

Response to Opinion

Strategic Housing Development at Delgany, Co. Wicklow

October 2020



TABLE OF CONTENTS

RESPONSE TO OPINION	II
1 INTRODUCTION	1
2 OPINION - ISSUES	1
2.1 The integration of the proposed development with the urban fabric of Delgany.	1
2.2 Topography of the Site.....	9
2.3 Surface water drainage and site specific flood risk assessment including watercourse	11
2.4 Proposed material contravention	12
3 OPINION - SPECIFIC INFORMATION	13
3.1 Architectural conservation report	13
3.2 Housing quality assessment, schedule of accommodation and building lifecycle report	14
3.3 A phasing scheme	15
3.4 Proposed boundary and surface treatments and landscaping and planting.	15
3.5 Appropriate assessment screening report	15
3.6 Draft construction management plan	15
3.7 Draft waste management plan	15
4 NOTICE PARTIES	16
5 CONCLUSION	16



Response to opinion

1 Introduction

On behalf of the applicants, Drumakilla Limited, this response to the opinion of An Bord Pleanála, has been prepared to accompany a proposed Strategic Housing Development to An Bord Pleanála under the Planning and Development (Housing) and Residential Tenancies Act, 2016, as amended in relation to a proposed Strategic Housing Development (SHD) on lands at Delgany, Co. Wicklow.

This response should be read in conjunction with the accompanying detailed documentation prepared by BBA Architects, PC Roche and Associates Landscape Architects, Eoin J Carroll Architects, JPBarry Engineers and Mesh Architects (conservation) as well as archaeological, appropriate assessment, ecological impact and environmental screening reports. A statement of consistency, planning report and material contravention statement have also been prepared and may be read with this response as they also address issues raised.

2 Opinion - Issues

2.1 The integration of the proposed development with the urban fabric of Delgany.

The Board stated the following issue.

“The integration of the proposed development with the urban fabric of Delgany. The submitted documentation should show that the proposed development would have appropriate links to the village core and would be compatible with its architectural and historic character, with particular regard to the proposed layout and boundary treatment along Convent Road. The submitted documentation should also show that the proposed development would be consistent with planned improvements to the public realm in the village and along the streets at Convent Road and Bellevue Hill”.

2.1.1 Appropriate links

It is considered that appropriate links applies to visual, physical and social links to the village core. The urban fabric includes the physical environment including form, scale, density and connections and extends to socio-cultural, ecological and economic structures.

The core of Delgany is not defined but may be assumed to be focused on Church Road and in particular the section between Bellevue Hill, Delgany Wood and Convent Road with emphasis on the area from Convent Court, opposite the application site towards the south. The core of Delgany may be considered to include as a focal point, Christ Church on Church Road, which was completed in 1789 and is a notable gothic building with a graveyard to the west and the north side of the church. To the west of Christ Church fronting Church Road is Delgany national school. The small irregular section of Church Road between the junction of Convent Road and Bellevue Hill connects five roads and contains many of the buildings associated with Delgany including the Wicklow Arms (1856) and the Delgany Inn (mid-19th century). The section of Convent Road between the application site and Church Road consist of a number of commercial businesses including food shops, cafes and the House and Hound (1790).

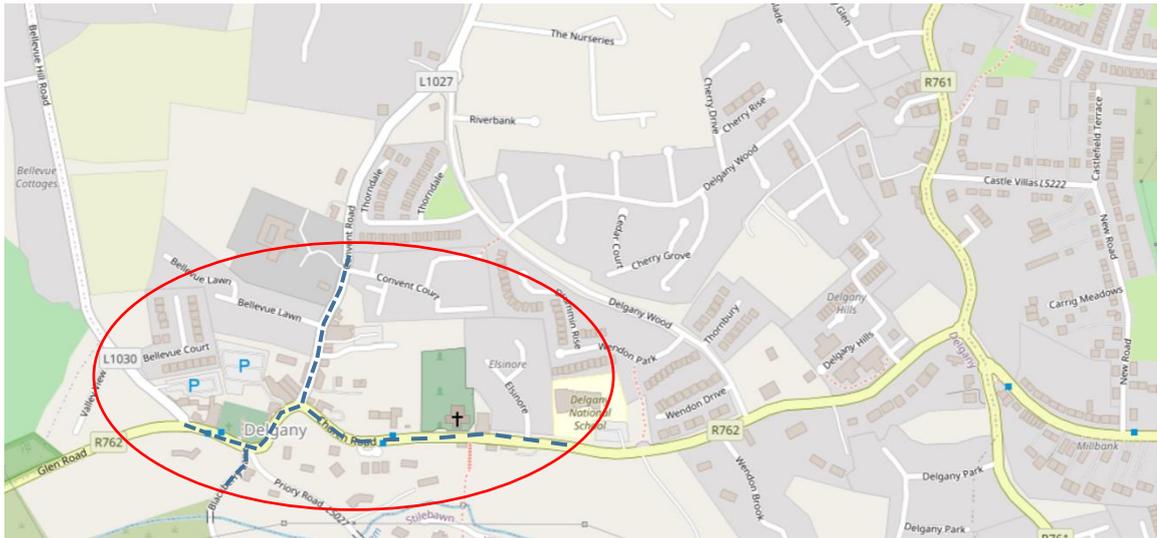


Fig. 1 Delgany – estimated core outlined

The existing site is oriented towards Convent Road and the core of Delgany. The existing Convent property is setback from the road with a solid boundary topped with high railings with a variety of solid planting behind. This was raised at the tri-partite meeting. In relation to a visual link to the core of Delgany, the existing long boundary wall and railing which is not considered of conservation value (see conservation report which reports it is a modern addition) will be removed. A new boundary will be lower with a lighter railing so that the entire development is visually more connected to the core, making the scheme an integral part of Delgany and removing the “gated” situation that currently applies. The steel gate and solid piers will be removed and a modern entrance designed as an invitation into the scheme and particularly to the protected structure. The wall will be set back to the north of the existing main entrance. The high scrub that has grown behind the railing will be removed and new low, softer more open planting retaining some trees will allow views into and out of the scheme while providing biodiversity and accessibility.

Three main connections are located on Convent Road which provide the main direct links and connection to the core and one main access to Bellevue Hill. Five internal secondary connections are proposed as well as secondary access to Bellevue Hill.

2.1.2 Visual and physical integration

Access No. 1 Convent Road - access beside Gatehouse

The closest connection to the core is the existing access beside the gate lodge. The location of this access to the site is at the south east boundary and consists of two piers and a high metal gate. The Planning Authority to improve the footpath connection at this point. All of the render, including the moulded caps to the piers, consists of hard sand and cement, dating from the middle years of the 20th century. The permanently closed steel gates close the Convent grounds visually and physically from the core of Delgany and this is reinforced by the dense planting adjacent.



Plate 1 Access viewed looking south from Convent Rd. **Plate 2** Existing gate and piers

The proposed access at this point is set back and modernised. The proposed design is supported by the Conservation Grade 1 architect report which accompanies this application and includes a glazing set within steel box section as capping. The CGIs and Convent Road elevations illustrate the proposed changes.

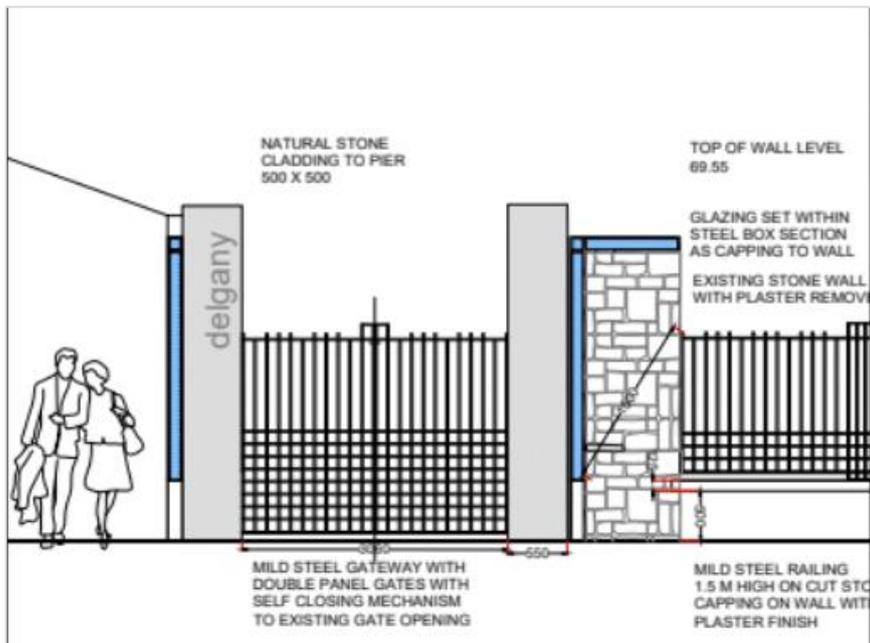


Fig. 2 Extract from landscape plans

This access provides a key pedestrian and cycle connection into the Convent grounds c.130 m from the junction of Convent Road and Church Road, the core of Delgany. This connection will bring pedestrians from the core of Delgany into a new public open space to the front of the Protected Structure (a new creche and community/cultural space, residential homes and open space to the north west that connects to the permitted development at Richview. This connection represents the anticipated desire line into the scheme and will provide an accessible access to the creche and new community facility.



Fig. 3 Extract from Proposed layout drawing PL-C-168-SL-03

Access No.2 Convent road – access to community centre

During the early twenty-first century, a new entrance was created further north along the public road and the earlier gates (Access No.1) were no longer used.



Plate 3 Existing main access to Convent

This access is c. 190 m from the junction with Church Road and also is located opposite Convent Court a residential scheme of houses and duplex. Convent court also has a pedestrian access to Delgany Wood to the north east of the core of Delgany. The CGIs and elevations illustrate the proposed arrangement.



Fig. 4 Extract from Proposed layout drawing PL-C-168-SCS-05

The existing layout is proposed to be altered by setting back marginally the boundary on the northern side and creating a new lower boundary and railing which provides an improved visual connection to the core of Delgany. The planting will be removed, and trees will be retained allowing views into and out of the scheme and opening up the view of the protected structure. This access will provide a pedestrian and cycle access to the entire scheme and will provide a vehicular access to the creche, community centre and a limited number of houses. There is no through vehicular route from this access to other parts of the residential elements.



Fig. 5 Extract from Proposed layout drawing PL-C-168-SL-03

Access No.3 Convent Road – access from northern end of Convent Road part of site

The proposed new access is located approximately opposite Thorndale housing estate. The vehicular, pedestrian and cycle access is c 360 m from the junction of Church Road and as above there are pedestrian link to Delgany Wood as well as the core. There will be no vehicular access to Bellevue Hill from this access.



Fig. 6 Extract from Proposed layout drawing PL-C-168-SCS-05

2.1.3 *Compatible with architectural and historic character*

The Board requests that the submitted documentation should show that the proposed development would have appropriate links to the village core and “*would be compatible with its architectural and historic character*”. In this regard the proposed amendment to the boundary has been considered in the conservation report. The piers and steel gate are replaced with a modern access which reflects the palette of materials in the vicinity and mediates between a modern design and the historic building on the site.

The architectural and historic character of the section of Convent Road opposite where the application site fronts is mixed but predominantly modern housing. Immediately adjacent to the proposed access at the south east is an access into a parking area and the detached house located between the Convent grounds and the vehicular access to Bellevue Lawns housing estate. In this regard, the proposed links are not incompatible with the mixed area and will provide a strong visual link of the scheme to the core of the village.



Plate 4 Looking north along Convent Road illustrating varying urban fabric

The Board has requested that *The submitted documentation should show that the proposed development would have appropriate links to the village core and would be compatible with its architectural and historic character, with particular regard to the proposed layout and boundary treatment along Convent Road.*

In addition to the details provided above, a detailed elevation had been provided along Convent Road see drawing PL-C-168-SCS-05 and CGIs.

Other links to village core

Access No. 4 Bellevue Hill

Vehicular and pedestrian access will be provided off Bellevue Hill to the residential element on that side of the development. A new footpath will be provided from the permitted Richview development to the north of the application site, (Ref. ABP 27.248401 and Planning Reg. Ref. 151307) south to Church road. The conditions included inter alia that no dwelling could be constructed until the road and pedestrian connection to the village was completed and that the Planning Authority was to confirm the upgrade of Bellevue Hill R762 and no dwelling was to be constructed until this was completed.

Accesses – Internal (purple)

Three accesses are proposed to the permitted development to the north Richview and one to Bellevue Lawns to south. One pedestrian access is proposed to Bellevue Hill from the southern part of the site. See landscape Report and drawing No. PLC-168-SL-02

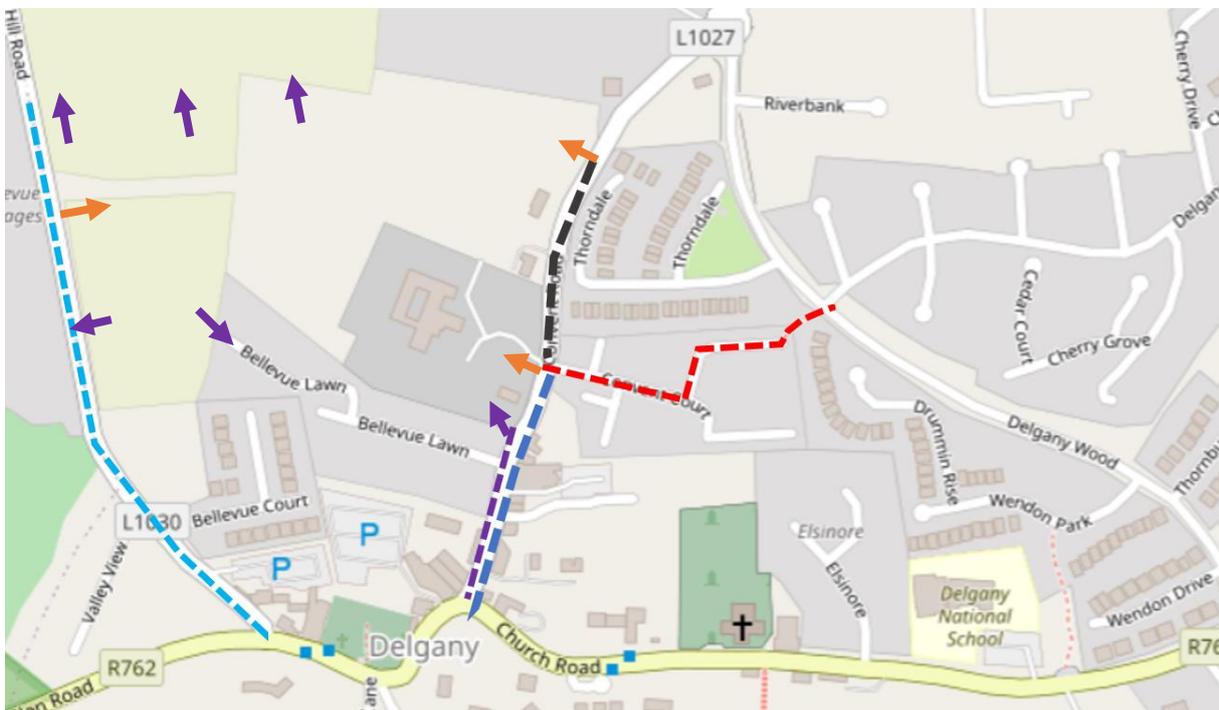


Fig. 7 Indicative access locations in arrows Orange for vehicular Purple for other. Hatched lines indicate connection routes around the site

2.1.4 Heritage links

Delgany is part of a heritage trail which indicates parking, walking trails and points of interest. The proposed development is wholly consistent with the Heritage trail and will provide new linkages between Bellevue Hill and Convent Road and onto Church Road and Priory Road. In addition, it will allow the Protected structure be viewed from a public open space and the removal of the modern extension will restore the protected structure to the original layout. The large modern structure to the side of the Church dominates the building and by removing it, will allow the protected structure to be restored visually to how it was designed. The Protected Structure which is unoccupied since the departure of the Carmelite order from Delgany will be reused and available as a community and cultural facility and will enhance the heritage trail.

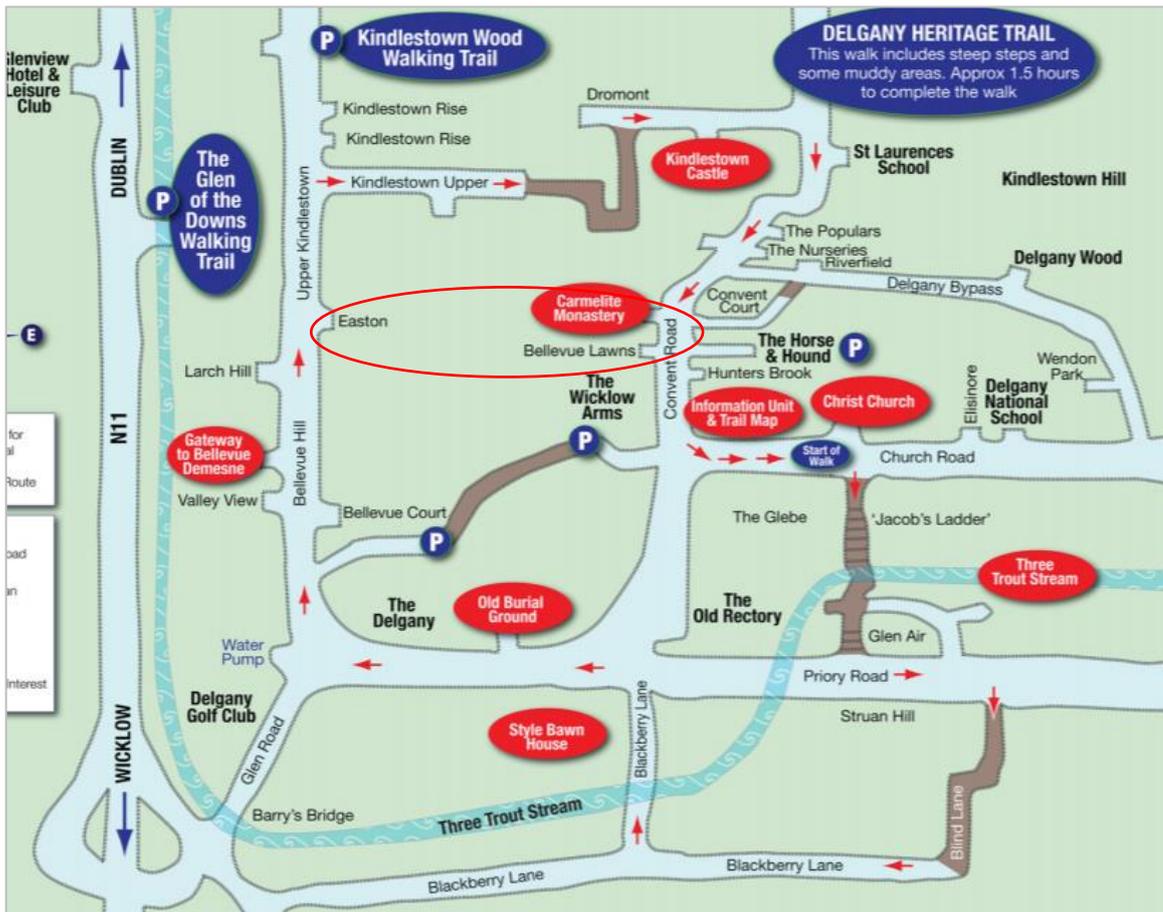


Fig. 8 Delgany Heritage trail. Source Delgany.ie

The use for community and cultural uses are outlined in the statement of consistency. The LAP has an objective “To promote the development of tourism and recreation related developments in a sustainable manner at suitable locations that are of an appropriate scale and design. It is an objective of the Council to particularly promote tourism and recreation related developments that are associated with / which provides access to / which increase awareness of the following tourism products or theme including (iii) Delgany Heritage Trail” The proposed development will enhance this objective and provide social links in the form of the new centre to the residents of Delgany and wider area.

2.1.5 Consistent with planned improvements to the public realm in the village and along the streets at Convent Road and Bellevue Hill

This issue raised by the Board indicates that the documentation should also show that the proposed development would be consistent with planned improvements to the public realm in the village and along the streets at Convent Road and Bellevue Hill.

A public realm plan for Delgany went to tender in July 2020 which aims to ensure a high quality of public realm. The design solution will address the following broad objectives;

- Rejuvenating the village, creating a heart for the community, creating a more attractive place to live and work.
- Enhance cultural awareness and community identity

- Improve the shopping and business environment
- Reinforce a heritage identity of the area (see 2017 Delgany a Historical Inventory -supported by The Heritage Council)
- Improve foot connections through the village and foot and cycle connections with Greystones
- Introduce a shared green space for recreation, improving health through active living
- Realise the potential of tourism in the area – recreational, heritage and food
- Harness natural assets and encourage Biodiversity – clean river, protected wildlife

No design has been progressed to public consultation. The applicant has consulted widely with Wicklow Co. Council to ensure that the proposed development can tie in with any future proposals and there has been ongoing engagement with the Roads section. The Council requested that the applicant demonstrate that a one-way system along Convent Road could be achieved and a roundabout provided at the entrance. The applicant has demonstrated this and this is included for information of the Council and the Board as public realm works will be part of future plans by the Council, see Drawing 19221-JBBB-00-XX-DR-C-01020.

A new footpath will be provided from the permitted Richview development to the north of the application site, (**Ref. ABP 27.248401 and Planning Reg. Ref. 151307**) south to Church road and will be utilised by the development.

The proposed development contributes to the objectives outlined above and in particular provides a rejuvenation of the village, be creating a new centre for the community while also creating a more attractive place to live and work. The reuse of the protected structure as a community facility and for cultural uses will enhance cultural awareness and community identity. This will also reinforce the heritage identity of the area. The foot connections through the village will be expanded by linking Bellevue Hill to Convent Road through the site and onto Church Road and Delgany Wood. Overall, the accessible shared green space for recreation, linking the permitted open space at Richview towards the south west will enhance the heritage trail and improve the potential of tourism in the area.

2.2 Topography of the Site

The Board has requested the following.

“The documentation submitted with any application should demonstrate how the proposed development would respond to the changes in ground level and how this would affect streets, pedestrian routes, open spaces, landscaping, individual dwellings and their boundary treatments, as well as the treatment of the edges of the scheme as a whole. In particular the location and height of any retaining walls should be clearly shown.”

2.2.1 Changes in ground level

The applicant has provided multiple sections through the site in order to allow a full assessment of the changes in ground level - streets, pedestrian routes, open spaces, landscaping, individual dwellings and their boundary treatments. The sections include cross sections across the site in different directions. The site will be subject to reprofiling in parts. The pedestrian routes have been designed to that they are universally accessible, and the site profile has been amended to allow this.

In relation to the two individual buildings that front Convent Road (Alba House and a protected structure a thatched cottage), the applicant has designed the buildings to the rear as bungalows owing to the sloping nature of the site and proximity to the two houses fronting Convent Road. See Sections PL-C-168_SCS-01 and PL-C-168_SCS-02. The thatched cottage has been set back close to the rear boundary and has large garden to the front and side screened by an extensive planting. The layout could have provided a road to

the rear of the existing two houses but it was considered that a bungalow garden would have a low impact consistent with a residential zoning. It is considered that bungalows in this area (consistent with the Development Plan objectives) are very suitable in this location. . Alba House is set forward of the thatched house that was constructed in the 1950s and it proposed that the proposed rear bungalow gardens will back onto the rear garden of the house consistent with the zoning objective.

In relation to the Protected structure, detailed consideration and an iterative process resulted in the apartment building being set back from the rear of the protected structure and stepped down to three storeys at the southern part, reducing the impact on the rear of the Church. The Apartment Block H2 is L shape with the shorter section closest to the Protected Structure and stepped down by a floor. The longer section is set back c 35 m and has been designed with a large plaza between the apartment block and the Protected Structure and this is the section of the apartment block will be visible from Convent Road to the north of the Church.



Fig.9 Eastern elevation of Apartment H2 without the Protected Structure in the foreground Drawing PL-C-168-AB-H2-07

At present a very large accommodation block is attached to the side of the Protected Structure and this will be removed reinstating the original symmetry. It is proposed to plant a L shape group of *Corylus colurna* (Turkish Hazel) which is a medium-sized, deciduous tree with a striking symmetrical habit. The proposed development as it is set back a considerable distance and reads a separate modern structure providing a sense of enclosure to the focal point of the development, the Church and Villa. The higher part of the apartment block has a contrasting soft grey cladding, designed to pick up the greys of the Church.

The surface water drainage system is provided in the services report by JPBarry Engineers.

The site-specific flood risk assessment has been updated an address the treatment of the watercourse on the site. The watercourse as a feature has been enhanced in the Landscape drawings and reflects the desire for this area to be a feature and an area rich in biodiversity.

2.4 Proposed material contravention

The Board has requested the following.

“The submitted documentation should address any proposed material contravention of the provisions of the applicable county development plan and local area plan in accordance with section 8(1)(iv) of the Planning and Development (Housing) Residential Tenancies Act 2016, as amended.”

The material contravention statement has been updated and is provided as part of the application. The core strategy and density provisions of the Local Area Plan (22 units per ha) have been fully addressed. It is noted that relevant core strategy provisions of the County Plan and the density provisions of the Greystones and Delgany Local Area Plan 2013-2019, also applied to two recent SHDs determined by the Board where a material contravention statement was provided and assessed and where the material contravention issues are the same as the applicable application.

The Planning Authority submission to the Board in relation to the pre application was that the quantum of residential development would be in line with the future needs of the Greystones/ Delgany area. The Planning Authority indicated the numbers would fulfil the projected targets for Greystones/ Delgany up to 2028. According to the Planning Authority, the 2022 housing stock target is 8,321 and extant permissions are 8,600. As the 2028 housing stock target is 10,138 the proposed development represents c 15 % of the available target stock and it may be noted that extant permissions are not delivered development.

Permission was granted for a SHD Glenherron C 19/02/2020 ABP Ref. 305773 for a density of c 49 per ha also on R22 zoning objective with regard to matters including; the policies and objectives in the Wicklow County Development Plan 2016-2022; the Greystones/Delgany and Kilcoole Local Area Plan 2013-2019; Guidelines for Planning Authorities on Sustainable Residential Development; and the Guidelines for Planning Authorities on Urban Development and Building Heights.

The R22 zoning also applied to the recent decision by An Bord Pleanala 15/01/2020 at Farankelly (ABP Ref. 305476) where Board granted permission where a material contravention was applied in relation to the zoning. The Board granted permission for a density of 35.7ha.

3 Opinion - Specific Information

3.1 Architectural conservation report

The Board has requested the following.

“An architectural conservation report which would describe the impact of the proposed development on the protected structures on the site and adjacent to it. The report should also describe the proposed uses for the protected structure on the site, when they would be established and how they would be managed on an ongoing basis.”

Please see Conservation Report by MESH architects .Details of the management of the Protected structure is also provided in detail in the planning report at section 3.4.1.

3.1.1 Proposed uses

The use of the building has been given detailed consideration by the Carmelite Order disposing of the building and the Developer. It has been agreed that the villa part of the Protected Structure will be used as a creche (which will extend into part of the Church for dual creche and community uses). The Church will be operated as a community facility for cultural and community uses.

The proposed development will allow the protected structure be maintained and occupied in a manner beneficial to the new and wider residential community. This will provide a valuable community resource to Delgany village and will protect the built heritage.

A Management Company has been created called *The Delgany Centre* and is a registered company limited by guarantee (Company No. 678344).

The Centre will operate as follows;

- The proposed use for the residence (attached house) is as a crèche.
- The proposed uses for the church are dual: firstly as additional space for the crèche and crèche-related activities; secondly as a community meeting place and arts and cultural centre. The layout of the church and the fact that it adjoins the residence will allow the space to be used flexibly. It can be divided by a demountable partition so no permanent alterations are necessary.
- The church would remain at the service of the community, as specifically requested by the Carmelite community that has vacated the premises. Community events envisaged would include art and heritage exhibitions; evening classes and clubs for residents; weekend workshops for the wider community; and music education and performance, activities for which the acoustics of the church are ideally suited. There could be a special focus on community building and providing activities for young people.
- The church and administrative office, likely to be located in the lodge which is situated inside the front gate, will be managed by The Delgany Centre CLG Co., with a number of trustees, including individuals nominated by the local community.
- Drumakilla Ltd will provide the centre with €50,000 per annum funding for three years; this will assist with the start-up, fund a part-time administrator and ongoing insurance, heating and maintenance costs.
- The Delgany Centre will have as its charitable objectives:
 - The establishment of a sustainable mixed-use facility in the church and residence in keeping with the premises' heritage and the wishes of the religious order that served the community of Delgany for 160 years

- the enhancement of the living and cultural experience of the new community that will establish itself in Convent Road. The church and residence will thereby continue to be at the service of the people of Delgany.
- The premises will be managed in accordance with the above charitable objectives and in accordance with the deed of covenant between the vendors and the developers that prohibits the use of the church as a licensed premises or night club.

3.1.2 *When they will be established*

- The uses will be established in the second phase of the development, as has been agreed in principle with Wicklow County Council subject to their review of the entire SHD application by Drumakilla Ltd. The Council has indicated that it sees no role for the council in the administration of the facility.

3.1.3 *How they would be managed on an ongoing basis.*

A Management Company has been created called The Delgany Centre and is a registered company limited by guarantee (Company No. 678344). The applicant has liaised with Wicklow County Council Heritage Section in relation to appropriate uses and management structure.

The church and administrative office, likely to be located in the lodge which is situated inside the front gate, will be managed by The Delgany Centre CLG Co., with a number of trustees, including individuals nominated by the local community.

Drumakilla Ltd will provide the centre with €50,000 per annum funding for three years; this will assist with the start-up, fund a part-time administrator and ongoing insurance, heating and maintenance costs.

3.2 **Housing quality assessment, schedule of accommodation and building lifecycle report**

The Board has requested the following.

“A housing quality assessment which provides the specific information regarding the proposed apartments required by the 2018 Guidelines on Design Standards for New Apartments. The assessment should also demonstrate how the proposed apartments comply with the various requirements of those guidelines, including its specific planning policy requirements. A legible schedule of accommodation should be included. A building lifecycle report for the proposed apartments in accordance with section 6.13 of the 2018 guidelines should also be submitted.”

A housing quality assessment (HQA) which provides the specific information regarding the proposed apartments required by the 2018 Guidelines on Design Standards for New Apartments has been provided. The HQA also demonstrates how the apartments comply with the requirement of the Guidelines.

A schedule of accommodation is provided in legible format.

A building lifecycle report for the proposed apartments in accordance with section 6.13 of the 2018 guidelines accompanies the application.

3.3 A phasing scheme

The Board has requested the following.

“A phasing scheme for the development which would indicate how open space and infrastructure for the proposed housing would be provided in a timely and orderly manner.”

A phasing scheme has been prepared, see drawing No. PL-C-168-PH-01. This has been agreed in principle by the Planning Authority after the tri partite meeting subject to their assessment of the full application.

3.4 Proposed boundary and surface treatments and landscaping and planting.

The Board has requested the following.

“Details of proposed boundary and surface treatments throughout the development, and of landscaping and planting.”

- Boundary treatments are provided in drawing No.s 1454-6055 (Landscape) and PL-C-168-SL-02 (Architect)
- Surface treatments are provided in drawing No.s 1454-6051 (Landscape)
- Landscaping and planting are provided in drawing No.s 1454-6051 (Landscape)

3.5 Appropriate assessment screening report

The Board has requested the following.

“An appropriate assessment screening report that would address whether the proposed development would be likely to have a significant effect on any Natura 2000 site, either individually or in combination with any other plan or project.”

An appropriate assessment screening report that addresses whether the proposed development would be likely to have a significant effect on any Natura 2000 site, either individually or in combination with any other plan or project has been carried out.

3.6 Draft construction management plan

The Board has requested the following.

“A draft construction management plan.”

A preliminary construction, demolition and environmental waste management plan accompanies the application.

3.7 Draft waste management plan

The Board has requested the following.

“A draft waste management plan”

A draft operational waste management plan accompanies the application.

4 Notice parties

The prospective applicant has notified the following authorities in accordance with section 8(1)(b) of the Planning and Development (Housing) and Residential Tenancies Act 2016:

1. Irish Water
2. The Minister for Culture, Heritage and the Gaeltacht
3. The Heritage Council
4. An Taisce
5. An Chomhairle Ealaíon

5 Conclusion

All the items listed in the Board opinion have been addressed and the applicant would submit that the proposed development on appropriately zoned lands, on an infill site within an existing settlement is an considered development that accords with the proper planning and sustainable development of the area.