



An
Bord
Pleanála

Inspector's Report

ABP319752-24

Development	Three houses at rear of residential property, access, parking and all associated site works.
Location	Ceadaoín, Putland Road, Bray, County Wicklow, A98 YX52.
Planning Authority	Wicklow County Council
Planning Authority Reg. Ref.	24124
Applicant(s)	Bairbre Wilson and Jeff Doyle
Type of Application	Permission
Planning Authority Decision	Refused
Type of Appeal	First Party
Appellant(s)	Bairbre Wilson and Jeff Doyle
Observer(s)	Emmet Cunningham George and Eunice Boyle
Date of Site Inspection	13 January 2025
Inspector	Vanessa Langheld

1.0 Site Location and Description

- 1.1 The site, measuring 0.1146 ha (0.28 acres) is located to the rear of Ceadaoin, Putland Road, Bray, County Wicklow. Putland Road is a relatively wide Regional Road connecting Bray Seafront with Vevay Road. It is a busy road, with considerable traffic and noise. This is an established road characterised by residential development with a mixture of housing types including large, detached houses, semi-detached housing, bungalows and terraced three storey dwellings. On the western end of the road where the appeal site is located the houses tend to have large front and back gardens and established planting.
- 1.2 The site is located on the northern side of Putland Road. On the opposite side of the road (i.e. the south side) there is a church, the Presentation College school grounds and the former Bray Head School and its associated grounds. A Strategic Housing Development of 179 residential units has recently been granted by the Board (ABP 312020-21) on a large site on the south side of Putland Road. That 2 ha site was formerly part of the Presentation College School grounds and is occupied by a two storey Protected Structure known as Bray Head School (also the Monastery). To the rear of the site (the north) the site is adjoined by the back gardens of houses at Seacrest, an established road of two storey semi-detached houses.
- 1.3 The appeal site is the large back garden site of the frontal house Ceadaoin. It is presently accessed by a single vehicular access onto Putland Road with parking for up to c. 2 no. cars. The house has a large back garden, with a wider than average side garden. The adjoining houses also have wide side gardens (somewhat narrower than Ceadaoin) and similarly large back gardens. Some of the back gardens on Putland Road have already been developed for individual single storey backland housing. The substantial back garden site is adjoined by the back gardens of the adjoining residential properties Carysfort and Currabawn. There is substantial established boundary planting and mature trees along the boundaries of the appeal site and the adjoining gardens.
- 1.3 Putland Road is on a gradient rising from the seafront to the east to Vevey Road to the west. Ceadaoin is located on a somewhat steep part of Putland Road as

the road rises towards Vevey Road. The site itself is located on a hill rising from the road (east) to back of the houses at Seacrest (to the north). The front of the site faces the entrance to the Presentation College grounds.

- 1.4 Putland Road is approximately 15 minutes' walk in either direction to the centre of Bray and to the Seafront. Bray Town is very well served by public transport including the DART line. Having regard to the accessibility definitions set out in Table 3 of the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (January 2024), the site may be defined as a 'Suburban / Infill' location.

2.0 Proposed Development

The Application provides for the construction of 3 no. dwellings of 154 sq m per unit (totalling 462 sq m), comprising 2 no. semi-detached 4 four bed houses and 1 no. detached four bed house. A new entrance to Putland Road is also proposed which runs along the boundary of the neighbouring house Currabawn. The frontal property Ceadaoin will retain side passageways on both sides (smaller on the eastern side) and a substantial back garden (345 sq m).

The planning application site boundary does not include the existing frontal house which is shown within a blue line boundary.

The three new houses will include attic level accommodation, with Velux windows to the rear and gable end roof profiles (9.9 m high) and are therefore effectively three storey houses.

The proposed development also provides for the following:

- New 5.5m wide vehicular and pedestrian entrance from Putland Road (in addition to the existing driveway), running 54m along the length of the existing property, which will lead to the three new houses and six frontal parking bays).
- Private amenity back garden space for each dwelling of 74 sq m, 76 sq m and 81 sq m per dwelling, respectively.

- Modest tree / boundary planting to a small section of the northern boundary with the houses behind on Seacrest, the eastern boundary with Currabawn and the western boundary with Carysfort.
- Construction of a new 2.5m high blockwork boundary retaining wall to the adjoining back gardens of Carysfort to the west and Carrabawn to the east.
- Public lighting along the new access road and shared boundary with back gardens on both sides.
- Each house has a gated site passageway leading to the back gardens and a small amount of planting to the front.
- Electric vehicle charging is provided to the front of each house.
- 1 no. disabled parking bay to the front of House No. 2B.
- 2 no parking bays to the front of each house, slightly offset to the front of each house.
- In addition, the statutory notices reference 'associated site development works' but reference to the proposal demonstrates that these would involve significant excavation and soil removal.

The application documentation includes

- A Planning Design Statement by Horan Rainsfort Architects.
- An Engineering Planning Report by Muir Associates Limited, Consulting Engineers (addressing location, vehicular access, car parking, foul water drainage, storm water drainage and water supply).
- A Site Specific Flood Risk Assessment by Muir Associates Limited, Consulting Engineers.

The documentation does not include a tree survey of trees and planting to be removed, a landscaping plan or a report addressing the issue of excavation and of the retention of different gradients of adjoining properties resulting.

3.0 Planning Authority Decision and Reports

3.1 Planner's Report

The principle of development on this backland site is acceptable subject to siting, design, provision of adequate parking, amenity space and the development not having an adverse effect on adjoining property.

Two former applications were refused in 2023 due to siting and design. The current application is similar to one of those previously refused i.e. Wicklow County Council Reg. Ref. 23/810.

The Planning Officer's Report notes that the Sustainable and Compact Settlement Guidelines 2024 were published since the former applications were refused and with this in mind the refusal reasons for the previous application were reviewed as follows:

Overdevelopment

The site is slightly larger than the previous application and development equates to 21.16 units per ha.

Design and Character of the area.

This issue has largely not been addressed. This is a small backland site, and the design, scale and character should be in character with that of the surrounding area.

Height and level difference

- The height of 9.942m and the layout and separation to the boundaries remains substantially the same as that formerly refused. However, the proposed houses will be cut into the ground, which will reduce their perceived height.
- There is limited separation of side boundaries to adjoining back gardens and high gable elevations and a general level of intrusion.
- There is overshadowing impact on adjoining properties.

- The small gardens are acceptable; however there is no public open space proposed.
- No overlooking issues arise.
- Access and parking issues are largely addressed.

The Planning Officer notes that if permission was being granted some additional information on issues of access / parking and services would be required.

As regards the recently published Sustainable and Compact Settlement Guidelines, the Planning Officer notes that case-by-case consideration in small infill sites is required. In conclusion the Planning Officer states that the current application is largely the same as that previously refused, the key issue being the fundamental design concept which is the proposal being for 3 no. effectively three storey traditional type semi and detached dwellings on a constrained backland site with insufficient regard to the character of the area.

3.2 Planning Authority Decision

The Planning Authority issued a decision to refuse permission for the following reason (citing several issues):

1. *Having regard to the proposed development and the prevailing pattern of backland development in the area and the RE Existing Residential zoning objective for the site which is 'To protect, provide and improve residential amenities of existing residential areas', it is considered that the proposed development would represent haphazard development and overdevelopment of the site and would seriously injure the amenities of property in the vicinity by reason of:*
 - (a) *The layout and design of the proposed houses which is materially at odds with the prevailing pattern of development in this area.*

- (b) *The scale, height and design of the proposed two storey houses, resulting in a development that would be visually obtrusive and overbearing.*
- (c) *The proposal for three houses without public open space,*
- (d) *The failure to propose reduced parking at an accessible urban location.*

The proposal would therefore be contrary to the proper planning and sustainable development of the area.'

4.0 Planning History

23/810 - Permission was refused for a similar development of 3 no. four bed houses. (The site was slightly smaller, and no excavation was proposed.) The decision was refused by Wicklow County Council and appealed to the Board, but invalidated by the Board due to incorrect payment of the appeal fee.

The reason for Wicklow County Council Refusal for that development was as follows:

1. *Having regard to the proposed development and the prevailing pattern of backland development in the area and the RE Existing Residential zoning objective for the site which is 'To protect, provide and improve residential amenities of existing residential areas', it is considered that the proposed development would represent haphazard development and overdevelopment of the site and would seriously injure the amenities of property in the vicinity by reason of:*
 - a) *the layout and design of the proposed houses which is materially at odds with the prevailing pattern of development in this area.*
 - b) *The scale, height and design of the proposed two storey houses, resulting in a development that would be visually obtrusive and overbearing.*
 - c) *The overlooking impact on adjoining houses,*
 - d) *Th proposal for three houses without private open space,*

- e) *The failure to show that any future access road would be provided with satisfactory turning space with the road to allow for vehicles to exit in forward gear.*

The proposal would therefore be contrary to the proper planning and sustainable development of the area.'

23/822 – This was a concurrent application for a two bed bungalow in the remaining back garden of Ceadaoin. That application was also refused permission by Wicklow County Council. The refusal stated as follows:

'1. Having regard to the proposed development and the prevailing pattern of backland development in the area and the RE Existing Residential zoning objective for the site which is 'To protect, provide and improve residential amenities of existing residential areas', it is considered that the proposed development would represent haphazard development and overdevelopment of the site and would seriously injure the amenities of property in the vicinity by reason of:

- (a) the restricted and constrained layout resulting from the proposed site subdivision and the scale, height and design of the proposed two storey house, resulting in a development that would be visually intrusive.*
- (b) The proposal to construct a house in the absence of the required road infrastructure, which is outside of the red site boundary,*
- (c) The need to show that any future access road would be provided with satisfactory turning space within the road to allow for vehicles to exiting without reversing.*
- (d) The windows located on the first floor rear elevation which directly overlook the rear private open space of the existing dwelling.*

- (e) *The substandard design of private amenity space which has restricted rear garden depth, and the lack of public open space, having regard to the adjoining proposed development.*

The proposed development would therefore be contrary to the proper planning and sustainable development of the area.'

5.0 Policy Context

The relevant countywide planning documents applicable to the site are:

- The Bray Local Area Plan, 2018-2024.
- The Wicklow County Development Plan, 2022-2028.
- Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities, January 2024.
- National Planning Framework (Updated Draft Revised National Planning Framework, November 2024).

(It is noted that Wicklow County Council invited submissions on the Draft Bray Municipal District Local Area Plan (LAP) 2025 from 20 November 2024 to 18 December 2024. Work has since commenced on the preparation of the new Bray Local Area Plan but the Draft Plan is not published to date. The Bray Local Area Plan, 2018-2024 is therefore considered to be the Plan in force at the writing of this Report.

5.1 Bray Local Area Plan, 2018-2024

The site is zoned RE – Existing Residential *'To protect, provide and improve residential amenities of existing residential areas'* in the Bray Municipal District Local Area Plan, 2018. Residential development is *'Permitted in Principle'* within this zone.

5.2 Wicklow County Development Plan 2022-2028

Bray Town and its environs constitute a designated Level 1 'Metropolitan Area Consolidation Town' settlement in the Wicklow County Development Plan 2022-2028 Development Plan. This key town is identified for growth rates of 35 percent having regard to its identification in the RSES (The Regional Spatial and Economic Strategy for the Eastern Midland Region, 2019-2031) as a town suitable for higher levels of growth.

The following policies are relevant to the type of residential development currently under appeal:

General

'CPO 6.3

New housing development shall enhance and improve the residential amenity of any location, shall provide for the highest possible standard of living of occupants and in particular, shall not reduce to an unacceptable degree the level of amenity enjoyed by existing residents in the area.

CPO 6.4

All new housing developments (including single and rural houses) shall achieve the highest quality of layout and design, in accordance with the standards set out in the Development and Design Standards (Appendix 1) and the Wicklow Single Rural House Design Guide (Appendix 2).

CPO 6.5

To require that new development be of the highest quality design and layout and contributes to the development of a coherent urban form and attractive built environment in accordance with the following key principles of urban design:

- *Strengthening the character and urban fabric of the area;*

- *Reinforcing local identity and sense of place;*
- *Optimise the opportunities afforded by the historical and natural assets of a site / area;*
- *Providing a coherent, legible and permeable urban structure;*
- *Promoting an efficient use of land;*
- *Improving and enhancing the public realm;*
- *Conserving and respecting local heritage;*
- *Providing ease of movement and resolving conflict between pedestrians/cyclists and traffic;*
- *Promoting accessibility for all; and*
- *Cognisance of the impact on climate change and the reduction targets for carbon emissions set out by the Government.'*

Existing Residential Areas

CPO 6.21

In areas zoned 'Existing Residential' house improvements, alterations and extensions and appropriate infill residential development in accordance with principles of good design and protection of existing residential amenity will normally be permitted (other than on lands permitted or designated as open space, see CPO 6.25 below). While new developments shall have regard to the protection of the residential and architectural amenities of houses in the immediate environs, alternative and contemporary designs shall be encouraged (including alternative materials, heights and building forms), to provide for visual diversity.

(Underlining is my emphasis.)

CPO 6.22

In existing residential areas, small scale infill development shall generally be at a density that respects the established character of the area in which it is located, subject to the protection of the residential amenity of adjoining properties. However, on large sites or in areas where previously serviced, low density housing becomes served by mains water services, consideration will be given to densities above the prevailing density, subject to adherence to normal siting and design criteria.

3.1.6 Infill / backlands development in existing housing areas

'Many older housing areas were built at densities and in such formats that resulted in particularly large plot sizes. Where opportunities arise for infill or backland type development, the following standards shall apply.

The site / plot must be capable of being developed in accordance with the density parameters set out for that area in the local area or town plan, or in any case in keeping with the prevailing density of the immediate area. Where no density limit is set (for example, in areas zoned 'existing residential'), the quantum of development that will be permissible will flow as a result of adherence to best development standards;

The design of a new house should complement the area. Where an area has an established unique or valuable character worthy of preservation, particular care should be taken to match the style and materials of the area; however, where an area is a 'mixed-bag' of styles and periods, more flexibility can be applied;

Particular attention will be required to be paid to the design and location of new windows, in order to ensure that the privacy of either the existing house on the plot or adjacent houses is not diminished.

Gable walls abutting public areas (e.g. footpaths, car parking areas and open spaces) will not be permitted and a minimum separation

of 0.9m will be required between the house gable and the side wall of the plot;

Where the access route to a proposed development site is proposed to run alongside the external walls of the existing dwelling on the development plot or the external walls of a dwelling on an adjoining plot, there must be adequate separation available to facilitate the required driveway (normally 3m) and allow a 0.5m 'buffer' area alongside any existing dwelling. Any deviation from this standard must be evaluated on traffic safety and residential amenity grounds;

The re-design of access and car parking arrangements for the existing dwelling on the plot must be clearly detailed, and permission included for same where required; developments accessed from a long narrow driveway must provide for the turning of vehicles within the site;

Cognisance will be required to be taken of the potential of adjacent rear / side plots to be developed in a similar manner and separation between site boundaries, location of windows etc must not prejudice development options on the adjacent plot;

New apartment developments dependent on access through existing established areas of predominantly single family homes will not be permitted.'

5.3 Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities, January 2024

In January 2024, the Government issued the above Guidelines with a focus on sustainable residential development and the creation of compact settlements.

One of the principles of the Guidelines is to support, alongside National Building Standards, new homes that provide a high standard of amenity whilst also achieving sustainable and low carbon development.

Figure 5.1 sets out the six key characteristics of low-rise compact forms of 'own door' housing:

- *'Narrow blocks, small plots and compact layouts.'*
- *Varied forms of open space at multiple levels.*
- *Varied housing types.*
- *Narrow streets and small setbacks.*
- *Integrated parking solutions.*
- *Reduced separation and privacy measures.'*

As regards public open space the Guidelines State, *'all developments are required to make provision for a reasonable quantum of public open space' and generally not 'less than 10% of net site area'*. The Guidelines make provision for setting aside the public open space requirements *'in cases where the planning authority considers it unfeasible, due to site constraints or other factors to locate the open space on site'*. (Section 5.3.3 and Policy and Objective 5.1.)

As regards car parking, the Guidelines state that the availability of parking has a critical impact on travel choices for all journeys. Therefore, in our cities and larger towns where there is ongoing investment in public transport and active travel, car parking provision should be reduced taking account of the proximity to urban centres and to sustainable transport options.

In accessible locations, *'car parking provision should be substantially reduced. The maximum rate of parking provision for residential development, where such provision is justified to the satisfaction of the planning authority, shall be 1.5 no. spaces per dwelling.'* (Section 5.3.4 and SPPR 3.)

5.4 Natural Heritage Designations

- Bray Head SAC (000714) - a proposed Natural Heritage Area – c. 2 km south-east of the appeal site.

- Ballyman Glen SAC (000714) - a proposed Natural Heritage Area – c. 5 km north-west of the appeal site.

5.5 EIA Screening

See completed Form 2 on file. Having regard to the nature, size, and location of the proposed development and to the criteria set out in Schedule 7 of the regulations I have concluded at preliminary examination that there is no real likelihood of significant effects on the environment arising from the proposed development. EIA, therefore, is not required.

6.0 First Party Appeal

The First Party Appeal was submitted by Horan Rainsford Architects, the scheme Architects on behalf of the Applicant and is summarised as follows:

- Putland Road is characterised by one and two storey wide suburban houses. They have large front and rear gardens with wide separation distances between the houses. The streetscape has no consistent architectural character. There have been a number of single dwellings granted permission to the rear of these houses.
- The appeal site slopes upwards, south to north, from Putland Road. The ground level will be lowered, and the proposed houses will appear to be 1.9m to 2.5m lower than their actual height. They will be 54 m from Putland Road which will further reduce their perceived impact.
- The current proposal is aligned with Government Policy as contained within the Compact Settlement Guidelines and with Wicklow County Council's policy to deliver 30 percent of new housing within existing built up areas.
- There is already an established pattern of backland development on Putland Road; the only difference with the appeal scheme is the density

and height. Large, detached houses are no longer considered sustainable and there is an obligation to develop at an appropriate and compact density.

- The proposed houses are high quality and exceed all design standards. They are traditional in form and contemporary in detail. Figure 6.1 of the appeal shows an image of the houses in context.
- The site is close to public parks and amenity spaces and the applicant is prepared to pay a financial contribution in lieu of provision of public open space.
- The dwellings have been provided with private open space in excess of the minimum standards.
- Reduced parking can be provided if considered necessary by the Board. A Condition requiring reduced parking would address this issue.

In conclusion, the scheme Architects state that the Application provides an opportunity to provide three high quality houses on a large infill site. The Application accords with local and National policy and there will be minimal impact on adjoining properties in terms of visual impact.

6.1 Planning Authority Response to First Party Appeal

There was no further comment on this application / appeal on file from Wicklow County Council.

6.2 Observations on First Party Appeal by Emmet Cunningham, 16 Seacrest, Bray, Co. Wicklow (i.e house to the rear /north of the appeal site).

The observations are summarised as follows:

- Scale of buildings – The development is too large, would dominate the area and create a sense of overdevelopment and congestion. It will adversely affect the character, privacy and amenity of the area.
- The proposed development is out of character with established housing in the area.
- The design provides for houses which are too high, exceeding the height of the buildings on Seacrest to the north / rear of the appeal site.
- Their aspect is different to all the other backland housing on Putland Road and reduces privacy and amenity of established housing. It would also increase noise and disturbance to adjoining gardens.
- Construction traffic and general disruption will be unacceptable.
- The removal of planting and soil in order to reduce the ground level may disrupt adjoining properties and no remedial work is indicated.

6.3 Observations by George and Eunice Boyle, Cuala, Putland Road, Bray, Co. Wicklow

These observations are summarised as follows:

- There is no objection to the principle of a single storey infill house on this back garden site.

- The proposed houses will however be higher than the frontal houses unlike other single storey infill housing.
- This application includes a new vehicular entrance unlike former applications for backland sites, which shared existing entrances. The new entrance will create a traffic hazard with the school traffic from the Presentation College across the road.
- The 5.5m wide access is considered to be too narrow for cars to pass each other and this will contribute to further traffic hazard.
- The development if permitted will create a precedent, which will considerably alter the character of this road.

7.0 Assessment

I have read the documentation attached to this file including the Appeal, the Report of the Planning Authority and Observations on the First Party Appeal. In addition, I have visited the site.

The issues of importance are considered to be those raised by the Planning Authority in the reason for refusal, those raised in the First Party Appeal and those raised by the Observers to that Appeal. These are considered under the following headings:

1. The principle of the development of this backland site.
2. The suitability of the design in terms of the residential amenity of the existing adjoining housing.
3. Traffic Safety.

7.1 The principle of the development of this backland site

7.1.1 Zoning of the site and Character of the Area

The site is zoned RE (Existing Residential) in the Bray Local Area Plan 2018-2024. (The Plan is currently under review but remains the Plan in force at the time of writing this Report.) The general objective for such areas is to encourage suitable development whilst at the same time protecting the areas from new development or works which would negatively affect the established amenity of existing housing. Both the Bray Local Area Plan and Wicklow County Development Plan promote infill development on suitable sites.

7.1.2 The proposed development provides for three new houses to the rear of the existing house Ceadaoin. The existing house will be retained with a generous back garden (345 sq m). The new houses will be accessed by a new entrance road, 5.5m wide to Putland Road and 6 no. parking spaces are provided.

7.1.3 The Development Plan states a policy to densify existing built up areas and that such development should provide 35% of new housing for the County. Therefore, residential development of the type proposed is to be encouraged subject to its ability to protect, provide and improve residential amenities of the existing residential area i.e. subject to the specifics of the design.

7.1.4 Having regard to the size of the site and the location on Putland Road where there is a variety of housing types, I am satisfied that in principle the site is suitable for an infill scheme.

7.1.5 Compliance with the Sustainable Residential Development and Compact Settlements Guidelines (2024)

The Guidelines (2024) promote the concept of compact growth and particularly highlight the potential of infill development in urban areas to achieve this. I note that the site is in an urban area and is close to Bray Town Centre, public services, amenities and transport linkages. Accordingly, it is a location where new residential development is expected to be of a higher density in principle. I note, however, that the Guidelines facilitate lower densities in situations where a high

density development would negatively impact on the character, amenity and environment of an area.

- 7.1.6 The appeal site is located on a busy road, at a location on the road where the gradient is such that the backland site is on higher ground than the frontal houses and than the neighbouring house, Currabawn, limiting the suitability of it for the type of development proposed. This is considered in more detail below in the assessment the specifics of the design and its impact on the established residential amenity of the existing adjoining housing and the precedent for other backland sites on Putland Road.

7.2 The suitability of the design in terms of the residential amenity of the existing adjoining housing

The Planning Authority has raised the issue of height, the layout, visual obtrusion and the appearance of overdevelopment, lack of public open space and overprovision of car parking. These issues are considered below.

7.3 The effect on the streetscape of Putland Road and on the neighbouring properties

The front building line of the proposed houses would be the order of 54m from Putland Road. As stated above, the site slopes upwards from the road to the appeal site to the north. In order to reduce the visual impact of the three houses, on the streetscape it is proposed to lower the ground level of the site. (Drawing No. 633-P-00-31 Existing and Proposed Eastern Boundaries shows the ground level of the houses being lowered by 1.1m-1.9m from front to back of the houses.)

- 7.3.1 Drawing No. 633-P-00-40 Existing and Proposed South-East Context Elevation shows how the design of the three houses takes a block form higher than the frontal houses. Although the impact of the development on Putland Road would be lessened by the distance from the road of 54m and by the lowering of the ground level, this could have been less impactful with a more varied design. That drawing highlights in particular the impact of the development on the neighbouring house Currabawn, which is at a lower level downhill of the appeal

site. It is considered that that property would be seriously negatively impacted by the tall gable ended house adjoining its back garden boundary and on higher ground than its garden. Although the lowering of the ground level goes some way to addressing the impact of the bulk of the development on the adjoining houses and on the streetscape, it is still considered problematic, given its proximity so close to boundaries with adjoining properties. This impact is compounded by the planned removal of much of the existing boundary planting.

7.4 Pattern of development on Putland Road and Height and Bulk of the Proposed Houses

The Planning Authority has stated that having regard to the prevailing pattern of backland development and the RE zoning of the site that the proposed development represents haphazard development.

7.4.1 As stated in the introduction, Putland Road is characterised by a mixture of house types with houses on the western end tending to have larger gardens and wider side gardens. There are already some gardens which have been developed for single backland houses. Most of these would also appear to be single storey bungalows / with limited two storey sections. The appeal site is a large back garden site, but it is not a corner site. It is adjoined by other houses with similarly large back gardens.

In my opinion it would be preferable to see these sites developed in tandem through strategic land assembly, requiring therefore only one access onto Putland Road. The appeal back garden site is one of four similar and adjoining gardens. If it were possible to assemble these back gardens, it is considered that a higher density backland development may be appropriate with taller houses in the middle and a lower rise or staggered design along sensitive boundaries with adjoining gardens. The current proposed development, however, involves the introduction of 3 no. two storey houses with attic accommodation and gable walls (therefore effectively three storey) close to the boundary with adjoining back gardens. The development will require the removal of considerable existing boundary planting and screening and there is limited

boundary planting proposed. Accordingly, it is considered that it will significantly impact on the established character of the existing adjoining houses.

7.4.2 Because of the 'block' appearance of the houses the development would introduce a level of visual overbearance when viewed from the adjoining back gardens. This arises principally from the height and bulk of the proposed new gable ended houses. This is compounded by the fact that the appeal site rises in height from south to north when viewed from Putland Road and from east to west when viewed from the neighbouring garden at Currabawn.

7.4.3 The houses are located some 54m from Putland Road. The existing garden slopes up (northwards) from the street, but it is proposed to level the site to the rear in order to reduce the height of the proposed houses. Although this will somewhat reduce the perceived bulk and height of the houses it is considered that a different design with for example a stepped or hipped roof profile could have more effectively reduced the impact of the houses, particularly when viewed from the two adjoining houses.

7.4.4 On balance it is considered that the residential amenity of the existing adjoining houses will be negatively impacted by the bulk and height of the proposed development i.e. the difficulty with the proposed development is less to do with established density, which is very varied, and more to do with the receiving environment and the specifics of the design.

7.5 Overlooking

At present the houses at Seacrest to the rear of the appeal site are screened by large trees which will be removed to provide space for the new houses. In addition, the development will involve the removal of much of the boundary planting to the adjoining houses on Putland Road, Currabawn and Carysfort.

7.5.1 The first floor windows at 11m to the boundary with Seacrest, although meeting Development Plan and Compact Guidelines minimum standards, will introduce a significant level of overlooking of the gardens of the houses at Seacrest. There will also be oblique overlooking from the front windows of the proposed houses to the back gardens of the adjoining houses Currabawn and Carysfort.

7.6 Overshadowing

The proposed houses will have north westerly gardens. Of significance, it is noted that the garden of House 2B will be largely overshadowed most of the day as referenced on the 21 March on the Shadow Analysis (Drawing No.633-P-30-02). It is therefore considered that the private open space for this house would not be of high quality. The Drawings also show that House 1 will considerably overshadow the back garden of the adjoining house Currabawn in the afternoon at 15:00 hours on March 21st thereby negatively affecting its established residential amenity.

7.7 Traffic safety

The proposed access road to the new houses will run c. 54m along the boundary of the existing houses Ceadaoin (frontal house within blue line boundary) and Currabawn on the eastern boundary. The development provides for six parking spaces for the new houses. The carriageway width of the access road at 5.5m is shown in the application drawings to be adequate for vehicles to pass each other and to provide access for fire engines, delivery vehicles etc. Streetlights along the access road may also negatively affect the back garden of the adjoining house Currabawn in particular given that much of the existing mature boundary planting will be removed.

7.7.1 I note that other backland developments along Putland Road utilise existing entrances and question whether the development of the appeal site would not be improved should it provide a shared access to the existing house. This would reduce the necessity to provide an additional access to this relatively busy road and may be preferable in terms of safety for traffic, pedestrians and cyclists. In this regard I note the Planning Authorities Engineers Report raised concerns with the access given the speed of cyclists along this section of the road and that there is a cycle path planned for this side of the road.

7.7.2 In the above context and given the constrained nature of the site at this location on Putland Road, I concur with the Planning Authority that the proposal for three houses as designed would represent haphazard development along this road

where to date backland development has comprised single storey principally bungalow type housing, albeit pre the publication of the Compact Settlement Guidelines. If adjoining sites could be amalgamated and access provide via a single possibly splayed entrance, then a higher density development may be suitable.

The design as now proposed is not considered to be suitable for the reasons set out above and for the precedent it would set for other similar sites leading to an excess of additional accesses to Putland Road and the potential for traffic hazard in this regard.

7.8 Other matters

7.8.1 Car Parking Provision

The proposal provides for 6 no. parking spaces which accords with Development Plan standards, but exceeds the Sustainable Residential Development Standards, which states that parking provision should be substantially reduced, suggesting 1.5 spaces per dwelling in urban neighbourhoods. Given the location of the site so close to Bray Town Centre (and to Bray's designation as a Level 1 'Metropolitan Area Consolidation Town') and its concomitant transport linkages 1.0-1.5 no. spaces per house would more appropriate. See Section 5.3 - Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities, January 2024 above.

7.8.2 Public Open Space Provision

The proposed development does not provide any public open space. If the car parking provision was reduced there would be space for extra planting and shared open space to the front of the proposed houses which would address the lack of public open space referenced in the Wicklow County Council single refusal reason. See Section 5.3 - Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities, January 2024 above.

7.8.3 Changes in Ground Level

The Wicklow County Council Planner's Report references the issues of retaining works as follows:

'The drawings show that new blockwork walls are to be constructed along the existing boundary walls. The section drawing shows walls retaining the lands of the adjoining property. This is standard construction.'

However, the planning documentation does not address the issue of ground stability and retention from the perspective of the degree of excavation proposed. This is considered problematic in particular in regard to the construction phase and the ongoing maintenance given that buttressing would likely be required.

7.9.1 Conclusion

Overall, I concur with the Planning Authority decision that the design, involving three gable ended houses (9.9m high) would negatively impact the established residential amenity of the adjoining houses. It would also set a precedent for other adjoining properties. This could in turn lead to an excessive number of access points on Putland Road, a busy road close to Bray Town Centre. On this basis, the application should be refused as it is considered piecemeal / haphazard development and would therefore be contrary to the proper planning and sustainable development of the area.

8.0 **Appropriate Assessment**

I have considered the appeal in light of the requirements S177U of the Planning and Development Act 2000 as amended. The appeal site is located on Putland Road approximately 2 km from Bray Head SAC (000714) and 5 km from Ballyman Glen SAC (000714) which are the nearest European Site(s)].

The proposed development comprises three new houses. No nature conservation concerns were raised in the planning appeal.

Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no

conceivable risk to any European Site. The reason for this conclusion is as follows:

- The small scale nature of the proposed work and the location in a serviced urban area.
- The distance of the development to the nearest European site and use of the municipal water / sewage system.
- The screening determination of the Planning Authority who concluded that Appropriate Assessment is not required.

I conclude that on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects. Likely significant effects are excluded and therefore Appropriate Assessment (stage 2) (under Section 177V of the Planning and Development Act 2000) is not required.

9.0 Recommendation

I recommend that the Wicklow County Council decision to refuse permission be upheld.

10.0 Reasons and Considerations

Having regard to the zoning of the site which seeks to protect, provide and improve residential amenity of existing residential areas, it is considered that the design of the three new houses across the back of the site and close to the boundary with the neighbouring back gardens would negatively impact the established residential amenity of those neighbouring houses, in particular Currabawn, to the east. The insertion of a new row of backland housing would be visually incongruous with the pattern of development in this area and represent over development of this site. The insertion of a new access for the three proposed houses would set a precedent for similar development which cumulatively would lead to traffic safety concerns.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

Vanessa Langheld

Planning Inspector

28 January 2025

Form 1

EIA Pre-Screening

An Bord Pleanála Case Reference		ABP 319752-24	
Proposed Development Summary		Three houses at rear of residential property, access, parking and all associated site works.	
Development Address		Ceadaoin, Putland Road, Bray, County Wicklow, A98 YX52.	
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)		Yes	X
		No	
2. Is the proposed development of a CLASS specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended)?			
Yes	X	Class 1- infrastructure Projects.	Proceed to Q3.
No			Tick if relevant. No further action required
3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?			
Yes		.	EIA Mandatory EIAR required
No	X		Proceed to Q4
4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?			
Yes	X	Class 10 (b)(i) – threshold above 500 dwellings.	Preliminary examination required (Form 2)

5. Has Schedule 7A information been submitted?		
No	X	Pre-Screening conclusion remains as above (Q1 to Q4)
Yes		Screening Determination required

Inspector: _____

Date: _____

Form 2

EIA Preliminary Examination

An Bord Pleanála Case Reference Number	ABP 319752-24
Proposed Development Summary	Three houses at rear of residential property, access, parking and all associated site works.
Development Address	Ceadaoin, Putland Road, Bray, County Wicklow, A98 YX52.
<p>The Board carried out a preliminary examination [ref. Art. 109(2)(a), Planning and Development regulations 2001, as amended] of at least the nature, size or location of the proposed development, having regard to the criteria set out in Schedule 7 of the Regulations.</p> <p>This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.</p>	
<p>Characteristics of proposed development</p> <p>The development is for three houses (totalling 462 sq m). A new entrance is also proposed.</p>	<p>The proposed development is for residential development in an area that is largely characterised by residential development. The proposed development would not therefore be exceptional in the context of the existing environment in terms of its nature.</p>
Location of development	<p>The development would be located in a serviced residential area and would not have the potential to significantly impact on ecologically sensitive sites or locations. There is no hydrological connection present such as would give rise to significant impacts on nearby water courses (whether linked to any European site or other sensitive receptors).</p> <p>The proposed development would not give rise</p>

	to waste, pollution or nuisances that differ significantly from that arising from other urban developments.	
Types and characteristics of potential impacts	Given the nature of the development and the site / surroundings, it would not have the potential to significantly affect other significant environmental sensitivities in the area. It is noted that the site is not designated for the protection of the landscape or natural heritage and is not within an Architectural Conservation Area. There would be no significant cumulative considerations with regard to existing and permitted projects / developments.	
Conclusion		
Likelihood of Significant Effects	Conclusion in respect of EIA	Yes or No
There is no real likelihood of significant effects on the environment.	EIA is not required.	No

Inspector: _____ Date: _____

DP/ADP: _____ Date: _____ (only
where Schedule 7A information or EIAR required)