

18th December 2024

OPR Ref: IP-026-24

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

Re: Pre-draft Bray Municipal District Local Area Plan 2025

A chara,

Thank you for your authority's work in preparing the online consultation portal (the Consultation Portal) for the pre-draft Bray Municipal District Local Area Plan 2025 (the Local Area Plan).

Wicklow County Council (Planning Authority) is commended for preparing the Consultation Portal, engaging proactively with the public, and notifying the Office of the Planning Regulator (the Office) of the intention to prepare the Bray Municipal District Local Area Plan 2025.

In accordance with the provisions of section 31AO of the Planning and Development Act 2000, as amended (the Act), the Office is obliged to evaluate and assess local area plans to ensure alignment with national and regional planning policy and the objectives of your county development plan.

The Office has set out some broad issues relevant to the preparation of local area plans, in addition to some specific issues of particular relevance to the preparation of the Local Area Plan, under the following headings:

- 1. <u>Strategic policy framework</u>
- 2. Development Plan core strategy
- 3. Zoning, compact growth and infrastructural services
- 4. Regeneration



- 5. Education, social and community amenities
- 6. Economic development, employment and retail
- 7. Transport and mobility
- 8. Flood risk management
- 9. Climate action
- 10. Environment, built and natural heritage
- 11. Implementation and monitoring

The comments are offered without prejudice to any observations and recommendations by the Office at future stages of the plan-making process. They also do not affect the obligation on your Planning Authority to comply with the relevant legislative requirements, or to be consistent with the fullness of the detailed policy context of the higher order plans and strategies and Ministerial guidelines.

Specifically, the Office highlights similar comments offered at the pre-draft stage in the preparation of the Wicklow-Rathnew Local Area Plan 2024-2030 (the Wicklow-Rathnew Local Area Plan) and Blessington Local Area Plan 2025 (the Blessington Local Area Plan) with regard to the importance of preparing fundamental supporting documents such as an Infrastructure Assessment / Settlement Capacity Audit (SCA) and Local Transport Plan (LTP) to support proposed land use zoning objectives.

As the preparation of these critical documents were not subsequently prepared as part of the draft Local Area Plans for both settlements, the Office strongly advises your Planning Authority to address this at an early stage in the preparation of the draft Local Area Plan for the Bray Municipal area to ensure the plan is underpinned by a robust evidence base and is consistent with the Regional Spatial and Economic Strategy (RSES) and the Wicklow County Development Plan 2022-2028 (the County Development Plan) objectives.

1. Strategic policy framework

Section 20(5) of the Act requires the Local Area Plan to be consistent with the County Development Plan, the objectives of the RSES for the Eastern and Midlands Regional Assembly (EMRA) area, the National Planning Framework (NPF), and the specific



planning policy requirements (SPPRs) of section 28 guidelines. In addition, in accordance with section 19(2A) of the Act, the Planning Authority is required to ensure that the Local Area Plan is consistent with the Greater Dublin Area Transport Strategy 2022-2042 (GDA Transport Strategy).

The Local Area Plan should therefore consider the guiding principles of the RSES, which incorporates the Dublin Metropolitan Area Strategic Plan, and ensure consistency with the relevant regional policy objectives (RPOs) of the RSES, and any strategic development sites for the delivery of residential, employment or other uses identified in the RSES.

In particular, the draft Local Area Plan should clearly demonstrate the role of Bray within the wider county, Dublin Metropolitan Area, and Eastern and Midlands region. As is reflected in the settlement hierarchy (table 3.3) of the County Development Plan and noted on the Consultation Portal, the RSES Settlement Hierarchy (table 4.2) identifies Bray as a Key Town that functions as a large economically active service town that provides employment for the surrounding area and with high-quality transport links and the capacity to act as a growth driver to complement the Regional Growth Centres.

The RPOs for Bray support the continued development of the town including the enhancement of town centre functions, and development of major schemes at the former Bray Golf Course and Bray Harbour supported by investment in employment and key infrastructure including that required for the westward extension of the town at Bray-Fassaroe, in consultation with Dun Laoghaire - Rathdown County Council.

Further, the Office recognises that the County Development Plan identifies Enniskerry as a Self-Sustaining Town which requires contained growth, focusing on driving investment in services, employment growth and infrastructure while balancing housing delivery, and Kilmacanogue as a Small Town (type 2) with moderate service and employment functions.

The Office encourages the Planning Authority to liaise with the EMRA in preparation of the draft Local Area Plan, particularly where clarity is required on how the objectives and guiding principles set out in the RSES relate to the Local Area Plan.



2. Development Plan core strategy

Section 19(2) of the Act requires the Local Area Plan to be consistent with the objectives of the development plan and its core strategy. This is also a key message of the section 28 Local Area Plans, Guidelines for Planning Authorities (2013) (LAP Guidelines).

In this regard, the Office notes that the core strategy of the County Development Plan provides for a population increase of 8,919 people between 2016 and 2028 for Bray with a requirement for 4,026 housing units. The Office also notes that the core strategy of the County Development Plan provides for a population increase of 229 people between 2016 and 2028 for Enniskerry with a requirement for 36 housing units.

The County Development Plan also identifies a surplus of zoned land in the existing Local Area Plan for Bray and Enniskerry relative to the core strategy of the County Development Plan, and that all of the targeted housing growth for Kilmacanogue can be accommodated within the existing built-up footprint.

A key part of the Office's assessment of the draft Local Area Plan is to consider whether the objectives and zoning provisions of the Local Area Plan are consistent with the level of growth set out in the core strategy for Bray Municipal District.

The Development Plans, Guidelines for Planning Authorities (2022) (the Development Plans Guidelines) provide clear guidance in terms of ensuring that sufficient housing lands/sites are provided based on the housing unit yield of land zoned for residential and a mix of residential and other uses. This is critical in terms of the ability to plan for the timely delivery of physical and social infrastructure in the right location to serve new housing development and to support compact and sequential growth.

It will be necessary, therefore, to ensure that the Local Area Plan is consistent with the County Development Plan in order to comply with section 19(2) of the Act.

3. Zoning, compact growth and infrastructural services

Where proposed, our assessment will carefully consider whether proposed zoning objectives are consistent with the core strategy and objectives of the County Development Plan and whether they can demonstrate consistency with the objectives for compact



growth and densification¹ under the NPF (National Policy Objective (NPO) 3 and NPO 35) and the RSES (RPO 3.2). The implementation of effective compact growth to avoid urban sprawl also plays a key role in climate change mitigation.

Zoning objectives should also be consistent with any strategic development sites for the delivery of residential, employment or other uses identified in the RSES such as Bray-Fassaroe, and Bray Golf Club and harbour lands.

In relation to residential development, any provisions or standards for density or building height in the Local Area Plan is required to have regard to relevant section 28 guidelines and to comply with any SPPRs therein, including, in particular:

- Sustainable Residential Development and Compact Settlements, Guidelines for Planning Authorities (2024) (Compact Settlements Guidelines);
- Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities (2023); and
- Urban Development and Building Heights, Guidelines for Planning Authorities (2018).

Land use zoning should follow a sequential approach so that the development of lands closest to the town centre are prioritised over lands on the outskirts of the town, as set out under section 6.2.3 of the Development Plans Guidelines.

The Planning Authority also needs to ensure that lands that cannot be serviced within the lifetime of the Local Area Plan are not zoned for development, consistent with the tiered approach to zoning under NPO 72 a-c of the NPF. In this regard, an infrastructure assessment should be prepared in accordance with appendix 3 of the NPF and having regard to section 4.5.2 (SCA) of the Development Plans Guidelines.

¹ Including through reductions in vacancy, re-use of existing buildings, infill development, area or site-based regeneration and increase building heights.



The Office offered similar comments in the preparation of the draft Wicklow-Rathnew Local Area Plan and draft Blessington Local Area Plan, and considers that it is critical to prepare an Infrastructure Assessment / SCA at an early stage in the preparation of the draft Local Area Plan to support the land use zoning objectives proposed, provide a robust evidence-base upon which the draft Local Area Plan is underpinned, and to provide supporting rationale for such decisions.

It will be of critical importance to the implementation of the Local Area Plan to ensure that all lands zoned for residential and other development are serviced, or will be serviceable, during the plan period.

In this regard, the Office notes that the Planning Authority has not identified any infrastructure capacity issues within the Municipal District, and the County Development Plan highlights infrastructure delivery as a key requirement to the realisation of the development of the Bray-Fassaroe lands. The Planning Authority is advised to liaise closely with the relevant prescribed bodies concerning the delivery of essential services and infrastructure.

4. Regeneration

Both the NPF (NPO 4 urban places; NPO 6 urban regeneration; NPO 18a proportionate growth; NPO 18b new homes and NPO 35 increasing residential use) and the policy objectives of the RSES emphasise the importance of opportunities for urban and village regeneration to create attractive, liveable, and high quality urban places. The reuse of brownfield sites and vacant buildings will also contribute to climate change mitigation.

The RSES and/or the County Development Plan identify Bray town centre and harbour lands, and Enniskerry village centre as having a number of regeneration opportunities, which should be clearly identified in the Local Area Plan.

The Development Plans Guidelines advise that larger settlements, such as Bray, normally have certain development sites that play a critical role in achieving the core strategy and NPF policy objectives for consolidation and compact growth. These sites should be specifically identified as Settlement Consolidation Sites and integrated into the wider regeneration strategy for the settlement.



The Local Area Plan also provides an opportunity to identify any further opportunity and regeneration sites, or vacant or underutilised buildings, in Bray, Enniskerry and Kilmacanogue in accordance with the guiding principles of the RSES for urban infill and regeneration, where applicable.

Where such sites are identified, the Planning Authority should prepare a development framework for future development with appropriate guidance regarding layout, massing, permeability, green infrastructure and Sustainable urban Drainage Systems (SuDS) etc., as set out in section 5.7 of the LAP Guidelines.

The Office recommends that the Local Area Plan includes a strong policy framework to support the utilisation of existing buildings, brownfield/infill sites, and derelict and underutilised sites. The Planning Authority should consider proactive land activation measures including the Planning Authority's powers for land acquisition / compulsory purchase and derelict sites and vacant land. The plan should also align with sources of funding to facilitate key regeneration projects such as the recently announced Croí Cónaithe (Towns) Fund Scheme, and TCF-aligned funding streams under the Government's Town Centre First, A Policy Approach for Irish Towns (2022).

5. Education, social and community amenities

Access to quality childcare, education and health services is a National Strategic Outcome of the NPF. The Local Area Plan should therefore seek to align population growth with investment in childcare and education facilities on well-located sites within or close to the existing built-up areas, to meet the diverse needs of local populations.

As such, the Local Area Plan should be informed by a social or civic infrastructure audit to establish the capacity of existing facilities, including community centres, leisure, amenity and cultural facilities to serve existing and future residents, and identify the need for any additional facilities.

It is also important that access to existing and proposed facilities by walking or cycling is prioritised consistent with the sustainable approach to settlement and mobility discussed below.



Specifically, in relation to schools, the Planning Authority should consult with the Forward Planning Section and Site Acquisition and Property Management Section of the Department of Education.

The Planning Authority's Local Economic and Community Plan 2024-2029 and Traveller Accommodation Programme 2025-2029 should also inform the Local Area Plan to provide for the co-ordinated spatial planning of housing and community services for the area.

6. Economic development, employment and retail

The NPF, RSES and section 28 guidelines emphasise the need to take an evidence-based approach to the inclusion of objectives for employment and other commercial uses.

In particular, the Local Area Plan should be aligned with the detailed economic strategy and all relevant guiding principles of the RSES, in addition to any objectives concerning strategic enterprise / employment sites. This will be particularly important for Bray given its role as a Key Town and as a strategic employment location with a particular focus on attracting high value investment in people based industries at accessible locations, in order to increase the number of local jobs, consistent with RPO 4.38 of the RSES. It will also need to ensure it is consistent with the economic strategy of the County Development Plan and any associated objectives.

In terms of identifying the optimal locations for employment zonings, the key criteria should be: compact growth, the sequential approach to development and the options for sustainable transport having regard to the need to mitigate climate change. These should be supported by an Infrastructure Assessment report and/or SCA. As noted under section 3, above, such lands should be either serviced or serviceable within the Local Area Plan period. The reuse of appropriate brownfield sites and vacant premises should also be prioritised.

The facilitation of retail facilities also need to be considered to provide for the anticipated population growth. Particular regard should be given to the sequential approach to the location of retail development and other provisions of the Retail Planning Guidelines for Planning Authorities (2012), and the position of the town in the retail hierarchy of the County Development Plan.



7. Transport and mobility

The Climate Action Plan 2024 identifies the need to significantly reduce car kilometres and increase sustainable journeys, guided by the National Sustainable Mobility Policy (2022) and the proposed National Demand Management Strategy.

The integration of land use and transportation is centrally important to this objective and to the objectives and provisions of the NPF (NPO 27 alternatives to the car; NPO 33 location of new homes, NPO 54 to reduce our carbon footprint and NPO 64 air quality, among others) and the RSES.

The RSES identifies the requirement for an LTP for certain large settlements or development areas within the Dublin Metropolitan Area under RPO 8.6 of the RSES. The County Development Plan Objective CPO 12.3 commits to the preparation of an LTP for Bray and environs and Enniskerry, to inform the Local Area Plan.

The National Transport Authority's (NTA) Area Based Transport Assessment Advice Note (2018) (ABTA) and ABTA How to Guide, Guidance Document Pilot Methodology (2021) as well as Transport Infrastructure Ireland's (TII) Area Based Transport Assessment (ABTA) Guidance Notes (2018) should be considered by the planning authority in preparing the LTP. The LTP should inform the preparation of the Local Area Plan and, in particular, the zoning provisions.

The Planning Authority is strongly advised to liaise with the NTA and TII in the preparation of the LTP and to incorporate the main objectives, targets and measures of the LTP, along with relevant associated maps, into the Local Area Plan in support of the NPOs referred to, above.

The Office offered similar comments in the preparation of the draft Wicklow-Rathnew Local Area Plan and draft Blessington Local Area Plan, and considers that it is critical to prepare a Local Transport Plan at an early stage in the preparation of the draft Local Area Plan to support the sustainable development of the plan area and the achievement of national climate action targets.

In addition, the Local Area Plan should set out an ambitious (but realistic) modal shift target for the area of the Local Area Plan.



In order to increase the potential for trips to be made on foot, bicycle or public transport, the Local Area Plan should demonstrate consistency with Avoid-Shift-Improve principle and the 10-Minute Town Concept, as well as providing for the proactive implementation of the Design Manual for Urban Roads and Streets (revised 2019) and the NTA's Permeability Best Practice Guide.

Consistency with the NTA's GDA Transport Strategy is required for LAPs within the Greater Dublin Area planning authorities.

8. Flood risk management

Having regard to Bray's coastal location and that the River Dargle and Kilmacanogue Riverare within the Municipal District flood risk management will be the most critical climate change adaptation measure to be addressed in the Local Area Plan, informed by a Strategic Flood Risk Assessment (SFRA).

The Planning Authority should ensure that the Local Area Plan is consistent with NPO 57 of the NPF by avoiding inappropriate development in areas at risk of flooding, in accordance with the detailed requirements and provisions of section 28 The Planning System and Flood Risk Management Guidelines for Planning Authorities (2009). These guidelines require a staged approach to flood risk assessment and, in particular, the application of the sequential approach and the requirement to carry out the Plan-Making Justification Test where appropriate.

Flood risk zones² should also be clearly overlaid on any proposed land use zoning maps to illustrate the potential flood risk arising and to demonstrate how the sequential approach has been applied. The Planning Authority is also requested to make a copy of digital mapping data available to the Office and to the Office of Public Works (OPW) to facilitate assessment.

² With flood zone A and B separately identifiable on the zoning maps



The Planning Authority is strongly advised to liaise with the OPW in the early stages of preparing the SFRA to avoid issues arising at draft Local Area Plan stage. In particular, the Planning Authority should be aware that the Preliminary Flood Risk Area maps are preliminary assessments and should not be relied upon to inform zoning decisions.

In accordance with NPO 57 of the NPF, the Local Area Plan is required to integrate sustainable water management solutions, using SuDS nature based solutions. The use of nature based solutions for rainwater management is supported and required to have regard to section 28 guidelines and government guidance including, in particular:

- Compact Settlements Guidelines;
- Development Plans Guidelines;
- Nature-based Solutions to the Management of Rainwater and Surface Water Runoff in Urban Areas, Water Sensitive Urban Design, Best Practice Interim Guidance Document (2022);
- Design Manual for Urban Roads and Streets Advice Note 5 Road and Street Drainage using Nature Based Solutions (2023); and
- Local Authority Waters Programme's Implementation of Urban Nature-based Solutions, Guidance Document for Planners, Developers and Developer Agents (2024).

The guidance promotes a more systemic and plan-led approach to water sensitive urban design that combines nature-based solutions with spatial planning, and advises on the cross-sectoral benefits of nature based solutions in terms of protecting against pluvial flood risk, climate adaptation, water quality, biodiversity and road safety in active travel schemes.

9. Climate action

It is a National Strategic Outcome of the NPF to transition to a low carbon climate resilient society. The effective implementation of climate mitigation objectives through the Local Area Plan are critical to the achievement of the Government's Greenhouse Gas emissions



reduction target to mitigate climate change under the Climate Action and Low Carbon Development Act 2015, as amended (the Climate Act).

The efficient use of land, including through infill development and brownfield development consistent with compact growth, will ensure consistency with NPO 53 (land use) of the NPF. An integrated approach to land use and transport planning will help ensure that climate action is integral to the Local Area Plan in support of national mitigation targets (NPO 54 of the NPF) under the Climate Act. The Local Area Plan should also consider how development in the area might best contribute to the delivery of renewable energy consistent with NPO 55 of the NPF. These NPOs of the NPF, together with the relevant objectives of the RSES and County Development Plan, will be of particular importance in this respect.

The effective implementation of climate adaption objectives through the Local Area Plan will be essential to ensure Bray Municipal District is climate resilient into the future. As noted, above, flood risk management will be the most critical climate change adaptation measure to be addressed in the Local Area Plan. The National Adaptation Framework (2024) specifies the national strategy for the application of adaptation measures in different sectors and by local authorities in their administrative areas in order to reduce the vulnerability of the State to the negative effects of climate change and to avail of any positive effects that may occur.

10. Environment, built and natural heritage

The Planning Authority is the competent authority for Strategic Environmental Assessment and Appropriate Assessment, and will be aware of the Strategic Environmental Assessment Guidelines for Regional Assemblies and Planning Authorities (2022) issued under section 28 of the Act and the Appropriate Assessment of Plans and Projects in Ireland Guidance for Planning Authorities (2009), as revised.

The Planning Authority should also ensure the Local Area Plan is consistent with objectives of the NPF and RSES concerning environmental protection. In this regard the Office highlights the importance of integrating green and blue infrastructure into the Local Area Plan consistent with NPO 58 of the NPF and planning for greenbelts (NPO 62 of the NPF). Planning for green and blue infrastructure can contribute to climate change



adaptation, in particular flood risk management through nature-based solutions (NPO 57 and NPO 63 of the NPF). It can also make a positive contribution to climate mitigation and have positive impacts on biodiversity and clean air (NPO 64 of the NPF).

Regarding built heritage, the Planning Authority should consider what location specific objectives or measures would assist in the protection or improvement of built heritage over the period of the Local Area Plan. Accordingly, the Planning Authority should have regard to the Architectural Heritage Protection Guidelines for Planning Authorities (2011).

11. Implementation and monitoring

The NPF and the RSES place increased emphasis on the importance of monitoring the implementation of statutory strategies and plans to measure plan effectiveness and to continually update a relevant evidence base to inform future planning strategies.

The Planning Authority is therefore encouraged to set out specific provisions for monitoring the implementation of the objectives of the Local Area Plan, having regard to the provisions of the Development Plans Guidelines and the LAP Guidelines.

Summary

In summary, the Office commends the Planning Authority for the preparation of the Consultation Portal. The Office advises the Planning Authority to pay particular attention to the following issues in the preparation of the Local Area Plan:

- the housing supply targets for Bray, Enniskerry and Kilmacanogue should be consistent with the County Development, making allowance for the Local Area Plan plan period;
- the approach to zoning land for residential development should prioritise housing delivery in areas close to facilities and services of the town and village centres, where land is already served by appropriate infrastructure or is capable of being serviced within the plan period, and is accessible by walking, cycling and public transport;
- an Infrastructure Assessment / SCA should be prepared in respect of all land use zoning;



- a sustainable policy framework should be provided to strengthen the employment base for the draft Local Area Plan area, providing an alternative for the need for long distance commuting for residents and ensuring that locations to be zoned for employment are consistent with compact growth, sustainable mobility, and have regard to the sequential approach;
- a policy framework for the delivery of housing, employment, community and sports facilities and enabling infrastructure and services at Fassaroe in collaboration with Dún Laoghaire-Rathdown County Council;
- an LTP should be prepared to set out modal share targets and how they will be achieved, and to inform:
 - land use zoning objectives based on accessibility by walking, cycling and public transport;
 - transport initiatives and measures to provide sustainable mobility options for residents and visitors, and in particular providing connectivity from residential areas to services and amenities and reduce dependence on the private car; and
 - public realm enhancements to improve the quality of the public environment within the town by prioritising pedestrians, the heritage of the town, social and commercial activities.

The planning authority is advised to consult with the NTA and TII in this regard.

- site specific land activation measures and targeted objectives to ensure that sites identified for regeneration such as Bray town centre and harbour lands, including the utilisation of existing buildings, brownfield/infill sites, and derelict and underutilised sites are advanced during the plan period; and
- preparing an updated SFRA and include policies and objectives in relation to the implementation of SuDS and nature-based solutions as a means for managing surface water run-off at key development sites. The Planning uthority is advised to consult with the OPW in this regard.



The Office looks forward to reviewing the future draft Local Area Plan and to continued positive engagement with your authority in the implementation of national and regional policies at the county and local level.

Please feel free to contact the staff of the Office in the context of your authority's responses to the above, which we would be happy to facilitate. Contact can be initiated through the undersigned or at plans@opr.ie.

Is mise le meas,

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Anne Marie O'Connor

Deputy Regulator and Director of Plans Evaluations