliant on the overall development strategy for the delivery of infrastructure to serve the Fassaroe action area as these lands will require all of the necessary infrastructure supports targeted for the wider area, such as water services, road links, public transport, community and education facilities etc to be provided by others; otherwise any development in this area would be wholly car dependent, dislocated and distant from services and constitute essentially urban generated rural sprawl in an unserved area.

Recommendation of Chief Executive

To proceed to make Proposed Material Alteration No.16 with the following **further modification**

The Action Area Plan and development that will arise therefore shall comply with the following objectives:

23. Development shall be carried out in phases in the following manner

~~Phase 1 – Generally to the east of the major open space shown on the concept plan above; any proposed development to the west shall only occur in tandem with significant development to the east of the OS;~~

~~Shall include the 'village centre' and at a minimum the reservation of a site for a school campus, the scale of which reservation shall be agreed with the Department of Education and Skills~~

~~Three more easterly blocks of 'new residential' development~~

~~The agreement of the design of the major open space and a delivery programme for same with all relevant stakeholders~~

~~Phase 2 – Generally to the west of the major open space shown on the sketch~~

~~No residential development may commence until the delivery programme for the major open space is well underway and will be completed by the time housing units are ready for occupation~~

Phase 1	<ul style="list-style-type: none"> o Road link from N11 to Ballyman Road o Passive park (minimum of 8ha) o Active Open Space / Sports Zone (minimum of 14 ha) o Site identified and reserved for school campus o Neighbourhood Centre o 1,500 residential units
Phase 2	<ul style="list-style-type: none"> o 1,500 residential units o Active Open Space / Sports Zone (minimum of 8 ha)
Phase 3	<ul style="list-style-type: none"> o Identification and reservation of site for additional primary school o Remainder of Active Open Space / Sports Zone (to reach total of 14ha) o Remainder of residential units

24. The development of this area shall include the provision of an access road from the N11 to Ballyman Road; the scale of such a route shall reflect its primary function as a service road for a new neighbourhood, rather than that of a 'by-pass'; the design and location of this route shall not affect the functionality of the major open space as a single park and an innovative design solution where park crossing is necessary will be required;

25. Provision shall be made for a north – south link route from the new distributor road to cross Ballyman Glen and continue in County Dublin and link up with old Conna Avenue. The nature and function of this link i.e. the type of traffic it will carry (vehicles / pedestrian / cyclist / light rail) shall be determined at application stage, following consultation with the transport agencies and the neighbouring local authority.

26. The development of this area shall make provision for LUAS or other mass transit public transport services, and any necessary infrastructure such as depots / stabling.

27. All new development shall be accompanied by appropriate transport services, the format and scale of which shall be in accordance with the Bray and Environs Local Transport Plan (to be carried out by the NTA in collaboration with Wicklow County Council and Transport Infrastructure Ireland). Developers shall be responsible for the provision and funding of the required transport services until such a time as public services are extended to the area.

28. The scale of the **village neighbourhood** centre shall be in accordance with the retail floorspace objectives of the County Retail Strategy; as well as shopping this centre shall include a range of retail and commercial services as well as community facilities, in order to create a vibrant heart of this new community; all uses shall be serviced by wide pedestrian streets and squares (to allow for outdoor uses), and while the new

distributor road through the site should provide access to the village centre, neither the road nor significant car parking areas shall dominate the centre or be located directly along the frontage of buildings. The area to be dedicated to retail, retail services, commercial / community use shall not be expected to exceed 1ha; residential development will be expected to be interspersed through this area, particularly on upper floors, of the order of 75 units. Single storey supermarkets will not be permitted; retail uses shall be integrated into a larger overall mixed use development.

29. Lands immediately west of the ~~in the~~ designated 'village neighbourhood centre' shall be reserved for the future development of a multi school campus; in the event that further schools are required, these shall be located ~~to the west of the major open space~~ at an appropriate location on residentially zoned land.
30. The 'village neighbourhood centre' zone and major park shall be accessible to all areas by high quality, direct and safe pedestrian and cycle routes;
31. Lands of not less than ~~20ha~~ 22ha shall be laid out and dedicated to parks and active / sports uses (this corresponds to land use zones OS1 and AOS, but not OS2). Lands identified as OS2 generally comprise open, undeveloped lands encompassing flood plains, buffer zones along watercourses, rivers and Natura 2000 sites, steep banks, green breaks between built up areas, green corridors and areas of natural biodiversity. These lands are generally not considered suitable for new development, including for park use, and shall not be included in the required 20ha major open space.
32. All development proposals within the Fassaroe Action Area shall take cognisance of the requirement to maintain the rate, quality and general areas where groundwater recharge occurs in order to maintain or enhance the recharge supplying the groundwater-dependent habitats of Ballyman Glen SAC. This shall be through the review of existing hydrogeological assessment(s) and the carrying out of new hydrogeological assessment to inform the development of ~~achieved by the use of~~ an appropriate SuDS system(s) ~~developed~~ throughout any development site and taking into account the cumulative in-combination impact of other development.
33. Private Open Space for houses at Fassaroe shall not be subject to the standard requirements set out in the County Development Plan. However, private open space will be provided as follows:
 - For 1 or 2 bedroom houses a minimum of 50 sqm
 - 3 bedroom houses to have a minimum of 60 sqm
 - 4 bedroom (or more) houses to have a minimum of 75 sqm.

PROPOSED MATERIAL ALTERATION No. 17

Action Area Plan 2: Parknasilloge

This action area plan is located west of Enniskerry town centre and immediately north of Kilgarron housing development, in the townland of Parknasilloge. This action area measures c. 13.5ha. This action area shall be developed as a residential, open space, employment and community zone in accordance with the following criteria:

- A minimum area of 2ha shall be reserved as Active Open Space (this is the size of the area currently occupied by Enniskerry GAA). In the event of the relocation of the GAA to an alternative location, this quantum of AOS shall, as a minimum, be maintained within the overall action area. Any alternative AOS shall be maintained available for general public use, shall be suitably sized to allow for organised sporting activities i.e. pitches, courts etc and shall be so located within the action area so as to be easily accessible by the wider community. (Any proposals to redevelop the existing GAA grounds will only be considered when the Planning Authority has been satisfied that suitable alternative lands have been secured for this sporting facility).
- A minimum of 1.2ha shall be reserved for education use.
- A minimum of 0.4ha shall be provided for a community uses, including a community centre of not less than 500sqm and an equipped playground of not less than 400sqm.
- A minimum of 1ha shall be provided for employment uses. Generally, this shall comprise office/studio/surgery type development of the highest architectural quality and layout. A minimum of 0.4ha of this area shall however be reserved for local service and incubator businesses.
- The car park associated with the employment area shall be so located and designed to facilitate tourist use during non-business hours and shall at all times remain available and open for this use
- A maximum of 156 residential units may be provided on the remainder of the site (8.8ha).
- The development shall be delivered in phases such that adequate education, community and employment facilities are provided for each phase; in particular, the school site shall be provided in Phase 1 accompanied by no more than 50% of the residential development and the employment facilities shall be provided no later than Phase 2 accompanied by no more than an additional 75% of the residential units.
- A maximum of two vehicular access points onto Local Primary Road L1010 (Enniskerry – Glenree) shall be permitted.
- To achieve a sense of place and allow for visual diversity any residential application should provide for a number of identifiable and distinct housing estates (not exceed 60 units), each containing different house designs within an overall unified theme.
- Full geotechnical and archaeological assessment of the lands shall be undertaken prior to any development taking place.
- Development proposals within the Parknasilloge Action Area shall take cognisance of the requirement to maintain the rate, quality and general areas where groundwater recharge occurs in order to maintain or enhance the recharge supplying the groundwater-dependent habitats of Knocksink Wood SAC. This shall be achieved through the review of existing hydrogeological assessment(s) and the carrying out of new hydrogeological assessment as necessary to inform the development of ~~by the use of~~ an appropriate SuDS system(s) ~~developed~~ throughout any development site and taking into account the cumulative in-combination impact of other development.

PROPOSED MATERIAL ALTERATION No. 17

Submissions	
A4	Minister for Culture, Heritage & The Gaeltacht
<p>The Department previously commented on the Draft Plan. A number of concerns were addressed regarding possible negative impacts on the natural heritage and/or European sites from greenways, roads and residential development. The current documents sent to this Department consist of proposed material alterations to the draft LAP and it is not clear that the concerns of this Department have been adequately dealt with.</p> <p>Where there have been amendments to deal with some of the above concerns the result appears to push the assessment to project level.</p> <p>For example material alterations no. 17 proposes a review of the existing hydrogeological assessments and carrying</p>	

out a new hydrogeological assessment(s) to inform the development of appropriate SUDS system(s) at Fassaroe and Parknasilloge to protect Knocksink SAC. This Department would have expected that adequate assessments would have taken place before any decision to zone the area for development in order to remove any risk that it could not be developed due to impacts on groundwater.

While this Department acknowledges that detailed assessments and route selection will have to be left to project level, it should also be possible to carry out assessments at Plan level. Such an assessment could flag options that are not viable. The absence of such assessments not only raises doubts as to the adequacy of the original NIR, but could also pose a risk to projects.

Opinion of Chief Executive

This proposed alteration was recommended by the Chief Executive in his previous report and is still recommended.

The Chief Executive notes the opinion of the Minister for Culture, Heritage & The Gaeltacht, but considers the suggestion of project specific environmental assessment / appropriate assessment of *possible* projects that *might* arise on foot of any objective of this plan to be unnecessary and unreasonable and beyond the requirements of the law in respect of SEA and AA of development plans.

Recommendation of Chief Executive

To proceed to make Proposed Material Alteration No.17

PROPOSED MATERIAL ALTERATION No. 18

Specific Local Objective SLO 1: Kilruddery

Kilruddery House and grounds are considered an important asset to the town and Bray, providing important cultural, recreational and tourism services to the area. It is an objective to support the ongoing protection of the house and gardens and their development as a visitor attraction, and to facilitate the growth of this business into other related areas, such as tourist accommodation, tourism retail, visitor centre etc.

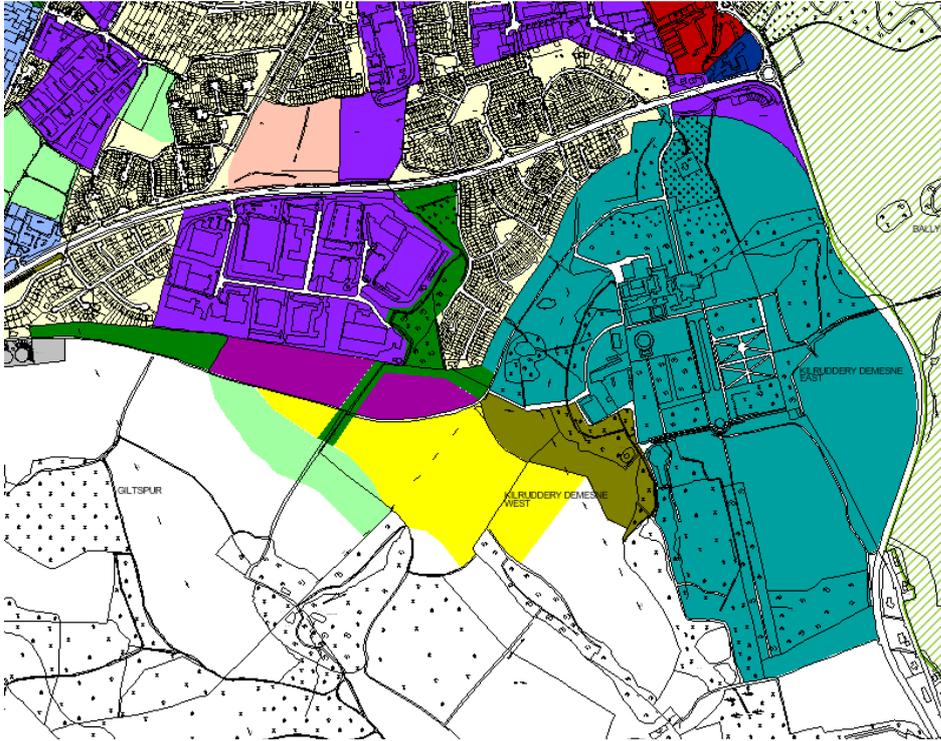
In the previous development plan, some lands surrounding the house and gardens were zoned for tourism use, with the majority given 'greenbelt' designation, while lands to the west / north-west of the house were zoned for housing and open space. In light of changed circumstances, including a new County Development Plan and associated Core Strategy, the previous strategy for this area has been reviewed.

The development of these lands shall comply with the following objectives:

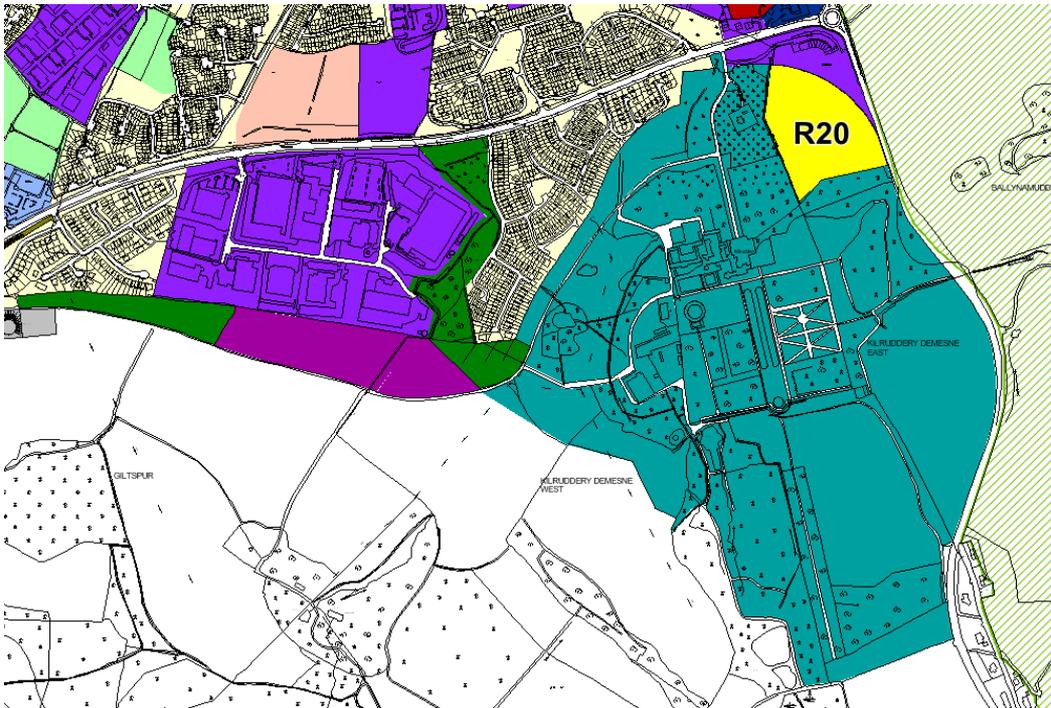
- The lands immediately surrounding the house and garden are zoned in this plan '**Kilruddery Demesne Conservation and Tourism Zone**' and this mixed use type zoning extends to the entire house and gardens, not just a limited area to the north. Notwithstanding this change in zoning, the priority in this area remains the protection and conservation of this valuable heritage asset. The types of uses that will be considered in this area will not be prescribed but rather any development that is considered to enhance the conservation and tourism offer of the area will be considered open for consideration. Only those projects which show a direct link to enhancement of the estate and its visitor product will be considered for permission.
- Former Kilruddery Demesne lands have in the past been released to the market and developed for a variety of essential uses such as for housing, employment and recreation. It is considered that such development has been successful in delivering much needed housing and employment to Bray, and did not unacceptably damage the historical and cultural setting of the main house and gardens. In this regard, given the extreme shortfall of suitable housing land in Bray and the high demand for housing in the area, and taking into account the Core Strategy of the Wicklow County Development Plan and the findings of the environmental sensitivity mapping carried out for the Strategic Environmental Assessment of this plan, it is considered that there is additional land at Kilruddery that may be suitable for new housing ~~and active uses~~. Therefore this plan designates ~~12ha~~ **4.3ha** of land for new housing (at a density of 20/ha).
- ~~A key element of the revised concept is the delivery of a significant area of public open space of not less than 4ha, which shall be laid out as playing pitches, courts, playgrounds etc which shall be linked by a linear park to an existing area of wooded open space along the Bray SCR adjacent to Hollybrook Park, generally following the route of the stream. No housing may commence until such a time of the design, implementation plan and future management structure of this space has been agreed in writing with the Planning Authority. An additional area of 'buffer' open space shall be maintained in a natural condition between any housing development and Kilruddery House.~~
- In order to facilitate commercial uses which may not be strictly linked to the tourism product on these lands, land is designated for general 'employment' use, generally to be accessed via the Bray Business Park adjoining to the north. The density, design and height of buildings in this area shall be particularly managed so as to ensure minimal visual impact on the area.
- Vehicular access to the **new** housing **area** ~~and open space elements~~ shall be via the existing Kilruddery entrance; additional pedestrian and cycling routes shall however be provided where opportunities arise ~~e.g. via Giltspur Lane to the west and Hollybrook Park.~~
- ~~The location of such uses are shown indicatively on the concept plan to follow, which is reflected in the zoning objectives but may be amended in light of best fit that arises on the lands. However,~~ **With respect to both the employment lands to the west of Kilruddery House and the housing lands to the northeast of the house,** no structure may be built above the 70m contour line and the ridge height of no structure shall exceed 78m.

PROPOSED MATERIAL ALTERATION No. 18 associated map change

From:



To:



Proposed Material Alteration No. 18 above necessitates the following consequential changes:**Change consequent 18 (i)**

Alteration to Table 3.1 in Chapter 3 will be required on foot of this proposed Material Alteration (see p73 to follow)

Change consequent 18 (ii)**Chapter 7****Section 7.5 Kilruddery House & Gardens**

Kilruddery House & Gardens are a major tourism and recreation asset to the wider Bray area, and draw significant number of visitors to both the house, gardens and regular markets but also to events such as concerts, endurance races and adventure / sport activities. It is the objective of the Council to:

- Support and facilitate appropriate use of the estate for tourism and recreation purposes, mindful of the impacts that can arise from sporadic intensive use, in particular impacts on neighbouring residences and traffic flows in the area;
- Allow for some additional development of the estate in order to support the ongoing viability of the estate;
- ~~To require further development of the estate to make provision for significant public open spaces and sports grounds, linking to surrounding areas and to the Bray SCR. (for further detailed objectives, see SLO 1)~~

PROPOSED MATERIAL ALTERATION No. 18

Submissions	
A5	EPA
<p>EPA notes that Alteration No. 18 has the potential for likely significant effects. EPA also notes the commitment that site specific environmental assessments will be carried out in respect of Proposed Alteration No. 18, as required, to ameliorate the potential for significant environmental effects.</p> <p>In relation to the proposed change in zoning associated with Alteration No. 18, <i>Table 3 Strategic Environmental Assessment of the Proposed Material Alterations</i> describes how this Proposed Alteration is 'contrary to the conservation and protection objectives of the Kilruddery Demesne Conservation and Tourism Zone'. In this context, there is merit in considering the preparation of an environmental management plan for the future potential development of this area. The Plan/SEA should describe what measures will be implemented to mitigate for the potential for significant environmental associated with any future development at Kilruddery.</p>	
B12	McMichael, Darina
<p>The submitter objects to the proposed material alteration for the following reasons:</p> <ul style="list-style-type: none"> - The SCR is one of the busiest routes in Bray. Every morning there is a bottleneck at the roundabout to the Greystones road and building more houses on an already over stretched area is ridiculous The area lacks basic infrastructure and bus services; - With additional houses and no infrastructure in place the potential, for anti-social behaviour will increase <p>The building of a shopping centre and facilities is imperative before WCC should even begin to develop the lands mentioned in material alteration 18.</p>	
B20	Stewart, Tessa
<p>It is very welcome news that the residential zoning by the Little Sugar Loaf will not go ahead.</p>	

Opinion of Chief Executive

This alteration was proposed by the Elected Members at the County Council meeting in January 2018.

The Chief Executive **did not** support this alteration at the time for a number of reasons, in particular the loss of needed residential units this would entail, resulting in Core Strategy targets not being met. Subject to the making Proposed Alterations No.'s 16, 22 and 24, this issue no longer arises.

However, the Chief Executive does not support the zoning of the 'Foggy Field' for the following reasons:

- These lands are located directly northeast of Kilruddery House and are separated from the front of the house by a distance of only c. 120m (in comparison to the lands proposed to be zoned which are c. 500m from the house). The key vista into Kilruddery is from the north, and the development of housing here would undoubtedly irrevocably alter this vista and overall setting of the House and Demesne, which is a protected structure.
- While it is acknowledged that the setting of the demesne has radically altered in the last 30 years, it was determined after detailed assessment that further development to the north and east of the house should be resisted and instead a development strategy that involved the zoning of lands to the west of the house, well beyond the house, garden and historic demesne forestry plantation. The lands proposed for zoning are not visible from the house or the main access routes into same, and as further protection, a significant green buffer is already built into the plan.
- These lands are very open and visible from the surrounding and a housing development at this location would not integrate well into the local environment; this is a very prominent 'gateway' site into Bray from Bray Head / Greystones and development here would undoubtedly diminish the setting and impression of the area.

In addition, given the small size of the land involved, there would not be the potential to provide for any 'planning gain' associated with the housing development such as a major open space / sports grounds or community use on these lands.

SEA - Proposed Material Alterations No. 18 has been identified as having potential to result in significant environmental effects. Where the potential for significant environmental effects exist, site-specific environmental assessment will be carried out, as required. The SEA assessment includes the incorporation of site-specific detailed mitigation measures to ameliorate the potential for significant environmental effects.

EPA submission - The EPA suggest that the Planning Authority consider the preparation of an environmental management plan (EMP) for the future potential development of this area. The EPA have suggested that the Plan/SEA should describe what measures will be implemented to mitigate for the potential for significant environmental associated with any future development at Kilruddery. The CE does not consider it necessary to prepare an EMP at this the development plan stage. It should be noted that the SEA ER (and associated addendum) sets out a number of mitigation and monitoring measures for the protection of the environment, as well as stipulation that new development be subject to project level environmental assessment, as required.

SFRA – The development plan justification test was carried out and FAILED on a small portion of the R 20 zoning to the west that is within Flood Zone A and B.

Recommendation of Chief Executive

To **not** make Proposed Material Alteration No.18

PROPOSED MATERIAL ALTERATION No. 19

Specific Local Objective SLO 3: Former Golf Club Course

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 and as substantial works have been carried out an application may be made for this permission to be extended for a further 5 years to 2025. In the event that this permission is not taken up, any new / revised proposals shall comply with the following requirements:

- 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 and shall achieve the delivery of not less than~~ 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 ~~a~~public ~~park~~ 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.

PROPOSED MATERIAL ALTERATION No. 19

No submissions

Opinion of Chief Executive
This proposed alteration was recommended by the Chief Executive in his previous report and is still recommended.
Recommendation of Chief Executive
To proceed to make Proposed Material Alteration No.19

PROPOSED MATERIAL ALTERATION No. 20

Specific Local Objective SLO 4: Former Dell site, Vevay Road – Boghall Road

This site was formerly occupied by computer company Dell and has been vacant for some years. The site is occupied by a large manufacturing building and surrounding grounds and car parking, measuring c. 3.75 ha. While there is a demand for additional housing in Bray, it is not considered appropriate that any and every vacant employment site should be considered for solely residential redevelopment as it is not sustainable to only deliver significant new housing at the expense of employment opportunities.

Given that this site is surrounded by both residential and employment uses, it is considered that a mixed, high intensity employment and residential scheme would be suitable on these lands, in accordance with the following criteria:

- The development shall be delivered a high density format and in particular, shall have a plot ratio of not less than 1:1. Development of up to 4 storeys may be considered **on the western and southern parts of the site, with heights on the northern and eastern parts of the site being more consistent with and respecting the existing amenity of existing residential areas surrounding the site;**
- The employment element shall be in a **modern office high employment intensity** format and low density manufacturing / warehousing will not be considered; on the basis of achievement of a 1:1 plot ratio, a total employment floor space yield of at least 20,000sqm is desired;
- **A nursing home and / or health care facility will be considered subject to such use not comprising more than 50% of the employment floorspace requirement on site and being delivered in conjunction with the remaining employment elements;**
- Not more than 40% of total floor space shall be devoted to residential use; depending on the range of unit sizes and formats, at least 150 units is desired (c. 15,000sqm)
- Any planning 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, comprising not more than 50% of the total housing programme, 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 employment element.

PROPOSED MATERIAL ALTERATION No. 20

No submissions

Opinion of Chief Executive

20 (a) Alterations to bullet point 1.

This alteration was proposed by the Elected Members at the County Council meeting in January 2018. The Chief Executive has no objection to this alteration.

20 (b) Alterations to bullet points 2 and 3.

This proposed alteration was recommended by the Chief Executive in his previous report and is still recommended.

Recommendation of Chief Executive

To proceed to make Proposed Material Alteration No.20 (a) and (b)

PROPOSED MATERIAL ALTERATION No. 21

Specific Local Objective SLO 5: Bray Gateway & Transportation Hub (GTH zone)

It is objective of this plan that the area designated as GTH at Bray railway station shall be identified and prioritised as the principal transport hub for the County, with a range of transport services, of various modes, being available and emanating from here to all parts of the District and the wider east coast of the County, **in accordance with a strategy that shall be developed by WCC and the NTA and that shall facilitate and support the recommendation of the NTA's 'Bus Connects' programme¹⁶.**

In addition, it is the objective that the area surrounding the station shall be developed as a 'gateway' to the town with clear linkages to Bray Town Centre and the Seafront. The area is considered suitable for higher density mixed use development including retail, commercial, office, residential and civic use.

The Council will favour attractive developments incorporating uses that give rise to increased footfall, including, inter alia shops, restaurants, cultural and recreation related developments.

PROPOSED MATERIAL ALTERATION No. 21

No submissions

Opinion of Chief Executive
This proposed alteration was recommended by the Chief Executive in his previous report and is still recommended.
Recommendation of Chief Executive
To proceed to make Proposed Material Alteration No.21

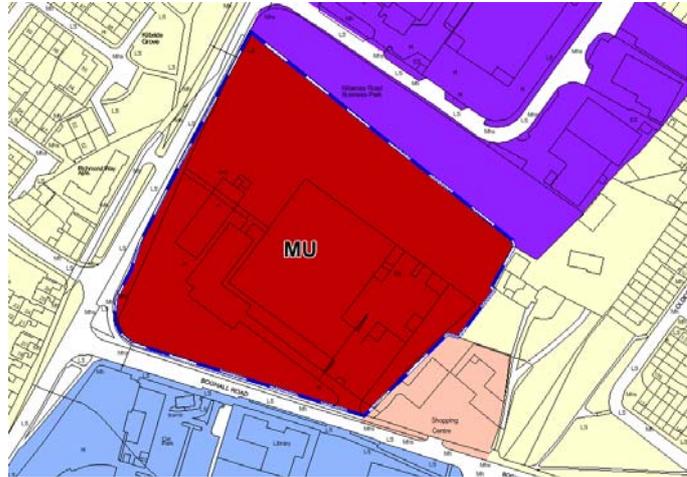
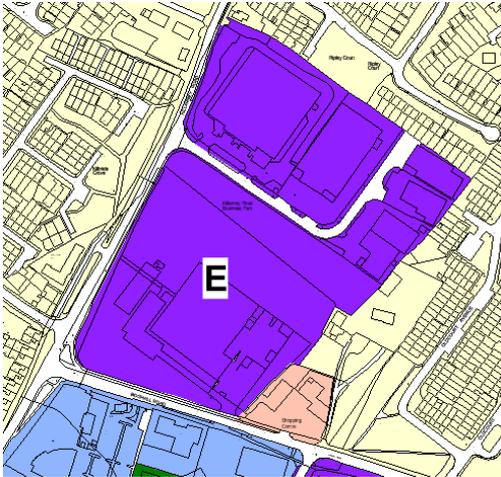
¹⁶ BusConnects is a plan to fundamentally transform Dublin's bus system, so that journeys by bus will be fast, reliable, punctual, convenient and affordable. It will enable more people to travel by bus than ever before, and allow bus commuting to become a viable and attractive choice for employees, students, shoppers and visitors.

PROPOSED MATERIAL ALTERATION No. 22

Add new Specific Local Objective SLO – 9 (AO Smith Site, Bray)

From: E1 Employment

To: SLO 9 – Zoning: MU Mixed Use



This SLO (measuring c. 3.2ha) is located at the junction of Boghall Road and Killarney Road and is zoned for mixed use. This is considered an important development site that has lain vacant for many years and is in need of regeneration. Given that this site is surrounded by both residential and employment uses, it is considered that a mixed, high intensity employment and residential scheme would be suitable on these lands, in accordance with the following criteria:

- The development shall be delivered a high density format and in particular, shall have a plot ratio of not less than 1:1. Development of up to 4 storeys may be considered;
- The employment element shall be in high employment intensity format and low density manufacturing / warehousing / retail will not be considered; on the basis of achievement of a 1:1 plot ratio, a total employment floor space yield of at least 18,000sqm is desired;
- Use of part of the required employment floor space may be considered for supermarket / discount retail use, subject to satisfying all relevant retail objectives of this plan, the County Retail Strategy and the Retail Planning Guidelines. Stand-alone single or 2-storey, low density retail buildings will not be considered suitable on these lands; any retail use shall be integrated into a larger 3-4 storey structure which provides for other commercial or residential uses overhead;
- Not more than 40% of total floor space shall be devoted to residential use; depending on the range of unit sizes and formats, at least 120 units is desired (c. 10,000sqm - 12,000sqm);
- Any planning 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, comprising not more than 50% of the total housing programme, 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 employment element.

Changes Consequent:

Alteration to Table 3.1 in Chapter 3 will be required on foot of this proposed Material Alteration (see p73 to follow)

PROPOSED MATERIAL ALTERATION No. 22

Submissions

B6 Gillen, Maurice

This submission relates specifically to proposed Material Alteration No. 22 to include a new specific local objective (SLO-9) within the LAP, thus proposing an amendment to the site's zoning objective from E1 Employment to Mixed Use (MU). From the outset, the submitter wishes to state that he welcomes and is fully supportive of this proposed rezoning. It is his considered opinion that the inclusion of the proposed range of 'Permitted in Principle' uses would assist with realising the full potential of this underutilised and strategic landbank.

The wording presented in the proposed material alteration references the landbank of c. 3.2 hectares and this is confirmed to be the correct area of the AO Smith site. For clarity, the full extent of the AO Smith site is illustrated in map attached to the submission.

The submitter wishes to highlight what is considered to be a drafting error on the proposed SLO9 zoning map. The wording presented within the proposed material alteration clearly demonstrates the Planning Authority's intention to zone the AO Smith site Mixed Use. However, this is not accurately reflected on the proposed zoning map, instead an area of c.2.54 ha is proposed 'MU' and the balance of the AO Smith sites is illustrated as zoning designation 'E1'. To achieve the development management parameters proposed within the proposed material alteration No. 22 i.e. plot ratio, density etc. it is necessary that the total landholding of c.3.2 hectares is zoned MU and the submitter respectfully request that this drafting error is corrected prior to the adoption of the forthcoming LAP.

Opinion of Chief Executive

This alteration was proposed by the Elected Members at the County Council meeting in January 2018. The Chief Executive supports the proposed alteration.

The submitter is correct that there is mapping error in the published proposed material alteration map. As set out in Section 1.3 of the draft LAP:

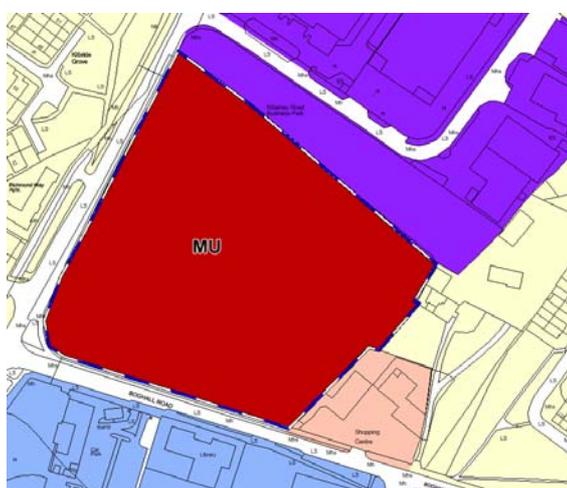
"The maps provide a graphic representation of the written statement of the Plan. They indicate land use and other development standards together with various objectives of the Council. The maps do not purport to be accurate survey maps from which site dimensions or other survey data can be measured. Should any conflict arise between the written statement and the map, the written statement shall prevail".

In this case, the text clearly stated that the area of land proposed to zoning alteration was 3.2ha, which includes the lands between the as shown 'MU' area and the industrial estate road to the north and therefore the proposed alteration refers to this entire area of 3.2ha.

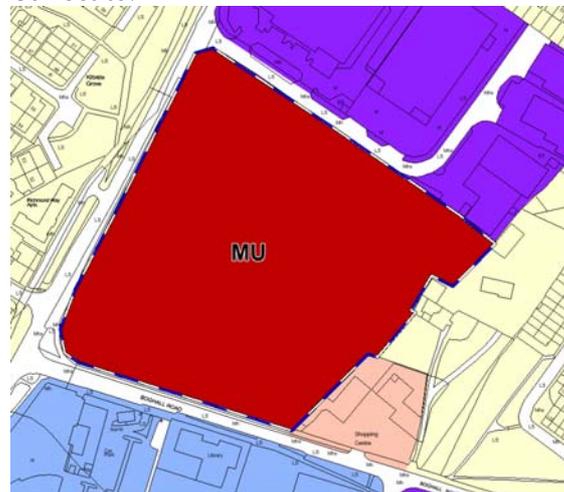
Recommendation of Chief Executive

To proceed to make Proposed Material Alteration No.22 (subject to mapping correction)

Correct from:



Correct to:

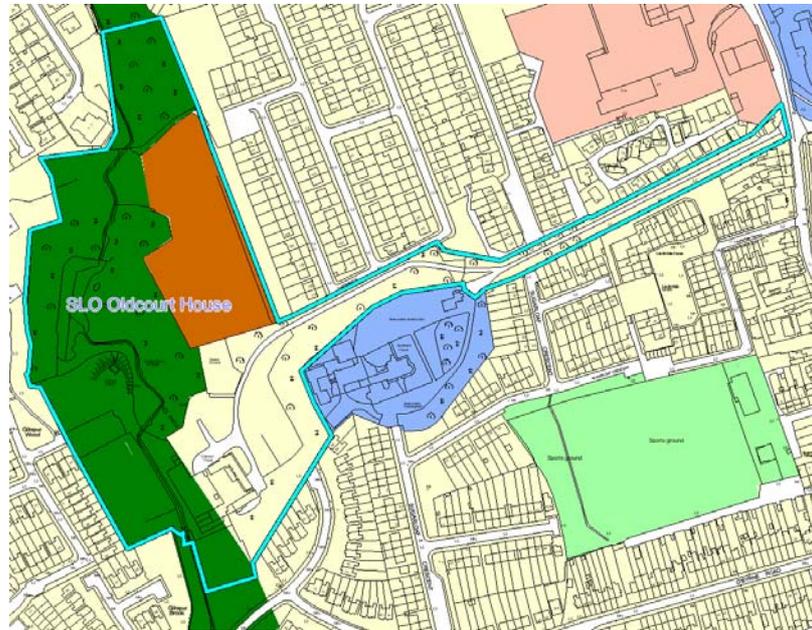


PROPOSED MATERIAL ALTERATION No. 23

Add new: **Specific Local Objective SLO 10 Oldcourt House**

From: R20 new residential
1.5 ha in 2 blocks

To: SLO 10
Zoning: OS1 Open Space
R-HD Residential – High Density (1.14ha)



This site is occupied by Oldcourt House and its grounds, a protected structure. The Swan River passes through the lands and there are protected mature trees located along the river valley, as well as the ruins of Oldcourt Castle itself on the eastern bank. These lands are enclosed by 20th century housing estates on all sides, with Sunbeam House residential property to the immediate east, sharing the same access road from the Vevay Road. It is considered that some of these lands are suitable for new residential development, given the pattern of development in the vicinity and the proximity to all town services. However, any such development shall be contingent on the provision of public open space along the river, allowing for full connectivity to the existing open spaces to the north and south of the site.

These lands shall be developed in accordance with the following criteria:

- Access to the residential element shall be via the Vevay Road, and no through routes to Charnwood or Giltspur Wood shall be permitted;
- Significant improvement to the entrance at Vevay Road shall be provided that enhance safety and sightlines in the area and should this require alterations to the existing gate posts and gate piers, these shall be reconstructed on site, using the original materials, in a sympathetic manner;
- No development may commence on the residential element until plans, including layout, boundary treatment, delivery schedule, management structure etc for the public open space along the Swan River have been agreed.

Changes Consequent:

Alteration to Table 3.1 in Chapter 3 will be required on foot of this proposed Material Alteration (see p73 to follow)

PROPOSED MATERIAL ALTERATION No. 23

Submissions	
B9	Lane, Rosalind & Cavanagh, Margaret
<p>The submitters (who are residents of Charnwood) object to the revised plan for the following reasons:</p> <ol style="list-style-type: none"> 1. Protection of 500 year old oak trees at the bottom of their gardens – it is requested that a minimum of 15m exclusion zone be required to protect the root base at the development boundary. Also there is an active bird life and squirrels living at the proposed boundary; 2. The submitters understand that the proposed entrance to the development is to be only through the existing avenue to Oldcourt House. They trust that there is a guarantee that access wont besought through an already densely population Charnwood estate in the future. 	
B18	Rego Property
<p>The submitter welcomes the change in the zoning as outlined under Material Alteration no. 23. This states that a "Specific Local Objective SLO10 Oldcourt House" be added to the Local Area Plan. This Specific Local Objective is fully supported by the submitter that establishes key development criteria within which these lands can be developed.</p> <p>Table 3.1 on page 42 of the Alterations document indicates the location, area and capacity in terms of residential units of land within Bray. This correctly indicates the new residential zoning at Oldcourt House having an area of 1.14 hectares and it having been rezoned for Residential – High Density under the Alterations. It indicates the capacity of these lands as being only 32 units.</p> <p>The submitter respectfully submits that as the R-HD zoning relates to the provision of high quality, high density new residential development the indicated number of residential units significantly under-estimates the capacity of these lands, subject to achieving the requirements of the Specific Local Objective SLO10. It is a general objective of the LAP that such R-HD lands be developed at a density of not less than 50 units per hectare.</p> <p>The submitter therefore requests that the potential number of units within Table 3.1 be appropriately increased to 57 potential residential units within the R-HD lands at Oldcourt House.</p>	
B20	Stewart, Tessa
<p>Planned access through vevay road existing entrance</p> <p>This suggested access is much to be welcomed, one hopes it will not be altered.</p> <p>Historical nature of demesne trees</p> <p>The oak trees surrounding the field for development are 400 years old, according to a specialist arborist, and need a 15 metre zone to protect the roots from any development. This applies to those trees adjoining Charnwood Estate, as well as the trees on the side of the river.</p> <p>Greenway along swan river access to be redesigned:</p> <p>Regarding access to this greenway, there needs to be a proper access point from Charnwood Estate that will lead to two existing entrances, one at each end of the field that is planned to be built on, as the two paths do not connect in the woods due to the steepness of the drop.</p> <p>Flooding</p> <p>Developers should be told that storm and surface water infrastructure needs to be ready for more intense rain events. The Council should mandate that front and back gardens cannot be paved over unless provision is made for run-off. Preferably porous solutions should be used.</p> <p>For example, in Charnwood estate all the water is flowing down the hill to our street at the bottom of the hill, where does not disperse into an already full storm drain. Every year more people pave over their gardens and soon we will have water in our front doors at the times that drains are full of leaves. We already need a drain upgrade at the bottom of Charnwood.</p> <p>New development drainage</p> <p>The developer needs to be advised that they may need extra concern for drainage as it is at the bottom of the Charnwood hill, and water from run off may flow down into that area.</p>	

Opinion of Chief Executive

This alteration was proposed by the Elected Members at the County Council meeting in January 2018.

The CE generally supports the idea of identifying a SLO for these lands, which will clarify the access arrangement and build-in the delivery of the riverine open space.

Density

With respect to the density, a density of 28/ha was indicated as preferable by the members, but in order to not have excessive zoning code in the plan, the R-HD code was used but with an indicative number of 32 stated. In order to bring clarity, it is suggested that the R-HD be modified to R28. The Chief Executive does not support a 50/ha type designation for these lands, given the surrounding land use pattern.

Access

It is the stated objective of the proposed SLO that access will be through the existing avenue from Vevay Road.

Green route

It is the stated objective of the plan **R08** 'to promote and support the development of enhanced or new greenways at the following locations and **require development in the vicinity of same to enhance existing routes and / or provide new links: Bray - Swan River Kilruddery to Dargle River**'.

In this regard, the Council will endeavour to ensure, at the project level, that new parks / greenways have maximum accessibility from surrounding areas.

Flooding

Developers are required to provide surface and storm water system to current standards in all new developments. The regulations regarding the hard surfacing of gardens are national standards set out in the Planning & Development Regulations (Schedule 2, Part 1, Class 6).

Tree protection

This is a development control matter that would be dealt with at application stage, should an application be made. Through the development management process, the objectives of the plan are implemented on a project level, and the following objectives of both this LAP and the County Development Plan would apply:

Bray MD LAP

- GI1** New development and redevelopment proposals, where considered appropriate, are required to contribute towards the protection, management and enhancement of the existing green infrastructure assets and corridors of the local area in terms of the design, layout and landscaping of development proposals.
- GI2** To facilitate the development and enhancement of suitable access to and connectivity between areas of interest for residents, wildlife and biodiversity, with focus on promoting river corridors, Natura 2000 sites, nature reserves and other distinctive landscapes as focal features for linkages between natural, semi natural and formalised green spaces where feasible and ensuring that there is no adverse impact (directly, indirectly or cumulatively) on the conservation objectives of Natura 2000 sites.
- GI4** To promote the preservation of trees, groups of trees or woodlands in particular native tree species, and those trees associated with demesne planting, in the interest of amenity or the environmental, as set out in the Heritage Schedules of this plan.
- B4** To support the protection and enhancement of biodiversity and ecological connectivity within the plan area in accordance with Article 10 of the Habitats Directive, including linear landscape features like watercourses(rivers, streams, canals, ponds, drainage channels, etc), woodlands, trees, hedgerows, road and railway margins, semi-natural grasslands, natural springs, wetlands, stonewalls, geological and geo-

morphological systems, features which act as stepping stones, such as marshes and woodlands, other landscape features and associated wildlife where these form part of the ecological network and/or may be considered as ecological corridors or stepping stones that taken as a whole help to improve the coherence of the Natura 2000 network.

County Development Plan

- NH8** To protect non-designated sites from inappropriate development, ensuring that ecological impact assessment is carried out for any proposed development likely to have a significant impact on locally important natural habitats or wildlife corridors. Ensure appropriate avoidance and mitigation measures are incorporated into development proposals as part of any ecological impact assessment.
- NH16** Development that requires the felling of mature trees of environmental and/or amenity value, even though they may not have a TPO in place, will be discouraged.
- NH17** To discourage the felling of mature trees to facilitate development and encourage tree surgery rather than felling where possible.
- NH18** To encourage the preservation and enhancement of native and semi-natural woodlands, groups of trees and individual trees, as part of the development management process, and require the planting of native, and appropriate local characteristic species, in all new developments.
- NH19** To encourage the retention, wherever possible, of hedgerows and other distinctive boundary treatment in the County. Where removal of a hedgerow, stone wall or other distinctive boundary treatment is unavoidable, provision of the same type of boundary will be required of similar length and set back within the site in advance of the commencement of construction works on the site (unless otherwise agreed by the Planning Authority).

Recommendation of Chief Executive

To proceed to make Proposed Material Alteration No. 23

PROPOSED MATERIAL ALTERATION No. 24

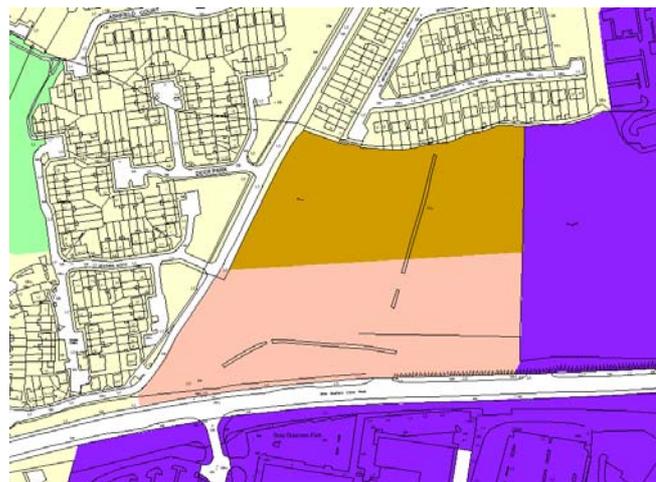
Add new: Specific Local Objective SLO 11 Bray Southern Cross – Neighbourhood Centre

This SLO is located on Bray Southern Cross Road (SCR), with the 'Deerpark' road bounding the site to the west. The site is surrounded by existing housing areas to the west and north, by zoned employment land to the east and by the SCR to the south. The area measures c. 4 ha. This SLO is designated for the development of a new neighbourhood hub to serve the Bray SCR area, and provides an opportunity for both retail and community services as well as the development of new vehicular and pedestrian routes from the SCR to Boghall Road.

The development of the entire site shall be carried out as a single comprehensive development, and in particular, no residential development may occur unless it is accompanied by the 'neighbourhood centre' and open spaces and other community elements as are required by the objectives set out to follow. The development shall be of the highest design quality; the neighbourhood centre building(s) shall form a distinctive and attractive presence along the SCR; high quality urban realm and functional green spaces shall be provided, as well as pedestrian and cycling links to surrounding lands and public roads.

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



Zoning change:**From:** NC Neighbourhood Centre**To:** NC and R Special**Changes Consequent:**

Alteration to Table 3.1 in Chapter 3 will be required on foot of this proposed Material Alteration (see p73 to follow)

PROPOSED MATERIAL ALTERATION No. 24**Submissions****B14 Nechouka Ltd**

The submitter owns the lands in question, amounting to c. 4.8ha. The submitter is supportive of the zoning of the lands for both neighbourhood centre and residential land use. However, it is respectfully submitted that accompanying text, is overly prescriptive. Greater flexibility should be applied to ensure the successful and viable development of the site. In this regard, the following changes are requested.

1. Text under bullet point 1 deleted and replaced with:

- ~~The neighbourhood centre shall include a supermarket and not less than 5 smaller retail units, as well as provision for other non-retail / commercial / professional up to a total floor area of 2,500sqm (GFA) for the supermarket and of the order of 500sqm (GFA) for the smaller units / non-retail uses;~~
- *'The neighbourhood centre shall include a supermarket up to 2,500 sq.m GFA and up to 5 smaller retail units, as well as provision for other non-retail / commercial / professional uses.'*

This proposed change to the material amendments will greater align the proposed neighbourhood centre with that of the description found within the Draft LAP to 'provide for small scale mixed use commercial / community / retail development that serve only an immediate catchment or planned new areas of significant residential expansion' and support the day-to-day needs of the local community. The Local Area Plan should set out the relevant policies and objectives and not be prescriptive on mix and size as this will depend on circumstances prevailing and is best assessed through the Development Management Process.

2. Text under bullet point 3 deleted and replaced with:

- ~~Residential development, on the northern part of the site that is zoned R-Special, a higher density format of 40/ha shall be considered only where it is part of an overall project involving the completion of the neighbourhood centre in advance of any residential units;~~
- *'Residential development on the northern part of the site that is zoned R-Special, a density of c. 30-40/ha is considered appropriate'*

The 'Potential No. of Units' column of Table 3.1 should be altered accordingly to read '60 -80'.

It is submitted that proposed zoning 'R-Special' linked to the area of the site zoned for residential use proposing an overly prescriptive 40/ha is a very prescriptive figure and the exact density should be considered through the Development Management process having regard to siting, detailed design and other requirements in the context of Government Guidelines and the policies of the LAP. It is submitted that a range is more appropriate and allows for

flexibility in the design process and the ability to respond appropriately to site characteristics and context.

Furthermore, any link to the provision of neighbourhood centre use precluding residential development on the site is not considered reasonable in this case. These uses are guided by different market forces and therefore linking one use to another has the potential to impact negatively on the sustainable development of the area. Additionally, the site may fall into multiple ownership which can create difficulties in delivering development as a single phase. In this regard it is submitted that linking of the neighbourhood centre to the residential use is not appropriate and may not be feasible from a commercial perspective as this could significantly delay housing delivery. Therefore this should not be tied to the delivery of the Neighbourhood Centre.

B12 | **McMichael, Darina**

The proposal to build a shopping centre on the Southern Cross Road (SCR) is noted but the submitter questions will it ever be built? It has been promised for 20 years but there has always been a problem – such as with the ownership of the land. The submitter questions if all of the previous problems have been sorted so that the SCR can get proper services and facilities which are long overdue.

Opinion of Chief Executive

This proposed alteration was recommended by the Chief Executive in his previous report and is still recommended.

Retail allocation

Bray is a designated 'Major Town Centre' in the Retail Strategy for the Greater Dublin Area with a specific retail floorspace allocation for the overall settlement. Bray Town Centre is the focus for this retail allocation with a number of Neighbourhood Centres (NC) designated within the settlement. Objective **BT4** of the draft LAP states "*Within designated neighbourhood centres at Boghall Road / Ballywaltrim, Vevay Road, Dargle Road, Dublin Road – Little Bray, Albert Road and walk, Fassaroe and Bray Southern Cross Road, it is the objective of the Planning Authority to protect, provide for, and improve the mix of neighbourhood centre services and facilities, which provide for the day-to-day needs of the local community, to a degree that is akin to their role and function as outlined in the Retail Strategy and the objectives of this plan.*" The NC on the Southern Cross Road has been allocated c.3,000sqm of retail floor space. The scale of the NC here along with the scale of all other NC's has been dictated by the overall size of the town, the catchment of the NC, its distance to the town core and the site itself. This allocation for the SCR NC is considered appropriate and no change is recommended.

Residential density

A density of 40 units/ha is considered an appropriate scale of residential development for this site as opposed to a lower density of 30-40 units/ha. Having regard to the location of the site within the settlement, the adjoining road infrastructure, nearby social infrastructure and adjoining NC zoning, a higher format of density of 40/ha (i.e c. 60 units) is considered appropriate to ensure this area, along with Bray as a settlement achieves a critical mass of residents for the sustainable development of the NC and the town. It is envisaged that the adjoining NC will provide much needed retail as well as community facilities and other services to this area. In order to ensure the NC is delivered and 'delivered in advance' of the residential, an appropriate amount of residential units have been designated to this site.

Phasing

The timely delivery of the NC in advance of the residential development is of significant importance in the development of this site. This is in line with proper planning, ensuring that there is an appropriate balance of retail/community/other services and residential development provided to ensure the self-sufficiency of the settlement. Therefore it is necessary to include such phasing objectives to ensure that development is undertaken in an orderly and sustainable manner and so that the long awaited retail facilities will be delivered in a timely manner. It is not recommended to omit or change the requirement of the delivery of the NC in advance of the residential development.

The concerns of whether the NC will be delivered or not is acknowledged, the draft LAP and this proposed alteration fully facilitates the delivery of the NC however issues such as ownership and different market forces are not a matter for the land use planning.

Recommendation of Chief Executive

To proceed to make Proposed Material Alteration No.24

CHANGES CONSEQUENT

Table 3.1 in Chapter 3 will require alteration on foot of Proposed Material Alterations 16, 18, 22, 23 and 24.

Table 3.1 Bray & Environs (p23)

LOCATION/DESCRIPTION	AREA (HA)	ZONING	POTENTIAL NO. OF UNITS	PROPOSED MATERIAL ALTERATION
Former Buckley Heitons, Dublin Road	0.6	TC	120	Each alteration associated with this table is set out in the document in numerical order.
Bray Head Hotel, Bray seafront	0.3	SF	30	
Former Dawson's, Bray seafront	0.42	SF	110	
Former Bray Golf Club	9.92	MU	1,000	
Bray Harbour	1.4	MU	**17	
Rehills – The Slang	3	R-HD	100	
Brook House	1.2	R-HD	60	
Presentation College	2.2	R-HD	75	
Oldcourt House	1.5 1.14	R20 R-HD	30 32	
Ravenswell	2.97	R-HD	150	
FCA	2.03	R-HD	100	
Dell	3.75	MU	150	
Kilruddery	12 4.3	R20	240 86	No. 18
Fassaroe	13.89	RE	20	
Fassaroe	73.28 78.78	R-HD	3,670 3,945	
Fassaroe	1	NC	75	
AO Smith	3.2	MU	120	No. 22
SLO 10 Bray Southern Cross NC	2	R Special	80	No. 24
Infill on other TC / RE lands			200	
TOTAL			6,130 6,453	

¹⁷ **These lands shall be subject to a masterplan that may or may not include residential development; the land bank is limited and is partly 'made land' and until further study is completed, it is not clear if significant residential development would be viable.

CHAPTER 11 ZONING & LAND USE**PROPOSED MATERIAL ALTERATION No. 25****CHAPTER 11 ZONING AND LAND USE**

The plan land use map indicates the boundary of the local area plan. All lands located outside of a 'settlement boundary' and marked in red are considered to be within the 'rural area'. Within these areas planning applications shall be assessed having regard to the objectives and standards for the rural area, as set out in Volume 1 of the Wicklow County Development Plan.

The purpose of land use zoning objectives is to indicate the Council's intentions for land uses in the district.

Land use zoning objectives and the associated vision for each zone are as follows:

ZONING	OBJECTIVE	DESCRIPTION
RE: Existing Residential	To protect, provide and improve residential amenities of existing residential areas	To provide for house improvements, alterations and extensions and appropriate infill residential development in accordance with principles of good design and protection of existing residential amenity. In existing residential areas, the areas of open space permitted, designated or dedicated solely to the use of the residents will normally be zoned 'RE' as they form an intrinsic part of the overall residential development; however new housing or other non-community related uses will not normally be permitted.
R-HD: New Residential – High Density	To protect, provide and improve residential amenities in a high density format.	To facilitate for the provision of high quality, high density new residential developments with excellent layout and design, well linked to the town centre and community facilities. To provide an appropriate mix of house sizes, types and tenures in order to meet household needs and to promote balanced communities.
R20: New residential	To protect, provide and improve residential amenities at a density up to 20 units/ha.	To facilitate for the provision of high quality new residential developments at appropriate densities with excellent layout and design, well linked to the town centre and community facilities. To provide an appropriate mix of house sizes, types and tenures in order to meet household needs and to promote balanced communities.
R15: New residential Low Density	To protect, provide and improve residential amenities at a lower density not exceeding 15 units/ha.	To facilitate for the provision of high quality new residential environments with excellent layout and design, reflecting the low-medium density character of the surrounding area.
R10: New residential Rural Fringe	To protect, provide and improve residential amenities at a lower density not exceeding 10 units/ha.	
R Special: Special Residential	To protect, provide and improve residential amenities in a format and a density specified in the relevant plan.	To facilitate for the provision of high quality new residential environments with excellent layout and design, reflecting the density and character of the surrounding area.
TC: Town Centre	To provide for the development and improvement of appropriate town centre uses including retail, commercial, office and civic	To develop and consolidate the existing town centres to improve vibrancy and vitality with the densification of appropriate commercial and residential developments ensuring a mix of commercial, recreational, civic, cultural, leisure, residential uses, and urban streets, while delivering a quality urban environment which will enhance the quality of life of resident, visitor and workers alike.

ZONING	OBJECTIVE	DESCRIPTION
	use, and to provide for 'Living Over the Shop' residential accommodation, or other ancillary residential accommodation.	The zone will strengthen retail provision in accordance with the County Retail Strategy, emphasise town centre conservation, ensure priority for public transport where applicable, pedestrians and cyclists while minimising the impact of private car based traffic and enhance and develop the existing centres' fabric.
NC: Neighbourhood Centre	To protect, provide for, and improve a mix of neighbourhood centre services and facilities, which provide for the day-to-day needs of the local community.	To provide for small scale mixed use commercial / community / retail developments that serve only an immediate catchment or planned new areas of significant residential expansion. Locations: Boghall Road / Ballywaltrim, Vevay, Dargle Road, Dublin Road / Little Bray, Albert Road & walk, Southern Cross Road, Fassaroe.
LSS – Local Shops & Services	To provide for small scale local neighbourhood shops and services	To facilitate the limited development of small scale local neighbourhood shops and retail services and other local service uses that meet only the retail or service needs of residents in the immediate catchment and are not of such a scale or type that would detract or draw trade from lands designated town centre.
E1: Employment	To provide for the development of enterprise and employment	To facilitate the further development and improvement of existing employment areas and to facilitate opportunities for the development of new high quality employment and enterprise developments in a good quality physical environment.
E3: Retail Warehousing	To provide for enterprise and employment development in the form of retail warehousing development.	To facilitate the sale of bulky goods within high quality settings and highly accessible locations, with an emphasis on exemplar sustainable design and aesthetic quality
E-Special: Employment	To provide for the development of enterprise and employment at Kilruddery	To provide for enterprise and employment development on the grounds of Kilruddery estate that is not strictly related to the tourism product of the estate, but is compatible with the objectives of the KD zone adjacent (see Bray Specific Local Objective SLO-1 for Kilruddery)
FI: Film Industry	To provide for film/TV production related development	To provide for the development of and expansion of the existing studios at Ardmore; development of these lands shall be strictly limited to facilities for the production of film, TV, animation etc including any directly associated spin offs such as visitor facilities; however, residential development or other non film related commercial activities are not to be permitted.
CE: Community & Education	To provide for civic, community and educational facilities	To facilitate the development of necessary community, health, religious, educational, social and civic infrastructure.
AOS: Active Open Space	To protect and enhance existing and provide for new active open space	To facilitate the further development and improvement of existing active open spaces, formal exercise areas, sports grounds, playing pitches, courts and other games areas and to facilitate opportunities for the development of new high quality active recreational areas.
OS1: Open Space	To protect and enhance existing and provide for recreational open space	To facilitate the further development and improvement of existing parks and casual play areas, to facilitate opportunities for the development of new high quality amenity open areas and to restrict developments / activities (such as the use or development of such lands for formal sports grounds for organisations that are not available for a broad range of the public) that would reduce the opportunities for use by the wider public.
OS2: Open Space	To protect and enhance existing open, undeveloped lands	To protect, enhance and manage existing open, undeveloped lands that comprise flood plains, buffer zones along watercourses and rivers, steep banks, green breaks between built up areas, green

ZONING		OBJECTIVE	DESCRIPTION
			corridors and areas of natural biodiversity.
PU: Public Utility		To maintain lands providing services infrastructure	To allow for lands to be designated for public utilities such as waste water treatment plants, large ESB sub-stations, gasworks etc
MU: Mixed Use		To provide for mixed use development	The nature of the mixed use development envisaged for any particular site is set out in the text of the plan.
SF: Bray Seafront		To provide for the development and improvement of appropriate seafront uses	To protect and enhance the character of the seafront area and to provide for mixed-use development including appropriate tourism, retail, leisure, civic and residential uses. The Seafront area shall be promoted as the primary tourist, recreational and leisure centre of Bray.
GTH: Bray Gateway & Transport Hub		To provide for the development and improvement of appropriate gateway and transport hub uses	To provide for the development and improvement of public transportation infrastructure. The area shall be developed as a gateway to the town with clear linkages to the Town Centre and the Seafront. The area is considered suitable for higher density mixed use development including retail, commercial, office, residential and civic use.
T: Tourism		To provide for tourism related development	To provide for the sustainable development of tourism related structures, uses and infrastructure. To provide for the development of tourism facilities including accommodation of an excellent sustainable design and aesthetic quality. Tourism related office, civic and cultural and commercial development will be facilitated.
KD: Kilruddery Demesne Conservation & Tourism Zone		To protect and enhance the distinctive historical character, setting and amenity value of Kilruddery Demesne and provide for appropriate and sympathetic conservation, amenity, tourism and community uses that enhance awareness, appreciation and accessibility of the area and to resist development that would detract from its integrity and setting.	To provide for the development and improvement of Kilruddery Demesne in a manner sensitive to its long term protection and conservation; to allow for a mix of conservation, amenity, tourism and community uses strictly on the basis that such uses can be shown to enhance the estate, its amenity value and its visitor product.
Kilmacanogue Only¹⁸			
PZ	Primary Zone	To create a consolidated and vibrant mixed use settlement centre that is the focal point for the delivery of the retail, commercial, community and activity needs of the local population and its hinterland, and to promote this area for tourist uses and for residential use, with an animated and high quality streetscape, whilst ensuring the protection of the special character and heritage of this area.	
SZ	Secondary Zone	To provide for the sustainable development of a mix of uses including residential, employment, community and recreational uses that provide for the needs of the existing settlement and that allows for the future growth of the settlement.	
TZ	Tertiary Zone	To protect and provide for agriculture and amenity in a manner that protects the physical and visual amenity of the area and demarcates the urban and rural boundary.	

The box below gives typical appropriate uses for each zone type. The planning authority shall determine each proposal on its merits, and shall only permit the development of uses that enhance, complement, are ancillary to, or neutral to the zoning objective. Uses that are materially inconsistent with and detrimental to the zoning objective shall not be permitted.

¹⁸ See 'Introduction to Level 6 Settlement Plans', Volume 2 of the County Development Plan

Uses generally appropriate for **residential** zoned areas include houses, apartments, residential open space, education, community facilities, retirement homes, nursing homes, childcare, health centres, guest house, bed and breakfast, places of public worship, home based economic activity, utility installations and ancillary development and other residential uses in accordance with the County Development Plan.

Uses generally appropriate for **town and village centres** include retail, retail services, health, restaurants, public house, public buildings, hotels, guest houses, nursing / care homes, parking, residential development, commercial, office, tourism and recreational uses, community, including provision for religious use, utility installations and ancillary developments for town centre uses in accordance with the County Development Plan .

Uses generally appropriate for **neighbourhood centre** include retail, retail services, health, restaurants, public house, public buildings, hotels, guest houses, nursing / care homes, parking, residential development, commercial, office, tourism and recreational uses, community, including provision for religious use, utility installations and ancillary developments for neighbourhood centre uses in accordance with the County Development Plan.

Uses generally appropriate for **employment** zoned land include general and light industry, office uses, enterprise units, appropriate warehousing, petrol filling stations (as deemed appropriate), public transport depots, open space, community facilities, utility installations and ancillary developments for employment and industry uses in accordance with the County Development Plan .

Uses generally appropriate for **retail warehousing** zoned areas includes Car Park, Cash and Carry Outlet, Garden Centre, Motor Sales Outlet, Public Services, Retail Warehouse, Wholesale Outlet and ancillary development and other appropriate employment uses in accordance with the County Development Plan.

Uses generally appropriate for **community and educational** zoned land include community, educational and institutional uses include burial grounds, places of worship, schools, training facilities, community hall, nursing homes, health related developments, sports and recreational facilities, utility installations and ancillary developments for community, educational and institutional uses in accordance with the CDP.

Uses appropriate for **active open space** zoned land are sport and active recreational uses including infrastructure and buildings associated with same.

Uses appropriate for **open space (OS1)** zoned land are formal / informal landscaped parks with off-road walking / cycling paths, as well as playgrounds, skate parks, Mixed Use Games Areas and outdoor gyms.

Uses appropriate for **open space (OS2)** zoned land are uses that protect and enhance the function of these areas as flood plains, buffer zones along watercourses and rivers, green breaks between built up areas, green corridors and areas of natural biodiversity. As these open lands are not identified or deemed necessary for development for recreational purposes, other uses that are deemed compatible with proper planning and sustainable development may be open for consideration where they do not undermine the purpose of this zoning.

Uses generally appropriate for **public utility** zoned land are for the provision of necessary infrastructure and services such as water and waste water treatment plants, large ESB sub-stations, gasworks.

Uses generally appropriate for **tourism** zoned land are tourism accommodation and tourism / recreational uses such as Bed & Breakfast, cultural uses, holiday homes, hotels, recreational facilities.

Uses generally appropriate for the **Kilruddery Demesne Conservation and Tourism Zone** are visitor / tourism attractions, tourist accommodation, cultural / sporting / recreational uses and events, recreational and community facilities.

Uses generally appropriate for the **Film Industry Zone** are facilities for the production of film, TV, animation etc including any directly associated spin offs such as visitor facilities; however, residential development or other non film related commercial activities are not to be permitted.

Uses generally appropriate for any **mixed use** area will be specified in the plan.

Many uses exist where they do not conform to the designated zoning objective. When extensions to, or improvements of premises accommodating such uses are proposed, each shall be considered on its merits and permission may be granted where the development does not adversely affect the amenities of properties in the vicinity and does not prejudice the proper planning and development of the area.

Whilst the land-use zoning will give an indication of the acceptability or otherwise of particular uses in particular areas, proposed development will also be assessed in terms of compatibility with the development control guidelines and standards outlined in the Wicklow County Development Plan and this plan. Factors such as density, height, massing, traffic generation, public health regulations, design criteria, visual amenity, availability of services and potential nuisance by way of noise, odour and air pollution are also of importance in establishing whether or not a development proposal conforms to the proper planning and sustainable development of an area.

PROPOSED MATERIAL ALTERATION No. 25

Submissions	
B11	MBCC Foods (Ireland) Ltd
<p>This submission relates to the E3 zone and the uses 'generally permissible'. It is put forward that upon publication of the draft LAP, there was an omission in that the permissible uses in the E3 zone were not stated in the text. This was pointed out to the PA who published a 'zoning clarification note' on the website. This note listed the following uses as generally appropriate: <i>Car Park, Cash and Carry Outlet, Education, Garden Centre, Motor Sales Outlet, Public Services, Restaurant, Retail Warehouse, Wholesale Outlet and ancillary development and other appropriate employment uses.</i></p> <p>However, in the publication of the proposed material alterations, the uses listed as generally appropriate were stated as: <i>Car Park, Cash and Carry Outlet, Garden Centre, Motor Sales Outlet, Public Services, Retail Warehouse, Wholesale Outlet and ancillary development and other appropriate employment uses in accordance with the County Development Plan.</i> There is no evidence in the CE's report as to why 'restaurant' and 'education' uses were omitted. It is queried if this is a drafting / procedural error.</p> <p>It is requested that restaurant use be included as 'generally appropriate' in the E3 zone as it is an increasingly established ancillary feature of retail parks across the country, including locations listed in the submission. There is a clear planning precedent for the approval of café / restaurant units in retail parks and therefore should be a generally acceptable use under the E3 Retail Warehousing zoning objective. The examples listed in the submission have in general been built after the retail parks were completed and perform an ancillary role to the overall retail warehouse use. These standalone café and restaurants are not an attraction in themselves but, serve the needs of staff and visitors to the retail parks as well as the needs of employees.</p> <p>Restaurant use should be included as a use generally acceptable under the E3 Retail Warehousing zoning objective as it will also improve the range of facilities available to customers and employees of Southern Cross Retail Park.</p>	
Opinion of Chief Executive	
<p>This proposed alteration was recommended by the Chief Executive in his previous report and is still recommended.</p> <p>The draft Bray MD LAP was published in August 2017 with the zoning objective & description for Retail Warehousing omitted in error. For information purposes only, an informal zoning clarification note was published online after the publication of the draft LAP. This was to provide interim information on issues that were omitted in error from the draft LAP. It is noted that education and restaurant was included in this informal note as 'uses generally appropriate' for Retail Warehousing however as part of the 1st CE report it was recommended to not include these uses in the list of 'typical appropriate uses' in the proposed alterations to the draft LAP. This brief list gives examples of the core uses considered appropriate for each zoning; it is not an exclusive list. Such uses as a restaurant may be 'open for consideration' in a Retail Warehousing zone however it is not considered a core use for Retail Warehousing. Should a planning application for a particular use that is not stated in the list, like an application for a restaurant use, the Planning Authority shall assess the planning application on its merits and shall only permit the development of uses that enhance, complement, are ancillary to, or neutral to the zoning objective.</p>	
Recommendation of Chief Executive	
To proceed to make Proposed Material Alteration No.25	

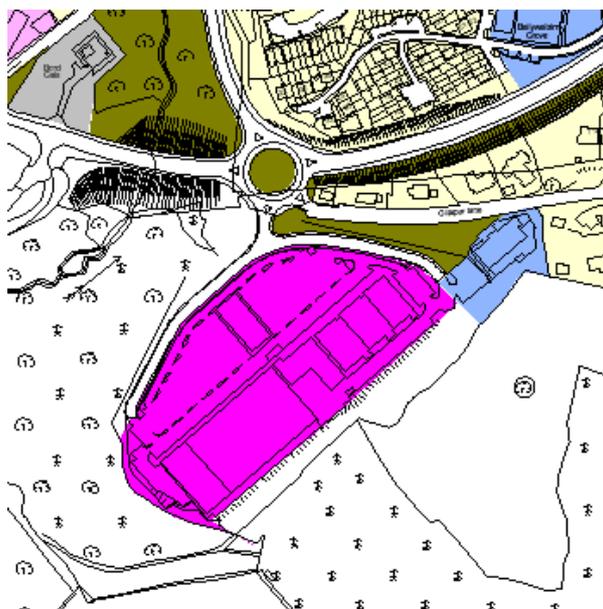
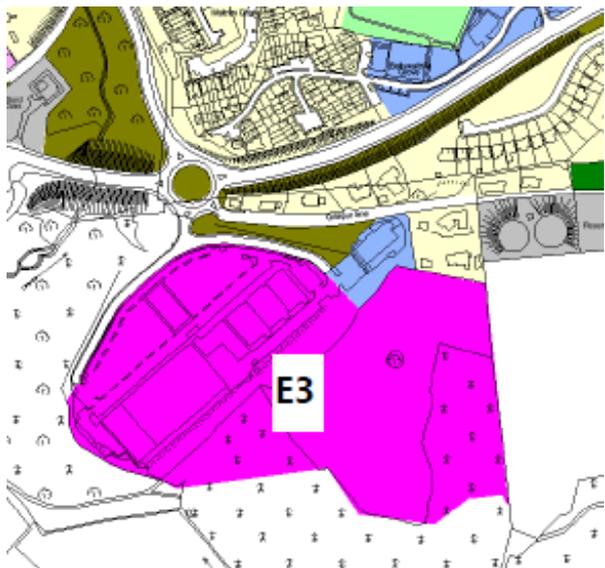
MAPS AND APPENDICES

PROPOSED MATERIAL ALTERATION No. 26

Map No. 2

Change from: E3 Retail Warehousing

Change to: Remove zoning as shown below; amend boundary so that lands are outside the Bray settlement boundary



PROPOSED MATERIAL ALTERATION No. 26

Submissions

B21 TIO ICAV

TIO is the owner of c.4.0 hectares of lands which were zoned in the Rathdown District Plan no. 2 to accommodate 'E1' – employment land uses and are located to the east of Bray Retail Park. Planning permission for an industrial/warehouse development on this site has lapsed (Reg. Ref. 08/811) and this land remains undeveloped.

The land is located within the 'urban' area landscape category as set out in Appendix 5 of the current *Wicklow County Development Plan 2016-2022* and is considered a location appropriate for development. This designation remains unchanged in *Proposed Alterations to Proposed Variation No. 1* currently on display.

While a residential zoning was sought at draft stage, the *1st Chief Executive Report Draft BRAY MD LAP Nov 2017* considered that a wider range of general employment uses be allowed on the site was more appropriate. However following the Council Meeting considering the submissions made to the plan process and the Chief Executive's recommendation, proposed alteration no.26 to the *Bray Municipal District Draft Local Area Plan 2018-2024* states:

"Remove zoning as shown below; amend boundary so that lands are outside the Bray settlement boundary."

Removing a development based land use zoning objective from a site which has already been assessed and concluded that it can accommodate development is clearly at odds with the Core Strategy and conflicts with the County Development Plan.

The site is within the 'urban' area classification, is not included within an Area of Outstanding Natural Beauty and is some distance from the Sugar Loaf. There is also significant distance and quantum of development between the subject site and the Sugar Loaf (Brennanstown estate and riding school, Avoca, Glencormack Business Park and all the

significant lands and residential areas situated in between.

The subject site is immediately adjoining development uses such as residential (Giltspur Lane and Deepdales housing estate), retail, commercial, industrial and is located adjacent to a key arterial route for Bray and Greystones (Southern Cross Road). Moreover, planning permission was granted for an industrial and warehouse / distribution park with a general building height of between 7.6m to 11.2m above finished ground level thus confirming the suitability of the site for development and its ability to assimilate with the surrounding landscape and area.

It is submitted that due consideration of the site and the contribution it can make to the proper planning and sustainable development of Bray and its ability to assist the County Development Plan in delivering upon its Core Strategy cannot be dismissed. Almost 4,000 dwellings are proposed on lands at Fassaroe, which equates to almost two third of the overall housing growth of the plan period. Due to the strategic importance of the Fassaroe site, the submitter agrees with this strategy for development, however, they are unsure if the totality of the targets allocated to Fassaroe can be completed within the lifetime of the LAP.

This sentiment is echoed in the *Proposed Material Alteration to the draft BRAY MD LAP 2018* document which notes that the projected growth of Bray, is reliant on the cooperation and financing of Transport Infrastructure Ireland. This signals that the delivery of strategic housing lands at Fassaroe may be delayed.

TIO respectfully requests that the proposed alteration be reconsidered by the Council. It is noted by the Chief Executive in the November 2017 Report on submissions received that it is considered reasonable for a wider range of general employment uses be allowed on the site. This is without doubt welcomed by TIO, however given the need for residential development to be delivered on sites within close proximity to jobs and services they wish to indicate their acceptance for a residential use to be allocated to these lands. TIO request that the residential zoning sought for the site and justified herein is considered and taken into account by Wicklow County Council in the finalisation of the *Bray Municipal District Local Area Plan 2018-2024*.

TIO has a proven and strong track record in delivering high quality housing and has been active in the Irish market over the last number of years with strategic acquisitions of a range of development and investments assets which include Greystones Marina '*Marina Village*', Cois Glaisin in Navan, Holsteiner Park in Clonee and Herbert Hill in Dundrum. In this regard TIO has a proven track record in the delivery of quality residential development in Wicklow and the Greater Dublin Area. The Marina Village in Greystones was achieved through a public-private partnership between Wicklow County Council, Bridgedale, Sisk and TIO. Marina Village is a waterside residential location which features approximately 358 architecturally designed A-rated homes and the creation of a coastal 5.7 hectare park on the north shores of the development. Marina Village received multiple awards in 2016 including the '*Panasonic PRO*' award for best European residential project and the '*KPMG Irish Independent Property Industry Excellence Awards for Community Benefit Award*'. The development was also shortlisted for the '*Irish construction Industry awards Residential*' project of the year 2017.

This further confirms the credibility to the skills and resources available in the delivery of sites for residential development. It is highlighted to Wicklow County Council therefore that TIO has excellent experience in respect of realising development, in particular, high quality residential sites.

Opinion of Chief Executive

This alteration, to remove the E3 (retail warehousing) zoning from the undeveloped lands was proposed by the Elected Members at the County Council meeting in January 2018.

Landscape category under the County Development Plan 2016 - 2022

With regard to the landscape category of these lands, it is noted that under the current CDP these lands are designated within the Urban Area however there is a County Development Plan Variation process running concurrently to this LAP making process to vary the landscape designation of these lands (Appendix 5 – Landscape Assessment).

E1 zoning request

The submitter seeks that WCC reconsider the CE's previous proposal, from the 1st CE report, to rezone the

undeveloped portion of the lands from E3 (retail warehousing) to E1 (general employment). Albeit, there is sufficient land zoned in Bray and its environs for (E1) general mixed employment , offices etc and limited lands designated for 'retail warehousing', the CE was generally in favour of this change, however, such a change to zone the land for E1 is considered too significant for this latter stage of the plan making process. The only options available at this stage of the plan making process is to revert back to the draft plan with all of the lands in question zoned E3 (retail warehousing) or for only the existing developed lands to retain their E3 zoning and the undeveloped lands to be outside the settlement boundary and unzoned, as what was placed on display with the published proposed alteration.

Residential zoning request

Albeit the submitter seeks WCC to reconsider the CE's proposal (rezone to E1), as a further option they seek that the lands are zoned residential. The CE's is not in favour of this proposal. To rezone these lands for residential at this stage in the plan making process is considered too significant for this stage of the plan making process as only minor alteration can be made at this latter stage of the process.

Recommendation of Chief Executive

To **not** proceed with Proposed Material Alteration No.26

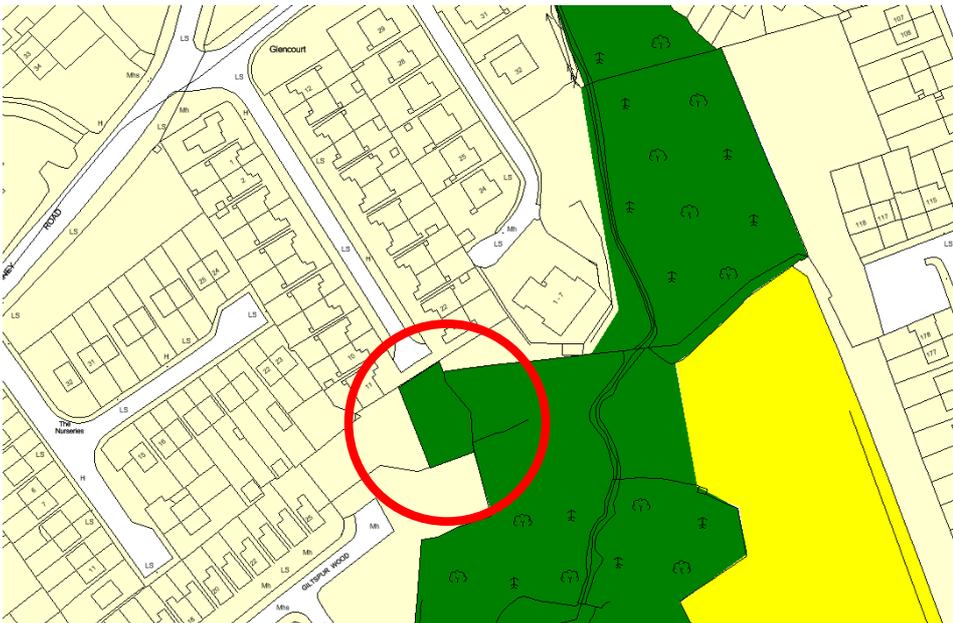
PROPOSED MATERIAL ALTERATION No. 27

Map No. 2

Change from: RE Existing Residential



Change to: OS1 Open Space



PROPOSED MATERIAL ALTERATION No. 27

No submissions

Opinion of Chief Executive

This proposed alteration was recommended by the Chief Executive in his previous report and is still recommended.

Recommendation of Chief Executive

To proceed to make Proposed Material Alteration No.27

PROPOSED MATERIAL ALTERATION No. 28

Map 2

Change from: RE existing Residential



Change to: NC Neighbourhood Centre



PROPOSED MATERIAL ALTERATION No. 28

No submissions

Opinion of Chief Executive

This alteration was proposed by the Elected Members at the County Council meeting in January 2018. The Chief Executive has no objection to this alteration.

Recommendation of Chief Executive

To proceed to make Proposed Material Alteration No.28

PROPOSED MATERIAL ALTERATION No. 29

Map No. GI1

Omit lands which are not publically owned or not open to the public from the 'open space and parks' code on the GI Map (see map overleaf).

PROPOSED MATERIAL ALTERATION No. 29

Submissions

B18 Rego Property

The submitter refers the Council to the inclusion of Map GI 1 within the Material Alterations no. 29. This Material Alteration seeks to omit land that are not publically owned or open to the public from the 'open space and parks' code on the GI Map. It is notable that this includes a significant area of 'open space and parks' that are within Oldcourt and cannot be described as either being publically owned or open to the public and should be removed from this Map. It is also notable that this area is zoned for residential purposes under the RE – Existing Residential zoning objective reflecting the immediate setting of Oldcourt House. It is requested that the 'open space and parks' be removed.

In summary the submitter requests the following:

- the removal of the 'open space and parks' shading that is located within Oldcourt and access road from Map GI1 given that it is in private ownership and for which there is no current public access, and given its Existing Residential zoning.

Opinion of Chief Executive

This proposed alteration, to omit lands which are not publically owned or not open to the public from the 'open space and parks' code on the GI Map, was recommended by the Chief Executive in his previous report and is still recommended.

This submitter is correct, as the lands at Oldcourt are not publically owned or open to the public, there is a mapping error in the published material alteration GI map. It is recommended to make the proposed alteration subject to the mapping correction.

Recommendation of Chief Executive

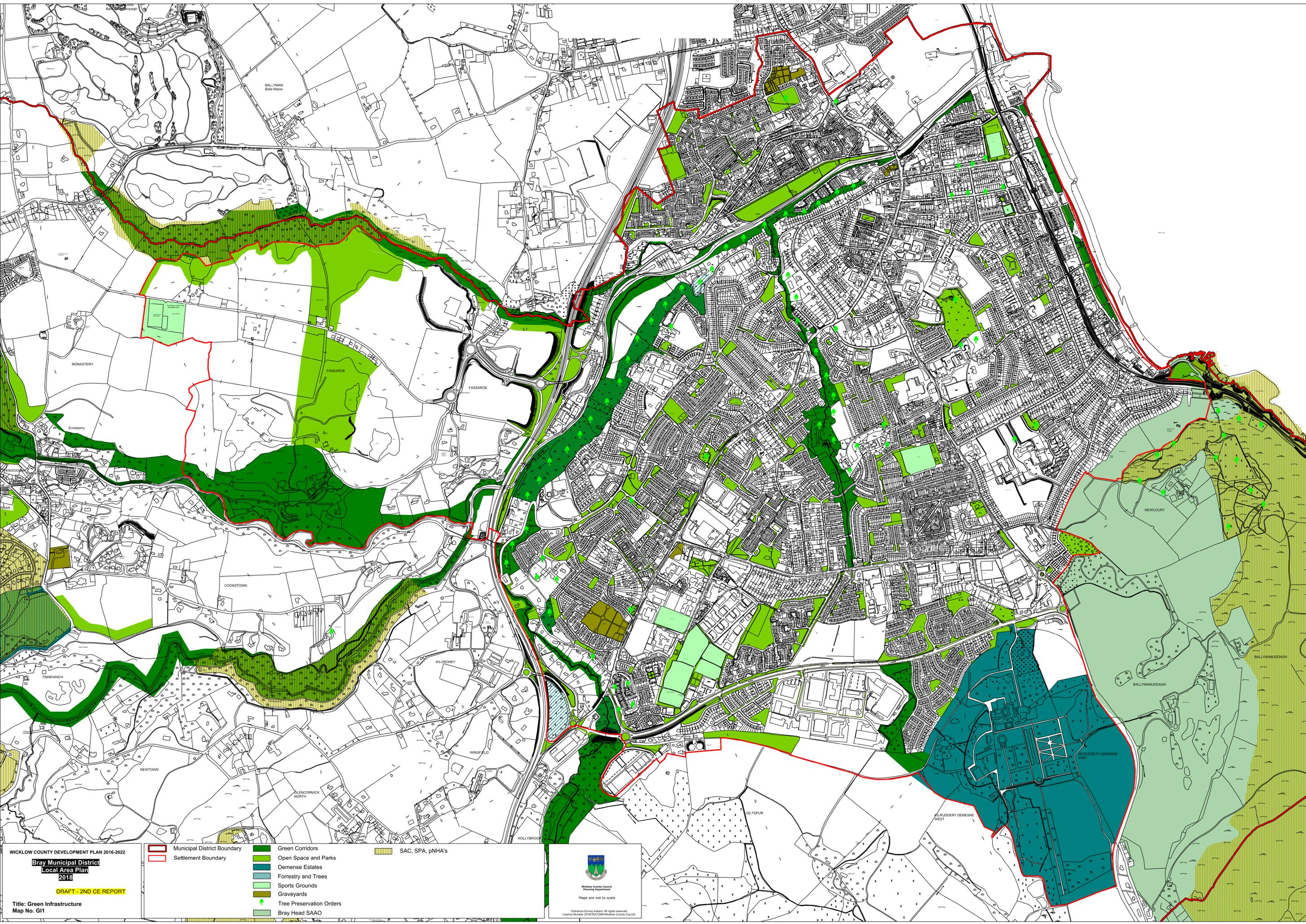
To proceed to make Proposed Material Alteration No.29 (subject to mapping correction)

Correct from:



Correct to:





WICKLOW COUNTY DEVELOPMENT PLAN 2016-2022
Bray Municipal District
Local Area Plan
2018
DRAFT - 2ND CE REPORT
 Title: Green Infrastructure
 Map No. G11

- | | | |
|-----------------------------|--------------------------|------------------|
| Municipal District Boundary | Green Corridors | SAC, SPA, pNHA's |
| Settlement Boundary | Open Space and Parks | |
| | Demense Estates | |
| | Forrestry and Trees | |
| | Sports Grounds | |
| | Graveyards | |
| | Tree Preservation Orders | |
| | Bray Head SAO | |

Wicklow County Council
 Planning Department
 Maps are not to scale
 Ordnance Survey Ireland. All rights reserved.
 Licence Number 2018/SAC/001/Wicklow County Council

PROPOSED MATERIAL ALTERATION No. 30

APPENDIX D

INFRASTRUCTURE DELIVERY SCHEDULE AND IMPLEMENTATION

1. INTRODUCTION

This appendix of the Local Area Plan deals with the infrastructure delivery schedule and sequential development phasing programme linked with necessary investment in infrastructure for the growth settlements of 'Bray and Environs' and Enniskerry¹⁹. The sequential development of the settlements, alongside the phased delivery of the necessary infrastructure including open space, waste water, drainage, educational and recreational amenities and local service provision, is key to the sustainable development of the settlements of Bray and Enniskerry. It is critical that the Local Area Plan ensures, in so far as is feasible, that development within the Local Area Plan progresses in an ordered way which avoids 'leapfrogging' to peripheral areas that are geographically isolated from the existing settlement and infrastructural provision.

In order to ensure the successful delivery of the objectives of this plan, Wicklow County Council takes a positive proactive approach in active land management in order to expedite the delivery of new homes as part of the new residential neighbourhoods planned within the Local Area Plan. Wicklow County Council liaises with all relevant authorities in a collaborative process to resolve any potential blockages to deliver residential development in particular. Further to this any sites in 'Bray and Environs' and Enniskerry in need of development or renewal within the Bray Town Centre (TC), Bray Seafront (SF), Bray Gateway & Transport Hub (GTH), Bray Mixed Use (MU) and both Bray and Enniskerry Residential zones will be examined in order to determine if there are sites where the Vacant Site Levy should be applied.

There are a number of stakeholders involved in the delivery of all the infrastructure projects. All projects are dependent on funding. There are also numerous other matters that need to fall in line in order for each infrastructure project to be delivered, like land acquisition, securing the appropriate planning approval, etc.

2. STAKEHOLDERS

There are a number of stakeholders involved in the delivery of all the infrastructure projects. The delivery of all the strategic infrastructure, water supply, wastewater treatment, transportation and schools are managed by key state agencies.

2.1 Irish Water - Sanitary Services

The provision of an adequate supply of water and wastewater treatment facilities is critical to facilitate and sustain the growth of the plan area. The delivery, integration and implementation of water and wastewater projects and infrastructural improvements are now the responsibility of Irish Water. Wicklow County Council work closely with Irish Water to ensure that the County Development Plan and the LAP continue to align with both national, regional and local planning policy and that the provision of water/wastewater services will not be a limiting factor in terms of targeted growth.

Water Supply

The plan area is served by a number of public water supplies, including the Bray Direct Public Supply, which serves a population of approximately 5,000; the Bray Reservoir Public Supply, which serves a population of approximately 25,000; the Enniskerry Public Supply which serves a population of approximately 3,000 and the Kilmacanogue Public Supply which serves a population of approximately 1,000. The source of all of these water supplies is the Varray Reservoir.

¹⁹ This appendix does not address infrastructure delivery in the smaller settlements of Kilmacanogue and Kilmurray as (a) significant growth is not targeted for these locations and (b) major new infrastructure is not required in these locations to facilitate the levels of growth targeted.

Wastewater Treatment

With regards to wastewater, the majority of the plan area (including the settlements of Bray and Kilmacanogue) is served by the Shanganagh-Bray wastewater treatment plant, which opened in January 2013. This treatment plant has a design capacity of 186,000 population equivalent, and is thus far operating with no capacity issues. Enniskerry is served by another wastewater treatment plant located at Cookstown on the Bray Road. This plant has a design capacity of 6,000 population equivalent and accepts imported sludge from other locations which absorbs much of its capacity.

2.2 Roads & Transport Infrastructure

National Transport Authority (NTA)

The NTA is the transport authority for the Greater Dublin Area (GDA) with the function of the integration of transport and land use planning in the GDA in particular, public transport and traffic management needs in the eastern region of the country. Specific functions in the GDA are (a) undertaking strategic planning of transport; (b) investing in all public transport infrastructure and (c) developing the effective management of traffic and transport demand.

The M11 / N11 motorway/dual carriageway is to the west of Bray town, to the east of Enniskerry and runs through Kilmacanogue. The DART / rail line serves Bray with the train station to the east of the Town Centre. There is a quality bus service in Bray with a limited Dublin Bus service to Enniskerry and Kilmacanogue and the 133 Bus Éireann bus serving Kilmacanogue.

Greater Dublin Transport Strategy 2016 -2035

The plan area is located within the metropolitan region of the GDA and the transport infrastructure was analysed by the NTA as part of the Greater Dublin Transport Strategy 2016 -2035.

The most dominant trip pattern within the plan area is car mode (70%) with public transport a lesser mode (11%). Outside of the M50 there are significant capacity constraints on providing for further growth on the strategic road network. On the rail network, services south of Bray operate on a single line. Congestion on the N/M11 route is increasing, particularly between the Kilmacanogue and Fassaroe junctions, and around the M50/M11 merge, during peak periods. Capacity on this route will need to be protected through appropriate demand management, in order to safeguard its strategic function. As such, the NTA's Strategy will seek to achieve an appropriate balance with the competing demands of strategic movement of high economic value and more locally based commuter traffic; north of Bray, there is considerable scope to increase line capacity on the DART. This, along with other, bus-based options will be required to accommodate the bulk of the anticipated growth in demand within the plan area; and the existing LUAS green line could deliver a limited increase in line capacity. Currently, the line is operating close to its maximum theoretical capacity during the peak demand periods.

Bray & Environs Local Transport Study

Running contemporaneously with the preparation of the Bray MD LAP, the NTA in conjunction with Wicklow County Council, Dún Laoghaire Rathdown County Council and Transport Infrastructure Ireland (TII) is undertaking a 'Transport Study' for Bray and Environs. The transport study is intended to align with the Transport Strategy for the Greater Dublin Area and identify the appropriate transport solutions for the area which will allow development to occur in line with the objectives of the Regional Planning Guidelines. It would also take full account of Transport Infrastructure Ireland M11/N11 Corridor Study.

The core objective is to undertake a transport study for the Study Area which will facilitate the land use objectives of Wicklow County Council and Dún Laoghaire-Rathdown County Council, and to provide a long-term strategic planning framework for the development of transport infrastructure and services in the Study Area.

This study assumes that the NTA Transport Strategy and the TII Corridor Study form the basis for transport investment in the Study Area up to 2035. The first objective of the study is therefore not to revisit these policy documents, but by way of carrying out further, more detailed analysis focussed on the Bray and Environs area, to determine additional measures which may be required to serve the transport demand, as well as bring greater local detail to the strategic

measures set out in the Transport Strategy. The second objective of the study is to set out the transport implications, in terms of mode share, journey times etc. of the land use patterns envisaged by the two local authorities for the Study Area.

Wicklow County Council is committed to supporting and facilitating the implementation of measures identified in the study and managing / phasing development based on the delivery schedule of necessary improvements. In the event that the identification of measures occurs post adoption of the LAP (or post the stage at which changes can be made to the LAP and this appendix), Wicklow County Council is committed to updating / amending the LAP including this appendix if found necessary.

Transport Infrastructure Ireland (TII)

The TII has recently completed the M11/N11 Corridor Study – Needs Assessment Report (2017). The function of this report is to assess the future needs of the M11/N11 National Road corridor between Junction 4 (M50/M11) and Junction 14 (Coynes Cross) against a backdrop of its role as part of the Trans-European Transport Network of roads. The report also considers the needs of the regional and local road network required to support and complement the M11/N11 corridor and the safe daily operation of the M11/N11 corridor in relation to incidents. The key objectives of the study are to:

1. Identify the improvements required to:

- Bring the section of the corridor (M11/N11 mainline and junctions) up to the appropriate standard;
- Develop the regional and local road network to support local access and complement the corridor strategy, including the closure of all direct accesses;
- Ensure the safe daily operation of the M11/N11 mainline and junctions in the event of the occurrence of incidents.

2. Identify a phased implementation of the improvements such that operational benefits on the corridor can be realised at an early stage without compromising the long term strategy.

Wicklow County Council is committed to supporting and facilitating the implementation of measures to improve the M/N11 and associated junctions that emerge from this study.

2.3 Department of Education and Skills – school provision

The Department of Education is the main stakeholder with responsibility for the provision of schools by modernising / extending existing schools and providing new schools. Wicklow County Council will work closely with the Department of Education and Skills (DoEd) and individual developers to secure the co-ordinated delivery of essential school provision.

2.4 Local level stakeholders

More local level infrastructure is to be provided within the key development parcels including crèche provision, neighbourhood centre facilities, pocket parks, cycle and pedestrian routes, civic spaces and public realm improvements. In most circumstances the developer of the land is a key local level stakeholder; however there are numerous local level stakeholders many of whom are state agencies.

2.5 Wicklow County Council

Wicklow County Council as the local authority responsible for the plan area has both a plan management and project delivery role in the timely and co-ordinated delivery of all strategic and local infrastructure. As the planning authority, the Council is responsible for the plan management of the implementation of the objectives of the Local Area Plan and all the others sections of the council; Community, Cultural and Social Development section; Transportation, Water and Environmental Services section, Housing and Corporate Estate section and Economic Development and Enterprise section have roles in the project delivery of certain infrastructure solely or in conjunction with other bodies.

3. FUNDING SOURCES

The LAP identifies a range of strategic and local infrastructure necessary to facilitate development in the Plan Area. The delivery of all infrastructure is funding dependant. The key funding sources for the delivery of infrastructure are:

<u>Developer</u>	The developer of the land / infrastructure provides the funding to deliver the infrastructure or provides the infrastructure themselves.
<u>State</u>	LIHAF funding, Smarter Travel funding, Irish Water (IW), Transport Infrastructure Ireland (TII), National Transport Authority (NTA), OPW, Department of Education, LEADER/SICAP funding, other government departments, etc
<u>Wicklow County Council</u>	WCC Development contribution schemes, WCC Capital Works Programme, etc.

4. INFRASTRUCTURE DELIVERY SCHEDULE

This section sets out the key infrastructure necessary, in a staged delivery schedule, in order to achieve the timely delivery of the objectives of this plan. This section focuses on the key road, recreational, community and educational infrastructure. It is acknowledged that there is a broad range of infrastructure necessary in order to enhance the services to the homes, businesses and schools of 'Bray and Environs' and Enniskerry.

The development and continued delivery of telecommunications and energy has not been incorporated into this schedule as it is addressed under the County Development Plan and Wicklow County Council continues to liaise and work with the necessary telecommunications and energy providers of such infrastructure to continue to enhance these services.

The continued development of Bray Harbour as a key recreational infrastructure asset has not been incorporated into this schedule as it is addressed under the objectives of the County Development Plan and this Local Area Plan. The management of the harbour is a function of Wicklow County Council.

The lifetime of the Local Area Plan is six years. The delivery schedule is divided in to the following four phases as well as an on-going stage with delivery throughout the plan lifetime and beyond:

<u>Immediate term</u>	Year 1 and Year 2
<u>Short term</u>	Year 3 to Year 5
<u>Medium term</u>	Year 5 to Year 10
<u>Long term</u>	10 years plus
<u>On - going</u>	Throughout the plan lifetime and beyond

This schedule is a living programme. It will be reviewed at regular intervals to assess how the implementation is progressing, available resources and as new sources of funding and/or providers emerge.

Implementation & Infrastructure Delivery Schedule Table

Infrastructure	Delivery Schedule	Funding
TRANSPORT		
Implement measures identified in 'Bray and Environs Local Transport Study'	On-going	Developer, State, WCC
Park and ride facilities	Short term	Developer, State, WCC
Improvement to bus links to Bray train station	Immediate term – Short term	State
Mass transit/LUAS to Bray town centre, Bray train station and Fassaroe	Short term– Medium term	State
Improvements to mainline train and DART services	Medium term	State
Improve the capacity of the N11 / M11 - Implement the objectives of the 'Transport Infrastructure Ireland M11/N11 Corridor Study 2017'	Short term – Medium term	State
Improved and new bus services both in and out of the District and also within the District	Short term – Medium term	State
Provision of alternative road links between Bray / the N11 and Enniskerry (an access road from the N11 to Ballyman Road)	Short term – Medium term	Developer, State
North – south link route from the new distributor road to cross Ballyman Glen and continue in County Dublin and link up with old Conna Avenue	Medium term	Developer, State, WCC
General Road Improvements	On-going	Developer, State, WCC
General Footpath Improvements	On-going	Developer, State, WCC
General Cycle Improvements	On-going	Developer, State, WCC
General Car parking Improvements	On-going	Developer, State, WCC

Infrastructure	Delivery Schedule	Funding
WATER AND WASTE WATER		
General water supply network upgrade and extension.	On-going	State (IW)
General wastewater treatment network upgrade and extension.	On-going	State (IW)
General - Replace the combined surface water system with a separate network to the waste water.	On-going	State (IW), WCC
Dargle River Flood Defence Scheme	Immediate term	State (OPW), WCC

Infrastructure	Delivery Schedule	Funding
SOCIAL		
Active Open Space at Fassaroe	Medium term	Levies / Developer
Public Open Space / Park at Fassaroe	Short term	Levies / Developer
Public Open Space / Park at Cookstown, Enniskerry	Medium term	Developer
Public Open Space / Parks at Former Golf Club lands, Bray	Short term	Developer
Crèche/ Childcare facilities	Short - Medium term	Developer

Community facilities (Audit required ²⁰)	Short - Medium term	Developer
Community Centre at Parknasilloge, Enniskerry	Short – Medium term	Levies / Developer
Schools at Fassaroe	Short – Medium term	State (DoEd)
School site at Parknasilloge, Enniskerry	Short – Medium term	State (DoEd)

5. FASSAROE

The most significant development targeted for the Bray MD is the delivery of a major new housing, employment and open space zone at Fassaroe, west of the N11. Significant investment in infrastructure will be required to realise the development potential of this area, and ensure the delivery of significant new housing and transport networks for the north Wicklow area.

In accordance with the provisions of the LAP, this area shall be developed in accordance with the following key delivery and phasing criteria:

1. Development shall be carried out in phases in the following manner

Phase 1	<ul style="list-style-type: none"> o Road link from N11 to Ballyman Road o Passive park (8ha) o Active Open Space / Sports Zone (minimum of 14 ha) o Site identified and reserved for school campus o Neighbourhood Centre o 1,500 residential units
Phase 2	<ul style="list-style-type: none"> o 1,500 residential units
Phase 3	<ul style="list-style-type: none"> o Identification and reservation of site for additional primary school o Remainder of residential units

2. The development of this area shall include the provision of an access road from the N11 to Ballyman Road; the scale of such a route shall reflect its primary function as a service road for a new neighbourhood, rather than that of a 'by-pass'; the design and location of this route shall not affect the functionality of the major open space as a single park and an innovative design solution where park crossing is necessary will be required.
3. Provision shall be made for a north – south link route from the new distributor road to cross Ballyman Glen and continue in County Dublin and link up with old Conna Avenue. The nature and function of this link i.e. the type of traffic it will carry (vehicles / pedestrian / cyclist / light rail) shall be determined at application stage, following consultation with the transport agencies and the neighbouring local authority.
4. The development of this area shall make provision for LUAS or other mass transit public transport services, and any necessary infrastructure such as depots / stabling.
5. All new development shall be accompanied by appropriate transport services, the format and scale of which shall be in accordance with the Bray and Environs Local Transport Study (to be carried out by the NTA in collaboration with Wicklow County Council and Transport Infrastructure Ireland). Developers shall be responsible for the provision and funding of the required transport services until such a time as public services are extended to the area.

²⁰ Where specified by the Planning Authority, new significant residential or mixed use development (This is determined to be any proposed development in: (a) settlement levels 1 to 4 of 150+ residential units, (b) settlement level 5 of 75+ residential units and (c) settlement level 6 of 30+ residential units.) proposals, may be required to provide a social and community facility/facilities as part of the proposed development or the developer may be required to carry out a social infrastructure audit, to determine if social and community facilities in the area are sufficient to provide for the needs of the future residents. Where deficiencies are identified, proposals will be required to either rectify the deficiency, or suitably restrict or phase the development in accordance with the capacity of existing or planned services.

6. Lands immediately west of the designated 'neighbourhood centre' shall be reserved for the future development of a multi school campus; in the event that further schools are required, these shall be located to the west of the major open space on residentially zoned land.
7. Lands of not less than 22ha shall be laid out and dedicated to parks and active / sports uses (this corresponds to land use zones OS1 and AOS, but not OS2). Lands identified as OS2 generally comprise open, undeveloped lands encompassing flood plains, buffer zones along watercourses, rivers and Natura 2000 sites, steep banks, green breaks between built up areas, green corridors and areas of natural biodiversity. These lands are generally not considered suitable for new development, including for park use, and shall not be included in the required 20ha major open space.

6. PHASING

It is an objective of the Council that development is undertaken in an orderly and sustainable manner. The development of zoned land should generally be phased in accordance with the sequential approach:

- Development should extend outwards from the town centre with undeveloped land closest to the centre and public transport routes (if available) being given preference, i.e. 'leapfrogging' to peripheral areas should be avoided where feasible;
- A strong emphasis should be placed on encouraging infill opportunities and better use of underutilised lands;
- Areas to be developed should be contiguous to existing developed areas; and
- The development of Action Area Plans and Specific Local Objectives should be phased in accordance with the stated objectives of the Action Area / SLO where phasing has been specified.

7. IMPLEMENTATION, MONITORING & REVIEW

Wicklow County Council is committed to taking a proactive approach to progress the delivery of the Plan. The LAP will have effect for a period of six-years from the date of adoption, unless otherwise extended, amended or revoked, as per the Planning and Development Act 2000 (as amended). Prior to the fifth year from adoption, the Planning Department will carry out a review of the LAP to inform whether the Plan should be extended (for a maximum of another five years) or revoked. The findings of the review will be presented to the Elected Members for their consideration.

PROPOSED MATERIAL ALTERATION No. 30

Submissions	
A2	NTA
<p>In our submission on the draft LAP, it was stated that the ongoing NTA study may have <i>"additional implications for transport policy and objectives in the MD which will need to be taken on board as part of the LAP process"</i>. The NTA welcomes the clear commitment from WCC to update and amend the LAP if necessary in order to provide a statutory planning basis for the study. As such it is recommended that the text relating to the study within material alteration No. 30 is included in the final plan.</p>	
A6	TII
<p>TII welcomes reference to the M11/N11 Corridor Study and the Councils commitment to supporting and implementing measures to improve the M/N11 and associated junctions that emerge from the Study. The Council will note that the measures identified in the Study are consistent with proposals included in the NTA's Transport Strategy for the Greater Dublin Area, 2016 – 2035.</p> <p>In terms of project status, the national road elements of the Study will be subject to pre-appraisal in accordance with the provisions of Project Ireland 2040; National Development Plan, 2018 – 2027. There is currently no funding commitment for the delivery/implementation of the national road measures identified. The off-network complementary local transport measures are considered a matter for the Council to address. Infrastructure improvements required to facilitate growth are a matter for the Council and/or developers.</p> <p>In relation to phasing proposals for Fassaroe included in Section 5 of Proposed Material Alteration No. 30, TII remains of the opinion that zoning and phasing proposals such as that outlined should be fully informed and, if necessary, amended to reflect the Bray and Environs Local Transport Study in relation to location, and quantum of lands zoned for development, necessary improvements and interventions and phasing proposals.</p>	

Opinion of Chief Executive

The Chief Executive generally supports the making of the proposed alteration, the majority of the contents of which were recommended by him in his first report.

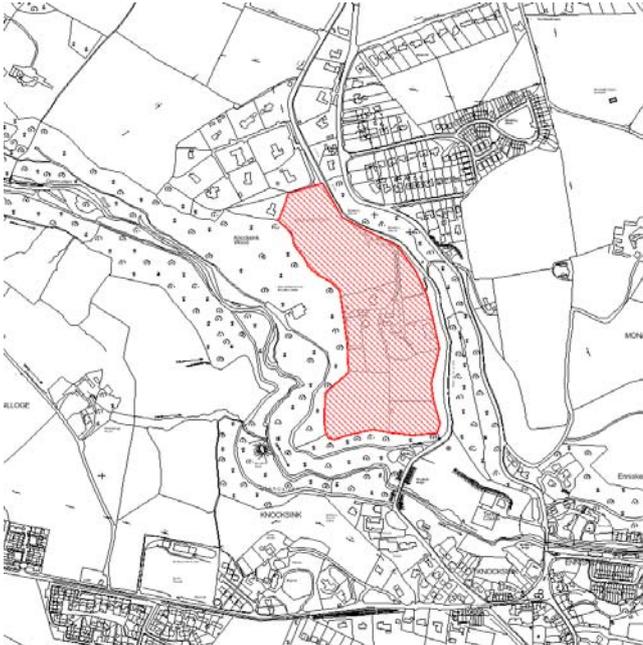
Changes to the phasing programme for Fassaroe are dealt with under Proposed Material Alteration No. 16.

Recommendation of Chief Executive

To proceed to make Proposed Material Alteration No. 30.

OTHER ISSUES WITHIN THE SUBMISSIONS

Two submissions have been received that raise issues that do not relate to the Proposed Material Alterations; a brief summary of said submissions, for information purposes only, is set here.

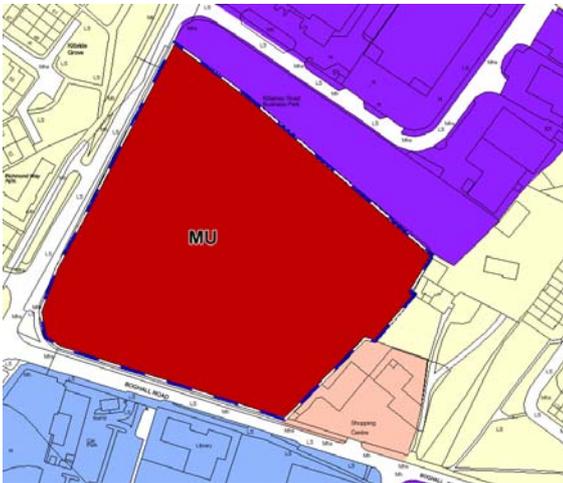
No.	Name	Submission
A3	Minister for Agriculture, Food and the Marine	Acknowledging receipt of the proposed alterations. The Department has no submissions or observations in regard to same.
B8	Jack Kennedy	<p>The submitter is the owner of Woodville B&B, Ballywaltrim Lane in Bray. They are seeking the lands to the north of the dwelling/B&B, as shown in hatched red, to be rezoned from OS2 Open Space to RE Existing Residential.</p>  <p>The map shows a residential area with a river on the left. A specific plot of land, outlined in red and filled with diagonal hatching, is located north of a building complex. The surrounding area includes various residential plots and roads.</p>
B10	The Leddy Family	<p>The submitter is the owner of land in Monastery in Enniskerry. They are seeking the lands, as shown in hatched red, be rezoned from OS2 Open Space to Residential.</p>  <p>The map shows a large residential development area. A significant plot of land, outlined in red and filled with diagonal hatching, is situated in the center of the area. The map includes numerous residential plots, roads, and some green spaces.</p>

MAPPING CORRECTIONS

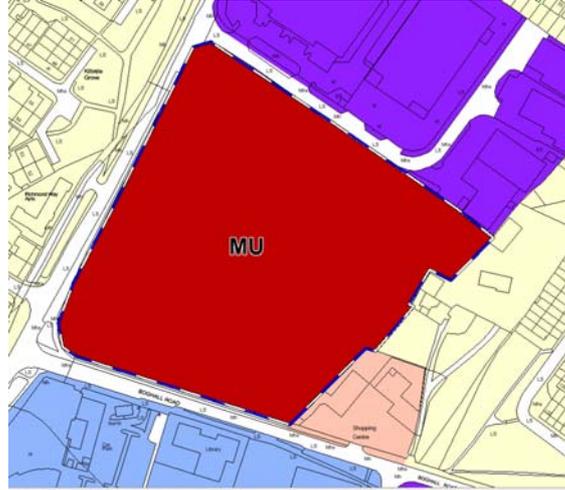
Two submissions have been received that raise issues that relate to mapping errors, no.22 refers to the Land Use Map and no.29 related to the Green Infrastructure Map.

To proceed to make Proposed Material Alteration No.22 (subject to mapping correction)

Correct from:



Correct to:



To proceed to make Proposed Material Alteration No.29 (subject to mapping correction)

Correct from:



Correct to:

