



An  
Bord  
Pleanála

## Inspector's Report

### ABP-322587-25

#### Development

Permission for change of use from a single dwelling to six apartments and one studio apartment including internal and external alterations, car parking facilities, relocating entrance and all associated site development works.

#### Location

Ravenna, Convent Avenue, Bray, Co. Wicklow.

#### Planning Authority

Wicklow County Council

#### Planning Authority Reg. Ref.

2560170

#### Applicant(s)

Hangzhi Gao

#### Type of Application

Permission

#### Planning Authority Decision

Refuse permission

#### Type of Appeal

First Party

#### Appellant(s)

Hangzhi Gao

#### Observer(s)

None

**Date of Site Inspection**

25<sup>th</sup> August 2025

**Inspector**

Emer Doyle

## **1.0 Site Location and Description**

- 1.1. The appeal site is on Convent Avenue close to the junction with Sidmonton Road in Bray.
- 1.2. The site has a stated area of 0.67 hectares. The site contains a two-storey semi-detached building which appears to be currently sub-divided into 12 bedsit units. The property appears to date to the Georgian era but is not a protected structure or included in the NIAH. There is car parking to the front of the site and amenity space and a shed to the west of the site. The area is residential in character with an apartment block to the west and terraced units to the north.
- 1.3. The site is within easy walking distance to many services and facilities available in Bray including the Dart Station c. 750m to the north east.

## **2.0 Proposed Development**

- 2.1. The proposed development comprises the construction of 6 No. apartments as follows:
  - 5 no. 1 bedroom apartments
  - 1 no. studio apartment
  - It is proposed to alter the location of the existing access to the east.
  - The site layout provides for bicycle parking and car parking spaces.

## **3.0 Planning Authority Decision**

### **3.1. Decision**

- 3.1.1. Permission was refused for 1 No. reason as follows:

Having regard to - the form of the development including the layout, - the design including unacceptable changes to the front elevation, - the insufficient amenity space in terms of quality, size and location, it is considered that the proposed

development would represent a poor quality of design and would seriously injure the residential and visual amenities of the area and of property in the vicinity. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

### 3.2. **Planning Authority Reports**

#### 3.2.1. Planning Reports

- The Case Planner considers that a change of use from single residential units to apartments would be acceptable under the 'RE' zoning objective.
- The property is not on the NIAH or a protected structure, however it is a Georgian property and the provision of a balcony over the existing porch would be out of character. The provision of ground floor amenity space to the front is also unacceptable.
- The private amenity space provided for Apartment 1 is a fenced off area to the front of the building which is not screened or private and therefore, cannot be considered consistent with the Guidelines. Furthermore, it does not achieve a minimum depth of 1.5m nor would it be visually acceptable.
- Generally the apartments meet the internal floor space requirements of Sustainable Urban Housing: Design Standards for New Apartments Guidelines.
- There is no objection to the relocation of the entrance.

#### 3.2.2. Other Technical Reports

- **Transport:** No observations.

### 3.3. **Prescribed Bodies**

- No reports.

### 3.4. **Third Party Observations**

None.

## 4.0 Planning History

### PA Reg. Ref. 23/31

Permission refused for change of use from single unit residential unit to a 12 bedroomed student accommodation unit including internal and external alterations, car parking facilities and all associated site development work for the following reason:

Having regard to

- the design and form of the development including the layout,
- the lack of information to show that the facility is in use-as student accommodation including justification for the proposed development,
- the lack of information to clearly show the internal and external alterations that have been undertaken,

it is considered that the proposed development would represent a poor quality of design, would not represent a satisfactory level of accommodation for inhabitants and would seriously injure the residential amenities of the area and of property in the vicinity. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

### Relevant Enforcement History

**UD5596** – LIVE FILE (as detailed in planner's report dated 25/04/25) - Alleged unauthorized development at Ravenna, Convent Ave., Bray, Co. Wicklow. Consisting of change of use from a house to flats without the benefit of permission.

## 5.0 Policy Context

5.1. Relevant National Guidelines include the following:

- National Planning Framework- First Revision April 2025
- Climate Action Plan 2025
- National Biodiversity Action Plan 2023-2030

#### 5.1.1. **National Planning Framework (NPF) First Revision April 2025**

Relevant Policy Objectives include:

National Policy Objective 7: Deliver at least 40% of all new homes nationally, within the built-up footprint of existing settlements and ensure compact and sequential patterns of growth.

National Policy Objective 11: Planned growth at a settlement level shall be determined at development plan-making stage and addressed within the objectives of the plan. The consideration of individual development proposals on zoned and serviced development land subject of consenting processes under the Planning and Development Act shall have regard to a broader set of considerations beyond the targets including, in particular, the receiving capacity of the environment

National Policy Objective 12: Ensure the creation of attractive, liveable, well designed, high quality urban places that are home to diverse and integrated communities that enjoy a high quality of life and well-being.

National Policy Objective 22: In urban areas, planning and related standards, including in particular building height and car parking will be based on performance criteria that seek to achieve well-designed high quality outcomes in order to achieve targeted growth.

National Policy Objective 42: To target the delivery of housing to accommodate approximately 50,000 additional homes per annum to 2040.

National Policy Objective 43: Prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location.

National Policy Objective 45: Increase residential density in settlements, through a range of measures including reductions in vacancy, re-use of existing buildings, infill

development schemes, area or site-based regeneration, increased building height and more compact forms of development.

## **5.2. Section 28 Ministerial Guidelines**

5.2.1. Having considered the nature of the proposal, the receiving environment, the and the documentation on file, I am of the opinion that the directly relevant Section 28 Ministerial Guidelines are:

- Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities, 2024
- Design Standards for New Apartments, 2023
- Quality Housing for Sustainable Communities: Design Guidelines, 2007

## **5.3. Wicklow County Development Plan 2022 – 2028**

5.4. Bray is identified as a Level 1 Metropolitan Key Town in the County Wicklow Settlement Strategy.

5.5. Chapter 4 – Settlement Strategy- Objectives include:

CPO 4.2 - To secure compact growth through the delivery of at least 30% of all new homes within the built-up footprint of existing settlements by prioritising development on infill, brownfield and regeneration sites and redeveloping underutilised land in preference to greenfield sites.

CPO 4.3 - Increase the density in existing settlements through a range of measures including bringing vacant properties back into use, reusing existing buildings, infill development schemes, brownfield regeneration, increased building height where appropriate, encouraging living over the shop and securing higher densities for new development.

CPO 4.8 - To prepare new local plans for the following areas during the lifetime of this development plan: Bray Municipal District, Wicklow-Rathnew, Arklow, Greystones-Delgany and Kilcoole, Blessington.

5.6. Chapter 6- Housing - Objectives include:

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.

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 unserved, 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.

5.7. Chapter 8- Built Heritage- Objectives include:

CPO 8.20 - Where an item or a structure (or any feature of a structure) is considered to be of heritage merit (where not identified in the RPS), the Planning Authority reserves the right to refuse permission to remove or alter that structure / item, in the interests of the protection of the County's architectural heritage.

5.8. Appendix 1 Development and Design Standards

Unit Sizes and Formats

- For all building refurbishment schemes on sites of any size, or urban infill schemes on sites of up to 0.25ha in accordance with SPPR2 of 'Sustainable Urban Housing: Design Standards for New Apartments - Guidelines for Planning Authorities' (DHPLG 2018): - Where up to 9 residential units are proposed, notwithstanding SPPR1 of the guidelines, there shall be no restriction on dwelling mix, provided no more than 50% of the development (i.e. up to 4 units) comprises studio-type units.
- The minimum size / dimensions of apartments, including room and storage / amenity space sizes, as well as the internal layout and aspect, and hallways

and lift core design, as set out in SPPR 3, 4, 5 and 6 of the 'Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities' (DHPLG 2018) (as may be amended or updated during the lifetime of the plan), shall be adhered to;

- 2 off street car parking spaces shall normally be required for all dwelling units over 2 bedrooms in size. For every 5 residential units provided with only 1 space, 1 visitor space shall be provided.
- Designated sheltered and secure bicycle parking will be required in apartment developments. Table 2.4 - Bicycle parking standards - Residential units 1 space per bedroom + 1 visitor space per 5 units
- Waste: In apartment developments, this may be in the form of grouped individual bins in car parking areas or a designated waste building;
- Waste storage areas shall be designed and screened so as not to cause any adverse visual impact on the proposed complex and located so as not cause noise impact.
- Car parking New / expanded developments shall be accompanied by appropriate car parking provision, including provision for electric vehicle charging points as set out in Table 2.2, with particular regard being taken of the potential to reduce private car use in locations where public transport and parking enforcement are available. At such locations, the car parking standards set out in Table 2.3 to follow shall be taken as maximum standards, and such a quantum of car parking will only be permitted where it can be justified.

#### **5.9. 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.

5.9.1. 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.

## **5.10. Natural Heritage Designations**

5.10.1. No natural heritage designations apply to the subject site. The closest European Site is the Bray Head SAC (Site Code: 000714) and the Bray Head pNHA (Site Code: 000714), which are approximately 750m to the southeast.

## **5.11. EIA Screening**

5.11.1. The proposed development has been subject to preliminary examination for environmental impact assessment (refer to Form 1 and Form 2, in Appendices of this report). Having regard to the characteristics and location of the proposed development and the types and characteristics of potential impacts, it is considered that there is no real likelihood of significant effects on the environment. The proposed development, therefore, does not trigger a requirement for environmental impact assessment screening and an EIAR is not required.

## **6.0 The Appeal**

6.1. The First Party grounds of appeal can be summarised as follows:

- The layout of the six apartments were designed in accordance with the requirements of 'Sustainable Urban Housing: Design Standards for New Apartments' 2023. These are minimum standards, and the design of the apartments exceeds these standards in all respects.
- A revised front elevation omitting the balcony is proposed to address the reason for refusal. No changes are now proposed to the front elevation. It is

proposed to relocate the balconies to the west of the building and revised drawings have been submitted in this regard.

- There is adequate provision for car parking, bicycle parking and bin storage within the curtilage of the site. The property is located in close proximity to public and communal open space. Bray beach is 300m from the property, Bray Head and the Bray Head Loop Cliff Walk are within 700m from the property.
- There have been no submissions from the public and the proposal meets the first objective of the Wicklow County Development Plan to provide 1400 units annually between 2022 and 2028.

## **6.2. Planning Authority Response**

- None submitted.

## **6.3. Observations**

- None.

## **6.4. Prescribed Bodies**

- No reports.

## **7.0 Assessment**

7.1. Having examined the application details and all other documentation on file, including all of the submissions received in relation to the appeal, the reports of the planning authority and having inspected the site, and having regard to the local/ regional/ national policies and guidance, I consider the substantive issues are as follows:

- Principle of Development
- Design and Layout

- Other Matters

## 7.2. Principle of Development

- 7.2.1. The site is located within lands zoned as 'RE' Existing Residential in Bray, Co. Wicklow. It is proposed to change the use of an existing dwelling into 6 No. apartments. I refer the Commission to the 'Other Matters' section of this report as I consider that the description of the proposed development in the site and newspaper notices does not reflect the drawings submitted and existing development at this location.
- 7.2.2. The principle of additional housing units on this site is inkeeping with the land use designation for the area. Objective CPO 6.21 of the Development Plan states that '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. Accordingly, I am satisfied that the principle of development is acceptable at this location.

## 7.3. Design and Layout

- 7.3.1. Compliance with Apartment Guidelines
- 7.3.2. I have examined the drawings submitted and can confirm that the floor areas generally comply with the requirements of the Sustainable Urban Houses- Design Standards for New Apartments, 2023 Guidelines. Apartment No. 5 falls slightly short of the 45m<sup>2</sup> overall size required for one bedroom apartments with an overall floor area of 42.4m<sup>2</sup> and also falls slightly short of the 23m<sup>2</sup> requirement for kitchen/living/dining area with a floor area of 22m<sup>2</sup>. Apartment No. 3 is designated as a studio apartment which requires a minimum floor area of 37m<sup>2</sup> under the guidelines. This apartment has a floor area of 41m<sup>2</sup> and thus exceeds the minimum floor area set out in the Guidelines.
- 7.3.3. In relation to storage areas, I note that 3m<sup>2</sup> internal storage has been provided for all apartments which is in compliance with the Guidelines. Section 3.32 of the Guidelines require that apartment schemes should provide storage for bulky items

outside individual units. This form of storage may be used for equipment such as children's outdoor toys or buggies. No external storage has been provided and I consider that this represents a poor form of residential amenity for the intended occupants.

- 7.3.4. In terms of private amenity space, the original plans submitted provided for balconies to the front of apartments 1 and 6. The Planning Authority in their reason for refusal considered that changes to front elevation were unacceptable and that insufficient amenity space was provided in terms of quality, size and location.
- 7.3.5. Revised drawings submitted with the appeal address this by proposing private amenity space to the west. No floor plans have been submitted and no revised front elevation has been submitted. I note that ground floor private amenity space is proposed to the west for unit No. 1 in lieu of ground floor amenity space to the front, together with a balcony for apartment No. 6 to the west, in lieu of a balcony to the front. In addition, a balcony is proposed for apartment 4 to the west. I note that this was also proposed in the initial drawings, however, the western elevation submitted did not correspond with the floor plans originally submitted in this regard and this has now been corrected on the revised drawings submitted.
- 7.3.6. I consider that the removal of the balconies to the front addresses the concerns regarding the visual impact as whilst the property is not a protected structure or included in the NIAH, it is an attractive property dating to the Georgian era. I also consider that the proposed balconies to the west would offer more privacy for the intended occupants. Notwithstanding this, in the absence of floor plans, it is impossible to ascertain if the revised proposal meets the requirements of the Guidelines in terms of a minimum width of 1.5m and area of 5m<sup>2</sup> for 1 bed apartments.
- 7.3.7. In terms of communal facilities, provision has been made for bin storage to the front of the site. The existing waste storage area is located in a similar area to the front of the site and there is a low fence around it. Due to the proliferation of bins, the existing storage area does not have capacity to store all the bins and on the day of inspection, 4 bins were located outside the storage area. Section 4.8 of the Guidelines requires that sufficient communal storage area should be provided to satisfy the three-bin system for the collection of mixed dry recyclables, organic

waste and residual waste and that appropriate visual screening should be provided. No details have been provided in relation to separation or screening and I am not satisfied that adequate provision has been made for same.

- 7.3.8. The proposed bicycle parking is to the front of the building. The proposed units would require 6 No. bicycle parking spaces together with 3 No. visitor spaces and I am satisfied that these can be provided on the site. I note that the Guidelines require that cycle storage facilities shall be provided in a dedicated facility of permanent construction, preferably within the building footprint or, where not feasible, within an adjacent or adjoining purpose built structure of permanent construction. I consider that the current location does not offer either security or a dedicated facility of permanent construction and as such the cycle parking facilities are not in accordance with Section 4.17 of the Apartment Guidelines or Appendix 1 of the County Development Plan.
- 7.3.9. I note that 9 No. car parking spaces have been provided. No provision has been made for electric vehicle charging points as set out in Table 2.2 of Appendix 1 of the Development Plan. I consider this to be a central accessible site c. 750m from Bray Dart Station. Such sites should have reduced car parking in accordance with Section 4.20 of the Guidelines and Appendix 1 of the County Development Plan which sets out maximum rather than minimum standards for car parking in accessible locations. I consider that the proposed layout is overly dominated by car parking spaces at this accessible location c. 750m from Bray Dart Station and within easy walking distance of Bray Town Centre. The planner's report considered that a revised layout may present an opportunity to provide a better quality of amenity space for the applicants and I concur with this view.
- 7.3.10. I note that no communal open space has been provided. There is currently an attractive communal open space to the west of the building which is behind a shed and not visible from the road. On the day of inspection, I noted that there were a number of barbeques stored in the shed and the area adjacent to the shed, and it is considered that the current space is of value to existing residents. The appeal response points out that the property is located in close proximity to public and community amenity space including Bray beach 300m from the property, Bray Head and the Bray Head Cliff Loop walk. I note that Section 4.12 of the Guidelines allow for a relaxation of this standard for building refurbishment on sites of any size or

urban infill schemes on sites of up to 0.25ha, on a case-by-case basis, subject to overall design quality. I am satisfied that there are attractive and appropriate communal spaces within easy walking distance of the site as such, the communal open space requirement can be relaxed in this case. However, given that there is an opportunity to provide communal space to the west of the site in lieu of car parking spaces, I am not satisfied that the site layout provides adequate communal space for the intended occupants.

- 7.3.11. In conclusion, I consider that the proposed development would detract from the residential amenities of future occupiers by reason of design and layout, inadequate communal facilities including storage, waste management, bicycle parking, EV charging spaces, overprovision of carparking and under provision of communal open space. I consider that the drawings submitted in the appeal response address the visual concern of the Planning Authority in relation to the front elevation but do not provide for floor plans indicating that sufficient private open space is provided. On this basis, I recommend that planning permission be refused.

#### 7.4. Other Matters

##### 7.4.1. Procedural Issue

- 7.4.2. I note that the drawings submitted to the Planning Authority indicate that the existing dwelling is currently sub-divided into 12 bedsit units. There is current enforcement action by the Planning Authority in this regard. I was unable to access the site internally on the site inspection but having regard to the number and size of the bins outside the premises, I consider that it is likely that there are multiple units within the property. I note that the history file under PA Reg. Ref. 23/31 refused permission at this location and included in the reasons was the lack of information to show that the facility is in use-as student accommodation.

- 7.4.3. The planner's report refers to this matter in a 'planning note' within the report as follows: *'On inspection, it appeared that the property was already in use by a number of occupants and there is an outstanding Enforcement File for the unauthorised change of use to same. The previous application (PRR 23/31) referred to retention of 12 bedroomed student accommodation which was refused. The public notices state that the application is for change of use from a single dwelling to*

*six apartments, whereas, it is understood that the property is currently sub-divided into 12 separate bedrooms.'*

- 7.4.4. Accordingly, having regard to the description of the development as submitted with the appeal and the actual structure as currently configured, it is considered that to permit this development would be contrary to the proper planning and sustainable development of the area.

## **8.0 Appropriate Assessment**

### **8.1. Stage 1 – Screening Determination for Appropriate Assessment**

The Planning Authority's report screened out appropriate assessment. The site is a brownfield site, located within the built-up area of Bray, approximately 750m to the west of Bray Head SAC (Site Code: 000714). It is considered that the hydrological connection to this SAC is indirect, weak and sufficiently remote. Foul runoff and residual surface runoff will ultimately be drained through the public sewerage system. Having regard to the nature and scale of the proposed development, the nature of the foreseeable emissions therefrom, the distance from the nearest European site and the absence of pathways between the application site and any European site it is possible to screen out the requirement for the submission of an NIS at an initial stage.

## **9.0 Water Framework Directive Screening**

- 9.1. Please refer to Appendix 3. The river body DARGLE\_040 IE\_EA\_10D010300 is located c. 1km to the west of the site (good water body status) and the groundwater body is Wicklow IE\_EA\_G\_076 (good water body status). The proposed development is detailed in section 2.0 of my report. No water deterioration concerns were raised in the planning appeal. I have assessed the proposed development of 6 No. apartments and have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface & ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. 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 surface and/or groundwater water bodies either qualitatively or quantitatively.

9.2. The reason for this conclusion is as follows:

- Nature of works e.g. small scale and nature of the development
- Location-distance from nearest water bodies and/or lack of hydrological connections

9.3. I conclude that on the basis of objective information, that the proposed development will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment.

## **10.0 Recommendation**

10.1. I recommend that permission is refused as follows:

## **11.0 Reasons and Considerations**

11.1. Having regard to the description of the development as submitted in the site and newspaper notices which describe the proposed development as a single dwelling and the drawings submitted which indicate that the dwelling is subdivided into 12 No. units, the Commission is not satisfied that the site and newspaper notices accurately describe the proposed development. Accordingly, having regard to the description of the development and the actual building as currently configured, it is considered that to permit this development would be contrary to the proper planning and sustainable development of the area.

11.2. Having regard to the provisions of Appendix 1 of the Wicklow County Council Development Plan 2022-2028 and the Sustainable Urban Housing: Design Standards for New Apartments Guidelines, Department of Housing, Local Government and Heritage 2023, it is considered that the design and layout would constitute a substandard form of residential amenity for future occupants arising from the overprovision of car parking on this accessible site and the under provision of high quality private and communal open space together with communal facilities

for the intended occupants. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

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.

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Emer Doyle

Planning Inspector

2<sup>nd</sup> September 2025

## Appendix 1 - Form 1 - EIA Pre-Screening

<b>Case Reference</b>	<b>322587-25</b>
<b>Proposed Development Summary</b>	Permission for change of use of dwelling to 6 No. apartments together with relocation of entrance and associated site works.
<b>Development Address</b>	Ravenna, Convent Avenue, Bray, Co. Wicklow.
<b>1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?</b>  <b>(For the purposes of the Directive, "Project" means:</b> <ul style="list-style-type: none"> <li>- The execution of construction works or of other installations or schemes,</li> <li>- Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)</li> </ul>	<input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q2.
	<input type="checkbox"/> No, No further action required.
<b>2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?</b>	
<input type="checkbox"/> Yes, it is a Class specified in Part 1.  <b>EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.</b>	State the Class here
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	

<b>3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?</b>	
<input type="checkbox"/> <b>No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994.</b>  <b>No Screening required.</b>	
<input type="checkbox"/> <b>Yes, the proposed development is of a Class and meets/exceeds the threshold.</b>  <b>EIA is Mandatory. No Screening Required</b>	
<input checked="" type="checkbox"/> <b>Yes, the proposed development is of a Class but is sub-threshold.</b>  <b>Preliminary examination required. (Form 2)</b>  <b>OR</b>  <b>If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</b>	<b>Class 10. Infrastructure projects (b) (i) Construction of more than 500 dwelling units.</b>
<b>4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?</b>	

Yes <input type="checkbox"/>	
No <input checked="" type="checkbox"/>	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: \_\_\_\_\_ Date: \_\_\_\_\_

## Appendix 2- Form 2 - EIA Preliminary Examination

<b>Case Reference</b>	322587-25
<b>Proposed Development Summary</b>	Permission for change of use of dwelling to 6 No. apartments together with relocation of entrance and associated site works.
<b>Development Address</b>	Ravenna, Convent Avenue, Bray, Co. Wicklow.
<b>This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.</b>	
<b>Characteristics of proposed development</b>  <b>(In particular, the size, design, cumulation with existing/ proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).</b>	<p>The proposed development is for change of use of dwelling to 6 No. apartments together with relocation of entrance and associated site works.</p> <p>See 'other matters' section of report in relation to existing use of dwelling as 12 No. bedsits.</p> <p>The project due to its size and nature will not give rise to significant production of waste during both the construction and operation phases or give rise to significant risk of pollution and nuisance.</p> <p>The construction of the proposed development does not have potential to cause significant effects on the environment due to water pollution. The project characteristics pose no significant risks to human health.</p> <p>The proposed development, by virtue of its type, does not pose a risk of major accident and/or disaster, or is vulnerable to climate change.</p>
<b>Location of development</b>  <b>(The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land</b>	<p>The subject site is located on zoned land within the urban area of Bray.</p> <p>The subject site is not located in or immediately adjacent to ecologically sensitive sites.</p>

<b>use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).</b>	It is considered that, having regard to the limited nature and scale of the development, there is no real likelihood of significant effect on other significant environmental sensitivities in the area.
<b>Types and characteristics of potential impacts</b>  (Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).	The size of the proposed development is notably below the mandatory thresholds in respect of a Class 10 Infrastructure Projects of the Planning and Development Regulations 2001 as amended.

<b>Conclusion</b>	
<b>Likelihood of Significant Effects</b>	<b>Conclusion in respect of EIA</b>
There is no real likelihood of significant effects on the environment.	EIA is not required.
There is significant and realistic doubt regarding the likelihood of significant effects on the environment.	N/A
There is a real likelihood of significant effects on the environment.	N/A

**Inspector:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**DP/ADP:** \_\_\_\_\_ **Date:** \_\_\_\_\_

## **Appendix 3**

### **Screening the need for Water Framework Directive Assessment Determination**

The subject site is located at Convent Avenue, Bray, Co. Wicklow. The nearest water body is the River DARGLE\_040 IE\_EA\_10D010300, c. 1km to the west of the site (good water body status) and the groundwater body is Wicklow IE\_EA\_G\_076 (good water body status). The proposed development is detailed in section 2.0 of my report. No water deterioration concerns were raised in the planning appeal.

I have assessed the development proposed of 6 No. apartments at this site and I have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface & ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. 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 surface and/or groundwater water bodies either qualitatively or quantitatively.

The reason for this conclusion is as follows:

- Nature of works e.g. small scale and nature of the development
- Location-distance from nearest water bodies and/or lack of hydrological connections

#### **Conclusion**

I conclude that on the basis of objective information, that the proposed development will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment.