

Minutes of the Special Housing and Planning Meeting of Bray Town Council held in the Council Chamber, Town Hall, Bray on Tuesday 7th April 2009 at 7.30 p.m.

Present: Councillor Ciaran O'Brien, Cathaoirleach
Councillor Caroline Burrell
Councillor John Brady
Councillor John Byrne
Councillor Brid Collins
Councillor Anne Egan
Councillor David Grant
Councillor Michael Lawlor
Councillor John McManus
Councillor Steve Matthews
Councillor Pat Vance

Also present: Mr. Des O'Brien, Director of Services
Ms. Christine Flood, Town Clerk
Mr. Sean O'Neill, Town Engineer
Ms. Triona Irving, Administrative Officer
Mr. Paddy Hooper, Senior Planner, Wicklow County Council

Not In Attendance: Councillor Anne Ferris

1. Confirmation of Minutes of the Special Housing and Planning Meeting Dated 3rd March 2009

Councillor Bríd Collins proposed confirmation of the minutes of the Special Housing & Planning Meeting of 3rd March 2009 and Councillor John Byrne seconded the proposal.

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The Cathaoirleach Ciaran O'Brien then proposed taking Item 4 on the Agenda next, (To Discuss The Bray Environs Local Area Plan 2009) as there were a large number of interested members of the public present. For ease of reading, these minutes follow the layout of the Agenda as circulated.

2. To Consider The Housing Progress Report

The members raised the following points:

Ashlawn Court Refurbishment Scheme

- We have talked a lot about houses being held back for the Refurbishment Scheme. It was proposed at the last meeting that if there is no movement on the Scheme that the houses be unboarded and reallocated.
- [Councillor John Brady] There have been cuts to the housing allocations in today's Budget. I propose that the boarding on the houses be removed tomorrow, they be assessed and allocated.
- [Councillor Anne Egan] I second the proposal. We have been awaiting approval for well over a year. We have 173 units that we are waiting to build – what will happen to the sites?
- I agree that it is unlikely that the Department will fund the remainder of this Scheme.
- If we are not getting money from the Government for the Refurbishment Scheme, we should allocate the boarded up houses.
- I recently received a letter from the Town Clerk's office saying that the Scheme meets the approval of the Department of the Environment, Heritage and Local Government for refurbishment. How much will it cost to make these houses habitable?
- We need to deal with this matter as soon as possible. I have no hang ups about who does the refurbishment as long as we get value for money. There should be no preferential treatment for anyone at tendering stage.

Miscellaneous

- We have no funding for the development of the Kilbride Lodge site. At present, there are horses on it, dumping is taking place, people are drinking there and there is anti social behaviour also. Can this be investigated?
- I welcome the fact that the owners of Ballywaltrim Cottages have erected fencing to secure the site. This is a welcome step; they have been secured and are saved from further destruction. However, these houses are needed for people with disabilities.
- Can we have an update on the estate forum that was to be set up in Ballywaltrim Heights? There are problems with horses running around in this estate, which I have informed the Town Clerk of.
- Blind Lane is in a disgraceful state. Previously this Council has removed tonnes of rubbish. We all know who is responsible for the dumping. What enforcement measures are taking place? The O'Byrne Road lane has been cleaned up, and dumping takes place there also.
- If the council had a cost-sharing scheme for the installation of showers in Richmond Hill, the residents may agree to this. We need to keep people in this council in work and keep providing services.
- I got costings to put showers in [Richmond Hill]. I will discuss this with the Housing Department.
- Today's Budget was pessimistic. We need to have a policy of no redundancies amongst the outdoor staff. If needs be, we should redeploy them, particularly to the area of repairs and maintenance. We should also do an insulation programme. We need to keep people in this council in work and keep providing services.
- The Programme of Works makes depressing reading. The Department are delaying things. In the 1980's the public housing programme went ahead. It is wrong of the government not to do so now.
- I agree with the construction and maintenance/insulation schemes. We should do our best to hold onto the outdoor staff.
- What is our position regarding the replacement Windows and Doors Scheme? Has the Maitland Street Scheme been finished?
- Unemployed people are still paying differential rents. We should automatically reduce their rents. It is hard enough to live on Social Welfare without paying higher rents.
- Councillor Byrne is wrong in this regard. Siobhan Kitson in Housing is assessing people instantly and the rents are cut instantly.
- It looks like the Carrigoona site might go ahead, however I am disappointed regarding the Marino Clinic site, it is a good location.
- I ask that the Silverbridge mini-refurbishment and clean up goes ahead.
- Well done to Richard Sheridan, the Memorial Garden in Fassaroe is complete and the flowerbeds in Heatherwood and Deerpark also.
- The Memorial Garden is due to open in May, I ask that the Councillors attend.
- Palisade fencing is urgently needed in Sutton Villas. There is ongoing vandalism affecting one house.
- I agree; the place is a disgrace. There have been terrible problems since we opened up the back lane
- Where are we on the issue of buying houses?
- Regarding Housing Aid for Older People, I ask that when the application is approved and works are completed that Bray Town Council pay the grant as soon as possible. These people are elderly and it's a lot of money for them to have to pay.

Triona Irving, Administrative Officer informed the members of the following:

- We have carried assessments out on some of the boarded up houses in Ashlawn Court and a Schedule of Works will have to be drawn up for costings.
- Some works will need to be done on these houses before they can be allocated. We won't leave them lying idle. We will come up with the funds. I have made the Department aware of the concerns regarding these houses being boarded up. We have sought funding from the Department and are awaiting clarification.
- The horses have been removed from Kilbride Lodge.
- Bray Town Council have never cleaned up Blind Lane. It is possible that Dun Laoghaire Rathdown County Council have done so. If Councillor Brady tells us who is doing the dumping in this area or provides a car registration number and is prepared to go to court, Bray Town Council and Dun Laoghaire Rathdown will prosecute them.

- We have carried out clean ups on O'Byrne Road. No agreement was reached amongst the residents regarding the provision of a gate. People say they know who is dumping, but they won't give us names to enable prosecution. We can't do it alone; we need community involvement.
- I will ask the Housing Engineer to talk to Councillor Matthews regarding the Richmond Hill showers.
- I will check the status of the Maitland Street Windows and Doors Replacement Scheme.
- We have made an application to the Department to fund a further Windows and Doors Replacement Scheme.
- Regarding the Differential Rents, difficulties occur with Social Welfare delays. If persons tell us of their change in circumstances, we will estimate their rent. We ask that they come back to us once their claim has been processed, and we can reassess their rent.
- The Housing Engineer is looking at the provision of palisade fencing for Sutton Villas.
- We have no approval from the Department regarding the purchasing of houses.
- The longest delay for payment of Housing Aid Grants is two weeks. The Clerk of Works inspects the works and arranges payment. If the works are 90-95% complete, we can ask the Clerk of Works to inspect and arrange payment to the contractor, so that the persons getting the works done are not out of pocket.
- The Silverbridge Halting Site clean up is practically finished.

The members responded:

- We need to get these houses [Ashlawn Court] allocated. The longer they are left empty, the more vandalism there will be.
- House prices are at an all time low, I am disgusted that the Government will not allocate money to buy back houses.
- Regarding the Schedule of Works for the boarded up houses – who will complete the work? Will it be Bray Town Council or Wicklow County Council employees?
- I disagree regarding the house purchases. We should build houses and provide employment.

Sean O'Neill, Town Engineer informed the members of the following:

- With regard to the shuttered houses I formed the view after the Housing Action Plan Meeting that further houses in Fassaroe would not be refurbished. We felt it was prudent to ask the Clerk of Works to assess the houses to see what works may need to be done.
- We will see what needs to be done and investigate getting the works done. It is possible that we may use Wicklow County Council employees but by this is no means definite.

3. To Consider Planning Matters

The Administrative Officer reported that the following planning files were requested:

- 09/34

and stated that she had not brought the file to the meeting as it was in the process of being validated. She added that Councillor John Byrne requested that the matter be discussed.

Councillor Byrne stated that he wanted to raise this matter, as the residents are very concerned about the provision of three houses at the site. They are also concerned about the height of the proposed development and are anxious that the development fit into the area. The Killarney Lane is very narrow and there is also provision for car parking for six cars. He finished by stating that the residents would be happy with one or two houses.

The members raised the following points:

Planning File Reference 09/19

- I know this is invalid, but I believe a further application will be made. I question the density.

Planning File Reference 09/21

- This is a protected structure. I ask that any changes made fit in with the structure.

Planning File Reference 09/22

- I support this.

Planning File Reference 09/25

- Please look closely at this application.

Planning File Reference 08/199

- I support this.

Planning File Reference 09/17

- I support this.

The members raised the following points:

- Is there any news on the SuperQuinn site?
- There have been 25 job losses in the SuperQuinn store in Little Bray. There are concerns regarding the site. I ask that we write to the owners to clean up the site, remove the horses and caravans and ask what their intentions for the site are.
- I ask that we look at the Aldi site again. What is happening with this?
- I wanted Aldi in when I was Cathaoirleach. We should approach them and see if they are interested and then rezone.
- With regard to the Flood Protection Scheme, we had a report on the flood model from HR Wallingford, which also went to An Bord Pleanála. I ask that this be placed on the Agenda and the Executive Summary be circulated to the members. I believe there is also a 4 hour video and I ask that this be circulated to the members who are interested.

4. To Discuss The Bray Environs Local Area Plan 2009

Mr. Paddy Hooper, Senior Planner with Wicklow County Council had circulated a document listing the proposed modifications to the Bray Draft Environs Local Area Plan 2009 – 2015. Mr. Hooper stated the following:

- We had a period of public consultation and a draft document was issued which was presented to the members of Wicklow County Council, along with a Manager's Report.
- This document before you is a result of modifications to the Draft Local Area Plan made by the representatives of Wicklow County Council.
- This is the final stage of the process and legally, only the issues in the report in front of the members can be dealt with – other issues cannot be dealt with.
- There are 17 modifications to the original Bray Draft Environs Local Area Plan.

He then proceeded to read through the document for the benefit of the public gallery.

The Cathaoirleach Ciaran O'Brien, thanked Mr. Hooper and asked that the members direct their comments and questions to Mr. Hooper.

The members thanked Mr. Hooper and raised the following points:

- I am a resident of the Southern Cross Road and while I welcome some of the modifications, I believe the Plan is flawed.
- There was no input to this Plan by the Bray Town Council Councillors. I made a submission to Wicklow County Council on this matter and copied the Minister also. His response states that Section 18 of the Planning & Development Act states '*Two or more planning authorities may co-operate in preparing a Local Area Plan in respect of any area which lies within the combined functional area of the authorities concerned.*'
- I ask that we have an integrated approach in the interests of sustainability. Keep the Councillors informed.
- This will have a big impact on the town – Bray Town Council were excluded from any input into this plan. Bray Town Council could and should have been involved in this.
- [Councillor John Brady] This Town Council was excluded from the process. It is important that this council puts forward a voice. I'm putting forward a motion of No Confidence in this Plan. I know that it is possibly not legal but it is an important gesture.

- We should have had more integration. The Plan was conceived in Wicklow County Council and the interests of Bray are playing second fiddle to other parts of the county.
- I agree that this Plan is flawed due to lack of involvement by Bray Town Council, but we have good representation at Wicklow level.
- The Bray Town Council Councillors sitting on Wicklow County Council should vote no to this Plan.
- The submissions were not listed, they should have been.
- Kilruddery did not engage with the locals. They refused access for the Urban Habitat mapping.
- Issues regarding lighting, sewerage, traffic management etc. have not been addressed.
- There is also a traffic issue – where will the entrances to this be? It is stated that 250,000 tourists will visit the Kilruddery development – how will the Southern Cross Road cope with increased traffic?
- There are traffic management issues. It was asked at the public meeting if anyone had seen a business viability plan.
- There was no business or financial plan put forward to this council. We were told that this LAP was crucial to the survival of Kilruddery – the hotel aspect has been removed. How does this sit with the financial element?
- House prices were at a premium previously, but not now.
- I would like to see the number of houses that are required to fund the business aspect of the Plan.
- No Councillor has seen the business plan.
- We don't have a Business Plan. In order to sustain the estate in the future, can we put in a Business Plan? If houses are built, can we ensure that the house and gardens are protected?
- Can the Business Plan regarding Kilruddery be incorporated into the planning?
- If planning permission is granted, we will need to have a traffic management plan in place.
- Perhaps we could have one entrance in and one exit out.
- If the entrance is at Kilruddery, hopefully the exit will be on the Greystones Road.
- People in Hollybrook had to sign a lease to allow access from the Southern Cross Road as part of their agreement when they bought their homes. In effect, this is a legal agreement.
- There is an increase from 56 houses to 120 houses in this documents – where is the need for this? Kilruddery told me that the houses will be eco exclusive and detached. These will cost from €800,000 to €1 million. Where is the room for this amount of houses?
- The density of houses has increased from 56 to 120 units. Where did this figure come from?
- If the houses are not sold, will they be able to fund the development?
- Building 120 houses at the 60 metre contour is not minor. 120 houses on that field is bad planning and sets a very serious precedent for this town. It is far too high. The residents of Swanbrook and Hollybrook will be affected.
- The land in Kilruddery is too high for development. Some houses in Deepdales are also too high. I won't support the development of industry or housing, I will support the tourism development. I don't believe 250,000 visitors will come, Glendalough, which is one of the premier tourist spots, has 85,000 or so visitors. Good tourism infrastructure in good locations will provide employment for a long time. The land won't need to be zoned for the tourist aspect.
- To increase the number of housing units from 56 to 120 is outrageous. This will scar the landscape of Bray. There should be no residential units there. This will not give an ongoing cash injection to the Business Plan.
- I am opposed to development in this field. I proposed at Wicklow County Council to remove the housing element and Councillor Michael Lawlor seconded the proposal. Only 3 Councillors supported this.
- [Councillor David Grant] The Golf Club Lands and Fassaroe developments will provide enough housing. I propose that we remove the proposed residential zoning from the Kilruddery Estate. It provides a natural boundary to the town.
- Why is there anti-development going out in April 2009? Mis-information has gone around and the residents are worried. This is private land we don't own it. I would prefer this development to go this route than private developers handling. This way we can keep tabs on it.
- [Councillor John Byrne] We should take out the tourism aspect of the foggy field and use the ground for allotments.
- [Councillor Steve Matthews] I second Councillor John Byrne's proposal for allotments.

- If this Plan is passed, I ask that the Buffer Zone be in place. I propose that the Zone runs all along the development. We will need a strong written statement by the Council that there will be no pedestrian or vehicular access from the estates into Kilruddery.
- The buffer zone needs to be 25-30 metres.
- The buffer zone has been reduced from 30 to 10 metres. This is not enough. This is a bad development and bad planning. This should not go ahead.
- I would like to clarify something – it was said that the Buffer Zone was reduced. There was no buffer zone originally and this was added to the Plan.
- Bray Town Council will not be getting rates or levies on this development – there is a vague promise regarding tourist development.
- It has been mentioned previously that a Special Area Amenity Order for the Sugarloaf will be made. This development will not fit in with this.
- If this Plan goes ahead, the residents of the Southern Cross Road need a forum with Wicklow County Council and Kilruddery to address any issues they may have.
- There is a lot of concern about this and two public meetings have been held already. 150 submissions were received regarding this Plan – why were the concerns raised on acted upon?
- We need to set up a forum with the residents.
- It is regrettable that people have not been involved in this Plan.
- I have asked Lord and Lady Meath to talk to the residents. They have been very good to the people of Bray. They recently gave allotments to Open Door.
- Previously, we had a presentation by Mr. Hooper and a number of concerns were raised at the time. These were not taken on board.
- We need to look at the control of noise levels also, as an Event Centre is contained in the proposal. What do they mean by this?
- I have concerns regarding the linear walk and anti social behaviour please put in ‘controlled managed walkway’.
- We need to look at tree protection also. Flood protection will have to be agreed by the Councillors.
- Not one submission mentioned the French Gardens, these should be protected.
- Regarding Modification Number 9 [Flood Risk Assessment], with the Office of Public Works have input into this? I think they should do.
- Modification Number 13 states: ‘this zoning objective seeks to provide recreational and amenity resources for the projected population of the Plan area and for the wider area’ in relation to Fassaroe. This [and for the wider area] is missing from the Kilruddery aspect of the modification. Why is this? I believe it should be included.
- When we discussed this LAP originally, I made the point that two landowners own the land in question. I feel the impetus came from this direction, which I regret.
- We should not forget that we are also building a new town. Only six submissions have been received on this aspect of the Plan.
- The new town is necessary, but the residents of Little Bray need to be considered. The LUAS connection with the new development [at Fassaroe] and the town should be built at the same time. Why is there a change in the size of the Park and Ride facility? There is no size stated now.
- Regarding Modification 7, bullet point 1 [Development proposals will be delivered in such a manner that sustainable transport principles can be supported. This will require consideration of public transport requirements, local road, pedestrian and cycle connections, and the need to protect the carrying capacity of the N11/M11 as a strategic road through the area] there is concern amongst the residents of Little Bray that traffic from the new development will be going into residential areas.
- When will the Enterprise Centre be built? The town needs one now. We should not wait on the developer building the new town.
- We should address the whole Plan not just the element as relates to Kilruddery. There will be a new town to the western side of the town. I agree with Councillor McManus that the LUAS should be phased – not when the development is complete.
- Careful planning, design and management to this is important. I welcome development in this area as a lot of locals are living in Gorey, Arklow, etc. I hope in future a certain percentage of new houses in Bray will be kept for the people of Bray, under the County Development Plan.
- Fassaroe is a massive development and will create employment. I welcome the provision of housing. We’re driving young people out of Bray due to lack of housing.

- I wish 250,000 people would visit this town. We had two developments, the Golf Club lands and Florentine Centre that didn't happen. We need to support this development and get this town working again. We need to make sure we get this development right and get people on board.
- We must remember that Development Plans and rezoning are reserved functions and must be made in the best interests of the town. Unjust, inappropriate, improper zoning is not acceptable. This Plan does not fit into the area, it is a poor location and there are access issues. There has been a lack of an integrated approach. The Wicklow County Development Plan demands that tourist developments provide access.
- Everyone is passionate about Kilruddery. It is a good asset to the town and we need to protect it. Our SAAO was the first in the country and one is proposed for the Sugarloaf also.
- I think it's safe to say that we all support the tourism aspect. This will be great for Bray and the residents of the Southern Cross Road.
- There have been very little input from the people of the town regarding the Fassaroe development. This will have a greater effect on the town than the Kilruddery development.
- As far as I'm aware the LUAS will connect with Bray Station.

Mr. Hooper responded:

- There is a weakness in the infrastructure of Bray in that it doesn't have land to allow expansion.
- Kilruddery Gardens were the first formal gardens set out in this country.
- This Plan is for the needs of Bray. There is a need to produce Plans, which are prepared in accordance with the tenets of the various Acts. This LAP has been developed in conjunction with the Bray Town Development Plan.
- The submissions made are available for anyone to view, should they wish.
- The Business Plan will be included in the overall exercise.
- Regarding the provision of housing, we are tied into what went to public consultation. There are houses along the Southern Cross Road that are at 75 metre contour. The proposed units for Kilruddery are at a 65 metre contour.
- The benefits to the town are contained in the document.
- Regarding the consultation process – the Planning and Development Act is not descriptive. We go further.
- The 28 recommendations that the Manager had in his report came from the 150 submissions received. 50 of these submissions were on the same subject.
- Traffic issues have been dealt with in the Plan, but we could strengthen it if submissions are made in the Council Chamber on 27th April next.
- Regarding lack of input – issues papers were produced and we advertised local meetings etc.
- It is correct that the Buffer Zone was not included previously. We can increase it if needs be.
- The map provided shows pedestrian access from the Hollybrook estate only. Vehicular access will be via Kilruddery gate. We can look at separate access/egress under the planning application.
- We can include noise control provisions on the 27th April.
- We will have to think about the Foggy Field – the idea could clearly be supported.
- Regarding Modification 13 'and the wider area' the Fassaroe development is seen as an opportunity to enhance the Bray area. There is provision for a park of greater than 20 hectares. The needs of Bray will be provided by the Fassaroe development. It was felt that the category as applies to Fassaroe does not apply to a small housing development such as that proposed for the Kilruddery development.
- The provision of allotments is a good idea.
- It is correct that there are two land owners only, but the impetus has not come from that area. It has come from the members and the 1999 Plan.
- Yes, the provision of the LUAS to the town should be included.
- The Park & Ride facility was nearly the size of the core itself. Faber Maunsell and the RPA advised that we remove the figure of 6 hectares. This was an error on my part.
- The Plan does not state when the Enterprise Centre will be built and it should.
- I would be interested to see the legal agreement signed by residents of Hollybrook.
- The Buffer Zone can be increased from 10 metres to 30 metres.
- The housing development will be nailed down with the Master Plan and the Business Plan will provide sustainable development.
- The 1999 County Development Plan promotes tourism.

- We are very dependent on the members in the Chamber making proposals – our hands are tied.

The Town Manager, Des O'Brien added the following:

- Regarding the Flood Risk Assessment being conducted by the Office of Public Works; the OPW would not have the resources to look at every ¼ acre site. We will look for Flood Assessment.
- Modification 7, bullet point 1 was a submission received from the DTO, which we put in verbatim.
- I am aware of the Hollybrook legal agreement and it refers to trees outside the wall. The map is possibly misleading as it indicates that there could be access at this point. There is not.
- A lot of good suggestions have been made here tonight. I suggest that the Town Clerk synopsis them and put in a submission from Bray Town Council.

Councillor John Brady stated that he had made a proposal of no confidence in the plan as there was no meaningful consultation on the Plan and that the housing element be removed. There was no one to second this proposal.

Councillor David Grant proposed that Bray Town Council write to Wicklow County Council to remove the residential zoning on the Kilruddery estate from the Bray Environs Plan. Councillor Caroline Burrell seconded the proposal.

The Town Clerk called for a vote on the motion and the Councillors voted in the following manner

Bray Town Council To Write To Wicklow County Council To Request That The Residential Zoning On The Kilruddery Estate Be Removed From The Bray Environs Plan

	For	Against
Councillor John Brady	✓	
Councillor Caroline Burrell	✓	
Councillor John Byrne		✓
Councillor Brid Collins		✓
Councillor Anne Egan		✓
Councillor Anne Ferris	<i>Absent</i>	<i>Absent</i>
Councillor David Grant	✓	
Councillor Michael Lawlor	✓	
Councillor John McManus		✓
Councillor Steve Matthews		✓
Councillor Ciaran O'Brien		✓
Councillor Pat Vance	✓	
Total	5	6

The Town Clerk informed the members of the above result and stated that the motion was not carried.

5. To Discuss The Recent Announcement by Schering Plough Regarding the Planned Closure of the Bray Facility

Due to time constraints, this Agenda Item was not addressed.

6. To Discuss The Draft Litter Bye Laws

Due to time constraints, this Agenda Item was not addressed.

7. To Discuss Amendments to the Byelaws for Placing of Skips on Public Roads

Due to time constraints, this Agenda Item was not addressed.

8. Reports and Recommendations

Due to time constraints, this Agenda Item was not addressed.

9. Notices of Motion

Due to time constraints, this Agenda Item was not addressed.

10. Correspondence

Due to time constraints, this Agenda Item was not addressed.

11. Any other business

Due to time constraints, this Agenda Item was not addressed.

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This concluded the meeting.

Signed:

CATHAOIRLEACH

Signed:

TOWN CLERK

Dated:
