



An
Coimisiún
Pleanála

Commission Direction
CD-000738
PL-500809-WW-26

The submissions on this file and the Inspector's report were considered at a meeting held on 16 June 2026.

The Commission decided to grant permission generally in accordance with the Inspector's recommendation, subject to the reasons, considerations and conditions.

Planning Commissioner:

Mick Long

Date:

17th day of June 2026

Reasons and Considerations:

The Commission had regard to the following:

- (a) Policies and objectives set out in the National Planning Framework and the Regional Spatial and Economic Strategy for the Eastern and Midland Region 2019-2031.

- (b) Policies and objectives of the Wicklow County Development Plan 2022-2028.
- (c) the policies and objectives set out in the lapsed Bray Municipal Local Area Plan 2018-2024,
- (d) Housing for All, A New Housing Plan for Ireland, 2021.
- (e) The Sustainable Residential Development and Compact Settlements, Guidelines for Planning Authorities, 2024.
- (f) The Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities, 2022 (updated 2023).
- (g) The Urban Development and Building Heights, Guidelines for Planning Authorities, 2018 (updated 2020).
- (h) The Design Manual for Urban Roads and Streets, 2013, (updated 2023).
- (i) The Childcare Facilities, Guidelines for Planning Authorities, 2001 (updated 2020).
- (j) The Planning System and Flood Risk Management, Guidelines for Planning Authorities, 2009 (updated 2020).
- (k) The Regulation of Commercial Institutional Investment in Housing, Guidelines for Planning Authorities, 2021.
- (l) The Greater Dublin Area Transport Strategy 2022-2042,
- (m) The nature, scale, and design of the proposed development.
- (n) The availability in the area of a range of social, community, and transport infrastructure.
- (o) The pattern of existing and permitted development in the area.

- (p) The planning history of the site and within the area.
- (q) The reports of the planning authority.
- (r) The submissions received from observers and prescribed bodies.
- (s) The grounds of appeal.
- (t) The response to the grounds of appeal by the applicant.
- (u) The report and recommendation of the Planning Inspector including the examination, analysis and evaluation undertaken in relation to appropriate assessment and environmental impact assessment.

The Commission considered that, subject to compliance with the conditions set out below, the proposed development would be consistent with the applicable policies and objectives of the Wicklow County Development Plan 2022-2028 and would further align with the 'SF: Seafront' zoning objective of the lapsed Bray Municipal Local Area Plan 2018-2024, would represent an appropriate height that would make a positive contribution to the built form in the area and would not adversely impact on local amenity in compliance with CPO 6.18 of the Wicklow County Development Plan 2022-2028, would result in an appropriate density of residential development, would constitute an acceptable mix and quantum of residential, commercial and childcare facility development, would provide acceptable levels of residential amenity for future occupants, would not seriously injure the residential or visual amenities of property in the vicinity or along the seafront, would not cause adverse impacts on or serious pollution to biodiversity, lands, water, air, noise or waste, would be acceptable in terms of pedestrian, cyclist and traffic safety and convenience, and would be capable of being adequately served by water supply, wastewater, and surface water

networks without risk of flooding. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

In relation to the first party appeal the Commission had regard to CPO 6.2 of the Wicklow County Development Plan 2022-2028 and the Regulation of Commercial Institutional Investment in Housing, Guidelines for Planning Authorities, 2021 and was satisfied that Condition No.14 of planning permission 25/60512 was not necessary as the guidelines to prevent the sale of residential units to commercial institutional investment bodies are applicable to own-door housing and duplex units only and not to the apartments which form part of the proposed development

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further information submitted on the 23rd day of December 2025 except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Mitigation and monitoring measures outlined in the plans and particulars, including the Demolition and Construction Waste Management Plan, Operational Waste Management Plan, Ecological Impact Assessment, Invasive Species

Management Plan, Landscape Report, Acoustic Design Statement, Transport Statement, and Residential Travel Plan submitted with this application shall be carried out in full, except where otherwise required by conditions attached to this permission.

Reason: In the interest of protecting the environment, public health, and clarity.

3. Proposals for a development name and numbering scheme, and associated signage shall be submitted to and agreed in writing with the planning authority prior to commencement of development. Thereafter, all such names and numbering shall be provided in accordance with the agreed scheme. No advertisements/marketing signage relating to the names of the development shall be erected until the developer has obtained the planning authority's written agreement to the proposed names.

Reason: In the interest of urban legibility.

4. (a) Details of the materials, colours, and textures of all the external finishes to the proposed buildings and boundary treatments shall be as submitted with the application, unless otherwise agreed in writing with the planning authority prior to commencement of development.

(b) Details of security shuttering, external lighting, and signage for the childcare facility and commercial units shall be agreed in writing with the planning authority prior to commencement of development.

(c) All external shopfronts and signage shall be in accordance with details which shall be submitted to, and agreed in writing with, the planning authority prior to

the provision of such shopfronts and signage. The signage shall be lit by external illumination only.

Reason: In the interest of visual amenity.

5. The use of the commercial units herein permitted shall be used as shops as defined in Article 5 of the Planning and Development Regulations 2001, (as amended) ,unless otherwise permitted by way of a separate planning permission. Prior to occupation the identity, business and operating hours of the occupiers/ operators shall be submitted to and agreed in writing with the planning authority.

Reason: In order to clarify the use of the development hereby permitted and in the interest of proper planning and visual amenity.

6. The boundary treatments shall accord with the details of the Boundaries Plan submitted on the 23rd day of November 2025. The location and design of the retaining wall located along the boundary with the railway embankment shall comply with the requirements of Irish Rail.

Reason: In the interests of safety, security, visual amenity, residential amenity and privacy.

7. (a) No additional development shall take place above roof parapet level, including lift motor enclosures, air handling equipment, storage tanks, ducts or other external plant, telecommunication aerials, antennas, or equipment, unless authorised by a further grant of planning permission.

(b) Roof areas shall be accessed for maintenance purposes only and shall not be used for any amenity or recreational purpose.

Reason: To protect the visual amenities of the area and residential amenities of property in the vicinity.

8. (a) Public lighting shall be provided in accordance with a scheme, which shall include lighting along pedestrian routes through open spaces.

(b) The agreed lighting system shall be fully implemented and operational before the proposed development is made available for occupation.

Reason: In the interests of amenity and public safety, and wildlife protection.

9. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.

Reason: In the interests of visual and residential amenity.

10. The internal road network serving the proposed development, including carriageway widths, corner radii, turning bays, junctions, set down/drop off area, parking areas, footpaths, kerbs, pedestrian crossings, raised tables, and cycle lanes shall be in accordance with the detailed construction standards of the planning authority for such works, and design standards outlined in the Design Manual for Urban Roads and Streets and the National Cycle Manual issued by the National Transport Authority.

Reason: In the interest of amenity and of traffic and pedestrian safety.

11. (a) A minimum of 10% of all car parking spaces shall be provided with functioning electric vehicle charging stations/points, and ducting shall be provided for all remaining car parking spaces, facilitating the installation of electric vehicle charging points/stations at a later date.

Reason: To provide for and/or future proof the development such as would facilitate the use of electric vehicles.

12. Prior to commencement of development and/ or occupation of the residential units, as applicable, final Road Safety Audit(s) and Quality Audit(s) shall be submitted to and agreed in writing with the planning authority.

Reason: In the interest of sustainable transportation, and traffic and pedestrian safety.

13. (a) The management and maintenance of the development following its completion shall be the responsibility of a legally constituted management company, or by the local authority in the event of the development being so taken in charge.

(b) The communal open spaces, hard and soft landscaping, car and cycle parking areas, access ways, refuse/bin storage, and all areas not intended to be taken in charge by the local authority, shall be maintained by the legally constituted management company.

(c) Details of the management company contract, and drawings/particulars describing the parts of the development for which the company would have responsibility, shall be submitted to, and agreed in writing with, the planning authority before any of the residential units are made available for occupation.

Reason: In the interests of orderly development and to provide for the satisfactory future maintenance of this development.

14. (a) The areas of communal and public open space in the development shall be reserved for such use, levelled, contoured, soiled, seeded, and landscaped (hard and soft) in accordance with the Landscape Report and associated landscape plans, unless otherwise agreed in writing with the planning authority.

(b) Final design, finishes, methods of construction and/or installation of footpaths, cycle paths, seating, crossing points over SuDS features, and equipment in play areas shall be submitted to the planning authority for its written agreement.

(c) The landscaping work shall be completed before any of the apartments, are made available for occupation, unless otherwise agreed with the planning authority and completed.

(d) A schedule of landscape maintenance shall be submitted to and agreed in writing with the planning authority prior to occupation of the development. This schedule shall cover a period of at least three years and shall include details of the arrangements for its implementation.

Reason: In the interest of nature conservation, residential amenity, and to ensure the satisfactory development of the open space areas and their continued use for this purpose.

15. The developer shall report immediately the discovery of any archaeological finds and/or remains during the course of groundworks/ construction works to the National Museum of Ireland and the Department of Housing, Local Government,

and Heritage to ensure the appropriate protection and treatment of any such finds and/or remains and the developer shall be prepared to implement any mitigation measures deemed appropriate by the above heritage authorities to ensure the protection of any such finds/remains impacted by the development.

Reason: To ensure the continued preservation (either in situ or by record) of places, caves, sites, features or other objects of archaeological interest.

16. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays inclusive and 0800-1400 on Saturdays, and not at all on Sundays and public holidays. Deviation from these times will only be allowed where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.

17. Prior to the commencement of development, a Resource Waste Management Plan (RWMP) as set out in the EPA's 'Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects' (2021) shall be prepared and submitted to the planning authority for written agreement. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.

Reason: In the interest of proper planning and sustainable development.

18. Prior to the commencement of any works associated with the development hereby permitted, the developer shall submit a Construction Management Plan (CEMP) for the written agreement of the planning authority. The CMP shall incorporate details for the following: collection and disposal of construction waste, surface water run-off from the site, on site road construction, and environmental management measures during construction including noise control, dust and vibration control and monitoring of such measures. A record of daily checks that the construction works are being undertaken in accordance with the CMP shall be kept at the construction site office for inspection by the planning authority. The agreed CMP shall be implemented in full in the carrying out of the development.

Reason: In the interest of residential amenities, public health and safety.

19. (a) An Operational Waste Management Plan (OWMP) containing details for the management of waste within the development (apartment blocks, commercial units and childcare facility), including the provision of facilities for the storage, separation, and collection of the waste and for the ongoing operation of these facilities, shall be submitted to and agreed in writing with the planning authority not later than six months from the date of commencement of the development and prior to occupation of any unit. Thereafter, the waste shall be managed in accordance with the agreed OWMP.

(b) The OWMP shall provide for screened communal bin stores for the apartment blocks, commercial units and the childcare facility, the locations, and designs of which shall be as indicated in the plans and particulars lodged within the application unless otherwise agreed in writing with the planning authority.

Reason: In the interest of residential amenity, and to ensure the provision of adequate refuse storage for the proposed development.

20. Drainage arrangements including the attenuation and disposal of surface water shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health and surface water management.

21. The developer shall enter into water and/or wastewater connection agreement(s) with Uisce Éireann, prior to commencement of development.

Reason: In the interest of public health.

22. Prior to commencement of development, the applicant or other person with an interest in the land to which the application relates shall enter into an agreement in writing with the planning authority in relation to the provision of housing in accordance with the requirements of section 94(4) and sections 96(2) and (3) (Part V) of the Planning and Development Act 2000, as amended, unless an exemption certificate shall have been applied for and been granted under section 97 of the Act, as amended. Where such an agreement is not reached within eight weeks from the date of this order, the matter in dispute (other than a matter to which section 96(7) applies) may be referred by the planning authority or any other prospective party to the agreement to An Coimisiún Pleanála for determination.

Reason: To comply with the requirements of Part V of the Planning and Development Act 2000, as amended, and of the housing strategy in the development plan of the area.

23. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion and maintenance until taken in charge by the local authority and/or management company of roads, footpaths, watermains, drains, public open space and other services required in connection with the development, coupled with an agreement empowering the local authority to apply such security or part thereof to the satisfactory completion or maintenance of any part of the development. The form and amount of the security shall be as agreed between the planning authority and the developer.

Reason: To ensure the satisfactory completion and maintenance of the development until taken in charge.

24. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of

payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

All external shopfronts and signage shall be in accordance with details which shall be submitted to, and agreed in writing with, the planning authority prior to the provision of such shopfronts and signage. Where agreement cannot be reached between the applicant/developer and the local authority the matter shall be referred to An Bord Pleanála for determination. The signage shall be lit by external illumination only.

Reason: In the interest of visual amenity.