

Leonora Earls

From: Maria Lombard [maria.lombard@rpsgroup.com]
Sent: 09 March 2018 09:41
To: Planning - Plan Review
Subject: Bray LAP - Proposed Material Alterations to Draft Bray MD LAP
Attachments: Bray LAP Proposed Material Alterations -L.WCC-09.03.18.pdf

Please find attached submission in respect of the Proposed Material Alterations to the Draft Bray MD LAP.

I would be grateful if you could acknowledge receipt of same please.

Many thanks,

Maria Lombard

Maria Lombard
Director, Planning and Environment - RPS
 Innishmore,
 3allincollig, Co Cork.
 Ireland
Tel: +353 (0) 21 466 5900
Email: maria.lombard@rpsgroup.com
www: www.rpsgroup.com/ireland

This e-mail message and any attached file is the property of the sender and is sent in confidence to the addressee only.

Internet communications are not secure and RPS is not responsible for their abuse by third parties, any alteration or corruption in transmission or for any loss or damage caused by a virus or by any other means.

RPS Group Plc, company number: 208 7786 (England). Registered office: 20 Western Avenue Milton Park Abingdon Oxfordshire OX14 4SH.

RPS Group Plc web link: <http://www.rpsgroup.com>

Administrative Officer,
Planning Section,
Wicklow County Council,
Station Road,
Wicklow Town,
A67 FW96

9th March 2018

RE: PROPOSED MATERIAL ALTERATIONS TO THE DRAFT BRAY MUNICIPAL DISTRICT LAP 2018-2024

Dear Sir,

We refer to the Proposed Material Alterations to the Draft Bray Municipal District Local Area Plan 2018-2024 which were placed on public display on 9th February 2018. In response to the invitation for observations from the public we are instructed by Cosgrave Property Group, 15 Hogan Place, Dublin 2 to lodge this submission in respect of part of the content of the proposed material alterations.

This submission relates to the proposed material alteration to the proposed phasing for development on lands at Fassaroe. Cosgrave Property Group 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 at the land.

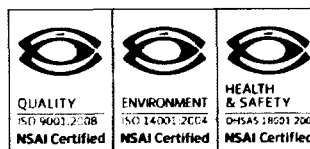
The current proposed phasing for the lands at Fassaroe under the proposed material alterations is as follows:

Phase 1	Road link from N11 to Ballyman Road Passive park (minimum of 8ha) Active Open Space / Sports Zone (minimum of 14 ha) Site identified and reserved for school campus Neighbourhood Centre 1,500 residential units
Phase 2	1,500 residential units
Phase 3	Identification and reservation of site for additional primary school 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.

Dublin | Cork | Galway | Sligo

RPS Group Limited, registered in Ireland No. 91911
RPS Consulting Engineers Limited, registered in Ireland No. 161581
RPS Planning & Environment Limited, registered in Ireland No. 160191
RPS Engineering Services Limited, registered in Ireland No. 99795
The Registered office of each of the above companies is West Pier Business Campus, Dun Laoghaire, Co. Dublin, A96 N6T7



We confirm that in general we 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, we 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	Road link from N11 to Ballyman Road Passive park (minimum of 8ha) Site identified and reserved for school campus Neighbourhood Centre 1,500 residential units
Phase 2	Active Open Space / Sports Zone (minimum of 8 ha) 1,500 residential units
Phase 3	Identification and reservation of site for additional primary school Remainder of Active Open Space / Sports Zone (to reach total of 14 ha) 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.

We 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.

Yours faithfully,


Maria Lombard

Lisa Rothwell

From: Shane McDermott [smcdermott@slrconsulting.com]
Sent: 09 March 2018 16:28
o: Planning - Plan Review
Subject: 501.00267.00010/04 Bray LAP Material Alterations
Attachments: 180309 CRHE Fassaroe Bray MD LAP 2014 - 2024 CRHE Submission on Proposed Material Alterations_Final.pdf

Dear Sir/Madam,

Please find attached a submission regarding the proposed material alterations to the draft Bray Municipal District Local Area Plan 2018 – 2017.

Regards,

Aoife Byrne



Shane McDermott

Principal - Minerals - Environmental & Social Impact Assessment

+353 1 296 4667
smcdermott@slrconsulting.com

SLR Consulting Ireland
7 Dundrum Business Park, Windy Arbour, Dublin, D14 N2Y7



Confidentiality Notice and Limitation

This communication, and any attachment(s) contains information which is confidential and may also be legally privileged. It is intended for the exclusive use of the recipient(s) to whom it is addressed. If you are not the intended recipient, any disclosure, copying, distribution or action taken or not taken in reliance on it is prohibited and may be unlawful. If you have received this communication in error, please advise SLR by e-mail and then delete the e-mail from your system. As e-mails and any information sent with them may be intercepted, corrupted and/or delayed, SLR does not accept any liability for any errors or omissions in the message or any attachment howsoever caused after transmission.

Any advice or opinion is provided on the basis that it has been prepared by SLR with reasonable skill, care and diligence, taking account of the manpower, timescales and resources devoted to it by agreement with its Client. It is subject to the terms and conditions of any appointment to which it relates. Parties with whom SLR is not in a contractual relationship in relation to the subject of the message should not use or place reliance on any information, advice, recommendations and opinions in this message and any attachment(s) for any purpose.

© 2017 SLR Consulting Limited. All Rights Reserved.

DRAFT BRAY MUNICIPAL DISTRICT LAP 2018 - 2014

SUBMISSION ON PROPOSED MATERIAL ALTERATIONS

Prepared for: CRH Estates Limited

SLR Ref: 501.00267.00010.03
Version No: Final
March 2018

The logo for SLR, consisting of the letters 'SLR' in a bold, white, sans-serif font. To the right of the letters is a small, stylized globe icon with a grid pattern.

BASIS OF REPORT

This document has been prepared by SLR Consulting Ireland with reasonable skill, care and diligence, and taking account of the manpower, timescales and resources devoted to it by agreement with CRH Estates Limited (the Client) as part or all of the services it has been appointed by the Client to carry out. It is subject to the terms and conditions of that appointment.

SLR shall not be liable for the use of or reliance on any information, advice, recommendations and opinions in this document for any purpose by any person other than the Client. Reliance may be granted to a third party only in the event that SLR and the third party have executed a reliance agreement or collateral warranty.

Information reported herein may be based on the interpretation of public domain data collected by SLR, and/or information supplied by the Client and/or its other advisors and associates. These data have been accepted in good faith as being accurate and valid.

The copyright and intellectual property in all drawings, reports, specifications, bills of quantities, calculations and other information set out in this report remain vested in SLR unless the terms of appointment state otherwise.

This document may contain information of a specialised and/or highly technical nature and the Client is advised to seek clarification on any elements which may be unclear to it.

Information, advice, recommendations and opinions in this document should only be relied upon in the context of the whole document and any documents referenced explicitly herein and should then only be used within the context of the appointment.

CONTENTS

1.0 INTRODUCTION	1
1.1 Background	1
1.2 Structure of Submission	1
2.0 SUBMISSION	3
2.1 Proposed Material Amendment 16 - Fassaroe Landuse Zoning.....	3
2.2 Proposed Material Amendment 16 – Fassaroe: Phasing of Development.....	6
2.3 Infrastructure	7

DOCUMENT REFERENCES

FIGURES

Figure 1 Site Location Map	2
Figure 2 Fassaroe –Zoning Proposed in Material Alterations Document	4

APPENDICES

Appendix A: Revised Phasing Schedule

1.0 INTRODUCTION

1.1 Background

Wicklow County Council has published proposed material alterations to the Bray Municipal District Draft Local Area Plan for the period 2018 to 2024. The consultation period on these material alterations closes on 9th March 2018.

This submission sets out CRHE's response to the material alterations proposed in relation to the draft LAP. It has been prepared by SLR Consulting Ireland and Loci.

Roadstone Limited and CRH Estates Limited (both part of the CRH Group) have property assets within the Bray Municipal District at Fassaroe (see Figure 1 below). The Roadstone/CRHE lands at Fassaroe are zoned under the Bray Environs Local Area Plan (LAP) 2009 – 2017 and are the subject of the Fassaroe Masterplan 2010. As key stakeholder, CRH Estates Limited (CRHE) intends to be fully involved in any review of LAP policies that would affect the development of Fassaroe.

Roadstone and CRHE have previously made submissions in respect of pre-draft consultation in October 2016 and the draft Local Area Plan in August 2017. In response to the draft LAP, CRHE noted:

- the need for additional detail (in relation to density, urban structure, etc.) in the LAP to support the preparation of an Action Area Plan by the key stakeholders;
- the need to achieve a reasonable balance between land zoned for residential development and open space;
- the need for further detail on the integration of urban structure and public transport infrastructure, such as stabling, within the Fassaroe area;
- the need to provide neighbourhood centre uses to the south of Berryfield Lane;
- the need to ensure that the delivery of housing to the south of Berryfield Lane is not entirely dependent on the progression of Cosgrave Property Group development to the north of Berryfield Lane.

It is considered that although the matter of balancing open space provision and residential development has been addressed, there remain several key issues, such as key pieces of infrastructure and overall phasing, have not been resolved. It is acknowledged, however, that submissions can only be made in respect of the proposed material alterations. Given that Fassaroe is crucial to the delivery of housing in Wicklow, it is considered that the development of Fassaroe would be better served by a more flexible approach, which would be achieved by revised zoning and phasing.

A flexible approach to phasing and the reconsideration of zoning would ensure that neither key stakeholder (CRH Estates Ltd and Cosgrave Property Group) is entirely dependent on the other. The current approach does not acknowledge that there may be constraints to be overcome and that a high level of interdependence could delay the timely delivery of development across the entire Action Area.

1.2 Structure of Submission

In commenting on the proposed material alterations to the draft LAP, this submission addresses a number of matters at Fassaroe:

- Landuse zoning;
- Phasing of development.
- Infrastructure

Figure 1
 Site Location Map



2.0 Submission

2.1 Proposed Material Amendment 16 - Fassaroe Landuse Zoning

The zoning proposed in the material amendments (refer to Figure 2) requires alterations to facilitate the development of the lands (refer to Figure 3). These include:

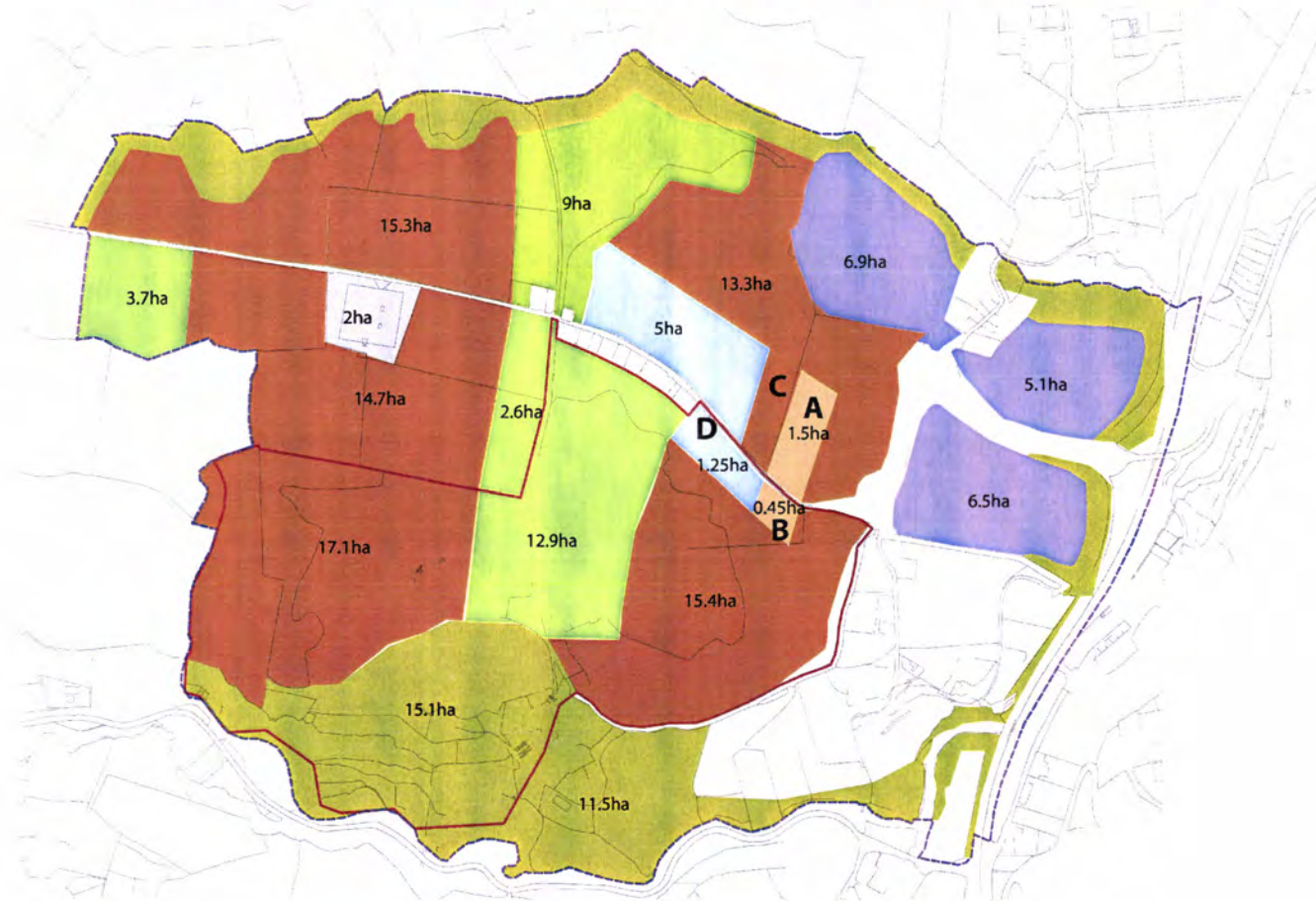
- A) Relocate Neighbourhood Centre zoning to the east (refer to location A on Figure 3) of its current position to reflect the optimal location for the centre and critical urban structure (roads, water, waste, light rail reservation etc.). This is also required to reflect the current development proposal by Cosgrave Property Group (CPG) (under judicial review).
- B) Extend the Neighbourhood Centre zoning to the south of Berryfield Lane (refer to location B on Figure 3) 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 (refer to location C on Figure 3). 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 (refer to location D of Figure 3).

The proposed amendments to the zoning are shown in Figure 3. The zoning diagram in the material amendments, as shown on page 26 of the document, will need to be amended to reflect zoning changes.

Figure 2
Fassaroe –Zoning Proposed in Material Alterations Document



Figure 3
Fassaroe – Proposed Amended Zoning (please refer to Section 2.1 – Items A to D for details)



2.2 Proposed Material Amendment 16 – Fassaroe: Phasing of Development

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 (as already discussed above).

- 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.

2.3 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 land-holder is not in a position to deliver key elements of the infrastructure.

APPENDIX A

Revised Phasing Schedule

Phase	Relative Years	Residential Requirements	Transport Infrastructure	Social and Community Infrastructure	Commercial, retail and office	Other Infrastructure
1	0-3	750	Interim public transport-supported measures. Access improvement at Berryfield Lane (Eastern end).	Primary school site (Zoned land east or west of Berryfield Lane). Active open space (min. 6ha). Passive open space (min. 3.0ha). Civic building in Neighbourhood centre for community use and management (approximately 1,000sqm.).	Minimum 2,000sqm in Neighbourhood Centre.	Water and drainage improvements and upgrades.
2	4-6	750	N11/M11 upgrades and public transport services upgrade. Ballyman link road commenced.	Additional active open space (min. 8ha). Passive Open Space (min. 6.0ha).	Minimum 2,000sqm in Neighbourhood Centre.	Water and drainage improvements and upgrades.
3	7-10	750	Public transport services upgrade. Ballyman link road.	Secondary School site (zoned land north of Berryfield Lane).	Minimum 1,000sqm in Neighbourhood Centre.	Water and drainage improvements and upgrades.
4	10-13	750	Public transport services upgrade.	Additional primary school site (Zoned land east or west of Berryfield Lane).		Water and drainage improvements and upgrades.
5	13+	Remainder	Public transport services upgrade.			Water and drainage improvements and upgrades.

EUROPEAN OFFICES

United Kingdom

AYLESBURY

T: +44 (0)1844 337380

BELFAST

T: +44 (0)28 9073 2493

BRADFORD ON-AVON

T: +44 (0)1225 309400

BRISTOL

T: +44 (0)117 906 4280

CAMBRIDGE

T: +44 (0)1223 813805

CARDIFF

T: +44 (0)29 2049 1010

CHELMSFORD

T: +44 (0)1245 392170

EDINBURGH

T: +44 (0)131 335 6830

EXETER

T: +44 (0)1392 490152

GLASGOW

T: +44 (0)141 353 5037

GUILDFORD

T: +44 (0)1483 889800

LEEDS

T: +44 (0)113 258 0650

LONDON

T: +44 (0)203 691 5810

MAIDSTONE

T: +44 (0)1622 609242

MANCHESTER

T: +44 (0)161 872 7564

NEWCASTLE UPON TYNE

T: +44 (0)191 261 1966

NOTTINGHAM

T: +44 (0)115 964 7280

SHEFFIELD

T: +44 (0)114 245 5153

SHREWSBURY

T: +44 (0)1743 23 9250

STAFFORD

T: +44 (0)1785 241755

STIRLING

T: +44 (0)1786 239900

WORCESTER

T: +44 (0)1905 751310

Ireland

DUBLIN

T: +353 (0)1 296 4667

France

GRENOBLE

T: +33 (0)4 76 70 93 41

Leonora Earls

From: Shane McDermott [smcdermott@slrconsulting.com]
Sent: 09 March 2018 16:28
To: Planning - Plan Review
Subject: 501.00267.00010/04 Bray LAP Material Alterations
Attachments: 180309 CRHE Fassaroe Bray MD LAP 2014 - 2024 CRHE Submission on Proposed Material Alterations_Final.pdf

Dear Sir/Madam,

Please find attached a submission regarding the proposed material alterations to the draft Bray Municipal District Local Area Plan 2018 – 2017.

Regards,

Aoife Byrne



Shane McDermott

Principal - Minerals - Environmental & Social Impact Assessment

+353 1 296 4667

smcdermott@slrconsulting.com

SLR Consulting Ireland
7 Dundrum Business Park, Windy Arbour, Dublin, D14 N2Y7



Confidentiality Notice and Limitation

This communication, and any attachment(s) contains information which is confidential and may also be legally privileged. It is intended for the exclusive use of the recipient(s) to whom it is addressed. If you are not the intended recipient, any disclosure, copying, distribution or action taken or not taken in reliance on it is prohibited and may be unlawful. If you have received this communication in error, please advise SLR by e-mail and then delete the e-mail from your system. As e-mails and any information sent with them may be intercepted, corrupted and/or delayed, SLR does not accept any liability for any errors or omissions in the message or any attachment howsoever caused after transmission.

Any advice or opinion is provided on the basis that it has been prepared by SLR with reasonable skill, care and diligence, taking account of the manpower, timescales and resources devoted to it by agreement with its Client. It is subject to the terms and conditions of any appointment to which it relates. Parties with whom SLR is not in a contractual relationship in relation to the subject of the message should not use or place reliance on any information, advice, recommendations and opinions in this message and any attachment(s) for any purpose.

© 2017 SLR Consulting Limited. All Rights Reserved.

Administrative Officer,
Planning Department,
Wicklow County Council,
Station Road,
Wicklow Town
A67 FW96

9th March 2018

Dear Sir/Madam,

RE: SUBMISSION ON THE MATERIAL ALTERATIONS TO THE BRAY MUNICIPAL DISTRICT LOCAL AREA PLAN 2018-2024

1.0 INTRODUCTION

- 1.1 On behalf of our client, RGRE J & R Valery's Limited, Treasury Building, Grand Canal Street Lower, Dublin 2, we wish to make a submission on the Material Alterations to the Draft Bray Municipal District Local Area Plan 2018 - 2022. The submission relates to lands located at within the curtilage of St. Valery's, Fassaroe, Kilcronee, Bray, Co. Wicklow.
- 1.2 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.
- 1.3 Proposed material alteration No. 16 seeks amendments to the Action Area Plan 1: Fassaroe. This submission respectfully requests that lands zoned RE- Existing Residential in the south east portion of the Action Area Plan be removed from the "Concept Plan" for Fassaroe and the subsequent phasing of development as proposed as part of material alteration no. 16.
- 1.4 The details for the justification of the removal of these lands from are set out within Section 3 of this submission.

2.0 SITE LOCATION AND DESCRIPTION

- 2.1 The subject lands are located in the settlement boundary of Bray, as defined in the Draft Municipal District Local Area Plan. The subject lands are located within the curtilage of St. Valery's House which are bound by the River Dargle to the south and east, and residential development off Kilbride Lane to the north and west.
- 2.2 The N11 is located to the east of the site and consists of a partially separated dual carriageway. Approximately 2 kilometres to the north, the N11 gives way to the M50 motorway, which is just north of the Fassaroe Interchange. Bray town is

Managing Director: John P. Spain BBS MRUP MRICS ASCS MRTPI MIPI
Executive Directors: Paul Turley BA MRUP Dip Environmental & Planning Law MIPI Rory Kunz BA (MOD) MS&ERM MAT&CP Dip EIA Mgmt. MIPI

John Spain Associates Ltd. trading as John Spain Associates. Directors: J. Spain, S. Spain.
Registered in Ireland No. 396306. Registered Office: 39, Fitzwilliam Place, Dublin 2. VAT No. IE 6416306U

located approximately 4km south east of the subject lands and Enniskerry Village is approximately 3.5 kilometres to the west.

- 2.3 The lands are predominantly accessed off Kilbride Lane, however a secondary access could be provided from the R117 which has a direct connection to the N11.



Figure 1: Approximate location of the subject site outlined in red.

3.0 GROUNDS OF SUBMISSION

- 3.1 This submission relates to proposed material alteration No. 16 with regard to Action Area Plan 1: Fassaroe. Material Alteration No. 16 seeks a number of amendments to the action area plan with regard to phasing and zoning of the lands.
- 3.2 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.
- 3.3 The south eastern portion of lands, however, included within the “Concept Plan” to which our client’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.



Figure 2: Area zoned RE - Existing Residential which is included in the “Concept Plan”

- 3.4 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.

3.5 The various zoning are set out 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.
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.
E: 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.
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.
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 corridors and areas of natural biodiversity.

3.6 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.

3.7 As such it is respectfully requested that the area of the "Concept Plan" be revised as per the red line boundary set out below, Figure 3.

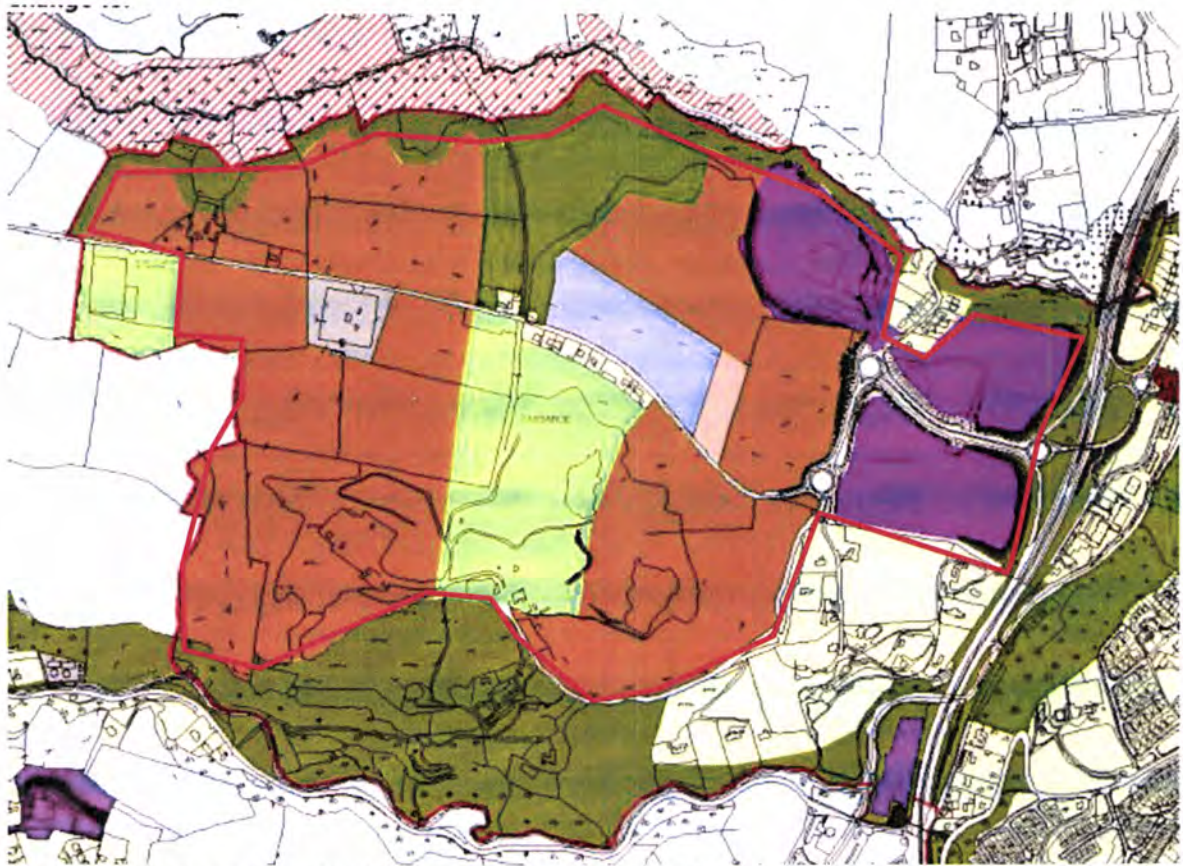


Figure 3: Proposed Zoning Map as set out in Material Alteration No. 16 with revised AAP1 "Concept Plan" area outlined in red proposed as part of this submission removing the existing residential RE zoning.

3.5 It should also be noted that the other area zoned RE Existing Residential within Fassaroo 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 our clients site is located.

- 3.5 In addition, 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 proposed material alterations to the phasing plan states the following:

Phase 1

- *Road link from N11 to Ballyman Road*
- *Passive park (minimum of 8ha)*
- *Active Open Space / Sports Zone (minimum of 14 ha)*
- *Site identified and reserved for school campus*
- *Neighbourhood Centre*
- *1,500 residential units*

Phase 2

- *1,500 residential units*

Phase 3

- *Identification and reservation of site for additional primary school*
- *Remainder of residential units*

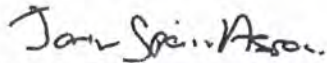
- 3.6 The phasing plan sets out a clear strategy for the delivery of development within the Action Area "Concept Plan" within 3 no. phases, however the lands to which each phase relate is not set out within the plan. It is therefore respectfully requested that the lands to which each phase relate be clearly identified.
- 3.7 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.
- 3.8 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.
- 3.9 It is therefore respectfully 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.
- 3.10 In addition, it is respectfully 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".

4.0 CONCLUSIONS

- 4.1 This submission is made on behalf of our client, RGRE J & R Valery's Limited, Treasury Building, Grand Canal Street Lower, Dublin 2.
- 4.2 This submission relates to proposed material alteration No. 16 to the Bray Municipal District LAP as it relates to Action Area Plan 1: Fassaroe.
- 4.3 It is respectfully requested that our clients lands, zoned RE: Existing Residential, be omitted from the "Concept Plan" identified in the AAP and that the phasing of the lands or restrictions to infrastructure shall not apply to existing infill residential lands subject to any development proposal demonstrating that adequate infrastructure can be provided to serve the relevant development.
- 4.4 We would be grateful if our submission on the proposed Material Alterations be considered in the preparation of the final Bray Municipal District Local Area Plan.

Yours sincerely,



John Spain Associates

Leonora Earls

From: Pauline Crowley [paulinecrowley@gmail.com]
Sent: 05 March 2018 18:40
To: Planning - Plan Review; Cllr. Christopher Fox MCC; Cllr. Steven Matthews
Subject: PROPOSED MATERIAL ALTERATION No 2.2.1 to Bray Area Plan
Attachments: amends to Bray area plan.pdf

Regarding the proposed material alterations to the Bray Local Area Plan Ref No 1. 2.2.1

please find attached my submission

Regarding the proposed material alterations to the Bray Local Area Plan Ref No 1. 2.2.1

FROM Pauline Crowley

Address: Bramley Cottage, Bohilla Lane, Kilmacanogue, Co Wicklow

Ref: Proposed material alterations to the draft Bray MD LAP 2018_Sorcha

Ref Page 5: PROPOSED MATERIAL ALTERATION No. 1 2.2 FACTORS INFLUENCING THE STRATEGY 2.2.1 Role and function of settlements in the Bray MD KILMACANOGUE

As a result of the proposed amend to Map 4, the proposed road R08 (contained in Draft Bray Municipal District Local Area Plan 2017, Map No T01) should be removed from maps as it was part of the rezoning proposal that was rejected. The result of this amend by the Council on Jan 15, 2018, was to remove R08 from any maps. This was to be replaced by a laneway.

Change consequent No. 1(b)

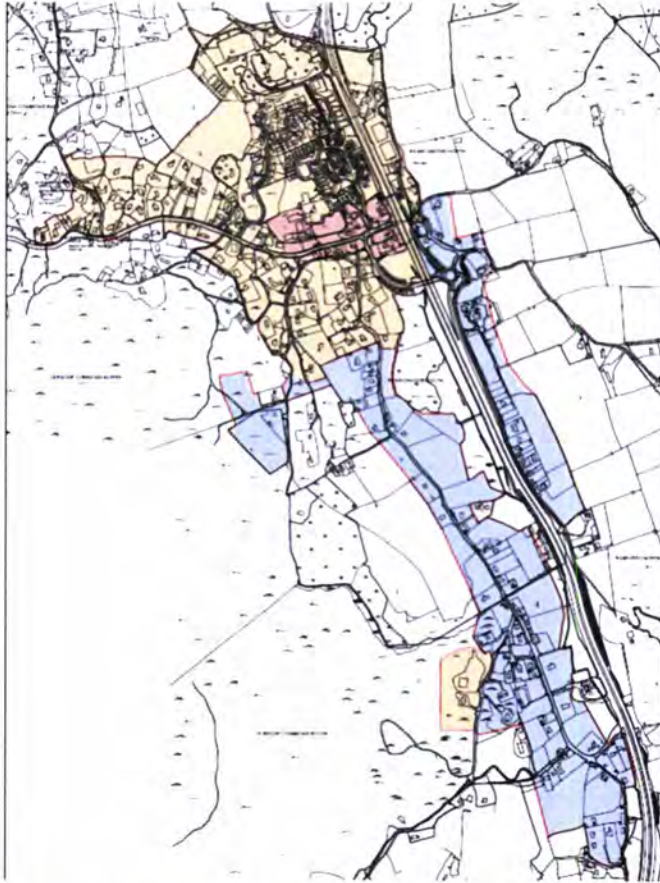
Amend Map No's. 4 and 5

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

Change from: Kilmacanogue Settlement Plan

Kilmurray rural cluster boundary



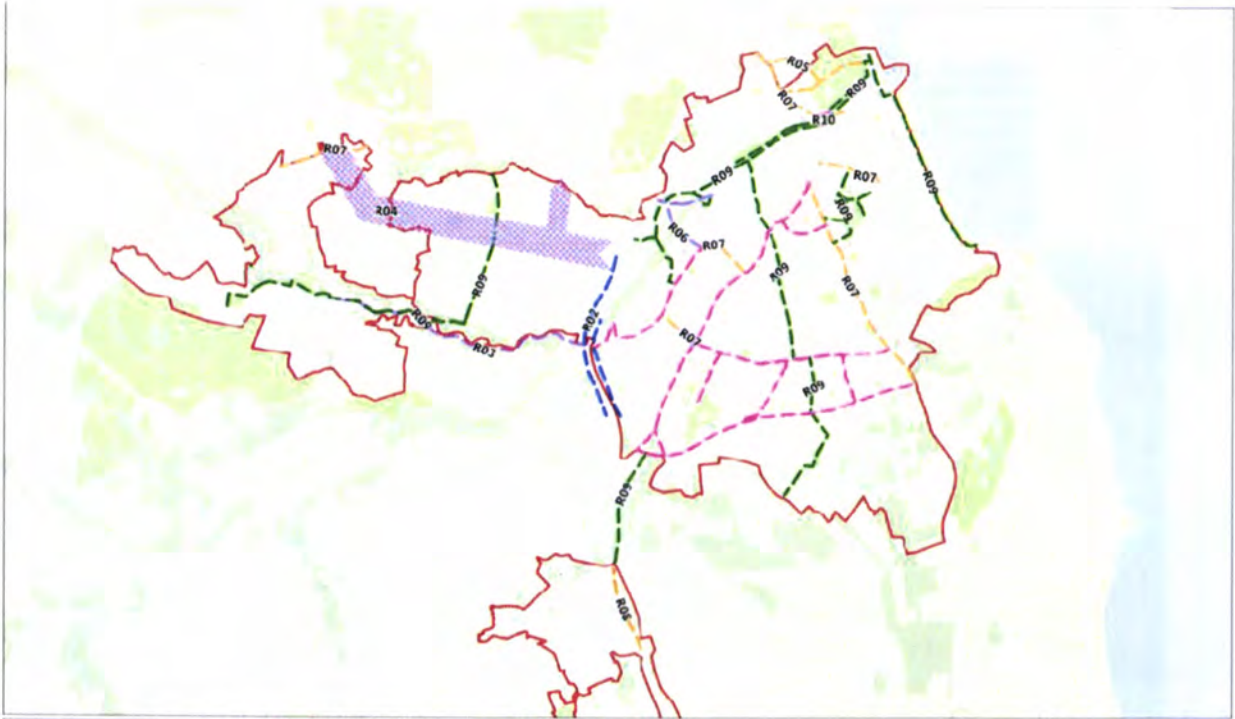


ADDENDUM I TO THE STRATEGIC ENVIRONMENTAL ASSESSMENT ENVIRONMENTAL REPORT OF THE DRAFT BRAY MUNICIPAL DISTRICT LOCAL AREA PLAN 2018 – 2024 Ref Page 8

THE 'STRATEGIC ENVIRONMENTAL ASSESSMENT OF THE DRAFT BRAY MUNICIPAL DISTRICT LOCAL AREA PLAN 2018 – 2024'

REF Table 2.1 SEA Screening of Proposed Material Alterations to the Draft Bray Municipal District Local Area Plan 2018-2024 on page 8

Note 13 under proposed MA includes the development of road R08. This was to be removed from the plan and any subsequent maps as it was dependent on the rezoning of the area east of Kilmacanogue, which was rejected by the council at the meeting on 15 January 2018. The view of the meeting was that there was no requirement for such a road of this size. It should be removed from the map below which is included in the Draft Bray Municipal District Local Area Plan 2017, Map No T01. It is marked in orange below on the map.



WICKLOW COUNTY DEVELOPMENT PLAN 2016-2022
Bray Municipal District
Local Area Plan
2017
DRAFT
 Title: Road - Transport Objectives Map
 Map No. TO1

- Municipal District Boundary
- Settlement Boundary
- M11/N11 Improvements
- Regional Road Improvements
- Local Road Improvements
- Green Routes
- Foot / Cycleways Improvements
- Objective R04 - See Chapter 9 of LAP
- Road Objectives - See Chapter 9 of LAP



Leonora Earls

From: Fia O'Caoimh [fia@ocaoimh.com]
Sent: 09 March 2018 02:07
To: Planning - Plan Review
Cc: Cllr. Steven Matthews; Cllr. Christopher Fox MCC; 'Pauline'; fia@ocaoimh.com
Subject: Submission in relation to the Wicklow County Council. Bray Municipal District Local Area Plan 2017-2023. Final Submission Stage.
Attachments: N11 Interchange at Kilmacanogue.jpg

Dear Sir/Madam,

Re: Submission in relation to the Wicklow County Council. Bray Municipal District Local Area Plan 2017-2023. Final Submission Stage.

We write to point out that the collected councillors of Wicklow County Council voted unanimously at the Council meeting of 15th January 2018, to remove Roadway 08 as proposed in the draft Wicklow County Council Bray Municipal District Local Area Plan 2017 to 2023.

It was agreed by the councillors that Roadway 08 (marked in yellow on the above attached drawing) 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. This driveway is marked in green on the attached drawing which was circulated to all of the councillors at and before the council meeting. 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.

Again, this drawing (attached above) 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.

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

kindest regards

Fia O Caoimh
for
Friends of the Little Sugarloaf.

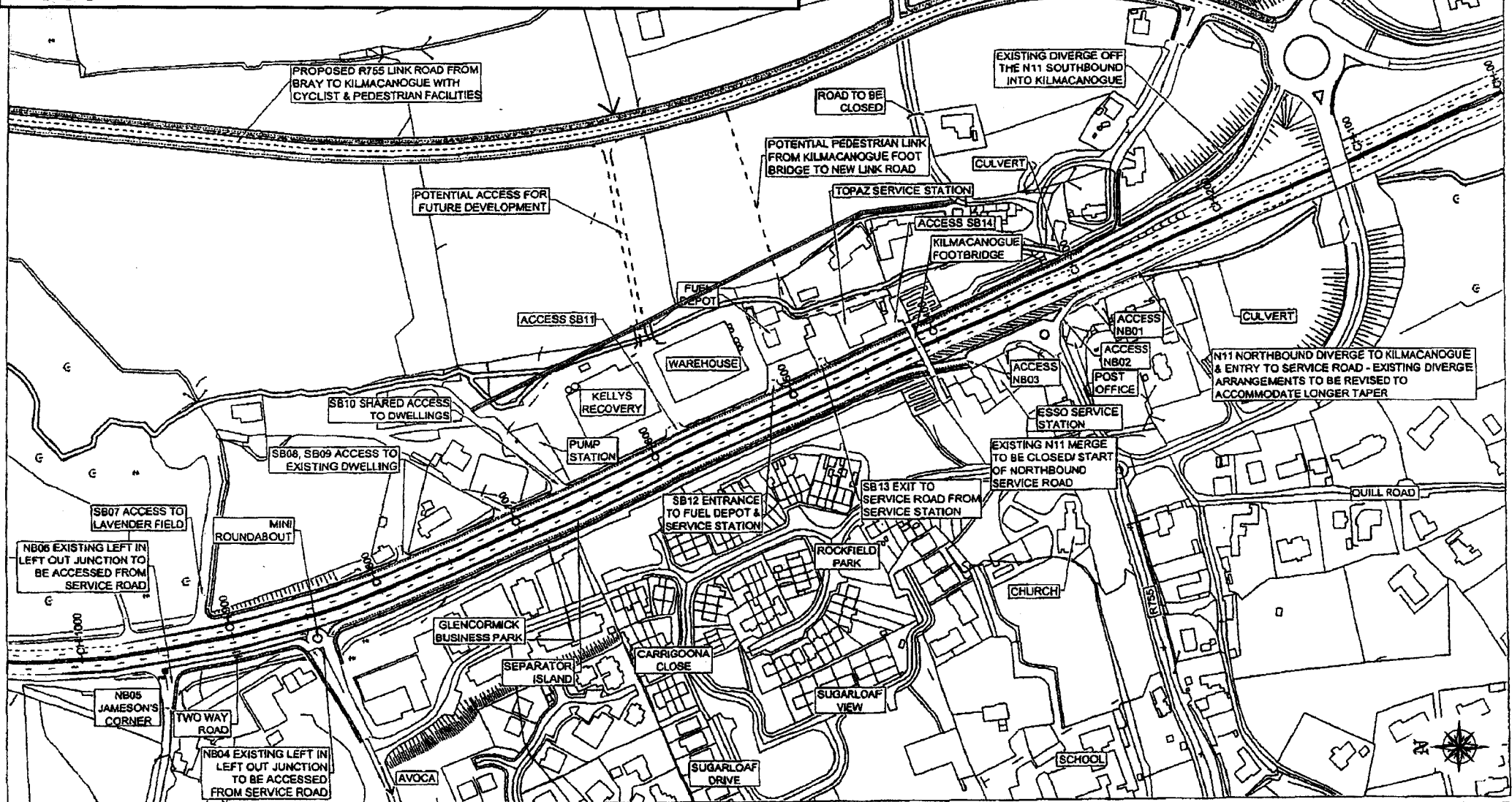
fia@ocaoimh.com
00353 87 2542686



WWW.THISROADISPOINTLESS.COM

This NRA drawing shows the proposed roadway in yellow. It comprises of a 6 metre carriageway with pathways and steep cuttings into the hill on both sides. It commences at the Kilmacanogue East roundabout and runs across the mountainside to the boundary wall of Brennanstown Riding Stables and Equestrian Centre, just 800 yards from the "Woodies" roundabout South of Bray.

This proposal has caused immense upset in the Kilmacanogue Valley, and more than **2500** local residents have lodged separate written objections to this element of the plan.



LEGEND:

	FOOTPATH / SEPARATOR
	ROAD PAVEMENT
	VERGE
	CYCLE TRACK

The green line indicates our proposal to provide a new **driveway** to the 4 houses which are located alongside the N11. It would route along the very base of the mountain hillside to provide **safe** access to the 4 families involved, **WITHOUT DESTROYING THE MOUNTAIN.**

Roughan & O'Donovan-Faber Maunsell Alliance

Roughan & O'Donovan FABER MAUNSELL
Consulting Engineers

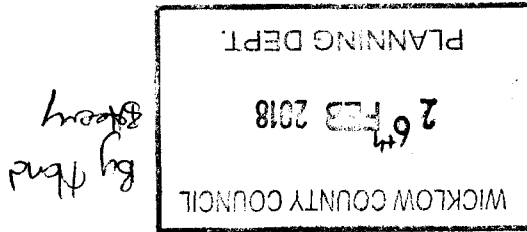
Area: Ireland, Area: Road, Sanitary, Dublin 12
Tel: +353 (1) 2846000
Fax: +353 (1) 2846000
Email: info@roughan.com
www.roughan.com

NRA TASK 38
MSOM11 STRATEGY

PROPOSAL BRT - PROPOSED ROAD IMPROVEMENTS FROM FASSARDE TO KILMACANOQUE
SHEET 2 OF 5

Author: JD	Scale: 1:1000	DATE: 06.03.2010	TYPE: FEASIBILITY
Drawn: Juk	Scale: 1:1000	DATE: 06.03.2010	TYPE: FEASIBILITY
Checked: JD	Scale: 1:1000	DATE: 06.03.2010	TYPE: FEASIBILITY
Approved: MJD	Scale: 1:1000	DATE: 06.03.2010	TYPE: FEASIBILITY

FIGURE 1.12 A



Sylvia Geraghty.
C/o 9 Rectory Slopes.
Herbert Rd.,
Bray, Co. Wicklow.

geraghtyuk@aol.com
(M) 086 233 66 44.

Administrative Officer, Planning Section
[BRAY LAP]
Wicklow County Council, Station Rd.,
Wicklow.
A67 FW96.

14th February, 2018.

Dear Sirs,

Re: BRAY LAP [2018-2024] Proposed Material Alteration No. 3.

Table 3.2: Enniskerry (at page 12) 'Lands at Cookstown (east of AA3) 'R-Special'.

Pursuant to the Planning and Development Act 2000 (as amended) and the Planning Act 2010, I make the following submission with respect to the proposed material alteration No. 3 to the Bray LAP, in my capacity as the registered owner of the land concerned.

My submission is to either, amend Alteration No. 3 as set out below, retaining the 'R-Special' designation or in the alternative, to alter the 'R-Special' to 'R20: New residential' designation, consistent with the pattern of development along the Cookstown Road, in particular the adjoining AA3 / 'R20' development. [See attached extract from BRAY LAP [2018-2024] Proposed Material Alteration No. 3. Table 3.2: Enniskerry duly marked marked 'Doc 1']

From

'To allow for a maximum of 5 new dwelling Units on lands zoned R-Special on the Cookstown Rd., to accommodate the family of the existing dwelling unit on the lands'

To

'To allow for a maximum of 5 new dwelling Units on lands zoned R-Special on the Cookstown Rd. to accommodate the family of the existing dwelling unit on the lands'

Or -In the Alternative

To designate the site 'R20: New residential' in keeping with the adjoining lands in AA3 / R20 (to the immediate west) in line with the Pattern of development already existing on the Cookstown Road, on the other lands within the settlement boundary.

In support of my submission, I set out the following;

1. Pattern of Designations in Adjoining/Adjacent Zoning, Planning and Development.

The predominant density guide in Enniskerry equates to 20 units per hectare.

The following are Adjoining/Adjacent, Zoned /Planning Permissions/Developed lands, **all** on the Cookstown Road alongside my site;

- (i) AA3: Cairn/'Berridge' **-Zoned R-20** /Planning Permission granted for 26 dwelling units on AA3 (see copy extract of the Planning Permission granted by Wicklow County Council on 11/3/16 -Ref: 14/1704 and confirmed on appeal by An Bord Planala) with non-onerous conditions '**Doc 2**')
- (ii) Powerscourt **-Zoned** / Planning Permission granted for 44 dwellings
- (iii) Directly across road **-Zoned R-10** [see attached '**Doc 1**']
- (iv) Enniskerry Demesne **-Zoned, Planned and Built** -15 very substantial detached residences; with '*separate garages; pump house; rising main & foul sewer line from site to Enniskerry main street*'.
- (v) Powerscourt New National School **-Zoned /Built** -4 classroom + ancillary accommodation.

2. Need for more housing in the area.

The chronic shortfall in affordable housing, both in Enniskerry and environs, is possibly the most destructive element permeating Irish society today, particularly among our young people. Mindful of the estimated housing requirements as set out in the LAP and the estimated national growth of 1 million over the next twenty years, I would respectfully submit that, provision for a small number of extra houses, under an '**R:20**' zoning on this site, would secure some prudent headroom or 'market factor' for Enniskerry and the surrounding areas into the future. In the alternative, the removal of the 'family' restriction would open up any future development on this site, to desperately needed housing.

3. Given S.28 National Ministerial Guidelines, recommending densities of 20-25 units /ha for 'edge of Centre' of small towns or villages like Enniskerry, an alteration to '**R:20**' or to a simple '*R-Special*' on this site would be in strong compliance with the said Ministerial recommendation.

4. Elimination of 'one-off' housing

Designating this site '**R20: New Residential**' or '*R:Special*' would maximise the potential development of this site, already within the *settlement area* and reduce 'one-off' housing.

5. Topography

Topographically, this site is identical to the AA3 'Cairn/Berridge' lands. In fact, the said AA3 'R:20' permission, as granted, abuts too closely to this site and could in future, overwhelm it, should this site not be similarly zoned.

6. Services

All Services are /will be existing pursuant to adjoining/adjacent developments referred to at 1 above.

7. Proximity to Educational and Community Amenities and Environmentally enhancing.

- beside three Schools -nearest is in the adjoining field, 1 minute walk away.
- beside two Churches -no more than 3 and 6 minutes walk away respectively.
- beside all the amenities of renowned Powerscourt Estate -3 minutes walk away.
- beside the Summerhill Hotel -3 minutes walk away -no car required.
- 5 minutes walk to the village -no car required.
- adjoins the proposed extensive Amenity Area in AA3 and Lovers Leap Walkway.

8. Flooding

There has never been any flooding on this site. Therefore, any future development would not exacerbate the risk of flooding in the area. [See attached 'Doc 3']

9. Effect on Environmental, Visual or Residential amenities or Health

As this site is Tree-lined, sheltered and totally secluded from the public road, with views of the Sugarloaf, the zoning sought or any future development would not injure either the visual or residential amenities of the area. In addition, it would be environmentally enhancing, for the reasons set out at 7 above.

It would not be in any way prejudicial to public health.

10. Heritage

There are no heritage issues on this site.

11. Consistent with the Core Strategy of the County Development Plan 2016-2022.

The requested zoning, to either 'R:20' or 'R-Special' would be consistent with the The CDP.

12. Settlement specific and achievable

Such designation would also be in compliance with the town plan objective of being *settlement specific and achievable*.

I would therefore submit that, given all of the above, the putting in place of a framework within which development can take place on this site, would be a fit and proper exercise of the role of the land use plan and I would ask that the zoning be altered

either :

From: 'To allow for a maximum of 5 new dwelling Units on lands zoned R-Special on the Cookstown Rd., to accommodate the family of the existing dwelling unit on the lands'

To

'To allow for a maximum of 5 new dwelling Units on lands zoned R-Special on the Cookstown Rd., ~~to accommodate the family of the existing dwelling unit on the lands'~~

Or: In the Alternative

To

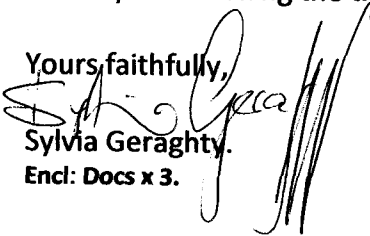
Designate the site 'R20: New Residential' in keeping with the adjoining lands in AA3 to its immediate west and in line with the Pattern of development already existing on the Cookstown Road and on the other lands within the settlement boundary.

Thank you for taking the time to consider this submission.

Yours faithfully,

Sylvia Geraghty.

Encl: Docs x 3.



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	
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





Áras An Chontae / County Buildings
 Cill Mhantáin / Wicklow
 Cathán / Tel: (0404) 20140
 Fáisc / Fax: (0404) 69462
 Ríocht / Email: plandev@wicklowcoco
 Suíomh / Website: www.wicklow.ie

PLANNING & DEVELOPMENT ACTS 2000-2015
NOTIFICATION OF DECISION TO GRANT

P Berridge
 C/o COB+P Architects
 The Studio
 Kircullen
 Kinlen Road, Greystones
 Co. Wicklow

Planning Register Number: 14/1704
 Valid Application Received: 07/08/2014
 Further Information Received Date: 17/02/2016

In pursuance of the powers conferred upon them by the above-mentioned Act, Wicklow County Council has by Order dated 11/3/16 decided to GRANT PERMISSION for development of land, namely:-

construction of 26 no. dwelling units, comprising of 4 no. 2 bed townhouses in a two storey block, 4 no. 5 bed two storey detached units (ranging from 260sqm-268sqm), 9 no. 5 bed two storey detached units (200sqm), 9 no. 3 bed storey detached units (125sqm) together with associated carparking, new vehicular access from the Cookstown Road, (LP-2010) and all site development, landscaping, road and boundary treatment works to site opposite Enniskerry Demesne, Cookstown (LP-1020) at Enniskerry Co. Wicklow

subject to the 24 condition(s) set out in the attached schedule.

Signed on behalf of Wicklow County Council.

C. Canterbury
 ADMINISTRATIVE OFFICER
 PLANNING & DEVELOPMENT

Date: 11/3/16

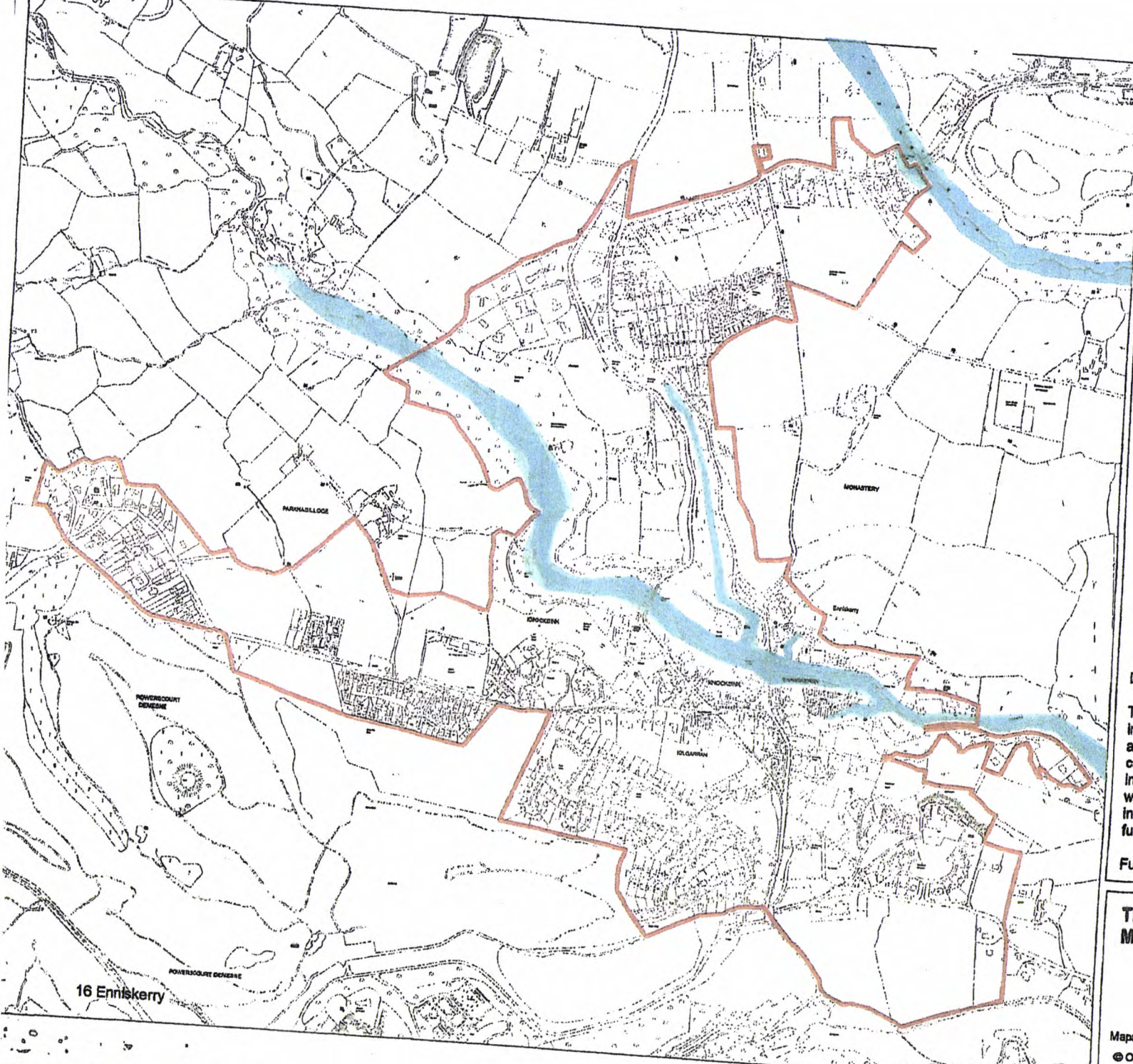
Tá an doiciméid ar fáil ar iarratas i bhformáid eile/málarach.
 This document is available in alternative formats on request.

Seoltar gach ocmhureagrais chuig Stiúrthóir Seirbhísi, Forbartha agus Pleanála.
 All correspondence should be addressed to the Director of Services, Planning and Development.



Doc 3

Enniskerry Town Plan
WICKLOW COUNTY
DEVELOPMENT PLAN 2016-2022



- Settlement Boundary
- Flood Zone A: High probability of flooding
 Where the probability of flooding from rivers and the sea is highest (greater than 1% or 1 in 100 for river flooding or 0.5% or 1 in 200 for coastal flooding)
- Flood Zone B: Moderate probability of flooding
 Where the probability of flooding from rivers and the sea is moderate (between 0.1% or 1 in 1000 and 1% or 1 in 100 for river flooding and between 0.1% or 1 in 1000 year and 0.5% or 1 in 200 for coastal flooding)

Disclaimer

These Indicative Flood Zones were based on information available at the time of drafting and amending this plan. Any new data and analysis carried out after this date has not been integrated into this map but should be used in conjunction with this map for development proposals. All information may be substantially altered in light of future data and analysis.

Full Disclaimer is included in SFRA

Title: Indicative Flood Zones
Map No.: 3



Wicklow County Council
 Planning Department

Maps are not to scale
 © Ordnance Survey Ireland. All rights reserved.
 Licence Number 2016/35/CCMA/Wicklow County Council

16 Enniskerry

Doc 3

Leonora Earls

From: Paula Galvin [PGalvin@mhplanning.ie]
Sent: 08 March 2018 16:18
To: Planning - Plan Review
Subject: Draft Local Area Plan Bray Municipal District
Attachments: LTR_Proposed Material Alterations Bray_LAP 180308.pdf

A Chara,

Please find attached a submission with respect to the proposed material alterations to the draft Bray Municipal District LAP.

We look forward to hearing from you.

Kind regards,
Paula

Paula Galvin
Director

McCutcheon
Planning
CHARTERED
CONSULTANTS

Mob. +353 (0)86 263 9050

www.mhplanning.ie

Halley

PLANNING

Cork

6 Joyce House, Barrack Square
Ballincollig, Co. Cork P31 YX97
Tel. +353 (0)21 420 8710

Dublin

Kreston House, Arran Court
Arran Quay, Dublin 7, D07 K271
Tel. +353 (0)1 804 4477

The information transmitted in this email is intended for the addresses only and may contain confidential and/or privileged material. Any review, retransmission, dissemination, reliance upon or other use of this information by persons or entities other than the addressee is prohibited. If you receive this in error, please contact the sender and delete the material.



Wicklow County Council
Forward Planning Dept.
County Buildings,
Whitegates,
Wicklow Town, A67 FW96

8 March 2018

Re: Submission to Proposed Material Alterations of the Draft Bray Municipal District Local Area Plan 2018-2024

A Chara,

We act on behalf of our Client Mr. Maurice Gillen, owner of the AO Smith site, Boghall Road, Bray and wish to make this submission in relation to the proposed material alterations to the Draft Bray Municipal District Local Area Plan 2018-2024.

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, we wish to state that our Client welcomes and is fully supportive of this proposed rezoning. It is our 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 **Figure 1**.

We wish 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', see **Figure 2**.

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 we respectfully request that this drafting error is corrected prior to the adoption of the forthcoming LAP.

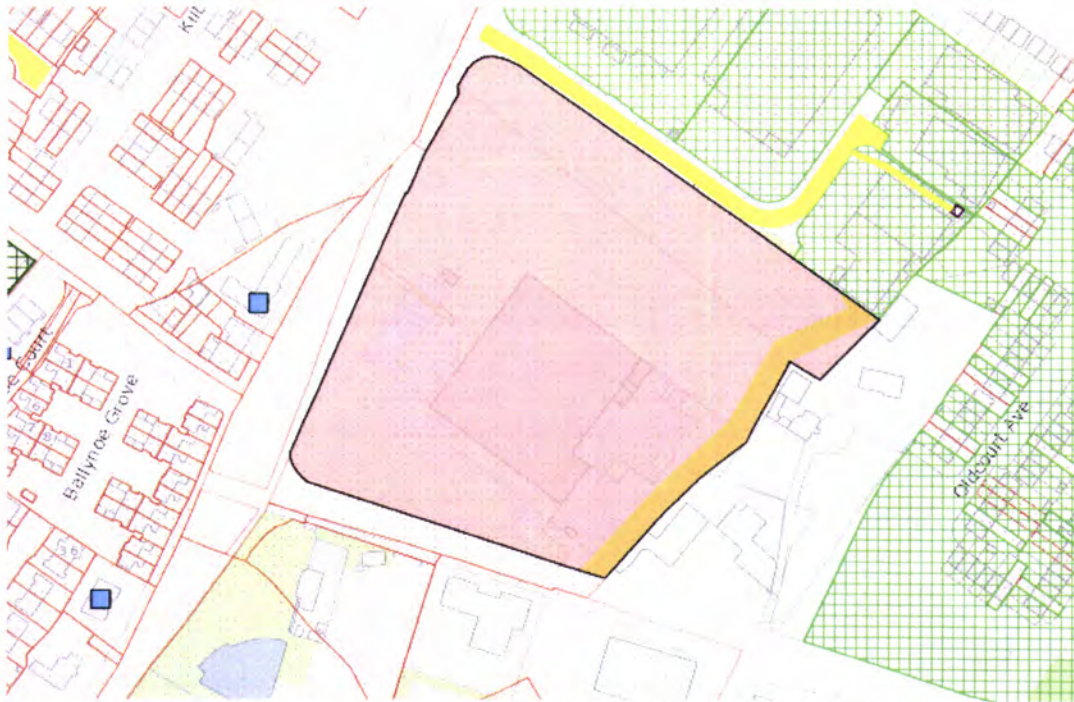


Figure 1 Extent of AO Smith Site (extract from landdirect.ie)

To: SLO 9 – Zoning: MU Mixed Use



Figure 2 Proposed Zoning in context of full AO Smith Site landholding

We look forward to hearing from you on this matter and should you require any further clarification please contact the undersigned.

Is mise, le meas,



Paula Galvin
McCutcheon Halley Chartered Planning Consultants



Leonora Earls

From: Malcolm Lane [malcolm.lane@pdlane.ie]
Sent: 09 March 2018 12:24
To: Planning - Plan Review
Cc: Planning - Admin
Subject: Bray LAP
Attachments: Bray Municipal District LAP Sub 2018.pdf; Local Area Plan 2017 - 2023 map.pdf; draft Bray LAP 2018.pdf

Administrative Officer,
Planning Section,
Wicklow County Council.

See attached submission on behalf of **Edmund Holfeld** on the
Bray Municipal District LAP 2018 relating to lands at
Kilmacanogue, Co. Wicklow.

Yours Sincerely

Malcolm Lane
PD Lane Associates

BA MRUP MA(UD) MIPI MUDG
Town Planner & Urban Designer

malcolm.lane@pdlane.ie
T.direct +353 1 287 3630

1 Church Road	T	+353 1 287 6697	architecture
Greystones	F	+353 1 287 0109	urban design
Co.Wicklow	E	info@pdlane.ie	planning
Ireland	W	www.pdlane.ie	engineering

**Bray Municipal District
Local Area Plan 2018**

**SUBMISSION TO:
Wicklow County Council**

**ON BEHALF OF:
EDMUND HOLFELD
CO. WICKLOW**

**BY:
PD Lane Associates
Architecture & Planning
Urban Design & Engineering
1 Church Road, Greystones
Co. Wicklow**

March 2018

GROUNDS OF SUBMISSION

Wicklow County Council published the draft Bray Municipal District Local Area Plan for the period 2017-2023 ('draft Bray LAP 2018') in August 2017. This submission is being made (on behalf of Mr. Edmund Holfeld) on foot of the published draft Bray LAP 2018 and in particular the subsequent proposed Material Alterations dated February 2018.

The attached map identifies the total landholding in the ownership of Mr. Edmund Holfeld in Kilmacanogue (outlined in red) and in particular the lands located to the rear of his existing commercial premises ('the Subject Lands' - outlined beige) which was submitted for inclusion within the 'Settlement Boundary' under the review of the Bray Municipal District Local Area Plan.

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 from the 'Development Boundary' and the lands are proposed to be de-zoned. This is a serious matter for the owner of the lands, Mr Edmund Holfeld.

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.

Conclusions

The Subject Lands should be included within 'Settlement Boundary' for Kilmacanogue and zoned for future employment development 'Secondary Development Area' in the Bray LAP 2018. 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.

We respectfully request 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.

Malcolm Lane

Malcolm Lane

Town Planner & Urban Designer

BA, MRUP, MA (UD)

PD Lane Associates

Date: March 2018

Map Series:
=====

3617-C
REVISION DATE = 27-Mar-2015
SURVEY DATE = 31-Aug-2001

Clip Extent:
=====

LLX,LLY = 724390,714716
LRX,LRY = 724795,714716
ULX,U LY = 724390,715369
URX,URY = 724795,715369

Projection:
=====

ITM
ITM Centre Point Co-ordinate:
=====

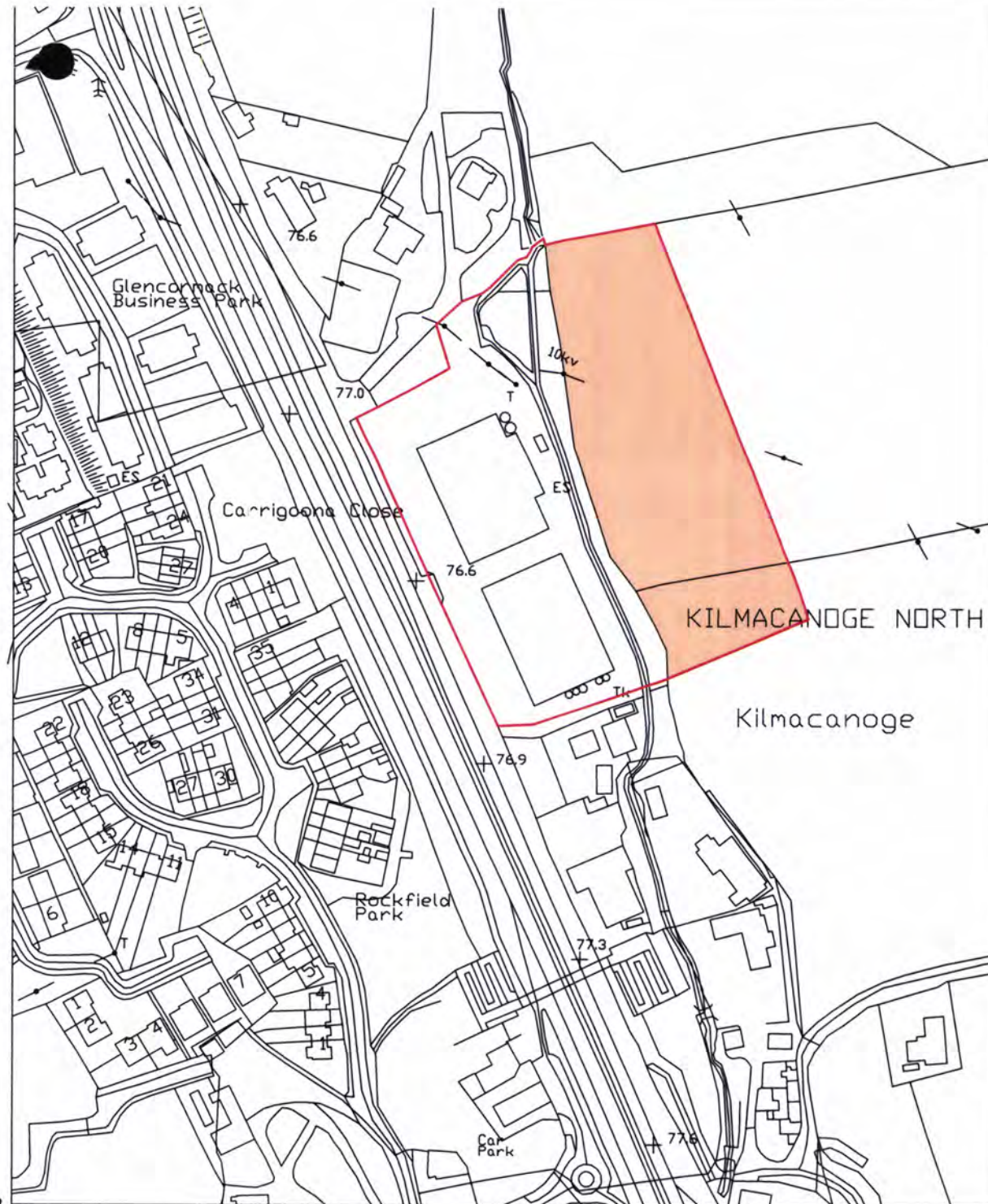
X,Y = 724592,715042
Extraction Date:
=====

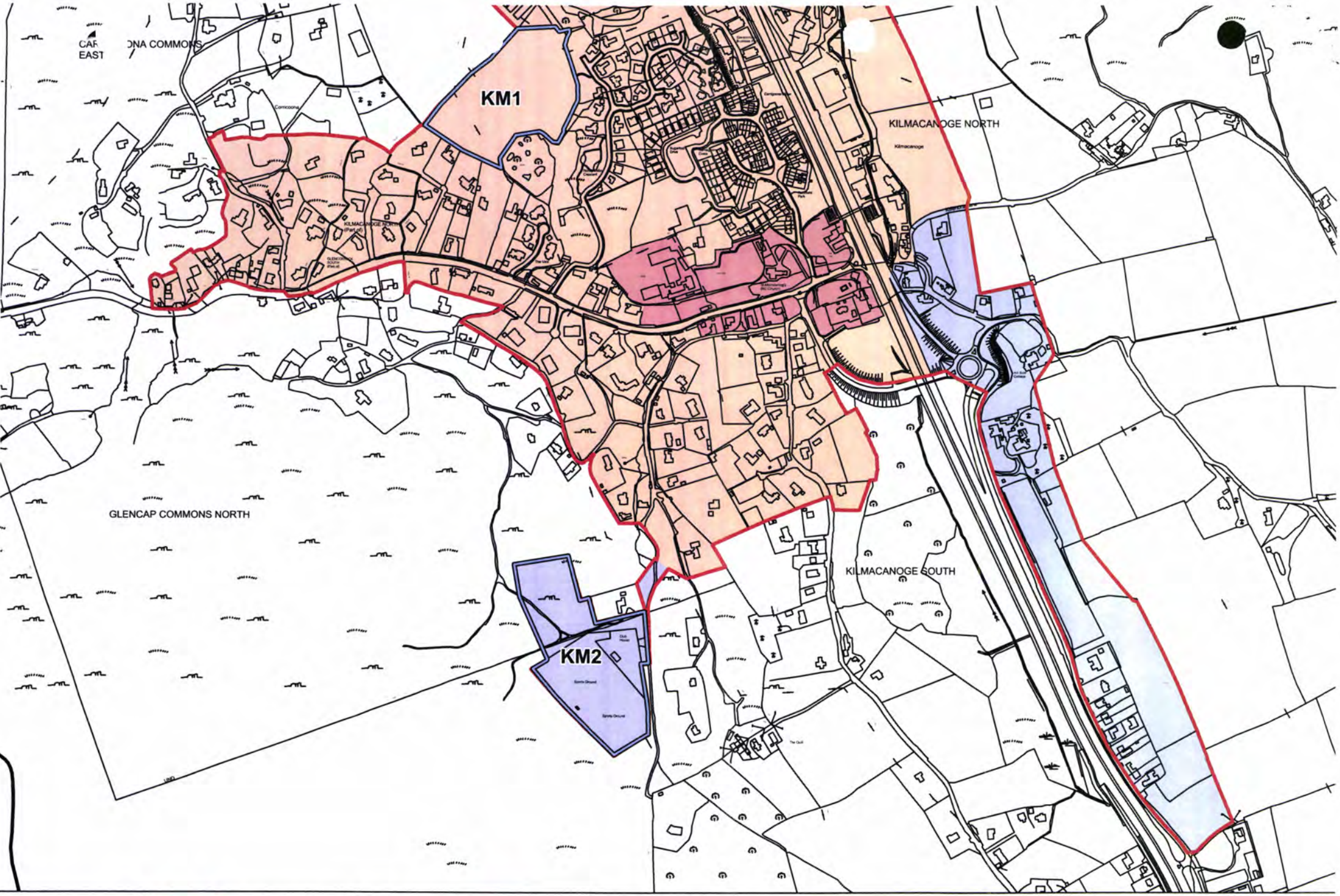
02-Feb-2016
Copyright:
=====

©Suirbhéireacht Ordánais Éireann,
©Ordnance Survey Ireland, 2016
Copyright:
=====

©Suirbhéireacht Ordánais Éireann,
©Ordnance Survey Ireland, 2010

OWNERSHIP SHOWN WITH RED
PROPOSED SECONDARY LANDS





Municipal District Boundary



Primary Development Area

VINCENT JP FARRY AND CO LTD

Planning and Development Consultants

Suite 180
28 South Frederick Street
Dublin 2

Phone (01) 677 8180
Mobile 087 288 7311

Wicklow County Council vincentfarry@gmail.com

BY HAND ON

9 March 2018

Senior Executive Officer
Planning Department
Wicklow County Council
County Buildings
Wicklow

Wicklow County Council
13 MAR 2018
Municipal District of
Bray

WICKLOW COUNTY COUNCIL
09 MAR 2018
PLANNING DEPT.

Bray Municipal District Local Area Plan 2018

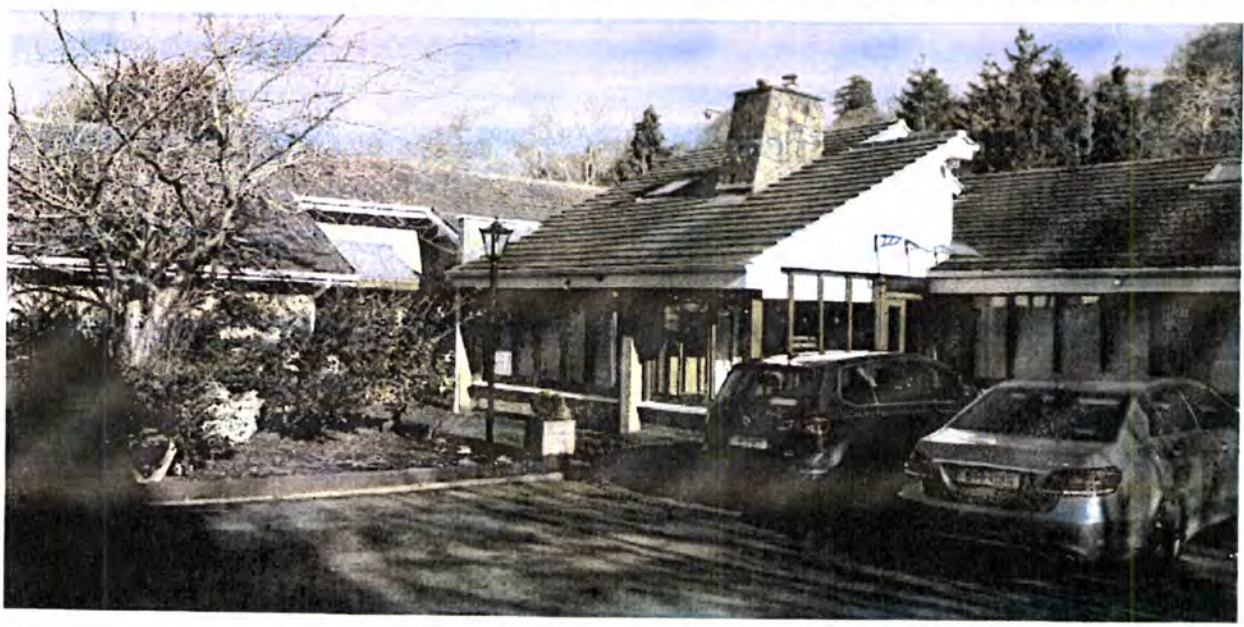
Dear Sir or Madam

We refer to the above and we act for Jack Kennedy 'Woodville' Ballywaltrim Lane Bray Co Wicklow.

We take this opportunity to make a submission to the Planning Authority in the context of the forthcoming *Bray Municipal District Local Area Plan 2018*, the consultation phase of which is currently ongoing. Briefly, this submission invites Wicklow County Council to amend the controls which apply to Mr. Kennedy's land, so that such provisions reflect the existing usage of his property ('Woodville') for a mix of residential and commercial purposes and we ask Wicklow County Council to acknowledge the benefits of the suggested approach, in the light of the principles of sustainability.

1 The Site and its Environs

Our client's longstanding dwelling, 'Woodville', is located on a stand-alone site which is located within a residential district on the periphery of the built-up area which surrounds Bray, Co. Wicklow. This land accommodates a principal building which is used both as the Kennedy family home and as a well-established B&B facility offering overnight accommodation to guests on a year-round basis.



Photograph 1: The site accommodates Woodville, a family home with B&B facility.

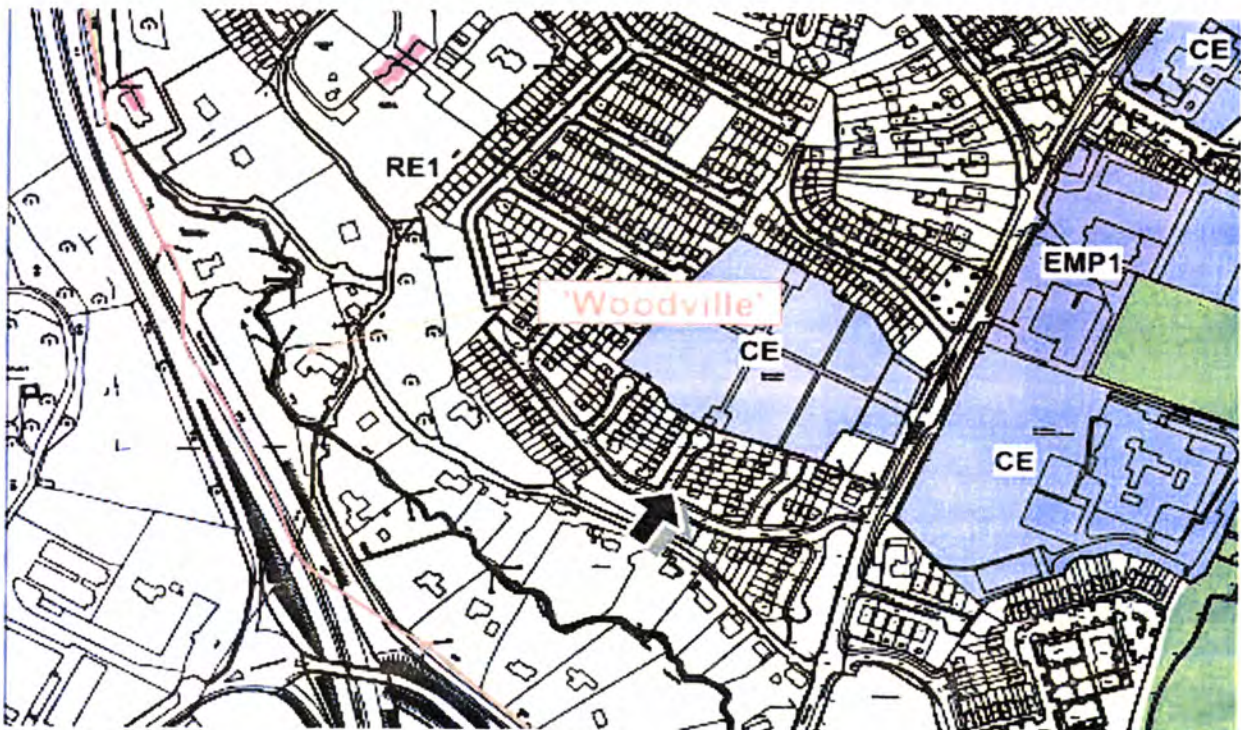


Aerial Image 1: The subject site is located on Ballywaltrim Lane, on the outskirts of Bray, Co. Wicklow.

2. Existing Zoning Arrangements

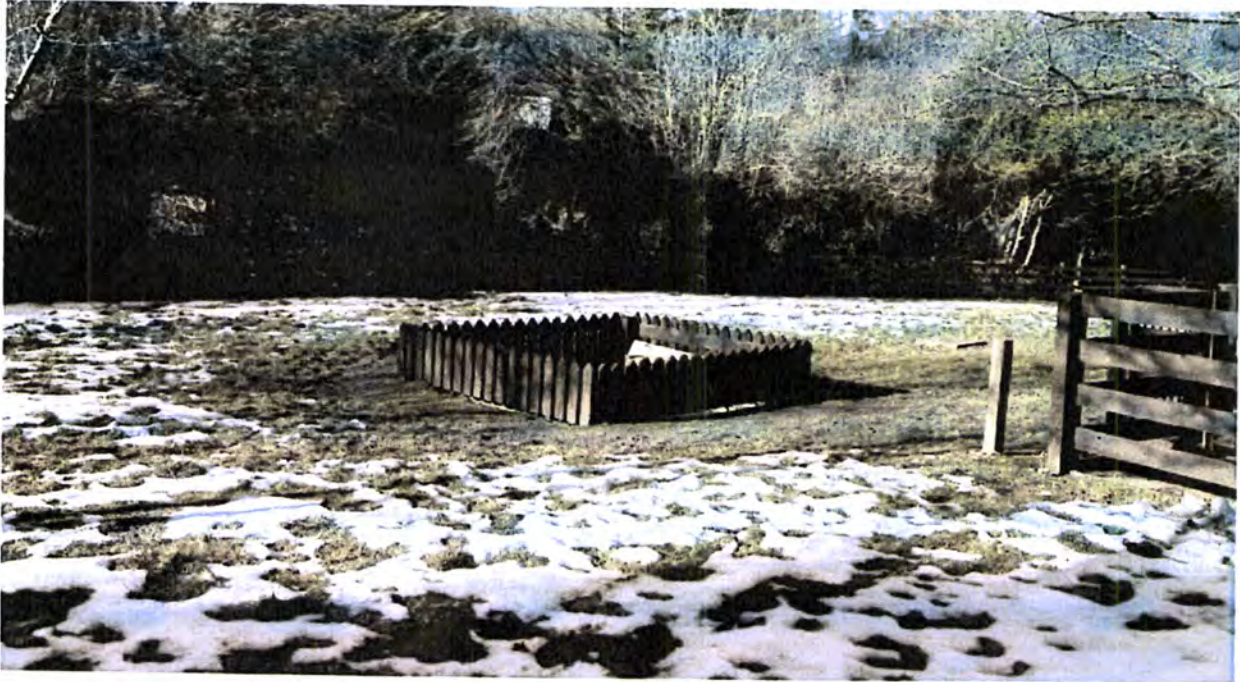
The land in question is governed by zoning objective RE ('Primarily Residential Zone' of the *Bray Town Development Plan 2011 - 2017*. This objective is reproduced as follows, for ease of reference:

'To protect existing residential amenity; to provide for appropriate infill residential development; to provide for new and improved ancillary services'.



Map 1: The Kennedy home and garden are both located on residentially-zoned land.

A range of uses are acceptable in this zone under the current Plan including church, crèche / nursery school, open space and residential development (classed as permitted in principle), with other activities, such as recreational buildings, doctor / dentist and guest house being open for consideration.



Photograph 2: The garden area, in front of Woodville, accommodates a sewage treatment system and is fenced off.

3. Emerging Planning Policy

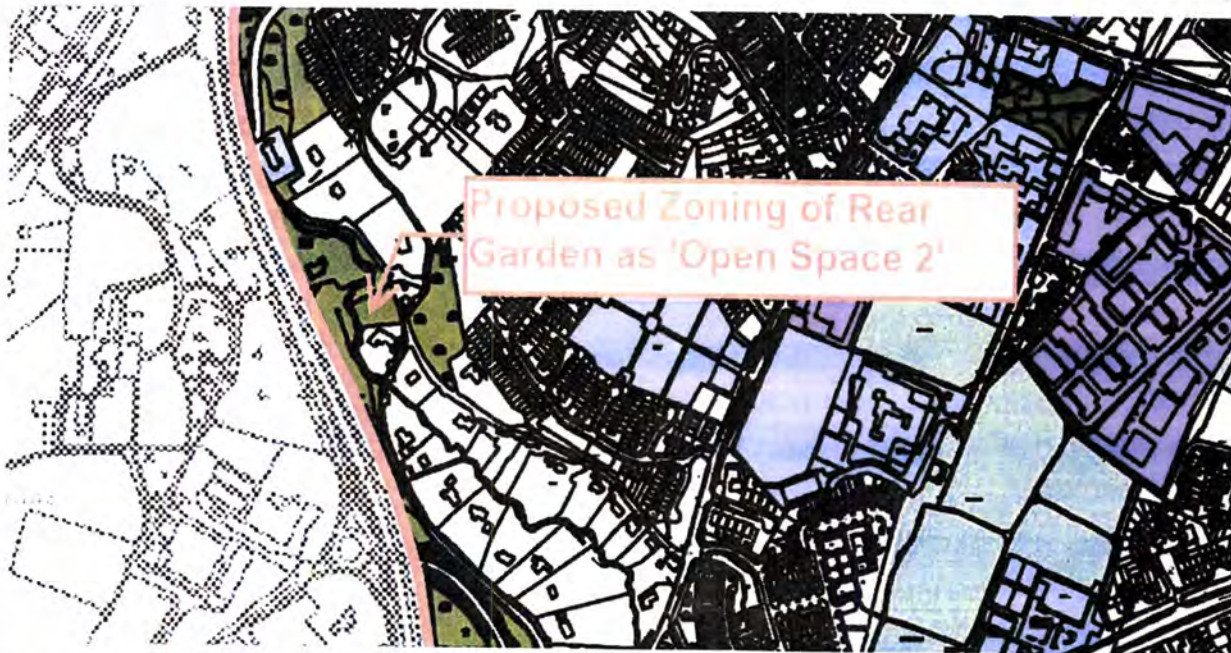
(i) Draft Local Area Plan

The rear garden of the Kennedy home was proposed to be zoned 'Open Space 2' under the *Draft Local Area Plan*, as depicted below. The objective for such areas comprises 'To protect and enhance existing open, undeveloped lands', with the accompanying explanation being reproduced overleaf.



Map 2: The Kennedy home was designated as OS2 in the Draft Local Area Plan.

'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 corridors and areas of natural biodiversity.... 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... may be open for consideration where they do not undermine the purpose of this zoning'.



Map 3: The Draft Local Area Plan envisaged a split zoning for the Kennedy family home.
 (ii) Amended Draft Local Area Plan

The Kennedy rear garden is currently proposed to be designated as 'Open Space and Parks', with the following planning objective (from s.6.1 of the *Proposed Material Alterations to the Local Area Plan*):



Map 4: The Kennedy rear garden is now proposed to be zoned for Open Space and Parks.

'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. 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'.

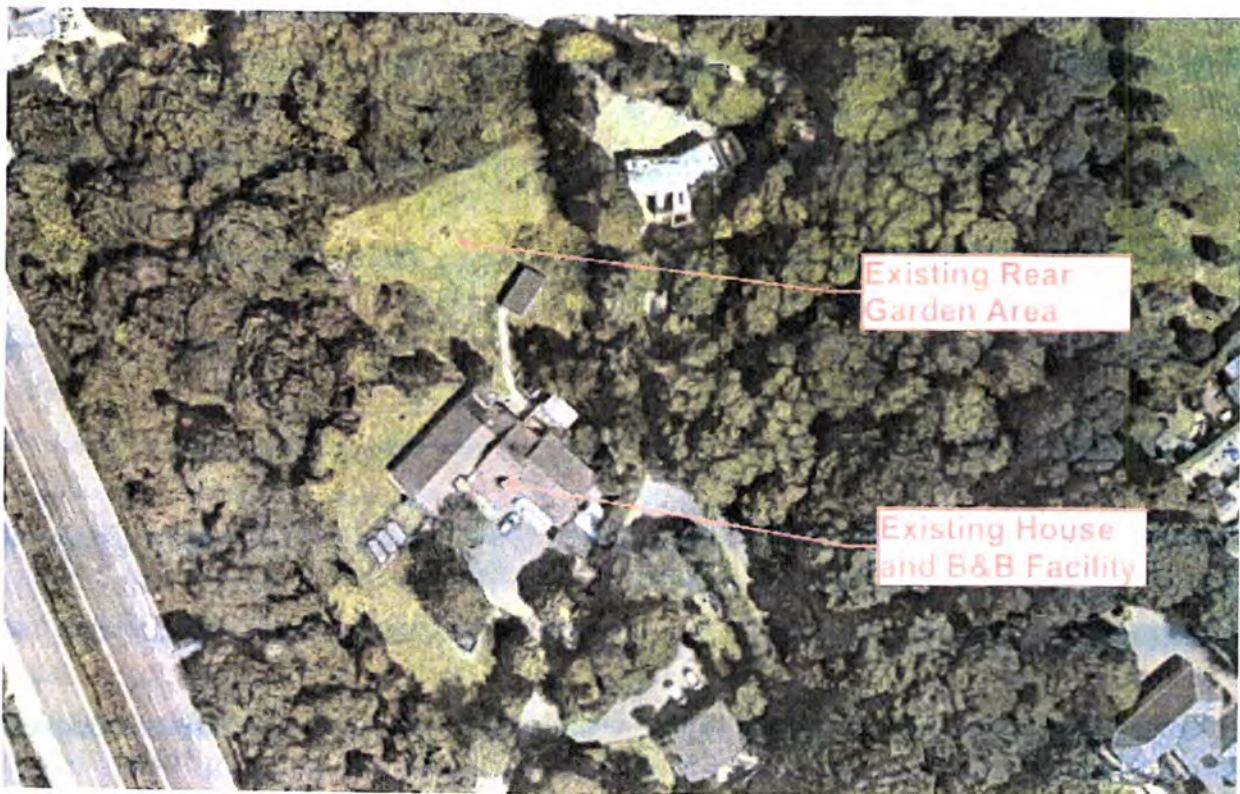
3. Submission

We ask Wicklow County Council to take account of the following submission when considering planning policy for the land on which the Kennedy family home and B&B establishment is located.

(i) Introduction

With the exception of lands which are generally located within developing areas on the periphery of towns or villages, the statutory zoning controls which apply to particular sites usually reflect the existing or lawful use of those properties, so that premises which are already used for educational, industrial or residential purposes are often governed by the relevant or the associated objective(s).

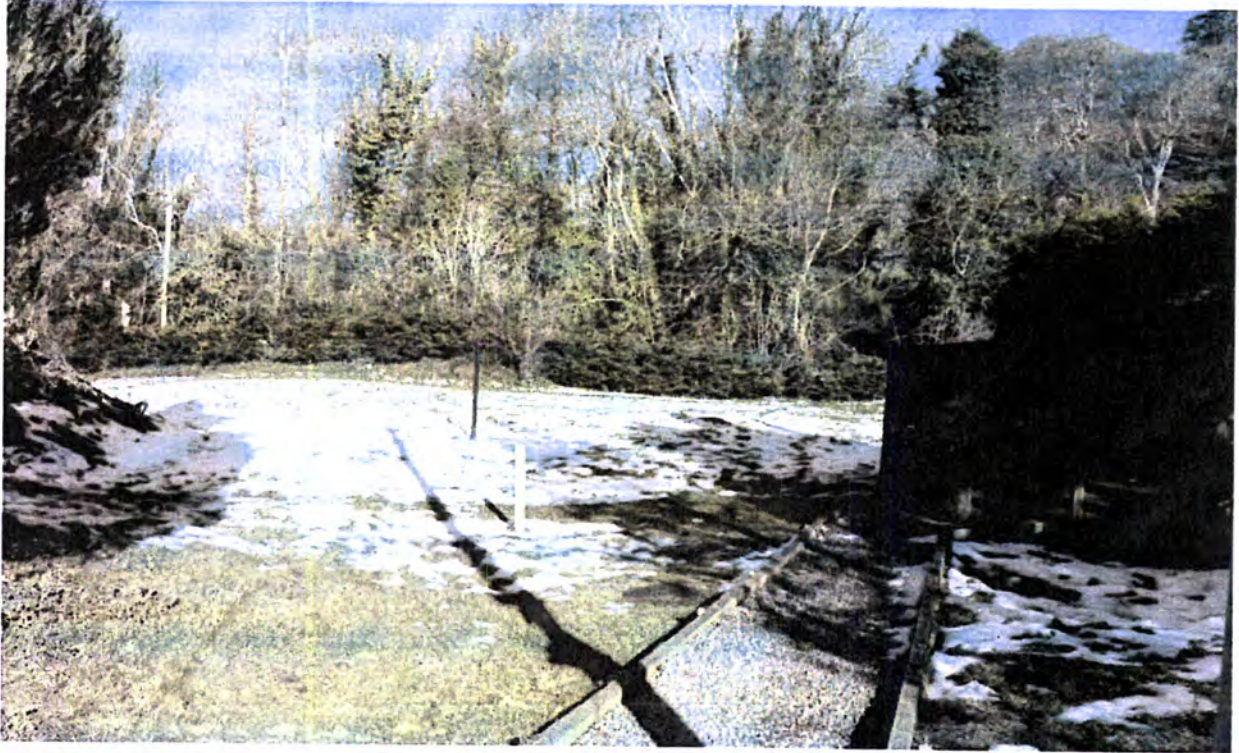
Given this well-established practice, it is strange that the Planning Authority's *Proposed Material Alterations to the Local Area Plan* now envisages that the zoning of the rear garden which serves the Kennedy family home would be changed from its current residential designation, under the Bray Town Development Plan 2011 – 2017, to 'Open Space and Parks'. The situation would plainly be different if the land was positioned in an area in which Wicklow County Council planned on creating a parkland facility, but we can identify no physical or amenity features associated with this particular tract which would suggest that its use for open space purposes is to be preferred over its longstanding use as a domestic garden. We respectfully invite the Planning Authority to reconsider this overall question.



Aerial Image 2: The Kennedy land on Ballywaltrim Lane Bray accommodates a detached dwelling (with longstanding integral B&B facility) and a rear garden.

(ii) Private Garden Area

As illustrated below and overleaf, although the Kennedy garden abuts a natural riverbank, it comprises a level grassed surface which is used for both active and passive recreational purposes. It clearly does not form part of this overgrown watercourse and is of no particular habitat or ecological value.



Photographs 3 & 4:

The Kennedy Rear garden comprises a level grassed area and its designation for open space purposes does not reflect its existing or future uses as such.





Photograph 5: The adjacent riverbank exhibits a completely different character to the private garden area which is behind Woodville.

To the degree that the Planning Authority's decision to earmark this particular land for open space and parkland purposes may have been prompted by the natural condition of the riverbank beside the Kennedy family home, we submit that this garden area differs materially from the natural area adjacent and we do not believe that this private amenity space should be designated in the manner suggested.

(iii) Landownership Issues

Moreover, the status of this site as privately-owned land must be considered by the County Council when assessing this submission and we have noted how, whilst other land in this wider locality exists in relatively natural condition, the Kennedy land accommodates a dwelling with grassed garden. In this regard, the rear section of this land does not form part of the riverbank and is not available for use by the public. We thus highlight the judgement in *Mahon-v-An Bord Pleanála* in which Dunne J. draw a sharp distinction between public and private property in the context of an open space policy:

'A feature of the difficulty in this case can be seen from the terms in which public open space is referred to in the 2009 Development Plan...If one then considers Policy 11.3 it is clear that such open space is intended to be accessible to the surrounding community...The lands at issue in this case are privately owned lands. If one then looks at the zoning objective 15, in relation to public open space, it states that the objective is "to protect, retain and provide for recreational uses, open space and amenity facilities with the presumption against developing land zoned public open space for alternative purposes, including public open spaces within housing estates". It refers to the protection, retention and provision of such open space. The lands herein are privately owned and one has to ask what is to stop the owner of the land from enclosing the property which he owns. Clearly, zoning of the lands as public open space does not have the effect of making the lands available to members of the public in the...area...'

(iv) Restriction on Development

We submit that the proposed land-use objective is unduly restrictive to the extent that it envisages virtually no development on this land whatsoever and is, in this regard, completely different to the current arrangements, whereby the *Development Plan 2011* clearly envisages a range of uses for this property. Moreover, we observe the absence of a land-use zoning matrix in the emerging *Local Area Plan* which would define, with a degree of precision, the type of activities which would be permissible.



Map 5: The zonal split is irrational (the demarcation of the site is for illustration purposes only and the red line should not be read as defining the legal boundary of the site).

5. Concluding Comment

The residential zoning designation which already applies to this land, under the *Bray Development Plan 2011* should be carried forward into the proposed *Bray Municipal District Local Area Plan 2018*.

The zonal division of the Kennedy site, into residential and open space / parkland does not reflect the use of this site and is inconsistent with the domestic, rather than the natural, character of this garden.

Yours faithfully

Vincent JP Farry and Co Ltd

Leonora Earls

From: Rosalind Lane [,]
Sent: 09 March 2018 16:31
To: Planning - Plan Review
Subject: Zoning#R20 Oldcourt Estate BRAY LAP

SUBMISSION FROM CHARNWOOD RESIDENTS LIVING IN END ROW ADJOINING OLDCOURT FIELD, EAST OF RIVER SWAN.
ZONING #R20 OLDCOURT ESTATE BRAY LAP

MATERIAL ALTERATIONS TO DRAFT MUNICIPAL LAP 2018-2024

WE THE UNDERSIGNED OBJECT TO THE REVISED PLAN FOR THE FOLLOWING REASONS:

1. PROTECTION OF 500 YEAR OLD OAK TREES AT THE BOTTOM OF OUR GARDENS. WE WOULD REQUEST THAT A MINIMUM OF 15 METRES EXCLUSION ZONE BE REQUIRED TO PROTECT THEIR ROOT BASE AT THE DEVELOPMENT BOUNDARY. ALSO THERE IS AN ACTIVE BIRD LIFE AND SQUIRRELS LIVING AT THE PROPOSED BOUNDARY.

2. WE UNDERSTAND THAT THE PROPOSED ENTRANCE TO THE DEVELOPMENT IS TO BE ONLY THROUGH THE EXISTING AVENUE TO OLDCOURT HOUSE. WE TRUST THAT THERE IS A GUARANTEE THAT ACCESS WON'T BE SOUGHT THROUGH AN ALREADY DENSELY POPULATED CHARNWOOD ESTATE IN THE FUTURE.

ROSALIND LANE, 174 CHARNWOOD, BRAY, CO.WICKLOW

MARGARET CAVANAGH, 172 CHARNWOOD, BRAY, CO.WICKLOW

9/3/2018

Leonora Earls

From: Sadhbh O'Connor [Sadhbh@toctownplanning.ie]
Sent: 08 March 2018 15:18
To: Planning - Plan Review
Subject: Submission in Respect of Material Amendments to Draft Bray Municipal District LAP
Attachments: Thornton O'Connor Town Planning Submission.pdf; AECOM Report - Access and Servicing.pdf; Openfield AA Screening.pdf

Dear Sir/Madam,

Please find attached a Submission in respect of the Material Amendments to the *Draft Bray Municipal District Local Area Plan 2017*.

I would be grateful if you can confirm that this email and 3 No. attachments has been received.

Thank you.

Kind Regards

Sadbh

Sadbh O'Connor
Director



THORNTON O'CONNOR
TOWN PLANNING

No. 1 Kilmacud Road Upper, Dundrum, Dublin 14

T. +353. 1. 205.1490

M. +353. 87. 6287431

W. www.toctownplanning.ie

Registered in Ireland No: 583144

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify the system manager. Please note that any views or opinions presented in this email are solely those of the author and do not necessarily represent those of Thornton O'Connor Town Planning. Finally, the recipient should check this email and any attachments for the presence of viruses. Thornton O'Connor Town Planning accept no liability for any damage caused by any virus transmitted by this email.



THORNTON O'CONNOR
TOWN PLANNING

Submission in Respect of the Material Amendments
Stage of the *Draft Bray Municipal District Local Area
Plan 2017*

Prepared on behalf of

The Leddy Family
Monastery
Enniskerry
Co. Wicklow

9th March 2018

NO 1 KILMACUD ROAD UPPER, DUNDRUM, DUBLIN 14, D14 EA89
+353 1 205 1490 INFO@TOCTOWNPLANNING.IE
WWW.TOCTOWNPLANNING.IE


THORNTON O'CONNOR
TOWN PLANNING

Administrative Officer
Planning Section
Wicklow County Council
Station Road
Wicklow Town
A67 FW96

Friday, 9th March 2018

Dear Sir/Madam

**RE. SUBMISSION IN RESPECT OF THE MATERIAL AMENDMENTS STAGE
OF THE DRAFT BRAY MUNICIPAL DISTRICT LOCAL AREA PLAN 2017**

1.0 INTRODUCTION

Thornton O'Connor Town Planning has been retained in conjunction with Aecom Engineers¹ and Openfield Ecology² by the Leddy Family³ to prepare this Submission in respect of the Proposed Material Amendments to the *Draft Bray Municipal District Local Area Plan 2017*. This Submission specifically relates to lands at Monastery in Enniskerry, Co. Wicklow as shown on the Map in Figure 1.1 below:

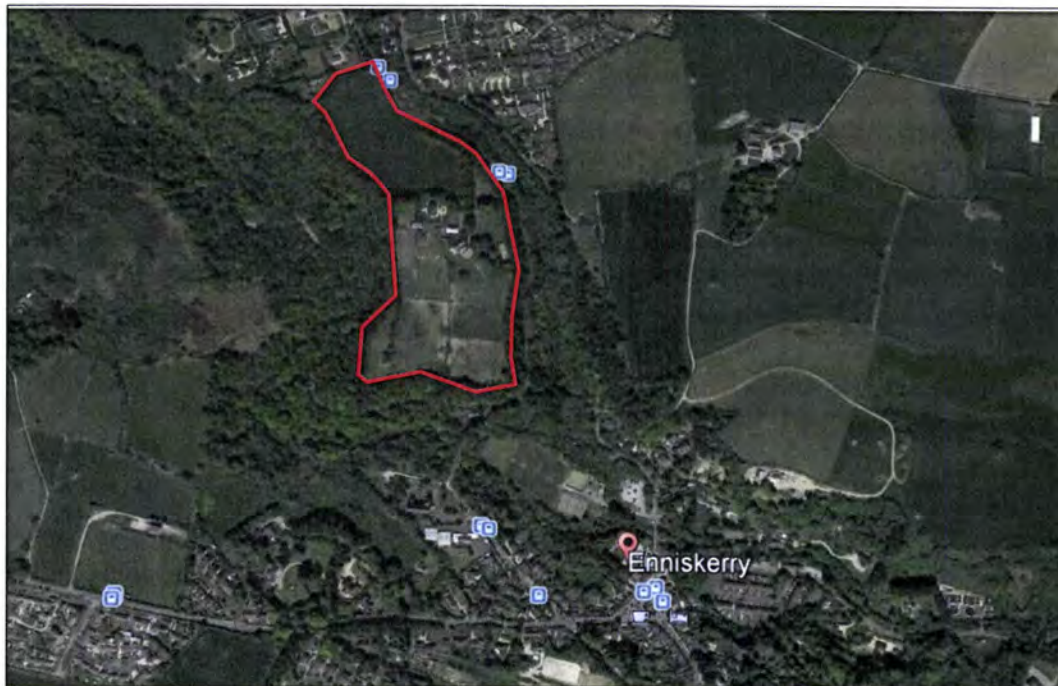


Figure 1.1: Google Pro Image Annotated to Show the Location of the Subject Lands at Monastery Enniskerry, Co. Wicklow (Indicative Only)

¹ 4th Floor, Adelphi Plaza, George's Street Upper, Dun Laoghaire, Co Dublin.

² 12 Maple Avenue, Castleknock, Dublin 15, Ireland.

³ Messrs. Glen, Michael and Barry Leddy.

1.1 Site Context

The southernmost part of the lands is located approximately 470 metres (by road) from the crossroads of Kilgarron Hill and the Forge Road in the centre of the Village and approximately 270 metres (by road) from the Catholic Church of St. Mary's and St. Gerard's and the village primary school (St. Mary's and St. Gerard's). A bus stop for the Dublin Bus No. 44 route which connects to Dundrum and Eden Quay directly abounds the eastern boundary of the subject site.

Within a 500 metre walk of the site is a wide range of town centre facilities and services including a fruit and vegetable shop, a Spar convenience store, a bookshop, a hotel, a café, an Italian restaurant, a hardware shop, a bookshop, a wine store, a pharmacy and medical centre. Footpaths are provided between the subject lands and the town centre.

1.2 Format of This Submission

Section 1 provides this Introduction to the Site;

Section 2 provides a Background to this Submission which includes a Significant Anomaly to the Zoning Maps at the *Draft Plan* Stage;

Section 3 details the Purpose of this Submission;

Section 4 provides an Assessment of Demand for Housing and Land Zoned for Residential Development;

Section 5 presents the Role the Subject Lands Can Play if Rezoned in Addressing the Shortage of Housing in Enniskerry;

Section 6 provides a Conclusion.

2.0 BACKGROUND TO THIS SUBMISSION – SIGNIFICANT ANOMALY IN COLOUR CODING OF ENNISKERRY ZONING MAP AT DRAFT STAGE

Due to a significant anomaly in the making of the zoning map for Enniskerry in the *Draft Stage of the Bray Municipal District Local Area Plan 2017*, our Clients were under the impression that their lands had been rezoned as 'R Special New Residential' as they are clearly shown in brown as per Figure 2.1 below, which is an extract from the Zoning Map supplied with the *Draft Plan*.

Wicklow County Council will note that it is clear from comparing the colour coded legend supplied with the zoning map that one would most likely infer that the subject lands are zoned 'R Special New Residential' due to the predominant brown hue provided.

Our Clients, who operate a residential development company, were very pleased to have their lands zoned for residential development and did not therefore make a Submission in respect of the *Draft Plan* seeking any further modifications.

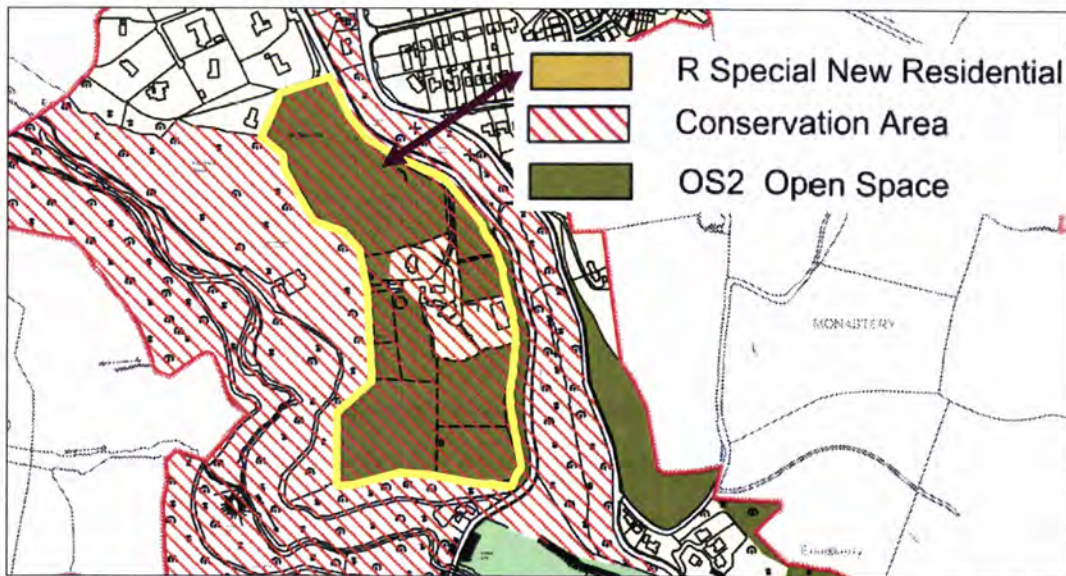


Figure 2.1: Extract from Map No 3 'Enniskerry' of the *Draft Bray Municipal Local Area Plan 2017* with Subject Lands at Monastery Farm highlighted in Yellow.

However, it subsequently transpired following discussions with the Forward Planning Department in Wicklow County Council that the lands were in fact zoned 'OS2 Open Space' in the *Draft Stage of the Bray Municipal District Local Area Plan 2017* and the green hue of that zoning objective on the colour coded Zoning Map became distorted by the horizontal red line that denotes a Conservation Area, culminating in a brown hue presenting, which one would most likely interpret to represent residential zoning at the subject lands.

Key Point: The subject lands at Monastery House are not affected by the proposed *Material Amendments to the Bray Municipal District Local Area Plan 2017*. However, due to a significant anomaly in the colour coding of the Zoning Map provided by Wicklow County Council at the *Draft Stage*, our Client construed that their lands had been zoned for residential development and did not make a Submission at that stage.

We therefore submit that it is appropriate for our Client to make a Submission at the *Material Amendments* Stage and that this Submission should be accepted and thoroughly assessed by Wicklow County Council in the interests of fairness and natural justice and having regard to the absolute reasonable interpretation of the colour coding provided on the *Draft Plan* map.

3.0 PURPOSE OF THE SUBMISSION

3.1 Seek Rezoning of the Lands to Residential Use

The purpose of this Submission is to present a Town Planning case to Wicklow County Council to demonstrate that the rezoning of the subject lands to provide for residential use at Monastery, Enniskerry, Co. Wicklow is in the interests of the proper planning and sustainable development of the area.

The subject lands which were zoned Agriculture in previous Development Plans have now been zoned OS2 Open Space. The lands have also been subject to a Conservation Area designation. The Plan states the following in respect of lands zoned OS2 Open Space:

'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.'

It is important to note that the lands have been in continual agricultural use for a significant period of time and are currently intensively farmed.

Key Point: It is clear that the designation of the lands as a Conservation Area and their proximity to Knocksink Wood have been key factors in the rezoning of the lands to OS2 Open Space. Therefore, Openfield Ecology has been retained to prepare an Appropriate Assessment Screening Report in respect of the subject lands. The findings of that report which are discussed in further detail in Section 5.5 of this Report demonstrate that the subject lands are capable of accommodating residential development without impacting on the integrity of the adjacent Natura 2000 site.

In this Submission we will demonstrate that there is a clear need for additional residential zoned lands in Enniskerry to address the current demand and lack of supply that exists. The rezoning of the subject lands has the potential to provide centrally located residential development very close to the heart of the village, which will consolidate the urban core of Enniskerry and accord with the sequential approach to development of lands. We will further demonstrate that safe access can be provided to the site, the lands can be serviced with foul infrastructure and the development of the site will not have an impact on the adjacent SAC at Knocksink Wood. Therefore, we submit that the zoning of the subject lands to provide residential development is in the interests of the proper planning and sustainable development of the area.

3.2 Background to the Landowners

Wicklow County Council should note that the Leddy Family operate a residential development business and therefore are in a position to lodge a planning application for development and subsequently construct a scheme as quickly as possible following any rezoning of the subject lands.

Therefore, the subject rezoning submission is not a case of a landowner trying to increase the value of their assets but is in fact a case where houses will be constructed directly by our Clients and made available on the market as soon as possible addressing the acute housing shortage that currently exists in Enniskerry and surrounding areas.

By way of background, the Leddy family have a proven track record of residential developments in Ireland and Internationally. The family have been providing new homes in Wicklow for over forty years including the developments of Beech Court and Meadowbrook in Kilcoole (200 No. dwellings), Woodbrook Lawns in Bray (110 No. dwellings) and Dunbur Road in Wicklow (65 No. dwellings). Barry and Glen Leddy, through their company Lyngrove developments have built 286 No. affordable homes in developments in Counties Dublin and Louth. Examples include Westhaven in Hartstown, Dublin 15 and Shrewsbury Manor and Beaulieu Mews, Drogheda, Co. Louth. The family have since expanded internationally and are currently developing in Germany and the USA.

4.0 TOWN PLANNING CASE – AN ASSESSMENT OF DEMAND FOR HOUSING AND LAND ZONED FOR RESIDENTIAL DEVELOPMENT

4.1 National Critical Demand for Housing

As well documented in the media, Ireland is undergoing an acute housing crisis where the level of demand is significantly higher than housing supply which has had consequential impacts on the private rented sector resulting in major inflation in levels of rent. Such a shortage in the supply of housing is also resulting in a consistent and steady increase in house values which is now culminating in an affordability crisis for many, particularly the first-time buyer market.

Key Point: The Irish Times reported in an article entitled 'Ireland needs 480,000 new homes by 2031, says peer-to-peer lender' on 21st February 2018 that at least 40,000 No. new homes will have to be built this year to satisfy demand. It further reports the construction industry is falling far short of this, having built fewer than 9,500 properties in 2017.

The Group has also forecast a need for 480,000 new homes across the State by 2031, with an average of 34,000 a year. Half will be needed in the Greater Dublin Area including the County of Wicklow.

4.2 Serious Lack of Supply of Housing for Sale in Enniskerry with Consequential Societal Impacts

On a more local level, Thornton O'Connor Town Planning undertook a search of properties for sale in Enniskerry on March 1st 2018. That search demonstrated that there are 16 No. residential properties for sale. The lowest price dwelling is €645,000⁴ and the remaining 15 No. dwellings range in price up to €3,900,000⁵. It is noted that 9 No. of the 16 No. properties for sale have an asking price of €1,000,000 or more. Therefore, 56% of the properties for sale in the village are only available to extremely wealthy members of the population. The remaining 54% of properties for sale are also not available to the average first time buyer or young family having regard to the lowest property price at €645,000.

Thornton O'Connor also reviewed the location of the 16 No. properties for sale in Enniskerry. Just 2 No. of the properties are located within the boundary of the urban settlement of Enniskerry as defined by Wicklow County Council in the Draft *Bray Municipal District Local Area Plan 2017*. Both of these properties are located in the exclusive 'Eagle Valley' residential development with the properties seeking asking prices of €1,150,000 and €1,250,000.

⁴ 'Carpathia', Kilmolin, Enniskerry, Co. Wicklow

⁵ 'Tinnahinch Lodge', Tinnahinch, Enniskerry, Co. Wicklow

Key Point: Currently, the only housing option for a person wishing to buy a dwelling within the urban area of Enniskerry is to purchase a dwelling at 'Eagle Valley' for in excess of one million euros. Therefore, there are no opportunities for the younger generation of people that grew up in or near to the Village to purchase a dwelling to rear their own families in the area where they have established family relationships and societal ties.

4.3 Private Rented Sector – No Houses Available to First Time Buyers or Young Families

The only model for the younger generation of people seeking to live in Enniskerry is to consider the renting a dwelling so that they can live close to their families and friends and continue to participate in local activities, clubs etc.

A search undertaken on myhome.ie for rented properties on 1st March 2018 demonstrates that there are no such properties available on that platform. An additional search of houses for rent in the Enniskerry area on daft.ie demonstrates that there are currently 2 No. options. Both of the houses for rent are located in 'Eagle Valley' and the monthly rental prices are €3,325 and €3,500 respectively.

A person is defined as having an affordability crisis if they are required to spend more than 30% of their salary on rent. Therefore, to be able to afford to live in the two houses currently for rent in Enniskerry would require a net monthly salary of in excess of €11,000, which is the equivalent of a gross annual salary of approximately €250,000.

Key Point: There are currently no houses to rent in Enniskerry for persons that are on average or very good salaries (less than €11,000 per month). Therefore, the majority of young families would be priced out of the rental market in Enniskerry and would need to relocate to another area. We submit that the lack of housing in the area needs to be addressed immediately to address the critical demand that exists in Enniskerry. The demand that exists includes 'pent-up' demand, a legacy issue of Enniskerry.

4.4 Accommodating Demand from Rural Hinterland

Enniskerry is a service area for a large rural hinterland that includes areas such as Curtlestown, Glencullen, Glenree, Ballyorney, Ballybawn, and Oonagh. Many people that grow up in these area have a desire to live in the area where they went to school, have friends, attended clubs, etc. Due to the lack of supply of dwellings in Enniskerry, which is inextricably linked to increased property prices, a significant proportion of the population of the rural hinterland have no choice but to seek to build one off houses in rural areas where land can be purchased. This housing option, which is less sustainable than development in serviced urban settlements, has unfortunately become the only option for many due to price and lack of supply.

Key Point: We submit that urban settlements such as Enniskerry need to provide accommodation for their urban hinterland to ensure that that an alternative housing typology to one off housing in the countryside exists.

4-5 An Assessment of Population Forecasting and Understanding the Legacy of Undersupply of Zoned Land in Enniskerry and Bray

The *Draft Bray Municipal District Local Area Plan 2017* has set a population target of 47,000 persons in the Municipal District area by 2028 which includes a target of 2,500 No. persons in Enniskerry.

The Plan states that it aims to put in place a 'framework' to allow these targets to be met. The Plan further acknowledges that:

'Neither the plan, nor the Council, can 'force' the development of all zoned land in order to reach the target, but it is hoped that providing the right framework and infrastructure, development can be encouraged.'

Key Point: It is clear that a key mechanism in achieving the set target is to ensure that a sufficient quantum of lands are zoned to allow the population targets to be achieved.

Table 2.7 of the Plan details the Housing Stock growth target up to 2025 in the Bray Municipal District area. The details for Enniskerry and the Rural Area are extrapolated in the table below:

	Enniskerry	Rural Area
2016 Population	1,889	3,365
2016 Housing Stock	640	1,105
2025 Housing Stock Target	1,112	-
Growth	472	-

From the information provided in the Draft Plan in respect of population and housing stock, it is clear that Wicklow County Council are basing housing provision in Enniskerry on the following factors:

- 2016 population of 1,889 No. persons to increase to 2,500 by 2028. This correlates to an increase by 32%.
- Housing stock of 472 No. units required in the urban area of Enniskerry by 2025.
- The rural area which has a population of 3,365 No. persons does not have a set housing stock target.

The *Draft Local Area Plan* does not provide a Core Strategy which is provided in Section 2.4 of the *Wicklow County Development Plan 2016-2022*. That Strategy acknowledges the shortage of land zoned in Enniskerry which has contributed to the 'pent up' demand as referred to above. The County Development Plan in referring to Level 5 settlements stated the following:

'The majority of the town plans adopted for these towns prior to the review of this County Development Plan had a surplus of zoned land having regard to the population and housing targets set out in this plan. This was in the main due to the revised population targets included in this plan, as well as previous take up of land for housing development altering the headroom proportions. Where a surplus was identified, the surplus land has been either re-designated for an alternative, non-residential use, or as a 'Strategic Land Bank' (SLB). The only exception is Enniskerry where a deficit was identified. Therefore, the new Enniskerry town plan forming part of this CDP includes additional zoned land to address this deficit.' [Our Emphasis].

Key Point: As detailed above there was a clear recognition in the County Development Plan that Enniskerry had an undersupply of zoned land which has created a legacy of a lack of accommodation with associated impacts on property prices arising from the lack of supply. The County Development Plan which was made two years ago claims to have addressed this deficit through zoning additional lands. However, as demonstrated in Sections 4.2 and 4.3 of this Submission, there are still no homes available to rent or buy for the average first time buyer or young family in Enniskerry.

The County Development Plan refers to an associated undersupply of housing in the Bray area. Table 2.8 of the Plan acknowledges an undersupply of 3,245 No. units in Bray and states the following:

'A future LAP for Bray town and environs shall address the zoning shortfall in Bray. This new plan shall comprise a 'Bray Municipal Area Local Area Plan' which shall replace the existing Bray Town Development Plan and the Bray Environs Local Area Plan, and shall encompass all settlements in the Municipal District including Kilmacanogue and Enniskerry.' [Our Emphasis].

Key Point: it is clear that Bray, which is the nearest large settlement to Enniskerry, would have been unable to accommodate the pent up demand for accommodation in Enniskerry. Having regard to the lack of supply of accommodation in Enniskerry and Bray in the recent past that is acknowledged in the County Development Plan, it is critical that adequate zoned lands are now provided to allow for the construction of homes for people in these areas and to control property prices which are artificially inflating due to lack of supply.

4.6 Providing Headroom to Avoid Artificial Impact on Property Prices

Headroom or market factor is 'extra' land that should be zoned over and above the minimum amount needed to accommodate the population target. Headroom is

provided so as to allow for greater location choice and deal with any land supply inflexibility which may arise.

Section 2.4.5 of the *Wicklow County Development Plan 2016-2022* states the following in respect of headroom to be provided in future Local Area Plans:

'It is planned that these LAPs will be adopted during 2017-2019 period, in order of timeline priority (i.e. according to the date when each existing plan is due to expire). Each LAP will cover a period of 6 years (the latest plan to be reviewed having a timeline of 2019-2025) and zoning will be provided on the basis of the land needed to meet a 6 year horizon, plus 3 years zoning 'headroom' or 'market factor', as recommended in the Development Plan Guidelines issued by the Minister.' [Our Emphasis].

Page 10 of the Material Amendments to the *Draft Bray Municipal District Local Area Plan 2017* states that '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 **1 year** 'headroom'. [Our Emphasis].

Key Point: The Decision by Wicklow County Council to provide just 1 Year's Headroom in the making of the *Draft Bray Municipal District Local Area Plan 2017* does not accord with the recommendations of the Minister and does not accord with the stated plans and intentions of the *Wicklow County Development Plan 2016-2022*, which is clear that 3 years zoning headroom shall be provided in the Local Area Plans.

Therefore, sufficient zoned lands are not available to deal with land supply inflexibility issues that may arise in areas such as Enniskerry or Bray. This will compound the housing difficulties that are already being encountered in these settlements due to an acknowledged lack of zoned land that previously existed.

The Chief Executive of Wicklow County Council acknowledges that the provision of just 1 year's headroom deviates from the Minister's instructions. The following response was abstracted from the Chief Executive's Report⁶ on the *Draft Bray Municipal Local Area Plan 2017*, which was published in November 2017:

'There is no 'over zoning' in this plan as suggested in Submission C33 – the population and housing targets are clearly set out and the land zoning provision match same. It is not correct to state therefore that the zoning of land at Kilruddery represents 'over zoning' in the absence of this zone, the zoning provisions would allow indicatively for 5,890 units, while the target is 6,130 units (for 2025). It is accepted that this target represents the target for the 6 years of the plan plus 2 years, but at this stage, with the plan not likely adopted until 2018, this only represents 1 year's 'headroom'. Ministerial guidelines recommend 3 years headroom, and the plan in fact could be considered non-compliant with Ministerial instructions due to the lack of zoned land it provides.' [Our Emphasis]

⁶ Page 144.

We have reviewed the Chief Executive's Report to try and ascertain the rationale for the decision to provide a lesser degree of headroom and consequential reduction in the quantum of zoned residential lands. We note that in Section 3.1 of the Report in providing a response to a Submission by *The Department of Housing Planning and Local Government*, the Chief executive stated:

'As set out in the plan and as recommended to be amended in response to Item 2 raised, this plan does not provide for any significant 'headroom' beyond a 7 year horizon. This is for two key reasons (a) there is uncertainty about overall regional, County and settlement populations at this time, while the development of the NPF and RSES plans are in train and (b) there simply is not enough land available in the settlement of Bray to meet a longer term target. In the development of the draft plan, all possible options for new zoning were assessed and considered, and there is little scope beyond what is proposed in the draft plan.' [Our Emphasis].

Key Point: It is clear from the Chief Executive's comments above that the lack of suitable lands for residential zoning was a key issue in determining the appropriate headroom to be provided. The subject site can address this issue.

It is further noted that in Appendix 2 of *'Our Plan – Ireland 2040'*, the *Draft National Planning Framework*, which sets out a *Methodology for the Prioritization of Development Land*, the following recommendation is provided in respect of headroom:

'In order to facilitate flexibility and choice, an additional land factor, known as 'headroom' is normally applied to land zoning at a rate of 50% over and above the planned six-year land requirement, i.e. to ensure sufficient land for nine years.'

Key Point: The Decision by Wicklow County Council to provide one year's headroom in respect of the proposed *Bray Municipal Local Area Plan 2018* represents a significant deviation from Government Direction. The settlement of Enniskerry that has suffered from a legacy of undersupply of zoned lands will now only have enough zoned land for seven years rather than the recommended nine. Any landbanking or difficulties in obtaining planning on zoned lands could therefore compound the acute housing shortage being experienced in the town.

4.7 Analysis of Future Residential Development Locations and Likely Release of Housing Units

As detailed in Table 3.2 below, which is abstracted from the proposed Material Alterations, zoned land in Enniskerry has the potential to provide 475 No. units.

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.

As detailed in the table above, the 5 No. dwellings at Cookstown zoned 'R Special' are zoned specifically to accommodate the family of an existing dwelling on the lands and therefore will not be available to the general population. Therefore, zoned lands have been provided to potentially provide 470 No. houses within the town for the general population as shown on the Map below:

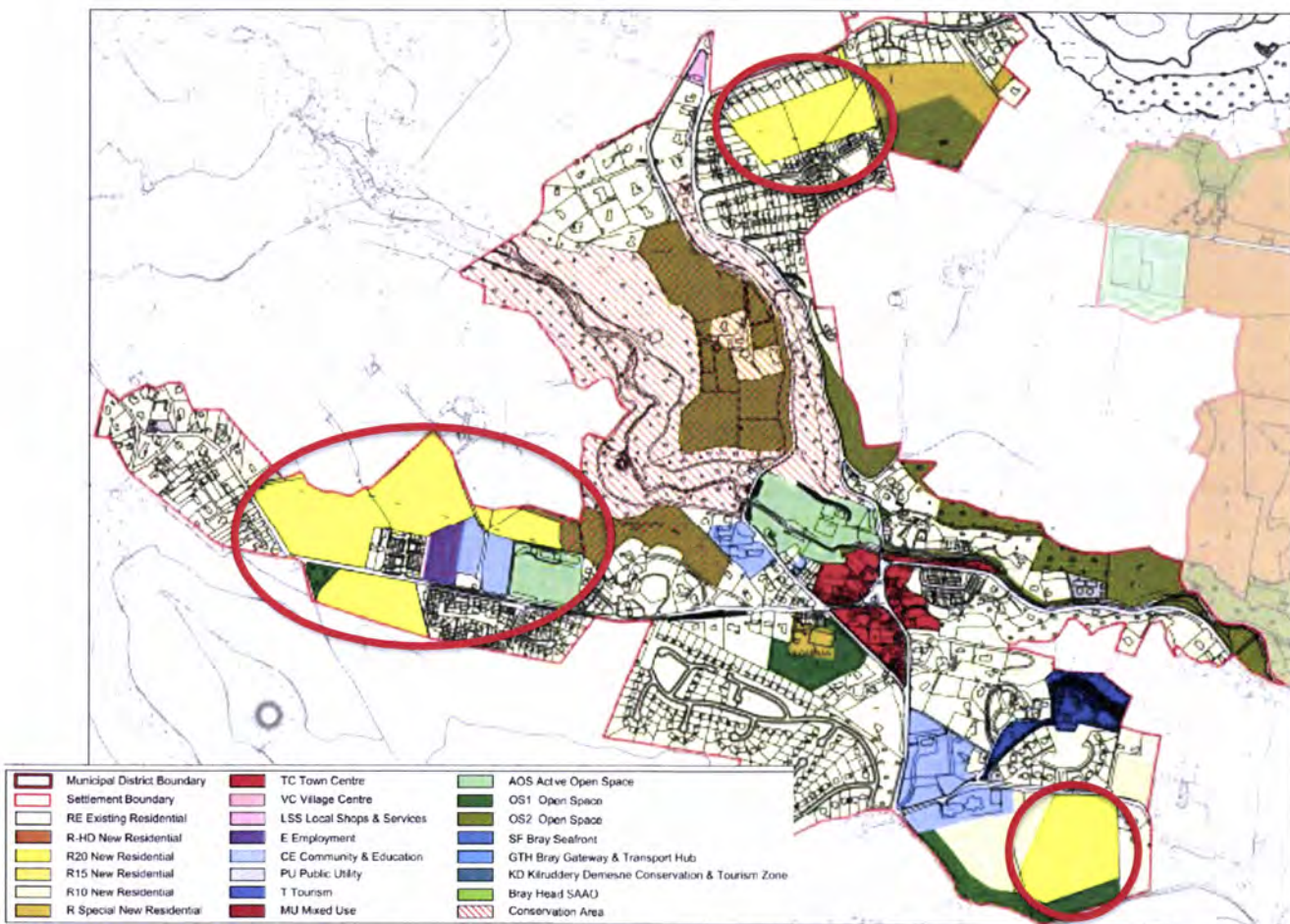


Figure 4.1: Enniskerry Zoning Map as provided at Draft Stage of the Bray Municipal District Local Area Plan 2017 with Large Tracts of Land Designated for Residential Development Circled in Red

A comparison of the above map with the zoning map provided in the *Enniskerry Local Area Plan 2009*, is useful in understanding lands that are currently being landbanked (which demonstrates the importance of headroom). None of the large tracts of lands zoned as Action Area Plans or New Residential development in the 2009 Local Area Plan have yet been developed, a period of 8 No. years later.

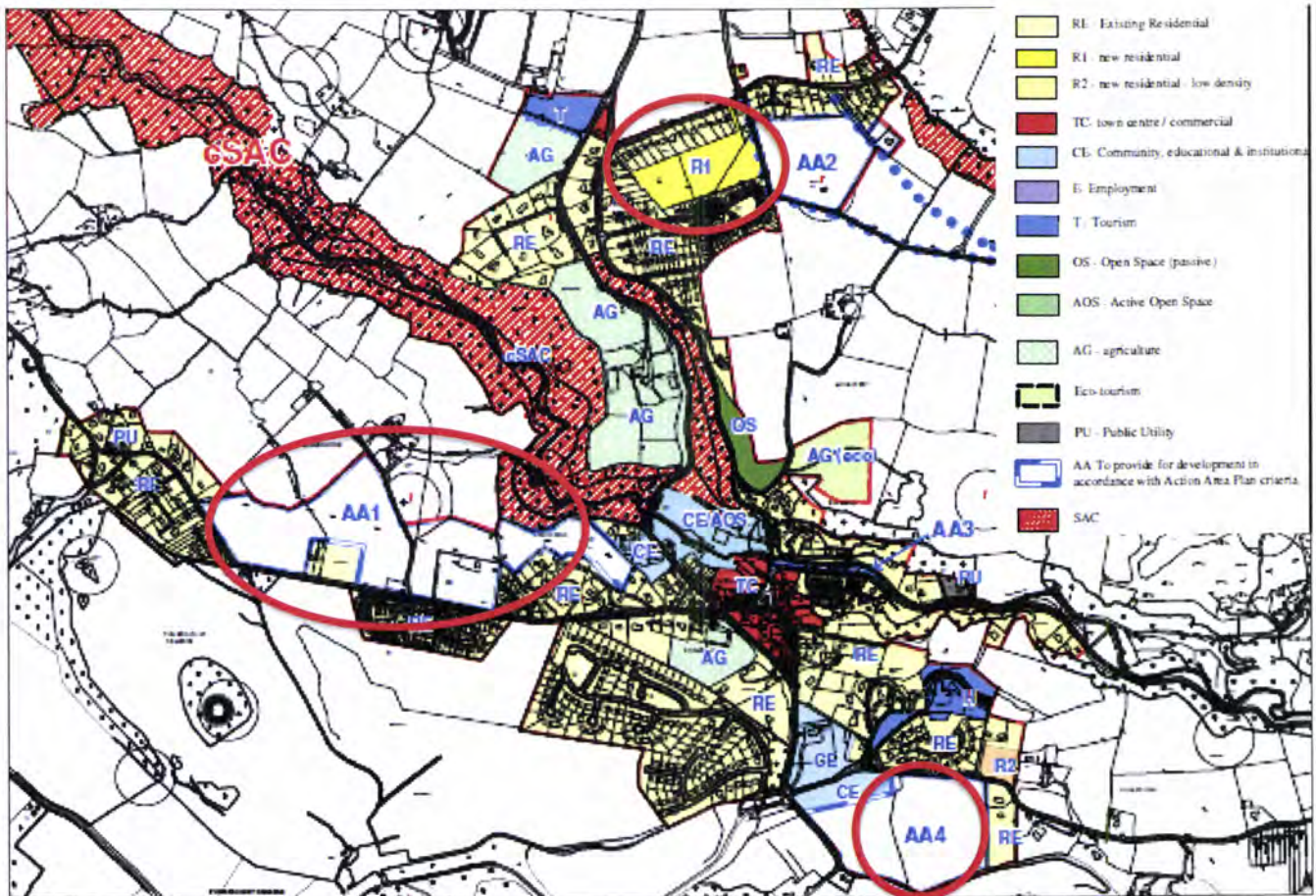


Figure 4.2: Enniskerry Zoning Map as provided in the Enniskerry Local Area Plan 2009 with Large Tracts of Land Designated for Residential Development Circled in Red

The following points in respect of the potential release of housing units are noted:

- Lands at **Monastery Grove** which are anticipated to provide 72 No. residential unit were zoned 'New Residential' in the Enniskerry Local Area Plan 2009. Despite the lands being zoned for in excess of 9 No. years including a time when there was an acknowledged undersupply of zoned lands in Enniskerry and acute demand, a planning application has not yet been lodged for development of these lands. One must therefore naturally question whether the lands will become available over the next 6 years?
- Lands at the **Action Area Plan 1 site at Parknasillogue** are planned to provide 156 No. dwellings. However, the lands are subject to a detailed phasing strategy which required for example a school site to be provided before more than 50% of the houses are built and a 1 No. hectare area of employment facilities is required to be provided before the final 25% of the houses are provided. Due to the

phasing of the lands, it is questionable whether these lands will provide a sufficient quantum of housing in the short term to address the acute demand that currently exists?

- **Town Centre and Existing Residential** lands in the town are intended to accommodate 45 No. dwellings. Such opportunities will be largely by infill developments where higher densities are provided on individual plots. Such infill developments in Enniskerry have been relatively rare over the past 6 No. years with very few planning applications having been lodged for the densification or subdivision of plots. Ireland has seen dramatic increases in property prices in 2015, 2016 and 2017 and therefore there has been a clear economic justification for densifying and subdividing sites for the past number of years. Despite this, very few infill developments have taken place which is likely linked to the socio-economic status of many residents of homes in the town. It is therefore questionable whether the six year period of the proposed *Bray Municipal District Local Area Plan 2019* will see a surge in the release of infill housing in the town centre as expected (45 No. additional units)?

Key Point: Thornton O'Connor Town Planning submit that headroom is entirely necessary to provide the required housing units in Enniskerry. There are a variety of reasons why zoned lands may not be released for development and the Planning System needs to be prepared for this eventuality – by ensuring that additional zoned lands are provided to assist in addressing the critical issue of housing supply not meeting demand in the town.

5.0 TOWN PLANNING CASE – ROLE THE SUBJECT LANDS CAN PLAY IN ADDRESSING SHORTAGE OF HOUSING IN ENNISKERRY IF REZONED

5.1 Adhering to the Principle of Compact Town

Project Ireland 2040, The National Planning Framework strongly advocates the concept of the Compact Growth of urban areas. The Plan States:

'Carefully managing the sustainable growth of compact cities, towns and villages will add value and create more attractive places in which people can live and work. All our urban settlements contain many potential development areas, centrally located and frequently publicly owned, that are suitable and capable of re-use to provide housing, jobs, amenities and services, but which need a streamlined and co-ordinated approach to their development, with investment in enabling infrastructure and supporting amenities, to realise their potential. Activating these strategic areas and achieving effective density and consolidation, rather than more sprawl of urban development, is a top priority.' [Our Emphasis]

Key Point: The subject lands at Monastery are strategically located within the core of Enniskerry. As demonstrated in Figure 5.1 below the lands are closer to the village core than all of the large sites zoned to provide new residential development in the town.

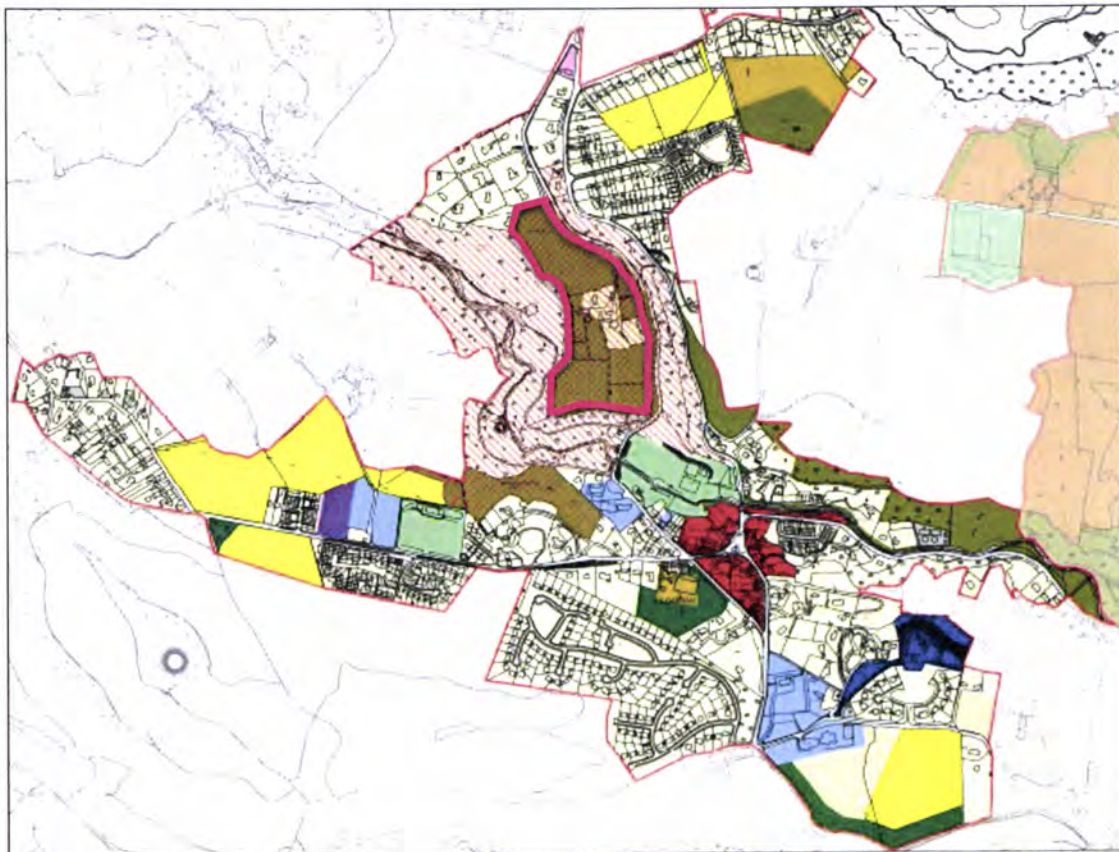


Figure 5.1: Enniskerry Zoning Map as provided at Draft Stage of the Bray Municipal District Local Area Plan 2017 with Subject Lands Shown Outlined in Pink

In determining appropriate locations for the zoning of lands in Enniskerry, the *Draft Bray Municipal District Local Area Plan 2017* states that:

'The solution adopted in this plan is to designate residential lands as close as possible to the town centre and existing community facilities whilst avoiding the environmentally sensitive and EU designated areas.'

As detailed in Section 5.5 of this Plan, Openfield Ecology have undertaken an Appropriate Assessment of the subject lands which has concluded that the lands are capable of residential development without impacting on Natura 2000 sites including the adjacent Knocksink Woods.

The Plan further states that:

'This plan has aimed to consolidate the existing built pattern in Enniskerry by maximising the potential of large sites close to the settlement core and any infill sites along the main roads within the settlement. The designation of specific lands for residential development has been provided in a manner that facilitates greater connectivity between the settlement core and the existing developed lands within the plan area.' [Our Emphasis].

Key Point: The subject lands are one of the few large remaining sites within the settlement of Enniskerry that have the potential to provide dwellings that are within walking distance of all of the services and facilities of the town yet the lands have not yet been zoned for residential development.

5.2 Connectivity and Permeability

As detailed in Section 1.1 the subject lands are very well connected to the variety of services available within the village. The lands are within 500 metres of the shops and restaurants and this distance is served by footpaths. The Dublin Bus No. 44 route which connects to Dundrum and Eden Quay is directly abounds the eastern boundary of the subject site. In addition, sports and recreational facilities including the Bog Meadow and St. Mary's GAA are within walking distance of the lands.

Key Point: Therefore, the rezoning and subsequent development of the subject lands will ensure the efficient use of scarce urban and serviced lands which is in accordance with the principles of proper planning and sustainable development.

5.3 Visual Impact and Protection of Historic Streetscape

The Enniskerry Natural Heritage Map No. H6 which is incorporated in the *Draft Bray Municipal Local Area Plan 2017* shows a protected view at the subject site. The view extends from the subject site south towards Enniskerry.

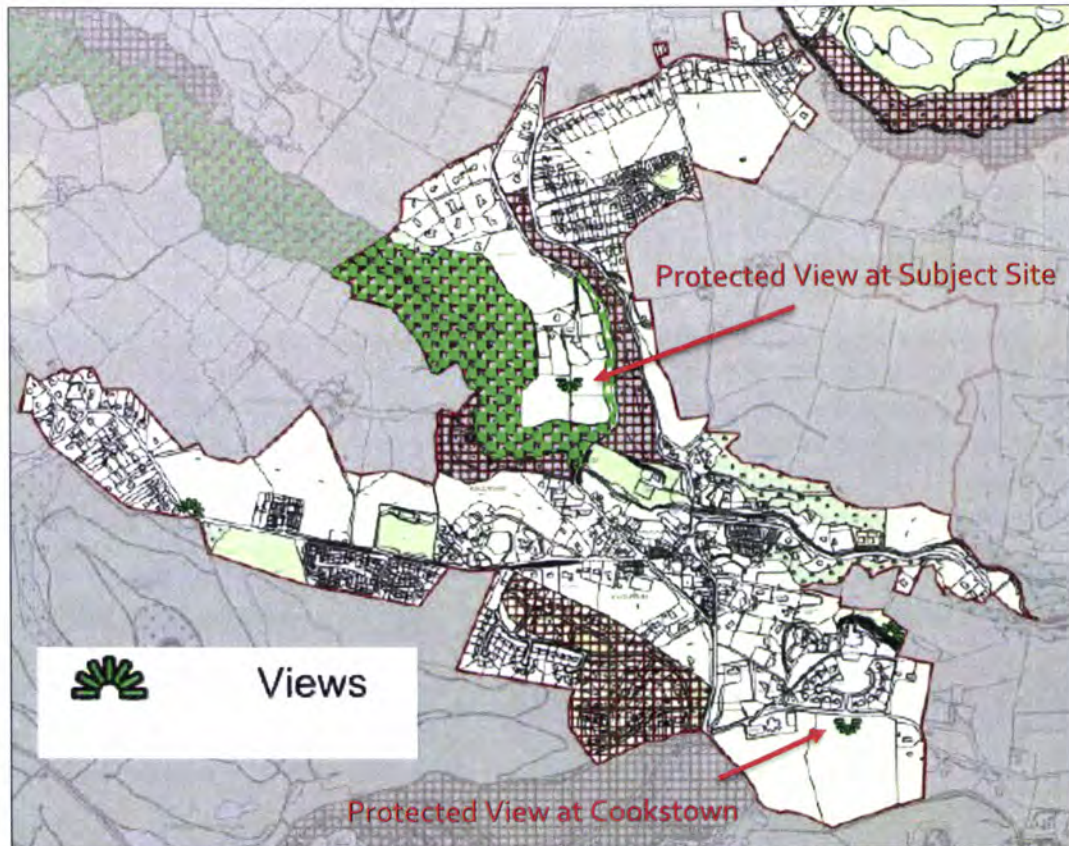


Figure 5.2: Extract from Map H6 of the *Draft Bray Municipal Local Area Plan 2017*

Key Point: The presence of a Protected View should not impede any potential zoning of the lands. Ensuring that the view is retained is a matter for development management following any rezoning of the lands. It is noted that other sites that contain Protected Views are zoned for residential development including lands at Cookstown that are designated as appropriate for the construction 105 No. dwellings.

In our opinion the subject lands are much less visually sensitive than other residentially zoned sites in the town including the site at Kilgarron Hill that is designated to provide 28 No. houses on lands that rise gently above the village and to the rear of original Powerscourt labourer's cottages.

If the subject lands are rezoned to provide residential development, any future planning application at the lands will provide a Landscape and Visual Impact Assessment that will have to demonstrate that the lands can be developed without any impact on the historic streetscape of the town.

5.4 Access and Servicing

AECOM have been retained by the Leddy family to assess the potential for access and servicing of the subject lands and a detailed report is enclosed as a separate document.

The report demonstrates that the current site access has sufficient sightlines and the landowner has control over significant road frontage to make alterations to the access arrangements if required for any future planning application.

AECOM have demonstrated that there are a number of surface water outfall options including discharge of surface water, via an attenuated system and appropriate flow restriction to the Bog Meadow stream valley or to a new surface water sewer running along the R117 road and discharge to the Glencullen River.

AECOM have considered the foul network in the vicinity of the site and propose to install an approximately 1km foul pipeline from the subject site, along the R117 discharging to the existing 225mm diameter foul water sewer adjacent to St. Mary's & Gerard's National School. In order to confirm viability of this foul outfall, AECOM have examined the levels associated with this and are confident that this can be achieved by gravity.

With regard to water supply, records provided by Irish Water indicate that there are a number of watermains running along R117.

The issue of flooding has also been considered and AECOM has concluded that the subject site is not at risk of flooding.

Key Point: Aecom has demonstrated that a safe access can be provided to serve any future development of the subject lands. In addition, the lands can be serviced without difficulty and in accordance with best principles. It should be noted that the surface water, waste water and water supply networks are all sealed systems and therefore do not have any implications on ground water.

5.5 Appropriate Assessment Screening Report

A Screening Report for Appropriate Assessment has been prepared by Openfield Ecology and is enclosed as a separate document with this Rezoning Submission.

The Screening Report assesses the proposed rezoning of the subject lands to allow for residential development under the appropriate methodology. The Report concludes that based on the conservation objectives of the SACs within the project's zone of influence, it has found that no significant effects are likely to arise, either alone or in combination with other plans or projects to either the Knocksink Wood SAC or Ballyman Glen SAC. These are the only Natura 2000 areas considered to be within the zone of influence of the lands.

It is further noted that any future planning application at the lands would require a project specific assessment to be undertaken to demonstrate to the Planning Authority that the project will not impact upon any Natura 2000 site.

Key Point: The Screening Report for Appropriate Assessment has demonstrated that the subject lands can accommodate residential development without any impact on the adjacent Knocksink Wood SAC and therefore the lands can be rezoned to allow for the future construction of homes on the lands.

6.0 CONCLUSION

The purpose of this submission is to seek the rezoning of the subject lands from its recently proposed 'OS2 Open Space' in the *Draft Stage of the Bray Municipal District Local Area Plan 2017* to 'New Residential'.

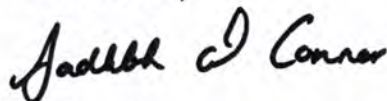
At a time of an acute housing crisis, the *Bray Municipal Local Area Plan 2018* is being made with just 1 year's headroom. Therefore, any land inflexibility issues will have a critical impact on meeting the pent up demand that currently exists for housing in Enniskerry. It is clear from a review of the Chief Executive's Report that the availability of suitable lands for zoning was a key issue in providing reduced headroom.

It is considered that the subject lands at Monastery can address the shortage of zoned lands in Enniskerry. The site, which is owned by a family of residential developers, is strategically located to create a sustainable community close to the heart of Enniskerry Village in accordance with the principles of the sequential approach and promoting a compact core. The enclosed specialist technical reports prepared by Aecom and Openfield Ecology demonstrate that safe access can be provided, the site can be serviced, and the development of the lands will not impact on the adjoining SAC at Knocksink Wood.

We trust that due consideration will be given to the role of the subject site in the overall future development of Enniskerry.

We trust that the Planning Authority will take the above into consideration when preparing the *Bray Municipal District* and would be happy to clarify any issues arising, if considered appropriate by the Planning Authority, and would welcome the opportunity to work with you and your fellow Councillor's, to secure these objectives.

Yours Sincerely



Sadhbh O'Connor
Director
Thornton O'Connor Town Planning

Submission to Wicklow County Council's 'Draft Bray Municipal District Local Area Plan 2018'

To Sadhbh O'Connor	Project number 60568355	Client The Leddy Family Partnership	Subject Proposed Residential Development at Monastery, Enniskerry, Co. Wicklow
Date 08 March 2018	Issued by Clodagh Holmes	Reason for issue Submission to Wicklow County Council	Prepared by AECOM

1.0 Introduction

AECOM has prepared this technical note, which should be read in conjunction with the main submission, prepared by Thornton O'Connor Planning Consultants, to Wicklow County Council in relation to the 'Draft Bray Municipal District Local Area Plan 2018'.

The site is located off the R117 on the north-eastern side of Enniskerry Village, Co. Wicklow as indicated in Figure 1 below.

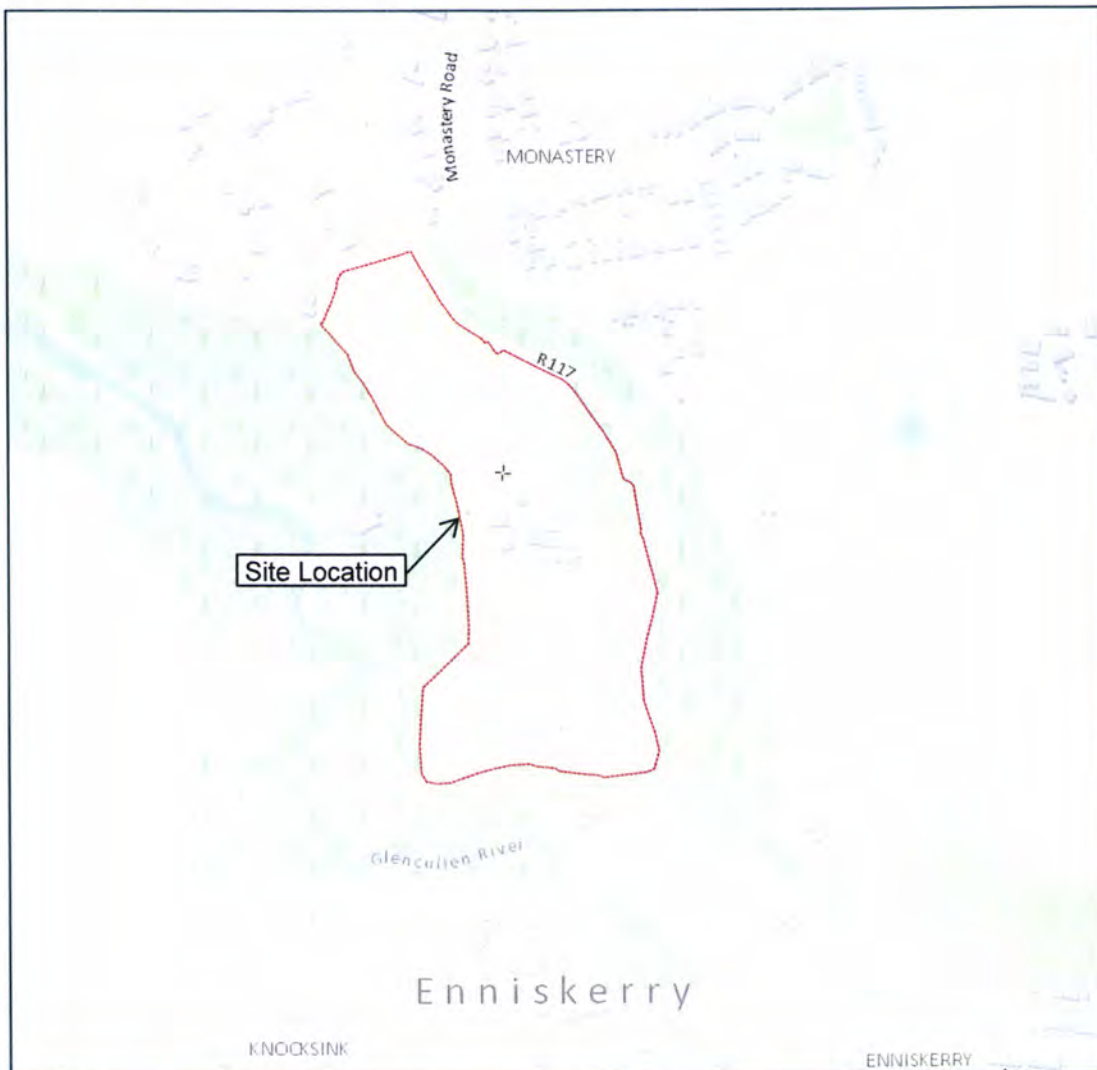


Figure 1 – Site Location – Monastery, Enniskerry, Co. Wicklow

2.0 Draft Bray Municipal District Local Area Plan 2018

Wicklow County Council is currently inviting submissions or observations on the proposed material alterations to the Draft Bray Municipal District Local Area Plan 2018. Once formally adopted, the LAP will present the statutory planning context for the subject site.

3.0 Road Access & Traffic

The subject lands area located adjacent to the R117 with significant road frontage. There is excellent accessibility to the village of Enniskerry located 400 m from the site. The N11/M11 is approx. 2.5 km from the site which provides excellent connectivity for longer journeys to Dublin City and Wicklow Town. Access to Bray Dart station is also within easy reach from the site.

The bus route No. 44 runs along the R117 in front of the site. This route travels from Enniskerry Village, via Dublin City Centre, to Dublin City University in Glasnevin.

This bus stop location located within Enniskerry Village also operates a regular bus link, No. 185, to the Bray DART station. Figure 2 below illustrates the bus stop locations in the vicinity of the lands.



Figure 2 – Bus Stop in the vicinity of the site lands

The existing entrance to the site has significant sightlines. Figure 3 is an extract of AECOM Drawing 60568355-SKT-10-C-SK002 and indicates there are currently a 78m sightline to the north and a 69m sightline to the south available at the existing site entrance.

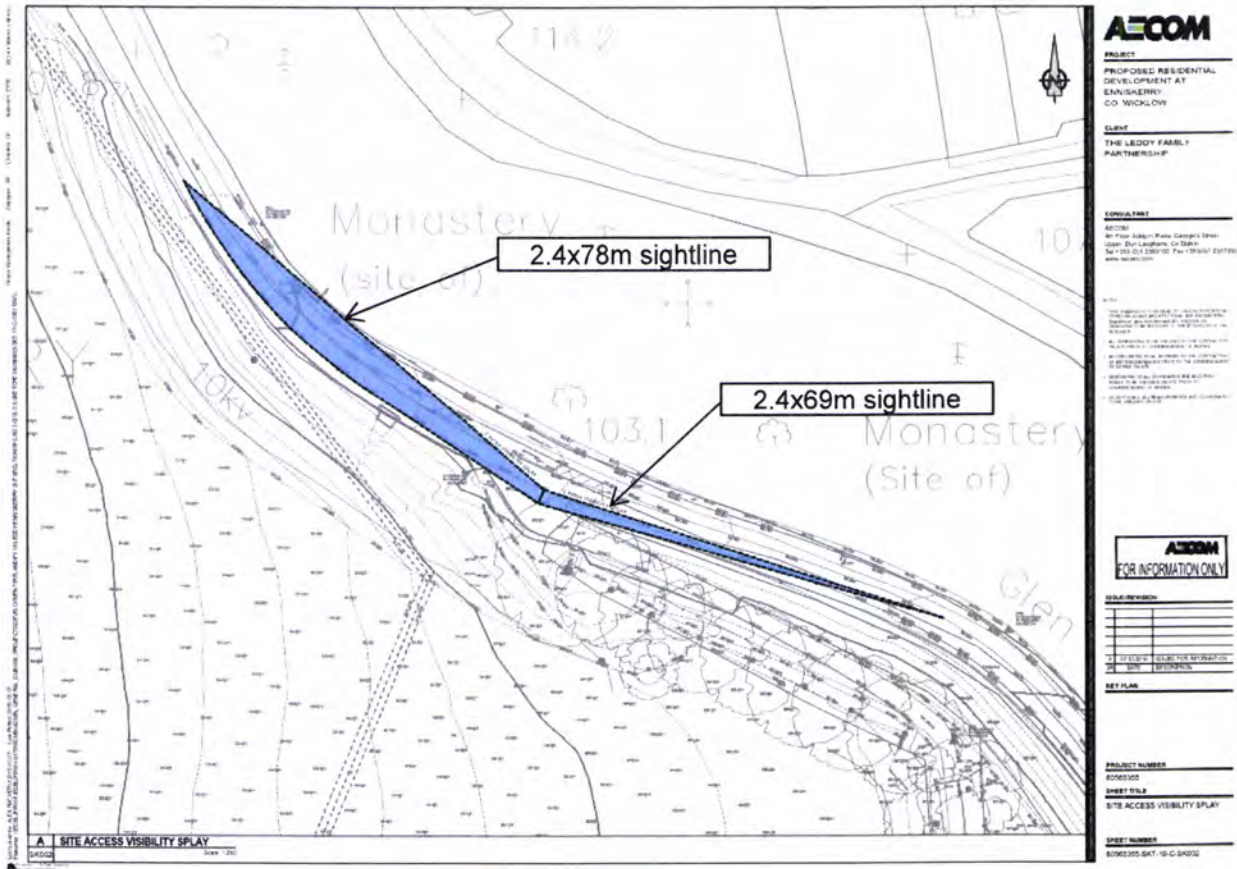


Figure 3 – Current site access visibility splay along the R117

However, as there is significant road frontage within the control of the applicant, alterations can be made either to the existing entrance to provide sufficient sightlines to comply with current development standards; or a new access can be provided as part of the future development layout.

4.0 Service Provision

4.1 Surface Water

The subject lands and their environs have been examined to assess the services provision and identify any potential shortcomings in relation to sanitary service provision.

AECOM have also engaged with Wicklow County Council regarding obtaining records and local knowledge in relation to the current surface outfall arrangements.

The Bog Meadow is located between the R117 and the Monastery Road. During resurfacing of the R117 in 2017 some localised drainage was installed by Wicklow County Council, which discharges to the stream valley at the northern end of the Bog Meadow.

Wicklow County Council has confirmed that, in line with Irish Water Code of Practice, storm water is not permitted to discharge to the foul network, in this regarding AECOM would proposed the following options:

- Discharge of surface water, via an attenuated system and appropriate flow restriction and outfall to the stream valley – similar to WCC road drainage gullies
- Discharge of surface water, via an attenuated system and appropriate flow restriction to a new surface water sewer running within the lands and outfall to the Glencullen River (same route as the proposed foul line referred to below). Please refer to Appendix A for the Windes MicroDrainage calculations indicating that the surface water runoff can be discharged by gravity.

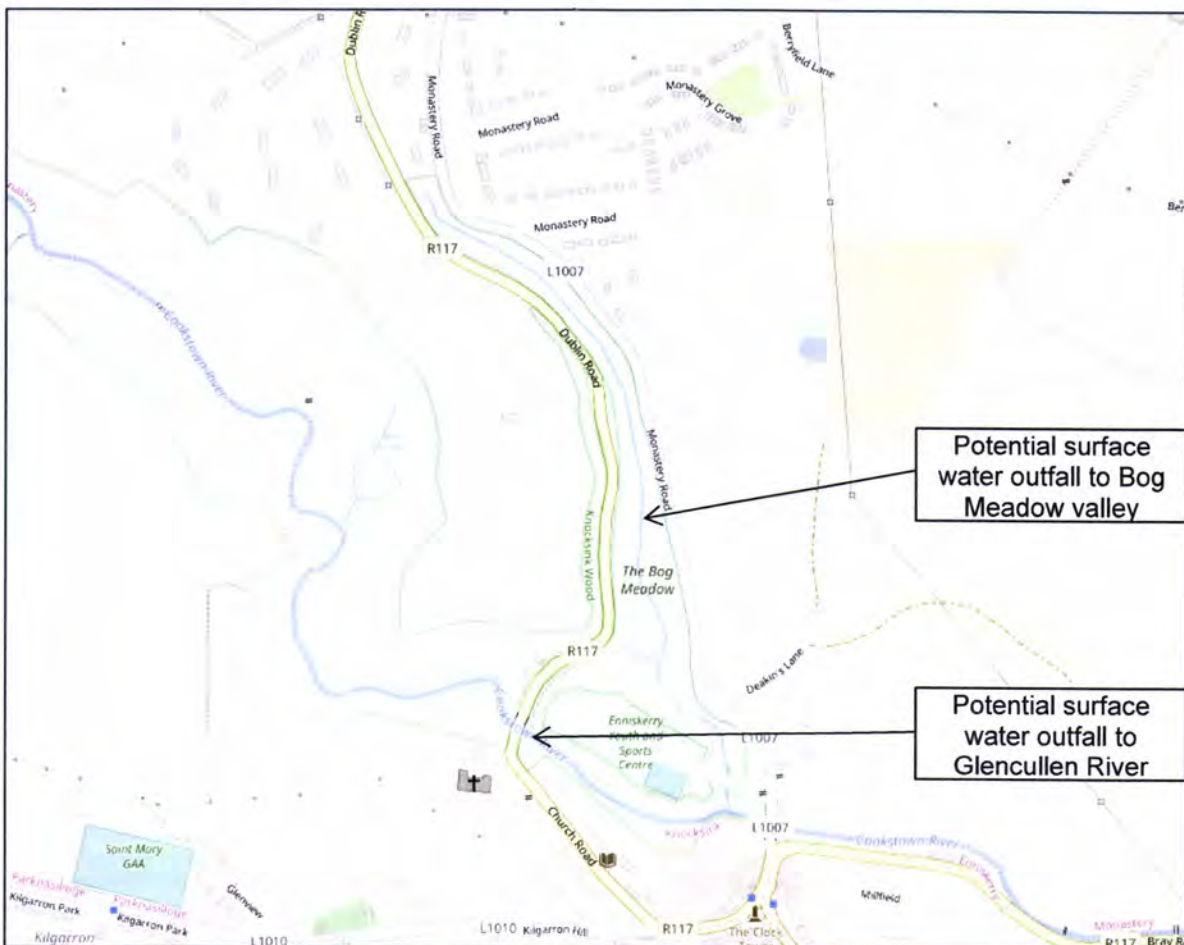


Figure 4 – Surface water outfall options (map extract of OpenStreetMap.org)

4.2 Foul Water Drainage

AECOM have engaged with Wicklow County Council and Irish Water regarding obtaining records and local knowledge in relation to the current foul drainage network.

The existing dwellings on the subject lands are serviced by septic tank system.

AECOM have considered the foul network in the vicinity of the site and would propose to install an approximately 1km foul pipeline within the subject site discharging to the existing 225mm diameter foul water sewer adjacent to St. Mary's & Gerard's National School (refer to Figure 5). It is proposed to relay the first section of 150mm foul water sewer as indicated in the Irish Water records.

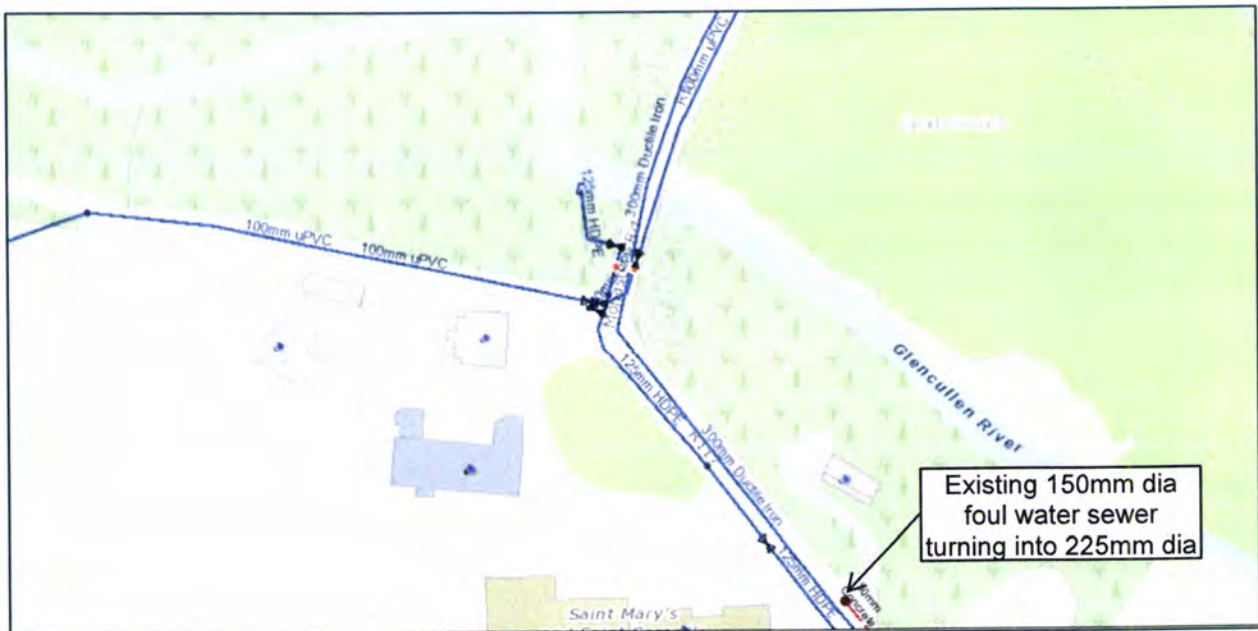


Figure 5 – Existing Foul Water Record Drawing

In order to confirm viability of this foul outfall, AECOM have examined the levels associated with this and are confident that this can be achieved by gravity. Please refer to Appendix B for the Windes MicroDrainage calculations.

4.3 Water Supply

Records provided by Irish Water indicate that there are a number of watermains running along R117 (refer to Figure 6). These include the following:

- A 100mm diameter uPVC watermain
- A 300mm diameter Ductile Iron watermain

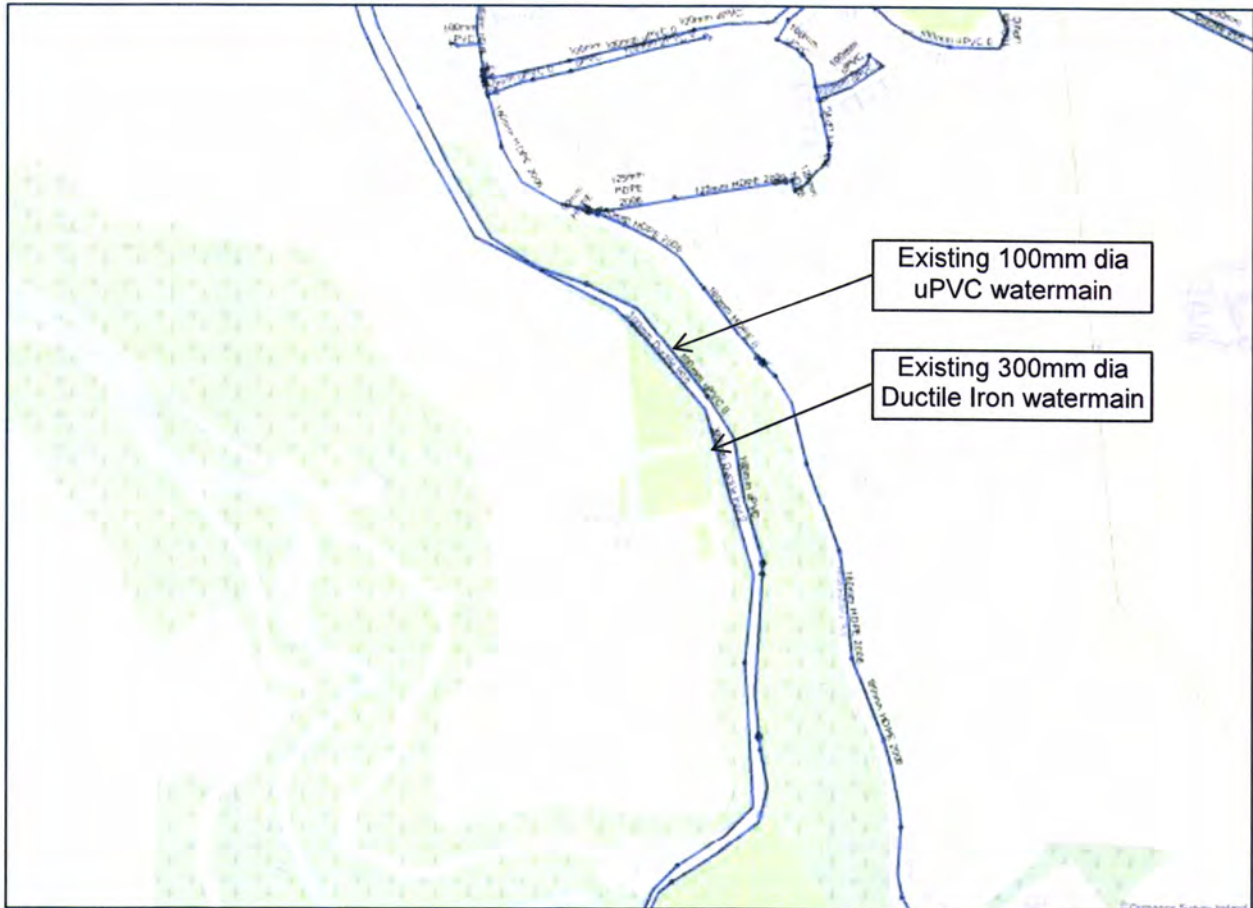


Figure 6 – Existing Watermain Record Drawing

5.0 Flood Risk Identification

AECOM have reviewed the flood risk mapping currently available for the subject lands:

- Coastal Flood Risks
- Fluvial Flood Risks
- Pluvial Flood Risks

5.1 Coastal Flood Risk

Coastal flooding results from sea levels which are higher than normal and result in sea water overflowing onto the land. Coastal flooding is influenced by the following three factors which often work in combination: high tide level, storm surges and wave action.

There is no risk associated with coastal flooding for this site as general ground levels for the site (ranging between 95mOD and 120mOD) are much higher than expected extreme coastal flood levels.

5.2 Fluvial Flood Risk

Fluvial flooding is the result of a river exceeding its capacity and excess water spilling out onto the adjacent floodplain.

Myplan.ie map incorporates many different sets of spatial information, including OPW Preliminary Flood Risk Assessment (PFRA) Mapping data (fluvial, pluvial, coastal flooding data and groundwater flood extents).

Figure 7 is an extract from www.myplan.ie and illustrates areas that might be at risk of fluvial flooding in the vicinity of the site; however the subject site is not affected.

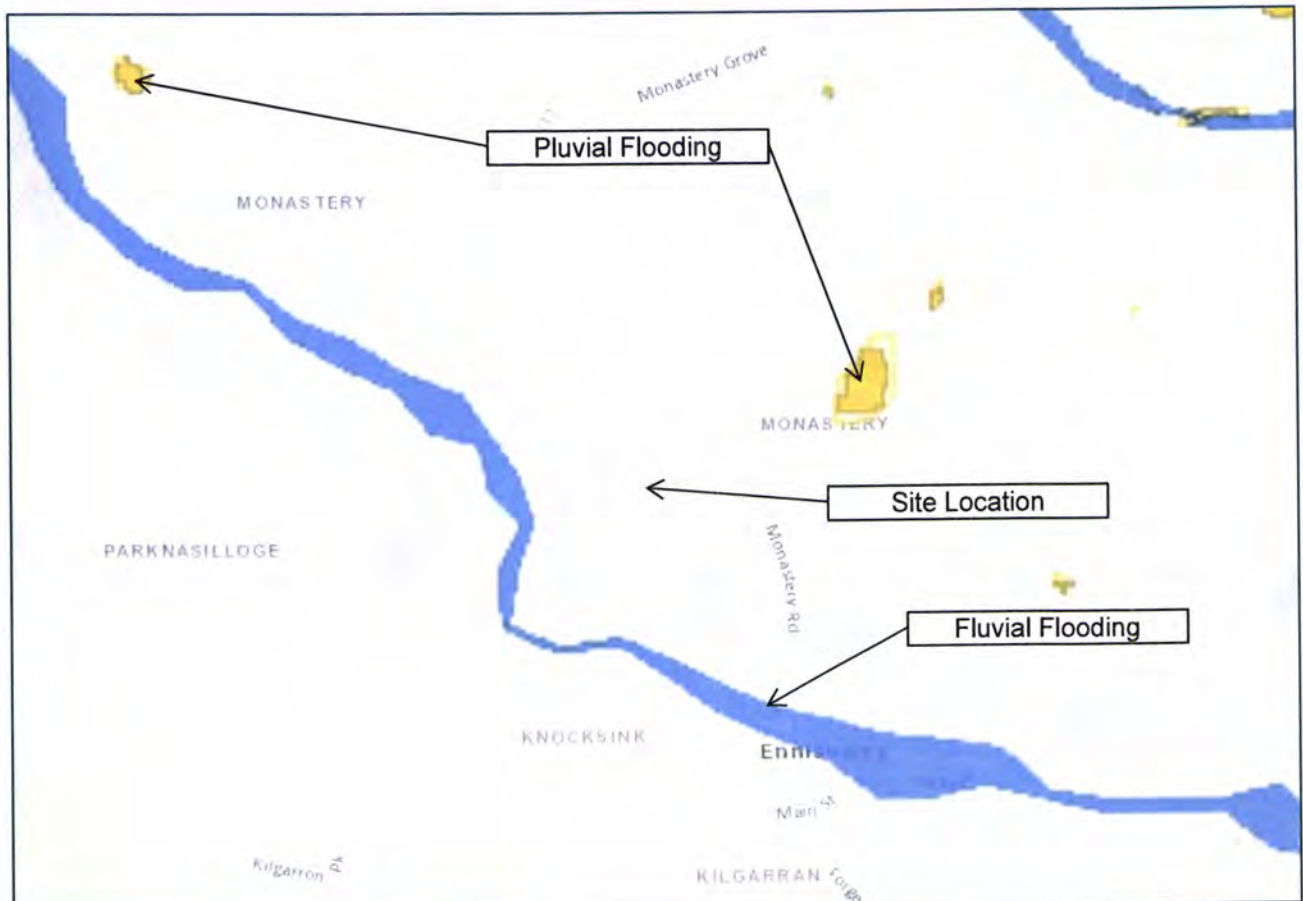


Figure 7 – Flood zones in Enniskerry as defined by OPW PFRA Maps (www.myplan.ie)

5.3 Pluvial Flood Risk

Pluvial flooding is a result of rainfall-generated overland flows which arise before runoff enters any watercourse or sewer.

A review of the www.myplan.ie mapping (please refer to Figure 7) indicates that there are areas that may be at risk of pluvial flooding in the vicinity of the subject lands; however the subject site is not affected.

5.4 Historic Flood Events in Enniskerry

The OPW Flood Hazard Mapping Website is a record of historic flood events and this database indicates that there was a single reported incident of flooding on Forge Road, Enniskerry. However this flood event occurred further south in Enniskerry without having an adverse impact on subject site. Please refer to **Error! eference source not found.** and Appendix C for the full report.

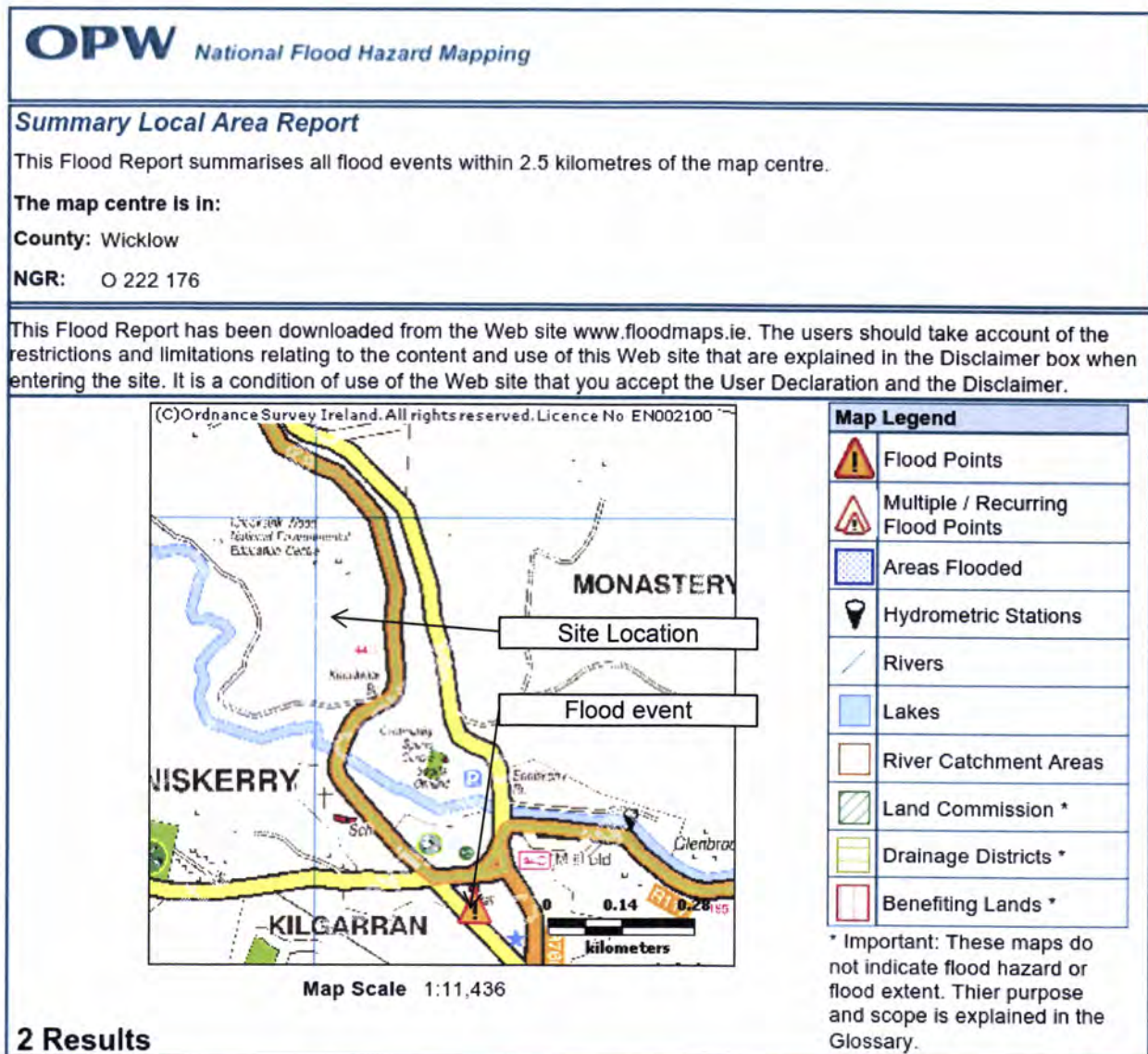


Figure 8 – Historic Flood Events in Enniskerry (www.floodmaps.ie)

6.0 Conclusion

This document should be read in conjunction with the main submission from. This technical note considers the access, servicing options and flood risk for the subject land.

It should be noted that the surface water, waste water and water supply networks are all sealed systems and therefore do not have any implications on ground water.

Appendix A – Surface Water Network Calculations

PN	Length (m)	Fall (m)	Slope (1:X)	Area (ha)	T.C. (mins)	Base Flow (l/s)	Flow (l/s)	Depth (mm)	SECT	DIA (mm)	Auto
S1.000	69.499	2.192	31.7	0.000	4.00	0.0	0.600	0.600	o	225	☑
S1.001	36.635	1.440	25.4	0.000	0.00	0.0	0.600	0.600	o	225	☑
S1.002	89.237	3.457	25.8	0.000	0.00	0.0	0.600	0.600	o	225	☑
S1.003	22.944	0.978	23.5	0.000	0.00	0.0	0.600	0.600	o	225	☑
S1.004	50.969	2.029	25.1	0.000	0.00	0.0	0.600	0.600	o	225	☑
S1.005	42.264	1.477	28.6	0.000	0.00	0.0	0.600	0.600	o	225	☑
S1.006	22.242	0.876	25.4	0.000	0.00	0.0	0.600	0.600	o	225	☑
S1.007	55.948	2.374	23.6	0.000	0.00	0.0	0.600	0.600	o	225	☑
S1.008	58.242	2.379	24.5	0.000	0.00	0.0	0.600	0.600	o	225	☑
S1.009	58.242	2.027	28.7	0.000	0.00	0.0	0.600	0.600	o	225	☑
S1.010	18.621	0.579	32.2	0.000	0.00	0.0	0.600	0.600	o	225	☑
S1.011	77.988	3.567	21.9	0.000	0.00	0.0	0.600	0.600	o	225	☑
S1.012	8.567	0.280	30.6	0.000	0.00	0.0	0.600	0.600	o	225	☑
S1.013	62.655	1.683	37.2	0.000	0.00	0.0	0.600	0.600	o	225	☑

Network Results Table

PN	Rain (mm/hr)	T.C. (mins)	US/IL (m)	Σ I.Area (ha)	Σ Base Flow (l/s)	Foul (l/s)	Add Flow (l/s)	Vel (m/s)	Cap (l/s)	Flow (l/s)
S1.000	50.00	4.50	101.658	0.000	0.0	0.0	0.0	2.33	92.7	0.0
S1.001	50.00	4.73	99.466	0.000	0.0	0.0	0.0	2.60	103.5	0.0
S1.002	50.00	5.31	98.027	0.000	0.0	0.0	0.0	2.59	102.8	0.0
S1.003	50.00	5.45	94.570	0.000	0.0	0.0	0.0	2.71	107.9	0.0
S1.004	50.00	5.77	93.592	0.000	0.0	0.0	0.0	2.62	104.2	0.0
S1.005	50.00	6.06	91.563	0.000	0.0	0.0	0.0	2.46	97.6	0.0
S1.006	50.00	6.20	90.086	0.000	0.0	0.0	0.0	2.61	103.6	0.0
S1.007	50.00	6.55	89.211	0.000	0.0	0.0	0.0	2.71	107.6	0.0
S1.008	50.00	6.91	86.837	0.000	0.0	0.0	0.0	2.66	105.6	0.0
S1.009	50.00	7.31	84.457	0.000	0.0	0.0	0.0	2.45	97.4	0.0
S1.010	50.00	7.44	82.431	0.000	0.0	0.0	0.0	2.31	92.0	0.0
S1.011	50.00	7.90	81.852	0.000	0.0	0.0	0.0	2.81	111.7	0.0
S1.012	50.00	7.96	78.285	0.000	0.0	0.0	0.0	2.37	94.4	0.0
S1.013	50.00	8.45	78.005	0.000	0.0	0.0	0.0	2.15	85.5	0.0

		(m)		(mm)	Level (m)	(mm)	Level (m)	(mm)	Level (m)	(mm)
1	103.083	1.425	Open Manhole	1200	S1.000	101.658	225			
2	100.891	1.425	Open Manhole	1200	S1.001	99.466	225	S1.000	99.466	225
3	99.452	1.425	Open Manhole	1200	S1.002	98.027	225	S1.001	98.027	225
4	95.995	1.425	Open Manhole	1200	S1.003	94.570	225	S1.002	94.570	225
5	95.017	1.425	Open Manhole	1200	S1.004	93.592	225	S1.003	93.592	225
6	92.988	1.425	Open Manhole	1200	S1.005	91.563	225	S1.004	91.563	225
7	91.511	1.425	Open Manhole	1200	S1.006	90.086	225	S1.005	90.086	225
8	90.636	1.425	Open Manhole	1200	S1.007	89.211	225	S1.006	89.211	225
9	88.262	1.425	Open Manhole	1200	S1.008	86.837	225	S1.007	86.837	225
10	85.882	1.425	Open Manhole	1200	S1.009	84.457	225	S1.008	84.457	225
10	83.856	1.425	Open Manhole	1200	S1.010	82.431	225	S1.009	82.431	225
11	83.277	1.425	Open Manhole	1200	S1.011	81.852	225	S1.010	81.852	225
12	79.710	1.425	Open Manhole	1200	S1.012	78.285	225	S1.011	78.285	225
13	79.430	1.425	Open Manhole	1200	S1.013	78.005	225	S1.012	78.005	225
Glencullen River	77.748	1.425	Open Manhole	0		OUTFALL		S1.013	76.323	225

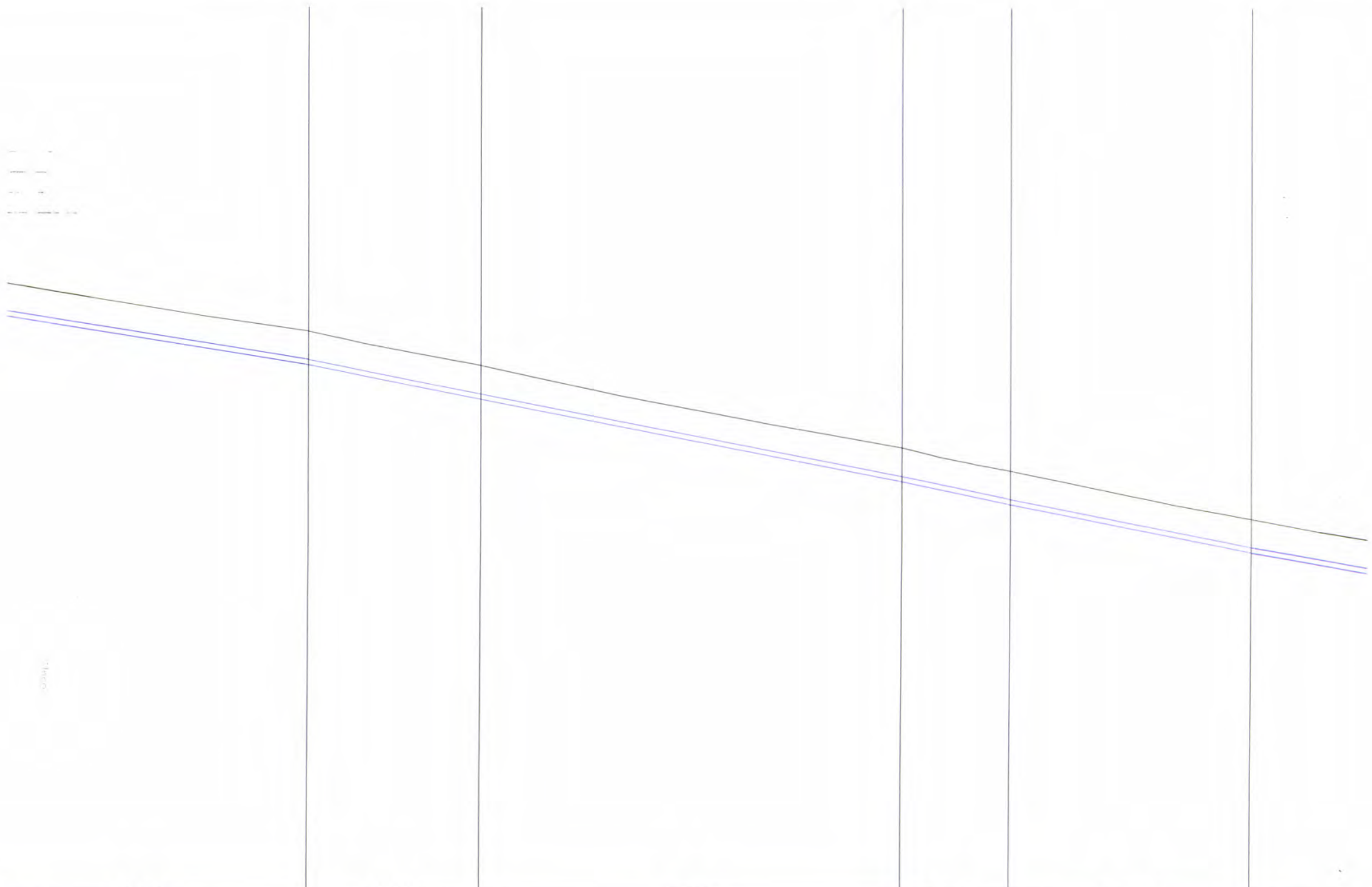
PN	Hyd. Diam (mm)	MH Name	C. Level (m)	I. Level (m)	D. Depth (m)	MH Connection	MH DIAM., L*W (mm)
S1.000	o 225	1	103.083	101.658	1.200	Open Manhole	1200
S1.001	o 225	2	100.891	99.466	1.200	Open Manhole	1200
S1.002	o 225	3	99.452	98.027	1.200	Open Manhole	1200
S1.003	o 225	4	95.995	94.570	1.200	Open Manhole	1200
S1.004	o 225	5	95.017	93.592	1.200	Open Manhole	1200
S1.005	o 225	6	92.988	91.563	1.200	Open Manhole	1200
S1.006	o 225	7	91.511	90.086	1.200	Open Manhole	1200
S1.007	o 225	8	90.636	89.211	1.200	Open Manhole	1200
S1.008	o 225	9	88.262	86.837	1.200	Open Manhole	1200
S1.009	o 225	10	85.882	84.457	1.200	Open Manhole	1200
S1.010	o 225	10	83.856	82.431	1.200	Open Manhole	1200
S1.011	o 225	11	83.277	81.852	1.200	Open Manhole	1200
S1.012	o 225	12	79.710	78.285	1.200	Open Manhole	1200
S1.013	o 225	13	79.430	78.005	1.200	Open Manhole	1200

Downstream Manhole

PN	Length (m)	Slope (1:X)	MH Name	C. Level (m)	I. Level (m)	D. Depth (m)	MH Connection	MH DIAM., L*W (mm)
S1.000	69.499	31.7		2 100.891	99.466	1.200	Open Manhole	1200
S1.001	36.635	25.4		3 99.452	98.027	1.200	Open Manhole	1200
S1.002	89.237	25.8		4 95.995	94.570	1.200	Open Manhole	1200
S1.003	22.944	23.5		5 95.017	93.592	1.200	Open Manhole	1200
S1.004	50.969	25.1		6 92.988	91.563	1.200	Open Manhole	1200
S1.005	42.264	28.6		7 91.511	90.086	1.200	Open Manhole	1200
S1.006	22.242	25.4		8 90.636	89.211	1.200	Open Manhole	1200
S1.007	55.948	23.6		9 88.262	86.837	1.200	Open Manhole	1200
S1.008	58.242	24.5		10 85.882	84.457	1.200	Open Manhole	1200
S1.009	58.242	28.7		10 83.856	82.431	1.200	Open Manhole	1200
S1.010	18.621	32.2		11 83.277	81.852	1.200	Open Manhole	1200
S1.011	77.988	21.9		12 79.710	78.285	1.200	Open Manhole	1200
S1.012	8.567	30.6		13 79.430	78.005	1.200	Open Manhole	1200
S1.013	62.655	37.2	Glencullen River	77.748	76.323	1.200	Open Manhole	0

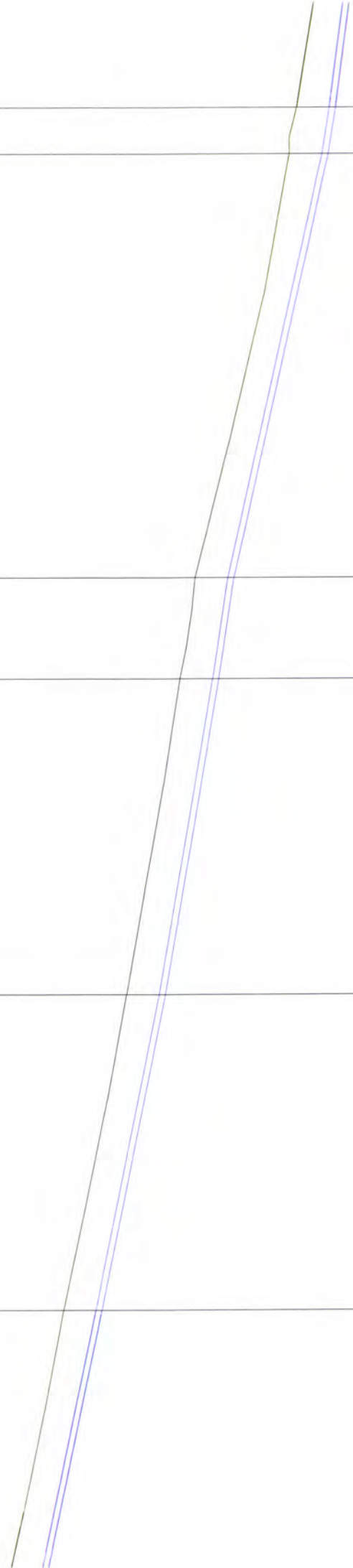
Free Flowing Outfall Details for Storm

Outfall Pipe Number	Outfall Name	C. Level (m)	I. Level (m)	Min I. Level (m)	D, L (mm)	W (mm)
S1.013	Glencullen River	77.748	76.323	75.000	0	0



S1.000	S1.001	S1.002	S1.003	S1.004	S1.00
225	225	225	225	225	225
31.7	25.4	25.8	23.5	25.1	28.6

1000
1000
1000
1000
1000



S1.007	S1.008	S1.009	S1.010	S1.011
225	225	225	225	225
23.6	24.5	28.7	32.2	21.9

Appendix B – Foul Water Network Calculations

PN	Length (m)	Fall (m)	Slope (1:X)	Area (ha)	Houses	Base Flow (l/s)	R (mm)	HD SECT (mm)	DN (mm)	Design
F1.000	69.199	2.295	30.2	0.000	0	0.0	1.500	o	225	
F1.001	35.411	1.414	25.0	0.000	0	0.0	1.500	o	225	
F1.002	89.350	3.510	25.5	0.000	0	0.0	1.500	o	225	
F1.003	22.888	0.975	23.5	0.000	0	0.0	1.500	o	225	
F1.004	50.368	1.867	27.0	0.000	0	0.0	1.500	o	225	
F1.005	42.134	1.614	26.1	0.000	0	0.0	1.500	o	225	
F1.006	21.829	0.878	24.9	0.000	0	0.0	1.500	o	225	
F1.007	55.999	2.221	25.2	0.000	0	0.0	1.500	o	225	
F1.008	58.493	2.453	23.8	0.000	0	0.0	1.500	o	225	
F1.009	57.765	2.147	26.9	0.000	0	0.0	1.500	o	225	
F1.010	17.513	0.597	29.3	0.000	0	0.0	1.500	o	225	
F1.011	36.814	1.790	20.6	0.000	0	0.0	1.500	o	225	
F1.012	33.403	1.236	27.0	0.000	0	0.0	1.500	o	225	
F1.013	22.649	0.897	25.3	0.000	0	0.0	1.500	o	225	
F1.014	80.735	1.394	57.9	0.000	0	0.0	1.500	o	225	
F1.015	16.795	0.073	231.6	0.000	0	0.0	1.500	o	225	
F1.016	23.089	0.100	231.6	0.000	0	0.0	1.500	o	225	
F1.017	94.243	1.514	62.3	0.000	0	0.0	1.500	o	225	

Network Results Table

PN	US/IL (m)	Σ Area (ha)	Σ Base Flow (l/s)	Σ Hse	Add Flow (l/s)	P.Dep (mm)	P.Vel (m/s)	Vel (m/s)	Cap (l/s)	Flow (l/s)
F1.000	101.689	0.000	0.0	0	0.0	0	0.00	2.09	83.3	0.0
F1.001	99.394	0.000	0.0	0	0.0	0	0.00	2.30	91.4	0.0
F1.002	97.980	0.000	0.0	0	0.0	0	0.00	2.28	90.7	0.0
F1.003	94.470	0.000	0.0	0	0.0	0	0.00	2.37	94.4	0.0
F1.004	93.495	0.000	0.0	0	0.0	0	0.00	2.21	88.1	0.0
F1.005	91.629	0.000	0.0	0	0.0	0	0.00	2.25	89.5	0.0
F1.006	90.015	0.000	0.0	0	0.0	0	0.00	2.31	91.7	0.0
F1.007	89.137	0.000	0.0	0	0.0	0	0.00	2.29	91.1	0.0
F1.008	86.916	0.000	0.0	0	0.0	0	0.00	2.36	93.7	0.0
F1.009	84.463	0.000	0.0	0	0.0	0	0.00	2.22	88.2	0.0
F1.010	82.316	0.000	0.0	0	0.0	0	0.00	2.12	84.4	0.0
F1.011	81.719	0.000	0.0	0	0.0	0	0.00	2.54	100.9	0.0
F1.012	79.929	0.000	0.0	0	0.0	0	0.00	2.21	88.0	0.0
F1.013	78.692	0.000	0.0	0	0.0	0	0.00	2.29	91.0	0.0
F1.014	77.796	0.000	0.0	0	0.0	0	0.00	1.51	60.0	0.0
F1.015	76.402	0.000	0.0	0	0.0	0	0.00	0.75	29.9	0.0
F1.016	76.329	0.000	0.0	0	0.0	0	0.00	0.75	29.9	0.0
F1.017	76.229	0.000	0.0	0	0.0	0	0.00	1.46	57.9	0.0

		(m)		(mm)	Level (m)	(mm)	Level (m)	(mm)	(mm)	
F1	103.114	1.425	Open Manhole	1200	F1.000	101.689	225			
F2	100.819	1.425	Open Manhole	1200	F1.001	99.394	225	F1.000	99.394	225
F3	99.405	1.425	Open Manhole	1200	F1.002	97.980	225	F1.001	97.980	225
F4	95.895	1.425	Open Manhole	1200	F1.003	94.470	225	F1.002	94.470	225
F5	94.920	1.425	Open Manhole	1200	F1.004	93.495	225	F1.003	93.495	225
F6	93.054	1.425	Open Manhole	1200	F1.005	91.629	225	F1.004	91.629	225
F7	91.440	1.425	Open Manhole	1200	F1.006	90.015	225	F1.005	90.015	225
F8	90.562	1.425	Open Manhole	1200	F1.007	89.137	225	F1.006	89.137	225
F9	88.341	1.425	Open Manhole	1200	F1.008	86.916	225	F1.007	86.916	225
F10	85.888	1.425	Open Manhole	1200	F1.009	84.463	225	F1.008	84.463	225
F11	83.741	1.425	Open Manhole	1200	F1.010	82.316	225	F1.009	82.316	225
F12	83.144	1.425	Open Manhole	1200	F1.011	81.719	225	F1.010	81.719	225
F13	81.354	1.425	Open Manhole	1200	F1.012	79.929	225	F1.011	79.929	225
F14	80.117	1.425	Open Manhole	1200	F1.013	78.692	225	F1.012	78.692	225
F15	79.221	1.425	Open Manhole	1200	F1.014	77.796	225	F1.013	77.796	225
F16	77.827	1.425	Open Manhole	1200	F1.015	76.402	225	F1.014	76.402	225
F17	77.909	1.580	Open Manhole	1200	F1.016	76.329	225	F1.015	76.329	225
F18	77.711	1.482	Open Manhole	1200	F1.017	76.229	225	F1.016	76.229	225
EX FMH	76.128	1.412	Open Manhole	1200		OUTFALL		F1.017	74.716	225

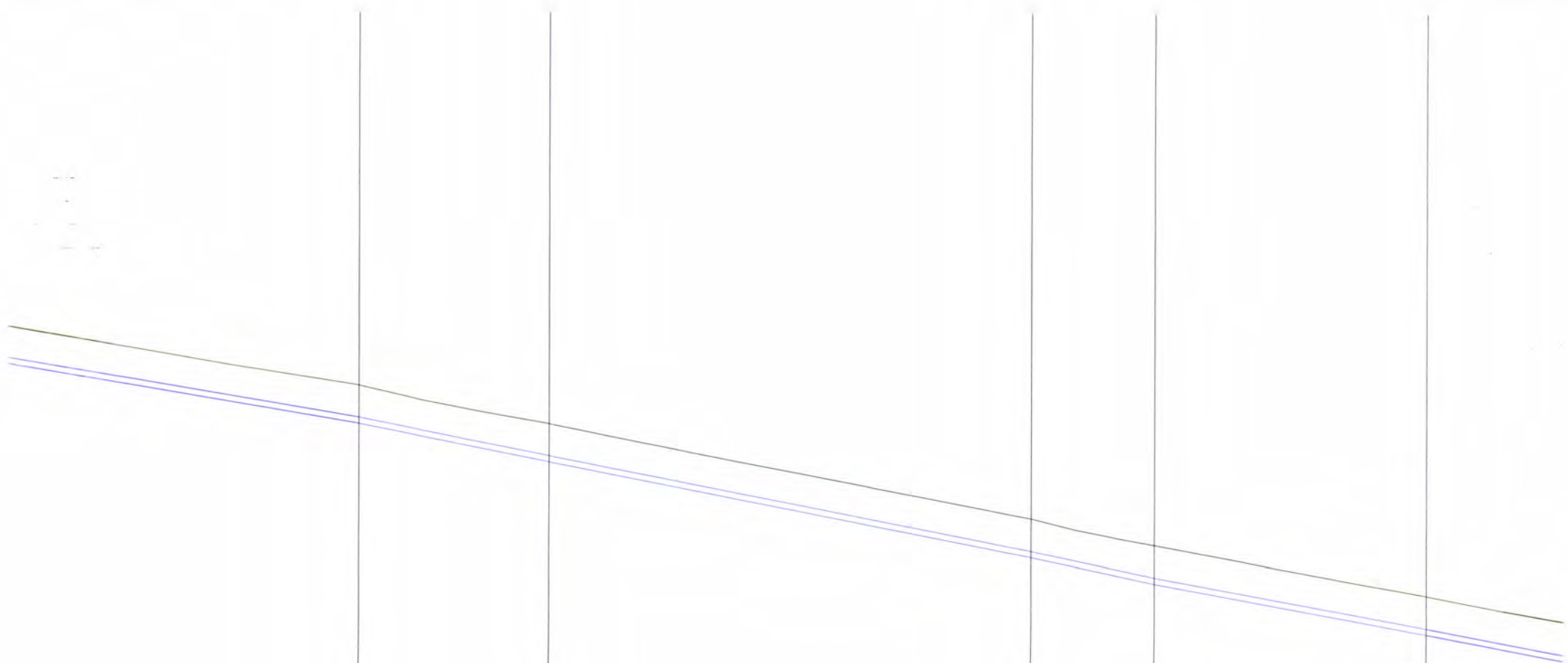
PN	Sect	DIAM (mm)	Name	C.Level (m)	I.Level (m)	D.Depth (m)	MH Connection	MH DIAM., L*W (mm)
F1.000	o	225	F1	103.114	101.689	1.200	Open Manhole	1200
F1.001	o	225	F2	100.819	99.394	1.200	Open Manhole	1200
F1.002	o	225	F3	99.405	97.980	1.200	Open Manhole	1200
F1.003	o	225	F4	95.895	94.470	1.200	Open Manhole	1200
F1.004	o	225	F5	94.920	93.495	1.200	Open Manhole	1200
F1.005	o	225	F6	93.054	91.629	1.200	Open Manhole	1200
F1.006	o	225	F7	91.440	90.015	1.200	Open Manhole	1200
F1.007	o	225	F8	90.562	89.137	1.200	Open Manhole	1200
F1.008	o	225	F9	88.341	86.916	1.200	Open Manhole	1200
F1.009	o	225	F10	85.888	84.463	1.200	Open Manhole	1200
F1.010	o	225	F11	83.741	82.316	1.200	Open Manhole	1200
F1.011	o	225	F12	83.144	81.719	1.200	Open Manhole	1200
F1.012	o	225	F13	81.354	79.929	1.200	Open Manhole	1200
F1.013	o	225	F14	80.117	78.692	1.200	Open Manhole	1200
F1.014	o	225	F15	79.221	77.796	1.200	Open Manhole	1200
F1.015	o	225	F16	77.827	76.402	1.200	Open Manhole	1200
F1.016	o	225	F17	77.909	76.329	1.355	Open Manhole	1200
F1.017	o	225	F18	77.711	76.229	1.257	Open Manhole	1200

Downstream Manhole

PN	Length (m)	Slope (1:X)	MH Name	C.Level (m)	I.Level (m)	D.Depth (m)	MH Connection	MH DIAM., L*W (mm)
F1.000	69.199	30.2	F2	100.819	99.394	1.200	Open Manhole	1200
F1.001	35.411	25.0	F3	99.405	97.980	1.200	Open Manhole	1200
F1.002	89.350	25.5	F4	95.895	94.470	1.200	Open Manhole	1200
F1.003	22.888	23.5	F5	94.920	93.495	1.200	Open Manhole	1200
F1.004	50.368	27.0	F6	93.054	91.629	1.200	Open Manhole	1200
F1.005	42.134	26.1	F7	91.440	90.015	1.200	Open Manhole	1200
F1.006	21.829	24.9	F8	90.562	89.137	1.200	Open Manhole	1200
F1.007	55.999	25.2	F9	88.341	86.916	1.200	Open Manhole	1200
F1.008	58.493	23.8	F10	85.888	84.463	1.200	Open Manhole	1200
F1.009	57.765	26.9	F11	83.741	82.316	1.200	Open Manhole	1200
F1.010	17.513	29.3	F12	83.144	81.719	1.200	Open Manhole	1200
F1.011	36.814	20.6	F13	81.354	79.929	1.200	Open Manhole	1200
F1.012	33.403	27.0	F14	80.117	78.692	1.200	Open Manhole	1200
F1.013	22.649	25.3	F15	79.221	77.796	1.200	Open Manhole	1200
F1.014	80.735	57.9	F16	77.827	76.402	1.200	Open Manhole	1200
F1.015	16.795	231.6	F17	77.909	76.329	1.355	Open Manhole	1200
F1.016	23.089	231.6	F18	77.711	76.229	1.257	Open Manhole	1200
F1.017	94.243	62.3	EX FMH	76.128	74.716	1.187	Open Manhole	1200

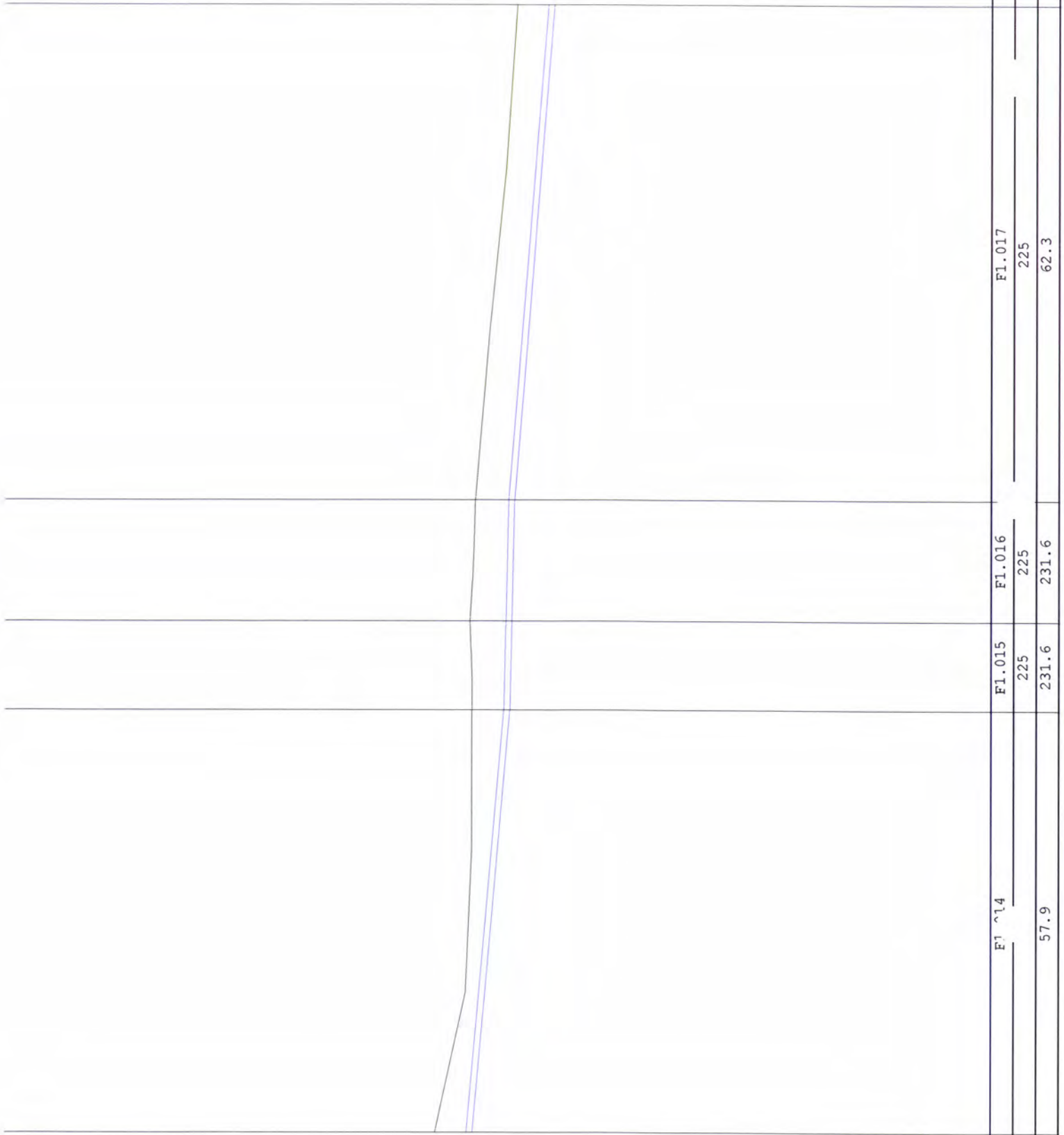
Free Flowing Outfall Details for Foul

Outfall Pipe Number	Outfall Name	C. Level (m)	I. Level (m)	Min I. Level (m)	D,L (mm)	W (mm)
F1.017	EX FMH	76.128	74.716	74.941	1200	0



F1.000	F1.001	F1.002	F1.003	F1.004	F1.005
225	225	225	225	225	225
30.2	25.0	25.5	23.5	27.0	26.1

F1.007	F1.008	F1.009	F1.010	F1.011	F1.012	F
25.2	23.8	26.9	29.3	20.6	27.0	
225	225	225	225	225	225	
25.2	23.8	26.9	29.3	20.6	27.0	



F1.017

F1.016

F1.015

F1.014

225

225

225

57.9

225

231.6

231.6

57.9

62.3

231.6

231.6

57.9

Appendix C – OPW Flood Hazard Mapping

Summary Local Area Report

This Flood Report summarises all flood events within 2.5 kilometres of the map centre.

The map centre is in:

County: Wicklow

NGR: O 222 176

This Flood Report has been downloaded from the Web site www.floodmaps.ie. The users should take account of the restrictions and limitations relating to the content and use of this Web site that are explained in the Disclaimer box when entering the site. It is a condition of use of the Web site that you accept the User Declaration and the Disclaimer.



Map Legend	
	Flood Points
	Multiple / Recurring Flood Points
	Areas Flooded
	Hydrometric Stations
	Rivers
	Lakes
	River Catchment Areas
	Land Commission *
	Drainage Districts *
	Benefiting Lands *

* Important: These maps do not indicate flood hazard or flood extent. Their purpose and scope is explained in the Glossary.

Map Scale 1:11,436

2 Results



1. The Scalp Wicklow Recurring

County: Wicklow

Additional Information: Reports (1) More Mapped Information

Start Date:

Flood Quality Code:4



2. Forge Road Enniskerry Undated

County: Wicklow

Additional Information: Reports (1) More Mapped Information

Start Date:

Flood Quality Code:4

Screening Report for Appropriate Assessment (AA) for rezoning application at Monastery, Enniskerry, Co. Wicklow

Compiled by OPENFIELD Ecological Services

Pádraic Fogarty, MSc MIEMA
for Mr Barry Leddy



openfield

www.openfield.ie

March 2018

Introduction

Biodiversity is a contraction of the words 'biological diversity' and describes the enormous variability in species, habitats and genes that exist on Earth. It provides food, building materials, fuel and clothing while maintaining clean air, water, soil fertility and the pollination of crops. A study by the Department of Environment, Heritage and Local Government placed the economic value of biodiversity to Ireland at €2.6 billion annually (Bullock et al., 2008) for these 'ecosystem services'.

All life depends on biodiversity and its current global decline is a major challenge facing humanity. In 1992, at the Rio Earth Summit, this challenge was recognised by the United Nations through the Convention on Biological Diversity which has since been ratified by 193 countries, including Ireland. Its goal to significantly slow down the rate of biodiversity loss on Earth has been echoed by the European Union, which set a target date of 2010 for *halting* the decline. This target was not met but in 2010 in Nagoya, Japan, governments from around the world set about redoubling their efforts and issued a strategy for 2020 called 'Living in Harmony with Nature'. In 2011 the Irish Government incorporated the goals set out in this strategy, along with its commitments to the conservation of biodiversity under national and EU law, in the second national biodiversity action plan (Dept. of Arts, Heritage and the Gaeltacht, 2011).

The main policy instruments for conserving biodiversity in Ireland have been the Birds Directive of 1979 and the Habitats Directive of 1992. Among other things, these require member states to designate areas of their territory that contain important bird populations in the case of the former; or a representative sample of important or endangered habitats and species in the case of the latter. These areas are known as Special Protection Areas (SPA) and Special Areas of Conservation (SAC) respectively. Collectively they form a network of sites across the European Union known as Natura 2000. A recent report into the economic benefits of the Natura 2000 network concluded that "there is a new evidence base that conserving and investing in our biodiversity makes sense for climate challenges, for saving money, for jobs, for food, water and physical security, for cultural identity, health, science and learning, and of course for biodiversity itself" (EC, 2013).

Unlike traditional nature reserves or national parks, Natura 2000 sites are not 'fenced-off' from human activity and are frequently in private ownership. It is the responsibility of the competent national authority to ensure that 'good conservation status' exists for their SPAs and SACs and specifically that Article 6(3) of the Directive is met. Article 6(3) requires that an 'appropriate assessment' (AA) be carried out for these sites where projects, plans or proposals are likely to have an effect. In some cases this is obvious from the start, for instance where a road is to pass through a designated site. However, where this is not the case, a preliminary screening must first be carried out to determine whether or not a full AA is required.

The Purpose of this document

This document assesses a proposed application to rezone lands at Monastery, Enniskerry, Co. Wicklow under the Enniskerry Local Area Plan (LAP). The lands were zoned as 'agricultural' under the 2009 LAP. The applicant wishes to change the zoning to 'residential development' within the Bray Municipal Local Area Plan 2017 (which is currently in draft). This report will assess whether this zoning is likely to have a significant effect to SACs or SPAs within the zone of influence of the project.

It will assess whether effects to the Natura 2000 network are likely to occur as a result of this rezoning in accordance with Article 6(3) of the Habitats Directive and the Planning and Development (Amendment) Act, 2010. It should be noted that any screening for appropriate assessment (AA), or full AA is undertaken by the competent authority, in this case Wicklow County Council. Under the Planning & Development Act it is prohibited to proceed with the rezoning where an AA has shown that significant effects are likely to occur to the SAC or SPA in question. In this case, under Article 6(4) of the Directive, the project can proceed only for 'Imperative Reasons of Overriding Public Interest' however this project is unlikely to meet this criterion.

About OPENFIELD Ecological Services

OPENFIELD Ecological Services is headed by Pádraic Fogarty who has worked for over 20 years in the environmental field and in 2007 was awarded an MSc from Sligo Institute of Technology for research into Ecological Impact Assessment (EclA) in Ireland. Since its inception in 2007 OPENFIELD has carried out numerous EclAs for Environmental Impact Assessment (EIA), Appropriate Assessment in accordance with the EU Habitats Directive, as well as individual planning applications. Pádraic is a full member of the Institute of Environmental Management and Assessment (IEMA).

Methodology

The methodology for this AA Screening is clearly set out in a document prepared for the Environment DG of the European Commission entitled 'Assessment of plans and projects significantly affecting Natura 2000 sites 'Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC' (Oxford Brookes University, 2001). Chapter 3, part 1, of this document deals specifically with screening while Annex 2 provides the template for the screening/finding of no significant effects report matrices to be used.

Guidance from the Department of the Environment, Heritage and Local Government 'Appropriate Assessment of Plans and Projects in Ireland' (2009) is also referred to. In accordance with this guidance, the following methodology has been used to produce this screening statement:

Step 1: Management of the Natura 2000 site

This determines whether the project is necessary for the conservation management of the site in question.

Step 2: Description of the Proposal

This step describes the aspects of the proposed rezoning that may have an impact on the Natura 2000 site.

Step 3: Characteristics of the Natura 2000 Sites

This process identifies the conservation aspects of the Natura 2000 site and determines whether negative impacts can be expected as a result of the project. This is done through a literature survey and consultation with relevant stakeholders – particularly the National Parks and Wildlife Service (NPWS). All potential effects are identified including those that may act alone or in combination with other projects or plans.

Using the precautionary principle, and through consultation and a review of published data, it is normally possible to conclude at this point whether potential effects are likely to occur. Deficiencies in available data are also highlighted at this stage.

Step 4: Assessment of Significance

Assessing whether an effect is significant or not must be measured against the conservation objectives for the Natura 2000 site in question.

If this analysis shows that significant effects are likely then a full AA will be required.

A full list of literature sources that have been consulted for this study is given in the References section to this report while individual references are cited within the text where relevant.

Screening Template as per Annex 2 of EU methodology:

This plan is not necessary for the management of any SAC or SPA and so Step 1 as outlined above is not relevant.

Brief description of the proposed project

The subject lands are located to the north of Enniskerry, County Wicklow. The site is currently in agricultural and residential use.

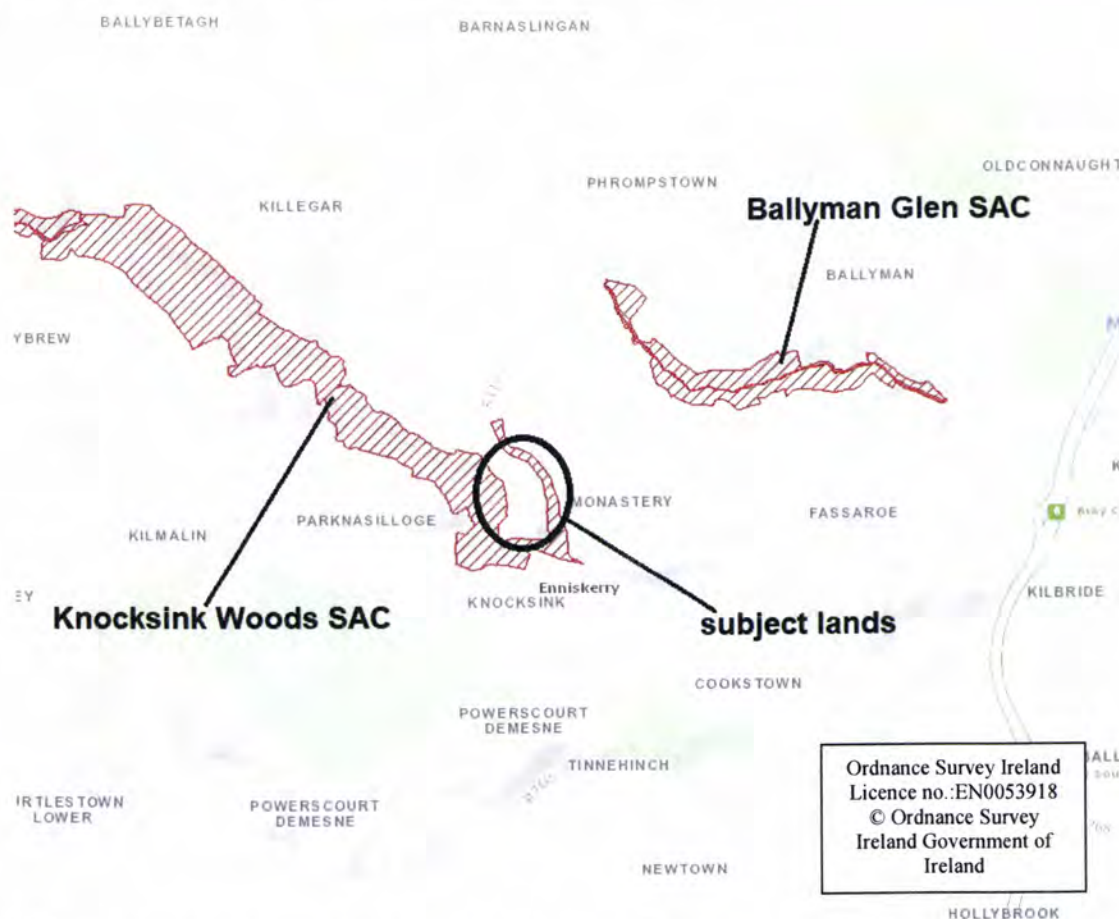


Figure 1 – Site location showing its proximity to nearby Natura 2000 areas. There are no SPAs in this view (from www.npws.ie).

The site was visited for this study on February 27th 2018, which lies outside the optimal season for general habitat survey (Smith et al., 2010). Habitats are described here in accordance with standard classifications (Fossitt, 2000). Despite the timing all habitats were identifiable to Fossitt level 3.

The lands are a collection of fields of **improved agricultural grassland – GA1** interspersed with **buildings and artificial surfaces – BL3**, the latter category includes residential homes, driveways and an arena for training horses. There are lines of mature **treelines – WL2** along avenues and these are composed of Lime *Tilia sp.* and Horse Chestnut *Aesculus hippocastanum*. Other 'ornamental' trees are scattered and include specimens of Fir *Pseudotsuga sp.*, Oak *Quercus sp.*, Larch *Larix sp.*, and Leyland Cypress *Cuprocyparis leylandii*. In the southern half of the site there are two stretches of **hedgerow – WL1**. These are of poor quality – either with large gaps, or of recently planted origin (Foulkes et al., 2013). There are Hawthorn *Crataegus monogyna*, Brambles *Rubus fruticosus agg.*, and Ivy *Hedera helix*, along with Alder *Alnus fruticosus* and Cherry *Prunus sp.*, in younger stretches.

A hedgerow also marks the boundary of the lands to the north and this is also poor, with a large component of non-native species including Larch and Leyland Cypress, but also with occasional Ash *Fraxinus excelsior* and Elder *Sambucus nigra*.

Collectively these habitats are of negligible or low biodiversity value and are not associated with any which are listed on Annex I of the Habitats Directive.

The lands form a boundary with the Knocksink Wood SAC to the south and to the west. This is woodland with tall Scot's Pine *Pinus sylvestris*, Ash, Oak *Quercus sp.* and Sycamore *Acer pseudoplatanus*, along with Hazel *Corylus avellana* and Birch *Betula sp.* This woodland extends along the boundary to the south-east, where there is a steep embankment between the fields and the R117 road below (the SAC can also be found to the east of this road). All of this woodland can be considered an example of **oak-ash-hazel woodland – WN2** under the Fossitt scheme, and although this is considered to be a rare and valuable habitat, it is not linked with the Annex I priority habitat type 'old sessile oak woods (code: 91A0).

There are no water courses on the site or habitats which could be considered to be wetlands. There are no alien invasive plant species as listed on Schedule 3 of SI No. 477 of 2011.

The lands lie on an elevated ridge, which slopes steeply to both the east and west. Mapping from the OSI and the Environmental Protection Agency (EPA) show no water courses in this immediate vicinity. The Glencullen River (also referred to on OSI maps as the Cookstown) flows within 100m of the western boundary of the lands. This river is relatively steep and fast flowing as it passes through Enniskerry. It joins the River Dargle a short distance west of the N11 primary road, whereupon it enters the Irish Sea at Bray, not far from this location. To the east, the land drains to a small stream, identified as the 'bog meadow' on the EPA website, and this flows into the Cookstown River near the centre of Enniskerry.

The subject application is for the zoning of these lands for residential purposes. It would effectively allow for a future planning application. Any such application would likely include open space, parking areas, access from the public road and all associated infrastructure, including surface water, wastewater, electricity etc., as well as the construction of homes.



Figure 2 – Indicative site boundary superimposed on aerial photograph from www.epa.ie. The Cookstown River is shown to the south and west of the lands. The area in tan marks the boundary of the Knocksink Wood SAC.

Wastewater from any development would be delivered via the mains network to the municipal wastewater treatment plant for Enniskerry and Environs, which discharges into the River Dargle.

Fresh water would be sourced from a mains supply, which originates in reservoirs in the Wicklow area.

This site is directly adjacent to the boundary of the Knocksink Wood SAC. The boundary of the Ballyman Glen SAC lies 500m to the north-east. These areas can be seen in Figure 1. There are no other Natura 2000 areas within 2km of the site boundary. 2km is an arbitrary radius commonly used for projects of this scale (IEA, 1995). However negative effects to sensitive areas can occur at distances greater than this depending on the zone of influence of the project. However, these are considered to be the only Natura areas within the zone of influence of the project.

The lands themselves have been found to be of low biodiversity value. The Dargle River system, of which the Cookstown River is a part, is important for its populations of Atlantic Salmon *Salmo salar* and Trout *S. trutta*. The lands are close to the centre of Enniskerry and, since they are already used for residential purposes, there is a degree of light and noise already associated with this location.

Any further development on these lands will affect the pattern of surface water run-off. However, in accordance with the Wicklow County Development Plan 2016-2022, sustainable drainage systems (SUDS) would be incorporated. These would ensure that the quantity and quality of the run-off is maintained at the 'green field' rate. There would consequently be no net effect to water quality, or run-off volumes from any discharge.

Development on the land could not result in direct interference with habitats within the Knocksink Woods SAC. Due to the close proximity, there could be indirect effects, e.g. through disturbance from noise, artificial light, or human activity.

During the construction phase, earth works would result in the exposure of soil and the loss of sediment to local water courses.

Brief description of Natura 2000 sites

In assessing the zone of influence of this project upon Natura 2000 sites the following factors must be considered:

- Potential impacts arising from the project
- The location and nature of Natura 2000 sites
- Pathways between the development and the Natura 2000 network

It has already been stated that the site is located directly adjacent to the Knocksink Woods SAC. The Ballyman Glen SAC can be found approximately 500m to the north-east. The River Glencullen joins the River Dargle which enters the Irish Sea at Bray. At this point there are no areas within the Natura 2000 network. Consequently, it is considered that these are the only Natura 2000 areas that lie within the zone of influence of this project.

Knocksink Wood SAC (site code: 0725)

This important woodland site is located near Enniskerry, Co. Wicklow and is within the valley of the Glencullen River. It has mature stands of Oak forest with two important habitats at a European level: alluvial wet woodland, and petrifying springs; both listed on Annex I of the Habitats Directive. The Wood is also of note for its bird and mammal fauna and its particularly rich community of invertebrates.

Knocksink is a National Nature Reserve and so is of significance for a range of wildlife as well as being of amenity value. It should be reiterated that the AA process strictly looks at potential effects to the SAC in light of the conservation objectives which have been set.

The reasons why this area falls under the SAC designation are set out in its qualifying interests. They are either habitat types listed in Annex I or species listed in Annex II of the Habitats Directive. This information is provided by the National Parks and Wildlife Service (NPWS) and is shown in table 1 below. The status refers to the national assessments carried out by the NPWS under Article 17 of the Habitats Directive and do not necessarily refer to the status of the SAC in question¹.

Table 1 – Qualifying interests for the Knocksink Wood SAC (from NPWS)

Code	Habitats/Species	Status
7220	Petrifying springs	Intermediate
21E0	Alluvial forests	Bad

- **Alluvial Wet Woodland (91E0 – priority habitat):** This is a native woodland type that occurs on heavy soils, periodically inundated by river water but which are otherwise well drained and aerated. The main

¹ NPWS (2013). *The Status of Protected EU Habitats and Species in Ireland. Overview Volume 1*. Department of Arts, Heritage and the Gaeltacht.

pressures are identified as alien invasive species, undergrazing and overgrazing. Pollution from agricultural land may also be significant.

- **Petrifying Springs (7220 – priority habitat):** These are very localised habitats that arise from the precipitation of excess calcium carbonate in supersaturated running water. They are associated with characteristic bryophytes. They are vulnerable to changes in water quality, flow regime and intensification of land use practices.

Ballyman Glen SAC (site code: 0713)

This internationally important site consists of wet fen vegetation with petrifying springs. These are rare habitats in Dublin and this site is noted for its particularly rich diversity of orchids and sedges. Its qualifying interests are shown in table 2.

Table 2 – Qualifying interests for the Ballyman Glen SAC (from NPWS)

Code	Habitats/Species	Status
7220	Petrifying springs	Intermediate
7230	Alkaline fen	Bad

- **Alkaline Fens (7230):** Threats of ‘high importance’ are groundwater abstractions, land reclamation, diffuse groundwater pollution, land abandonment/under-grazing. These fen systems are often a complex mosaic of habitats, with tall sedge beds, reedbeds, wet grasslands, springs and open-water often co-occurring at a given fen site. Their integrity is reliant upon a stable, high water table; calcareous/low-nutrient water supply; and controlled mowing and/or grazing.

Whether significant effects are likely to occur to an SAC must be measured against its conservation objectives. However, to-date specific conservation objectives have not been set out. Generic conservation objectives have been published by the NPWS for these areas and are stated as “to maintain or restore the favourable conservation condition of the Annex I habitat or Annex II species for which the SAC has been selected” (NPWS, 2016a & b).

According to this generic document favourable conservation status of a habitat is achieved when:

- its natural range, and area it covers within that range, are stable or increasing, and
- the specific structure and functions which are necessary for its long - term maintenance exist and are likely to continue to exist for the foreseeable future, and
- the conservation status of its typical species is favourable;

Specific objectives for these features may be available for SACs elsewhere and these will be referred to if relevant.

Data collected to carry out the assessment

The site is located within the Dargle water management unit (WMU) of the Eastern River Basin District (ERBD). In 2010 more than half of the water bodies in this WMU were assessed as of 'good' status. The status of the Glencullen River for the 2010-2015 Water Framework Directive (WFD) reporting period was assessed as 'high' or 'good' as far as its confluence with the Dargle. Biological sampling is carried out by the EPA 2km upstream of Enniskerry and most recently (2015) the status was assessed as Q4 (unpolluted, but a deterioration from pristine in 2012).

A site visit showed that habitats on the site are not associated with any of those for which nearby SACs are designated.

Specific data on the status of habitats or species of conservation interest are not available for the Knocksink Woods. Information is not available on the locations of these habitats within the SAC. Summery information is available while conservation objectives have been set for these qualifying interests in SAC's elsewhere (NPWS, 2013). Both are associated with springs, floodplains or seepages of surface or groundwater.

Petrifying Springs with Tufa Formation are defined as springs and seepages where tufa is actively deposited and where characteristic species of bryophytes are dominant or abundant. Characteristic bryophyte species are *Palustriella commutata*, *P. falcata*, *Eucladium verticillatum*, *Pellia endiviifolia*, *Cratoneuron filicinum*, *Bryum pseudotriquetrum* and *Didymodon tophaceus*. Characteristic vascular plants are red fescue (*Festuca rubra*), carnation sedge (*Carex panacea*) and great horsetail (*Equisetum telmateia*). Petrifying springs may occur as clearly defined spring heads with consolidated tufa; spring heads with an associated tufaceous flush; or seepage areas with tufa formation. The last-named type often occurs within alkaline fens and the vegetation forms a continuum between the two habitat types so that petrifying springs are not clearly demarcated from the surrounding fen vegetation. Three subtypes of petrifying spring vegetation can be distinguished depending on the setting of the spring: Woodland springs; Coastal springs; and Springs of inland, open habitats. Springs occurring on the Ben Bulbin Range constitute a distinct group of high conservation value.

The Overall Status is assessed Inadequate due to drainage land reclamation, unsuitable grazing levels, pollution and water abstraction as well as more isolated instances of road drainage and outdoor leisure pursuits. Differences between the present assessment and the 2007 submission are due to improved knowledge of the habitat rather than a real change in its conservation status.

Specific conservation objectives for the priority Petrifying Springs habitat have been set within the Black Head-Poulsallagh SAC (NPWS, 2014). These relate to habitat area, habitat distribution, maintenance of the local hydrological regime (height of water table and flow), water quality (specifically maintaining

oligotrophic and calcareous conditions), and vegetation composition. These are given in greater detail in the box below.

- Habitat area: Area stable or increasing, subject to natural processes
- Habitat distribution: No decline
- Hydrological regime: height of water table; water flow. Maintain appropriate hydrological regimes.
- Water quality: Maintain oligotrophic and calcareous conditions.
- Vegetation composition: typical species. Maintain typical species.

Alluvial woodlands. Riparian forests of ash (*Fraxinus excelsior*) and alder (*Alnus glutinosa*) occurs on heavy soils which are periodically inundated by the annual rise of river levels, but which are otherwise well drained and aerated during low water. The herbaceous layer includes many tall species such as remote sedge (*Carex remota*), gypsywort (*Lycopus europaeus*), common nettle (*Urtica dioica*) and water avens (*Geum rivale*).

In addition there are gallery forests of tall willows alongside river channels and occasionally on river islands, where the tree roots are almost continuously submerged. They are dominated by white willow (*Salix alba*), common osier (*S. viminalis*) and almond willow (*S. triandra*), sometimes with grey willow (*S. cinerea*) but alder is relatively rare.

This habitat has suffered considerable historic losses and is highly fragmented. Non-native and invasive species especially sycamore (*Acer pseudoplatanus*) and beech (*Fagus sylvatica*), and problematic native species such as bramble (*Rubus fruticosus*) and common nettle (*Urtica dioica*) (a consequence of undergrazing) are regarded as the main pressures impacting this habitat. The Overall Status is assessed as Bad due to these ongoing pressures and highly fragmented nature of this habitat. There have been national efforts to remove non-native and invasive plant species reinstate correct hydrological regimes and generally to improve the conservation status of alluvial woodlands. Some substantial areas have been rehabilitated, and this is the main reason for the improving trend reported since the 2007 assessment.

Specific conservation objectives have been set for alluvial forests within the River Nore and River Blackwater SAC (site code: 2162) (NPWS, 2011).

Alluvial forests (91E0)

Habitat area stable or increasing; no decline in habitat distribution, woodland structure maintained in terms of structure and height, vegetation community diversity and extent, level of natural regeneration, number of veteran trees and dead wood; maintain the hydrological regime; no decline in tree cover, absence of negative indicator species.

The Assessment of Significance of Effects

Describe how the project or plan (alone or in combination) is likely to affect the Natura 2000 site.

In order for an effect to occur there must be a pathway between the source (the development site) and the receptor (the SAC or SPA). Where a pathway does not exist, an impact cannot occur.

The proposed development is located directly adjacent to the boundary of the Knocksink Woods SAC and 500m to the Ballyman Glen SAC.

No other SACs or SPAs are considered to be within the zone of influence of this project.

Habitat loss

There can be no loss or direct disturbance of habitats or species in within the SAC.

Indirect habitat disturbance

Noise and artificial light generated from this project will increase locally. However, such impacts cannot affect the qualifying interests for the SACs.

Enniskerry is a busy town, already attracting considerable day-tripper/tourist attention, including from recreational walkers and cyclists. Knocksink Wood is a popular destination for walking and is served by parking areas and woodland trails. This inevitably results in some disturbance from human activity. However, there is no evidence that this is resulting in negative effects to the ecology of the woodland, and, specifically, to the high value habitats which are qualifying interests for the SAC.

Pollution

There is an indirect pathway for surface water and wastewater to reach the Glencullen River. The Glencullen joins the River Dargle before entering the town of Bray and discharging to the Irish Sea.

A. Pollution during the operational phase

The use of SUDS will ensure that there is no negative effect to the quality or quantity of surface water leaving the site.

Wastewater will be treated in the municipal wastewater treatment plant for Enniskerry and Environs. This plant is operated by Irish Water under licence from the EPA (licence no.: D0088-01). The most recent Annual Environmental Report, from 2017, indicates that the plant was not compliant with emission limit values set under the Urban Wastewater Treatment Directive in that year. Two samples exceeded the prescribed limits for Ammonia. Corrective actions are detailed in the AER and include upgrade works which are currently underway (expected completion date in 2018). It has a treatment capacity of 6,000 population equivalent (P.E.) and both the mean hydraulic and organic loadings are well within this capacity. There is sufficient capacity at the plant

to accept additional flows without affecting the quality of the discharge. This plant discharges treated effluent into the Dargle River, approximately 2km east of the town. Ambient monitoring of the receiving water at points both upstream and downstream of the discharge show that "the discharge from the wastewater treatment plant may be having an observable negative impact on the water quality in terms of Ammonia and Ortho-P".

This discharge occurs downstream of the Knocksink Wood SAC and so issues at the wastewater treatment plant cannot affect qualifying interests.

B. Pollution during the construction phase

The construction phase will involve extensive earth works which can result in sediment or toxic substances such as concrete, oils, fuels etc. entering water courses. There is no link between sediment, which is a serious pollutant in river systems where it can spoil habitat for spawning fish and other aquatic life, and the qualifying interests of the SACs. Sediment cannot affect the structure or vegetation communities of petrifying springs or alluvial forest. They can be affected by nutrient pollution, however there is no pathway for these pollutants to reach the qualifying interests.

Ballyman Glen SAC is in a separate hydrological unit to the Glencullen River. The wastewater discharge point meanwhile, is downstream of Knocksink Woods SAC. There is consequently no pathway from the development to either of the SACs; therefore, effects arising from water quality cannot occur.

Abstraction

There is no evidence that municipal abstraction from reservoirs in the Wicklow area is impacting upon any area designated under the Natura 2000 network.

Are there other projects or plans that together with the project or plan being assessed could affect the site?

Water quality along the Glencullen River is currently of a good standard and on-going implementation of the WFD will result in overall improvements to water quality throughout the Dargle catchment.

No negative effects have been identified between this project and any Natura 2000 area. Consequently, there are no effects which could act in combination to result in significant effects to these areas.

List of agencies consulted

The Development Applications Unit of the Department of Arts, Heritage and the Gaeltacht was contacted for nature conservation observations. A response to this was not received at the time of completing this report.

Conclusion and Finding of no Significant Effects.

The proposed zoning has been screened for likely significant effects to the Natura 2000 network under the appropriate methodology. It should be noted that any future development on the site would be subject to project level AA Screening in addition to any determination regarding the zoning.

Based on the conservation objectives of the SACs within the project's zone of influence, it has found that no significant effects are likely to arise, either alone or in combination with other plans or projects to either the Knocksink Wood SAC or Ballyman Glen SAC. These are the only Natura 2000 areas considered to be within the zone of influence of this project.

References

- Bealey C., Ledder E., Robertson H., Wolton R.** 2009. *Hedgerows – their wildlife, current state and management needs*. British Wildlife Volume 20 Number 5 June 2009. pg323 – 329.
- Bullock C., Kretch C. & Candon E.** 2008. *The Economic and Social Aspects of Biodiversity*. Stationary Office.
- Council Directive 79/409/EEC on the conservation of wild birds.
- Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora
- Council Directive 2000/60/EC of the European Parliament and of the Council establishing a framework for the Community action in the field of water policy – more commonly known as the Water Framework Directive
- Crowe O., Boland H. & Walsh A.** 2012. *Irish Wetland Bird Survey: results of waterbird monitoring in Ireland in 2010/11*. Irish Birds Volume 9 Number 3 pg397-410.
- Department of Arts, Heritage and the Gaeltacht.** 2011. *Actions for Biodiversity 2011 – 2016. Ireland's National Biodiversity Plan*.
- Department of Environment, Heritage and Local Government.** 2009. *Appropriate Assessment of Plans and Projects in Ireland. Guidance for Planning Authorities'*
- Eastern River Basin District.** 2010. *River Basin Management Plan 2009 – 2015*.
- Fossitt J.** 2000. *A Guide to Habitats in Ireland*. Heritage Council.
- Institute of Environmental Assessment,** 1995. *Guidelines for Baseline Ecological Assessment'*
- NRA.** 2009. *Guidelines for Assessment of Ecological Impacts of National Road Schemes*. National Roads Authority.
- NPWS.** 2016a. Conservation objectives for Knocksink Wood SAC [000725]. Generic Version 4.0. Department of Arts, Heritage and the Gaeltacht.
- NPWS.** 2016b. Conservation objectives for Ballyman Glen SAC [000713]. Generic Version 4.0. Department of Arts, Heritage and the Gaeltacht.
- NPWS.** 2013. *Site Synopsis. Knocksink Wood Special Area of Conservation. 000725_Rev13.Doc*
- NPWS.** 2013. *The Status of EU Protected Habitats and Species in Ireland. Habitat Assessments Volume 2. Version 1.0. Unpublished Report, National Parks & Wildlife Services. Department of Arts, Heritage and the Gaeltacht, Dublin, Ireland.*

NPWS. 2013. *The Status of EU Protected Habitats and Species in Ireland. Species Assessments Volume 3, Version 1.0.* Unpublished Report, National Parks & Wildlife Services. Department of Arts, Heritage and the Gaeltacht, Dublin, Ireland.

NPWS. 2014b. *Conservation Objectives: Black Head-Poulsallagh SAC 00020. Version 1.* National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.

Oxford Brookes University. 2001. *Assessment of plans and projects significantly affecting Natura 2000 sites. Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC.* European Commission, Environment DG.

Leonora Earls

From: Tiarna Devlin [TDevlin@johnspainassociates.com]
Sent: 09 March 2018 14:31
To: Planning - Plan Review
Cc: Paul Turley; John Spain
Subject: Submission on Proposed Material Alterations to the Draft Bray MD LAP 2018-2024 - MBCC Food (Ireland) Ltd
Attachments: 17190 - Submission on Proposed Amendments Bray MD LAP final.pdf

Dear Sir / Madam,

Please find attached a submission on the Proposed Material Alterations to the Draft Bray MD LAP 2018-2024.

As set out in the attached, this submission is made on behalf of MBCC Food (Ireland) Ltd, Unit 12 Retail Park, Little Island, Cork.

I would be grateful if you could confirm receipt of this submission by return email.

Kind regards,
Tiarna Devlin,
John Spain Associates,
39 Fitzwilliam Place,
Dublin 2,
D02 ND61.

T: +3531662 5803
M: +353876420272

e-mail: tdevlin@johnspainassociates.com
web: www.jsaplanning.ie



The information contained in this email and in any attachments is confidential and is designated solely for the attention and use of the intended recipient(s). This information may be subject to legal professional privilege, and copyright. If you are not an intended recipient of this email, you must not use, disclose, copy, distribute or retain this message or any part of it.

Wicklow County Council,
Planning and Development Department,
County Buildings,
Whitegates,
Wicklow Town,
Co. Wicklow.

9th March 2018

Dear Sir / Madam,

RE: SUBMISSION IN RESPECT OF THE PROPOSED AMENDMENTS TO THE DRAFT BRAY MUNICIPAL DISTRICT LOCAL AREA PLAN 2018-2024.

1.0 INTRODUCTION

- 1.1 On behalf of our client, MBCC Food (Ireland) Ltd, Unit 12 Retail park, Little Island, Cork, we hereby make a submission on the Proposed Amendments to the Draft Bray Municipal Local Area Plan (LAP). Our client has entered into pre-application discussions with the Planning Authority in relation to a proposal for the construction of a café/restaurant use within the car park of Southern Cross Retail Park.
- 1.2 This submission relates to the E3 'Retail Warehousing' zoned lands, which are located south west of Bray Town Centre, at Southern Cross Retail Park, Southern Cross Road, Bray, Co. Wicklow. An aerial photograph of the Retail Park is outlined in Figure 1 below.

Figure 1: Aerial photograph of Southern Cross Retail Park



Managing Director: John P. Spain BBS MRUP MRICS ASCS MRTPI MIPI

Executive Directors: Paul Turley BA MRUP Dip Environmental & Planning Law MIPI Rory Kunz BA (MOD) MS&ERM MAT&CP Dip EIA Mgmt MIPI
John Spain Associates Ltd. trading as John Spain Associates. Directors: J. Spain, S. Spain.
Registered in Ireland No. 396306. Registered Office: 39, Fitzwilliam Place, Dublin 2. VAT No. IE 6416306U

2.0 DRAFT BRAY MUNICIPAL DISTRICT LOCAL AREA PLAN

- 2.1 Wicklow County Council issued a zoning clarification note on the Draft LAP with reference to the subject site and stating that the **objective of E3 zoned land is "to provide for enterprise and employment development in the form of retail warehousing development"**. This was to amend an error as 'Retail Warehousing' was not referenced in the Pre-Draft LAP.
- 2.2 The clarification note also outlines uses generally appropriate for Retail Warehousing zoned areas including:

*Car Park, Cash and Carry Outlet, Education, Garden Centre, Motor Sales Outlet, Public Services, **Restaurant**, Retail Warehouse, Wholesale Outline and ancillary development and other employment uses in accordance with the County Development Plan*

Figure 2: Draft Bray Municipal District Local Area Plan



3.0 RELEVANT PROPOSED MATERIAL ALTERATION

- 3.1 This submission relates to Proposed Material Alteration No. 25 which relates to land use zoning objectives and the proposal to incorporate a 'E3 Retail Warehousing' zoning objective on the lands at Southern Cross Retail Park.
- 3.2 The Proposed Amendment, an extract of which is included as Figure 3 below, outlines uses generally appropriate for retail warehousing.

Figure 3: Proposed Material Alteration No. 25

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.

- 3.3 The zoning clarification note for the Draft Bray MD LAP, issued by Wicklow County Council on the 21st August 2017, included 'Restaurant' and 'Education' uses listed as generally appropriate for Retail Warehousing.
- 3.4 There is no evidence in the Chief Executive's report why 'Restaurant' or 'Education' uses were omitted under uses generally acceptable under 'E3 Retail

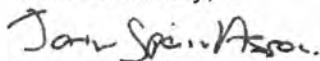
Warehousing zoning objectives' and we believe this could be a drafting / procedural error in the Proposed Amendments.

- 3.5 It is therefore respectfully requested that restaurant be included as 'generally appropriate' use on Retail Warehouse zoned lands.
- 3.6 Restaurant use should be included as a use generally acceptable under the E3 Retail Warehousing zoning objective as it is an increasingly established ancillary feature of retail parks across the country, including locations listed in Appendix 1. Appendix 1 clearly demonstrates that 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.
- 3.7 The examples listed in Appendix 1 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.
- 3.8 The acceptability of restaurant use in retail parks is now well-established as is demonstrated by the recent An Bord Pleanála and Planning Authorities decisions to grant permission for standalone café / restaurant units (Costa Coffee at Globe Retail Park, Naas, Co. Kildare (ABP Ref. No. PL09.145905) and Manor West Retail Park, Tralee, Co Kerry (ABP Ref.: PL08.248682). In addition, two planning permissions have also been granted by local planning authorities, namely, Portlaoise Retail Park, Portlaoise, Co. Laois (Reg. Ref.: 17/233) and Dundalk Retail Park, Dundalk, Co. Louth (Reg. Ref.: 15/563).
- 3.9 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.

4.0 CONCLUSION

- 4.1 This submission relates to Proposed Material Alteration No. 25 and the proposed E3 'Retail Warehousing' zoned lands at Southern Cross Retail Park, Southern Cross Road, Bray, Co. Wicklow.
- 4.2 The Proposed Material Alteration No. 25 omits 'Restaurant' and 'Education' as uses generally appropriate for Retail Warehousing and there is no evidence / rationale in the Chief Executive's report for why this is proposed. We believe this may be a drafting error.
- 4.3 Therefore, it is respectfully requested that 'Restaurant' be included as a use generally acceptable under the E3 Retail Warehousing zoning objective.
- 4.4 We would be happy to discuss this submission in more detail with the Planning Authority upon request.

Yours faithfully,



John Spain Associates

APPENDIX 1 – EXISTING CAFÉ / RESTAURANTS IN RETAIL PARKS

Table 1: List of existing standalone café/restaurants in Retail Parks nationwide			
Name of Retail Park	Café/Restaurant Operators	Town	County
Airside Retail Park,	McDonalds	Swords,	Co. Dublin
Blackpool Retail Park,	Costa Coffee	Cork City,	Co. Cork
Blanchardstown Retail Park,	Costa Coffee	Dublin 15,	Co. Dublin
Blanchardstown Retail Park,	Starbucks	Dublin 15,	Co. Dublin
Blanchardstown Retail Park,	KFC	Dublin 15,	Co. Dublin
Carraroe Retail Park,	McDonalds,	Sligo,	Co. Sligo
Carraroe Retail Park,	Costa Coffee	Sligo,	Co. Sligo
Carraroe Retail Park,	KFC	Sligo,	Co. Sligo
Carrickmines Retail Park,	Costa Coffee	Carrickmines	Co. Dublin
Carrickmines Retail Park,	KFC	Carrickmines	Co. Dublin
Carrickmines Retail Park,	McDonalds	Carrickmines	Co. Dublin
Carton Retail Park Dublin Road,	McDonalds	Maynooth,	Co. Kildare
Carton Retail Park Dublin Road,	O'Briens	Maynooth,	Co. Kildare
Childers Retail Park, Childers Rd,	Costa Coffee	Limerick,	Co. Limerick
Childers Retail Park, Childers Rd,	KFC	Limerick,	Co. Limerick
Drogheda Retail Park, Donore Road,	Costa Coffee	Drogheda,	Co. Louth
Fonthill Retail Park, Clondalkin,	Costa Coffee	Dublin 22,	Co. Dublin
Gullivers Retail Park,	Insomnia	Santry,	Co. Dublin
Hanover Retail Park, North Inner Relief Rd,	Costa Coffee	Carlow,	Co. Carlow
Headford Road Retail Park, Headford Rd,	McDonalds	Galway,	Co. Galway
Kilkenny Retail Park, Springhill,	KFC	Kilkenny,	Co. Kilkenny
Letterkenny Retail Park, Donegal,	Costa Coffee	Letterkenny,	Co. Donegal
Letterkenny Retail Park, Donegal,	McDonalds	Letterkenny,	Co. Donegal
M1 Retail Park,	Costa Coffee	Drogheda,	Co. Louth
N4 Axis Retail Park,	Esquires Coffee	Longford,	Co. Longford
Nutgrove Retail Park, Nutgrove Ave,	Costa Coffee	Dublin 14,	Co. Dublin
Parkway Retail Park, Dublin Rd,	Costa Coffee	Limerick,	Co. Limerick
Poppy Fields Retail Park	KFC	Clonmel	Co. Tipperary
Riverview Commercial Park	Costa Coffee	Tullamore	Co. Offaly
Rosebank Retail Park, Dublin Rd,	Esquires Coffee	Carrick on Shannon,	Co. Leitrim
Rosebank Retail Park, Dublin Rd,	KFC	Carrick on Shannon,	Co. Leitrim