

An
Coimisiún
Pleanála

Commission Order
PL-500809-WW-26

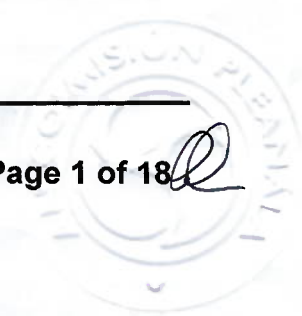
Planning and Development Act 2000, as amended

Planning Authority: Wicklow County Council

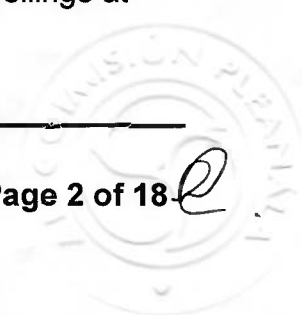
Planning Register Reference Number: 2560512

Appeal by Eoghan O'Callaghan and by Others against the decision made on the 24th day of January, 2026 by Wicklow County Council to grant subject to conditions a permission to Benduff Ireland Limited in accordance with plans and particulars lodged with the said Council.

Proposed Development: (i) demolition of the existing three number dwellings at Coastguard Terrace and all associated structures including a cabin and shed; (ii) removal of hardstanding to the existing car park and part of the existing retaining wall to the rear of dwellings to be demolished at Coastguard Terrace; (iii) construction of a 99 number unit residential development, comprising 34 number one-bedroom apartments, 50 number two-bedroom apartments and 15 number three-bedroom apartments, contained within two number blocks (Blocks A and B). Block A ranges in height from five to six storeys and includes a total of 71 number apartments (23 number one-



bedroom apartments, 37 number two-bedroom apartments and 11 number three-bedroom apartments), and three number commercial units (482.4 square metres) and a two storey creche unit (242.7 square metres) accessed from Strand Road and Coastguard Terrace. Block B ranges in height from four to six storeys (five storeys from ground floor level on Coastguard Terrace) and includes a total of 28 number apartments (11 number one-bedroom apartments, 13 number two-bedroom apartments and four number three-bedroom apartments). All apartment units proposed have access to private amenity space in the form of a balcony/terrace. The proposed development also includes: (iv) provision of bin stores, plant rooms, and bicycle stores and an undercroft car park area, accessible off Strand Road, (v) 82 number car parking spaces will be provided to serve the development (including five number accessible parking spaces, 16 number EV car charging spaces) and eight number motorcycle spaces, (vi) 259 number bicycle parking spaces will be provided to serve the development (including 172 number standard spaces, nine number cargo and 78 number visitor spaces (vii) provision of two number pedestrian access points off Coastguard Terrace via a podium and further pedestrian access points along Strand Road; (viii) provision of an external play area to serve the creche unit (69 square metres), landscaped communal open space (750 square metres), landscaped public open space (1100 square metres), public realm improvements to the sites Strand Road frontage including external seating areas and bicycle parking (719 square metres); and (vix) all ancillary site and infrastructural works as necessary to facilitate the proposed development, including, works to retaining wall, foul/surface water drainage and attenuation areas, rain garden, water feature, sprinkler tank, ESB substation, upgrade to existing junction along Strand Road, general landscaping, boundary treatments, and public lighting, Bray Waterfront, Strand Road, Bray, County Wicklow. Site includes the existing surface car park accessible off Strand Road, and the following dwellings at



Coastguard Terrace (Eircode: A98 V6K7), number 8 Coastguard Terrace (Eircode A98 VR92) and number 9 Coastguard Terrace (Eircode: A98 VX44), Putland Road, Bray, County Wicklow.

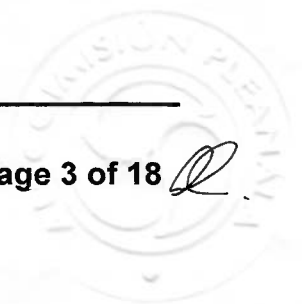
Decision

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

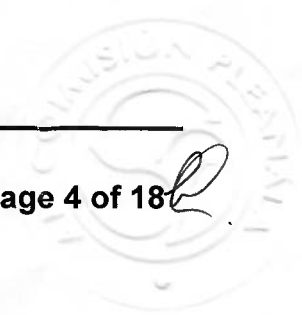
Reasons and Considerations

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) Policies and objectives set out in the lapsed Bray 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.

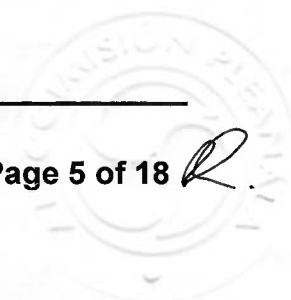


- (f) the Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities, 2025.
- (g) The Urban Development and Building Heights, Guidelines for Planning Authorities, 2018 (updated 2020).
- (h) The Design Manual for Urban Roads and Streets.
- (i) The Childcare Facilities, 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 considers 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 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 acceptable 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 appeal by the first party, 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 number 14 of the planning authority grant of permission (register reference 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 apartments which form part of the proposed development.

In granting permission for the proposed development, the Commission noted that the removal of one unit from Block A and the third floor from Block B (six units) would result in the number of units in the revised proposed development being reduced from 99 to 92, and not 91 as was previously outlined.

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.

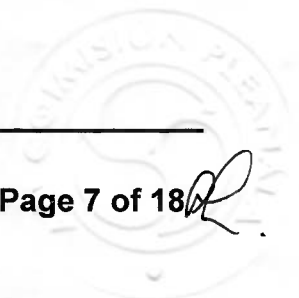
Reason: In the interest of clarity.

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. The number of units granted for this development is 92.

Reason: In the interest of clarity.

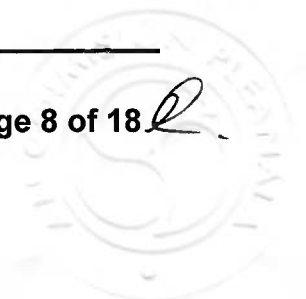


4. Proposals for a development name and numbering scheme, and associated signage shall be submitted to and agreed in writing with the planning authority prior to commencement of development. Thereafter, all such names and numbering shall be provided in accordance with the agreed scheme. No advertisements/marketing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

Reason: In the interest of urban legibility.

5.
 - (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 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.



6. The use of the commercial retail units herein shall be used as shops as defined in Article 5 of the Planning and Development Regulations 2001, as amended, unless otherwise permitted. 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.

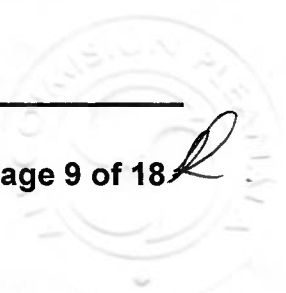
Reason: In order to clarify the use of the development hereby permitted and in the interest of proper planning and sustainable development.

7. The boundary treatments shall accord with the details of the Boundaries Plan prepared by Ait Urbanism and Landscape, submitted on the 23rd day of November 2025. In particular 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.

8. (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.



9. Public lighting shall be provided in accordance with a scheme, which shall include lighting along pedestrian routes through open spaces. The agreed lighting system shall be fully implemented and operational before the proposed development is made available for occupation.

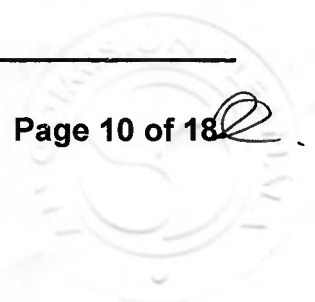
Reason: In the interests of amenity and public safety, and wildlife protection.

10. 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.

11. 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.



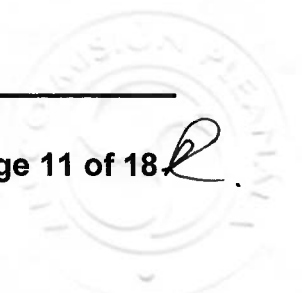
12. A minimum of 10% of all car parking spaces shall be provided with functioning electric vehicle charging stations/points, and ducting shall be provided for all remaining car parking spaces, facilitating the installation of electric vehicle charging points/stations at a later date.

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

13. 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.

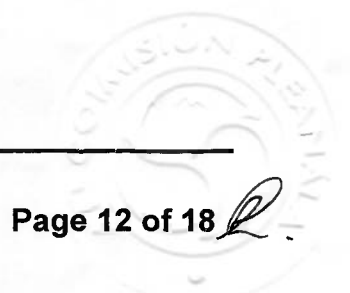
14. (a) The management and maintenance of the development following its completion shall be the responsibility of a legally constituted management company, or by the local authority in the event of the development being so taken in charge.
- (b) The communal open spaces, hard and soft landscaping, car 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.

15. (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.



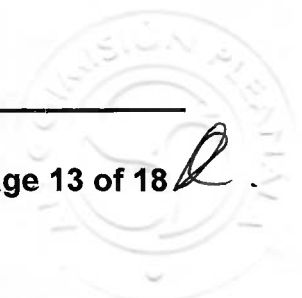
Reason: In the interest of nature conservation, residential amenity, and to ensure the satisfactory development of the open space areas and their continued use for this purpose.

16. 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.

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

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

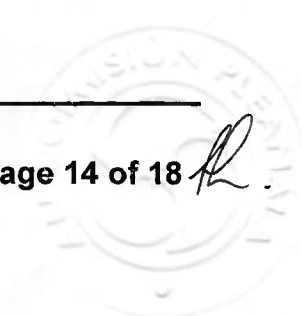


18. Prior to the commencement of development, a Resource Waste Management Plan (RWMP) as set out in the Environmental Protection Agency's 'Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects' (2021) shall be prepared and submitted 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.

19. Prior to the commencement of any works associated with the development hereby permitted, the developer shall submit a Construction Environmental Management Plan (CEMP) for the written agreement of the planning authority. The CEMP 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 working hours, 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 CEMP shall be kept at the construction site office for inspection by the planning authority. The agreed CEMP shall be implemented in full in the carrying out of the development.

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

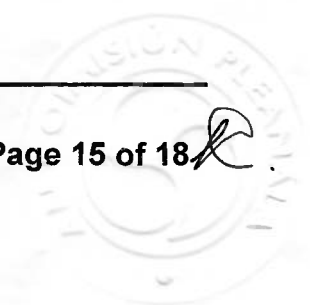


20. (a) An Operational Waste Management Plan (OWMP) containing details for the management of waste within the development (apartment blocks, commercial units and childcare facility), including the provision of facilities for the storage, separation, and collection of the waste and for the ongoing operation 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. 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.

21. 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.

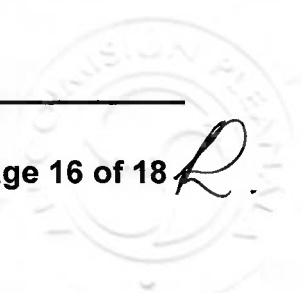


22. The developer shall enter into water and/or wastewater connection agreement(s) with Uisce Éireann, prior to commencement of development.

Reason: In the interest of public health.

23. 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.

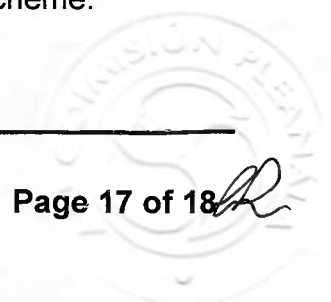
Reason: To comply with the requirements of Part V of the Planning and Development Act 2000, as amended, and of the housing strategy in the development plan of the area.



24. 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 or, in default of agreement, shall be referred to An Coimisiún Pleanála for determination.

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

25. 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 or, in default of such agreement, the matter shall be referred to An Coimisiún Pleanála to determine the proper application of the terms of the Scheme.



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.



Mick Long

**Planning Commissioner of An Coimisiún
Pleanála duly authorised to authenticate
the seal of the Commission.**



Dated this *22nd* day of *June* 2026