



## **Minutes of the Monthly Meeting of the Municipal District of Bray held via Zoom on Tuesday 10<sup>th</sup> May 2022 at 6.30 p.m.**

**Present:**

- Councillor Anne Ferris**
- Councillor Grace McManus**
- Councillor Erika Doyle**
- Councillor Aoife Flynn Kennedy**
- Councillor Melanie Corrigan**
- Councillor Joe Behan**
- Councillor Rory O'Connor**
- Councillor Dermot O'Brien**
- Ms. Lorraine Gallagher, District Manager**
- Ms Linda Healy, District Administrator**
- Mr. Liam Bourke, District Engineer**
- Mr. Garvan Hickey, Administrative Officer**

**Also in Attendance:**

- Mr. Fergal Keogh, Senior Engineer, Planning**
- Ms. Edel Bermingham, Senior Executive Planner**
- Mr. Nicky Casey, Assistant Planner**
- Ms. Siobhan O'Brien, Administrative Officer, Planning**
- Mr Mark O'Connell, Rupucon Consulting**

Cathaoirleach Aoife Flynn Kennedy commenced the meeting at 6.30pm. She welcomed all in attendance which included Council Officials, Municipal District Members, members of the public and members of the media.

She outlined the procedures that must be adhered to in accordance with the standing orders for Bray Municipal District, they are as follows:

- Members of the public and media may be present at a remote meeting of Bray Municipal District.
- Attendees must comply with Bray Municipal District Standing Orders and Supplementary Standing Orders to Regulate Remote Meetings.
- Members of the media and public shall give prior notice of a request to join an online meeting of Bray Municipal District.

- Requests must be emailed to the District Administrator at braymd@wicklowcoco.ie no later than 12 noon on the day of the meeting. A name and email address is required.
- The link to the meeting is for the recipient only and must not be forwarded on to any other person(s).
- Attendees must maintain silence and observe any directions given by the Cathaoirleach or by an official of the Council. Mics must be kept on mute at all times.
- Members of the public and the media do not have the right to speak, any interruptions or endeavours to interrupt will result in the remote connection being terminated.
- No other recording of the meeting and its proceedings by any person in attendance (elected members, media or members of the public) is permitted.

## **1. Confirmation of Amendment to minutes of March 1<sup>st</sup> 2022 meeting**

**At the April 5<sup>th</sup> meeting of Bray MD, Cllr Dermot O'Brien requested an amendment in relation to item 1, the minutes of the March 1<sup>st</sup> 2022 meeting. The following amendment was requested to Item 6 and agreed unanimously.**

### **Item 6. To agree further Discretionary Expenditure Projects**

A discussion took place in relation to discretionary expenditure projects. Cllr. O'Brien raised his concerns around the fairness of the process currently in place and queried the amount available, if it had to be used for public realm projects and was there criteria in place, which was clarified.

Proposed by Cllr O'Brien and seconded by Cllr. O'Connor

## **2. Confirmation of Minutes of the Monthly Meeting of the Municipal District of Bray dated 1<sup>st</sup> March 2022**

Councillor Ferris proposed the confirmation of the minutes of the meeting of the Municipal District of Bray held 1<sup>st</sup> March 2022, Councillor O'Brien seconded the proposal and they were unanimously agreed by the Members.

**3. Confirmation of Minutes of the Monthly Meeting of the Municipal District of Bray dated 5<sup>th</sup> April 2022**

Cllr. McManus proposed an amendment to the minutes of the April 5<sup>th</sup> 2022 meeting in relation to a request that elected members are included in a text alert system with regards to emergency accommodation for homeless persons and parking issues in Sans Souci.

The District Manager informed members that any proposed amendments to the minutes of monthly meetings must be made in advance to allow the proposed changes to be circulated to other councillors before the meeting.

The Cathaoirleach proposed deferring the adoption of the April minutes until the June meeting. This was agreed by all elected members.

Cllr. Behan proposed a change to the process for drafting the minutes of the monthly meeting to identify individual councillors and their contribution to the discussions.

The District Manager said that the format of the minutes is set out in the standing orders and must include certain key information. She stated the minutes are never a verbatim account of the meeting. She agreed that district staff would look at the standing orders, adding that elected members had the option to change the standing orders.

**4. Confirmation of Minutes of Special Meeting of the Municipal District of Bray dated 21st April 2022. (copy attached)**

Councillor Corrigan proposed the confirmation of the minutes of the special meeting of the Municipal District of Bray held 21<sup>st</sup> April 2022, Councillor Ferris seconded the proposal and they were unanimously agreed by the Members.

**5. To inform the Members on the details, including preplanning consultations and An Bord Pleanals advice notice issued with respect to, Strategic Housing Development, Lands at Fassaroe and Monastery, Bray, Co. Wicklow**

Mr Fergal Keogh, Senior Engineer, Planning & Ms Edel Birmingham, Senior Executive Planner, Wicklow County Council, gave the elected members a presentation with respect to a proposed Strategic Housing Development on lands at Fassaroe and Monastery, Bray, Co. Wicklow

Members were advised that the development will consist of:

- 650 no. residential units comprising 241 no. houses and 409 no. apartments
- Road link (2.4km) connecting N11 to Ballyman Road (with westerly connection to Ballyman Road already in place)
- Pedestrian / cycle route including bridge across the N11 to Dargle Road Upper

- 15.3ha of District Park / Active Open Space
- 3 No. pocket park areas comprising a total of 0.43ha.
- 733sq.m approx. crèche with capacity for approx. 138 no. childcare spaces
- Retail unit / café kiosk (108sq.m.) in district park
- Neighbourhood Centre Phase 1 comprising 1,035sq.m. retail, 360sq.m. café, 480sq.m community concierge (serving entire Fassaroe community)
- 414sq.m. residential ancillary uses for residents of the neighbourhood centre apartments (residents lounge 256sq.m., residents gym 90sq.m., and residents concierge 68sq.m.),
- Demolition of an existing dwelling at Berryfield Lane
- Undergrounding and alteration of 2 No. 38kV overhead ESB lines
- undergrounding of 110 kV overhead lines and associated works including construction of 2 No. 110 kV Line Cable Interface Mast, associated 110 kV Overhead Line retirements, installation of ducting and underground cable and installation and retirement of electrical equipment and structures within the existing ESB Fassaroe Substation
- Site development / ground works across the lands; Water supply, foul and surface water drainage proposals
- Remediation of 5 no. historic landfill sites in line with Certificates of Authorisation issued to Wicklow County Council by the EPA in 2019.

An Environmental Impact Assessment Report and a Natura Impact Statement have been prepared in respect of the proposed development.

**The Elected Members raised the following concerns & observations:**

- Transport links don't stand up, no improvement
- What obligations are on the developer to proceed with future phases.
- Development linking in with the Ballyman Road which is currently not suitable for pedestrians/cyclists.
- M11 now not being upgraded/improved
- Luas coming to Fassaroe
- Pedestrian/cycle bridge over N11
- Part V allocation:-
  - Should be a mix of houses and apartments
  - Should not all be located in one apartment block, should be pepper potted around the site – housing authority should insist on this
  - Should Part V be given over to an Approved Housing Body
  - Concerns that Part V units will be smaller/lower spec/less quality
  - Will the gym facilities be available to all residents
  - Would welcome an option to provide some affordable housing
  - Serious concerns that apartments will be bought by investor funds
  - Draft County Development Plan requires that both houses and apartments can't be bought by investor funds
  - Can condition be attached to any potential planning grant that none of these units (both houses and apartments) will be eligible for purchase by investor funds.

- Lack of school places, schools in the area are at capacity
- Concerns over commitment from the Department of Education
- At what phase will the school be built
- 138 childcare places but 650 units - not sufficient
- 55 acres of potential sports facilities to cater for the people of Bray, is now reduced to 2 pitches.
- More space should be given to passive/active space
- Development should be done in an integrated way
- No obligation to ensure that the works to provide bridge will be provided.
- Development welcome but only small first part of the overall lands forming part of this application, would be more appropriate to see development of entire site being presented for consideration
- Development not in accordance with LAP – members set out phasing in LAP
- Phasing of schools, bridge, parklands – need to insist on them at certain times to service proposed housing
- Employment zoning not included in this site, no mention of jobs coming to area.
- 8 year permission
- Only development land left in Bray
- Consideration needs to be given to existing residents in the area and how development will impact them
- Impact of development on the fire service
- Historical element to be protected

Mr Keogh and Ms Bermingham advised members that the Bord can only approve what's presented to them, they cannot guarantee future possible phases of the development.

Issues in relation to Part V will be addressed through consultation with the housing authority – There may be a condition attached to enter agreement with housing authority.

Ms Bermingham advised that previously landfills hadn't completed their certification, but this had now been finalised.

Bray Transport Plan has also been completed. Bray needs to grow but that growth is curtailed to the North by county line and to the South by Bray Head, Fassaroe to the West is the only remaining way for Bray to expand.

The scheme offers improved connectivity to Bray.

Mr Keogh informed members that lands on site are zoned for schools.

Applicant was advised to liaise with the Department of Education re the provision of a school

Members were advised that the entire application site is within the Wicklow County Council area.

Current legislation dictates that conditions in relation to the non-purchase of properties by investor funds can only be attached to houses, not apartments. Application has to have regard to the Local Area Plan (LAP)

Pre planning meetings were held with the applicant where it was outlined what was needed to comply with the LAP

NTA objected to employment in the area as it would be too car dependant, sufficient public transport not in place

WCC argued that people need to live and work in the same area which would reduce the need to travel into Dublin

**6. To inform the Members on the details, including preplanning consultations and An Bord Pleanals advice notice issued with respect to - Strategic Housing Development, Lands at the former Heiton Buckley site on Castle Street; St. Anthony's Dwyer Park and No. 20 Dwyer Park, Bray, Co. Wicklow (Eircodes A98 V973, A98 XW31 and A98 YC44)**

Mr Nicky Casey, Assistant Planner Wicklow County Council, gave a presentation to elected members of Bray MD with respect to a proposed Strategic Housing Development, Lands at the former Heiton Buckley site on Castle Street; St. Anthony's Dwyer Park and No. 20 Dwyer Park, Bray, Co. Wicklow (Eircodes A98 V973, A98 XW31 and A98 YC44)

Elected Members were advised that the development will consist of:

- Demolition of all existing vacant commercial buildings (Heiton Buckley site) and vacant residential buildings (St. Anthony's & 20 Dwyer Park) and sections of boundary wall;
- Construction of a mixed-use residential and commercial development in 2 primary blocks (A and B) ranging in height from 1 to 7-storeys set around a central, podium level amenity space and a separate single storey pavilion building along Castle Street;
- The residential element will accommodate 139 no. apartments comprising 33 no. 1-bedroom units; 91 no. 2-bedroom units; and 15 no. 3-bedroom units, with associated balconies;
- Block A (3-7 storeys) will accommodate 93 no. apartments at ground to 6th floor, with creche, bicycle store, substation, bin storage and plant rooms at ground floor;
- Block B (1-6 storeys) fronting Castle Street will accommodate 46 no. apartments at 1st to 5th floor, with 2 no. retail/non-retail service/restaurant units, communal resident's room and bin storage at ground floor level;
- The separate street level single storey pavilion building will accommodate a community facility on Castle Street;
- Vehicular access from Castle Street to 59 no. undercroft car parking spaces and 3 no. creche drop-off spaces with footpath access route to creche;
- Principal pedestrian and cyclist access from Castle Street with secondary access from Dwyer Park;
- New surface water sewer extending along Castle Street from the site to River Dargle at Bray Bridge;
- Landscaped communal open spaces, boundary treatments, bicycle parking, signage, loading bay at Dwyer Park and all associated site works and services.

**Elected Members raised the following concerns & observations:**

- Significant consultation between developer and most residents
- Had an Environmental Impact Assessment Report (EIAR) been undertaken by the developer.
- Consider this infill town centre development, with good density, is positive
- Not car dependant with good transport links
- Concerns about the height, 7 storey building beside a long established residential area is overdevelopment, 4 storey would have been sufficient.
- Traffic problems already exist in Dwyer Park
- Visitors to residents of proposed development will cause chaos when parking.
- Major traffic implications because of the size of the development
- How usable will the open space be on the first floor
- Not acceptable that footpaths surrounding the buildings could be considered open space.
- Part V unit should be spread out through the development.
- Affordable housing should be provided as well as social.
- Concerns around the impact of the development on surrounding properties
- Loss of light, overshadowing
- Development will be overbearing on existing residential properties
- Overlooking issues
- Concerns of reduction of privacy for some residents in relation to reducing the height of existing walls and the insertion of railings.
- Creche facilities not adequate
- Concerns in relation to drop off for childcare and mitigation for same
- Removal of bus stop and placement 100 metres away – impact on Belton Terrace.
- Implications of development on fire service, which is retained.
- Draft County Development Plan requires that both houses and apartments cannot be bought by investor funds.
- All units should be made available for individual purchase.
- Development looks like a readymade development for an investor fund.
- Proposal is contrary to the Municipal District Local Area Plan 2018

Mr Casey informed members that the site is urban and does not meet the threshold for an EIAR. It is not connected to any Natura 2000 protected sites. Mr Fergal Keogh, Senior Engineer, said that the Bord will determine if further environmental assessments are required.

Mr Keogh noted that the Bord must consider the LAP and national guidelines and while they had recently given the go ahead to another development in Bray which contravened the LAP's height guidelines, he said he could not predict their view on the current application.

Mr Casey said the apartment buildings would be mainly three to four storeys and up to six to seven towards the back of the site. The higher floors were stepped back to minimise their impact on adjacent properties.

The developer had taken steps to mitigate any loss of privacy for neighbouring properties including privacy screens and glazing.

Mr Keogh said the developer had completed daylight assessments and the results were within acceptable parameters.

The site is well served by public transport which is reflected in the reduced number of car parking spaces.

Mr Casey advised that planners had mentioned to the developer that footpaths should not be considered as public open space and that excluding the footpaths 18 per cent of the site is open space which is above guidelines. The site is also close to other public space including the People's Park and Bray Seafront.

Mr Keogh said the fire service would be asked to provide advice which would inform the Chief Executive's report to the Bord.

A fire safety expert would have been employed by the developer to provide advice in line with national guidelines.

The Elected Members were advised that the drop off point for the crèche would be in the undercroft car park and that the number of crèche places are in line with national guidelines.

In response to concerns over loss of privacy in relation to the removal of a wall, Mr Casey suggested the removal of the wall could be a measure to increase passive surveillance of the area. He said there are proposals for a pedestrian/cycling link in Dwyer Park.

Cllr. Behan asked if the Chief Executive could be advised to tell the Bord that the local authority is not in favour of a material contravention of the LAP's height guidelines.

Mr Keogh responded that the Bord have to consider national guidelines, the LAP and the County Development Plan when making any decision. He indicated he could not say what the Chief Executive would recommend to the Bord adding that he does not recommend a material contravention without good reason. Mr Keogh suggested the Chief Executive may express concerns about the height of the proposed development.

**7. To receive a presentation from Mark O'Connell, Rupucon Consulting on concept drawings for Ballywaltrim Masterplan.**

Mark O'Connell of Rupucon Consulting gave a presentation to the Elected Members on concept drawings for a masterplan for the Ballywaltrim Sports Complex.

The potential revamp could see the creation of:

- A pitch with viewing stands,
- Training pitches
- An all-weather multi use game area
- Improvements to other playing fields,
- Changing facilities,
- A pump track park for cycling,
- Walking trails,
- Outdoor gym
- Hurling or football wall, which could also be used as a climbing space

Cathaoirleach Cllr Aoife Flynn Kennedy reminded the Elected Members that the space is widely used by community groups, sports clubs, local schools and individuals.

The growth of some clubs has been hampered as they cannot apply for certain grants. There are also issues of anti-social behaviour in the area.

**The Elected Members raised the following concerns & observations:**

- Concerns around inclusivity & accessibility – have local disability groups been consulted.
- Looks like a complete re-modelling of the area
- Has a skate park been included in the consultant's brief
- Drawings appear not to include Fergal Óg's main pitch
- Need for pitch side changing facilities
- Local primary schools to be consulted about the proposals
- Management & maintenance of facilities
- Funding
- Concerns about gates or railings being erected hampering people's access
- Opposition to public lands being handed over to any club or subdivided among clubs
- Possibility of lease for the purpose of grant application.
- Currently not getting value for money for the space
- Failure to invest in the sports facilities and keep in proper condition over the years.
- Dog fouling a major issue.
- Design has to reflect that it is a public space
- Plans have to be fair to all users
- Important that informal spaces are retained on the site
- Great opportunity for the users, the district and the community to work together to deliver the project.

The District Manager, informed the Members that there was a need to future proof the site adding that many clubs want to improve their facilities.

She advised that the project is only at the concept stage. Councillors and users of the Ballywaltrim Sports Complex would need time to consider the drawings. Ms Gallagher said that issues around the governance and management of the area would have to be considered at a later date.

In relation to the skate park, Ms Gallagher said there is a call for this facility in Bray. She said a location was being considered for the skate park and elected members would be presented with the details prior to the formal Part 8 process.

#### **8. To consider the Housing Report**

Due to time restrictions this item was not discussed.

#### **9. To receive a Report on Roads and Transport**

Due to time restrictions this item was not discussed.

#### **10. To receive an update on strategic infrastructure projects:**

##### **Bray Central**

An update report on Bray Central was circulated to the Members prior to the meeting.

##### **Bray Harbour Improvement Scheme**

An update report on Bray Central was circulated to the Members prior to the meeting

##### **Outdoor performance space Bray Seafront**

An update report on Bray Central was circulated to the Members prior to the meeting

#### **11. To review and discuss place of meetings of the Bray MD (Remote/Hybrid/ In person)**

Due to time restrictions this item was not discussed

**12. Reports and Recommendations.**

Due to time restrictions this item was not discussed

**13. Any Other Business**

Due to time restrictions this item was not discussed

**This concluded the meeting.**

**Signed:**

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**CATHAOIRLEACH**

**Signed:**

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**Linda Healy**  
**DISTRICT ADMINISTRATOR**

**Dated:**

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