

77 Swanbrook  
Southern Cross  
Bray  
Co. Wicklow

12 February 2018

Dear Sir/Madam

### **Draft Bray Municipal District LAP 2018- 2024**

#### **Proposed Material Alteration No 18: Kilruddery Demesne**

I am a resident of Swanbrook since the estate was first built in 1997.

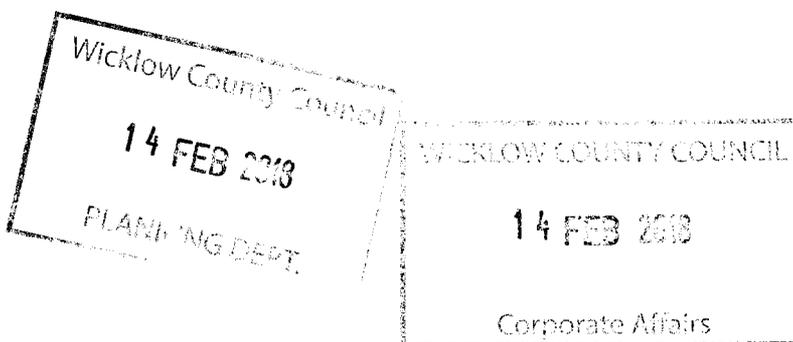
I am writing to object to the Proposed Material Alteration No 18 in relation to the building of 86 residential units on 4.3ha of land.

The Southern Cross Road is one of the busiest routes in and out of Bray on a daily basis. Every morning there is a bottleneck at the roundabout to the Greystones Road and building more houses on an already over-stretched area is just ridiculous. We lack the basic infrastructure and bus services on the Southern Cross.

I note there is a proposal to building a Shopping Centre in the Proposed Material Alteration No 24 on the Southern Cross but I wonder will this ever be built ?

We have been promised a Shopping Centre on the Southern Cross for the last twenty years but there is always a problem. We were told firstly that there was a problem with the ownership of the land and then somebody was supposed to have bought the land but did not bother to develop it. Have all these problems been sorted so that we can get the proper services and facilities on the Southern Cross which are long overdue?

With additional houses and no infrastructure in place the potential for anti-social behaviour will increase.



In my opinion the building of a shopping centre and facilities is imperative before Wicklow Co. Council can even begin to develop the lands mentioned in Material Alteration No 18.

Yours faithfully

*Dairina McMichael*

Dairina McMichael

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**From:** cliona@planex.ie  
**Sent:** 09 March 2018 15:58  
**To:** Planning - Plan Review  
**Subject:** Submission to Material Alterations of the Bray Municipal District LAP 2017 - 2023  
**Attachments:** T&V McMullan\_Amend Bray MD LAP\_Mar 2018.pdf

Dear Wicklow County Council,

Please find attached submission on proposed alterations only.

This submission follows and earlier one that received ref. no. C196 which is appended to the new submission or ease of reference.

Regards and thank you,

**Cliona Ryan**

**el:** 00353 1 6770273  
**Mob:** 00353 86 3805515

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Administrative Officer  
Planning Section  
Wicklow County Council,  
Station Road,  
Wicklow Town  
Co. Wicklow

70 Glengarriff Parade  
Phibsborough  
Dublin 7

Electronic submission [planreview@wicklowcoco.ie](mailto:planreview@wicklowcoco.ie)  
Our Ref. 00.14.2017

8<sup>th</sup> March 2018

**RE: MATERIAL ALTERATIONS TO DRAFT BRAY MUNICIPAL DISTRICT LOCAL AREA PLAN (LAP) 2017-2023**

Dear Wicklow County Council,

We make this submission on behalf of Thomas & Valerie McMullan of Killarney Glen, Bray, Co. Wicklow in relation to the above Draft Local Area Plan (LAP) that is now at material alterations stage.

**Previous submission**

We prepared a submission on behalf of the McMullans at the Draft LAP stage that concluded in requesting an alteration to section 7.4 'The Dargle River' in respect of the Walk that is indicated in text to cross the McMullans, and their neighbours, rear gardens at Killarney Glen.

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

We reiterate that for the reasons summarised above and set out in detail in our previous submission (that received ref. no. C196 and attached) that a River Dargle Walk from Bray Harbour to Rehills along the southern bank of the River at Killarney Glen is infeasible and better facilitated on the opposite side of the River (northern bank) utilising existing and planned crossings.

**Proposed Material Alterations nos. 9 and 15**

We have reviewed the proposed material alterations to the Draft LAP and note that Section 7.4 'The Dargle River' of the Plan now contains the following proposed material alteration no. 9 (in red);

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

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

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

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

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

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

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

**Support of proposed material alterations nos. 9 and 15**

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

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

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

Yours faithfully,

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Cliona Ryan  
Director

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ATTACHMENT  
SUBMISSION TO DRAFT BRAY MUNICIPAL DISTRICT LAP  
REF. NO. C196

Administrative Officer  
Planning Section  
Wicklow County Council,  
Station Road,  
Wicklow Town  
Co. Wicklow

70 Glengarriff Parade  
Phibsborough  
Dublin 7

Electronic submission planreview@wicklowcoco.ie

Our Ref. 00.14.2017

13<sup>th</sup> September 2017

**RE: DRAFT BRAY MUNICIPAL DISTRICT LOCAL AREA PLAN 2017-2023**

Dear Wicklow County Council,

We make this submission on behalf of Thomas & Valerie McMullan of Killarney Glen, Bray, Co. Wicklow in relation to the above Draft Local Area Plan (LAP).

**Purpose of Draft LAP**

The Bray Municipal District LAP is to replace the existing Bray Plans (Town Development Plan 2011 – 2017, Environs LAP 2009 – 2015 (extended)) and those for Enniskerry and Kilmacanogue whose development strategy is currently set down in the County Plan 2016 – 2022. The houses on Killarney Glen are within the Bray Town Plan area.

We understand that the Draft LAP is to operate in parallel with the County Plan.

**Purpose of Submission**

The McMullan's family home is on Killarney Glen on the southern bank of the River Dargle. The private open space associated with their detached home is located to the rear (north) of their house and has already been subject to reduction following the CPO of lands to facilitate the River Dargle Flood Defence Scheme under An Bord Pleanála Order PL39.CH3122.

It has come to the attention of the family that the Draft LAP indicates and OS1 "Open Space" land use zoning along the banks of the River Dargle at their rear garden area. These lands are currently zoned RE1 in common with the houses. This draft open space land use zoning also appears on map no. G11 *Green Infrastructure* as part of a "Green Corridor" and on Map no. T01 *Road Transport Objectives Map* as a "Green Route" (R09). They have long understood the importance of keeping the riverbank free from new development for reason of the requirement for riparian strips and the susceptibility of the area to flooding. This freedom from development is compatible with the use of the lands as the family's private open space.

A review of the written statement gives further information on this area. It is an objective for The River Dargle at section 7.4 of the Draft LAP that *"To promote the use of the Dargle riverbank, between Bray Harbour and 'La Vallee' as a leisure and natural amenity area, through the development of a Dargle River Walk along the south bank of the river."*

This 'Walk' will pass by the McMullan's and neighbours' homes private open spaces to which they strongly object for reason of contravention of extant Town Plan policy and objectives; further, significant and unacceptable diminution of their existing residential amenity; and the physical impracticability of such a proposal.

## Bray Town Plan 2011 - 2017

The current Plan indicates a link between the harbour and the N11 along the River Dargle denoted as "*Proposed Pedestrian Circulation*". When this current Plan was prepared it was accompanied by a Strategic Flood Risk Assessment (SFRA) that incorporated the River Dargle Flood Defence Scheme approved in 2008, the works for which have been carried out from 2010 into this year.

As part of that Scheme the riverbank margins of the private garden area of the McMullan's and their neighbours' homes were compulsorily purchased. The works to be undertaken were flood defence barrier works and not a public walkway which will itself be required to be subject to Part VIII approval.

The McMullan and neighbours' homes remain in an identified flood risk zone as site no. B2(f) subject to a justification test in the SFRA at Appendix C of the Draft LAP. In the SFRA the homes fail the justification test and are recommend for minor development (e.g. extensions) only on the basis that the buildings pre-exist. It is for this identified flood risk that the flood defence walls have been installed along the riverbank at this location.

The current Town Plan at Section 9.4.1 concerned with Recreation & Open Space for the River Dargle states:

"The Council aims to facilitate the appropriate development of the area so that the full potential of the area can be utilised to the benefit of the town's economic, recreational and natural environment.

It is the policy of the Council to encourage the provision of pedestrian and cycle access along the Dargle Riverbank, while protecting the residential amenity of adjoining properties. The Council will reserve lands free from development to facilitate such access.

A Dargle River Walk Plan will be prepared and implemented by the Council, in conjunction with all relevant authorities, interest groups and members of the public. This plan will include relevant measures that relate to the development of the walkway. This Plan will include provision for matters relating to conservation, developing amenity/recreational potential, funding, management, maintenance, security etc. In particular, the Plan will include appropriate measures to ensure that existing residential amenity of residents in the vicinity of the proposed walkway is not impinged on. The Plan will seek to develop a neighbourhood park and associated leisure and play facilities as part of the Dargle River Walk."

[emphasis added]

We submit that the *Dargle River Walk Plan* committed to in the existing Town Plan has not been prepared and therefore the indication of a walkway to the rear of the McMullan and neighbouring homes via open space land use zoning and statement at section 7.4 of the Draft LAP materially contravenes the current Plan and is at least premature to the investigations and identified assessments that would be continued in such a *Walk Plan*. The indicated draft provision of a walkway on top of the flood defence works lands at Killarney Glen has not been subject to detailed design and not only contravenes the provisions of the current plan for that *Walk* but for reason of simple elevation will result in material overlooking of private gardens bringing a resultant complete loss of privacy and threat to security.

We submit that any walkway, to accord with the provisions of the current plan at Chapter 7 (particularly sections 7.4.6 and 7.4.12) will require a dual walking/cycling purpose. For such a walkway to be successful it must be perceived as safe and thus will be required to be lit imposing greater disamenity on the dwellings along the riverbank at Killarney Glen.

Chapter 7 of the current plan contains policy statements in relation to Cycling and Walking (7.4.6). In this regard the Plan sets down a set of criteria for such routes under the heading "*Pedestrian and cycle routes should present the following attributes to all users*". We submit that the proposed walkway for the above reasons does not meet four of the six criteria;

- the "*security*" of the homes along Killarney Glen will be unacceptably compromised;
- for want of detailed design and the implementation of the *River Dargle Walk Plan* there is a lack of "*coherence*";
- that the limited width available to the council to construct a pathway along will result is a lack of "*comfort*" for users; and
- will not meet width and lighting standards acceptable from a "*road safety*" perspective.

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### **Residential Amenity**

It is submitted that material overlooking and unacceptable loss of privacy for the private open space areas of the McMullan and neighbours' homes would naturally arise as a result of walkway installed at Killarney Glen. The McMullans are long term residents of the area with a young family fully engaged in community life. They support the further sustainable development of Bray, including provisions for infrastructure and improvement in access and safe pedestrian and cyclist movement throughout the town but believe that the proposed walkway objective at Killarney Glen is contrary to the principles of sustainable development for reason of the unacceptable loss of private residential amenity and for practical reasons that the pathway will be unimplementable.

### **Physical Constraints**

In deference to the current Bray Town Plan requirement for a *Dargle River Walk* at Killarney Glen to also accommodate cycling and having regard to the identified potential to flood we submit that the horizontal width of such a walkway will be well in excess of the extent of the lands in the ownership and control of the council along the River at this location having regard to in Design Manual for Urban Roads and Streets (DMURS), prepared jointly in 2013 by the then Departments of Transport, Tourism & Sport and Environment, Community & Local Government.

We submit that there is insufficient horizontal width to install a footpath of sufficient elevation to avoid flooding risk along the southern bank of the Dargle River at Killarney Glen. We submit that the insufficient width to install a footpath to at least the standards set down in DMURS is contrary to best practice and thus the proper planning and development of the area generally. Having regard to the riverside location of the proposed *Walk* where the river is recognised to have flooding risk it is submitted that such insufficient width is a material impediment to the installation of a safe walkway for pedestrians.

### **Conclusion**

The authority is requested to consider those matters they have identified at section 9.4.1 of the current Bray Town Plan as informing a *Dargle River Walk Plan* to be prepared over the period 2011 – 2017 and not undertaken. It is submitted that having regard to the very limited width of council controlled lands at the southern riverbank at Killarney Glen and their contiguous location with private open space that the council revise the envisaged *Walk* at this location. We submit that alternatives may be to continue from the park on the northern riverbank or indicate the *Walk* to access the public road pathway at Killarney Glen where pedestrians and cyclists are already accommodated in an attractive, safe environment lined with mature trees subject to Tree Preservation Order. The council is requested to revise the objective for the walkway along the southern bank of the Dargle River at Killarney Glen at section 7.4 of the Draft LAP accordingly.

Yours faithfully,

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Cliona Ryan  
Director

**Leonora Earls**

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**From:** Ian Livingstone [ilivingstone@johnspainassociates.com]  
**Sent:** 09 March 2018 15:24  
**To:** Planning - Plan Review  
**Cc:** Padraig Breen; John Spain; Rory Kunz  
**Subject:** Response to Proposed Material Alterations on Draft Bray LAP  
**Attachments:** Submission on Bray LAP Proposed Material Alteration No.24.pdf

Dear Sir/Madam,

On behalf of our client, Nechouka Limited, please find attached submission in respect of Proposed Material Alteration No.24 of the Draft Bray Municipal District Local Area Plan in respect of lands at Southern Cross.

Regards,  
Ian

**Ian Livingstone**  
**John Spain Associates**  
**39 Fitzwilliam Place**  
**Dublin 2**  
**D02 ND61**

T: 01 662 5803  
M: 087 6031309  
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Administrative Officer,  
Planning Department,  
Wicklow County Council,  
Station Road,  
Wicklow Town  
A67 FW96

9<sup>th</sup> March 2018

Dear Sir/Madam,

**RE: SUBMISSION ON THE MATERIAL AMENDMENT NO. 24 OF THE BRAY MUNICIPAL DISTRICT LOCAL AREA PLAN 2018-2024**

**1.0 INTRODUCTION**

- 1.1 On behalf of our client, Nechouka Limited, Third Floor, Huguenot House, Saint Stephen's Green, Dublin 2 D02 NY63 we wish to make a submission on the proposed Material amendments to the Draft Bray Municipal District Local Area Plan 2017. The submission relates to lands located at Southern Cross, Bray, Co. Wicklow. Our client's land holding extends to approximately 4.8ha.
- 1.2 This submission relates to proposed material alternation No. 24 of the Draft Bray Municipal District Local Area Plan 2018-2024 which proposes the addition of a new Specific Local Objective at the site, referred to as '*Bray Southern Cross – Neighbourhood Centre*'. This incorporates the division of our client's lands to provide a Neighbourhood Centre 'NC' on a the area to the south and Residential Development 'R Special' on the remaining area to the north. It is proposed the neighbourhood centre use be larger in area to that of the residential use to the north which equates to approximately 2ha.
- 1.3 Our client wishes to make a submission in respect of these proposals and the content of the zoning descriptions included within Proposed Material Alteration No. 24. In this regard it is submitted that:
- The residential density as noted under zoning 'R Special' be reduced from 40 units and some flexibility is provided within the adopted LAP to provide a range of density from 30-40 units per hectare;
  - The request for provision of a total gross floor area of 2,500 sq.m plus 5 no. units at circa 500 sq.m is considered to be over prescription and may not be deliverable and again, a range of outcomes should be facilitated; and

Managing Director: John P. Spain BHS MRUP MRICS ASCS MRTPI MIP

Executive Directors: Paul Turley BA MRUP Dip Environmental & Planning Law MIP Rory Kunz BA (MOD) MSc ERM MAT&CP Dip HIA Mgmt. MIP

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- The requirement for the implementation of the neighbourhood centre prior to the construction of residential development to the north shall be removed as flexibility in phasing and delivery will be required to ensure a viable development and to enable the timely delivery of much needed new housing units.

## 2.0 PROPOSED ALTERATION

- 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 on greenfield land to the north of the R768 Southern Cross Road on the southern edge of Bray. The site lies in a mixed use area, with existing residential development found to the north, east and west, with a substantial business park lying opposite, to the south of Southern Cross Road.
- 2.2 Proposed Material Alteration No. 24 proposes that the lands are divided into 2 no. areas for Neighbourhood Centre and Residential Development uses respectively. A car free green route is proposed through the middle of the site, defining the perimeter of the two zonings. The Draft Bray Municipal District Local Area Plan when published in August 2017 identified the extent of lands under ownership of my client for neighbourhood centre use with the objective 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'*.
- 2.3 The proposed alteration to the land use zoning of the site is noted by the below extract.



- 2.4 The following text is noted as accompanying the proposed material alteration:
- *The neighbourhood centre shall include a supermarket and not less than 5 smaller retail units, as well as provision for other non-retail / commercial / professional up to a total floor area of 2,500sqm (GFA) for the supermarket and of the order of 500sqm (GFA) for the smaller units / non retail uses;*

- *The development shall include the provision of community / health / public services / wellbeing floor space of the order of 500sqm;*
  - *Residential development, on the northern part of the site that is zoned R-Special, a higher density format of 40/ha shall be considered only where it is part of an overall project involving the completion of the neighbourhood centre in advance of any residential units;*
  - *Vehicular access to the site shall be from Bray SCR;*
  - *The development shall make provision for a car free green route from the south-eastern corner of the site adjoining the SCR, through to the Deerpark road at the north western corner of the lands.*
- 2.5 Our client is supportive of the zoning of the lands for both neighbourhood centre and residential land use. However, it is respectfully submitted that accompanying text, as noted above is overly prescriptive. Greater flexibility should be applied to ensure the successful and viable development of the site. In this regard, the following changes are requested.
- 2.6 Text under bullet point 1 deleted and replaced with:
- *'The neighbourhood centre shall include a supermarket up to 2,500 sq.m GFA and up to 5 smaller retail units, as well as provision for other non-retail / commercial / professional uses.'*
- 2.7 This proposed change to the material amendments will greater align the proposed neighbourhood centre with that of the description found within the Draft LAP to 'provide for small scale mixed use commercial / community / retail development that serve only an immediate catchment or planned new areas of significant residential expansion' and support the day-to-day needs of the local community. The Local Area Plan should set out the relevant policies and objectives and not be prescriptive on mix and size as this will depend on circumstances prevailing and is best assessed through the Development Management Process.
- 2.8 Text under bullet point 3 deleted and replaced with:
- *'Residential development on the northern part of the site that is zoned R-Special, a density of c. 30-40/ha is considered appropriate'*
- 2.9 The 'Potential No. of Units' column of Table 3.1 should be altered accordingly to read '60 -80'.
- 2.10 It is submitted that proposed zoning 'R-Special' linked to the area of the site zoned for residential use proposing an overly prescriptive 40/ha is a very prescriptive figure and the exact density should be considered through the Development Management process having regard to siting, detailed design and other requirements in the context of Government Guidelines and the policies of the LAP. It is submitted that a range is more appropriate and allows for flexibility in the design process and the ability to respond appropriately to site characteristics and context.
- 2.11 Furthermore, any link to the provision of neighbourhood centre use precluding residential development on the site is not considered reasonable in this case. These uses are guided by different market forces and therefore linking one use to another has the potential to impact negatively on the sustainable development of the area. Additionally, the site may fall into multiple ownership which can create difficulties in delivering development as a single phase. In this regard it is submitted that linking

of the neighbourhood centre to the residential use is not appropriate and may not be feasible from a commercial perspective as this could significantly delay housing delivery. Therefore this should not be tied to the delivery of the Neighbourhood Centre.

### **3.0 SUMMARY**

3.1 In light of the above, we respectfully request that the text accompanying the Specific Local Objective SLO 11 at Bray Southern Cross Neighbourhood be altered to read as follows:

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

*The development of the site shall be carried out through an appropriate phasing mechanism to ensure the timely and viable delivery of housing and appropriate infrastructure. The development shall be of the highest design quality; the neighbourhood centre building(s) shall form a distinctive and attractive presence along the SCR; high quality urban realm and functional green spaces shall be provided, as well as pedestrian and cycling links to surrounding lands and public roads.*

- *The neighbourhood centre shall include a supermarket up to 2,500 sq.m GFA and up to 5 smaller retail units, as well as provision for other non-retail / commercial / professional uses;*
- *The development shall include the provision of community / health / public services / wellbeing floor space of the order of 500sqm;*
- *Residential development on the northern part of the site that is zoned R-Special, a density of c. 30-40/ha is considered appropriate;*
- *Vehicular access to the site shall be from Bray SCR;*
- *The development shall make provision for a car free green route from the south-eastern corner of the site adjoining the SCR, through to the Deerpark road at the north western corner of the lands.'*

### **4.0 CONCLUSIONS**

4.1 This submission is made on behalf of our client, Nechouka Limited, Third Floor, Huguenot House, Saint Stephen's Green, Dublin 2 D02 NY63 in respect of lands proposed for Neighbourhood Centre and Residential Development north of the R768 Southern Cross Road.

4.2 This submission relates to Proposed Material Alteration No.24 to the Bray Municipal District LAP as it relates to Bray Southern Cross – Neighbourhood Centre.

4.3 It is respectfully requested that our client's lands, be retained for the proposed uses, with alterations as noted above, made to the accompanying text. The delivery of

housing should not be restricted or delayed by the requirement for provision of the neighbourhood centre on lands to the south.

- 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,



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**John Spain Associates**

**From:** Stephen O'Leary [  
**Sent:** 07 March 2018 11:04  
**To:** Planning - Plan Review  
**Subject:** Bray LAP - proposed alteration number 9 (section 7.4)

Dear Wicklow County Council,

I live at 1 Killarney Glen with my family.

I agree with the proposed amendment (no. 9) to the LAP section 7.4 which adds the wording "in agreement with affected landowners".

This is an improvement on the previous wording however my preference, as stated previously, is for no walkway to be implemented along the banks of the Dargle river to Rehills. This is for the following reasons:

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

Stephen O'Leary

**CONTACT INFORMATION:**

Stephen O'Leary, 1 Killarney Glen, Herbert Road, Bray.

**From:** nicky ralph |  
**Sent:** 04 March 2018 11:05  
**To:** Planning - Plan Review  
**Subject:** Bray municipal district local area plan 2018

To whom it may concern,

Our names are Nicola and Alan Ralph and we are writing on the behalf of our family who live at: 2 Killarney Glen,

Herbert Rd  
Bray  
Co.Wicklow

We wish to support the change of wording put forward by Councillor Chris Fox at a Wicklow County Council meeting on 15-01-2018. At this meeting Councillor Fox sought to amend the wording with regard to article 7.4 The Dargle river. The wording which we would seek to support is:

- "in agreement with affected landowners"

Our family home backs onto the River Dargle's south bank and in our previous email of 10-09-2017 we outlined our concerns about the proposed walkway and it's proximity to our home, from a safety and privacy perspective.

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

We would welcome any councillors who wish to visit our home (please contact us in advance) to view the location of the proposed walkway first hand, so that they understand our genuine concerns.

yours sincerely,  
Alan and Nicola Ralph

**From:** Darren Redmond  
**Sent:** 06 March 2018 13:29  
**To:** Planning - Plan Review; Cllr. Steven Matthews  
**Cc:** Fia O'Caoimh; pauline  
**Subject:** Regarding the proposed material alterations to the Bray Local Area Plan Ref No 1. 2.2.1  
**Attachments:** plan review.pdf

To whom it may concern,

Please see attached PDF regarding council meeting on 15/01/2018. We three witness this road R08 be rejected and voted no at council meeting. We would urge it's removable from the county plan.

Kind regards,

Darren Redmond  
Marilyn Redmond  
Valerie Redmond

[planreview@wicklowcoco.ie](mailto:planreview@wicklowcoco.ie)

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

From: Darren Redmond, Marilyn Redmond and Ms. Valerie Redmond. Adults resident at below address and in attendance at the council vote on this matter, 15<sup>th</sup> January 2018.

Address: Inisfree, Kilfenora Lane, Kilmacanogue, Co. Wicklow, A98 EP90

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 KILMACANOQUE**

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

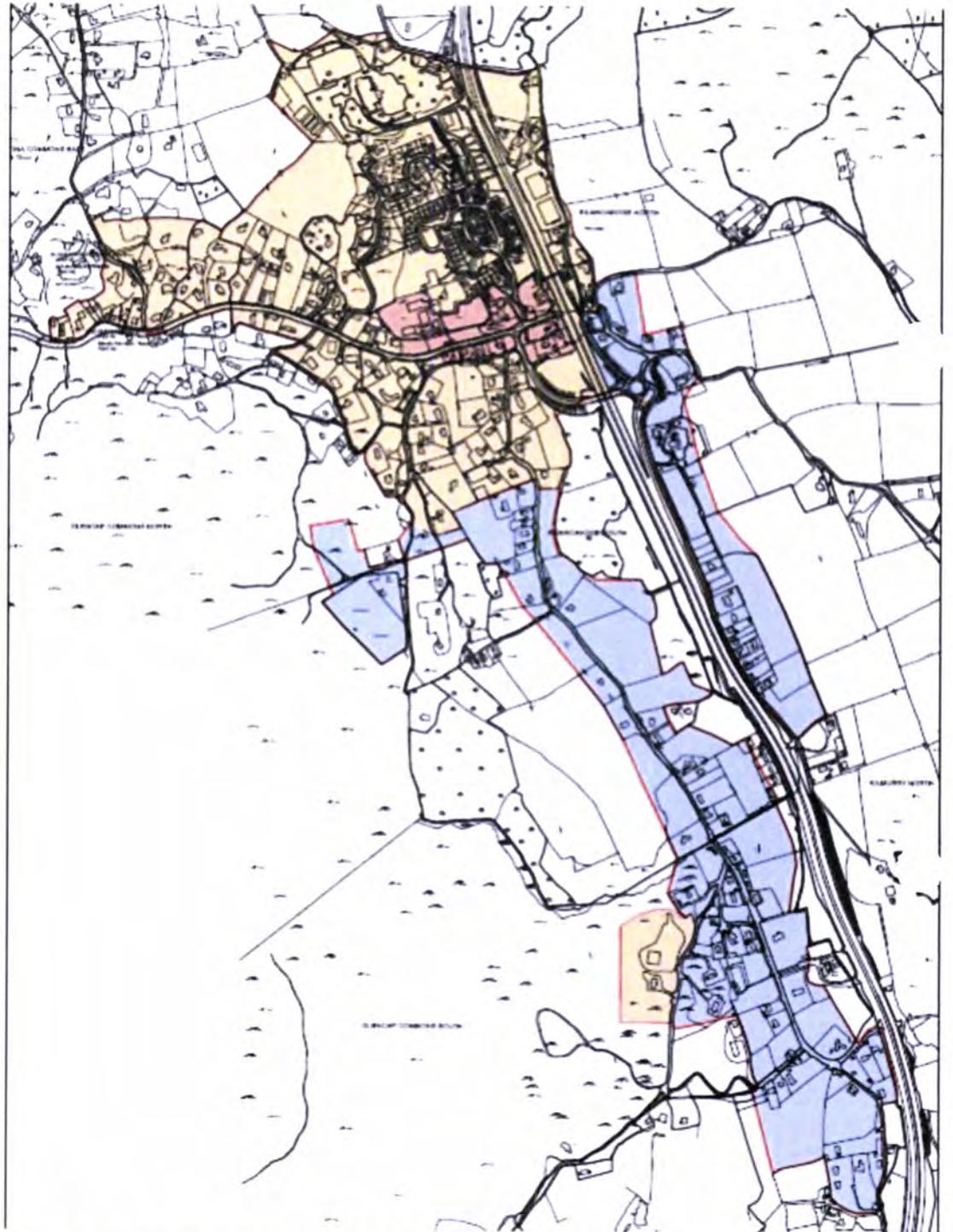
Proposed Alteration Map to follow incorporates additional alterations made to (a) Kilmacanogue boundary to the east of the N11 and (b) Kilmacanogue boundary at overbridge west of N11

Change from: Kilmacanogue Settlement Plan

Kilmurray rural cluster boundary



**Change to: Kilmacanogue Settlement Plan**

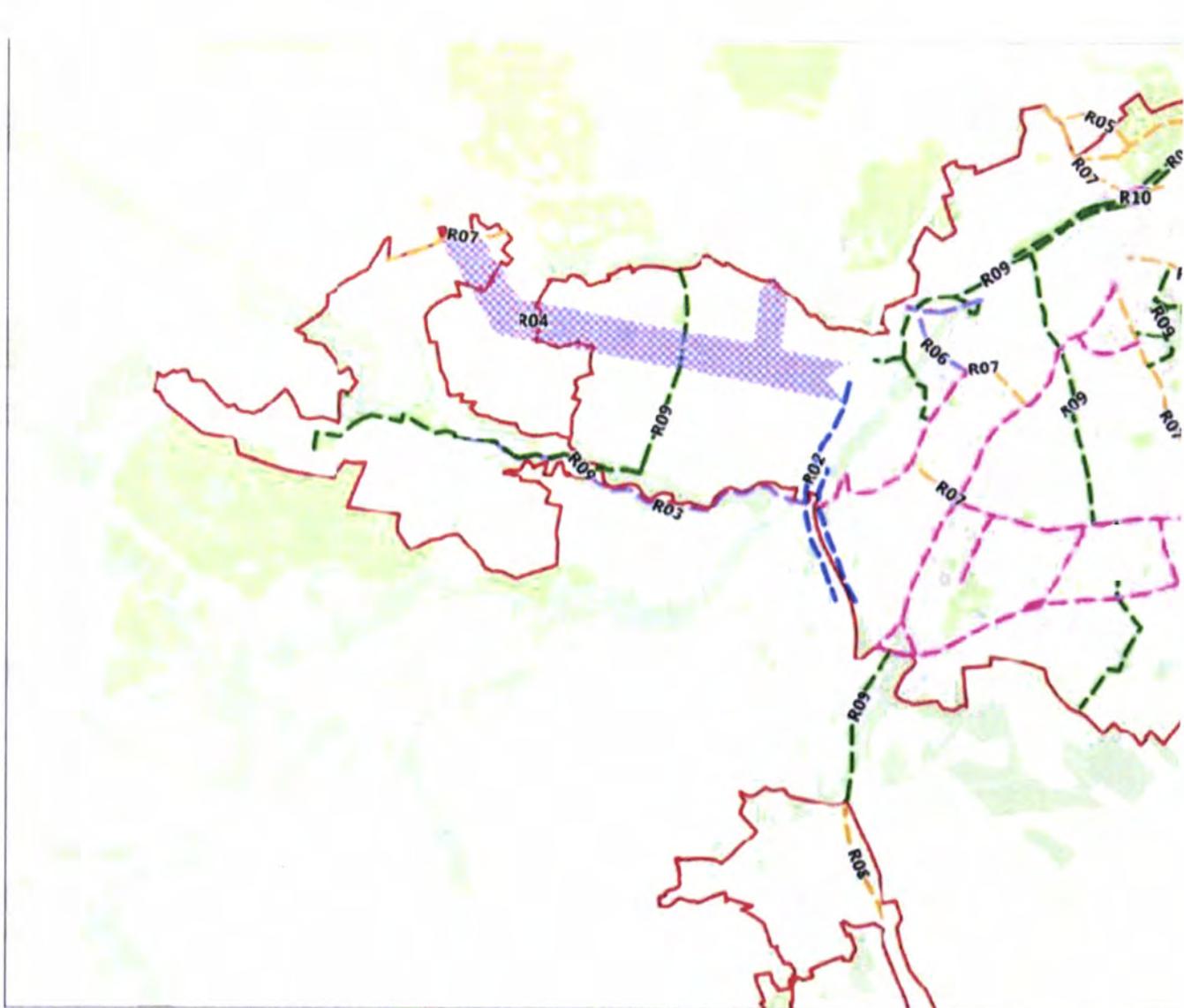


**ADDENDUM I TO THE STRATEGIC ENVIRONMENTAL ASSESSMENT  
ENVIRONMENTAL REPORT OF THE DRAFT BRAY MUNICIPAL DISTRICT LOCAL  
AREA PLAN 2018 – 2024 Ref Page 8**

## 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 MAP 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 by the council at the meeting on 15<sup>th</sup> January 2018. The view of the meeting was that there was no requirement for such a road of this size. This vote of NO was witnessed by at least 20 people. 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 |  | M11/N11 Improvements                   |
|  | Settlement Boundary         |  | 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:** Anthony Marston [anthony@marstonplanning.ie]  
**Sent:** 08 March 2018 16:08  
**To:** Planning - Plan Review  
**Subject:** Bray LAP - MATERIAL ALTERATIONS  
**Attachments:** Material Alterations report.pdf

TO WHOM IT MAY CONCERN

Please find attached submission in relation to Material Alteration no. 23 and Table 3.1 as set out in the Material Alterations of the Bray Local Area Plan.

Please confirm receipt of this submission.

Regards

Anthony Marston  
Marston Planning Consultancy

m:086-3837100  
[www.marstonplanning.ie](http://www.marstonplanning.ie)

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# MARSTON

## PLANNING CONSULTANCY

Administrative Officer  
Planning Section  
Wicklow County Council  
Station Road  
Wicklow Town  
Co Wicklow

5<sup>th</sup> March 2018

Our Ref. 16017

**Re: Formal submission in relation to the Material Alterations to the Draft Bray Municipal District Local Area Plan 2018-2024**

Dear Sir / Madam,

We, Marston Planning Consultancy, 23 Grange Park, Foxrock, Dublin 18 are instructed by our clients Rego Property, in relation to lands that measure some 6.1 hectares that include one habitable dwelling at Oldcourt House, to make this formal submission to Wicklow County Council in relation to the material alterations of the Draft Bray Municipal District Local Area Plan 2018-2024.

Our clients welcome the change in the zoning as outlined under Material Alteration no. 23 on page 39 of the published Material Alterations. This states that a "**Specific Local Objective SLO10 Oldcourt House**" be added to the Local Area Plan. This Specific Local Objective is fully supported by our clients that establishes key development criteria within which these lands can be developed.

Table 3.1 on page 42 of the Alterations document indicates the location, area and capacity in terms of residential units of land within Bray. This correctly indicates the new residential zoning at Oldcourt House having an area of 1.14hectares and it having been rezoned for Residential – High Density under the Alterations. It indicates the capacity of these lands as being only 32 units.

We respectfully submit that as the R-HD zoning relates to the provision of high quality, high density new residential development the indicated number of residential units significantly under-estimates the capacity of these lands, subject to achieving the requirements of the Specific Local Objective SLO10. It is a general objective of the LAP that such R-HD lands be developed at a density of not less than 50 units per hectare. We therefore request that the potential number of units within Table 3.1 be appropriately increased to 57 potential residential units within the R-HD lands at Oldcourt House.

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

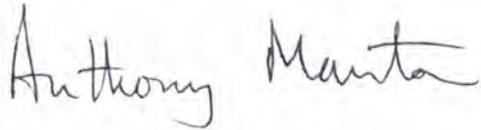
In summary we request the following:

- **the potential number of units for Oldcourt House within Table 3.1 be increased to 57 potential residential units within the R-HD lands at Oldcourt House; and**
- **the removal of the 'open space and parks' shading that is located within Oldcourt and access road from Map GI1 given that it is in private ownership and for which there is no current public access, and given its Existing Residential zoning.**

It is respectfully submitted that the amendment to Table 3.1 amounts to the minimum potential number of residential units that can be achieved on the 1.14 hectares of High Density Residential zoned lands. This potential minimum number reflects both local, regional and national planning policy.

We would be obliged if you will acknowledge receipt of this submission in due course and we would be happy to furnish any further information that you may require to deal with this matter.

Yours faithfully,

A handwritten signature in cursive script that reads "Anthony Marston". The signature is written in black ink and is positioned above the printed name and company name.

Anthony Marston  
**Marston Planning Consultancy**

Extract from Map GI 1 – indicating three areas to be excluded from the open space and parks under the GI 1 map.



Extract from Material Alteration no. 23 – indicating residential zoned areas that should be excluded from the open space and parks under the GI 1 map.



**Leonora Earls**

---

**From:** Stephanie Byrne [sbyrne@johnspainassociates.com]  
**Sent:** 09 March 2018 16:12  
**To:** Planning - Plan Review  
**Subject:** Bray LAP Material Alterations Submission  
**Attachments:** Submission on Bray LAP (RGRE) Material Amendments FINAL.pdf

Dear Sir / Madam,

Please see attached submission on behalf of RGRE J & R Valery's Limited on the proposed Material Alterations to the Bray Municipal District LAP 2018-2022.

I would be grateful if you could confirm receipt.

Regards,

**Stephanie Byrne**  
John Spain Associates,  
39 Fitzwilliam Place,  
Dublin 2.  
D02 ND61

T: +3531 6625803  
M: +353 871489360  
e-mail: [sbyrne@johnspainassociates.com](mailto:sbyrne@johnspainassociates.com)  
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Administrative Officer,  
Planning Department,  
Wicklow County Council,  
Station Road,  
Wicklow Town  
A67 FW96

9<sup>th</sup> 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, Kilcrouney, 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:

<b>Zoning</b>	<b>Objective</b>	<b>Description</b>
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. <b>Locations:</b> 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.

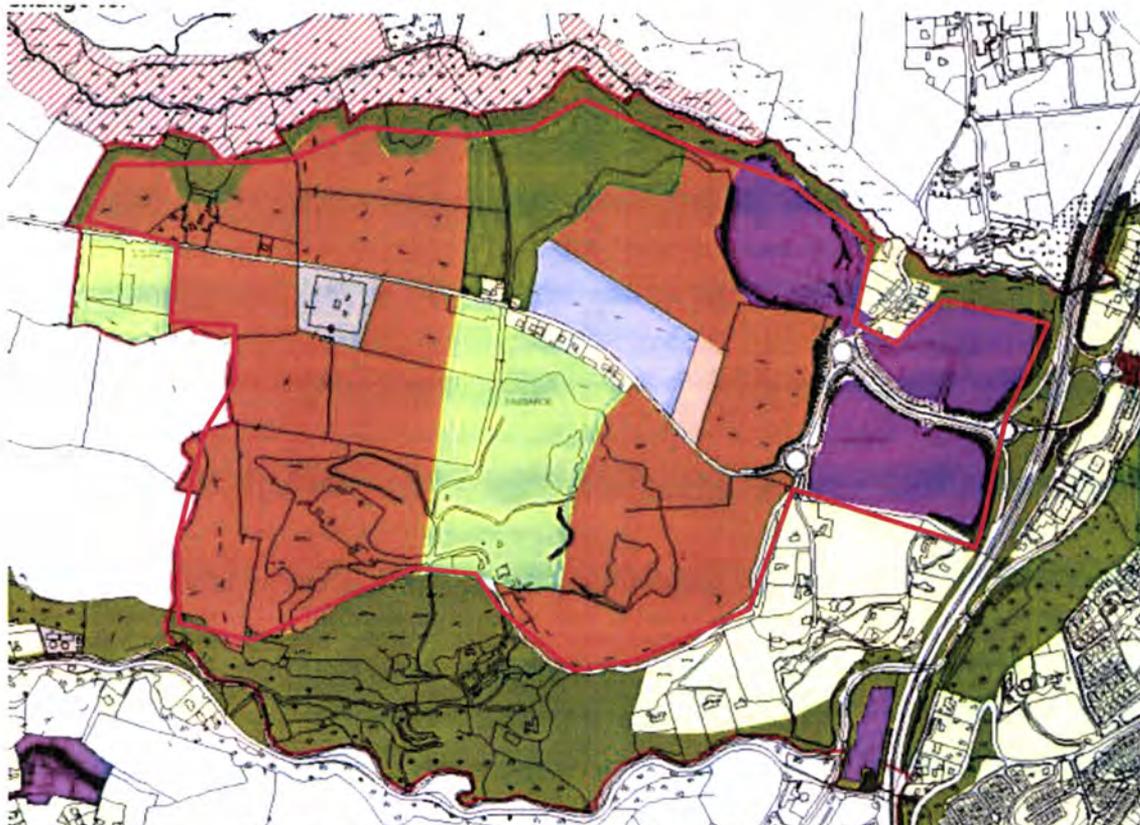


Figure 3: Proposed Zoning Map as set out in Material Alteration No. 16 with revised AAP1 “Concept Plan” area outlined in red proposed as part of this submission removing the existing residential RE zoning.

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

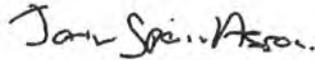
- 3.10 In addition, it is respectfully requested that an additional bullet point (No. 12) should be added to Action Area Plan 1: Fassaroe which states:

**"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:** tmjs77@gmail.com on behalf of Tessa Stewart  
**Sent:** 04 March 2018 08:16  
**To:** Planning - Plan Review  
**Subject:** Re: Submission on amendments Bray Municipal District Plan 2018-24  
**Attachments:** Submission on amendments.docx

Please see attached  
submission.

Thanks,  
Tessa

**DRAFT BRAY MUNICIPAL DISTRICT DRAFT DEVELOPMENT PLAN. AMENDMENTS 2018**

Submission on Amendments. From Tessa Stewart, 171 Charnwood.

**R20, KILRUDDERY RESIDENTIAL**

It is very welcome news that the residential zoning by the little Sugar Loaf will not go ahead. 18

**R20, REZONING OLD COURT DEMENSE, BEHIND CHARNWOOD**

**PLANNED ACCESS THROUGH VEVA ROAD EXISTING ENTRANCE**

This suggested access is much to be welcomed, one hopes it will not be altered. 23

**HISTORICAL NATURE OF DEMESNE TREES**

The oak trees surrounding the field for development are 400 years old, according to a specialist arborist, and need a 15 metre zone to protect the roots from any development. This applies to those trees adjoining Charnwood Estate, as well as the trees on the side of the river.

**GREENWAY ALONG SWAN RIVER**

**ACCESS TO BE REDESIGNED:**

Regarding access to this greenway, there needs to be a proper access point from Charnwood Estate that will lead to two existing entrances, one at each end of the field that is planned to be built on, as the two paths do not connect in the woods due to the steepness of the drop.

**CLIMATE CHANGE**

**SUSTAINABLE BUILDING**

Any new developments should be required to have energy conservation measures in place.

**FLOODING**

Developers should be told that storm and surface water infrastructure needs to be ready for more intense rain events. The Council should mandate that front and back gardens cannot be paved over unless provision is made for run-off. **Preferably porous solutions should be used.**

For example, in Charnwood estate all the water is flowing down the hill to our street at the bottom of the hill, where does not disperse into an already full storm drain. Every year more people pave over their gardens and soon we will have water in our front doors at the times that drains are full of leaves. We already need a drain upgrade at the bottom of Charnwood.

**NEW DEVELOPMENT DRAINAGE**

The developer needs to be advised that they may need extra concern for drainage as it is at the bottom of the Charnwood hill, and water from run off may flow down into that area.

.....  
**OLD FASSAROE COMMERCIAL AND RESIDENTIAL DEVELOPMENT**

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

**PROBLEM WITH LANDUSE IN ROADSTONE EXISTING FACILITY**

I would like to bring it to the councillors attention that at the back of the existing Roadstone facility in Old Fassaroe there are little hills of grey concrete rising up and being dumped on that are like a moonscape. There is no designated channel for the run off, and these hills will create a long lasting problem and difficult problem to clean up. The ground around sometimes has this grey stuff seeping into it, and possibly into the run-off into ground water, which may connect with the beautiful river flowing below this site. If it is concrete mix, as I think it must be, it is toxic to tree roots and animal and plant life.

The public should not end up paying for cleanup of the damaged part of this site, as we have seen happen in Wicklow before.

**SUSTAINABLE BUILDING**

Any new developments should be required to have energy conservation measures in place.

.....

**RETAIL CENTRE ON DARGLE RIVER FLOODPLAIN**

This development should not go ahead, we have seen from the recent storm how the prom area was affected, flooding will only get worse in the future.

4<sup>th</sup> March 2018

**Tessa Stewart. 171 Charnwood, Bray.**

**Leonora Earls**

---

**From:** Helena Gavin [helena.gavin@rpsgroup.com]  
**ent:** 09 March 2018 13:40  
**To:** Planning - Plan Review  
**Subject:** 'Bray LAP' Proposed Material Alteration No.26  
**Attachments:** RPS TIO SUBMISSION MH16010 AMDS BMDLAP F01 09032018.pdf

Administrative Officer,  
Planning Section,  
Wicklow County Council,  
Station Road,  
Wicklow Town.

Please find attached our submission to the Proposed Material Alterations to the Bray Municipal District Local Area Plan 2018-2024 on behalf of our client TIO.

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

Kind regards  
Helena

---

Helena Gavin BA, MSc Town & Country Planning, PG Dip EnvEng, MIPI  
Director Planning - RPS  
West Pier Business Campus,  
Dun Laoghaire, County Dublin.  
Ireland  
Tel: +353 (0) 1 488 2900  
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Email: [helena.gavin@rpsgroup.com](mailto:helena.gavin@rpsgroup.com)  
www: [www.rpsgroup.com/ireland](http://www.rpsgroup.com/ireland)

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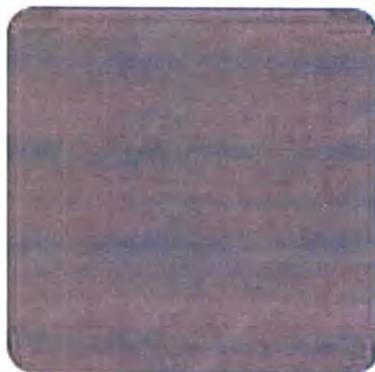
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**RPS**

Submission to the Material Alterations to the  
Draft Bray Municipal District Local Area Plan  
2018-2024

Formal Submission to Wicklow County Council  
on behalf of  
TIO ICAV (TIO)

MH16010 March 2018





# Submission on the Proposed Material Alterations to the Draft Bray Municipal District Local Area Plan 2018-2024

## Document Control Sheet

Client:	TIO ICAV (TIO)		
Project Title:	Bray Retail Park		
Document Title:	Submission to the Proposed Material Amendments		
Document No:	F01		
Text Pages:	14	Appendices:	0

Rev.	Status	Date	Author(s)	Reviewed By	Approved By
F01	Final	9 <sup>th</sup> March 2018	HG	LK	HG

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ENGINEERS IRELAND

ACCREDITED EMPLOYER

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Appendix 1	TIO submissions to the <i>Bray Municipal District Local Area Plan 2018-2024</i> plan making process	
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# 1 INTRODUCTION

RPS Group Ltd., West Pier Business Campus, Dun Laoghaire, County Dublin has been instructed by our client, TIO ICAV (TIO), 25 – 28 North Wall Quay, Dublin 1, to make this formal submission to Wicklow County Council in response to the request for submissions or observations relating to the Material Alterations proposed to the *Bray Municipal District Local Area Plan 2018-2024* (Draft BMDLAP) during the public consultation period from 9<sup>th</sup> February 2019 to 9<sup>th</sup> March 2018. Previous submissions made to this process are included in **Appendix A**.

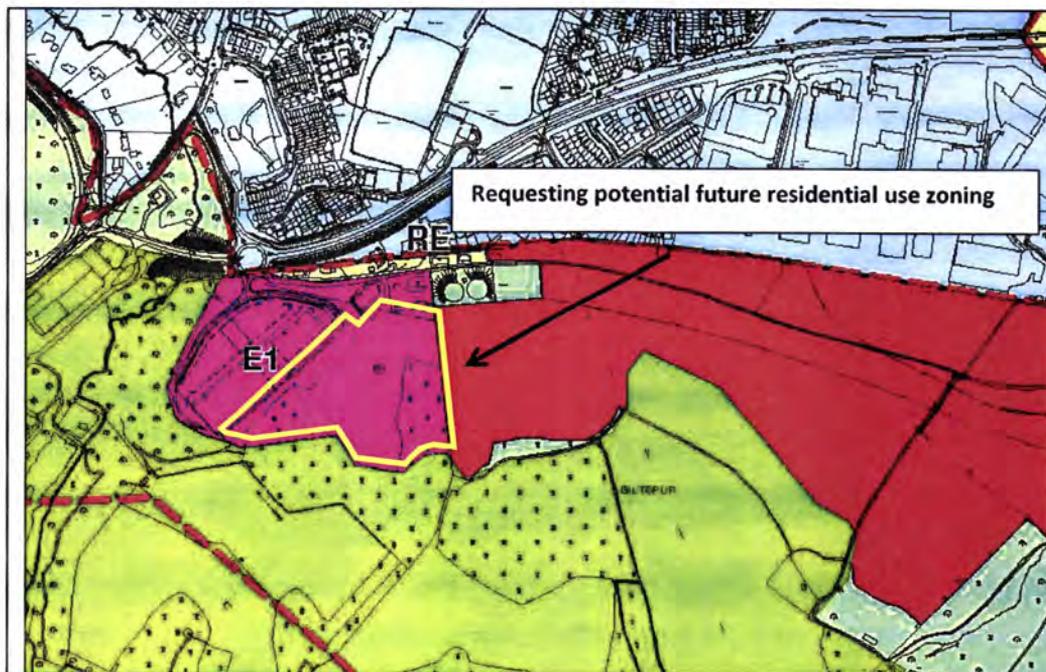
This submission is structured as follows:

- Section 1** – Introduction and Purpose of Submission
- Section 2** – Context of lands within policy framework
- Section 3** – Consideration of the Draft BMDLAP
- Section 4** – Indicative development for subject lands
- Section 5** – Conclusions.

## 1.1 PURPOSE OF SUBMISSION

Specifically our client is making this submission with respect to the proposed material alteration No. 26 which relates to their landholding to the east of Bray Retail Park on the Southern Cross Road. This c.4.0 hectare site is currently zoned for employment use and forms part of the Bray settlement. The site is outlined in yellow in **Figure 1.1**. The proposed alteration seeks to remove all zoning for the site and locate it outside the settlement boundary preventing this readily serviced site from being developed.

Figure 1.1 Site location and current zoning



Source: Based on Rathdown District Plan no. 2

Proposed alteration no.26 is illustrated in **Figure 1.2** below and states:

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

**Figure 1.2** Proposed alteration No.26



Source: Based on *Proposed Material Alterations to the draft BRAY MD LAP 2018*

It is submitted to Wicklow County Council that this site obtained planning permission in 2009 (Reg. Ref. 08/811) for the development of industrial and warehouse / distribution space units and associated offices. The proposed units were arranged in 7no. blocks containing 22no. units. The general height of the buildings ranged from 7.6m to 11.2m above finished ground level. Due to the unprecedented collapse of the economy the planning permission on the site lapsed. It is highlighted to Wicklow County Council that the site was rigorously assessed as part of the planning application process and it was determined that the development was suitable, in terms of its physical form and use, and could advance on the subject site.

Although this development was granted planning permission during the previous plan period, it is highlighted to Wicklow County Council that, within *Landscape Assessment* contained in *Appendix 5* of the currently adopted *Wicklow County Development Plan 2016-2022* this site is included within the 'urban' area category. This designation remains unchanged in *Proposed Alterations to Proposed Variation No. 1* currently on display.

The Landscape Assessment states that:

*'all locations designated as 'settlements' in the County settlement hierarchy (i.e. areas falling within Levels 1-6) are considered 'urban' areas for the purpose of landscape classification. In terms of landscape classification, these settlements have already been deemed suitable for development (of the type allowed by the settlement strategy and the development standards of this plan) and the impacts on the wider landscape of such development has already been deemed acceptable'.* [underlining our emphasis]

This Landscape Assessment and all other maps and figures included within the County Development Plan clearly illustrate the site as being suitable for development. The Landscape Assessment further states

*'it will not be necessary for developments in urban areas to have regard to the surrounding landscape classification or to carry out landscape or visual impact assessment'.*

The site is within the 'urban' area classification, is not included within an Area of Outstanding Natural Beauty and some distance from the Sugar Loaf. There is also significant distance and development between the subject site and the Sugar Loaf (Brennanstown estate and riding school, Avoca, Glencormack Business Park and all the significant lands and residential areas situated in between. The subject site is also immediately adjoining development uses such as residential (Giltspur Lane and Deepdales housing estate), retail, commercial, industrial and is located adjacent to a key arterial route for Bray and Greystones (Southern Cross Road).

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

It is submitted that due consideration of the site and the contribution it can make to the proper planning and sustainable development of Bray and its ability to assist the County Development Plan in delivering upon its Core Strategy should not be dismissed.

This submission therefore seeks the reversal of proposed alteration no.26 thus enabling an appropriately scaled development to be delivered on this key site.

## 2 CONTEXT OF LANDS WITHIN POLICY FRAMEWORK

The lands adjacent to Bray Retail Park are well positioned to adhere to sustainable development principles and with the policies and objectives for the delivery of sustainable housing, as detailed in the recently published *National Planning Framework*.

### 2.1 National Planning Framework

The National Spatial Strategy (NSS) has now been replaced by the new *National Planning Framework (NPF)*. The NPF sets out the spatial strategy for the country, the detail of which will be translated into the regional level by the *Regional Spatial and Economic Strategies* and accompanying *Metropolitan Areas Strategic Plans*.

This NPF targets significant infill/brownfield growth, especially in cities and large towns where all towns over 10,000 population are defined as 'large towns'. This means that city and county development plans will need to relate these targets to the levels and location of future land-use zoning. Effective implementation will require substantially better linkage between zoning of land and the availability of infrastructure.

To achieve this, a new, standardised methodology will be put in place for core strategies and will also address issues such as the differentiation between zoned land that is available for development and zoned land that requires significant further investment in services for infrastructure for development to be realised. National Policy Objective 72a states:

*'Planning authorities will be required to apply a standardised, tiered approach to differentiate between i) zoned land that is serviced and ii) zoned land that is serviceable within the life of the plan.'*

Within Appendix 3 to the NPF the two-tier approach to land zoning is set out as follows:

***Tier 1: Serviced Zoned Land***

*This zoning comprises lands that are able to connect to existing development services, i.e. road and footpath access including public lighting, foul sewer drainage, surface water drainage and water supply, for which there is service capacity available, and can therefore accommodate new development.*

*These lands will generally be positioned within the existing built-up footprint of a settlement or contiguous to existing developed lands. The location and geographical extent of such lands shall be determined by the planning authority at a settlement scale as an integral part of the plan-making process and shall include assessment of available development services.*

*Inclusion in Tier 1 will generally require the lands to be within the footprint of or spatially sequential within the identified settlement.*

***Tier 2: Serviceable Zoned Land***

*This zoning comprises lands that are not currently sufficiently serviced to support new development but have potential to become fully serviced within the life of the plan i.e. the lands are currently constrained due to the need to deliver some or all development services required to support new development, i.e. road or footpath access including lighting, foul sewer drainage, surface water drainage, water supply and/or additional service capacity.'*

With respect to these criteria the subject site is 'Tier 1 Serviced Zoned' and therefore must not be dismissed as being not suitable for development particularly given:

- it is already zoned for development;
- it is located within the 'urban area' designation;
- its ability to be readily serviced;
- its location within and contiguous to the development footprint of Bray; and;
- the need to meet with the Core Strategy's population targets given the barriers to development facing other strategic housing sites, such as Fassaroe, in the short term.

The subject site will assist Bray and Wicklow County Council in fulfilling some of its population requirements within the current plan period.

## 2.2 Wicklow County Development Plan 2016-2022

The Core Strategy contained in the County Development Plan must be consistent with the designations and population allocations set out in the regional planning guidelines. In this regard the County Development Plan confirms that the delivery of new housing should be within the existing settlement boundaries of towns with growth primarily within the north east of the county (within the metropolitan area) where there is existing social infrastructure in place to serve new residential communities. Our client's landholding adjacent to the Bray Retail Park is well placed to take advantage of the existing social infrastructure in the vicinity. According to the County Development Plan the settlement strategy for the GDA aims to:-

*'physically consolidate the growth of the metropolitan area of Dublin by focusing new housing within the existing footprint of the metropolitan area and planning expansion of the footprint in conjunction with new high quality public transport investment.'* (chapter 2 page 6)

Our client's land is located to the east of the N11, east of Bray Retail Park, immediately to the south of the existing built footprint of Bray, west of the Bray IDA Park and is indicated for development. As such the lands are well placed to contribute to the overall housing need for Bray in the short to medium term.

Table 2.4 of the County Development Plan outlines population targets for Bray. Over the 17 year period, 2011-2028, there is a population target of some 10,661 for Bray, which equates to a 36% increase. Or to a per annum increase of some 627 persons. Variation No.1 of the County Development Plan, as currently proposed, seeks to change the ultimate lifespan of the future BMDLAP to 2025 rather than the possibility of an extension to 2028. This is because between 2016 and 2022 the population targets for the county and Bray will be revised in light of the findings of Census 2016 and reflected in the NPF and the *Regional Spatial and Economic Strategy (RSES)*. Following this revision the targets contained in the LAP will be updated. In anticipation of this sequence of events, the planning authority is of the view that the County Development Plan should aim to meet the shorter term target (to 2025) to provide for sufficient zoned land to meet the 2024 population target plus 'headroom' of 1 year. The proposed alterations include a housing stock target up to 2025 in the Bray MD area which states that Bray has a housing stock of 11,225 in 2016 and a target housing stock of 17,651 by 2025, representing a housing stock growth of 6,425 over a 9 year period.

Our client supports the structure of Wicklow's settlement hierarchy and the preferred development strategy of the adopted County Development Plan. The development strategy is based on building strong urban centres while protecting the rural hinterlands and prioritises meeting the shorter and medium term goals. The County Development Plan continues with the emphasis on developing on serviced land within the metropolitan area of Wicklow - particularly Bray - which is at the top of the settlement hierarchy for the county as a MCT.

In this regard, it is considered that our client's undeveloped zoned lands located to the east of the existing Bray Retail Park, provide an opportunity to allocate a future residential zoning to the lands as they are serviced, and located in proximity to public transport options and

existing social infrastructure. It is our considered view that the conclusions in respect of the allocations of population as set out in the County Development Plan and the physical constraints identified to the expansion of Bray, our client's lands are ideally placed to deliver much needed serviced land for housing – all in line with adopted policy.

### 3 CONSIDERATION OF THE DRAFT LOCAL AREA PLAN

It is important to ensure that the future development of Bray is in line with the Core Strategy of the County Development Plan and that the new LAP will provide for the appropriate zoning of lands for residential, employment, retail, amenity, community and educational uses in order to deliver a sustainable town through a plan-led approach. One of the overarching principles of the NPF, the RPG/GDA and the County Development Plan is to ensure that sustainable development is achieved through the development of lands within settlement boundaries.

The population of Bray is expected to grow by 8,780 people between 2011 and 2025, from 29,339 to 38,119. As a result of this expected population increase, it is envisaged that a housing stock of +6,133 dwellings is required by 2025.

Our client is concerned whether the proposed strategy to deliver the required levels to enable the target population as set out in core strategy of the County Development Plan can be achieved. The Proposed Material Alterations document suggests that lands zoned for residential development can accommodate 6,130 dwellings. Designated residential lands at Fassaroe are to be developed in a comprehensive fashion, rather than piecemeal developments. Almost 4,000 dwellings are proposed on the Fassaroe lands, which equates to almost two third of the overall housing growth of the plan period. Due to the strategic importance of the Fassaroe site, our client agrees with this strategy for development, however, is unsure if the totality of the targets allocated to Fassaroe can be completed within the lifetime of the LAP. This sentiment is echoed in the Proposed Material Alterations document which notes that the projected growth of Bray, is *'reliant on the cooperation and financing of Transport Infrastructure Ireland'*. This signals that the delivery of strategic housing lands at Fassaroe may be delayed.

We contend that our client's lands adjacent to the Bray Retail Park can help to achieve a sustainable community as described in the short to medium term. The subject site is located in a prime position for future residents in terms of access to local services and community facilities. The local pedestrian infrastructure is very good and high frequency bus routes located just a short walk from the site. The lands are serviced and have the ability to be delivered quickly to the requisite standard should be appropriately zoned to facilitate their development.

Our client's undeveloped lands have been identified as being appropriate for development by previous development plans and in the current County Development Plan's Landscape Assessment. The planning application which was previously permitted on the site (planning reg. ref. 08/811), where the general height of the buildings ranged from 7.6m to 11.2m above finished ground level, confirms the site's ability to absorb development at this location. It is also highlighted that a residential use here would be able to avail of the existing facilities and infrastructure (transport and sewerage) in the local area in line with NFP's Tier 1 Serviced Zoned Land criteria. The location of new development adjacent to the footprint of existing settlements in a sequential manner to existing services and

infrastructure from a town centre outwards is preferable and in accordance with best planning practice.

As set out in our client's previous submissions, the County Development Plan outlines a number of principles for the zoning/designation of greenfield land for new housing. Our client's lands located adjacent the existing Bray Retail Park adhere to these principles. This analysis is repeated below in Table 3.1.

Table 3.1 Principles for new housing zoning/designations

Principle	Compliance of Subject Lands
<i>Application of the 'sequential approach' whereby zoning extends outwards from centres, contiguous to the existing built up part of the settlement</i>	<ul style="list-style-type: none"> <li>▪ The subject lands form part of Bray's settlement area.</li> <li>▪ The lands adjoining the subject lands are developed and include               <ul style="list-style-type: none"> <li>– the Bray Retail Park (which includes a crèche); and</li> <li>– existing residential development located on Giltspur, at Deepdales (to the east) and Ballywaltrim Grove (on the northern side of Bray Southern Cross Road).</li> </ul> </li> </ul>
<i>Promotion of the concept of 'walkable' neighbourhoods, whereby undeveloped lands within 10 minutes walking distance of the settlement centre and 5 minutes walking distance of any neighbourhood / village centres are prioritized</i>	<ul style="list-style-type: none"> <li>▪ The lands are located in proximity to existing social infrastructure, public open spaces and within easy range of public transport.</li> <li>▪ The Draft BMDLAP identifies a NC 'Neighbourhood Centre' c.1km to the east of the site on the Southern Cross Road. Once developed it will provide an excellent location for the development of a retail hub serving the southern environs of Bray.</li> <li>▪ We would also highlight that there are a number of existing neighbourhood centres located along the Boghall Road to the north which include Aldi and Tesco.</li> </ul>
<i>Promotion of a sustainable land use and transportation pattern, whereby undeveloped lands that are accessible to public transport routes are considered most suitable for development. In this regard, undeveloped land within 1 km of any rail or light rail stop or 500m of bus routes will be prioritized</i>	<ul style="list-style-type: none"> <li>▪ The lands are located in close proximity (i.e. 200m to the north) to the 84X Dublin bus route which provides an express route providing connections to Dublin City Centre.</li> <li>▪ The 145 Dublin Bus route (located c. 400m to the north) providing links to Bray Main St, Shankill, Cornelscourt, Stillorgan, Donnybrook, Leeson Street, before terminating at Heuston Station.</li> <li>▪ Bus Éireann Route no. 133 is located further to the north on Killarney Road.</li> </ul>
<i>Lands already or easily serviced by a gravity fed water supply system and waste water collection system will be prioritized</i>	<ul style="list-style-type: none"> <li>▪ The previously permitted development on the subject site (Reg. Ref. 08/811) proposed to connect to the existing the Bray Retail Park. It is therefore considered that there is sufficient capacity for a residential development on the subject site.</li> </ul>
<i>Cognisance will be taken of the need to provide upmost protection to the environment and heritage, particularly of designated sites, features and buildings</i>	<ul style="list-style-type: none"> <li>▪ A residential development would be more akin to the character and setting of this site rather than the previous industrial use permission (Reg. Ref. 08/811) resulting in the reduced massing and scale of the structures.</li> <li>▪ It is submitted that a residential development would sit comfortably into the context of the landholding.</li> </ul>
<i>The need to maintain the rural greenbelt between towns</i>	<ul style="list-style-type: none"> <li>▪ The proposed inclusion of the undeveloped portion of the lands as residential lands respects the rural greenbelt and will not result in an encroachment of development between towns.</li> <li>▪ It is considered that the use of these lands for residential development is appropriate.</li> </ul>
<i>Promotion of the development of lands adjacent to existing or planned community and social infrastructure, such as schools and open space sites/zones.</i>	<ul style="list-style-type: none"> <li>▪ The subject lands are located to existing community and social infrastructure such as St. Killians Community school as well as Bray Sports and Leisure Centre.</li> <li>▪ In addition, there is an existing crèche (Park Academy) located within the overall landholding.</li> </ul>

## 4 DEVELOPMENT OF THE SUBJECT SITE

It is noted in the 1<sup>st</sup> *Chief Executive Report Draft BRAY MD LAP Nov 2017* that it is considered reasonable for a wider range of general employment uses be allowed on the site. This is without doubt welcomed by our client, however given the need for residential development to be delivered on sites within close proximity to jobs and services they wish to indicate their acceptance for a residential use to be allocated to these lands.

Following a detailed review of the Chief Executive's report and the reluctance to the zone the land for residential uses our client would like to illustrate an indicative scheme (**Figure 4.1**) which has been prepared for the proposed residential zoned lands to the rear of the existing Bray Retail Park. It is proposed that the site can accommodate a distinctive residential development, which achieves a personal identity while integrating with and contributing to the local services and facilities. The indicative design illustrates that an appropriate level of dwellings can be achieved whilst ensuring adequate public and private amenity spaces are provided.

As our client is in a position to develop the site themselves, we can confirm that an extremely high quality layout and design can be achieved. An indicative residential density of 20 units per hectare is proposed. It is submitted that the emerging potential proposals for the subject lands will provide a high quality residential development in an excellent location. **Figure 4.1** compares the development as originally permitted for an industrial/warehouse park with a residential development. While the landowners would prefer a residential use option on the site, they remain of the view that the existing zoning for employment uses is particularly important to Bray and proximity to the Bray IDA Business Park.

Figure 4.1 Original Permitted Layout Reg. Ref. 08/811

Draft Indicative Layout



Source: McLoughlin Architecture

An indicative access arrangement is proposed by our client. The emerging potential design solution for the subject lands includes a review of the treatment of the access to create a shared, yet a very much residential roadway typology to serve the lands to the rear. The intention to split the access to the site to the left and the retail park customers to the right at the entrance.

The roadway will be shared with the existing childcare facility that will in turn serve the housing development and will also continue to support normal deliveries to the existing retail park. The opportunity exists to provide an entranceway with a residential appearance (see Figure 4.2). So as to manage traffic an amended road configuration will result in a more residential friendly environment for future residents.

Figure 4.2 Existing and Draft Sketch Access Proposals



Source: McLoughlin Architecture

The reconfiguration will allow the introduction of a landscaped streetscape through a planted verge with column type fastigiated type trees, green climbing walls on both sides and topiary type hedging to both. At the same time the overall road width will still be capable of accommodating service vehicles for the retail park and refuse trucks for the residential area.

This treatment will continue up to through the existing site to the proposed residential area. The servicing area for Bray Retail Park will be screened with appropriate landscaping to give the proposed residential development hierarchy in the journey from the public road to the proposed residential site to the rear (see Figure 4.3). The development site will be designed to take full advantage of the topography of the site seeking to assimilate with the surrounding landscape and area.

Figure 4.3 Existing and Sketch Access Proposals



Source: McLoughlin Architecture

It is highlighted that the permitted access was deemed appropriate for the 2009 development located on the lands to the rear of the Bray Retail Park (Reg. Ref. 08/811). It is likely that a residential development would result in traffic levels less than the previously permitted quantum of development here.

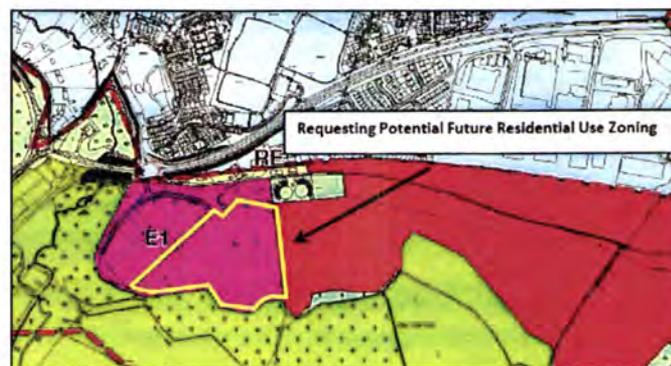
## 5 CONCLUSIONS

TIO has a proven and strong track record in delivering high quality housing and has been active in the Irish market over the last number of years with strategic acquisitions of a range of development and investments assets which include Greystones Marina 'Marina Village', Cois Glaisín in Navan, Holsteiner Park in Clonee and Herbert Hill in Dundrum. In this regard TIO has a proven track record in the delivery of quality residential development in Wicklow and the Greater Dublin Area.

The Marina Village in Greystones was achieved through a public-private partnership between Wicklow County Council, Bridgedale, Sisk and our client. Marina Village is a waterside residential location which features approximately 358 architecturally designed A-rated homes and the creation of a coastal 5.7 hectare park on the north shores of the development. Marina Village received multiple awards in 2016 including the 'Panasonic PRO' award for best European residential project and the 'KPMG Irish Independent Property Industry Excellence Awards for Community Benefit Award'. The development was also shortlisted for the 'Irish construction Industry awards Residential' project of the year 2017. This further confirms the credibility to the skills and resources available in the delivery of sites for residential development. It is highlighted to Wicklow County Council therefore that our client has excellent experience in respect of realising development, in particular, high quality residential sites.

TIO is the owner of c.4.0 hectares of lands which were zoned in the Rathdown District Plan no. 2 to accommodate 'E1' – employment land uses (purple shading) and are located to the east of Bray Retail Park. Planning permission for an industrial/warehouse development on this site has lapsed (Reg. Ref. 08/811) and this land remains undeveloped. The land is located within the 'urban' area landscape category as set out in Appendix 5 of the current *Wicklow County Development Plan 2016-2022* and is considered a location appropriate for development. This designation remains unchanged in *Proposed Alterations to Proposed Variation No. 1* currently on display.

Figure 5.1 Subject site zoning - 'E1' – employment land uses



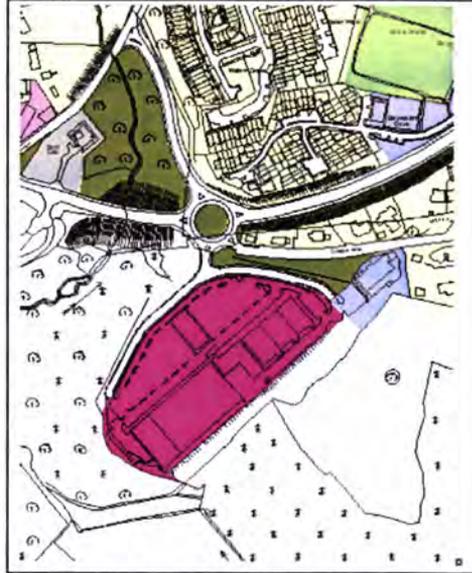
Source: Rathdown District Plan no. 2

While a residential zoning was sought by our client, the 1<sup>st</sup> *Chief Executive Report Draft BRAY MD LAP Nov 2017* considered that a wider range of general employment uses be allowed on the site was more appropriate.

However following the Council Meeting considering the submissions made to the plan process and the Chief Executive's recommendation, proposed alteration no.26 to the *Bray Municipal District Draft Local Area Plan 2018-2024* states:

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

Figure 5.2 Proposed alteration no.26



Source: Proposed alteration no.26

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

The site is within the 'urban' area classification, is not included within an Area of Outstanding Natural Beauty and is some distance from the Sugar Loaf. There is also significant distance and quantum of development between the subject site and the Sugar Loaf (Brennanstown estate and riding school, Avoca, Glencormack Business Park and all the significant lands and residential areas situated in between. The subject site is immediately adjoining development uses such as residential (Giltspur Lane and Deepdales housing estate), retail, commercial, industrial and is located adjacent to a key arterial route for Bray and Greystones (Southern Cross Road). Moreover, planning permission was granted for an industrial and warehouse / distribution park with a general building height of between 7.6m to 11.2m above finished ground level thus confirming the suitability of the site for development and its ability to assimilate with the surrounding landscape and area.

It is submitted that due consideration of the site and the contribution it can make to the proper planning and sustainable development of Bray and its ability to assist the County Development Plan in delivering upon its Core Strategy should not be dismissed.

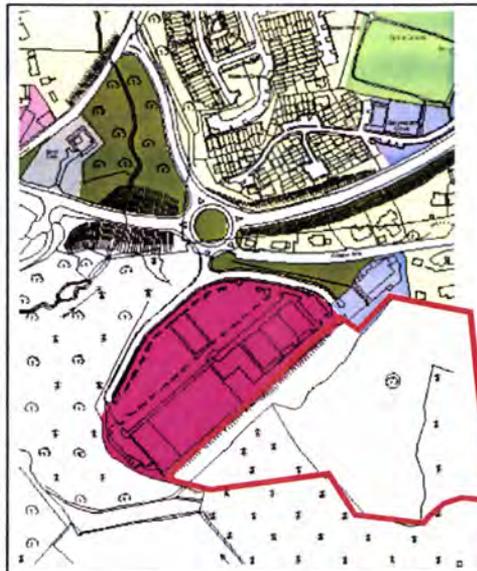
Removing a development based land use zoning objective from a site which has already been assessed and concluded that it can accommodate development is clearly at odds with the Core Strategy and the adopted *Wicklow County Development Plan 2016-2022*.

It is submitted that due consideration of the site and the contribution it can make to the proper planning and sustainable development of Bray and its ability to assist the County Development Plan in delivering upon its Core Strategy cannot be dismissed. Almost 4,000 dwellings are proposed on lands at Fassaroe, which equates to almost two third of the overall housing growth of the plan period. Due to the strategic importance of the Fassaroe site, our client agrees with this strategy for development, however, they are unsure if the totality of the targets allocated to Fassaroe can be completed within the lifetime of the LAP. This sentiment is echoed in the *Proposed Material Alteration to the draft BRAY MD LAP 2018* document which notes that the projected growth of Bray, is reliant on the cooperation and financing of Transport Infrastructure Ireland. This signals that the delivery of strategic housing lands at Fassaroe may be delayed.

TIO respectfully requests that the proposed alteration be reconsidered by the Council. It is noted by the Chief Executive in the November 2017 Report on submissions received that it is considered reasonable for a wider range of general employment uses be allowed on the site. This is without doubt welcomed by our client, however given the need for residential development to be delivered on sites within close proximity to jobs and services they wish to indicate their acceptance for a residential use to be allocated to these lands.

TIO request that the residential zoning sought for the site outlined in red below and justified herein is considered and taken into account by Wicklow County Council in the finalisation of the *Bray Municipal District Local Area Plan 2018-2024*.

Figure 5.3 Requested alteration



Source: Based on proposed alteration no.26

We would also like to confirm that our client would welcome the opportunity to give any further information, access to the site or detail to Wicklow County Council in respect of this submission.

## APPENDIX 1

### TIO SUBMISSIONS TO THE *BRAY MUNICIPAL DISTRICT LOCAL AREA PLAN 2018-2024* PLAN MAKING PROCESS

# Submission to Draft Bray Municipal District Local Area Plan 2017-2023

Formal Submission to Wicklow County Council  
on behalf of  
TIO ICAV (TIO)

MH16010 September 2017





# Submission to Draft Bray Municipal District Local Area Plan 2017-2023

## Document Control Sheet

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## EXECUTIVE SUMMARY

RPS Group Ltd, West Pier Business Campus, Dun Laoghaire, County Dublin has been instructed by our client TIO ICAV (TIO), to make this formal submission to the Bray Municipal District Draft Local Area Plan 2017-2023. TIO has been active in the Irish market over the last number of years with strategic acquisitions of a range of development and investments opportunities which include Greystones Marina '*Marina Village*', Cois Glaisín in Navan, Holsteiner Park in Clonee and Herbert Hill in Dundrum. In this regard TIO has a proven track record in the delivery of quality residential development in Wicklow and the Greater Dublin Area. It is also highlighted that Bridgedale, a reputable housing development company, with TIO's support, is in the process of being acquired by Glenveagh Properties as a result of the forthcoming €450m Irish housebuilding IPO launch. This further confirms the credibility to the skills and resources available in the delivery of sites for residential development.

Our client is the owner of lands of c.9.8 hectares of lands which were zoned in the Rathdown District Plan no. 2 to accommodate 'E1' – employment land uses at Giltspur where large scale retail warehousing is identified as a '*normally permitted*' use and office is identified as an '*open for consideration*' use. Bray Retail Park is contained on c.5.8 hectares of this land holding. The balance of the zoned land (c.4 hectares) remains undeveloped.

Following a detailed review of the Draft Local Area Plan, it is noted that there is no reference to Retail Warehouse Uses however since the draft was placed on public display Wicklow County Council has issued a clarification confirming that the '*Retail Warehousing*' use was been omitted in error from the zoning table as published. The clarification states that this matter will be formally dealt with at the proposed amendments stage of the plan making process. Proposed Map No.2 Land Use Zoning indicates purple shading on our client's lands however the key does not indicate to what use this shading relates. For the purposes of this submission it is assumed that this shading is the '*E3: Retail Warehousing*' land use zoning objective referred to in the clarification issued by the Council.

Our client welcomes the zoning objective proposed reflecting existing retail warehousing uses on the site (Bray Retail Park) however submits that the range of uses which are acceptable on the zoning are too narrow. In this regard, our client is seeking that land uses listed as being acceptable within this objective is broadened to include office and other employment generating uses.

As noted above, Bray Retail Park is accommodated on c.5.8 hectares with the balance of the land holding remaining zoned but undeveloped. A review has been undertaken by our client to determine the potential uses appropriate to the subject lands location and context. Clearly the prolonged recession and imbalances in the housing market have resulted in a critical shortfall in well-designed housing located in appropriate locations – close to existing transport links, infrastructure and social infrastructure. As a result of our client's review, this shortfall, the character of the site and servicing infrastructure currently in place, it is proposed that the undeveloped lands adjacent to the existing retail park be considered to accommodate residential uses. Planning permission on the site (planning reg. ref. 08/811) confirms the site's ability to absorb development at this location. The character and setting of the site is in our view more akin to a residential development and provides readily available serviced land in a sustainable location proximate to existing services and infrastructure. This site can be delivered immediately by a reputable developer subject to it being designated with the appropriate zoning objective.

This submission provides a detailed policy based justification for these changes. In summary our client requests the following amendments to the Bray Municipal District Draft Local Area Plan 2017-2023.

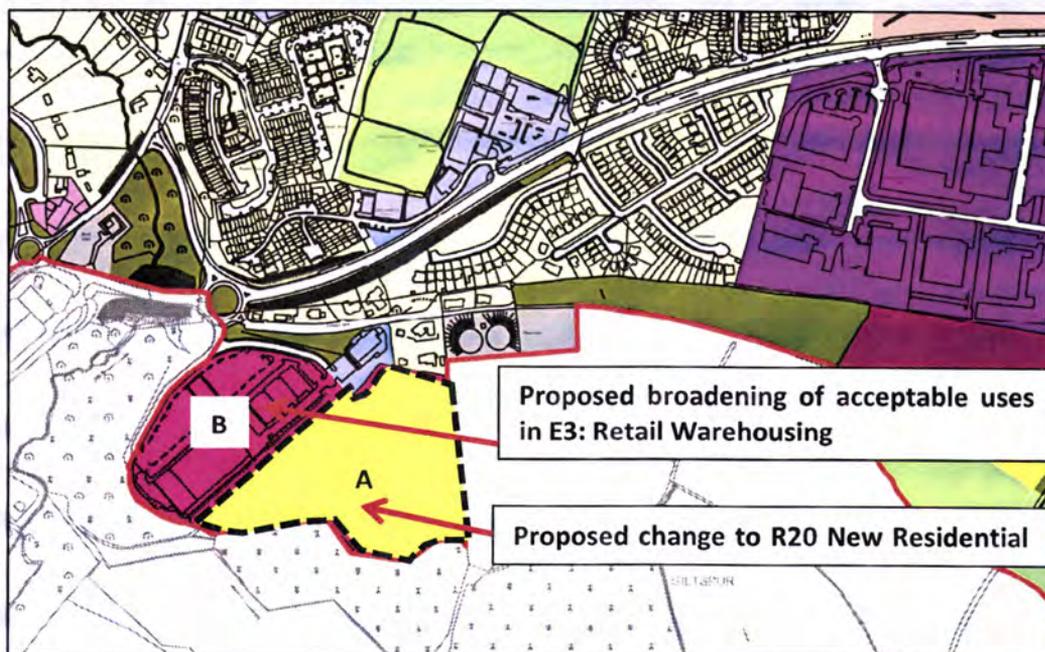
For the undeveloped zoned lands located to the south east of Bray Retail Park (A) our client seeks:

**A change from 'E3: Retail Warehousing' to 'R20: New Residential'- 'To facilitate for the provision of high quality new residential developments at appropriate densities with excellent layout and design, well linked to the town centre and community facilities. To provide an appropriate mix of house sizes, types and tenures in order to meet household needs and to promote balanced communities'.**

For the existing Bray Retail Park lands (B) our client welcomes the proposed 'E3: Retail Warehousing' zoning objective and seeks:

**The range of uses acceptable under the proposed 'E3: Retail Warehousing' zoning objective be broadened to include office and other employment generating uses.**

#### Proposed land use zoning changes



Our client respectfully requests that the suggestions and recommendations made herein are considered and taken into account by Wicklow County Council in the finalisation of the Bray Municipal District Local Area Plan.

We would also like to confirm that our client would welcome the opportunity to give any further information, access to the site or detail in respect of this submission to the planning authority.

# 1 INTRODUCTION

RPS Group Ltd., West Pier Business Campus, Dun Laoghaire, County Dublin has been instructed by our client, TIO, 25 – 28 North Wall Quay, Dublin 1, to make this formal submission to Wicklow County Council in response to the request for submissions or observations relating to *Bray Municipal District Local Area Plan 2017-2023* (Draft BMDLAP) during the public consultation period from 2<sup>nd</sup> August 2017 to 15<sup>th</sup> September 2017.

This submission is structured as follows:

**Section 1** – Introduction

**Section 2** – Context of lands within policy framework

**Section 3** – Consideration of the Draft BMDLAP

**Section 4** – Indicative development strategy for subject lands

**Section 5** – Recommendations and conclusions.

## 1.1 ABOUT TIO

TIO has a proven and strong track record in delivering high quality housing and has been active in the Irish market over the last number of years with strategic acquisitions of a range of development and investments assets which include Greystones Marina '*Marina Village*', Cois Glaisín in Navan, Holsteiner Park in Clonee and Herbert Hill in Dundrum. In this regard TIO has a proven track record in the delivery of quality residential development in Wicklow and the Greater Dublin Area.

The Marina Village in Greystones was achieved through a public-private partnership between Wicklow County Council, Bridgedale, Sisk and our client. Marina Village is a waterside residential location which features approximately 358 architecturally designed A-rated homes and the creation of a coastal 5.7 hectare park on the north shores of the development. Marina Village received multiple awards in 2016 including the '*Panasonic PRO*' award for best European residential project and the '*KPMG Irish Independent Property Industry Excellence Awards for Community Benefit Award*'. The development was also shortlisted for the '*Irish construction Industry awards Residential*' project of the year 2017. It is also highlighted that Bridgedale, a reputable housing development company, with TIO's support, is in the process of being acquired by Glenveagh Properties as a result of the forthcoming €450m Irish housebuilding IPO launch. This further confirms the credibility to the skills and resources available in the delivery of sites for residential development. It is confirmed therefore that our client has excellent experience in respect of realising development, in particular, high quality residential sites.

## 1.2 PURPOSE OF SUBMISSION

Overall the preparation of the Draft BMDLAP by Wicklow County Council is welcomed and supported by our client. The amalgamation and streamlining of the existing statutory plans for the Bray area will assist in providing a coherent framework and co-ordinated approach to the sustainable development of the area.

Our client is the owner of c.9.8 hectares of developed and undeveloped land at and adjacent to Bray Retail Park, Southern Cross Road, just off the N11 to the south west of Bray town centre. This landholding is outlined in red in **Figure 1.1**.

Since the draft was placed on public display Wicklow County Council has issued a clarification confirming that 'E3: Retail Warehousing' use was been omitted in error from the zoning table as published. The clarification states that this matter will be formally dealt with at the proposed amendments stage of the plan making process. Proposed Map No.2 Land Use Zoning indicates purple shading on our client's lands however the key does not indicate to what use this shading relates. For the purposes of this submission it is assumed that this shading is the 'E3: Retail Warehousing' land use zoning objective referred to in the clarification issued.

Bray Retail Park is located on c.5.8 hectares while approximately 4 hectares of the site are currently undeveloped. Our client has reviewed the potential uses appropriate to the subject site, with regard to the recently adopted *Wicklow County Development Plan 2016-2022* (CDP) and in anticipation of the preparation of a new Bray Municipal District Plan. The purpose of this submission is to present a justification for the rezoning of our client's undeveloped lands to enable the delivery of residential uses, to welcome the proposed 'E3: Retail Warehousing' zoning objective on the Bray Retail Park site recognising existing uses and to request that the land uses permitted within the 'E3: Retail Warehousing' zoning objective be broadened to include office and other employment uses.

**Figure 1.1** Subject lands at Southern Cross



## 1.3 SITE CONTEXT

The overall subject site comprises a successful retail park and crèche and approximately 4 hectares of undeveloped zoned lands. The retail park is anchored by Woodies DIY and includes other retail warehouse operators such as DID Electrical, Flanagan Kerins, Harry Corry, House of Tiles and Maxi Zoo. The Park Academy crèche is located within our client's lands with access gained from the retail park. The site is accessed from the roundabout on the Southern Cross Road, which links to the N11/M1 Motorway.

Existing residential areas are located some 120m to the north east of the subject site at Deepdales. Giltspur Lane located immediately to the north of the site includes some residential development. Additional residential areas are located a further 150m to the north at Ballywaltrim Grove. A number of educational facilities are located within 1 mile of the subject site including 2 no. primary schools (Bray School Project National School and Saint Fergal's Junior National School) and 1 no. secondary school (St. Kilian's Community School). Further to the east along the Southern Cross Road, there is a substantial area of commercial lands at Bray Business Park and further residential areas. Kilruddery Demesne East and West are located to the south and east of the subject lands towards the Southern Cross and the R761 which connects Bray to Greystones. The pedestrian infrastructure in the surrounding area is generally very good, with dedicated footpaths on the Southern Cross Road to the north east and footpaths and cycle lanes on Killarney Road to the north west.

## 1.4 PLANNING HISTORY

The retail park (comprising 4 no. retail warehouse units and ancillary garden centre) and crèche was granted planning permission in 2003 under Reg. Ref. 03/8197. The approved development included 503 no. public car parking spaces and 31 no. staff car parking spaces. Access via a new roundabout to the subject site was granted under Reg. Ref. 01630090 by Bray Town Council. An additional 2 retail warehouse units were granted under Reg. Ref. 07/2616 and the crèche unit under Reg. Ref 05/2652 by Wicklow County Council.

In January 2009, Wicklow County Council granted permission (Reg. Ref. 08/811) for the development of industrial and warehouse / distribution space units and associated offices on the undeveloped lands to the rear of the retail park. The permission was not implemented but confirms the site's ability to absorb development at this location.

## 2 CONTEXT OF LANDS WITHIN POLICY FRAMEWORK

### 2.1 NATIONAL PLANNING POLICY CONTEXT

The lands at Bray Retail Park are well positioned to adhere to sustainable development principles and with the policies and objectives for the delivery of sustainable housing, as detailed in the *National Spatial Strategy (NSS)* and in the *Regional Planning Guidelines for the Greater Dublin Area (RPG/GDA)*.

### 2.1.1 National Spatial Strategy (NSS)

While the NSS is due to be replaced by a new *National Planning Framework*, it still provides strategic guidance and objectives with respect to the sustainable provision of housing in urban areas. These include:

- Concentration of development in locations where it is possible to integrate employment, community services, retailing and public transport.
- Mixed-use and well-designed higher density development, particularly near town centres and public transport nodes.
- The efficient use of land by consolidating existing settlements, focusing in particular on development capacity within central urban areas through re-use of under-utilised land and buildings as a priority, rather than extending green field development.

The strategy sets out a following broad evaluation framework to assess the most appropriate spatial locations for housing land. An evaluation of our client's undeveloped land against these tests is provided in **Table 2.1** below.

**Table 2.1** Evaluation framework to assess locations for housing land

Test	Objective	Subject Lands
<b>The Asset Test</b>	<i>Are there existing community resources, such as schools etc., with spare capacity?</i> The subject lands are located within easy access of local schools, childcare facilities (including the existing crèche located adjacent), a leisure centre and sports fields.	✓
<b>The Carrying Capacity Test</b>	<i>Is the environmental setting capable of absorbing development in terms of drainage etc.?</i> The proposed development of these lands for residential use can be readily absorbed into its setting and is capable of being connected to local wastewater services.	✓
<b>The Transport Test</b>	<i>Is there potential for reinforcing usage of public transport, walking and cycling?</i> There are 2 no. Dublin Bus services located close by (84X and 145). The 145 provides a high frequency service (i.e. every 10 minutes between 7:00 and 21:00 Monday – Friday) from Ballywaltrim to Heuston train station via Bray town centre, Shankill, Cabinteely, Stillorgan, Donnybrook and Dublin City Centre.	✓
<b>The Economic Development Test</b>	<i>Is there potential to ensure integration between the location of housing and employment?</i> The overall landholding of our client includes the Bray Retail Park which provides employment opportunities; further local employment opportunities are located at the IDA Business Park north east of the subject site.	✓
<b>The Character Test</b>	<i>Will the proposal reinforce a sense of place and character?</i> Characteristics of the subject site which includes a high quality green infrastructure resource will enable the proposal to provide and reinforce a strong sense of place and character	✓

Table 2.1: Evaluation framework to assess locations for housing land (continued)

Test	Objective	Subject Lands
The Community Test	<p><b><i>Will the proposal reinforce the integrity and vitality of the local community and services that can be provided?</i></b></p> <p>A proposed NC Neighbourhood centre is indicated on the Draft BMDLAP zoning maps within close proximity to the subject lands. There are also existing retail outlets in close proximity to the site. Furthermore the site is close to childcare, primary and post primary education facilities.</p>	✓
The Integration Test	<p><b><i>Will the proposal aid an integrated approach to catering for the housing needs of all sections of society?</i></b></p> <p>An indicative scheme has been prepared for the site and it is submitted that the site can accommodate a distinctive residential development, which achieves a personal identity while integrating with and contributing to the local services and facilities. Rezoning the site for residential development will lead to the provision of housing to meet a housing need for families, an element of which will cater for social housing as per the developers Part V obligation.</p>	✓

It is clear the subject lands satisfy the evaluation framework for residential sites.

### 2.1.2 Regional Planning Guidelines

Within the GDA, a distinction is made in the guidelines between the Metropolitan Area (existing built up area of Dublin and its immediate environs) and the Hinterland Area. Bray is located in the Metropolitan Area and is classified as a Metropolitan Consolidation Town (MCT) in the settlement hierarchy. Such towns are described as a *'strong active urban place within the metropolitan area with strong transport links'*. The settlement strategy for the GDA aims to:

- Physically consolidate the growth of the metropolitan area of Dublin by focusing new housing within the existing footprint of the metropolitan area and planning expansion of the footprint in conjunction with new high quality public transport investment; and
- To concentrate development in the hinterland into designated towns, along multi-modal transport corridors providing enhanced public transport linkages.

According to the RPG/GDA, MCTs, such as Bray, are located close to Dublin City and function as part of the Gateway. The RPG/GDA state that MCTs should continue to be developed *'at a relatively large scale as part of the consolidation of the metropolitan area,'* and to continue to support key public transport corridors connecting these locations to the city, each other and the Large Growth Towns in the hinterland. The RPG/GDA highlight that towns such as Bray:

*'should assess, specify and plan for the long term growth of these centres - up to 100,000 population, to take place over a series of Development Plans, so that the planning of new infrastructure fully takes into account the long term growth role of*

*these centres; ensuring for the future the coordinated integration of all new services to serve future expansion.'*

It is important that the new LAP recognises Bray's key role as a MCT in the metropolitan area to help in achieving the economic and social development of the State. National policy encourages consolidation to ensure that land use and transportation are integrated. It is submitted that the consolidation of the existing development area of Bray needs to be achieved with the aim of reducing urban sprawl. It is important to ensure sufficient high quality housing is available at sustainable locations, with good infrastructure, services and amenities.

In order to help achieve the required level of consolidation in Bray, we put forward our client's undeveloped zoned lands adjacent to Bray Retail Park (which is within the development boundary of Bray). These lands are in close proximity to high quality public transport links, and meet the criteria (broad evaluation framework detailed in **Table 2.1**) for the location of residential development. In this regard our client requests that these lands be rezoned to accommodate residential uses.

#### SUMMARY ON NATIONAL POLICY

- Bray is designated as a Metropolitan Consolidation Town (MCT)
- Consolidation of land is promoted in MCTs and development is directed to within the existing footprint of the metropolitan area
- Development should be located in areas supported by sustainable modes of transport
- The subject lands satisfy the broad evaluation framework which assess the most appropriate spatial locations for housing land
- The subject lands will help to achieve the sustainable growth of Bray (particularly much needed high quality homes), being located within the development envelope of the town and in close proximity to existing public transport routes, community facilities and services.

## 2.2 LOCAL PLANNING CONTEXT

### 2.2.1 Wicklow County Development Plan 2016-2022

The CDP came into effect on 11<sup>th</sup> December 2016. Wicklow County Council is currently consulting on the proposed Variation No.1. The reasons for the proposed Variation comprise:

- the adoption of a new LAP for Rathdrum.
- the preparation of a new draft LAP for Arklow and environs.
- the preparation of a new draft LAP for the entire Bray Municipal District, which will encompass the settlements of Bray, Enniskerry, Kilmacanogue and their environs. The CDP includes the Level 5 and Level 6 plans for Enniskerry and Kilmacanogue. As the new LAP will update and subsume these plan areas, it is necessary to delete these plans from

the CDP and to allow these plans to be amended through the LAP, rather than CDP review process.

### 2.2.1.1 Core strategy

The core strategy contained in the CDP must be consistent with the RPG/GDA and the NSS. In this regard the CDP confirms that the delivery of new housing should be within the existing settlement boundaries of towns with growth primarily within the north east of the county (within the metropolitan area) where there is existing social infrastructure in place to serve new residential communities. Our client's landholding adjacent to the Bray Retail Park is well placed to take advantage of the existing social infrastructure in the vicinity.

According to the CDP the settlement strategy for the GDA aims to:-

*'physically consolidate the growth of the metropolitan area of Dublin by focusing new housing within the existing footprint of the metropolitan area and planning expansion of the footprint in conjunction with new high quality public transport investment.'* (chapter 2 page 6)

Our client's land adjacent to Bray Retail Park is located immediately to the south of the existing built footprint of Bray within the environs and is indicated for development. As such the lands are well placed to contribute to the overall housing need for Bray in the short to medium term.

The CDP outlines that the RPG/GDA require 42% of the total growth allocated to County Wicklow is located in the metropolitan area settlements. Table 2.4 of the CDP (Table 2.2 below) outlines population targets for Bray. Over the 17 year period, 2011-2028, there is a population target of some 10,661 for Bray, which equates to a 36% increase. Or to a per annum increase of some 627 persons. Variation No.1 of the CDP, as currently proposed, seeks to change the ultimate lifespan of the future BMDLAP to 2025 rather than the possibility of an extension to 2028. This is because between 2016 and 2022 the population targets for the county and Bray will be revised in light of the findings of Census 2016 and reflected in the new *National Planning Framework (NPF)* and the *Regional Spatial and Economic Strategy (RSES)*. Following this revision the targets contained in the LAP will be updated. In anticipation of this sequence of events, Wicklow County Council is of the view that the CDP should aim to meet the shorter term target (to 2025) to provide for sufficient zoned land to meet the 2023 population target plus 'headroom' of 2 years.

Table 2.2 Population targets for Bray

Designation	Town	2011	2022	2025	2028
Metropolitan Consolidation Town	Bray	29,339	36,237	38,119	40,000

Source: Wicklow County Development Plan 2016-2022

Our client supports the structure of Wicklow's settlement hierarchy, the preferred development strategy of the adopted CDP and the proposed Variation No.1. The development strategy is based on building strong urban centres while protecting the rural hinterlands and prioritises meeting the shorter and medium term goals. The CDP continues

with the emphasis on developing on serviced land within the metropolitan area of Wicklow - particularly Bray - which is at the top of the settlement hierarchy for the county as a MCT. Our client supports the proposed Variation No.1 of the CDP which seeks to ensure sufficient land to achieve the short to medium targets for development within the Bray Municipal District area.

#### 2.2.1.2 Settlement strategy

According to the CDP, the population of Bray is anticipated to increase from 29,339 in 2011 to 38,119 in 2025 (i.e. the maximum lifetime of the future Draft BMDLAP). The CDP sets out that Bray is the largest town in County Wicklow located in a strategically important position within the metropolitan area and at the eastern gateway to the county. The town has the best transport links in the county, with access to the N/M11 transportation corridor (including M50), DART/ rail line and quality bus service. It is a strong active town that provides a higher order economic and social function for its local residents and for residents from other surrounding towns and villages. The CDP acknowledges that *'further expansion of the town is severely constrained on all sides by the administrative boundary of Dun Laoghaire Rathdown and the coast to the north and east, Bray Head / Sugarloaf mountains to the south and the N/M11 to the west'*.

In this regard, it is considered that our client's undeveloped zoned lands located to the south of the existing Bray Retail Park, provide an opportunity to allocate a future residential zoning to the lands as they are serviced, and located in proximity to public transport options and existing social infrastructure. It is our considered view that the conclusions in respect of the allocations of population as set out in the CDP and the physical constraints identified to the expansion of Bray, our client's lands are ideally placed to deliver much needed serviced land for housing – all in line with strategic policy.

The CDP outlines a number of settlement strategy objectives which include:

***SS1** To implement the County Wicklow Core Strategy and Settlement Strategy, having regard to the availability of services and infrastructure and in particular, to direct growth into the designated metropolitan growth centre and the large, moderate and small growth towns in the Greater Dublin hinterland area.*

***SS3** To ensure that all settlements, as far as is practicable, develop in a self sufficient manner with population growth occurring in tandem with physical and social infrastructure and economic development. Development should support a compact urban form and the integration of land use and transport.*

***SS4** To require new housing development to locate on designated housing land within the boundaries of settlements, in accordance with the development policies for the settlement."*

With regards to SS1, it is critical that the link between the delivery of much needed housing at appropriate locations which are serviced by existing infrastructure is recognised. It is important the location of zoned residential land has the ability to be serviced quickly using existing infrastructure. The benefit of this is to maximise the return made by the taxpayer on the services servicing areas. We would highlight that there is sufficient physical and social infrastructure in the area including schools, retail, commercial as well as community

facilities and the crèche on the lands owned by our client. As such the use of the lands for residential purposes is considered to be in accordance with Policy SS3.

### 2.2.1.3 Housing

Chapter 4 of the CDP acknowledges that one of the principal functions of a development plan 'is to put in place a framework for the delivery of new housing'. The aim of the framework is to ensure *inter alia* that:

- *"new housing development is encouraged and facilitated, in the correct locations*
- *adequate zoned and serviced land is available in these locations to achieve the growth required."*

Our client's lands located to the south of the existing Bray Retail Park are ideally placed to provide the recorded need for residential lands for the north east of County Wicklow.

With regards to the objective of providing sustainable communities, the CDP includes a number of locational criteria. It is submitted the lands located to the south of the existing Bray Retail Park would be able to avail of the existing social infrastructure in the area such as community and commercial facilities.

#### SUMMARY ON LOCAL POLICY

- 42% of the total growth allocated to County Wicklow is to be located to the metropolitan area
- The CDP emphasises that the delivery of new housing should be within the existing settlement boundaries of towns primarily within the north east of the county i.e. Bray
- Our client supports the proposed Variation No.1 of the CDP which seeks to ensure sufficient land to achieve the short to medium targets for development within the Bray Municipal District area
- The CDP indicates that the strategy for the future LAP should direct new population growth to appropriate areas, proximate to sustainable modes of transport, community facilities and services. In the case of Bray, new residential zoned lands which can be developed in the short to medium term, at appropriate locations to fulfil its role and function as an MCT are required
- Our client's zoned lands are located immediately to the south of the existing built footprint of Bray and are located within the environs of Bray and are, therefore, well placed to contribute to the overall housing need for Bray in the short to medium term in a sustainable manner

## 3 CONSIDERATION OF THE DRAFT LOCAL AREA PLAN

From the outset it is noted that the zoning colouring allocated to sites in the Draft BMDLAP does not correlate to particular zoning objectives as set out in the key. In this regard and based on the clarification issued by Wicklow County Council it is assumed that the shading shown on our client's lands relate to the 'E3: Retail Warehousing' zoning objective.

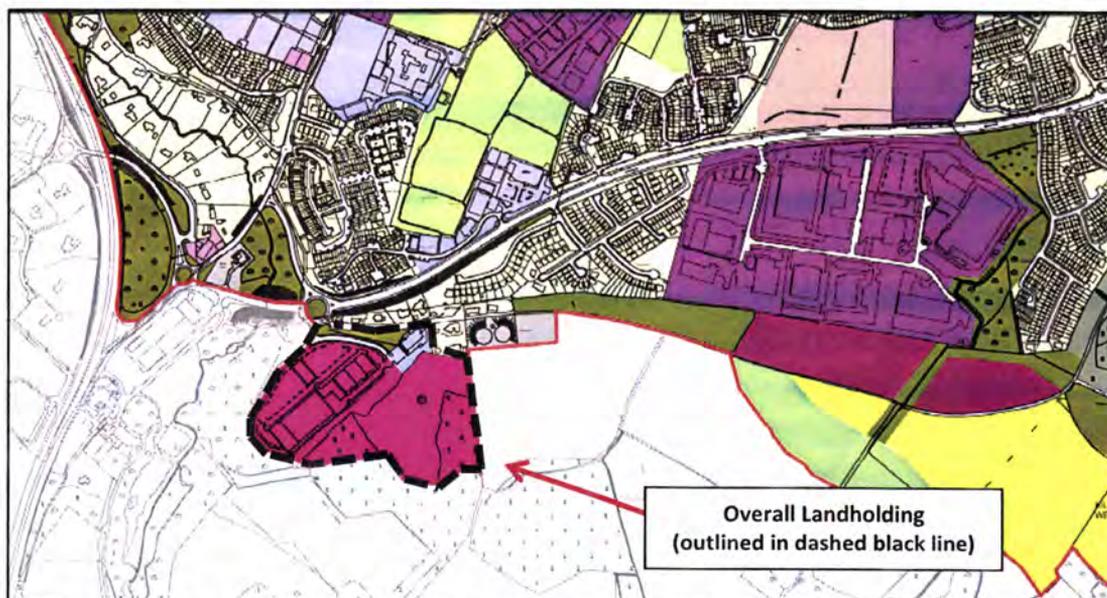
### 3.1 LAP FRAMEWORK

The LAP must play a key role in achieving the objectives contained in higher-level plans and strategies including the NSS, RPG/GDA and the CDP. In order to comply with the requirements of the legislation therefore, the guidelines state that local area plans must be fundamentally guided and shaped by:

- i. any specific aims and objectives for the area of the LAP in the relevant RPG;
- ii. more specific objectives for the area of the LAP identified within the core strategy of the relevant City or County Development Plan, including population targets and quantities of land required for residential or other purposes within such core strategy; and
- iii. the capacity of existing essential social (schools, community facilities) and physical (transport, water services, communications) infrastructure, including the realistic prospects for addressing capacity constraints.

It is important to ensure that the future development of Bray is in line with the core strategy of the CDP and that the new LAP will provide for the appropriate zoning of lands for residential, employment, retail, amenity, community and educational uses in order to deliver a sustainable town through a plan-led approach. One of the overarching principles of the RPG/GDA and the CDP is to ensure that sustainable development is achieved through the development of lands within settlement boundaries. Our client's land is outlined in **Figure 3.1** in the context of the Draft BMDLAP zoning map.

Figure 3.1 Subject lands proposed land use context



Source: Bray Municipal District Draft Local Area Plan 2017 - 2023

## 3.2 OBSERVATIONS

We have examined the full details and particulars of the Draft BMDLAP as published by Wicklow County Council and wish to highlight the following items:

- the anomaly in the zoning map with regard to the key and assigned shadings;
- no reference to Retail Warehouse Use anywhere in the Draft BMDLAP, apart from proposed change to the zoning table as confirmed by Wicklow County Council in the clarification note issued following publication of the draft plan;
- narrow range of uses proposed within the 'E3: Retail Warehouse' zoning objective.
- concerns as to whether the proposed quantum of lands zoned for residential development can achieve the target population set out in the core strategy of the CDP; and
- particular concerns regarding the period of time that will be required to deliver the housing targets set out for the Fassaroe site within the lifetime of the future LAP.

## 3.3 PROPOSED AMENDMENTS

In light of the above, we propose the following alterations to the zoning of our client's lands as detailed below and illustrated on **Figure 3.2**:

### 3.3.1 Proposed amendment A

For the undeveloped zoned lands located to the south east of Bray Retail Park (A) our client seeks:

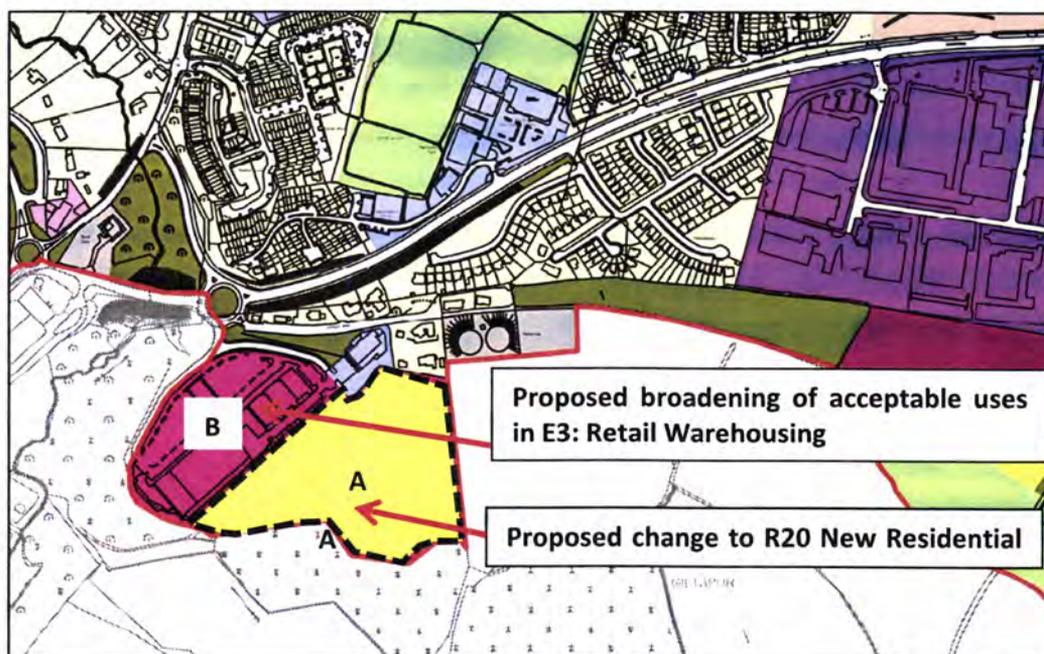
***A change from 'E3: Retail Warehousing' to 'R20: New Residential' - 'To facilitate for the provision of high quality new residential developments at appropriate densities with excellent layout and design, well linked to the town centre and community facilities. To provide an appropriate mix of house sizes, types and tenures in order to meet household needs and to promote balanced communities'.***

### 3.3.2 Proposed amendment B

For the existing Bray Retail Park lands (B) our client welcomes the proposed 'E3: Retail Warehousing' zoning and seeks:

**The range of uses acceptable under the proposed 'E3: Retail Warehousing' zoning be broadened to include office and other employment generating uses.**

Figure 3.2 Proposed land use zoning changes



### 3.4 JUSTIFICATION FOR AMENDMENT A

On behalf of our client we present below the justification for the proposed amendment A. We respectfully request that the Council review these amendments in light of our submission. Our case is put forward under the following headings:

- Demand for housing
- Location of subject lands and most appropriate land use zoning
- Deliverability of proposed residential zoned lands
- Precedent – Kilruddery.

#### 3.4.1 Demand for housing

Since the adoption of the CDP in November 2016, the results of the 2016 Census have begun to be published by the Central Statistics Office (CSO). While the CDP was prepared using the 2011 data it is important to ensure that an up to date Bray area representation is used in the development of the Draft BMDLAP. From the results of the 2016 Census the population of the State grew by 3.8% from 4,588,252 to 4,761,865 between 2011 and 2016. As outlined in **Table 2.3** using the data from 2016 Summary 1 Results, the number of persons in the town of Bray (as defined by the CSO and which includes areas within Dun Laoghaire-Rathdown) grew from 31,872 in 2011 to 32,600 in 2016 representing a 2.2% increase in population.

The population of County Wicklow itself has also increased from 136,640 in 2011 to 142,332 in 2016. This represents an increase of 4.2% which is higher than the overall national average of 3.8%. This growing population and the shortage of new homes on the market require a commitment from Wicklow County Council to provide for quality homes coming on-stream in the short to medium term. Through TIO's prior experience in developing

superior quality homes, in Wicklow and throughout Ireland, the Council can be confident in our client's ability to help them achieve this goal.

**Table 3.1 Population at State and local level 2006, 2011 & 2016**

Area	2006	2011	2016	% Change 2006-2011	% Change 2011-2016
State	4,239,848	4,588,252	4,761,865	8.10%	3.8%
County Wicklow	126,194	136,640	142,332	8.3%	4.2%
Bray (CSO town)	31,901	31,872	32,600	-0.1%	2.2%

Source: Census of Population, 2006, 2011 & 2016. Note Bray CSO town includes areas within administrative area of Dun Laoghaire Rathdown.

The Draft BMDLAP sets out the housing stock growth required by 2025 based on the current population targets for the same. The population of Bray is expected to grow by 8,780 people between 2011 and 2025, from 29,339 to 38,119. As a result of this expected population increase, it is envisaged that a housing stock of +6,133 dwellings is required by 2025. It should be noted that these targets were set based on the results of the 2011 Census rather than the most recent 2016 Census. This growth in population will result in an increased demand for housing.

To address the specific development of Bray Municipal District, the future LAP will have an initial lifespan of 6 years to 2023. As with proposed Variation No. 1 of the CDP, the Draft BMDLAP has been prepared under the premise that the population targets for the county and Bray Municipal District will be revised in light of the 2016 Census, the NPF and RSES. As a result of this, the future LAP should prioritise the need to meet the short term 6 year target, with 2 years 'headroom' to 2025. The Draft BMDLAP states that this 'headroom is provided so as to allow for greater location choice and deal with any land supply inflexibility which may arise'. As the economy continues to improve, it is likely that a higher population, and subsequently a higher housing target, will be required.

We are concerned whether the proposed strategy to deliver the required levels to enable the target population as set out in core strategy of the CDP can be achieved. The Draft BMDLAP suggests that lands zoned for residential development can accommodate 6,130 dwellings. It is respectfully submitted that a buffer should be applied to ensure the necessary quantity of housing can be developed. It is not unusual for zoned lands not to come forward for development as anticipated for various reasons, which includes delays in servicing lands within a short timeframe. In this regard, we suggest that a buffer of c. 2% (being the increase in the population of Bray between 2011 and 2016) be applied. This would equate to land for another c. 123 dwellings to ensure the required housing targets can be met within the plan period. We feel this is particularly important to address the 'headroom' of 2 years allowed to extend the powers of the new LAP once adopted.

We propose that to achieve this buffer of c.123 houses, the c. 4 hectares of our client's undeveloped lands could provide c.80 homes. A rezoning of these undeveloped lands to enable the delivery of residential development is vital to achieve the quantum of housing realistically needed to satisfy the demand for housing in Bray during the life of the LAP.

Our client has undertaken a review and a development appraisal of the undeveloped portion of the landholding. This review of the site's suitability sought to ensure the most appropriate use of the land. In this regard, it was deemed that due to strong demand for dwellings in the north east area of Wicklow – particularly sustainable locations in Bray, residential development would be most appropriate. To support the proposals discussed in this submission, an indicative scheme has been prepared for the proposed residential zoned lands to the rear of the existing Bray Retail Park. As our client is in a position to develop the site themselves, we can confirm that an extremely high quality layout and design can be achieved. An indicative residential density of 20 units per hectare is proposed. This scheme is prepared in Appendix A.

### 3.4.2 Location of subject lands and appropriate land use zoning

The Draft BMDLAP sets out that:

*'The town has the potential to be the most sustainable town in the County – a town which can most easily achieve the vision of 'walkable' communities whereby residents have access to local services and facilities including employment, shops, services, schools, playgrounds etc all within walking distance. In addition, all residents in the town have access to a good quality public transport system with local buses and DART services, thereby reducing the dependence of residents on private car use.'* (p5)

We contend that our client's lands at the Bray Retail Park can help to achieve a sustainable community as described above in the short to medium term. The subject site is located in a prime position for future residents in terms of access to local services and community facilities. The local pedestrian infrastructure is very good and high frequency bus routes located just a short walk from the site.

Our client notes that the Draft BMDLAP recognises that there are few undeveloped sites for housing development available in the town. Furthermore, the Draft BMDLAP outlines that future development in Bray is heavily constrained by physical barriers to north, south, east and west. We consider that these constraints allow for the opportunity to develop a more compact urban form for the town as preferred under national and local policy objectives.

Whilst additional residentially zoned lands are required in the LAP, it is our view that the most appropriate approach is a targeted review of rezoning existing zoned employment lands. It is considered that the existing community and open space areas provide a valuable social infrastructure resource for the town and should be protected as much as possible so as to ensure that the existing and future residentially zoned lands have the necessary social infrastructure located and distributed throughout the town.

Our client's undeveloped lands have been identified as being appropriate for development by previous development plans and the Draft BMDLAP. The planning application which was previously permitted on the site (planning reg. ref. 08/811) confirms the site's ability to absorb development at this location. It is also highlighted that a residential use here would be able to avail of the existing facilities and infrastructure (transport and sewerage) in the local area. Moreover this proposal is supported by Draft Objective R4 which encourages the use of under-utilised and vacant sites for residential development. The location of new

development adjacent to the footprint of existing settlements in a sequential manner to existing services and infrastructure from a town centre outwards is preferable and in accordance with best planning practice.

The CDP outlines a number of principles for the zoning/designation of greenfield land for new housing. Our client's lands located adjacent the existing Bray Retail Park adhere to these principles. We outline how in **Table 3.1** below.

**Table 3.2 Principles for new housing zoning/designations**

Principle	Compliance of Subject Lands
<i>Application of the 'sequential approach' whereby zoning extends outwards from centres, contiguous to the existing built up part of the settlement</i>	<ul style="list-style-type: none"> <li>▪ The subject lands form part of Bray's development area.</li> <li>▪ The lands adjoining the subject lands are developed and include: <ul style="list-style-type: none"> <li>– the Bray Retail Park (which includes a crèche); and</li> <li>– existing residential development located on Giltspur, at Deepdales (to the east) and Ballywaltrim Grove (on the northern side of Bray Southern Cross Road).</li> </ul> </li> </ul>
<i>Promotion of the concept of 'walkable' neighbourhoods, whereby undeveloped lands within 10 minutes walking distance of the settlement centre and 5 minutes walking distance of any neighbourhood / village centres are prioritized</i>	<ul style="list-style-type: none"> <li>▪ The lands are located in proximity to existing social infrastructure, public open spaces and within easy range of public transport.</li> <li>▪ The Draft BMDLAP identifies a NC 'Neighbourhood Centre' c.1km to the east of the site on the Southern Cross Road. Once developed it will provide an excellent location for the development of a retail hub serving the southern environs of Bray.</li> <li>▪ We would also highlight that there are a number of existing neighbourhood centres located along the Boghall Road to the north which include Aldi and Tesco.</li> </ul>
<i>Promotion of a sustainable land use and transportation pattern, whereby undeveloped lands that are accessible to public transport routes are considered most suitable for development. In this regard, undeveloped land within 1 km of any rail or light rail stop or 500m of bus routes will be prioritized</i>	<ul style="list-style-type: none"> <li>▪ The lands are located in close proximity (i.e. 200m to the north) to the 84X Dublin bus route which provides an express route providing connections to Dublin City Centre.</li> <li>▪ The 145 Dublin Bus route (located c. 400m to the north) providing links to Bray Main St, Shankill, Cornelscourt, Stillorgan, Donnybrook, Leeson Street, before terminating at Heuston Station.</li> <li>▪ Bus Éireann Route no. 133 is located further to the north on Killarney Road.</li> </ul>
<i>Lands already or easily serviced by a gravity fed water supply system and waste water collection system will be prioritized</i>	<ul style="list-style-type: none"> <li>▪ The previously permitted development on the subject site (Reg. Ref. 08/811) proposed to connect to the existing the Bray Retail Park. It is therefore considered that there is sufficient capacity for a residential development on the subject site.</li> </ul>
<i>Cognisance will be taken of the need to provide upmost protection to the environment and heritage, particularly of designated sites, features and buildings</i>	<ul style="list-style-type: none"> <li>▪ A residential development would be more akin to the character and setting of this site rather than the previous industrial use permission (Reg. Ref. 08/811) resulting in the reduced massing and scale of the structures.</li> <li>▪ It is submitted that a residential development would sit comfortably into the context of the landholding.</li> </ul>
<i>The need to maintain the rural greenbelt between towns</i>	<ul style="list-style-type: none"> <li>▪ The proposed inclusion of the undeveloped portion of the lands as residential lands respects the rural greenbelt and will not result in an encroachment of development between towns.</li> <li>▪ It is considered that the use of these lands for residential development is appropriate (and preferable to lands further south at Kilruddery).</li> </ul>

Table 3.2 Principles for new housing zoning/designations (continued)

Principle	Compliance of Subject Lands
<b><i>Promotion of the development of lands adjacent to existing or planned community and social infrastructure, such as schools and open space sites/zones.</i></b>	<ul style="list-style-type: none"> <li>▪ The subject lands are located to existing community and social infrastructure such as St. Killians Community school as well as Bray Sports and Leisure Centre.</li> <li>▪ In addition, there is an existing crèche (Park Academy) located within the overall landholding.</li> </ul>

### 3.4.3 Deliverability of residential zoned lands

A number of Settlement Strategy Objectives for Bray Municipal District are set out in the Draft BMDLAP. To achieve these objectives and the key parameters for development (i.e. environmental protection, sustainability, minimising car journeys and maximising the use of public transport) a strategy to provide future housing as follows:

- providing 35% of all new housing at suitable sites within the town core, including 1,000 units on the former Bray golf club;
- the development of a major new centre at Fassaroe with the potential to meet up to 60% of the new housing need of the settlement (c. 4,000 dwellings); and
- the designation of a small area of Kilruddery Demesne for additional mix use development including residential.

Draft Objective R5 of the Draft BMDLAP seeks to ensure that the designated residential lands at Fassaroe are to be developed in a comprehensive fashion, rather than piecemeal developments. Almost 4,000 dwellings are proposed on the Fassaroe lands, which equates to almost two third of the overall housing growth of the plan period. Due to the strategic importance of the Fassaroe site, we agree with this strategy for development, however, we are unsure if the totality of the targets allocated to Fassaroe can be completed within the lifetime of the LAP. We submit that lands which are serviced and have the ability to be delivered quickly to the requisite standard should be appropriately zoned to facilitate their development.

### 3.4.4 Precedent – Kilruddery

The LAP Issues Booklet had sought views on the potential for expanding the town on lands to the south of Bray to accommodate new/additional housing in areas such as Kilruddery/Giltspur/Hollybrook. As noted above, an area of land at Kilruddery Demesne has now been proposed for residential development in the Draft BMDLAP.

The Draft BMDLAP states that due to *'the extreme shortfall of suitable housing land in Bray and the high demand for housing in the area'* it considers that there is additional land at Kilruddery that may be suitable for residential development.

It is a concern that environmental sensitivities of Kilruddery Demesne may delay developments being built out. The Draft BMDLAP states *'Growth on the southern / southern western side must consider the historical Kilruddery Demesne'*. Our client's lands have previously been approved for development and are located in a less sensitive location close

to existing services. In response to the 'extreme shortfall' of housing, it is proposed that the delivery of residential development at our client's undeveloped lands is readily achievable.

### 3.5 JUSTIFICATION FOR AMENDMENT B

On behalf of our client we present below the justification for the proposed amendment B. The north western portion of our client's landholding comprises the Bray Retail Park and also includes a crèche (Park Academy) located to the north. The retail park is anchored by Woodies DIY and includes other retail warehouse operators such as DID Electrical, Flanagan Kerins, Harry Corry, House of Tiles and Maxi Zoo. Overall the employment within the retail park is estimated at c. 100-110 persons.

Our client welcomes the inclusion of the 'E3: Retail Warehouse' zoning objective in the Draft BMDLAP. This zoning objective supports of the retail warehouse function of the existing Bray Retail Park by Wicklow County Council, thereby ensuring that local trade and employment opportunities are not lost and will also prevent the creation of unsustainable travel patterns to retail parks further afield. In this regard we also request that policies supporting the role of the retail warehousing use in Bray be considered for inclusion in the new LAP.

While the proposed 'R3: Retail Warehousing' zoning objective is welcomed by our client, we are of the view that the proposed list of acceptable uses is narrow and request that list of uses be broadened to include office and other employment uses.

#### SUMMARY OF OBSERVATIONS ON DRAFT BMDLAP & PROPOSED AMENDMENTS

##### **Residential**

- The results of the 2016 Census show that the population of Bray and Wicklow is growing, this growth will lead to an increase in demand for housing, therefore concerned as to whether the proposed quantum of lands zoned for residential development can achieve the target population set out in the core strategy of the CDP
- Concerned regarding the period of time that will be required to deliver the housing targets set out for the Fassaroe and Kilruddery site within the lifetime of the future LAP.
- Submit that given the character of the subject site (Site A) adjacent to the Bray Retail Park, the proximity to existing services and the servicing infrastructure currently in place, it is reasonable that they be considered to accommodate residential uses.
- Planning permission on Site A (planning reg. ref. 08/811) confirms the site's ability to absorb development at this location. The character and setting of Site A is more akin to a residential development rather than industrial and can provide readily available serviced land in a sustainable location proximate to existing services and infrastructure and which can be delivered immediately by a reputable developer subject to it being designated the appropriate zoning objective.

##### **Retail Warehousing**

- The land use zoning map needs to be revised to include the zoning objectives as they relate to our client's land holding.

- Welcome the proposed 'E3: Retail Warehousing' land use zoning objective and request that the proposed list of acceptable uses be broadened to include office and other employment uses.

#### PROPOSED AMENDMENTS

##### Proposed amendment A:

- For the undeveloped zoned lands located to the south east of Bray Retail Park (Site A) our client is seeking: A change from the 'E3: Retail Warehouse' zoning to 'R20: New Residential' - *'To facilitate for the provision of high quality new residential developments at appropriate densities with excellent layout and design, well linked to the town centre and community facilities. To provide an appropriate mix of house sizes, types and tenures in order to meet household needs and to promote balanced communities'*.

##### Proposed amendment B:

- For the existing Bray Retail Park lands (B) our client welcomes the proposed 'E3: Retail Warehousing' zoning and requests that the range of uses acceptable under the proposed 'E3: Retail Warehousing' zoning objective be broadened to include office and other employment generating uses.

## 4 CONCLUSIONS

TIO, our client is the owner of c.9.8 hectares of lands which were zoned in the Rathdown District Plan no. 2 to accommodate 'E1' – employment land uses where large scale retail warehousing is identified as a 'normally permitted' use and office is identified as a 'open for consideration' use. Bray Retail Park is contained on c.5.8 hectares of this land holding. The balance of the zoned land (c.4 hectares) remains undeveloped.

Following a detailed review of the Draft BMDLAP, it is noted that there is no reference to Retail Warehouse Uses however since the draft was placed on public display Wicklow County Council has issued a clarification confirming that 'E3: Retail Warehousing' use was been omitted in error from the zoning table as published. The clarification states that this matter will be formally dealt with at the proposed amendments stage of the plan making process. Proposed Map No.2 Land Use Zoning indicates purple shading on our client's lands however the key does not indicate to what use this shading relates. For the purposes of this submission it is assumed that this shading is the 'E3: Retail Warehousing' land use zoning objective. Our client welcomes the zoning objective proposed reflecting existing retail warehousing uses on the site (Bray Retail Park) however submits that the range of uses which are acceptable on the zoning are too narrow. In this regard, our client is seeking that land uses listed as being acceptable within this objective is broadened to include office and other employment generating uses.

With respect to the balance of the zoned land which remains undeveloped, a review has been undertaken by our client to determine the potential uses appropriate to the subject lands location and context. It is clear that this appropriately located site located to the south of the Southern Cross Road (R768), at Bray (a MCT under the RPG/GDA) will play an important role in securing the objectives as set out in the core strategy of the CDP with regard to accommodating the target population. This site has been identified as being

appropriate for development by previous development plans and the Draft BMDLAP. This land benefited from a previous planning consent (planning reg. ref. 08/811) and therefore is confirmed as being suitable for development. The location of new development adjacent to the footprint of existing settlements in a sequential manner to existing services and infrastructure from a town centre outwards is preferable and in accordance with best planning practice. The character and setting of the site is in our view more akin to a residential development and can provide readily available serviced land in a sustainable location proximate to existing and proposed services and infrastructure and which can be delivered immediately by reputable developer subject to it being designated the appropriate zoning objective.

Our client is seeking the following amendments to the Draft BMDLAP:

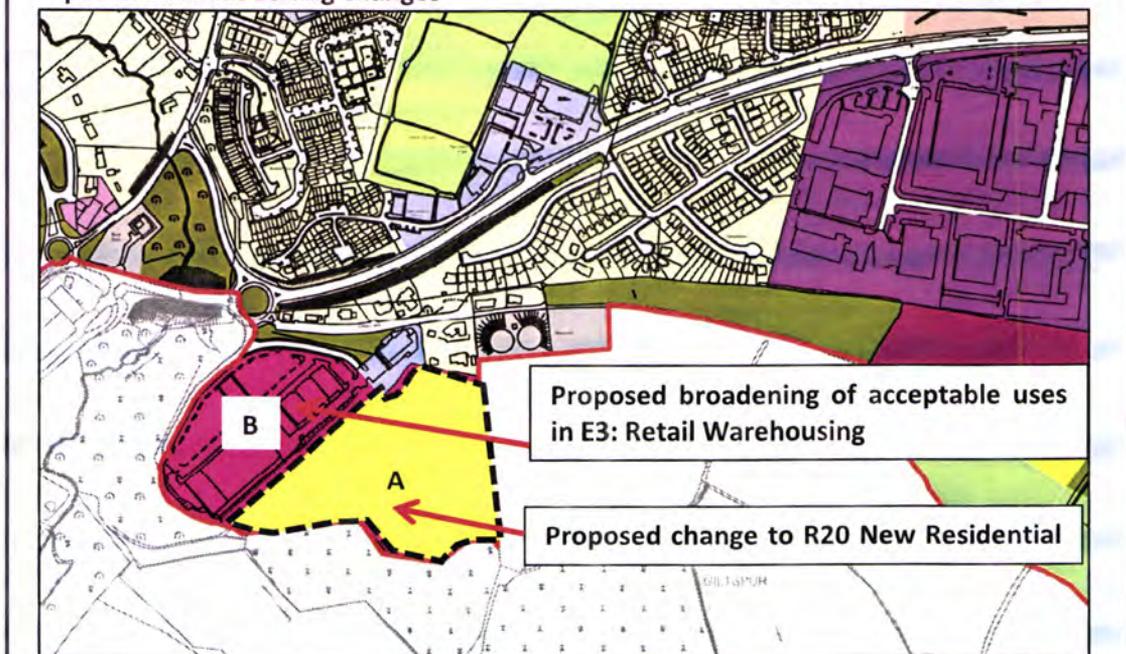
For the undeveloped zoned lands located to the south east of Bray Retail Park (A) our client seeks:

***A change from 'E3: Retail Warehousing' to 'R20 New Residential' - 'To facilitate for the provision of high quality new residential developments at appropriate densities with excellent layout and design, well linked to the town centre and community facilities. To provide an appropriate mix of house sizes, types and tenures in order to meet household needs and to promote balanced communities'.***

For the existing Bray Retail Park lands (B) our client welcomes the proposed 'E3: Retail Warehousing' zoning objective and seeks:

**The range of uses acceptable under the proposed 'E3: Retail Warehousing' zoning objective be broadened to include office and other employment generating uses.**

#### Proposed land use zoning changes



TIO respectfully requests that the proposed amendments sought and justified herein are considered and taken into account by Wicklow County Council in the finalisation of the Bray Municipal District Local Area Plan 2017-2023. It is further highlighted to Wicklow County Council that Bridgedale, a reputable residential development company, with TIO's support, is in the process of being acquired by Glenveagh Properties as a result of the forthcoming €450m Irish housebuilding IPO launch. This gives further credibility to the skills and resources available to deliver the proposed residential development in Bray which will be facilitated by the amendments requested in this submission.

We would also like to confirm that our client would welcome the opportunity to give any further information, access to the site or detail to Wicklow County Council in respect of this submission.

## **APPENDIX A**

### **Indicative Development Strategy for the Subject Lands**

## TIO PROPOSAL

### INDICATIVE FRAMEWORK

To support the proposals discussed in this submission, an indicative scheme (Figure 1) has been prepared for the proposed residential zoned lands to the rear of the existing Bray Retail Park. It is proposed that the site can accommodate a distinctive residential development, which achieves a personal identity while integrating with and contributing to the local services and facilities. The indicative design illustrates that an appropriate level of dwellings can be achieved whilst ensuring adequate public and private amenity spaces are provided.

As our client is in a position to develop the site themselves, we can confirm that an extremely high quality layout and design can be achieved. An indicative residential density of 20 units per hectare is proposed. It is submitted that the emerging potential proposals for the subject lands will provide a high quality residential development in an excellent location.

Figure 1 Draft Indicative Layout



Source: McLoughlin Architecture

Figure 2 Draft Layout – House Typology



Source: McLoughlin Architecture

Figure 3 Draft Layout – House Typology



Source: McLoughlin Architecture

## ACCESS RECONFIGURATION

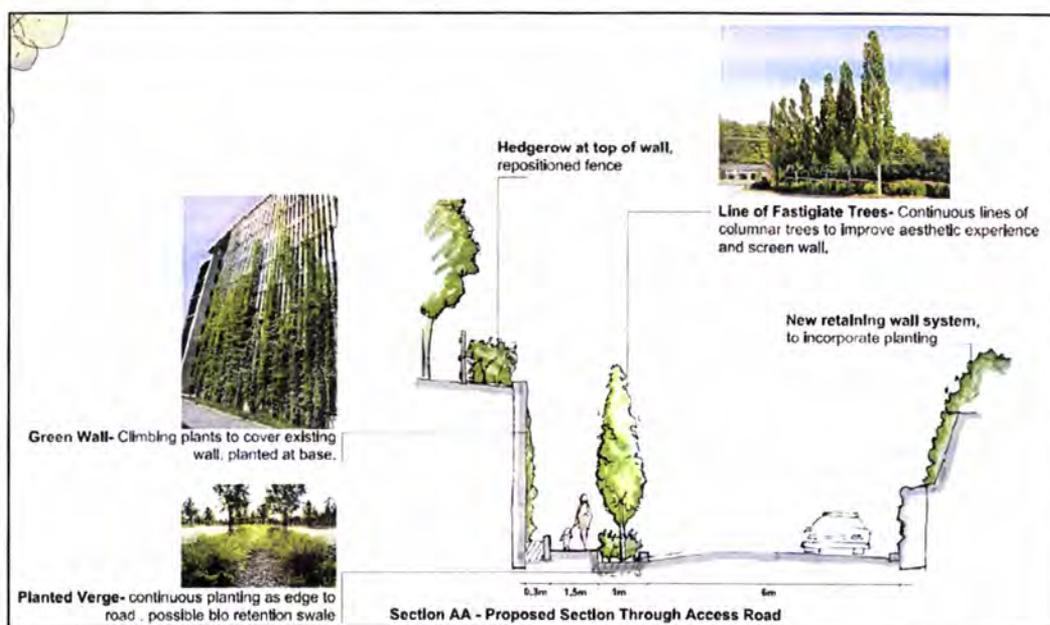
An indicative access arrangement is proposed by our client. The emerging potential design solution for the subject lands includes a review of the treatment of the access to create a shared, yet a very much residential roadway typology to serve the lands to the rear. The intention to split the residents' access to the left and the retail park customers to the right at the entrance.

The roadway will be shared with the existing childcare facility that will in turn serve the housing development and will also continue to support normal deliveries to the existing retail park. The opportunity exists to provide an entranceway with a residential appearance (see Figure 5). So as to manage traffic an amended road configuration will result in a more residential friendly environment for future residents. The reconfiguration will allow the introduction of a landscaped streetscape through a planted verge with column type fastigiated type trees, green climbing walls on both sides and topiary type hedging to both (see Figure 4). At the same time the overall road width will still be capable of accommodating service vehicles for the retail park and refuse trucks for the residential area.

This treatment will continue up to through the existing site to the proposed residential area. The servicing area for Bray Retail Park will be screened with appropriate landscaping to give the proposed residential development hierarchy in the journey from the public road to the proposed residential site to the rear (see Figure 6). The development site will be designed to take full advantage of the topography of the site as well as the expansive views that it offers while seeking to merge with the surrounding landscape and area.

It is highlighted that the permitted access was deemed appropriate for the 2008 commercial/office development located on the lands to the rear of the Bray Retail Park (Reg. Ref. 08/811). It is likely that a residential development, if permitted, would result in traffic levels less than the previously permitted quantum of development here.

Figure 4 Cross Section of Access Proposals



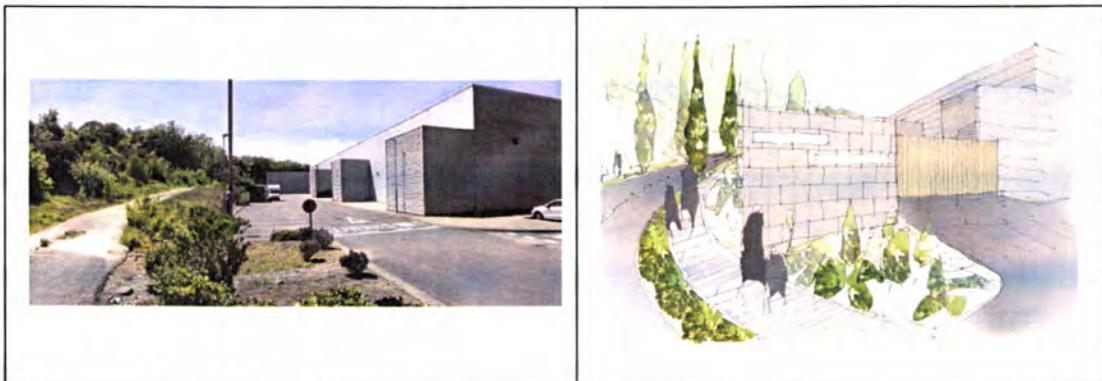
Source: McLoughlin Architecture

Figure 5 Existing and Sketch Access Proposals



Source: McLoughlin Architecture

Figure 6 Existing and Draft Sketch Access Proposals



Source: McLoughlin Architecture

mission to Wicklow County Council



# to Bray Municipal District Local 2017-2023 Issues Booklet

## : Control Sheet

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Mission to Bray Municipal District Local Area Plan 2017-2023 Issues Booklet	
L6010SBMDLAPF01	
Appendices:	-

Date	Author(s)		Reviewed By		Approved By	
1-11-2016	RK	dig sig	KK	dig sig	RK	dig sig
9-11-2016	RK					
10-11-2016	RK		LK			
11-11-2016	RK		KK		RK	

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ent, West Pier Business Campus, Dun Laoghaire, Co. Dublin has been instructed by our client in their investment in TIO to prepare this submission in relation to the Bray Municipal District Local Area Plan 2017-2022. The investment manager of TIO is Oaktree Capital Management which is a global real estate management firm. Oaktree have been active in the Irish market over the last number of years with strategic acquisitions of a range of development and investments assets such as Greystones Marina which is currently under construction.

Our client is the owner of lands of c. 9.8 hectares at Bray Retail Park, Bray County Wicklow. The client has prompted the review by our client of the potential uses appropriate to the subject lands for residential calculations will assist in supplying residential zoned lands which will address the shortfall identified in the Wicklow County Development Plan.

Our client has been active in the Irish market over the last number of years with strategic acquisitions of a range of development and investments assets such as Greystones Marina 'Marina Village' which is currently under construction.

The subject lands is a waterside residential location which features approximately 358 architecturally designed houses and the creation of a coastal 14-acre (5.7ha) park on the north shores of the subject lands. Our client has a strong track record of delivering high quality housing.

In the Bray Municipal District Local Area Plan our client is seeking that the zoning objective of the subject lands at the Retail Park is aligned to **Enterprise & Employment - Retail Warehousing (E3)** to provide for the provision of retail warehousing in recognition of its employment use and existing land use relating to the lands. Large scale retail warehousing is identified as a key objective under the E1 zoning objective relating to the lands.

The subject lands is located to the south of Giltspur Lane and to the east of the existing Bray Retail Park, on lands identified as being appropriate for development. The planning application permitted on 10/08/2011 confirms the site's ability to absorb development at this location. While the subject lands are currently zoned for residential use, it is considered, in the context of a favourable zoning change, the subject lands are appropriate for a future residential use on the undeveloped lands to the south of the Retail Park.

**TO BRAY MUNICIPAL DISTRICT LOCAL AREA PLAN**

The submission is that appropriately located sites such as our client's lands located to the south of the Cross Road (R768), at Bray which is a Metropolitan Consolidation Town (under the 2009 Act) will play an important role in securing the objectives as set out in the Core Strategy Development Plan 2016-2022 (County Plan) – particularly in respect of the provision of employment lands. It is submitted to Wicklow County Council that our clients lands can make a valuable contribution to the need for future residential development in Bray.

It is evident that Bray is not performing or contributing fully to its designated role in the regional development hierarchy as set out in the County Plan and the RPG/GDA. Bray needs to

of the Draft County Development Plan. From a strategic perspective, our client is seeking to be considered for residential development in the future countywide calculations applicable to the County Plan.

Our client is recommending the following:-

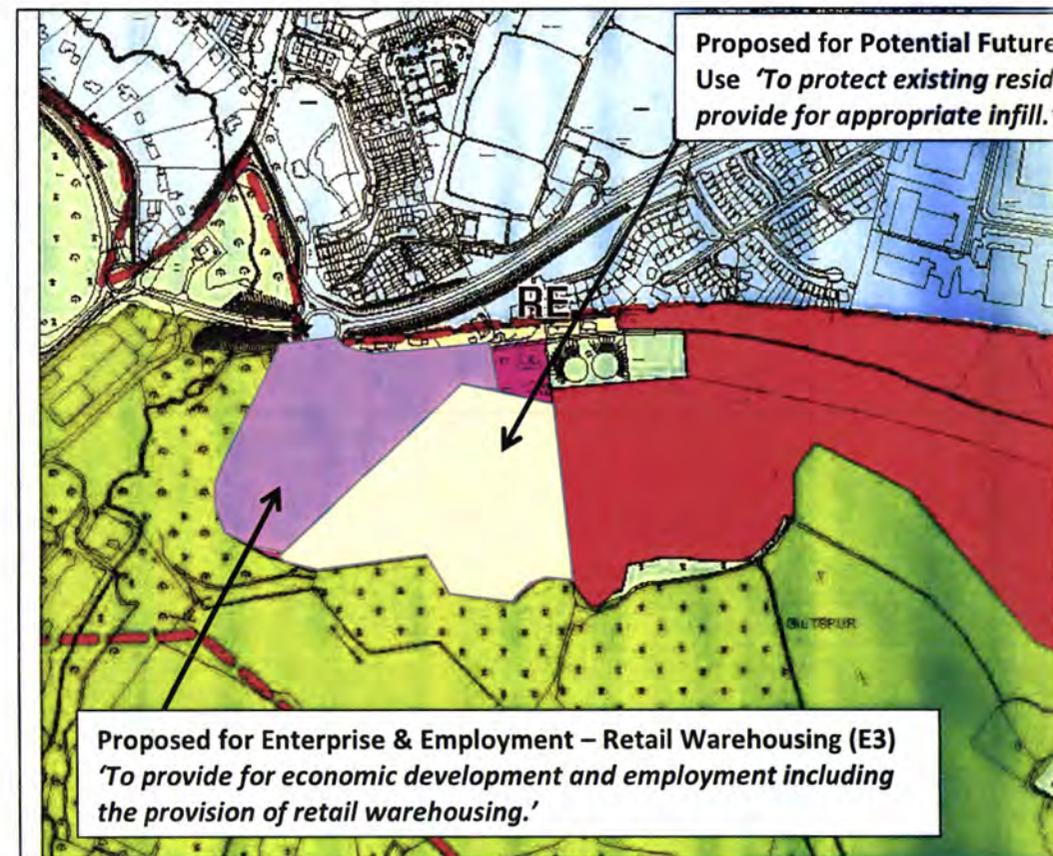
1. Our Client is (for the lands located to the rear of Bray Retail Park) seeking the following zoning (as set out in Figure 1) to:-

**Residential Use (R1) - 'To protect existing residential amenity; to provide for appropriate residential development.'**

2. Our Client is (for the existing Bray Retail Park lands) seeking the following change from:-

**Enterprise & Employment - Retail Warehousing (E3) - 'To provide for economic development including the provision of retail warehousing.'**

Figure 1 –Proposed Alterations to Zoning Objective relating to lands



o the Planning Authority that the Planning and Development Act 2000, as amended, is a commentary on zoning relating to local area plans in respect of the non-mandatory public consultation. As such the provisions of Section 8(b) of the Planning and Development Act 2000 which relate to Development Plans **do not apply to Local Area Plans**.

The manager of TIO is Oaktree Capital Management which is a leading global investment manager. Oaktree have been active in the Irish market over the last number of years with a portfolio of a range of development and investments assets such as Greystones Marina which is currently under construction.

Greystones is a waterside residential location which features approximately 358 high quality A-rated homes and the creation of a coastal 14-acre (5.7ha) park on the north west development. As such our client has a strong track record of delivering high quality residential developments.

This submission is made to Wicklow County Council in response to the request for observations in respect of the proposed Bray Municipal District Local Area Plan 2017-2023 public consultation period from 12th October 2016 to 11th November 2016. This submission is made to Wicklow County Council in advance of the submission/observation deadline of **11th November 2016**.

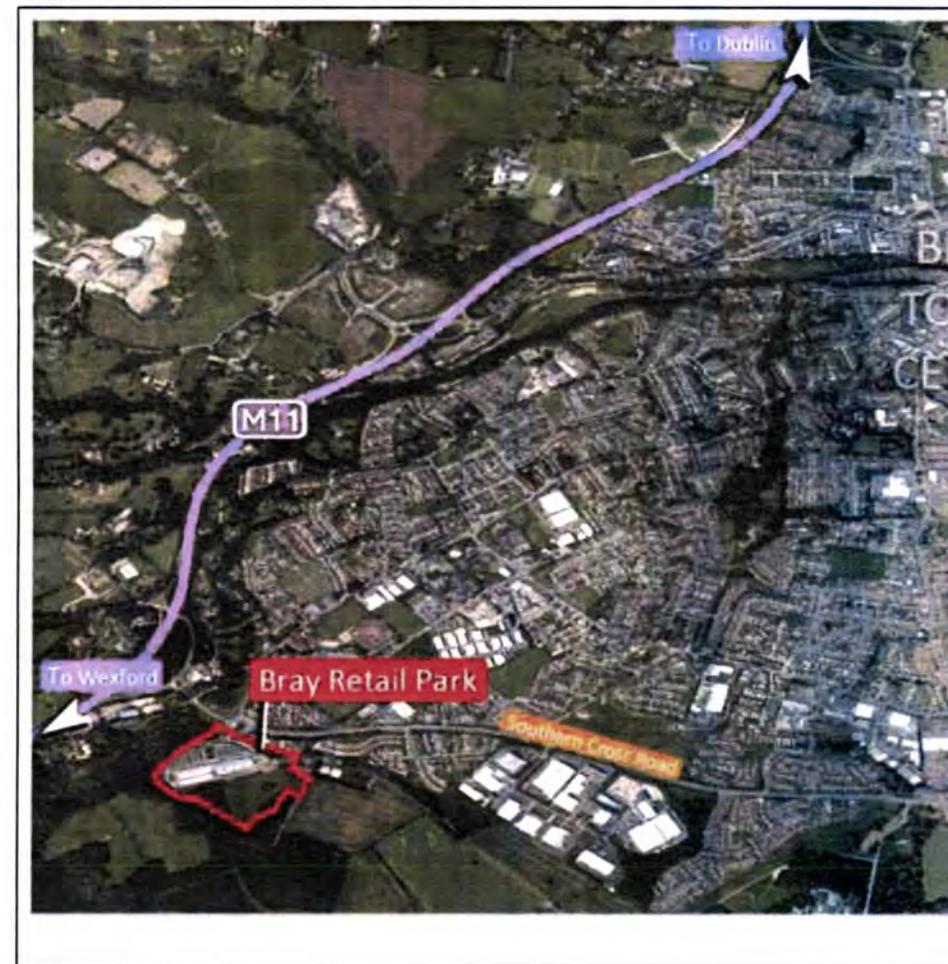
The subject site contains a successful retail park and crèche as well as undeveloped lands located extending to some 4 hectares. Existing residential areas located some 120m to the north east at Deepdales. Additional residential areas are located further 150m to the south west at the Rim Grove (see figure 1.1).

Land located immediately to the north of the site includes some residential development. Along the Southern Cross, there is a substantial area of commercial lands at Bray Retail Park. Further residential areas. Kilruddery Demesne East and West is located to the south west of the subject lands towards the Southern Cross and the R761 which connects Bray to

subject site and also having regard to the review of the Wicklow County Development Plan for the preparation of a new Bray Municipal District Plan for the north east portion of County Wicklow.

- 9 Overall the preparation of the Bray Municipal District Local Area Plan by Wicklow County Council is welcomed and supported by our client. The amalgamation and streamlining of statutory plans for the Bray area will assist in providing a coherent framework for a sustainable approach to the sustainable development of the area.

Figure 1.1 – Subject lands at Southern Cross



- 10 Under the Rathdown District Plan no. 2 (as part of the Wicklow County Development Plan) our client's overall landholding was zoned 'E1' – employment use. Large scale residential development is identified as a 'normally permitted' use under the E1 zoning objective. The purpose of the plan is to provide for a residential land use zoning relating to the lands located to the

planning applications in respect of the overall subject lands are outlined hereunder:-

**- Planning Reg. Ref. 03/8197**

Planning Reg. Ref. 03/8197, Wicklow County Council granted permission to Markethaven Ltd., on 12/01/2009 for development comprising the:-

*'Conversion of existing habitable dwelling. Retail warehousing in the form of a retail park consisting of no. retail warehouse units plus ancillary garden centre with a maximum parapet ground level of 10 metres. Creche. 503 no. public car parking spaces, internal loading bays, signage, ESB substation and 31 no. staff car parking spaces.'*

**II Lands - Planning Reg. Ref. 01630090**

Planning Reg. Ref. 01630090 Bray Town Council granted permission to Market Haven Ltd., for a:-

*'Development of site with associated roadworks on the Southern Cross Road and a new link road connecting the site to the new roundabout on the N11 road.'*

**Bray Retail Park - Planning Reg. Ref. 08/811**

In January 2009, Wicklow County Council granted permission for development to Market Haven Ltd., for development comprising:-

*'Construction of warehouse / distribution space in 22 no units in 7 blocks with associated offices, workshops, associated site works, roads and landscaping.'*

The development was completed in 2014 and wasn't implemented. The site subject of this application relates to lands located to the south of the Bray Retail Park subject of this submission.

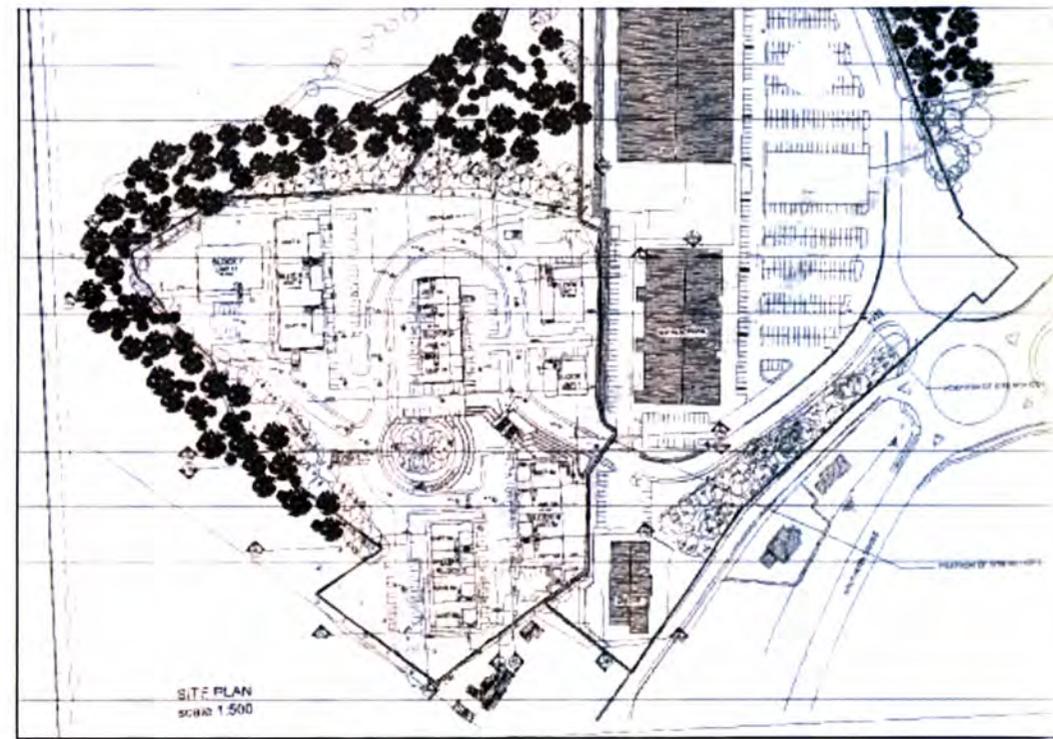
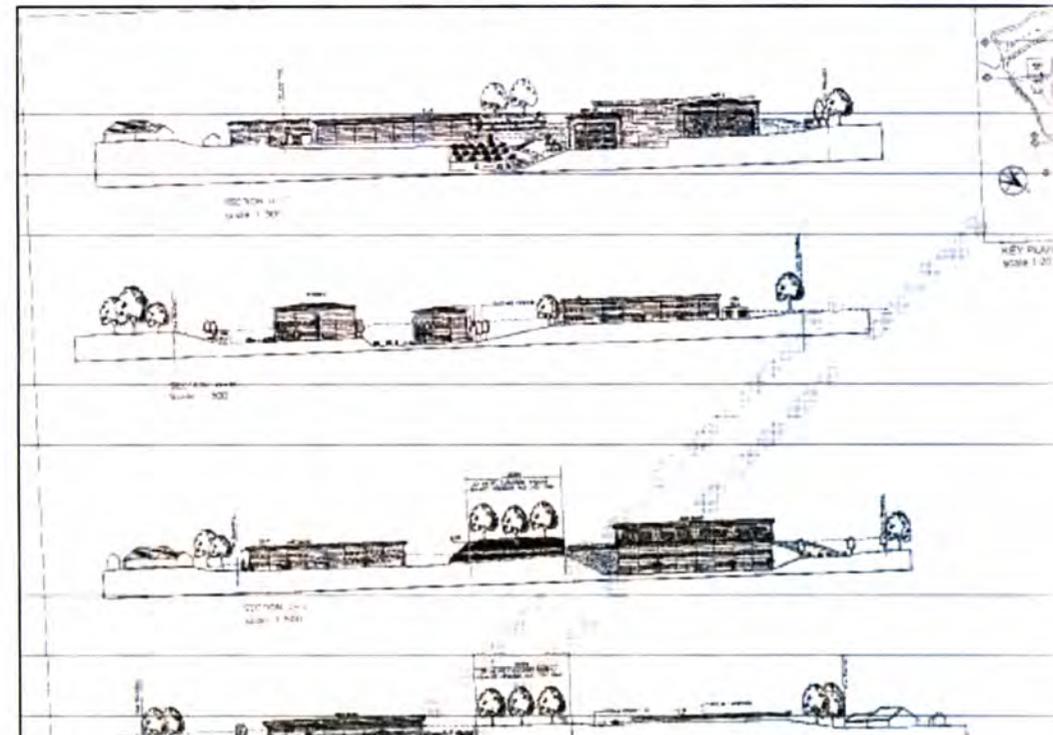
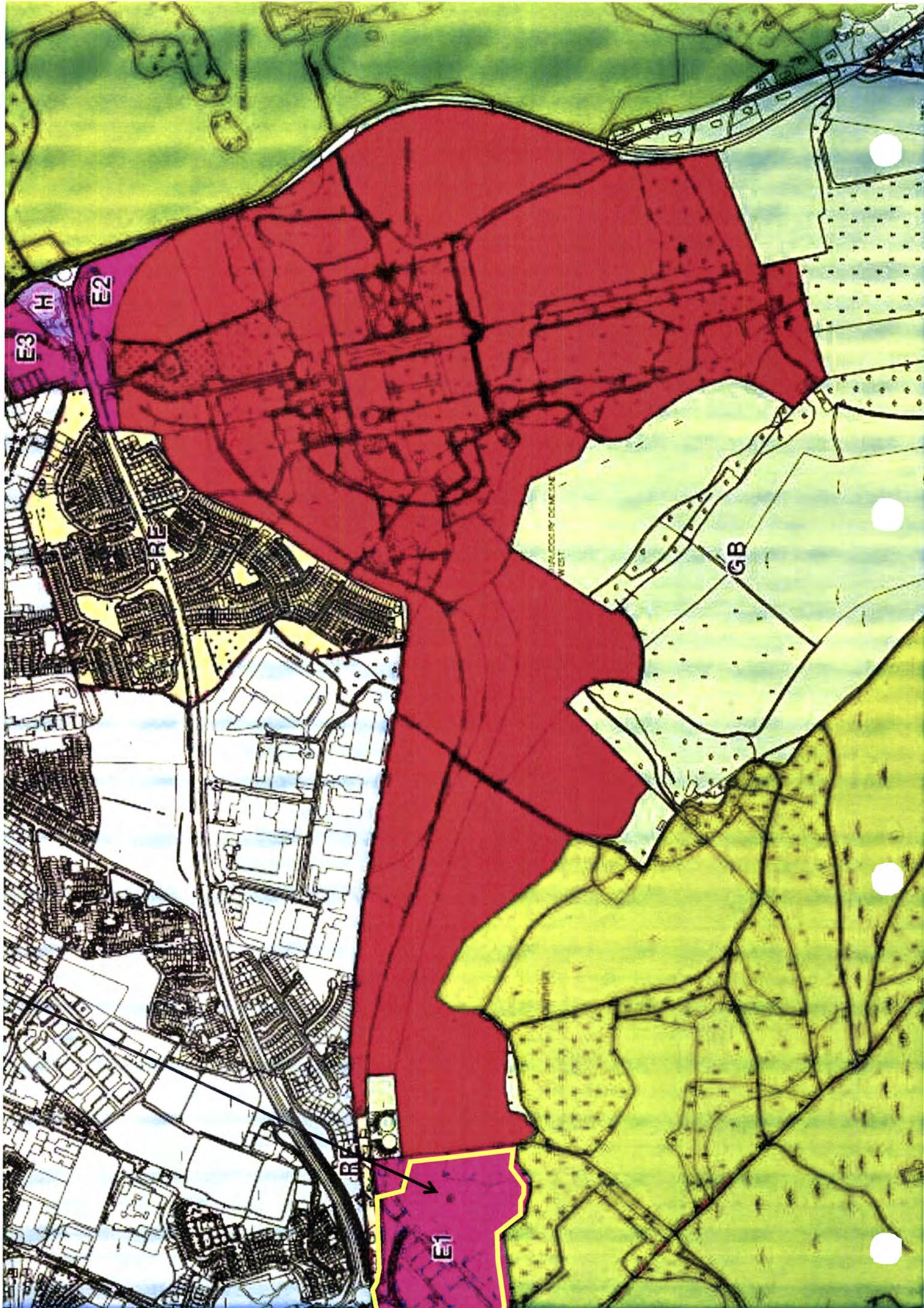


Figure 1.3 – Planning Reg. Ref. 08/811 Site Section







RPGs Metropolitan Consolidation Towns (MCTs) such as Bray are located close to Dublin as part of the Gateway. The RPGs state that MCTs should continue to be developed *'at scale as part of the consolidation of the metropolitan area,'* and to continue to support transport corridors connecting these locations to the City, each other and the Large Growth Area in the south of the State.

that towns such as Bray:-

*is, specify and plan for the long term growth of these centres -up to 100,000 people- to take place over a series of Development Plans, so that the planning of new services fully takes into account the long term growth role of these centres; ensuring the coordinated integration of all new services to serve future expansion.'*

at the new Bray Municipal District Local Area Plan has regard to the policies set out in the RPGs which recognise the metropolitan area's key role in the economic and social development of the State.

Consolidation will help towards ensuring that land use and transportation are integrated and that investment in other infrastructure is also used efficiently.

at consolidation with the aim of reducing urban sprawl and the inefficiencies associated with dispersed settlement patterns should be promoted in the new Bray Municipal District Local Area Plan to ensure sufficient high quality housing is available in the right places, with good services and amenities.

Our clients' lands, located to the south of Bray Retail Park, meet the criteria (broadly defined) for the location of development within the development footprint of the Metropolitan Consolidation Town of Bray.

With regards to the asset test, the subject lands are located within easy access of local primary schools. There is an existing crèche located adjacent. In relation to the carrying capacity test, the proposed development can be readily absorbed into its setting and is capable of being connected to existing services. Furthermore the subject lands meet the transport test as there are 2 no. of bus stops located close by (84X and 145). With regards to the economic development test, the location of our client includes the Bray Retail Park which provides employment opportunities. The features of the subject site which include a high quality green infrastructure resource will contribute to provide and reinforce a strong sense of place and character.

(Park Academy) located to the north. The Retail Park is anchored by Woodie retail warehouse operators such as DID Electrical, Flanagan Kerins, Harry Corry Zoo. Overall the employment within the Retail Park is estimated at c. 100-150 jobs. It is highlighted that there are extensive employment generating lands located along the southern area of Bray. Other lands within Fassaroe to the west of Bray are also employment lands.

15 The site is elevated and is located to the rear of Bray Retail Park, on the southern side of the Enniscorthy Road. The site is accessed at an existing roundabout on the Southern Cross Road. The site is accessed from the N11/M1 Motorway. The existing access to the subject site was upgraded arising from the development of the Bray Retail Park (under Planning Reg. Ref. 03/8197).

16 It is highlighted that the permitted access was deemed appropriate for the development located on the lands to the rear of the Bray Retail Park. It is noted that the development, if permitted, would result in traffic levels less than the previous development here.

17 The lands were included in the Rathdown District Plan. According to Map 2 of the Rathdown District Plan, the zoning objective of the lands was Employment (E1/E2/E3). Large residential development is a 'normally permitted' use under the E1 zoning matrix of the Rathdown District Plan.

## 2.3 WICKLOW COUNTY DEVELOPMENT PLAN 2016-2022

### 2.3.1 Core Strategy and Settlement Hierarchy

18 Section 2.4 of the Draft CDP sets out the core strategy which is in accordance with the Area Regional Planning Guidelines 2010-2022 (RPGs) and National Spatial Strategy. The highest level in the hierarchy (in table 2.2) (Metropolitan Area Consolidation Towns) is indicated as a Metropolitan Area Consolidation Town in the RPGs.

19 The delivery of new housing should be within the existing settlement boundary. There is an emphasis on the north east of the County (within the metropolitan area) where there is the infrastructure in place to serve new residential communities. Our client's lands at the rear of Bray Retail Park is well placed to take advantage of the existing social infrastructure. The lands include primary and secondary schools as well as community facilities such as a swimming pool. It is also noted there is an existing crèche operating on our client's land holding.

located to the south of Bray Retail Park are located immediately to the south of the Bypass and are located within the environs of Bray – which is indicated for such the lands are well placed to contribute to the overall housing need for Bray in the term.

It is noted that the subject lands are located in proximity to existing public transport Dublin on the Southern Cross Road and at Ballywaltrim – providing connections to Dublin City also served by the DART, which is connected to Dublin Bus routes.

The Draft CDP (including material amendments) outlines that the RPGs require that 42% of the total population of County Wicklow be allocated to the Metropolitan Area settlements and that the remainder be allocated to the Growth Towns, weighted towards the Large Growth Towns in the settlement hierarchy and also particularly towards towns with rail based public transport facilities. The population growth to be directed towards the 'growth towns'.

The Draft CDP outlines population targets for Bray. Over the 17 year period 2011-2028 there is a target of some 10,661 for Bray which equates to a 36% increase. Or to a *per annum* increase of 627 persons.

#### Population Targets for Bray

Town	2011	2022	2025	2028
Bray	29,339	36,237	38,119	40,000

Draft CDP

The structure of Wicklow's settlement hierarchy and the preferred development pattern was informed by the Regional Planning Guidelines (RPGs) and the environmental objectives of the county. It is based on building strong urban centres while protecting the rural landscape. The new Wicklow County Development Plan continues with the emphasis on building strong urban centres within the metropolitan area of Wicklow. - particularly Bray, which is at the heart of the County as a Metropolitan Consolidation Town.

Notes

From the 2011 Census the population of the State grew by 8.1% from 4,239,203 to 4,581,269 in 2011; broadly in line with the two previous inter-censal periods. The 2011 population is the highest recorded population in Ireland since 1961. The figures indicate

increase, while between 2006 and 2011 the population fell by -0.1% to 4,510,721.

- 28 Excluding the element of Bray located within the administrative area of Dun Laoghaire, the fall in population was more pronounced between 2006 and 2011 at -0.8%, while the increase in population was 2.2%. This compares to an increase in population of Wicklow between 2002 and 2011.

Table 2.2 – Population at State and Local Level 2002, 2006 & 2011

Area	2002	2006	2011	% Change 2002-2006	% Change 2006-2011
State	3,917,203	4,239,848	4,581,269	8.20%	8.1%
County Wicklow	114,676	126,194	136,640	10.0%	8.3%
Bray (CSO town)	30,951	31,901	31,872	3.1%	-0.1%
Bray (Wicklow)	28,002	28,814	28,592	2.9%	-0.8%

Source: Census of Population, 2002, 2006 & 2011. Note Bray CSO town includes areas within the administrative area of Laoghaire Rathdown.

- 29 It is clear that Bray has not contributed thus far to the objectives of the Regional Planning Guidelines in respect of its status as a Metropolitan Consolidation Town and that the population growth has not occurred in line with its designation and the long term target of up to 100,000 persons in the Regional Planning Guidelines.
- 30 Our client is seeking that the overall strategic hierarchy and planning framework for the county which will support and underpin the principles of locating development, social services and infrastructure as well as good transportation links. All with a view to reducing dependency and commuting times within the Greater Dublin Area.
- 31 It is our considered view that the conclusions in respect of the allocations of population in the Draft County Development Plan and the constraints identified *vis a vis* expansion to the west and east/north of Bray, is an increase in appropriate areas in the environs of Bray. The lands adjacent to the south of Bray Retail Park are ideally placed to deliver much needed housing – all in line with strategic policy. Equally the overall subject site includes a crèche. It is important that the new Bray Municipal District Plan provides for that portion of the site.

### 2.3.3 Population and Housing

the benefit of existing infrastructure (transport and sewerage) as well as social facilities such as schools, doctors etc. Such areas are capable of absorbing such growth in a sustainable manner and would be best able to deliver upon the population growth in the County over the period outlined in the Wicklow County Plan.

Directing population growth into areas such as adjacent to the Bray Retail Park with existing infrastructure in place maximises the return on the investment in services. The location of new development within the footprint of existing settlements in a sequential manner to existing services and facilities and a town centre outwards is preferable and in accordance with best planning practice.

### 2.3.5.1 Settlement Strategy Objectives

From this perspective it is evident that Bray is not performing or contributing fully to its role and function in the settlement hierarchy as set out in the County Plan and the RPG/GDA. It is proposed to include for new residential zoned lands at appropriate locations to fulfil its role and function.

Development located adjacent to the Bray Retail Park will contribute positively to this objective. Our client is active in the Irish market over the last number of years with strategic acquisitions of land and development and investments in assets such as Greystones Marina 'Marina Village' which is currently under construction.

Greystones is a waterside residential location which features approximately 358 high quality, signed A-rated homes and the creation of a coastal 14-acre (5.7ha) park on the north side of the development. As such our client has a strong track record of delivering high quality residential development.

### Strategy

The Draft CDP, the population of Bray is targeted to increase from 29,339 in 2011 to 40,000 in 2021.

It is noted that Bray is the largest town in County Wicklow located in a strategically important location within the metropolitan area and at the eastern gateway to the County. The town has the best location in the County, with access to the N/M11 transportation corridor (including M50), DART/commuter rail and bus service. It is a strong active town that provides a higher order economic and social infrastructure for its local residents and for residents from other surrounding towns and villages.

the southern cross and as such the employment generating potential of the area is affected by a change to the zoning status to residential development. Figure 3.1 shows the location of the lands generating lands in the southern area of Bray. Other lands within Fassaroe currently include employment lands. It is submitted a degree of flexibility would be required for a residential use on our clients lands as there are a number of viable alternative employment generating sites within the Bray area..

### 2.3.5.1 Settlement Strategy Objectives

42 The Draft CDP outlines a number of settlement strategy objectives which include:

*SS1 To implement the County Wicklow Core Strategy and Settlement Strategy to ensure the availability of services and infrastructure and in particular, to direct growth into the metropolitan growth centre and the large, moderate and small growth towns and their hinterland area.*

*SS3 To ensure that all settlements, as far as is practicable, develop in a sustainable manner with population growth occurring in tandem with physical and social infrastructure development. Development should support a compact urban form and the efficient use of land and transport.*

*SS4 To require new housing development to locate on designated development boundaries of settlements, in accordance with the development policies for each settlement.*

*SS6 To prepare new local plans for the following areas during the lifetime of the County Wicklow Core Strategy: Bray Municipal District, Wicklow-Rathnew, Arklow, Rathdrum, Newtownmole, Delgany and Kilcoole, Blessington.*

43 Our client is supportive of the objectives outlined above. With regards to the Draft CDP, the adopted Plan for the county recognises the critical link between the delivery of services and infrastructure at appropriate locations which are serviced by existing infrastructure. It is important that residential land has the ability to be serviced quickly using existing infrastructure to maximise the return made by the taxpayer on the services servicing areas.

44 The recognition that growth should be directed into metropolitan consolidation areas is an important. In this regard, the development of the lands to the south of the town is consistent with Policy SS1 in that they are serviced and located within a metropolitan area identified as locations 'to direct growth' into. We would highlight that there is a high level of social infrastructure in the area including schools, retail, commercial as well as public transport facilities as well as schools including a crèche on the lands owned by our client. As such the residential development purposes is considered to be in accordance with policy SS3.

Draft CDP acknowledges that one of the principal functions of a development plan 'is to newor. the delivery of new housing'

network is to ensure *inter alia* that:-

*development is encouraged and facilitated, in the correct locations;*

*land and serviced land is available in these locations to achieve the growth required;*

located to the south of the existing Bray Retail Park are ideally placed to provide the residential lands for the north east of the County of Wicklow.

In the objective of providing sustainable communities, the Draft CDP includes a number of . It is submitted the lands located to the south of the existing Bray Retail Park would be a existing social infrastructure in the area such as community and commercial facilities.

Under the provisions of Section 18, 19 and 20 of the Planning and Development Acts 2000 to 2015, the new Bray Municipal District LAP must play a key role in achieving the objectives set out in higher-level plans and strategies which include:-

County Policy Statement 2015;

County Spatial Strategy;

County Planning Guidelines;

County Development Plans; and

Government Policy.

In line with the requirements of the legislation therefore, the guidelines state that local area plans are fundamentally guided and shaped by:

Specific aims and objectives for the area of the local area plan in the relevant Regional Development Strategy; Guidelines;

Specific objectives for the area of the local area plan identified within the core strategy of the relevant City or County Development Plan, including population targets and quantities of land required for residential or other purposes within such core strategy; and

Capacity of existing essential social (schools, community facilities) and physical (transport, services, communications) infrastructure, including the realistic prospects for addressing such constraints.

Therefore to ensure that the future development of Bray is in line with the Core Strategy of the County and that the new Bray Municipal District LAP will provide for the appropriate zoning for residential, employment, retail, amenity, community and educational uses in order to deliver the vision through a plan-led approach.

Examined the full details and particulars of the Issues Booklet as published by Wicklow County Council in respect of the Bray Municipal District Local Area Plan (BMDLAP).

Considered the overall rationale for preparing a co-ordinated LAP 'as one holistic plan for the town and the north east of Wicklow taking into account the 'interconnections and

7 Our client welcomes the commentary in the Issues Booklet that *'in order to meet these targets, it will be necessary to ensure that there is a supply of suitable zoned lands for these settlements.'*

8 The Issues Booklet acknowledges that a long term approach is being taken for the largest settlement in the County 'and designated for the highest level of growth. The intention 'is to ensure that enough land is zoned in this plan to accommodate the

9 In this regard, our client's landholding to the rear of Bray Retail Park is well placed to provide the 8,000 dwellings required for Bray to meet its 2028 population targets.

10 The Issues Booklet highlights that the capacity of the existing lands zoned in Bray for residential units and that there **'is a shortfall of approximately 3,250 units if the 40,000 population target is not met.'**

11 Clearly the preparation of the BMDLAP is timely given the shortfall of housing in Bray. There are few undeveloped sites for housing development available in the town.

12 The Issues Booklet outlines that Bray is constrained by the border with Dun Laoghaire to the north, to the east by the coast and by Bray Head/Little Sugarloaf to the south. Given that natural constraints are evident, it is considered that these constraints allow Bray to develop a more compact urban form for the town. Our client's lands to the rear of the town will assist in the 'significant challenge' of providing for an extra 3,250 units with the town that can be readily serviced.

### 3.2 OPTIONS FOR NEW HOUSING

13 The Issues Booklet correctly highlights that there are two main options for housing in Bray: focusing on the existing built up area of Bray town and allow housing on other available lands. In this option, the BMDLAP states that this would require a review throughout the town from employment/community/open space to residential. The option outlined is to zone greenfield lands for new housing and expanding the size of the town.

14 It is our view that the most appropriate approach is a targeted review of the town's employment lands. It is considered that the existing community and open spaces are a valuable social infrastructure resource for the town and should be protected and enhanced to ensure that the existing and future residentially zoned lands has the necessary capacity to be located and distributed throughout the town.

are located to the south of Giltspur lane and to the east of existing Bray Retail Park, have been identified as being appropriate for development. The planning application submitted on the site (planning reg. ref. 08/811) confirms the site's ability to absorb this location. While the permission lapsed in 2014, it is considered the subject lands are appropriate to accommodate a future residential use on the undeveloped lands to the south of the Retail

It is noted that a residential use here would be able to avail of the existing crèche located adjacent to the northern portion of the subject site.

The Draft CDP highlights that new housing development shall be required to locate on designated land in settlements. The Draft CDP correctly seeks to locate new residential development in designated town and village centres, neighbourhood centres through the densification of built up area, as well as locating development on brownfield sites.

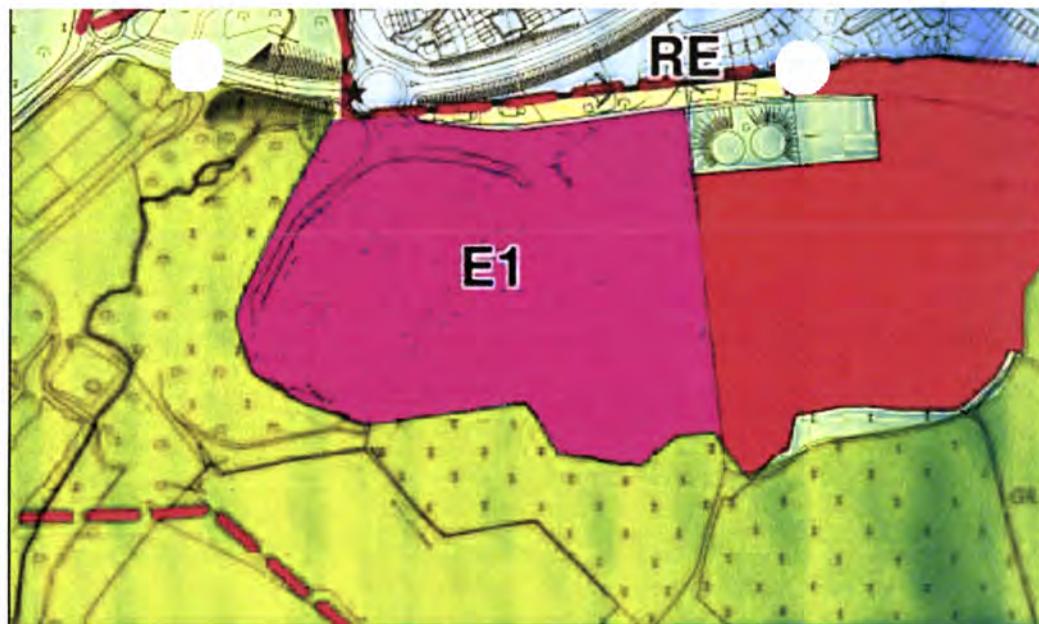
The following outlines a number of principles for the zoning/designation of greenfield land for new residential developments located to the south of the existing Bray Retail Park adhere to the principles set out as follows:-

**1. A 'sequential approach' whereby zoning extends outwards from centres, contiguous to existing built up part of the settlement;**

Where the subject lands are developed and include the Bray Retail Park (which includes a residential development adjacent to existing residential development located on Giltspur lane. Existing residential development at Deepdales (to the east) as well as RE zoned lands on Giltspur Lane and Ballywaltrim (to the northern side of Bray Southern Cross Road) confirm that the subject site is in accordance with the 'sequential approach' to the zoning of lands as the subject site extends from the existing built up area of Bray. We would also highlight that there are dwellings on Giltspur lane which are in accordance with the zoning objective and that a more appropriate residential zoning would be appropriate.

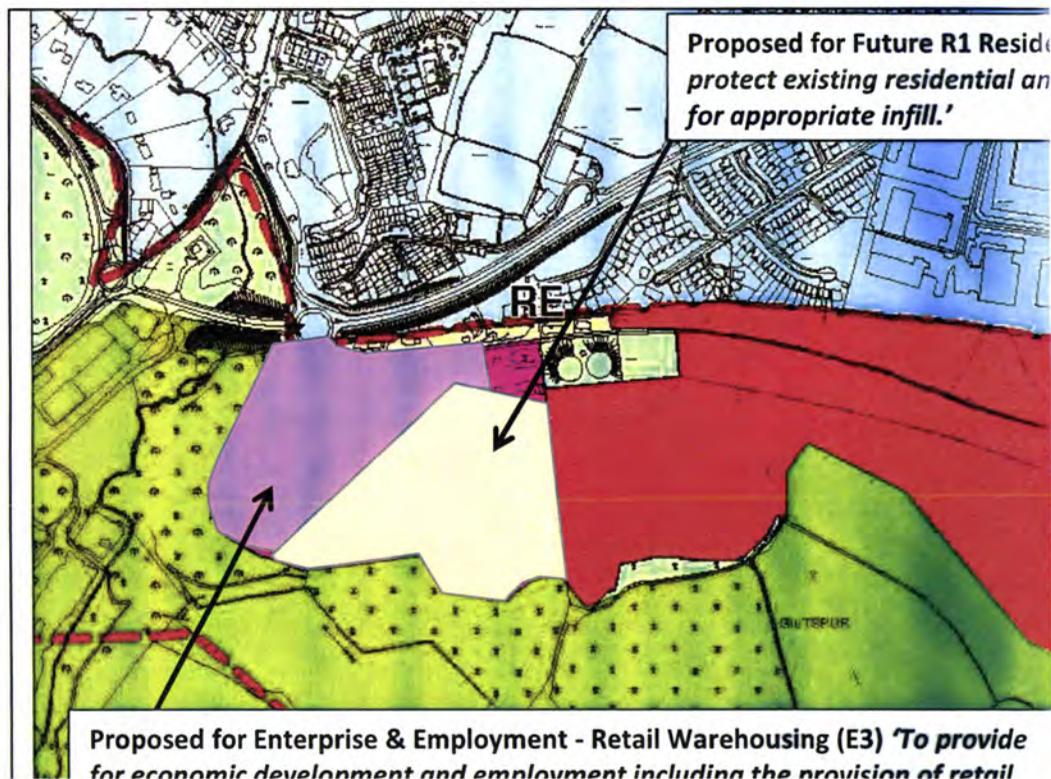
If the 'sequential approach' is required by the Sustainable Residential Development in Ireland which were issued under Section 28 of the Planning and Development Act 2000, as amended, then the Planning Authority is required to have regard to the guidance.

In this perspective it is important that the Council follows not only Government Guidance, but also the principle of locating development sequentially from the developed footprint outwards.



Source: Rathdown No. 2 Plan 2010-2016 Wicklow Development Plan

Figure 3.2 – Proposed Alterations to Zoning Objective relating to lands



Proposed for Enterprise & Employment - Retail Warehousing (E3) 'To provide for economic development and employment including the provision of retail'

ated in proximity to existing social infrastructure, public open spaces and within easy transport. The existing Bray Town Development Plan has a substantial area of NS1 lands to the east on the Southern Cross Road. The NS1 lands zoning objective is:-

*for a neighbourhood retail development, comprising of a supermarket of not less than 500 sq.m of net retail floor space, and other ancillary neighbourhood uses.'*

undeveloped, given the extent of residential development located along both sides of Southern Cross Road, it is considered the NS1 lands, will provide an excellent location for the retail hub serving the southern environs of Bray.

highlight that there are a number of neighbourhood centres located along the Boghall Road (including an Aldi) as well as Tesco on the approach to the Bray Main Street. Closer to the town, located at the end of the Killarney Road, performs a local 'top up' retail function for the town; etc. The lands are also located within easy walking distance of significant social infrastructure in the form of primary and secondary schools (as well as religious institutions) in the town of Bray. In addition there are significant areas of open space and community facilities including a swimming pool located to the immediate north.

***sustainable land use and transportation pattern, whereby undeveloped lands that are adjacent to public transport routes are considered most suitable for development. In this regard, the lands are zoned for residential use within 1 km of any rail or light rail stop or 500m of bus routes will be prioritized;***

ated in close proximity to the 84X Dublin bus route which provides an express route to the City Centre, is located on the Bray Southern Cross, (200 m to the north). The Dublin Bus route c. 400m to the north at Ballywaltrim, links to Bray Main street, Shankill, Cornelscourt, Leeson Brook, Leeson Street, before terminating at Heuston Station. In addition the Bus route 133 is located further to the north on Killarney Road. Bray Dart station is also adjacent to Dublin Bus services.

***the lands are easily serviced by a gravity fed water supply system and waste water collection system that will be prioritized;***

were subject to a planning application which received permission (under Planning Reg. 2009) for an industrial/warehouse and office development of some 7,200 sq. m. The development proposed to connect to the existing phase 1 lands (now comprising the Bray Retail Park) it is considered that there is sufficient capacity for a residential development on the lands such that an alteration to the zoning of the c. 4 hectares is appropriate and should be considered by the Planning Authority in the formulation of the Bray District Municipal LAP.

***the need to provide upmost protection to the environment and heritage,***

***The need to maintain the rural greenbelt between towns;***

29 The lands were zoned E1 under the Rathdown District No. 2 Plan as part of the County Development Plan. It is submitted the proposed inclusion of the southern residential lands respects the rural greenbelt and will not result in an encroachment between towns.

30 As outlined in the Rathdown District No. 2 Plan our clients lands will not impinge on the rural greenbelt to the south. As such it is considered that the use of these lands for residential use is appropriate, and should be included in the preparation of the new Bray Municipal Development Plan North East of the county. It is submitted the use of the lands for residential use is an extension of the residential use located to the north east.

***Promotion of the development of lands adjacent to existing or planned social infrastructure, such as schools and open space sites/zones.***

31 The subject lands located to the south of Bray Retail Park are located to existing social infrastructure such as St. Killians Community school as well as Bray Sports and Leisure Centre located adjacent on the northern side of the Southern Cross Road. In addition a crèche (Park Academy) located within the overall landholding which could serve the local community.

3.2.3 Employment Use on overall lands

32 The Issues Booklet outlines that economic development and the creation of employment are fundamental to the creation of sustainable communities. Our client's overall landholding of c. 100 hectares includes the successful Bray Retail Park as well as a crèche. It is noted that 'warehousing' is identified as a 'normally permitted' use under the E1 zoning objective.

33 The Retail Park is anchored by Woodies DIY and includes other retail warehouses such as Electrical, Flanagan Kerins, Harry Corry, House of Tiles & Maxi Zoo. Our client's zoning objective relating to this portion of the landholding is provided for in the new Development Plan. It is noted the Retail Park currently employs in the region of 100-110 people and a degree of flexibility would be appropriate to allow for a residential use on our client's lands. A number of viable and available employment generating sites within the Bray area are identified.

34 Our Client is (for the existing Bray Retail Park lands) seeking the following changes to the zoning:

**E 1 - Retail Warehousing & Employment - Retail Warehousing 3) - 'To provide for residential development and employment including the provision of retail warehousing'**

Planning Authority to the enclosed note from Lisney which states that 'the location is an attractive residential development. Demand for quality new homes is strong in the region at present, due to the excellent transport links to Dublin City Centre and suburbs such as Sandyford and Cherrywood, in addition to the abundance of schools, retail and recreational amenities in the locality.'

and is the owner of lands of c. 9.8 hectares at Bray Retail Park, Bray County Wicklow. The inclusion of the lands for residential calculations will assist in supplying residential housing which will address the residential shortfall identified in the Wicklow County Development

Eye view looking from the north

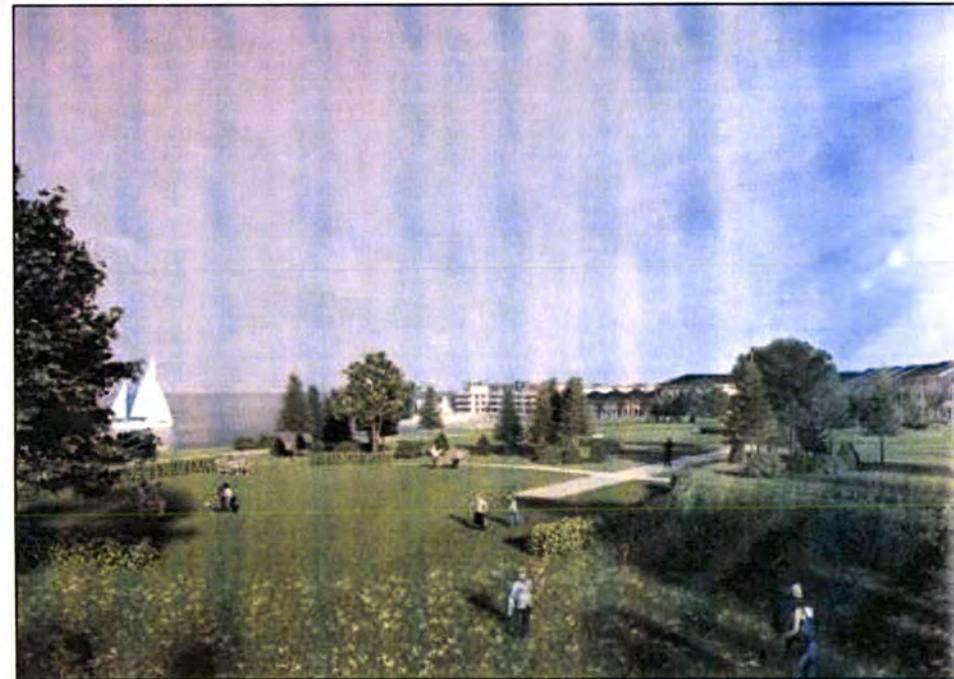


is active in the Irish market over the last number of years with strategic acquisitions of development and investments assets such as Greystones Marina 'Marina Village' which is under construction.

Figure 4.2 – Greystones Marina – currently being developed



Figure 4.3 – Greystones Marina – proposed coastal park





EWOR

Indicative Layout



Source: McLoughlin Architecture

Figure 4.7 – Draft Layout – House Typology



split the residents access to the left and the retail park customers to the right at the

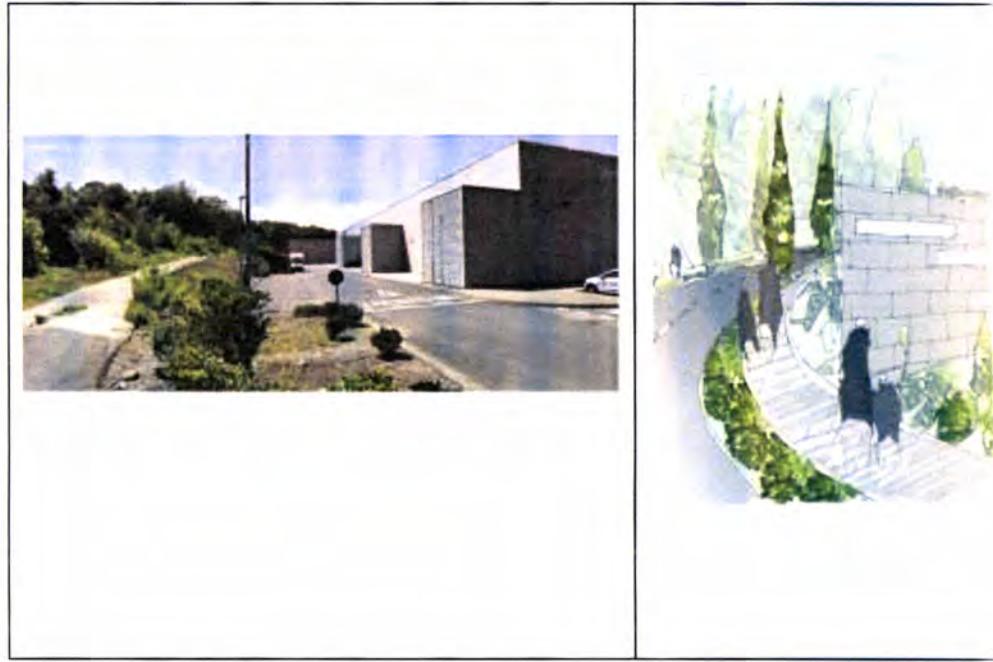
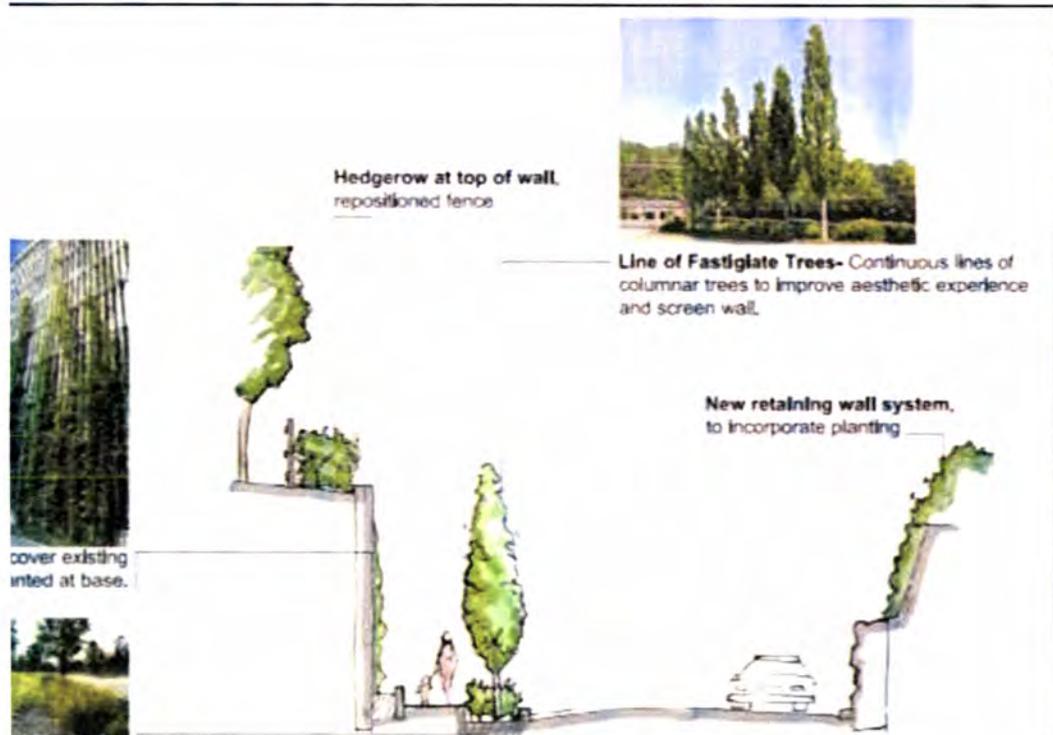
It will be shared with the existing childcare facility that will in turn serve the housing. It will also continue to support normal deliveries to the existing retail park. The proposal is to provide an entranceway with a residential appearance (see figure 4.9). So as to the amended road configuration will result in a more residential friendly environment for the area. The reconfiguration will allow the introduction of a landscaped streetscape through a mix of column type fastigiata type trees, green climbing walls on both sides and topiary hedges (see figure 4.8). At the same time the overall road width will still be capable of service vehicles for the Retail Park and refuse trucks for the residential area.

The road will continue up to through the existing site to the proposed residential area. The existing site at the Bray Retail Park will be screened with appropriate landscaping to give the proposed development a clear hierarchy in the journey from the public road to the proposed residential site to ensure privacy (see figure 4.10). The development site will be designed to take full advantage of the site as well as the expansive views that it offers while seeking to merge with the landscape and area.



Figure 4.10 – Existing and Draft Sketch Access Proposals

Section of Access Proposals



our client of the potential uses appropriate to the subject site and also having regard to the Wicklow County Development Plan 2016-2022 and new Local Area Plan for the Municipal Area of

the subject of this submission is that appropriately located sites such as our client's lands located on the southern Cross Road (R768), at Bray which is a Metropolitan Consolidation Town (in accordance with the National Planning Guidelines) will play an important role in securing the objectives as set out in the Wicklow County Development Plan 2016-2022 (County Plan) – particularly in the provision of housing.

The subject site includes the Bray Retail Park and a crèche. It is important that the new Local Area Plan provides an appropriate land use to that portion of the site.

## RECOMMENDATIONS

recommending the following:-

for the lands located to the rear of Bray Retail Park) seeking the following change from the zoning set out in Figure 1) to:-

**R1) - *'To protect existing residential amenity; to provide for appropriate infill.'***

for the existing Bray Retail Park lands) seeking the following change from the E1 zoning

**Employment - Retail Warehousing (E3) - *'To provide for economic development and to facilitate the provision of retail warehousing.'***

We respectfully request that the suggestions and recommendations made herein are taken into account by Wicklow County Council in the finalisation of the Wicklow County Development Plan 2016-2022. We would also like to confirm that our client would welcome the opportunity to provide any further information or detail in respect of this submission to the Planning