



An
Coimisiún
Pleanála

Inspector's Report

ACP-324074-26

Development	159 residential units comprising nine townhouses and 150 apartments in two blocks, 171 car parking spaces, 8 motorcycle spaces, 365 bicycle spaces, communal open spaces, public open space and all site development works. www.seagardensblockalrd.com
Location	Former Bray Golf Club lands, off Dublin Road and Ravenswell Road, Bray, Co. Dublin.
Planning Authority	Dun Laoghaire Rathdown County Council
Planning Authority Reg. Ref.	LRD25A/0644/WEB
Applicant	Shankill Property Investments Limited
Type of Application	Permission
Planning Authority Decision	Grant subject to conditions

Type of Appeal	Third Party
Appellant	Conor McHugh and Others
Observers	None
Date of Site Inspection	16 th March 2026
Inspector	John Duffy

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Appendix 3 – AA Screening Determination

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1.0 Introduction

- 1.1. This proposed development is for a residential development on a site which previously formed part of the Bray Golf Club lands, off the Dublin Road in Bray, Co. Dublin. The Sea Gardens Masterplan, prepared by the applicant and submitted with this Large-scale Residential Development (LRD) application provides the overarching development framework for the subject site and adjoining lands.
- 1.2. The proposed Block A development (denoted as **Phase 1b** in the submitted Architectural Design Statement) will complete Phase 1 of the wider Sea Gardens development. Adjoining the site to the west, and indicated to be in applicant's control, is Shoreside Park (denoted as **Phase 1a** in the submitted Architectural Design Statement), a new residential development with retail/commercial units which is substantially completed (Ref. No. ABP-311181-21) refers. Adjoining lands to the south are also indicated to be within the applicant's ownership (within the blue line boundary) and include Phase 2 lands for a separate proposed mixed-use development, which is presently the subject of first and third party appeals (Ref. ACP-500165-WW), to be assessed separately.
- 1.3. Block A will complete the northern section of the overall masterplan area within the administrative boundary of Dun Laoghaire Rathdown County Council. The overall Masterplan traverses over two different administrative areas in Bray, namely lands within Dun Laoghaire Rathdown County Council and Wicklow County Council.

2.0 Site Location and Description

- 2.1. The site, measuring approximately 1.38ha is located to the north of Bray Town Centre and the River Dargle and is within the administrative boundary of Dun Laoghaire Rathdown County Council. The site forms part of a larger landholding within the applicant's control that is subject to a Masterplan known as the Sea Gardens Masterplan, with the subject site located within the north-east portion of the overall Sea Gardens lands.
- 2.2. The site is bounded to the north by Corke Abbey Valley Park with formalised public pathways throughout, and to the north-west by the Corke Abbey residential estate, to the east by the Dublin to Rosslare railway line, beyond which lies a coastal strip and

the Irish Sea, to the south by the county boundary with Wicklow, with undeveloped lands beyond this and to the west by Shoreside Park, a recently completed residential development. The M11 and R761 roads are located further west. A link road from the R761 connects east serving adjoining school sites, including Coláiste Ráithín and Ravenswell Primary School which are located further west of Shoreside Park.

- 2.3. The site was formerly used as a golf course. It is now bounded by hoarding and fencing and is presently used for storage of plant and materials. The lands are generally flat in topography, other than a decrease in elevation towards the southern end of the site. The lands accommodate an archaeological site comprising a linear earthwork (Ref. WI004 – DU026-124) running along the county boundary line. Investigations undertaken have concluded that the earthwork comprises an 18th / 19th century landscape feature.
- 2.4. Wider lands to the north and west comprise generally traditional two storey low density housing developments and some retail/commercial services, with wider lands to the south offering a greater range of uses associated with Bray town centre.

3.0 Proposed Development

3.1. Permission is sought for a Large Scale Residential Development (LRD). The proposed development comprises:

- 159 no. residential units (see Table 2.2), as follows:
 - 2 no. apartment blocks, Blocks A1 and A2 over a shared two level podium and 9 no. terraced townhouses.
 - Block A1 (the northern block) is six to ten storeys in height and accommodates 69 no. units consisting of 22 no. 1 bed units, 26 no. 2 bed units and 21 no. 3 bed units. This Block also provides a work/lounge space (c 160sqm), a communal gym (c 169sqm), a cinema room (c 52sqm), services room and refuse and bicycle stores.
 - Block A2 (the southern block) is seven to eleven storeys in height and accommodates 81 no. units consisting of 26 no. 1 bed units, 32 no. 2 bed units, and 23 no. 3 bed units. This Block also provides a bulky waste room, two residential bulky storage rooms (c 236sqm), and bin and bicycle stores.

- 5 no. 4 bedroom townhouses are located at the western side of the proposed development and 4 no. 4 bedroom townhouses are located at the eastern side of the proposed development. These units are of three to four storey design, with private terraces (at podium and second levels). The houses at the western side have the benefit of integrated garages.
- The proposed apartment blocks and townhouses enclose a shared communal open space / courtyard (c 1,682sqm) above the two level podium.
- The proposed blocks and townhouses are surrounded by public open space measuring c 7,797sqm.
- Car, motorcycle and bicycle parking, landscaping, public lighting, pedestrian / cycle linkages with adjoining existing and permitted developments, connections to road network, all associated plant and substations/switch rooms, refuse storage, drainage arrangements, utility connections and all site development works.

3.2. The following tables set out some key aspects of the proposed development.

Table 2.1 – Key Figures

Site Area (Gross/Net)	1.38 hectares / 1 hectare
Number of Units	150 apartments and 9 townhouses
Height	Three to eleven storeys
Density (units per hectare – uph)	115 uph (gross) / 159 uph (net) When measured against the net site area of the subject site (1ha) and the net site area of adjoining Phase 1a lands to the west (2.04 ha) net) both within the administrative area of Dun Laoghaire Rathdown County Council, the net site density is stated to equate to 89 uph.
Dual Aspect	100% of units (apartments and townhouses) are stated to be dual aspect.
Open Space / Amenities	<u>Public Open Space</u>

	<p>The subject site includes two zoning objectives; Objective A (Residential) lands and Objective F (Open Space) lands. Within the portion of the lands zoned Objective A, c 4,079 sqm of open space is proposed (stated to equate to 36% of the residential zoned land). This is in addition to c 3,718sqm of open space provided on Objective F zoned lands, located to the north and east of the proposed development.</p> <p>Total Open Space provision of c 7,797sqm to include play areas (c 343sqm) at the northern part of the site (kickabout greens and natural play spaces) and fitness areas (c 178sqm) at the eastern part of the site, and includes pathways, planting and integration with surrounding areas.</p> <p><u>Communal Open Space</u></p> <p>1,692 sqm provided in the central podium courtyard to include seating and play areas.</p>
Pedestrian / Cycle Infrastructure	<p>Active travel and connectivity throughout the development linking to surrounding residential areas, Corke Abbey Park to the north, the underpass, Dargle walkway, Bray Harbour and the town centre to the south. Active travel prioritised with a singular vehicular access point proposed to car parking area. Wide shared paths provided.</p>
Car, Motorcycle and Bicycle Parking	<p><u>Car</u> – 171 spaces in total; 166 at podium level (9 accessible spaces). 5 no. spaces within private garages associated with 5 no.</p>

	<p>townhouses along western side of communal open space.</p> <p>Motorcycle – 8 no. spaces at podium level.</p> <p>Bicycle – 332 no. long stay cycle parking spaces at podium level, 33 no. visitor parking spaces at surface level outside podium.</p>
Part V	<p>16 no. units in total; 13 no. 1 bed, two person apartments and 3 no. two bed, four person apartments. 14 of these units are outside the red line boundary and are constructed under ABP-311181-21. 2 no. units within Block A1 to be provided.</p>

Table 2.2 – Overall Unit Breakdown

	Block A1	Block A2	Townhouse	Total	% Mix
1 Bed	22	26	-	48	30%
2 Bed	26	32	-	58	36%
3 Bed	21	23	-	44	28%
4 Bed	-	-	9	9	6%
Total	69	81	9	159	100%

3.3. The water supply for the proposed development is from the recently constructed watermain within the permitted Phase 1 development. The foul network for the proposed development runs from north to south and discharges into an existing foul drain constructed as part of the permitted Phase 1 development. Surface water from the proposed development will be served by a network to include SuDS measures including swales, permeable paving, tree pits and green roofs. Lands within the proposed development will discharge into the River Dargle.

3.4. In addition to standard plans and particulars the planning application was accompanied by a number of supporting documents. These include, but are not limited to:

- AA Screening Report
- EIA Screening Report
- Ecological Impact Assessment (EclA)
- Architectural Design Statement (ADS)
- Planning Report and Statement of Consistency
- Outline Operational Waste Management Plan (OPWMP)
- Climate Action and Energy Statement
- Building Lifecycle Report
- Transport Impact Assessment
- Engineering Report
- Stormwater Impact Assessment
- Stage 1 Flood Risk Assessment (FRA)
- Inward Noise Impact Assessment
- Construction Environmental Management Plan (CEMP)
- Construction Management Plan (CMP)
- Construction Resource and Waste Management Plan (CRWMP)
- Building Lifecycle Report
- Wind Microclimate Modelling Report.
- Daylight and Sunlight Assessment Report
- Landscape Plan
- Housing Quality Assessment (HQA)
- Part V proposals

The following reports were provided at Further Information (FI) stage:

- Revised EIA Screening Report (December 2025)
- Collision Risk Assessment
- Architectural Response
- Revised Verified Views
- Copy of the EIAR provided for SHD1 on the lands (Ref. no. ABP-311181-21 refers).

4.0 Planning Authority Pre-Application Opinion

4.1. The LRD meeting was held on the 14th April 2025 between the applicant and Dun Laoghaire Rathdown County Council.

4.2. In the LRD Opinion subsequently issued the planning authority was of the opinion that the documentation submitted constituted a reasonable basis for an LRD application, subject to a number of issues being addressed. The issues were set out under the following headings: Planning, Transportation, Open Space and Landscaping, Childcare, Daylight/Sunlight, Shadow Assessment, Biodiversity, Drainage Planning, Site Services, and Environmental.

5.0 Planning Authority Decision

5.1. Decision

5.1.1. The planning authority granted permission on 15th January 2026 subject to 43 conditions. The majority of the conditions are standard in nature. Noteworthy conditions (summarised below) include:

Condition 6 requires inter alia the applicant to provide a Stage 2 Detailed Design Stage Stormwater Audit prior to commencement of development.

Condition 7 requires the applicant to provide a Stage 3 Completion Stage Stormwater Audit upon completion of the development.

Condition 13 requires the applicant to submit details of the proposed surface water drainage system in the event of a blockage or partial blockage, commenting on surcharging or flood risk.

Condition 18 requires that all pathways to the access points along the northern boundary to Corke Abbey Park to be provided up to the boundary line of the developer's landownership extent.

Condition 19 requires the engagement of the services of a suitably qualified ecologist from commencement of construction and for the duration of the implementation of mitigation measures.

Condition 21 requires inter alia that the Ecology Management Plan (section 7.6.2 of CEMP) be provided at least 5 weeks before site clearance and commencement of site works.

Condition 23: Felling of trees to be carried out under supervision of suitably qualified ecologist and left intact on the ground to allow any bats to escape (if present).

Condition 25: Landscaping condition. Details of planting for biodiversity enhancement to be agreed with ecologist and to be included in final Landscape Plan, the Ecology Management Plan and final CEMP; ecological buffer zone to be indicated in final Landscape Plan; Native species to be sourced from Irish stock; Commercial seed not to be used in open spaces, site soils to be reused allowing areas to develop naturally where possible; Native seed stock supporting native pollinators to be used for gardens only; final Landscape Plan to include details on respect of bird and bat boxes and insect hotels. Landscape architect to liaise with ecologist.

Condition 26: Applicant to provide report from ecologist to planning authority post external lighting installation confirming its operation according to specification in order to mitigate impacts on nocturnal mammals afforded protection under the Wildlife Acts.

Condition 27: Submit revised final CEMP at least 5 weeks prior to commencement for planning authority agreement in order to protect biodiversity during construction phase.

Condition 28: Submit a detailed site specific Operations Environment Management Plan (OEMP) for agreement prior to commencement, to include inputs from ecologist

for biodiversity elements. Include a complete table of mitigation measures in respect of habitats and species, a schedule for monitoring post construction and during operations for protection of and enhancement for habitats and species. A suitably qualified Project Ecologist / Ecological Clerk of Works to be retained.

Condition 31: Measures detailed in the submitted CMP (version 1) and CEMP (version 1) shall be implemented. List of measures to be included in final CMP given.

Condition 32: Measures detailed in the Resource and Waste Management Plan (RWMP) to be implemented. Prior to commencement applicant to submit a detailed site specific RWMP for written agreement.

Condition 33: A Public Liaison Plan for the duration of the works to be developed and implemented.

Condition 34: Measures detailed in the Operational Waste Management Plan (OWMP) to be implemented. Prior to commencement applicant to submit a detailed site specific OWMP for written agreement.

5.2. Planning Authority Reports

5.2.1. Two Planning Reports were prepared by the planning authority. The **first report** includes relevant planning policy, a site description, a planning history, a summary of third party submissions, copies of internal and external reports and a planning assessment. It went on to seek Further Information (FI). The second report assessed the FI submitted. Some of the sub-headings of the assessment in the first report may be summarised as follows:

5.2.2. *Principle of development* – The principle of the proposed residential development, on serviceable lands north of Bray town centre within the vicinity of public transport services (including along the Bray to City Centre Core Bus Corridor and Bray DART Station) is acceptable. Residential units are proposed on Objective A – Residential zoned lands. Objective F – Open Space zoned lands will be occupied by open space to serve the proposed development.

5.2.3. *Density* – Having regard to the Compact Settlement Guidelines 2024, the subject site is within a ‘Centre and Urban Neighbourhoods’ location in the context of a Metropolitan town with a population of more than 1,500. While the net site area excludes Objective F zoned lands, two different net site areas are provided in the submitted documents (i.e. 1.18ha in the Planning Report and 1.0ha in the ADS), giving a resultant density of either c. 134 uph or 159 uph. Further Information (FI) to be requested, noting that the higher density would not accord with the Compact Settlement Guidelines and would require reduction.

5.2.4. *Building Height, Massing and Visual Impact* – Overall, and subject to FI in terms of ecological and environmental points raised in this report, the planning authority consider that the subject location set away from Bray Seafront and in a new Urban Quarter, is capable of accommodating additional height as proposed. Further, it is considered the slender design of Blocks A1 and A2 helps to reduce the visual impact and or monolithic feel of Block A as previously permitted. Updated Verified Views and CGIs, and contextual elevations to be requested to demonstrate the visual impact of proposals in the wider context of the Sea Gardens development following the decision of Wicklow County Council to reduce Block E height from 15 no. storeys to 9 no. storeys on Phase 2 lands to the south (Phase 2 lands).

5.2.5. *Residential Mix and Standard of Accommodation* – The proposal for a mix of unit types is welcomed by the planning authority.

- Proposed apartment units exceed the overall floor area required by the Apartment Guidelines 2025 for 1, 2 and 3 bed units.
- The minimum width of living/dining rooms and bedrooms and aggregate floor area of the living/dining/kitchen areas all meet the Apartment Guidelines 2025.
- Floor to ceiling heights either meet or exceed minimum requirements of SPPR 4 (2.7m at ground level).
- While it is indicated that 100% of units are dual aspect, having regard to section 12.3.5.1 of the DLRCDP (CDP) use of a glazed door to balconies on some apartment units is not considered to adequately make the units dual aspect. 69 no. apartment units are dual aspect (46%) and this complies with SPPR 3 of the Apartment Guidelines 2025, requiring a minimum of 25% of units to be dual aspect.

- Any single aspect units facing north-east or north-west have views over public open space areas, communal open space or sea views. The planning authority consider these single aspect units acceptable given quantum of open space and high quality of surrounding environment.
- A Sunlight, Daylight and Shadow Assessment confirms there is 94% compliance in terms of Spatial Daylight Autonomy (SDA) under BR209. The planning authority is accepting of compensatory design solutions where rooms do not achieve daylight targets as set out in the BRE Guidelines. In terms of Sunlight Exposure (SE), when including trees the compliance rate with BRE Guidelines is 81% with majority of non-compliant units being single aspect located on north facades. In terms of Sun on Ground (SOG), the proposed public open space and communal open space are found to have very good sunlight access with minimal overshadowing. The planning authority consider the scheme performance to be generally quite high, noting that achievement of 100% compliance would be extremely difficult considering the density requirements for the accessible and sustainable location.
- Private amenity spaces of each proposed apartment meets or exceeds requirements set out in Apartment Guidelines 2025.
- Design and quantum of communal open space in the form of a centrally located plaza is acceptable.
- Public open space provision generally acceptable. Concerns raised regarding proposed connections into Corke Abbey Park. The red line boundary does not extend to the blue line ownership boundary where there is an existing informal access to Corke Abbey and the proposed potential link. Should permission be granted a condition will be attached requiring access paths within the applicant's ownership to extend to the ownership boundary and no ransom strips will be allowed.
- Concern that the easternmost access point is a 'potential' link only. No rationale is given as to why this cannot be provided as part of the development; should permission be granted this matter will be conditioned, which would ensure that the proposed open space is accessible to residents of the wider area and vice versa in line with the requirements of SLO 119.

5.2.6. *Residential Amenity: Existing*

- In terms of overbearing impacts, the closest point between existing duplexes to the west at Shoreside Park and the proposed development will be c 30m for Block A1 and c 40m for Block A2. Noted that western edge of apartment blocks will be 6 storeys in height with taller floors being further set back and also the public open space area west of Block A which helps to soften the appearance of the blocks massing. Given this, the separation space provided and the urban context of the site, no undue overbearing impact on existing duplexes are foreseen.
- In terms of overlooking impacts, it is noted that there is already a permitted Block A on the lands which would have resulted in a degree of overlooking of the existing duplex units to the west. However redesigned Blocks A1 and A2 are slenderer with lesser façade extent and upper floors have a greater separation distance to the duplexes. It is not considered that the proposed development will result in an unacceptable level of overlooking above that of the currently permitted scheme.
- In terms of overshadowing the Daylight and Sunlight Assessment has examined the impact of the proposed development on Block B as permitted and existing duplex units to the west of the site in terms of Vertical Sky Component (VSC) and No Sky Line (NSL). In terms of VSC, all habitable windows to duplex windows are compliant. A number of windows in Block B as granted would however be impacted. Overall it is concluded that while some reductions in daylight and sunlight are acknowledged in units of Block B as permitted, the impacts are not considered so significant that the current design would warrant refusal. It is concluded that the proposed development accords with section 4.3.1.3. Policy Objective PHP20 of the CDP: Protection of Existing Residential Amenity.

5.2.7. *Residential Amenity: Proposed*

- Proposals which include a number of resident amenities including a gym, amenity room and cinema room are welcomed. Noted that the Inward Noise Assessment concludes the site is classified as having a medium noise risk arising from the railway line to the east. Proposed mitigation measures include enhanced performance acoustic glazing on affected facades ensuring internal noise

environment will be 'good' when windows are closed. Some external balconies looking directly onto the railway line may experience slightly higher noise levels (1dB) than recommended. The ProPG Professional Practice Guidance on Planning and Noise (2017) provides alternative measures to offset the impact of higher than desirable noise levels, including provision of alternative external amenity space. The planning authority consider the affected units will be provided with adequate, useable, high quality open space.

- Overall the proposed development is considered to be of very high quality and standard for future residents.

5.2.8. *Access, Parking and Transport*

- Planning authority welcome that car parking provision is below the maximum permitted under SPPR 3 of the Compact Settlements Guidelines.
- Proposed cycle parking accords with requirements set out in the Compact Settlements Guidelines and also the local authority's *Standards for Cycle Parking and associated Cycling Facilities for New Developments* (2018).
- The findings of the TIA that traffic impacts from the proposed development are expected to be negligible with less than a 1% increase at external junctions is accepted.

5.2.9. *Biodiversity* - Given the height of the proposed blocks there is potential for collision impact risk. As such a Collision Risk Assessment for bats and birds will be requested by FI.

5.2.10. *Childcare* – Noted that a childcare facility (88 places) in Block C has been granted under Ref. 311181 on adjoining site to the west. A Childcare Facility Capacity Assessment is provided concluding that Block C will have capacity to cater for anticipated childcare requirements of the proposed development as it was originally designed for the overall Phase 1 development. The planning authority considers the permitted facility is sufficient to cater for the potential demand from the proposed development.

5.2.11. *AA Screening* - The planning authority considers an Appropriate Assessment is not required.

5.2.12. *EIA Screening* – While it is noted that in isolation the proposed development of 159 units is below the threshold set out under Class 10(b)(i) of Schedule 5, Part 2 of the Planning and Development Regulations 2001, as amended, the planning authority has concerns regarding the cumulative impact of the proposed development and other phases of the Sea Gardens development during both construction and operation phases. As such it is considered that an EIAR may be required and that this can be addressed by a FI request.

5.2.13. The **first report** recommended FI be requested in respect of the following matters:

- **Item 1:** Density of development to be confirmed.
- **Item 2:** Extent of private amenity areas and location of bin stores for townhouse units and nature of the boundary treatments to adjacent communal open space areas.
- **Item 3:** Provide a robust justification for screening out the subject site or alternatively provide an EIAR.
- **Item 4:** Submit a Collision Risk Assessment to assess potential for collision impacts on bats and birds with particular attention to species recorded in the local Bray Harbour area and SPAs in the wider locality.
- **Item 5:** Provide revised contextual elevations, CGIs and verified views showing the proposed development in the context of the recent decision from Wicklow County Council (WCC) on the adjoining development (Ref. 25/60207), particularly showing the resulting situation on foot of Condition 2 as attached by WCC.

5.2.14. The **second Planning Report** assesses the responses received from the applicant in connection with the FI request.

- In response to **Item 1** relating to density, the applicant has provided responses confirming the net site area measures 1.0ha and that when considered in conjunction with the wider Sea Gardens lands within the Dun Laoghaire Rathdown County Council administrative area that the net density would equate to 89 units

per hectare. While noting that the net density for the site is 159 uph, the planning authority considers that measuring density for the overall site is a more appropriate metric than just for the subject block. Furthermore, based on overall anticipated units for the Sea Gardens development, the planning authority is satisfied that the proposal would help achieve an overall net density within the range of 50-150 uph as per the 'Metropolitan Towns (>1,500 population) – Centre and Urban Neighbourhoods category of the Compact Settlements Guidelines. The planning authority is satisfied the applicant has addressed the FI request for Item 1.

- In response to **Item 2** the applicant has confirmed the following:
 - Type A townhouses to be provided with 46sqm podium courtyards and 20.7sqm balconies, totalling 66.7sqm.
 - Type B townhouses to be provided with 46sqm podium courtyards and 8.8sqm balconies totalling 54.8sqm.
 - Boundary treatment between private courtyards and communal open space to comprise 1.1m high railing with pedestrian gates and additional buffer planting. Solid wall proposed between private courtyards.
 - Details of communal bin storage given.

The planning authority is satisfied that each townhouse unit will be provided with private amenity space compliant with SPPR 2 of the Compact Settlements Guidelines. Further, it is considered that there is adequate space in rear private courtyards to accommodate in-curtilage bin stores for each unit. The planning authority is satisfied the applicant has addressed the FI request for Item 2.

- In response to **Item 3** the applicant has submitted a cover letter and EIA Screening Report which concludes that the preparation of a sub-threshold EIAR is not required. The planning authority notes the detailed justification provided by the applicant which has considered the following:
 - The proposed LRD on the lands.
 - The EIAR submitted under ABP-311181-21 which assessed the cumulative impact of the total Phase 1 development (591 residential units).
 - The EIAR submitted with the Phase 2 planning application which demonstrated that no significant environmental effects would occur as a result of Phase 2 development, and
 - Indicative proposals for Phase 3.

Based on the nature and scale of the proposed development and the anticipated cumulative development of the Sea Gardens masterplan-led development, the planning authority consider there is no real likelihood of significant effects on the environment arising from the proposed development. The planning authority is satisfied the applicant has addressed the FI request for Item 3.

- In response to **Item 4** the applicant has provided a Collision Risk Assessment which demonstrates that the proposed development presents a very low collision risk for bird and bat species. The planning authority is satisfied the applicant has addressed the FI request for Item 4.
- In response to **Item 5** the applicant has submitted revised drawings, updated CGIs, updated Verified Views and an architectural response. The proposed development is shown in the context of Wicklow County Council's decision (Reg. Ref. 25/60207) which conditioned that the marker building in Phase 2, Block E, be reduced in height from 15 storeys to 9 storeys. The response notes that the condition relating to the Block E height reduction is the subject of a first party appeal and also that an alternative 12 storey Block E proposal is put forward in the first party appeal. Updated CGIs, Verified Views and drawings reflect the three different heights as detailed above. Based on the submitted information the planning authority is satisfied that the subject site can accommodate the proposed additional height in the context of the approved and proposed development options for the wider Sea Gardens scheme and the existing neighbouring development noting the step down in height towards lower rise buildings. In this regard, reference is also made in the second Planning Report to the strategic coastal location of the site, its proximity to a public park and transport services including the DART Station, the high design quality of Blocks A1 and A2 and they satisfy criteria set out in Table 5.1 within Section 5 of Appendix 5: Building Height Strategy of the CDP. It is stated that the proposal is acceptable in terms of visual impact on the immediate and wider area and will provide a positive addition to the area. Having regard to the foregoing the planning authority concludes that the applicant has satisfactorily addressed this FI item.

5.2.15. Other Technical Reports

Drainage Planning Report (22nd September 2025)

ACP-324074-26

- No objection subject to conditions.
- Stormwater drainage system for proposed development was originally designed as part of a wider masterplan (ABP-311181-21 and ABP-314686-22 refer) discharging to tidal waters, therefore omitting attenuation requirements.
- Some inconsistencies in application documentation e.g. Stormwater Impact Assessment Report references tree pits as part of the surface water design, however the stormwater design drawing does not indicate the location of the tree pits or how they will be incorporated into the drainage design. These matters may be addressed by way of condition.
- Based on information contained in the Site Specific Flood Risk Assessment (SSFRA), the conclusions made therein are accepted and the proposed development is considered to accord with Appendix 15 (Strategic Flood Risk Assessment) of the Dun Laoghaire Rathdown DLRCDP 2022-2028.

Parks and Landscape Services Report (22nd September 2025): FI Recommended

- Submit revised Landscape Plans to address the following:
 - The northwestern connection into Corke Abbey Park should include the design and construction of steps into the park by the developer, for access into the park for the current and future residents of the development.
 - The northeastern connection is currently indicated as a potential link into Corke Abbey Park. This should be indicated as a definite entrance and connection on all plans and should be constructed by the developer in the same style as the entrance further northwest.

Biodiversity Report No. 1 (22nd September 2025): FI Recommended

- EclA to include species survey reports, an assessment for potential for collision risk to bats and birds, details of bird and bat boxes, clarify biodiversity mitigation measures, include an ecological monitoring programme for habitats and species and details and rationale of the Ecology Management Plan proposed in the CEMP.
- Revised Landscape Report and Plan to include biodiversity enhancement measures including installation details for bat and bird boxes and insect hotels.
- Revised CEMP to, inter alia, set out elements of the plan which relate specifically to this LRD application and to include ecological monitoring programme.

- Revised documentation should address inconsistencies in particular between the EclA and the CEMP.

Biodiversity Report No. 2 (29th December 2025)

- The submitted Collision Risk Assessment provides an overview of collision risk causes for birds and bats, along with a coherent account of the usage of the development site by bird and bat species based on the surveys undertaken.
- Conditions given if permission granted.

Housing Department (16th September 2025)

- Should a decision be made to grant planning permission for the proposed development it is recommended that a condition be attached requiring the applicant/developer to enter into an agreement in accordance with Part V of the Planning and Development Act, 2000, as amended.

Transportation Planning (7th October 2025)

- No objection subject to conditions.
- Quantum of car parking below maximum allowable at subject location in terms of CDP and Compact Settlements Guidelines.
- Bicycle parking accords with requirements outlined in Compact Settlements Guidelines and the Council's *Standards for Cycle Parking and associated Cycling Facilities for New Developments (January 2018)*.
- Notes that the TIA concludes that traffic impacts from the proposed development are expected to be negligible with less than 1% of an increase at external junctions.

Environmental Enforcement Department (15th September 2025)

- No objection subject to conditions.
- Conditions include submission of site specific CMP, CEMP, RWMP and OWMP for the written agreement of the planning authority prior to commencement in addition to implementation of a Public Liaison Plan for the duration of the works.

Building Control (26th August 2025)

- No objection indicated.

- Applicant to provide documents including a Certificate of Incorporation of a legally constituted Owners Management Company and a management scheme providing adequate measures for the future maintenance of roads and communal areas.
- Any areas for Taking-in-Charge to comply with DLRCC requirements.

EHO Report (26th September 2025)

- Proposal considered acceptable subject to a number of conditions including a final CEMP to be agreed with the planning authority prior to commencement, control of noise and vibration, dust monitoring and the implementation of a Public Liaison Plan for the duration of the works.

Public Lighting (2nd October 2025)

- No objection; proposed lighting scheme is acceptable.

5.3. Prescribed Bodies

Uisce Éireann (UÉ) - A Confirmation of Feasibility has been issued advising that water and wastewater connections are feasible without infrastructure upgrades.

Iarnród Éireann - Iarnród Éireann made a submission outlining observations regarding the proposed development. Item 2 states that due to the proximity of the Shanganagh Junction to the Wexford railway line, a 2.4m high solid block boundary treatment should be erected by the applicant on the applicant's side of the property boundary. Item 11 of the submission notes the applicant should be required to carry out a Glint and Glare study with respect to the solar panel array. Item 12 considers the proposed development must take account of potential noise and vibration impact on sensitive receptors from the railway and indicates that a noise risk assessment be undertaken.

I note the Commission invited Dun Laoghaire Rathdown Childcare Committee, The Heritage Council, the Development Applications Unit and An Taisce to comment on the proposed development. No submissions were subsequently received by the Commission.

5.4. Third Party Observations

Sixteen submissions were received by the planning authority from residents of the general area. The main issues raised may be broadly and briefly summarised as follows:

- Height and massing
- Overdevelopment
- Overshadowing and Overlooking
- Health and Safety concerns
- Negative impacts on Bray
- Strain on local services and infrastructure
- Noise impacts
- Flooding
- Adverse visual impacts
- Traffic concerns
- Lack of permeability
- Environmental impact
- Prematurity of development
- Devaluation of property

6.0 Planning History

The recent relevant planning history on site and in the immediate vicinity may be summarised as follows:

Subject site and adjoining lands – Extant Permissions

Planning Authority Reg. Ref. LRD23A/0566 refers to a November 2023 decision to grant permission by the planning authority for an LRD comprising amendments to a permitted SHD (Ref. ABP-311181-21 refers) to provide 4 no. additional in-curtilage car parking spaces, extensions to the permitted length of adjacent public roadway in two

areas to facilitate vehicular access to the proposed additional car parking spaces; and associated local revisions to permitted storm sewer network, public lighting and landscaping.

An Bord Pleanála Ref. ABP-314686-22 refers to an August 2024 An Bord Pleanála decision to grant permission for a SHD comprising change of use of former golf course, construction of 586 no. residential units (76 no. houses, 348 no. apartments and 162 no. Build to Rent apartments), creche, and associated works on a wider site, located within the administrative areas of both Dun Laoghaire Rathdown County Council and Wicklow County Council. Condition 2 of the permission requires Block B (on lands within Wicklow County Council administrative area) to be reduced in height from 12 to 9 storeys through omission of floors 7 to 9 due to impacts on visual amenity.

An Bord Pleanála Ref. ABP-311181-21 refers to a December 2021 An Bord Pleanála decision to issue a split decision for a SHD comprising 591 residential units (76 no. houses and 515 no. apartments), childcare facility and associated site works on a wider site partly located within the administrative area of Wicklow County Council. Proposed Block A of 4-8 storey design (166 units) and Block B, also 4-8 storeys in height (191 units) were refused permission, while permission was granted for the remainder of the development including 234 residential units, comprising 106 no. apartments, 52 no. duplexes and 76 no. houses, childcare facility, café and retail unit.

The refusal reason for omitting Blocks A and B considered that the blocks 'by reason of poor design in terms of façade treatment and architectural expression, in combination with their disposition on the site would not constitute an adequate design response to the context and the opportunity presented on this coastal site, and would not, therefore, be in accordance with the criteria set out under section 3.2 of the Urban Development and Building Heights Guidelines FOR Planning Authorities.'

Adjacent / nearby sites (Wicklow County Council Administrative Area)

Planning Authority Reg. Ref. 2560207 refers to a planning application for a mixed-use development on former golf club lands to the south-west of the subject site forming Phase 2 of the wider Sea Gardens development which was granted permission in September 2025. 341 no. residential units are proposed (a mix of houses, duplexes and apartments) along with commercial spaces (c 10,778sqm), retail/retail services space (c 8,155 sqm) and a marker apartment building, Block E, up to 15 storeys in

height. Condition 2 requires that the proposed development shall be amended such that the height of the proposed 15 storey element of Block E shall be reduced by six storeys through the removal of floors 4,5,6,7,11 and 12. Both first and third party appeals have been lodged with ACP against the decision of the planning authority under **Appeal Ref. ACP-500165-WW**.

Planning Authority Ref. 2560681 refers to lands south-west of the subject site. An October 2025 decision granted retention permission for amendments to the SHD permitted under ABP-311181-21 relating to (a) relocation of vehicular entrance to under-croft car park for Block C, (b) reconfiguration and changes of ground floor uses of Block C and (c) minor alterations to ground floor external elevations, all at Block C, Sea Gardens, Former Bray Golf Club Lands, Off Ravenswell Road and Dublin Road, Bray, Co. Wicklow.

An Bord Pleanála Ref. PL39.YA0003 / XA0001 – Permission granted by An Bord Pleanála for the undertaking of the River Dargle (Bray) Flood Defence Scheme, including Boardwalk – approved by ABP in 2008. Completed in 2017 by WCC and OPW.

An Bord Pleanála Refs. HA0020/KA0013 - The Board approved the application by DLRCC for the Dublin Road Improvement Scheme (DRIS) and confirmed the compulsory purchase order. The scheme extended over a distance of one kilometre following the route of the existing Dublin Road.

Bray Sustainable Transport Bridge

- Under ABP Ref. JN27.313685, the Board decided in December 2022 that a NIS is required.
- Under ABP Ref. HD27.311071, the Board decided in April 2022 that an EIAR was not required for the proposed bridge.
- However, under ABP-320608-24 (December 2024) the Board decided that an EIAR is required.

Bus Connects

Under ABP Ref. 317742-23 approval was given in January 2025 for construction of the Bray to City Centre Core Bus Corridor Scheme. The route terminates on Castle Street in Bray on the northside of the River Dargle Crossing.

7.0 Sea Gardens Masterplan: Phases

- 7.1. The Sea Gardens Masterplan (formerly known as Harbour Point Masterplan) prepared by the applicant is submitted with the LRD application. It provides the overarching development framework for the subject site and wider landholding. I note that this Masterplan is not a statutory document.
- 7.2. It is proposed that proposed Block A (denoted as **Phase 1b** in the Architectural Design Statement) will complete the northern section of the overall masterplan area within the administrative boundary of Dun Laoghaire Rathdown County Council.
- 7.3. The first part of Phase 1 was the development of the north-western portion of Sea Gardens permitted under ABP-311181-21 and known as Shoreside Park and which is now effectively completed. Shoreside Park is located west of proposed Block A and it is denoted as **Phase 1a** in the submitted Architectural Design Statement.
- 7.4. Under ABP-314686-22 the applicant secured permission for development of a previous iteration of Block A and a Block B in the north-eastern part of the landholding. In this context the permitted Block A (a BTR block) was proposed on the subject site associated with this current appeal, while Block B (denoted as **Phase 1b** in the ADS) was proposed on adjoining lands to the south, which is within the administrative area of Wicklow County Council. These blocks have not been constructed to date.
- 7.5. A mixed-use development on lands north of the Dargle River which forms **Phase 2** of the Masterplan which was permitted by Wicklow County Council is currently the subject of first and third party appeals to the Commission (see Planning History at section 5.0 above).
- 7.6. **Phase 3** is the final stage of the Masterplan and adjoins the River Dargle to the north. It is envisaged that this phase would create a new walk along the river with retail spaces, above which apartments (c 362 units) offering expansive views of the sea would be positioned.

8.0 Policy Context

8.1. Project Ireland 2040 National Planning Framework (NPF) – First Revision (2025)

8.1.1. The NPF is the long-term 20-year strategy for strategic planning and sustainable development of Ireland's urban and rural areas to 2040, with the core objectives of securing balanced regional development and a sustainable 'compact growth' approach to the form and pattern of future development. It is focused on delivering 10 National Strategic Outcomes.

8.1.2. Relevant National Policy Objectives (NPOs) include:

NPO 4 – A target of half (50%) of future population and employment growth will be focused in the existing five cities and their suburbs.

NPO 8 – Deliver at least half (50%) of all new homes that are targeted in the five Cities and suburbs of Dublin, Cork, Limerick, Galway and Waterford, within their existing built-up footprints and ensure compact and sequential patterns of growth.

NPO 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.

NPO 20 – In meeting urban development requirements, there will be a presumption in favour of development that can encourage more people and generate more jobs and activity within existing cities, towns and villages, subject to development meeting appropriate planning standards and achieving targeted growth.

NPO 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.

NPO 43 – Prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location.

8.2. Delivering Homes, Building Communities (2025)

8.2.1. This document aims to further accelerate the delivery of new homes, to deliver 300,000 by the end of 2030, which will be achieved through the individual and collective effort of the key delivery partners. Local authorities, together with Approved Housing Bodies, the Land Development Agency, and the construction sector, will be critical to delivering and enabling the delivery of the quantum of homes needed over the lifetime of the plan. This is a wide-ranging strategy, encompassing two pillars: Activating Supply and Supporting People.

8.3. Climate Action Plan (CAP) 2025

8.3.1. CAP 2025 is the third statutory annual update to Ireland's Climate Action Plan under the Climate Action and Low Carbon Development (Amendment) Act 2021. It lays out a roadmap of actions which will ultimately lead Ireland to meeting our national climate objective of pursuing and achieving, by no later than the end of the year 2050, the transition to a climate resilient, biodiversity rich, environmentally sustainable and climate neutral economy. It aligns with the legally binding economy-wide carbon budgets and sectoral emissions ceilings that were agreed by Government in July 2022. It should be read in conjunction with CAP 2024.

8.4. Ireland's 4th National Biodiversity Action Plan 2023-2030

8.4.1. This aims to deliver the transformative changes required to the ways in which we value and protect nature. It strives for a 'whole of government, whole of society' approach to the governance and conservation of biodiversity. The aim is to ensure that every citizen, community, business, local authority, semi-state and state agency has an awareness of biodiversity and its importance, and of the implications of its loss, while also understanding how they can act to address the biodiversity emergency as part of a renewed national effort to 'act for nature.'

8.5. Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024)

8.5.1. The Guidelines set out policy and guidance in relation to the planning and development of urban and rural settlements, with a focus on sustainable residential development and the creation of compact settlements. There is a renewed focus in the Guidelines on, inter alia, the interaction between residential density, housing

standards, and quality urban design and placemaking to support sustainable and compact growth.

8.5.2. I consider the subject site to be within the ‘Centre and Urban Neighbourhoods’ category in the context of a Metropolitan town with a population of more than 1,500, having regard to Table 3.3 which ‘includes (i) the town centre and immediately surrounding neighbourhoods, (ii) strategic and sustainable development locations, and (iii) lands around existing or planned high capacity public transport nodes or interchanges (defined in Table 3.8). It is a policy and objective of these Guidelines that residential densities in the range 50 dph to 150 dph (net) shall generally be applied in the centres and in urban neighbourhoods of Metropolitan Towns.

8.6. Planning Design Standards for Apartments, Guidelines for Planning Authorities (2025)¹

8.6.1. These set national planning policy and guidance in relation to the planning and development of apartment schemes. Fulfilling commitments set out in the NPF will require a substantial increase in housing output of all types, and in particular the delivery of apartments at central and accessible urban locations. The overall purpose of the Guidelines is to strike an effective regulatory balance, ensuring that apartment development meets the needs of society in terms of standards and quality, while promoting an increased level of output overall.

8.6.2. The Guidelines include seven Specific Planning Policy Requirements (SPPR). SPPRs relevant to this Large Scale Residential Development are summarised below.

SPPR 2	<p>This SPPR relates to minimum floor areas to generally apply to apartment schemes, noting statutory plans shall not specify minimum floor areas that exceed the minimum floor areas set out as follows:</p> <ul style="list-style-type: none"> • Studio – 32sqm • 1 bedroom apartment (2 persons) – 45sqm • 2 bedroom apartment (3 persons) – 63sqm • 2 bedroom apartment (4 persons) – 73sqm • 3 bedroom apartment (4 persons) – 76sqm • 3 bedroom apartment (5 persons) – 90sqm
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¹ The planning application was received by DLRCC on 19th August 2025, after the Guidelines came into effect (9th July 2025).

SPPR 3	<p>(i) A minimum of 25% of units within a development shall be required to be dual aspect. Statutory plans shall not specify minimum requirements that exceed the requirements of this SPPR.</p> <p>(ii) Planning authorities may exercise further discretion to consider dual aspect unit provision at a level lower than the 25% minimum outlined above on a case-by-case basis for building refurbishment schemes, subject to the achievement of overall high design quality in other aspects.</p>
SPPR 4	Ground level apartment floor to ceiling heights shall be a minimum of 2.7m. Planning authorities may exercise discretion on a case-by case basis for building refurbishment schemes, subject to overall design quality.
SPPR 5	Ground level apartment floor to ceiling heights shall be a minimum of 2.7m. Planning authorities may exercise discretion on a case-by case basis for building refurbishment schemes, subject to overall design quality.

8.7. **Urban Development and Building Heights Guidelines for Planning Authorities (December 2018)**

8.7.1. These Guidelines are intended to set out national planning policy guidelines. Reflecting the NPF strategic outcomes in relation to compact urban growth, there is significant scope to accommodate anticipated population growth and development needs by building up and consolidating the development of our existing urban areas.

8.8. **Quality Housing for Sustainable Communities Best Practice Guidelines (2007)**

8.8.1. The aim of the Guidelines is to identify principles and criteria that are important in the design of housing along with physical standards for houses.

8.9. **Childcare Facilities Guidelines for Planning Authorities (2001)**

8.9.1. These Guidelines provide a framework to guide local authorities in preparing development plans and assessing applications for planning permission and developers and childcare providers in formulating development proposals. They are intended to ensure a consistency of approach throughout the country to the treatment of applications for planning permission for childcare facilities.

8.10. **Eastern & Midland Regional Assembly Regional Spatial & Economic Strategy (RSES) 2019-2031**

- 8.10.1. The RSES provides for the development of nine counties / twelve local authority areas, including Dun Laoghaire Rathdown County Council. It is a strategic plan which identifies regional assets, opportunities, and pressures, and provides appropriate policy responses in the form of Regional Policy Objectives. It provides a framework for investment to better manage spatial planning and economic development throughout the region. Bray is designated as a 'Key Town' within the Dublin Metropolitan Area.
- 8.10.2. The Dublin Metropolitan Area Strategic Plan (MASP) included in the RSES promotes compact sustainable housing delivery and integrated transport and land use. It seeks to focus on several large strategic sites, based on key corridors that will deliver significant development in an integrated and sustainable fashion. Bray is identified as a key node on the north-south DART corridor.
- 8.10.3. Lands at the former Bray Golf course are identified in the Strategy for development of new residential communities and it is stated that the delivery of new high-density mixed-use development will provide for consolidation within the established town. With regard to infrastructure, Table 5.1 notes that short term aims include access to Bray station and Public Transport bridge.
- 8.10.4. The relevant aspects of Regional Policy Objectives (RPOs) relating specifically to Bray Key Town can be summarised as follows:
- RPO 4.37:** Lands at the former Bray golf course are identified for the development of new residential communities and high density mixed-use development; transport agencies to facilitate the delivery of key infrastructure required for the westward extension of the town.
- RPO 4.38:** Support the development of Bray as a strategic employment location with an emphasis on attracting high value investment in 'people' based industries.
- RPO 4.39:** To promote the consolidation of the town centre with a focus on placemaking and regeneration of strategic sites.
- RPO 4.40:** To support ongoing investment in public transport infrastructure, including the appraisal, planning, planning and design of the LUAS extension to Bray.

RPO 4.41: Encourage transition towards sustainable and low carbon transport modes through promotion of alternative transport modes.

8.10.5. **Greater Dublin Area Transport Strategy 2022-2042**

The Strategy sets out a framework aiming to provide a sustainable, accessible, and effective transport system for the area which meets the region's climate change requirements, serves the needs of urban and rural communities, and supports the regional economy.

8.10.6. **Other noteworthy Study**

The Bray and Environs Transport Study (2019) was prepared by the NTA in conjunction with the TII and both WCC and DLRCC. It sets out the transportation interventions needed to support the development of Bray, including the strategic site at the former Bray Golf Club lands.

8.11. **Dun Laoghaire Rathdown DLRCDP (DLRCDP) 2022-2028**

8.11.1. The DLRCDP 2022-2028 is the operational plan for the subject site.

Zoning

The majority of the appeal site is zoned 'Objective A,' which is 'To provide residential development and improve residential amenity while protecting the existing residential amenities.' The northern and eastern peripheries of the site are zoned 'Objective F,' which is 'To preserve and provide for open space with ancillary active recreational amenities.'

Mapped Objectives

Zoning Map 14 indicates an objective 'To protect and preserve Trees and Woodlands' at the northwest corner of the site.

Specific Local Objective SLO119 relates to the eastern end of the site, which is 'to provide a permeability link between Green Area/Linear Park between Corke Abbey and Woodbrook Glen and any development on the Former Bray Golf Club lands to allow access towards Bray Harbour.'

An area of archaeological potential (Linear Earthworks) is identified along the administrative boundary between DLRCC and WCC.

A proposed Core Bus Corridor and proposed LUAS Line Extension are identified along Dublin Road further west of the site.

The proposed Sutton to Sandycove Walkway/Cycleway as a component part of the National East Coast Trail Cycle Route is identified to the east of the site.

Other Sections

Chapter 4: Neighbourhood – People, Homes and Place

Chapter 4 aims to increase delivery of housing subject to alignment with the NPF and RSES; the Core Strategy, Housing Strategy, and Housing Need Demand Assessments; and embedding the concept of neighbourhood and community into spatial planning.

Section 4.3.1 *Delivering and Improving Homes* notes that density plays an important role in ensuring that the best use is made of land intended for residential development. The 'Sustainable Residential Development in Urban Areas' Guidelines and the accompanying 'Urban Design Manual' include recommendations regarding appropriate densities for various types of locations. Having regard to the Guidelines and consistent with RPO 3.3 and 4.3 in the RSES:

- Where a site is located within circa 1 kilometre pedestrian catchment / 10 minute walking time of a rail station, Luas line, Core/Quality Bus Corridor and/or 500 metres / 5 minute walking time of a Bus Priority Route, and/or 1 kilometre / 10 minute walking time of a Town or District Centre, higher densities at a minimum of 50 units per hectare (net density¹) will be encouraged.
 - Overarching Policy Objective PHP1: increased delivery of housing throughout the County will be subject to the Strategic Policy Objective.
 - Policy Objective PHP2: Sustainable Neighbourhood Infrastructure.
 - Policy Objective PHP3: Planning for Sustainable Communities.
 - Policy Objective PHP5: Community Facilities.
 - Policy Objective PHP6: Childcare Facilities.
 - Policy Objective PHP18: Residential Density.
 - Policy Objective PHP20: Protection of Existing Residential Amenity.

- Policy Objective PHP26: Implementation of the Housing Strategy.
- Policy Objective PHP27: Housing Mix.
- Policy Objective PHP30: Housing for All.
- Policy Objective PHP35: Healthy Placemaking.
- Policy Objective PHP36: Inclusive Design & Universal Access.
- Policy Objective PHP40: Shared Space Layouts.
- Policy Objective PHP42: Building Design & Height.
- Policy Objective PHP44: Design Statements.

Chapter 5: Mobility and Transport

Seeks the creation of a compact and connected County, promoting compact growth and ensuring that people can easily access their homes, employment, education and the services they require by means of sustainable transport. The relevant policy objectives from this chapter include:

- Policy Objective T23: Roads and Streets

Chapter 8: Green Infrastructure and Biodiversity

Includes policies for the protection, creation, and management of this resource in an integrated manner by focusing on key themes within GI such as landscape and the coast; access; biodiversity; and parks.

- Policy Objective GIB1: Green Infrastructure Strategy
- Policy Objective GIB18: Protection of Natural Heritage and the Environment.

Chapter 9: Open Space, Parks and Recreation

Recognises that having safe and easy access to a network of open space and parks, means that the recreational needs of residents are met, while enhancing their health and well-being. The relevant policies from this chapter include:

- Policy Objective OSR4 - Public Open Space Standards

Chapter 10 - Environmental Infrastructure and Flood Risk.

Recognises the critical importance of high-quality infrastructure networks and environmental services in creating sustainable, healthy, and attractive places to live and work.

Chapter 12 - Development Management

Contains the detailed development management objectives and standards that are to be applied to proposed developments. Relevant sections of this chapter include:

- Section 12.3.1: Quality Design
- Section 12.3.3.1: Residential Size and Mix
- Section 12.3.3.2: Residential Density
- Section 12.3.4.2: Habitable Rooms
- Section 12.3.4.5: Management Companies and Taking in Charge
- Section 12.4.8: Vehicular Entrances and Hardstanding Areas
- Section 12.8.3: Open Space Quantity for Residential Development
- Section 12.8.3.1: Public Open Space
- Section 12.8.7.1: Separation Distances
- Section 12.8.7.2: Boundaries
- Section 12.8.11: Existing Trees and Hedgerows.

Appendix 3 - Development Management Thresholds

Appendix 5 - Building Height Strategy

Appendix 6 - Waste Management Guidelines

Appendix 13 - Statement Demonstrating Compliance with Section 28 Guidelines.

Draft Variation no. 1 of the Dun-Laoghaire Rathdown DLRCDP 2022-2028

This proposed Variation has been prepared to respond to the recent changes in National planning policy, namely the publication of the NPF – First revision and the publication of the following Section 28 Ministerial Guidelines including the NPF Implementation; Apartment Guidelines 2025 and the Compact Guidelines 2024.

It is intended to address specific, immediate policy updates that are needed in the short term and proposes changes to a number of sections in the Written statement inclusion Chapter 2 – Core Strategy, Policy objectives included in Chapters 4, 5 and 8, various sections of the development management, land use zoning and specific

local objective chapters in addition to Appendix 13, 15 and 16. It also includes for an amendment boundary to the LAP for Dundrum.

This proposed Variation was on public display from Thursday 18th December 2025 to Monday 26th January 2026 and the Chief Executive (CE) Report on submissions received to the Proposed Variation was prepared and circulated to the Elected Members for their consideration on Friday 6th March 2026. Elected Members will consider the proposed variation and the report of the Chief Executive at a Special Council meeting. At the time of writing this Inspector's Report the Draft Variation has not yet been adopted.

8.12. Natural Heritage Designations

8.12.1. Bray Head is designated as a proposed Natural Heritage Area and is located approximately 1.7km south of the site. Bray Head is also subject to a Special Amenity Area Order (SAAO). The closest European Sites are Bray Head SAC (Site Code:000714) c 1.7km from the site, Ballyman Glen SAC (Site Code: 000713) c 2.2km from the site, Knocksink Wood SAC (Site Code:000725) and Rockabill to Dalkey Island SAC (Site Code: 0003000) c 4.1km from the site. The nearest SPA is the Dalkey Islands SPA (Site Code 004172) located c 6.4km from the site.

9.0 The Appeal

9.1. Grounds of Appeal

One appeal has been made against the decision of the planning authority to grant permission. It is from Conor McHugh and others of Shoreside Park, Sea Gardens, Bray, Co. Dublin, located to the west of the appeal site. The grounds of appeal may be summarised under relevant headings as follows:

Overdevelopment

- Proposed development is incongruous with the current scale and massing of the neighbourhood and represents extreme and detrimental overdevelopment.
- Prevailing height in the area (Dun Laoghaire Rathdown administrative area) are two storey houses at Corke Abbey and 2-3 storey school buildings.

- Residents purchased their homes in Sea Gardens on the basis the permitted development of 4-7 storeys would be constructed, which was approved as part of planning application reference no. ABP-314686-22 in 2024.
- The proposed development provides 159 homes, a reduction of three houses compared to the permitted development, but in a much larger volume.

Overshadowing/Loss of Light

- Proposed development rises to 10 storeys causing considerable overshadowing of 3 storey homes to the west.
- All direct morning sunlight entering primary living spaces in this row of houses will be eliminated and the shared green spine will be overshadowed.

Overlooking and Noise

- Plans show windows and balconies at every level looking towards the row of homes to the west. This will also increase the noise as experienced from the existing row of homes.

Visual permeability

- The masterplan included permeability as a key attribute; however this is abandoned in the proposal which provides an additional level of parking and a row of 4 storey units in the middle.
- Any connection to the sea is removed. Proposed Block A will block shared views of residents living on the north most road in Sea Gardens.
- Homes were purchased with the promise of a sea view, however this will be eliminated by the proposed change to Block A.

Massing

- The massing of the proposed development is excessive, given the proximity, orientation and close relationship of the row of three storey houses. The proposal will cause a disproportionately negative impact on these family homes.

Financial impact

- Existing homes in Sea Gardens were purchased on the basis of the original planning application. The development will negatively impact the sale price of these houses given that the visual and private amenity will be compromised.

Traffic Safety / Car parking

- 179 car parking spaces are proposed compared to 132 spaces previously permitted which is an increase of 35%. It is illogical that 35% more spaces are being provided and the number of units has reduced.
- This will lead to impacts such as increased traffic and congestion, inadequate parking and risks to cyclists and pedestrians.

Other

- The architectural design of the entrance and the large, illuminated sign is unsuitable for a residential development.
- Materiality and colours are not in keeping with the character and palette of the seaside town of Bray.
- Drainage and flooding are of immense concern.
- Concerns regarding impact of large building on local habitats and migrating birds.
- The height of the proposed development competes with the built structures of Holy Redeemer Church, Christ Church and the natural landscape of Bray Head and the Sugarloaf.

9.2. Applicant Response

The response to the appeal submitted on behalf of the applicant by RPS may be summarised under relevant headings, as follows:

Overdevelopment / Scale, height and density

- The Masterplan has always positioned taller buildings close to the sea to achieve a sustainable, compact urban form, while providing a gradual transition in height and scale towards the existing development to the west, including Shoreside Park.
- The layout and design of Block A has evolved from the previously permitted proposal under ABP-314686-22 which provided for BTR units with smaller units to

larger apartments designed for private sale with a greater proportion of family homes with high quality amenities, that delivers a more sustainable form of development. It was necessary to increase the overall building height to accommodate the additional floor area, within the confines of a slightly reduced footprint.

- The proposed development is entirely appropriate for the site and accords fully with all relevant national, regional and local planning policies and guidance.
- When considered in the context of the wider Phase 1 development within the DLRCC's administrative area the density for the proposed development of 89 dph fully accords with the Compact Settlements Guidelines and is entirely appropriate for this location.
- The planning authority has fully considered the appellant's concerns and the applicant has strongly justified the scale and height of the proposed development through submission of comprehensive planning documentation.

Daylight, sunlight and overshadowing

- A thorough and detailed assessment has been undertaken by the applicant to ascertain potential impacts in terms of daylight, sunlight and overshadowing, which has been reviewed and considered by the planning authority in their decision.
- The proposal provides taller elements of 10 and 11 storeys along the coastline with the uppermost floors stepped. To the west Blocks A1 and A2 step down to 6 and 7 storeys respectively, with townhouses stepping down further to 4 storeys. This configuration reduces the extents of facades facing the existing dwellings to the west, thereby improving access to sunlight and daylight to those dwellings in Shoreside Park.
- The Daylight and Sunlight assessment finds that the Vertical Sky Component (VSC) impact on Phase 1 duplex units immediately west of the subject site is considered negligible. The assessment also notes favourable impacts on the proposed public and communal open spaces, including the green spine as referenced in the third party appeal. The planning authority's report acknowledges the Daylight and Sunlight Assessment and concludes the proposal accords with *Policy Objective PHP20: Protection of Existing Residential Amenity*.

Overlooking / Noise impacts

- The Compact Settlement Guidelines (SPPR 1) requires separation distance of 16m between opposing windows serving habitable rooms. The proposals provides a separation distance of c 40m between the proposed development and the existing dwellings in Shoreside Park. This substantial distance protects existing dwellings from potential overlooking and noise impacts from the proposed development.
- When compared to the previous permitted scheme under ABP-314686-22, the subject scheme introduces additional setbacks, reducing the total number of west facing balconies, thereby providing further improvements in protection of existing residential amenity and privacy. It is considered that the appellants concerns with regard to potential overlooking and noise impacts are unfounded.

Improved visual permeability

- The subject proposals improve visual permeability by moving away from the permitted C shaped blocks to more elegant and slender blocks.
- Lower floors in both the previously permitted scheme and in the current proposal do not facilitate sea views from existing dwellings to the west of the site. However the finger block configuration enhances visibility of the sky above the coastline and improves access to daylight.
- Block A footprint has not been pushed towards the northern boundary of the site. Rather the application boundary has been pulled back for this planning application in order to exclude specific works to the boundary treatment with Corke Abbey Park under ABP-311181-21.
- The separation distance between Block A and the physical boundary with Corke Abbey Park is increased by c 4m when compared to the permitted scheme under ABP-314686-22. This improves visual permeability along the northern boundary of the site. In addition the proposals improve east-west visual permeability for the upper floors of the development compared with the previously approved scheme. Further, the overall footprint is reduced from c 6,065sqm as previously permitted to 5,054sqm which reduces the overall ground level mass and bulk of the proposals.
- Concerns raised with regard to visual permeability are unsubstantiated.

Massing and design quality

- As demonstrated in documentation provided with the application and on foot of the FI request, the proposed development is considered to represent a significant improvement on the previously permitted scheme. The slender massing of the blocks along with more open and permeable space between them results in an improved overall appearance which is less dominating than the previously permitted scheme.
- The building heights and massing responds to and conforms with the policies and criteria set out in DLRCC's Building Height Strategy specifically Table 5.1 as set out in Appendix 5 of the CDP.
- The proposed massing has been carefully considered to ensure the proposed development works not only as a stand-alone development but also as one which will sit comfortably within its surroundings and contribute to a wider vision for the area.

Property values

- The potential impact on property values in the area does not constitute valid grounds of appeal. Notwithstanding, it is considered the proposed development will significantly improve residential amenity in the area through provision of substantial public open space and will also contribute to the vibrancy and vitality of the community.

Car parking and sustainable travel

- The previous permitted development at Block A was designed to accommodate BTR apartment units and included a reduced quantum of car parking as appropriate for the anticipated needs of future residents. However, the proposed development is designed to accommodate the needs of permanent residents and provides a quantum of parking which reflects anticipated requirements of 'forever home' buyers.
- As highlighted in the submitted TIA, the proposed parking quantum is still significantly below the maximum standards set out in the CDP and Compact Settlements Guidelines and has regard for the site's accessible location and

proximity to existing public transport links in line with relevant national and local policies.

Road safety

- The proposed development is carefully designed to protect all road users, ensuring safety of vehicles, cyclists and pedestrians.
- Section 10 of the TIA addresses the need to undertake a Road Safety Audit.
- The proposed roads, footpaths and entrances were fully assessed in the previously permitted scheme, with only minor changes proposed as part of the subject development.

Environmental impacts and Placemaking

- In terms of materiality and colour palette for Block A the Sea Gardens Masterplan and the submitted ADS describe how the subject coastal location and established built heritage context of Bray's urban area have informed the design, placemaking and choice of proposed materials and finishes. The scheme is designed as a new urban quarter with its own unique character and sense of place but merging seamlessly and respectfully with the existing built form of Bray town. High quality materials are selected and the planner's report noted this fact.
- All concerns relating to visual impact, placemaking, biodiversity, drainage and flooding have been comprehensively addressed through extensive technical assessments submitted with the planning application and in response to the FI request. These include a Stage 1 FRA, a Collision Risk Assessment and a Landscape and Visual Impact Assessment.

A copy of the third party appeal is included with the applicant's response.

9.3. Planning Authority Response

The planning authority consider the grounds of appeal do not raise any new matter which would justify a change of attitude to the proposed development.

9.4. Observations

None.

10.0 Planning Assessment

- 10.1.1. I note that the planning authority undertook a comprehensive assessment of the proposed development and concluded that it would comply with the relevant sections of the Dun Laoghaire Rathdown DLRCDP 2022-2028, the Design Standards for Apartments, Guidelines for Planning Authorities (2025) and Quality Housing for Sustainable Communities, Best Practice Guidelines (2007) and in so doing would offer future residents a high level of residential amenity. Following a review of all the documentation available to me including the floor plans, the housing and apartment quality assessment, the Planning Officer's assessments and the Architectural Design Statement and all other submitted supporting documentation, I generally concur with the planning authority's conclusions in this regard, with the exception of housing unit mix and private open space for the 4 bed townhouses which are examined below in section 10.4. While I note that at the time of writing, the DLRCDP has not yet been amended to incorporate the Sustainable and Compact Settlements, Guidelines for Planning Authorities 2024 and the Planning Design Standards for Apartments, Guidelines for Planning Authorities 2025 (although this process is currently being undertaken by the planning authority through proposed Variation no.1), I consider that the proposed development is also in compliance with these updated Guidelines. I would note that the submitted Housing Quality Assessment is prepared in accordance with the Design Standards for New Apartments, Guidelines for Planning Authorities 2020. All the apartments in the proposed development exceed the minimum floor area set out in SPPR 3 by at least 14%. Apartment floor to ceiling heights meet and in many cases exceed 2.7m, while floor to ceiling heights in upper floors are 3.15m. In addition to good quality room sizes, I note that a large number of units are provided with storage space in excess of the minimum required. Block A has 10 apartment units per floor per core on a typical level and no core serving any level with 12 or more apartments. The proposed apartments are served with private amenity space in the form of balconies and comply with minimum requirements.
- 10.1.2. Having examined the application details and all other documentation on file, including the grounds of appeal, and inspected the site, and having regard to relevant local, regional and national policies and guidance, I consider that the substantive issues in this appeal are as follows:

- Principle of development
- Building Heights, Massing and Visual Impact
- Standard of Accommodation
- Density
- Impact on existing residential amenity
- Visual Permeability
- Car Parking and Traffic Safety
- Drainage and Flood Risk
- Other issues
- EIA
- AA Screening
- Water Framework Directive - Screening
- Planning conditions

10.2. Principle of development

10.2.1. The significant majority of the subject site area is zoned 'Objective A – Residential' under the Dun Laoghaire Rathdown DLRCDP (DLRCDP) 2022-2028 which seeks 'To provide residential development and improve residential amenities while protecting the existing residential amenities.' 'Residential' development is listed as being permitted in principle under the 'Objective A' land-use zoning.

10.2.2. The northern and eastern peripheries of the subject site are zoned 'Objective F – Open Space' under the DLRCDP which seeks 'To preserve and provide for open space with ancillary active recreational amenities.' Objective F lands measure approximately 3,718 sqm and will be used to provide part of the open space to serve the proposed development and the existing adjoining development at Shoreside Park. In this regard, ancillary active recreational amenities in the form of natural play spaces / facilities will be incorporated within the Objective F lands at the northern part of the site. The Landscape Plan shows that a range of fitness equipment is proposed along the eastern side of the site, while natural play spaces are located to the north of the proposed development. Shared pathways for pedestrians and cyclists will facilitate links within the open space and to adjoining areas.

10.2.3. I consider the proposed development to be acceptable in principle on this site in terms of zoning and proposed uses and no material contravention issues arise in this regard.

10.3. **Building Height, Massing and Visual Impact**

10.3.1. The heights of the proposed development consist of 3 and 4 storeys for the townhouses, with the two apartment blocks ranging in heights from 6 to 10 storeys (Block A1) and 7 to 11 storeys (Block A2). The Sea Gardens Masterplan provides for a number of landmark buildings, or 'finger blocks,' which address the seafront, while generally setting back two and three storey housing from the coast. Section 4.2 of the Architectural Design Statement (ADS) examines tall buildings in a coastal context and provides examples within Ireland and Europe. Section 4.3 examines the layout and design of Block A and considers that lifting building height towards the coast ensures good integration with the surrounding environment, while the proposed massing of the blocks is articulated creating visual interest. Section 4.5 examines adjacent heights in the Masterplan area as proposed and permitted.

10.3.2. The applicant has also provided a Landscape and Visual Impact Assessment (LVIA) and verified views of the proposed development in the context of the permitted development under the SHD application Ref. ABP-314686-22 and also having regard to Phase 2 proposals (on lands further south of the appeal site and within the administrative area of Wicklow County Council) and potential changes to Block B, a nine storey block, adjoining Block A to the south (Phase 1B of the Masterplan).

10.3.3. Following assessment the planning authority (DLRCC) is satisfied that the subject site is capable of accommodating additional height as proposed and in the context of the approved, proposed and development options for the wider Sea Gardens development (within the administrative boundary of Wicklow County Council) and the existing neighbouring residential development to the west, and decided to grant permission for the proposed development.

10.3.4. The applicant's response to the third party appeal reiterates their position that the design and height of Block A is appropriate and has been carefully considered.

10.3.5. With regard to national policy, the Building Height Guidelines 2018 supports increased building height and density in locations with good transport accessibility and disallows blanket numerical limits on building heights. Chapter 3 of the Guidelines relates to the assessment of planning applications and appeals and notes there is a presumption in favour of buildings of increased height in city cores and urban locations with good public transport accessibility.

10.3.6. In terms of local planning policy, Policy Objective PHP42: Building Design and Height encourages high quality design of all new development and seeks to ensure new development complies with the Building Height Strategy (BHS) for the County (Policy Objective BHS 1) as set out in Appendix 5 of the DLRCDP, which supports increased height / taller buildings at such locations subject to further assessment of height impacts, particularly the criteria outlined in Table 5.1 of the strategy. This BHS policy is based on the SPPRs and other guidance within the Building Height Guidelines 2018, with the assessment criteria as set out in Table 5.1 generally consistent with section 3.2 of the Guidelines. I therefore consider it appropriate that the proposed development is assessed in accordance with the criteria of Table 5.1 of the Dun Laoghaire Rathdown DLRCDP, as detailed below.

10.3.7. **Table 10.1 Assessing proposals for increased height**

Criteria	Assessment	Compliance Yes (Y) No (N)
1. At County Level		
a. Proposal assists in securing objectives of the NPF in terms of focusing development in key urban centres fulfilling targets in relation to brownfield infill development and delivering compact growth.	A Masterplan for the entire Sea Gardens development is provided with the planning application. The overall development at Sea Gardens is proposed as a higher density scheme located in a new Urban Quarter within the footprint of Bray. This proposed Block A development is proximate to public transport facilities and a wide range of other services and facilities and it would assist in securing objectives regarding brownfield development and delivering compact growth. NPO 4 of the Revised NPF (2025) sets a target of 50% of future population and employment growth to be focused in the existing 5 cities and	Y

	<p>their suburbs. NPO 7 seeks delivery of at least 40% of all new homes within the built-up footprint of existing settlements. NPO 45 seeks to increase residential densities through measures including infill development schemes, increased building height and more compact forms of development.</p>	
<p>b. Site must be well served by public transport – i.e. within 1000 metres /10 minute walk band of LUAS stop , DART Stations or Core/Quality Bus Corridor, 500 metre/5 minute walk band of Bus Priority Route with high capacity frequent service and good links to other modes of public transport.</p>	<p>I am satisfied that the site is well served by public transport. Bray Daly Railway Station is located approximately 900m from the site and has high-capacity DART and Commuter Rail services. The site is also served by the Dublin City-Bray Bus Corridor (24 hour E1 service). Future proposed public transport services in the area include upgrading of train services (DART+ Coastal South project) and the extension of Green Luas line to Bray.</p>	Y
<p>c. Proposal must successfully integrate into / enhance the character and public realm of the area having regard to topography cultural context, setting of key landmarks. In relation to character and public realm the proposal may enclose a street or cross roads or public transport interchange to the benefit of the legibility, appearance or character of the area.</p>	<p>In terms of integration with the character and public realm of the area, I note the subject site is not located within an architecturally sensitive area. I note the coastal location of the site and wider masterplan lands and the nature of the proposal involving greater height and scale compared to existing surrounding development. I note the planning history and policy context which supports increased height and scale on the site and wider masterplan lands.</p> <p>I consider the proposal would successfully integrate into/enhance the character and public realm of the area. It would transform part of the former golf course (now disused) by opening it up to the public through new physical links (particularly pedestrian and cycle links) and open space. This would significantly benefit the legibility, appearance and character of the area. The proposed development facilitates achievement of Specific Local Objective SLO119 which requires provision of ‘a</p>	Y

	<p>permeability link between Green Area/Linear Park between Corke Abbey and Woodbrook Glen and any development on the Former Bray Golf Club lands to allow access towards Bray Harbour.'</p> <p>This criterion includes a requirement for an Urban Design Statement and a Street Design Audit. I have had regard to the submitted Architectural Design Statement and the Traffic Impact Assessment which includes information on DMURS and the walking and cycling environment. The design of the masterplan lands is DMURS compliant and this approach along with a highly permeable network of streets will facilitate active travel for future residents and visitors to Block A. Further assessment of these matters are set out in section 10.8 of this report. I am satisfied that the aforementioned submitted documents have satisfactorily demonstrated compliance with relevant design standards/guidance and an appropriate response to the character of the area and the public realm context.</p> <p>There is also a requirement for a Landscape and Visual Impact Assessment (LVIA) which has been provided for the proposed development and I will address this in Table 10.2 below. I am satisfied that there would be no unacceptable impacts.</p>	
<p>d. Protected views and prospects: Proposals should not adversely affect the skyline or detract from key elements within the view whether in foreground, middle ground or background. A proposal may frame an important view.</p>	<p>The subject site is not affected by any particular views or prospects as detailed in Table 10.1 (Chapter 8) of the DLRCDP. Further, Appendix 8 demonstrates that the site is not within any of the 14 identified Landscape/Seascape Character Areas. Furthermore, as outlined below, I do not consider that there would be any unacceptable impacts on landscape/townscape/seascape.</p>	<p>Y</p>

<p>e. Infrastructural carrying capacity of area as set out in Core Strategy of CDP, relevant Urban Framework Plan or Local Area Plan.</p>	<p>Bray is identified as a Key Town within the Dublin Metropolitan Area and the lands at the former Bray golf course are identified for the development of new residential communities and high density mixed-use development, for example, in the CDP and in the RSES 2019-31 (RPO 4.37 refers).</p> <p>I consider that the DLRCDP support for the redevelopment of the site reflects the significant infrastructural carrying capacity in the area. I have also considered the infrastructural capacity in other sections of this report as follows:</p> <p>Section 10.8: As will be outlined, the proposed development will be served by high capacity public transport and sufficient/good capacity in terms of road network, parking and walking/cycling facilities.</p> <p>Section 10.9: As will be outlined, the proposed development will be adequately served by water, wastewater and surface water services, and there is no unacceptable flood risk. Appendix A of the Engineering Report includes Confirmation of Feasibility (COF) from UÉ which confirms that a water connection and wastewater connection are feasible without infrastructure upgrade.</p>	<p>Y</p>
<p>2. At District/Neighbourhood/Street Level</p>		
<p>a. Proposal must respond to its overall natural and Built environment and make a positive contribution to the urban neighbourhood and streetscape.</p>	<p>The layout strategy of the Sea Gardens masterplan is to have higher residential blocks (called 'finger blocks') nearer the coast with lower rise buildings inland. Blocks A1 and A2 are 6 to 10 storeys and 7 to 11 storeys in height, respectively.</p> <p>Table 5.1 of the BHS policy contained in the current DLRCDP outlines the need to demonstrate compliance with the 12 criteria set out in the Urban Design Manual of</p>	<p>Y</p>

	<p>the Sustainable Residential Development Guidelines (2009), as well as DMURS. I have previously outlined that compliance with DMURS has been satisfactorily demonstrated (See part 1(c) of this Table), and I note that the 2009 Guidelines have been replaced by the Compact Settlement Guidelines (2024).</p> <p>The Compact Settlement Guidelines are to be accompanied by an updated Design Manual however this has not been published to date. I note however that the Guidelines include 'Key Indicators of Quality Design and Placemaking' namely 'Sustainable and Efficient Movement,' 'Mix and Distribution of Uses,' 'Green and Blue Infrastructure' and 'Responsive Built Form.' These are examined in the submitted ADS.</p> <p><u>Sustainable and Efficient Movement:</u> Surrounding the proposed development are shared/integrated pedestrian and cyclist routes that link into the wider Sea Gardens masterplan lands and Corke Abbey Park to the north, and provide for a safe environment for active travel users. Section 10.8 of this report refers.</p> <p><u>Mix and Distribution of uses:</u> The only proposed use for the subject lands is residential. This is acceptable in my view given that the subject site and adjoining lands have been the subject of two SHD applications which have permitted a childcare facility, retail unit and cafe on adjoining lands to the west (in Shoreside Park). The applicant notes that the previously permitted proposal under Ref. ABP-314686-22 included 162 Build to Rent (BTR) units for Block A with a reduced quantum of car parking, while the current proposal omits BTR units in favour of Build to Sell homes for permanent residents. I note also that</p>	
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	<p>Phase 2 of the masterplan lands, south of the subject site is proposing mixed-use development comprising residential, retail and commercial development. In this context I consider the proposed single use (residential) to be acceptable. In my view the proposed development offers a diverse mix of unit types (section 10.4 below refers) ranging from 1-4 bedrooms which provides a greater housing choice responding to the needs of single persons, families, older people and those with disabilities.</p> <p><u>Green and Blue Infrastructure (GBI):</u> The ADS notes the proposed development has been designed to achieve a continuous green space running from Corke Abbey Valley Park in the north to the south of the site and beyond. Pedestrian and cycle links are proposed to link in with permitted and potential future development in the wider Sea Gardens area which will facilitate active travel across the site and adjoining lands. Landscaping measures and details of public open spaces are set out in the submitted Landscape Plan. Nature based SuDS measures (see section 10.9 of this report) are proposed to ensure appropriate drainage of surface water and to mitigate against flooding. Green roofs are also provided .</p> <p><u>Responsive Built Form:</u></p> <p>The layout strategy of the Sea Gardens masterplan is to have higher residential blocks located at the western side of the lands nearer the coast with lower rise buildings inland. Blocks A1 and A2 are 6 to 10 storeys and 7 to 11 storeys in height, respectively. The lower floors of these buildings are located nearer the existing terraced/duplex units (with appropriate separation distances – see section 10.6 of this</p>	
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	report) compared with the higher storeys which are nearer the coastal side of the site. Open spaces are appropriately overlooked.	
b. Proposal should not be monolithic and should avoid long uninterrupted walls of building in the form of slab blocks.	Blocks A1 and A2 are visually interesting due to their varying heights, Art-deco type design, curved balconies and finishes. The design approach avoids long, uninterrupted walls of building in the form of slab blocks and would not result in a monolithic appearance. The height and massing of the development is designed to concentrate the taller elements of the design away from existing neighbours and towards the coast. The town houses to the east and west reduce the scale to human scale.	Y
c. Proposal must show use of high quality well considered materials.	Section 5 of the ADS relates to materiality and finishes. See also section 10.10 of this report. The ADS sets out the coastal design context and architectural rationale of the proposed development and details proposed finishes. There is a good variety of high-quality materials. These include two-tone brickwork for Block A with lighter brick forming a continuous horizontal band aligned with proposed balconies and a darker brick framing the windows which provides contrast while maintaining a neutral soft palette blending with the skyline. Curved balconies are made from concrete with powder-coated steel frame system suitable for the coastal environment. Reconstituted stone cills to echo neighbouring housing is also proposed. Apartment windows will be horizontal in orientation, maximising views. The application includes a Building Life Cycle Report which adequately considers long-term running/maintenance costs and sets out measures to effectively manage and reduce costs. I consider proposed materials to be of high quality and appropriate.	Y

<p>d. Proposal where relevant must enhance urban design context for public spaces and key thoroughfares and marine or river/stream frontage.</p>	<p>The proposed development provides shared cycle and pedestrian routes across the subject site providing access to landscaped public open spaces. The pathways link into adjoining areas. Block A successfully integrates with Shoreside Park to the west. Block A responds to its natural surroundings, including appropriate interfaces with the coast to the east and surrounding public open spaces.</p> <p>The proposed development also facilitates and achieves Specific Local Objective SLO119 namely the provision of a permeability link for pedestrians between Green Area/Linear Park between Corke Abbey and Woodbrook Glen and development on the Former Bray Golf Club lands to allow access towards Bray Harbour.</p>	<p>Y</p>
<p>e. Proposal must make a positive contribution to the improvement of legibility through the site or wider urban area. Where the building meets the street public realm should be improved.</p>	<p>The proposal facilitates good permeability across the site as described at (d) above, facilitating public connectivity. The layout uses a range of clearly identified routes and public open spaces to form a high quality circulation layout; the tall/landmark buildings within the development facilitate wayfinding / navigation. These measures significantly improve legibility through the site.</p>	<p>Y</p>
<p>f. Proposal must positively contribute to the mix of uses and /or building/ dwelling typologies available in the area.</p>	<p>The proposed development is solely for residential use however it forms part of a larger and wider development which provides for a range of uses including commercial and retail located centrally within the masterplan lands. Block A positively contributes to the mix of dwelling typologies in the area, providing a mix of 1, 2, 3 and 4 bed units which cater for people at different lifecycle stages in this highly accessible new Urban Quarter within Bray.</p>	<p>Y</p>

g. Proposal should provide an appropriate level of enclosure of streets or spaces.	Block A provides four strong edges which enclose an elevated podium level communal open space and facilitates passive surveillance of active travel routes within the surrounding public open space.	Y
h. Proposal should be of an urban grain that allows meaningful human contact between all levels of buildings and the street or spaces.	The proposed development, despite its significant height in terms of Blocks A1 and A2, avoids overbearing impacts and has been designed to respect the need for meaningful human contact. The proposed communal open space at podium level and the public open spaces surrounding the development which host active travel routes will generate a high level of interaction. Open spaces will be appropriately overlooked by the proposed buildings. I am satisfied that the areas of public open space are appropriately sized, well designed and will enhance the overall amenity of the scheme.	Y
i. Proposal must make a positive contribution to the character and identity of the neighbourhood.	The proposed development forms part of the wider masterplan for the overall Sea Gardens development which will provide a new Urban Quarter for Bray with its own distinct character.	Y
j. Proposal must respect the form of buildings and landscape around the site's edges and the amenity enjoyed by neighbouring properties	As outlined in section 10.6 of this report I am satisfied that Block A would respect the amenities enjoyed by existing properties in Shoreside Park to the east. The Masterplan has positioned taller buildings close to the sea to achieve a sustainable, compact urban form. The proposed apartment blocks (A1 and A2) are higher towards the eastern boundary with the DART line and the coast. The massing is stepped down to 6 and 7 storeys at the western boundary to assist in the transition of height towards the existing 3 storey houses located due west of the site. The remaining floors have greater separation distances as they are stepped away from	Y

	existing housing, and towards the coast. Separation distances of c 30.3m and c 39.7m respectively apply between existing housing to the west and Block A1 and Block A2, which along with the design and massing approach, assist in the integration of Block A into the site. This approach also ensures no undue impacts on the residential amenities of existing houses at Shoreside Park.	
3. At site/building scale		
a. Proposed design should maximise access to natural daylight, ventilation and views and minimise overshadowing.	The proposed development would provide appropriate access to daylight, ventilation and views and would not result in any unacceptable overshadowing. Coastal views would be maximised given that Blocks A1 and A2 are stepped up / higher at the eastern boundary of the site overlooking the sea.	Y
b. Proposal should demonstrate how it complies with quantitative performance standards on daylight and sunlight as set out in BRE guidance "Site Layout Planning for Daylight and Sunlight" (2nd Edition). Where a proposal does not meet all the requirements, this must be clearly identified and the rationale for any alternative, compensatory design solutions must be set out. On relatively unconstrained sites requirements should be met.	<p>A Sunlight, Daylight and Shadow Assessment is submitted with the application. Under the criteria as set out in BR 209 and considering trees, the Spatial Daylight Autonomy (SDA) value in 467 no. habitable rooms meets or exceeds target values giving a compliance rate of 94%. 74% compliance (considering trees) in terms of SDA is achieved by reference to I.S. EN 17037.</p> <p>In terms of Sunlight Exposure (SE) on proposed units (considering trees), the compliance rate in accordance with BRE Guidelines is 81%. The majority of non-compliant units are the single aspect units located on the north eastern and north western facades of Blocks A1 and A2. These have high quality views over public open space areas and/or sea views and as such these single aspect units are acceptable. The townhouses are fully compliant.</p> <p>Compensatory design solutions have been provided by the project architect where rooms do not achieve the daylight provision</p>	Y

	<p>targets as set out in the BRE Guidelines. Pages 29 and 30 of the Assessment provides a listing of all units/rooms that do not achieve the recommended level of daylight with regards to BR 209 and the compensatory design solution for each.</p> <p>I consider the performance of the scheme to be acceptable and relatively high having regard to the density requirements for this well-located and highly accessible site.</p> <p>As set out in section 10.6 of this report the Vertical Sky Component (VSC) results for the existing duplex blocks confirm that when the proposed development is in place it would have a negligible level of effect on the windows of the duplex blocks and as such the proposal is compliant with the BRE Guidelines. Further, a No Sky Line (NSL) assessment was conducted for the existing duplex units and confirms that when the proposed development is in place it would have a negligible effect on their windows; therefore the proposal is compliant with BRE Guidelines.</p> <p>A Sunlight on Ground (SOG) analysis was also undertaken which concludes that access to sunlight on March 21st within communal open spaces and public open spaces accords with BRE criteria.</p>	
<p>c. Proposal should ensure no significant adverse impact on adjoining properties by way of overlooking, overbearing and/or overshadowing.</p>	<p>I am satisfied that the proposed development does not result in significant adverse impacts on adjoining properties by way of overlooking, overbearing and/or overshadowing impacts. Section 10.6 of this report relates to impacts on residential amenities.</p>	<p>Y</p>
<p>d. Proposal should not negatively impact on an Architectural Conservation Area (ACA) or the setting of a protected structure.</p>	<p>The site is not located within an ACA. There are no protected structures on the site.</p>	<p>Y</p>

<p>e. Proposals must demonstrate regard to the relative energy cost of and expected embodied and operational carbon emissions over the lifetime of the development. Proposals must demonstrate maximum energy efficiency to align with climate policy. Building height must have regard to the relative energy cost of and expected embodied carbon emissions over the lifetime of the development.</p>	<p>The applicant notes that Block A , compared to the previous proposal on the site improves carbon efficiency, improve carbon efficiency, featuring a better net-to-gross ratio, reduced concrete use, a more efficient floor plate, and an increase in dual-aspect units for enhanced natural ventilation. A Climate Action and Energy Statement is provided outlining how the construction and long-term management of the proposed development will be delivered and how overall energy considerations have been addressed in the design. Centralised heating with Air Source Heat Pumps and individual Air Source Heat Pumps are proposed throughout the development. I am satisfied the proposed development has been designed to ensure maximum energy efficiency.</p>	<p>Y</p>
<p>4. County Specific Criteria</p>		
<p>(a) Having regard to the County's outstanding architectural heritage, which is located along the coast, where increased height and / or taller buildings are proposed within the coastal area from Booterstown to Dalkey the proposal should protect the particular character of the coastline. Any such proposals should relate to the existing coastal towns and villages as opposed to the coastal corridor.</p>	<p>The site is not located within the Booterstown-Dalkey coastal area.</p>	<p>Y</p>
<p>(b) Having regard to the high quality mountain foothill landscape that characterises parts of the County any proposals for increased heights and/or taller building in this area should ensure appropriate scale, height and massing so as to avoid being obtrusive.</p>	<p>The site is not located within the mountain foothill landscape.</p>	<p>Y</p>
<p>(c) Additional specific requirements (Applications are advised that requirement for same should be teased out at pre planning's stage).</p>	<p>N/A</p>	
<p>(d) Specific assessments such as assessment of microclimatic impacts such as down draft.</p>	<p>The application includes a Wind Microclimate Modelling Report. This finds that no area within the proposed development is unsafe, that all the ground amenities</p>	<p>Y</p>

	<p>proposed can be used for their intended scope and that the wind microclimate of the proposed development is comfortable and usable for pedestrians. In conclusion it notes that the proposed development <i>does not impact or give rise to negative or critical wind speed profiles at the nearby adjacent roads, or nearby buildings. Moreover, in terms of distress, no critical conditions were found for "Frail persons or cyclists" and for members of the "General Public" in the surrounding of the development.</i> I am satisfied that this analysis has been carried out with an appropriate methodology and that the proposal would have no unacceptable impacts.</p>	
<p>(e) Potential interaction of building, materials and lighting on flight lines in locations in proximity to sensitive bird/bat areas.</p>	<p>There is a swan sanctuary at Bray Harbour, further south of the site. A Collision Risk Assessment submitted at FI stage assesses the potential for collision impacts on bats and birds, noting the proposed heights of Block A1 and A2. It finds that the proposed development will have no significant ecological impact in terms of bird or bat collisions and that the proposed development will not adversely affect avian or bat populations, migratory pathways or habitat connectivity. The submitted lighting scheme for the proposed development has considered bat conservation, with lighting to be suitably designed to avoid adverse impacts on bats.</p>	Y
<p>(f) Assessment that the proposals allows for the retention of telecommunications channels, such as microwave links</p>	<p>A Telecommunications Impact Assessment Report is provided with the planning application. The report did not identify any microwave transmission links or radio frequency links that will be impacted by the height and scale of the proposed development. The report concludes that the proposal does not impact any existing telecommunication channels and therefore no recommendations regarding mitigating infrastructure are made.</p>	Y

	Based on the findings of the report I am satisfied that the proposal would have no unacceptable impacts on telecommunications channels.	
(g) An assessment that the proposal maintains safe air navigation.	There are no airports in the vicinity of the proposed development. As such I consider that no air safety concerns would arise and the need for further assessment in this regard is not required.	Y
(h) Relevant environmental assessment requirements, including SEA, EIA (schedule 7 if required), AA and Ecological Impact Assessment, as appropriate.	The Dun Laoghaire Rathdown DLRCDP 2022-2028 has been subject to SEA. The application included an AA Screening Report , an EclA and an EIA Screening. A further EIA Screening was submitted at FI stage.	Y
(i) Additional criteria for larger redevelopment sites with taller buildings.	-	
(j) Proposal should make a positive contribution to place making, incorporating new streets where appropriate, using massing and height to achieve densities but with variety and scale and form to respond to scale of adjoining development.	As outlined in section 10.6 of this report I am satisfied that Block A would respect the amenities enjoyed by existing properties in Shoreside Park to the east. The Masterplan has positioned taller buildings close to the sea to achieve a sustainable, compact urban form. The proposed apartment blocks (A1 and A2) are higher towards the eastern boundary with the DART line and the coast. The massing is stepped down to 6 and 7 storeys at the western boundary to assist in the transition of height towards the existing 3 storey houses located due west of the site. The remaining floors have greater separation distances as they are stepped away from existing housing, and towards the coast. Separation distances of c 30.3m and c 39.7m respectively apply between existing housing to the west and Block A1 and Block A2, which along with the design and massing approach, assist in the integration of Block A into the site. This approach also ensures no undue impacts on the residential amenities of existing houses at Shoreside Park.	Y

10.3.8. Having regard to my assessment above, I consider that the proposed development satisfactorily meets the performance-based criteria for increased height in accordance with Policy Objective BHS 1 of the Building Height Strategy in the DLRCDP. The proposed massing and height achieves the required densities, and I am satisfied that this is achieved predominantly through Blocks A1 and A2 which exhibit a variety of form, massing, and height which in turn creates visual interest. The proposed design responds to the scale of adjoining development by gradually increasing building height and scale from existing development to the west of the site. I am satisfied that the proposal would make a positive contribution to place-making, would be of high quality, would appropriately integrate with its context and positively contribute to the character and amenities of the area. Having regard to the foregoing I consider the proposed development to accord with DLRCDP Policy Objective PHP42: Building Design and Height.

Visual Impact

10.3.9. A Landscape and Visual Impact Assessment (LVIA) and verified views of the proposed development is provided with the application. Cumulative views are also provided consisting of this proposed Block A development, permitted Sea Gardens Phase 1, proposed Sea Gardens Phase 2, and a possible amendment in the future to Block B. It should be noted however that the focus of my assessment below in Table 10.2 relates mainly to the proposed Block A development as outlined in the public notices, noting that Phase 2 proposals are the subject of current planning appeals.

10.3.10. In relation to visual impacts, I have considered the LVIA and the verified views of the proposed development. Having reviewed these images and inspected the site, my assessment of impacts of the proposed development may be summarised in Table 10.2 below.

Table 10.2

View Nos.	Location	Assessment
Views from nearest residential receptors		
1	Corke Abbey Estate - nearest houses at the eastern end of the estate.	Viewpoint sensitivity given as Medium. The viewpoint is c 175m from the proposed development. The proposed Block A development is screened by previously permitted and now constructed Block C (Phase 1a). I would

		concur with the 'No effect' finding as set out in the LVIA.
2	Corke Abbey Estate - furthest houses at the western end of the estate.	Viewpoint sensitivity given as Medium. The viewpoint is c 300m from the site. In winter proposed Block A2 would be visible in the distance between the gap between two pairs of semi-detached houses. I note that Block A2 would not be visible during summer months as it is screened by trees/vegetation. I would concur that the significance of effect is slight neutral; the proposed development would neither improve nor disimprove visual amenity at this location.
3	The Green, Woodbrook Glen Estate	Viewpoint sensitivity given as Medium. This estate is surrounded by green space including Corke Abbey Park to the south. In winter Block A is visible beyond Corke Abbey Park. I would agree that the increased prominence of the taller building would constitute a medium magnitude of change. In the summer, Block A is largely screened and there would be no significant effect on the view or visual amenity. The LVIA notes that houses in The Green are aligned east-west, not towards the south, and as such the visual impact would be experienced in the public realm of the street and not within the houses. I would concur that the significance of effect is moderate neutral in that proposed Block A would alter the landscape context of this residential estate, bringing the expanding town centre closer to the estate, albeit at a distance of over 150m away.
4	The Lawn, Woodbrook Glen Estate	Viewpoint sensitivity given as Medium. The Lawn is located further west of The Green (viewpoint 3) in Woodbrook Glen. Proposed Block A would be screened by houses in the foreground. As such the significance of effects is given as 'No effect' and I agree with this classification.
Views from Dublin Road, Castle Street, Fran O'Toole Bridge/Main Street		
5	Dublin Road	Viewpoint sensitivity given as Low. The Dublin Road is located c 650m west of the site. At such a distance proposed Blocks A1 and A2 are not prominent in the skyline but would be visible. I concur that there would be no significant visual impact from this viewpoint and that the magnitude of change is Low-Medium. The significance of

		effect is considered to be 'Slight Positive' on the basis that the development would result in a shift of character towards a more contemporary urban condition, which is accurate in my view.
6	Fran O'Toole Bridge, Main Street	Viewpoint sensitivity given as Medium. This bridge provides the connection between Main Street and the planned town centre expansion on the former Bray Golf Club lands. Blocks A1 and A2 would be visible but not prominent at this distance (c 675m). Magnitude of change is considered to be low while significance of effect is given as 'slight positive.' I would agree with these classifications. The proposed development would result in the formation of a new urban quarter which is of high density and contemporary design on the northern side of the Dargle River along the coast.
7	Entrance to Sea Gardens from Fran O'Toole Bridge / Castle Street	Viewpoint sensitivity given as Medium. This is the pedestrian entrance to the proposed Sea Gardens quarter from the town centre. Block A2 would protrude above the golf course tree line but would not be prominent due to distance from this viewpoint. Magnitude of change is considered to be low while significance of effect is given as 'slight neutral.' I agree that the proposal would result in no significant change in the character or the quality of the view.
Views from Seymour Road and its junction with Quinsborough Road		
8	Seymour Road (northern end)	Viewpoint sensitivity given as Medium. Proposed Block A is c 500m from this viewpoint and is not visible from it. I would concur with the 'No effect' finding as set out in the LVIA.
9	Seymour Road at Quinsborough Road junction	Viewpoint sensitivity given as Medium. Given the distance of the proposed development from this viewpoint (c 650m) it remains a minor element of the view and as such I concur with the low magnitude of change classification. The LVIA assesses the significance of effect as 'slight positive' on the basis of the complementary architecture of Block A and Block B.
Views from the Harbour		
10 (incorrectly labelled as Viewpoint 9 in the LVIA).	Bray Harbour, south wall	This view is approximately 440m from the site. Viewpoint sensitivity given as Medium. Proposed Block A is prominent and I would concur with the LVIA's finding that this view is illustrative of the favourable context for height provided by the sites' coastal location. Magnitude of change is

		considered to be medium given Block A prominence and changed design from a horizontal form to vertical. The significance of effect is stated as moderate negative on the basis that the change to Block A would result in an imbalance with Block B as permitted. The LVIA considers that the negative impact is caused by the variance in form and height between Blocks A and b, but that if a similar change was made to Block B, the two buildings would be complimentary and the cumulative effect would be positive. My assessment is generally confined to Block A development which I consider to be 'slight positive' from this viewpoint due to the formation of a new distinctive high density and contemporary designed urban quarter at this coastal location.
11	Harbour Road bridge over Dargle River mouth	This view is approximately 270m from the site. Viewpoint sensitivity is given as Low. From this viewpoint Block A is largely obscured by permitted Block B. I would concur that the magnitude of change is negligible and that the significance of effects is 'not significant – neutral.'
Views from the Promenade		
12	Strand Road, northern end of Bray Promenade	This view is approximately 500m from the site. Viewpoint sensitivity is given as Medium-High. Proposed Block A would not be visible behind Martello Terrace. Magnitude of change is given as 'None' and significance of effects is given as 'No effect' and I would concur with these classifications.
13	Bray Promenade (middle section)	This view is approximately 850m from the site. Viewpoint sensitivity is given as Medium-High. Magnitude of change is low. Proposed Block A appears as a distant element of this view. I concur that the significance of effect is 'slight neutral' on the basis that Block A has no significant visual impact on the promenade area from this view. I consider that Block A would not negatively visually impact the promenade and Victorian buildings as seen from this viewpoint.
Views from Bray Head		
14	Bray Head, cliff walk viewing point	This view is approximately 2.1km from the site. Viewpoint sensitivity is given as Medium-High. Magnitude of change is low. I concur with the LVIA that Block A would have some prominence in the urban area and the wider view, notwithstanding its distance from this viewpoint.

		The significance of effect is considered as 'slight positive' on the basis that Block A is a new building typology and forms part of a new development area to the northern side of Bray. I concur with this classification.
15	Bray Head, summit	This view is approximately 2.6km from the site. Viewpoint sensitivity is given as medium. Given the distance from the site and the elevated position of this viewpoint I would concur that proposed Block A would represent a negligible magnitude of change. As such the significance of effect is given as 'Not significant – neutral' on the basis that the proposed development would have no significant effect on the character of the view and no effect on visual amenity given the panorama of seascape, townscape and mountains. I agree with this assessment.

10.3.11. Having regard to the foregoing, I am satisfied that the proposed development would not have any unacceptable impacts on the visual amenity or character of the area.

10.3.12. Under SHD Ref. ABP-314686-22 a 4 to 7 storey Build to Rent block (Block A) was permitted on the subject site, while on lands to the south of Block A (within the administrative area of Wicklow County Council) a 5 to 12 storey apartment block was proposed. Condition 2 of that SHD permission reduced the height of proposed Block B to a maximum of nine storeys. In relation to proposed Block A, I consider it to be of a superior design and form in which high quality external finishes and materials are used. I concur with the planning authority's view that the physical form of Blocks A1 and A2 are slenderer when viewed from the eastern and western sides of the site compared to the previously permitted Block A on these lands, which was more horizontal in emphasis. The proposal is suitably located on this coastal site where additional height is warranted and can be accommodated. It would clearly define the northern edge of Bray town and in this context exhibits good place making and creates visual interest, denoting this new residential area on part of the former Bray Golf Club lands.

10.3.13. The appellants raise concerns regarding the height and massing of Block A and also consider that the proposed development would compete with existing structures in

Bray, namely Holy Redeemer Church and Christ Church, and also with the natural landscape of Bray Head and the Sugarloaf. I have assessed the proposed development (see Table 10.1 above) and I consider that it satisfactorily meets the performance-based criteria for increased height in accordance with the policy objectives of the DLRCDP Building Height Strategy.

10.3.14. The Sea Gardens Masterplan proposes positioning taller buildings close to the sea to achieve a sustainable, compact urban form. The proposed apartment blocks (A1 and A2) are appropriately higher towards the eastern boundary with the DART line and the coast, at 10 and 11 storeys, respectively. The massing is stepped down to 6 and 7 storeys at the western boundary to assist in the transition of height towards the existing 3 storey houses located due west of the site. The remaining upper floors have greater separation distances as they are stepped away from existing housing, and towards the coast. Separation distances of c 30.3m and c 39.7m respectively apply between existing housing to the west and Block A1 and Block A2, which along with the design and massing approach, assist in the integration of Block A into the site. This approach also ensures no undue impacts on the residential amenities of existing houses at Shoreside Park, and this has been examined in section 10.6 of this report.

10.3.15. The appellants contend that they purchased their homes on the understanding that maximum building heights would be of 4 to 7 storeys. As outlined above, the previous iteration of Block A on the subject site was a 4 to 7 storey block containing 162 Build To Rent apartments. Both the submitted planning report and ADS outline that the layout and design of Block A has evolved from the previously permitted BTR proposal which involved smaller units to this proposed development which provides larger apartments designed for private sale with a greater proportion of family homes with high quality amenities, that delivers a more sustainable form of development and that an increased overall building height to accommodate the additional floor area is necessary. In response to the appeal, the applicant states that the Masterplan has always positioned taller buildings close to the sea to achieve a sustainable, compact urban form, while providing a gradual transition in height and scale towards the existing development to the west, including Shoreside Park.

- 10.3.16. While I accept the appellant's point that a 4 to 7 storey block was proposed and permitted under SHD Ref. ABP-314686-22, it is open to the applicant to revise the permitted development by way of a planning application, as has been done through the current application which is the subject of this appeal. A key feature of the Sea Gardens Masterplan is to position taller buildings nearer the coastline, with lower rise buildings located further away from the coastline. This, in my view is an appropriate and acceptable layout approach on the basis that the larger public open spaces and fewer neighbouring buildings facilitate greater heights without causing amenity impacts such as overlooking, overshadowing and overbearance.
- 10.3.17. While I note the appellant's concerns that proposed Block A would compete with the Holy Redeemer Church and Christ Church in Bray town centre, no information supporting this contention is provided. Given the significant separation distances between the proposed development and these churches (equating to c 850m and 1.5km respectively), I am satisfied that Block A would not impact on the aforementioned churches. Table 10.2 above finds that there would be no significant effect on visual amenity from long and panoramic views.
- 10.3.18. Concerns are also expressed that the proposed development would impact / compete with the natural landscape of Bray Head and the Sugarloaf. As outlined in Table 10.2 above, Views 14 and 15 as examined in the LVIA are taken from the cliff walk viewing platform of Bray Head and from the summit of Bray Head, respectively. In terms of the impact of Block A as viewed from Bray Head (summit) the LVIA found that there would be no significant effect on the character of the view and no effect on visual amenity given the panorama of seascape, townscape and mountains. I concur with this assessment. In the context of the impact of Block A as viewed from the cliff walk viewing platform, the LVIA considers the significance of effect to be 'slight positive' on the basis that while Block A has some prominence in the urban area and wider view, it denotes part of a new development area on the northern side of the Dargle River. I would agree with this assessment.
- 10.3.19. Given the significant separation distance (approximately 37km) between Block A and the Sugarloaf mountain peak, I foresee no negative impacts arising on this mountain from the proposed development.

Item 5 of the FI Request

10.3.20. The planning authority, under Item 5 of the FI request, requested the applicant to provide updated contextual elevations, verified views and Computer Generated Images (CGIs) to demonstrate the visual impact of proposals in the wider context of the Sea Gardens development following the decision of Wicklow County Council on Phase 2 lands to the south of the subject appeal site, to reduce Block E height from 15 no. storeys to 9 no. storeys. The applicant has appealed the decision to reduce Block E in height (Appeal Ref. ACP-500165-WW refers) and the updated verified views and CGIs submitted reflect a 15 storey, 12 storey (alternative option) and 9 storey Block E. That proposed development will be considered separately to this LRD application. A potential revised design for Block B on lands immediately south of the subject site is also presented in the FI response, although this proposal has not been the subject of a planning application to date.

10.3.21. I note that following assessment of all information including the applicant's response to Item 5 of the FI request, the planning authority (DLRCC) has indicated its satisfaction that the subject site is capable of accommodating additional height as proposed and in the context of the approved, proposed and development options for the wider Sea Gardens development (within the administrative boundary of Wicklow County Council) and the existing neighbouring residential development, and decided to grant permission for the proposed development.

10.3.22. I note that both first and a number of third party appeals have been submitted in relation to the decision of Wicklow County Council to grant permission subject to conditions for Phase 2 of the Sea Gardens development. Having regard to this and noting that a revised Block B design has not been assessed or examined in the context of a planning application, it would be inappropriate for me to comment at this juncture on the visual impact of proposed Block A in the context of the wider Sea Gardens development, specifically Phase 2 proposals and a revised design for Block B.

10.4. Standard of Accommodation

Houses: Unit mix

10.4.1. In residential schemes of 50+ units, where a mixture of housing and apartments is being provided on a site, section 12.3.3.1 of the Dun Laoghaire Rathdown County Development Plan outlines that ‘the housing offering must ensure a mixture that includes a proportion of housing units that are three beds or less.’ I note the housing offering of the proposed scheme consists of 9 no. four bedroom townhouses, and that no three bedroom houses (or less) are proposed. I note that no information is provided in the DLRCDP regarding the specific proportion of three bed housing units (or less) to be provided and in this regard I find this requirement to be ambiguous. Notwithstanding, I note that there is a clear intention within section 12.3.3.1 that the housing offering ‘must’ ensure a mixture that includes ‘a proportion’ of houses that have three bedrooms or less. As the proposed development offers no three bed houses (or less), I consider this to give rise to a material contravention of section 12.3.3.1 of the DLRCDP.

10.4.2. Notwithstanding, I advise the Commission that if it is minded to grant permission for the proposed development, it may do so having regard to section 37(2)(a) of the Planning and Development Act 2000, as amended. I consider the proposed development to be of high quality design which offers future residents a very good standard of amenity, and is appropriate in this location. I note that Bray is identified as a Key Town within the Dublin Metropolitan Area and the lands at the former Bray golf course are identified for the development of new residential communities and high density mixed-use development in the RSES 2019-2031 (RPO 4.37 refers). Having regard to this strategic context, along with the current national housing shortage and national policy to significantly increase national housing output as detailed in the Revised NPF (2025) and *Delivering Homes, Building Communities* (2025), and having regard to the Compact Settlements Guidelines which focuses on sustainable residential development and the creation of compact settlements, I consider the proposed development to be acceptable.

Private open space for houses

10.4.3. Table 12.10 of the Dun Laoghaire Rathdown DLRCDP states that houses with four or more bedrooms shall be provided with a private open space of 75sqm. As detailed in the FI response to Item 2, private open space for the proposed townhouses shall equate to 66.7sqm for the larger Type A townhouses and 54.8 for Type B townhouses.

Given that the quantum of private open space for the proposed nine houses falls below 75sqm as referenced in the DLRCDP, I consider this to give rise to a material contravention of Table 12.10.

10.4.4. I advise the Commission that if it is minded to grant permission for the proposed development, it may do so having regard to section 37(2)(a) of the Planning and Development Act 2000, as amended. Noting that the lands at the former Bray golf course are identified for the development of new residential communities and high density mixed-use development in the RSES 2019-2031, along with the current national housing shortage and national policy to significantly increase national housing output as detailed in the Revised NPF (2025) and Delivering Homes, Building Communities (2025), and having regard to the Compact Settlements Guidelines which focuses on sustainable residential development and the creation of compact settlements, I consider the proposed development to be acceptable.

Apartments: Unit Mix

10.4.5. Table 12.1 of the Dun Laoghaire Rathdown DLRCDP sets out the Apartment Mix requirements for apartment developments. For developments situated in existing built-up areas (such as the proposed development) where 50+ units are proposed, a mix of up to 80% studio, one and two bed units with no more than 30% of the overall development as a combination of one bed and studios and no more than 20% of the overall development as studios is stated. In terms of 3 bed+ requirements, the minimum level is 20%.

10.4.6. The overall proposed Unit Mix is provided in Table 2.2 above. No studios are proposed. In terms of apartment numbers, 32% (48 units) are 1 beds, 38.6% (58 units) are 2 beds and 29.3% (44 units) are 3 beds. I therefore conclude that the proposed apartment mix complies with the requirements of Table 12.1 of the DLRCDP and that it is acceptable. I note that SPPR 1 of the Planning Design Standards for Apartments, Guidelines for Planning Authorities (2025) states that *there shall be no restrictions within statutory plans in relation to the mix of unit sizes or types to be provided within apartment developments. There shall be no minimum or maximum for requirements for apartments with a certain number of bedrooms.* I note the DLRCDP is in the process of being varied to incorporate the requirements of these updated Guidelines.

Dual Aspect Apartments

10.4.7. I concur with the planning authority's conclusion that 69 of the apartments (46%) are dual aspect, on foot of assessment of the proposed apartments in terms of section 12.3.5.1 of the DLRCDP which states that *'The use of windows, indents or kinks on single external elevations, in apartment units which are otherwise single aspect apartments, is not considered acceptable and/or sufficient to be considered dual aspect and these units, will be assessed as single aspect units.'* In this regard it is noted by the planning authority that the use of a glazed door to balconies in some units is not considered to adequately render the units dual aspect.

10.4.8. Section 12.3.5.1 makes reference to the Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities (2020), and noting that the County is classified as a suburban or intermediate location therein, concludes that there shall generally be a minimum of 50% dual aspect apartments in a single scheme. While 46% of the proposed apartment units are considered to be dual aspect which falls below the 50% threshold outlined, I would consider that the Dun Laoghaire Rathdown DLRCDP allows for flexibility in stating in section 12.3.5.1 that there shall 'generally' be a minimum of 50% dual aspect apartments in a scheme. The proposed development would not fall significantly below this 'general' requirement. I would also note that the number of dual aspect units would be in excess of the minimum threshold outlined in the Planning Design Standards for Apartments, Guidelines for Planning Authorities (2025). However, the Dun Laoghaire Rathdown DLRCDP 2022-2028 has not yet been amended to incorporate the updated guidelines however this process is currently being undertaken by the planning authority through Variation no. 1 which is currently with Elected Members for consideration. To conclude, I consider that the number of dual aspect apartments are generally consistent with the DLRCDP requirements and would not constitute a material contravention given the wording set out in section 12.3.5.1 as outlined above. I note that the Council's planning reports were also satisfied with proposals in this regard.

10.5. Density

10.5.1. The appellants consider the proposed development constitutes extreme overdevelopment of the subject site and that the proposal should be rejected.

- 10.5.2. Due to a discrepancy in the net site area of the subject lands in the submitted application documentation, the planning authority sought confirmation of this metric under Item 1 of the FI request.
- 10.5.3. In response the applicant clarified that the Objective F open space lands at the northern and eastern corridor are excluded from the gross site area, and as such the net site area measures 1 hectare, yielding a net density of 159 units per hectare (uph). The applicant contends, however, that this density is not considered to accurately represent the subject proposals which form part of a wider scheme and should be assessed in that context. The planning authority is in agreement with the applicant in this regard and consider that measuring density for the overall site (inclusive of the adjoining lands to the west) which would result in a net density of 89 uph would be a more appropriate metric than just for the subject Block A.
- 10.5.4. I concur with the approach to density as taken by the applicant in this instance. The proposed development forms an integral part of the first phase of development on the former Bray Golf Club lands, along with the permitted and effectively completed adjoining development at Shoreside Park. As referenced by the applicant, the proposed Block A development provides balance to the existing lower density development adjoining to the west. Therefore, I consider it appropriate to calculate the density of the proposed development in the context of the wider Sea Gardens development as located in the administrative area of Dun Laoghaire Rathdown County Council. In this regard the net density for Phase 1 development equates to 89 uph, which I do not consider to be excessive at this accessible location.
- 10.5.5. Objective PHP18 of the Dun Laoghaire Rathdown DLRCDP 2022-2028 states that it is a policy objective to increase housing (houses and apartments) supply and promote compact urban growth through the consolidation and re-intensification of infill/brownfield sites having regard to proximity and accessibility considerations, and development management criteria set out in Chapter 12 and encourage higher residential densities provided that proposals provide for high quality design and ensure a balance between the protection of existing residential amenities and the established character of the surrounding area, with the need to provide for high quality sustainable residential development.

- 10.5.6. Section 4.3.1 of the DLRCDP recognises that density plays an important role in ensuring that the best use is made of land intended for residential development. It further makes reference to the ‘Sustainable Residential Development in Urban Areas’ Guidelines (2009) and the accompanying ‘Urban Design Manual’, to RPO 3.3 and 4.3 in the RSES and states that “Where a site is located within circa 1 kilometre pedestrian catchment / 10 minute walking time of a rail station, Luas line, Core/Quality Bus Corridor and/or 500 metres / 5 minute walking time of a Bus Priority Route, and/or 1 kilometre / 10 minute walking time of a Town or District Centre, higher densities at a minimum of 50 units per hectare (net density) will be encouraged.” This section of the Plan notes that as a general rule, the minimum default density for new residential development in the County shall be 35 units per hectare.
- 10.5.7. I note that that the ‘Sustainable Residential Development in Urban Areas’ Guidelines, 2009 have now been superseded by the Sustainable Residential Development and Compact Settlements Guidelines 2024. However, the Dun Laoghaire Rathdown DLRCDP 2022-2028 has not yet been amended to incorporate the updated guidelines but this process is currently being undertaken by the Planning Authority through Variation no. 1.
- 10.5.8. The Planning Officer in their assessment notes that the proposal would help to achieve an overall net density within the range of 50-150 uph which is considered to be compliant with the Metropolitan Towns (>1,500 population) – Centre and Urban Neighbourhoods category as defined under the Sustainable Residential Development and Compact Settlements Guidelines 2024.
- 10.5.9. The subject site is located north of Bray town-centre and is well served by existing high capacity public transport services including the DART and commuter rail and Intercity rail services, with Bray Daly railway station located approximately 500m from the site as the crow flies and approximately 900m walking distance which would equate to a 10 minute walk time to the railway station. Approval was given in January 2025 for construction of the Bray to City Centre Core Bus Corridor Scheme and the area is served with several stops located along the Dublin Road.

10.5.10. I concur with the planning authority that the site would be considered as a Metropolitan Town (>1,500 population) – Centre and Urban Neighbourhood as per Table 3.3 of the Sustainable Residential Development and Compact Settlement Guidelines for Planning Authorities, 2024. These areas are defined as being (i) the town centre and immediately surrounding neighbourhoods, (ii) strategic and sustainable development locations, and (iii) lands around existing or planned high capacity public transport nodes or interchanges (defined in Table 3.8). Residential densities in the range 50 dph to 150 dph (net) shall generally be applied in urban neighbourhoods of Metropolitan Towns.

10.5.11. I further note that Table 3.8 of the Compact Guidelines define high-capacity public transport nodes or interchanges as lands within 1,000 metres (1km) walking distance of an existing or planned high capacity urban public transport node or interchange, namely an interchange or node that includes DART, high frequency Commuter Rail, light rail or MetroLink services; or locations within 500 metres walking distance of an existing or planned Bus-Connects ‘Core Bus Corridor’ stop.

10.5.12. Overall, having regard to the accessible location of the subject site and its proximity to railway services including the DART and a number of bus routes, I do not consider that the proposed development constitutes overdevelopment on this site proximate to Bray town centre. I consider that the proposed development would accord with Policy Objective PHP18 of the DLRCDP and the requirements of Sustainable Residential Development and Compact Settlement Guidelines for Planning Authorities, 2024.

10.6. **Impact on existing residential amenity**

10.6.1. The appellants raise concerns that the proposed development and, in particular, the tall apartment blocks (A1 and A2) would cause considerable overshadowing impacts on the three storey dwellings to the west within Shoreside Park and a loss of direct morning sunlight to their primary living spaces, in addition to overshadowing of the shared green spine which forms part of the open space. Further concerns are raised in the appeal in terms of overlooking impacts onto the appellant’s houses from the balconies and windows of the proposed apartment blocks. Noise impacts from the apartments are also cited as a cause of concern by the appellants.

Overlooking

- 10.6.2. In response to this ground of appeal the applicant contends that the separation distances between the terraced/duplex housing at Shoreside Park and Block A are sufficient to ensure that no undue overlooking impacts arise from Blocks A1 and A2 onto existing housing at Shoreside Park. The planning authority noted that the previously permitted Block A development (4-7 storeys in height) would have resulted in a degree of overlooking of the existing units to the west, but that the redesigned Blocks A1 and A2 are slenderer in design with lesser façade extent directly opposite the existing housing in Shoreside Park.
- 10.6.3. Section 12.3.5.2 of the DLRCDP pertains to separation distances between residential blocks to avoid negative effects such as excessive overlooking and overshadowing effects. A minimum clearance distance of c 22m is required between opposing windows in the case of apartments up to three storeys in height, while it is noted that in taller blocks, a greater separation distance may be prescribed given the layout, size and design. SPPR 1 of the Compact Settlement Guidelines notes that a separation distance of at least 16 metres between opposing windows serving habitable rooms at the rear or side of houses, duplex units and apartment units, above ground floor level shall be maintained. SPPR 1 notes also that there shall be no specified minimum separation distance at ground level or to the front of houses, duplex units and apartment units in statutory development plans and planning applications shall be determined on a case-by-case basis to prevent undue loss of privacy.
- 10.6.4. I note from the submitted drawings and plans that, including the two level podium, the overall heights for Block A1 (at the northern side of the site) will range from 6 to 10 storeys, while the heights of Block A2 (at the southern end of the site) will range from 7 to 11 storeys. The western elevations of Blocks A1 and A2 would face the front elevations of the existing 3 storey terraced blocks at the eastern side of Shoreside Park. It is apparent that the lowest parts of Blocks A1 and A2, which are 6 and 7 storeys in height, respectively, address existing housing in Shoreside Park, while the remaining floors have greater separation distances as they are stepped away from existing housing. This proposed layout / design, coupled with significant separation distances of c 30.3m and c 39.7m respectively between existing housing to the west and Block A1 and Block A2 will, in my opinion, substantially mitigate any undue overlooking impacts that may arise. In this regard, I also concur with the planning

authority's assessment that given the relatively slender design of the Blocks, the extent of the western façades opposite the existing housing is lessened. Having regard to the foregoing, I conclude that the proposed development would not lead to a loss of privacy by way of overlooking.

Noise

- 10.6.5. The appellants are concerned that noise impacts from the proposed development, specifically the apartment buildings, would impact on the residential amenity of the area.
- 10.6.6. The appeal site is located on lands zoned for residential development within an urban area proximate to Bray town-centre. In my view it is likely that noise during the construction stage may cause some disturbance however I consider the construction period to be temporary in nature and should permission be granted I recommend that a final Construction Management Plan be submitted to the planning authority prior to commencement of development that would typically include agreement on appropriate construction management measures including on-site liaison to manage excessive levels of impacts on adjoining residential properties.
- 10.6.7. At t operational stage, the proposed development would generate increased levels of activity and vibrancy at this new urban quarter proximate to Bray seafront and the town centre. I do not foresee that this development would generate excessive noise impacts over and above that expected of a typical medium sized residential development.

Overshadowing/Loss of light

- 10.6.8. In response to this ground of appeal the applicant refers to the submitted Daylight and Sunlight Assessment Report which finds that the proposed development would have a negligible impact on the existing Phase 1 duplex units to the west of the site and that the communal and public open space would receive very good sunlight access. The Planning Officer's report, having regard to the results of the Daylight and Sunlight Assessment, considers that the proposal accords with Policy Objective PHP20 of the DLRCDP which relates to the protection of residential amenity.

- 10.6.9. The Daylight and Sunlight Assessment Report provided with the planning application was prepared under a series of guidelines / standards as set out in section 2.0 of the Report including *BR 209 – Site layout planning for daylight and sunlight: A guide to good practice (2022)*.
- 10.6.10. The effect on daylight to the existing three storey duplex/terraced blocks permitted as part of Phase 1 located to the west of the proposed development is assessed in the Report. Analysis is also undertaken in order to ascertain the impact of the proposed development on the proposed external amenity spaces, namely the public open spaces and the communal open space at podium level. The Daylight and Sunlight Assessment Report has also examined the impact of the proposed development on previously permitted development (Block B, not constructed, to the south) and the existing three duplex blocks to the west, with regards to Vertical Sky Component (VSC) and No Sky Line (NSL).
- 10.6.11. Existing windows on the front elevations of the existing duplex blocks to the west of the site were tested for Impact/Change for Skylight – VSC. The BRE Guidelines state that in order for a proposed development to have a noticeable effect on the VSC of an existing window, the value needs to both drop below the stated target value of 27% and be less than 0.8 times the baseline value. The VSC results for the existing duplex blocks are set out in pages 74 to 79 inclusive of the Assessment Report and confirm that when the proposed development is in place it would have a negligible level of effect on the windows of the duplex blocks and as such the proposal is compliant with the BRE Guidelines.
- 10.6.12. No Sky Line (NSL) is a study of whether or not the sky is visible from a hypothetical working plane within a room. NSL assessment is recommended for main rooms where daylight is expected, and it evaluates the daylight distribution across the room rather than at a single point as in the VSC. In residential properties these include living rooms, dining rooms, and kitchens. A NSL impact assessment was conducted for the same windows/rooms on the existing Phase 1 duplex units as was tested for VSC impact. The BRE Guidelines state that in order for a proposed development to have a noticeable effect on the daylight received by an existing room, the value needs to both drop below the guideline value of 80% and be less than 0.8 times the baseline value.

The NSL results for the existing duplex blocks are set out in pages 83 to 85 inclusive of the Assessment Report and confirm that when the proposed development is in place it would have a negligible level of effect on the windows of the duplex blocks and as such the proposal is compliant with the BRE Guidelines.

10.6.13. The BRE Guidelines recommend that for a garden or amenity area to appear adequately sunlit throughout the year, at least half of it should receive at least two hours of sunlight on March 21st. A Sunlight on Ground (SOG) analysis (page 140 of the Assessment Report) is presented which finds the access to sunlight on March 21st in the proposed external amenity spaces (comprising the tested public open spaces and the communal open space which is located on the podium) to be very good. All tested amenity areas are assessed as meeting the criteria as set out in the BRE Guidelines.

10.6.14. Having regard to the findings of the Daylight and Sunlight Assessment Report, I am satisfied that the proposed development would not cause undue overshadowing impacts or loss of light to the existing duplex blocks to the west of the subject site. Furthermore, I note the findings in the report that the tested public open space and communal open space would have access to very good sunlight levels post development. In this regard I consider the proposed development accords with section 4.3.1.3 Policy Objective PHP20 of the DLRCDP: Protection of Existing Residential Amenity.

10.7. **Visual Permeability**

10.7.1. The appellants contend that permeability, a key attribute in the Masterplan, is abandoned in this application as the proposal provides an additional level of parking and a row of 4 storey units in the middle. It is contended that any connection to the sea is removed and that Block A will eliminate views to the sea due to its changed design and its location, closer to Corke Abbey Park.

10.7.2. Section 4.3 of the submitted Architectural Design Statement charts the changes to the layout and design of proposed buildings on the site between those permitted under the SHD (ABP-314686-22) and the current proposal. Section 5.4 of the Planning Report submitted in support of the planning application sets out the rationale relating

to building height, scale, massing and design. It notes that the Sea Gardens Masterplan was reviewed to propose a revised approach offering further refinement to the architectural language along the coast consisting of the construction of taller 'finger' blocks perpendicular to the sea and tied together with lower town houses and both public open spaces and communal open spaces. It is considered by the applicant that this revised layout provides improves east-west permeability, both visually and physically (through movement) and this is depicted in Figure 5.6 of the submitted Planning Report. Other benefits of this proposed layout as put forward by the applicant are maximisation of sea views and improved passive surveillance of open spaces. I would concur that the layout of the proposed development offers good east-west permeability, particularly at upper floors within the proposed development.

- 10.7.3. I note that the planning authority's assessment is, overall, very positive in terms of the design and layout of the proposed development, noting that it also satisfies Specific Local Objective 119 which requires delivery of a permeability link between Green Area/Linear Park between Corke Abbey and Woodbrook Glen and the subject site to allow access towards Bray Harbour.
- 10.7.4. The drawing relating to Pedestrian and Cyclist Routes (Drawing No. 100018265-ATK-01-ZZ-DR-CE-66208) shows all pedestrian routes and shared cycle and pedestrian routes across the subject site. These are extensive and facilitate very good permeability within the subject lands. Connectivity to Shoreside Park is demonstrated as is connectivity to future development to the south.
- 10.7.5. In response to the appellants assertion that sea views are no longer possible from the houses west of the site, the applicant states that the lower floors in both the previously permitted scheme and the proposed development (the subject of this LRD application) do not facilitate views to the sea from the existing dwellings to the west of the site. In terms of the location of proposed Block A, the applicant also confirms that its footprint has, in fact, been pulled back from the northern site boundary in order to exclude previously approved works to the boundary treatment with Corke Abbey Park, (permitted under ABP-311181-21). In this regard, the applicant's response to the appeal (Figure 4.2) depicts an overlay of proposed Block A footprint against the

permitted Block A footprint and it is apparent that the separation distance to the northern site boundary with Cork Abbey Park is greater by c 4.4m.

10.7.6. While I acknowledge the appellants comments regarding elimination of sea views from their homes as a result of the proposed development, which is not accepted by the applicant, I would note that this proposed development is a standalone proposal which must be assessed on its own merits rather than by reference to a previous proposal on the site.

10.7.7. To conclude, I am satisfied that the proposed development provides appropriate levels of permeability, both visually and physically (through movement) across the site and adjoining lands.

10.8. Car parking and Traffic Safety

10.8.1. The appellants are critical of the quantum of car parking proposed, noting that the number of spaces is in excess of that previously permitted on the site. It is considered illogical that more car parking spaces are being provided, compared to the previous proposal, despite the number of residential units being reduced. Concern is raised by the appellants that this will lead to increased traffic and congestion along with risks to vulnerable road users.

10.8.2. In response to this ground of appeal the applicant notes that the previously permitted proposal under Ref. ABP-314686-22 included 162 Build to Rent (BTR) units for Block A with a reduced quantum of car parking, while the current proposal omits BTR units in favour of Build to Sell homes for permanent residents which provide car parking reflective of their anticipated requirements. The applicant notes that proposed car parking provision for Block A falls below local and national quantum's and this is welcomed by the planning authority, as noted in the Planning Officer's report, which comments on the suitability of the site for lower parking provisions due to its proximity to DART, a Core Bus Corridor and Bray town centre. I note also that the proposed development accords with the requirement at section 12.4.11 of the DLRCDP that at least 20% of car parking spaces will be equipped with one fully functional EV charging point and that ducting for every car parking space shall be provided. All on-curtilage

parking associated with the proposed townhouses at the western side of Block A will be served by EV ducting.

- 10.8.3. At the outset I would reiterate that this proposed development is not an amendment to the previous permitted development on the lands but is a standalone proposal which must be assessed on its own merits.
- 10.8.4. Section 12.4.5 of the DLRCDP relates to car parking standards. The County has been divided into four Parking Zones with the subject site located within Parking Zone 2 (Near Public Transport). Table 12.5 shows that the car parking standard for 1 and 2 bed residential units is one car parking space, while residential units of 3+ beds have a standard of two car parking spaces, although some deviation can be considered subject to a range of specific criteria as set out in Section 12.4.5.2 of the DLRCDP (examined further below in section 10.8.7). Having regard to Table 12.5 of the DLRCDP a total of 212 no. car parking spaces would potentially be acceptable.
- 10.8.5. SPPR 3 of the Compact Settlements Guidelines identify three car parking zones (accessible, intermediate and peripheral locations) and the subject site is within an accessible location in which the maximum rate of car parking for residential development is 1.5 no. spaces per unit.
- 10.8.6. Under SPPR 3, a maximum of 238.5 car parking spaces would potentially be acceptable. The TIA, provided with the planning application, details the quantum of car parking proposed on the site as 20% lower than the standard CDP car parking number and 28% lower than the SPPR 3 (Compact Settlements Guidelines) car parking number for accessible locations.
- 10.8.7. Given that the proposed total car parking provision for this residential development comprises 171 no. spaces (including 9 no. accessible spaces), this car parking quantum is well below the car parking standard as set out in the DLRCDP and significantly below the maximum number of car parking spaces identified in the accessible category of SPPR3 of the Compact Settlement Guidelines. Given that the proposed development falls below the DLRCDP 'standard,' in accordance with section 12.4.5.1(ii), it must be considered whether the reduced provision is acceptable based

on the criteria set out in Section 12.4.5.2. In response to those criteria, I would note the following:

- As outlined in this report, the site is proximate to public transport services and I am satisfied with the level of service and interchange available.
- As outlined in this report, I am satisfied that the site is well served by proposed pedestrian and cycle connections, with linkages into adjoining areas.
- Reduced parking provision would safeguard investment in sustainable transport and encourage a modal shift.
- There are several existing car-share service locations within the Bray town centre. At least two commercial e-bike rental scheme operate in Bray.
- The site is within close proximity of the town centre with a wide range of services, which reduces the need for car travel/parking. A good range of community/commercial services are proposed within the wider development. Subsequent phases of the Masterplan propose delivery of a greater amount of retail and commercial services.
- The internal road network serving the proposed development is designed in accordance with the Design Manual for Urban Roads and Streets (DMURS).
- The submitted TIA concludes that traffic impacts from the proposed development are expected to be negligible and this finding is accepted by the planning authority.
- The application includes a Mobility Management Plan which includes appropriate measures to reduce dependency on the private car.

10.8.8. Having regard to the foregoing, I am satisfied that the proposed development satisfactorily addresses the criteria to warrant reduced parking standards as specified in the DLRCDP. To conclude, I consider that the reduced parking provision as proposed is appropriate.

10.8.9. Concerns raised by the appellants relating to traffic safety are largely based on their perception that car parking provision for the proposed development is excessive, however it has been demonstrated above that this is not the case. The internal road network serving the proposed development is designed in accordance with the Design Manual for Urban Roads and Streets (DMURS). Raised crossings for pedestrians and cyclists are to be constructed at junctions in order to prioritise pedestrian movement

and reduce vehicle speeds. Surrounding the proposed development are shared/integrated pedestrian and cyclist routes (Drawing No.1000118265-ATK-01-ZZ-DR-CE-66208 refers) that are indicated as linking into the wider Sea Gardens masterplan lands, and provide for a safe environment for active travel users. The access road to the podium car park entrance is to be designed as a Homezone street in accordance with DMURS guidance and it will be a shared surface which will promote slower traffic speeds.

10.8.10. I note that the report prepared by the Transportation Planning Section in respect of the proposed development raised no concerns regarding traffic safety issues. Having regard to the foregoing and the provision of extensive pedestrian routes, footpaths and shared active travel infrastructure within the site, I consider the proposed development offers very good permeability and connectivity within and beyond the site boundaries. I agree with the findings of the TIA that this will contribute to reducing the overall traffic impact of the development on the surrounding road network. In this context the TIA concludes that traffic impacts from the proposed development are expected to be negligible with less than 1% of an increase at external junctions, and this finding is accepted by the planning authority.

10.8.11. To conclude, I do not consider that the proposed development would result in increased traffic congestion or negatively impact vulnerable road users.

10.9. **Drainage and Flood Risk**

10.9.1. The appellants state that drainage and flooding are matters of immense concern. In this context, concern is raised that the proposed buildings will displace water, impacting on local habitats. No supporting documentation is provided in this regard.

10.9.2. A number of technical reports relating to drainage and flooding have been prepared by the applicant and submitted with the planning application. These comprise an Engineering Report, a Stormwater Impact Assessment Report, and a Stage 1 Flood Risk Assessment (FRA).

Water and Wastewater connections

10.9.3. The Engineering Report notes there is significant existing foul drainage infrastructure within the site and that a foul drainage network has been constructed as part of the permitted Phase 1 SHD to the west / south-west of proposed Block A. It is noted also that there is existing water supply infrastructure on the lands, constructed as part of the permitted Sea Gardens Phase 1 development. Appendix A of the Engineering Report includes Confirmation of Feasibility (COF) from Uisce Éireann (UÉ) which is satisfied that a water connection and wastewater connection are feasible without infrastructure upgrade.

Surface water drainage

10.9.4. The proposed stormwater drainage system was initially proposed as part of the wider masterplan under the previous SHD planning applications relating to the subject lands (Ref. Nos. ABP-314686-22 and ABP-311181-21 refer). This involves discharging surface water from the proposed development to the tidal waters of the River Dargle, which flows c 230m to the south, and within the administrative boundary of Wicklow County Council. As such there is no proposed surface water storage requirements proposed as part of this LRD planning application.

10.9.5. As set out in the Stormwater Impact Assessment Report, a range of SuDS measures/ techniques are proposed in order to help improve water quality, reduce storm water run-off and to ensure there is no increased risk to downstream flooding where discharging to the Dargle River. The SuDS measures include permeable paving, green roofs and swales. While there are some discrepancies between the stormwater design drawing and the Stormwater Impact Assessment Report with regards to location of tree pits and permeable paving areas as highlighted in the report of the Drainage Section, this matter may be addressed by condition should the Commission decide to grant permission. I note that the storm water run-off from the site is to be treated by way of a bypass interceptor prior to discharge to the River Dargle. This measure will provide a final treatment for stormwater run-off prior to discharge to the receiving watercourse.

10.9.6. Subject to conditions, the Drainage Section's report confirms that an appropriate level of detail for surface water drainage design has been provided. I concur with the

contents of this report and consider the proposed surface water drainage design to be appropriate and acceptable.

10.9.7. To conclude, all surface water from the proposed development will be drained in accordance with the principles of Sustainable Urban Drainage Systems (SUDS). Measures for the attenuation, de-silting, and hydrocarbon interception have been installed for all surface water discharges during both Construction and Operational phases preventing environmental impacts to the surrounding watercourses. I am therefore satisfied that the proposed surface water drainage design is acceptable and appropriate.

Flood Risk

10.9.8. The Strategic Flood Risk Assessment prepared in support of the Dun Laoghaire Rathdown DLRCDP 2022-2028 indicates that the subject site is outside both Flood Zone A (1% Annual Exceedance Probability – AEP) and Flood Zone B (0.1% AEP). As such the subject site is considered to be located in Flood Zone C, where there is a low probability of flooding.

10.9.9. The Stage 1 FRA confirms there is no historic risk of flooding at the site. It notes also that surface water run-off can be managed through the use of Sustainable Drainage Systems (SuDS) prior to discharge to the Dargle River. Section 5.2 of the FRA also refers to the agreement with Wicklow County Council in relation to the Bray Sea Gardens Phase 1 which allow for discharge to the Dargle River without any flow control in place, based on the river being tidal at the point of outfall. The FRA notes that this does not increase flood risk and is therefore deemed acceptable at this site location.

10.9.10. I concur with the findings of the Stage 1 FRA that the subject site is located in Flood Zone C, where the probability of flooding is low (less than 0.1% or 1 in 1000 for both river and coastal flooding). As such, I consider the concerns raised by the appellants regarding flooding and displacement of water to be unfounded. I note also that the Drainage Section also accepted the conclusions of the FRA and considered the proposed development to accord with Appendix 15 (Strategic Flood Risk Assessment) of the DLRCDP 2022-2028.

Conclusion

10.9.11. Based on my assessment above, I do not anticipate water displacement resulting from the proposed development. No detail is provided in terms of the particular habitats the appellants reference in the appeal. Notwithstanding, I note that the Ecological Impact Assessment (EclA) relating to the site identifies four habitats, namely Scattered Trees and Parkland (WD5), Amenity Grassland (GA2), Spoil and Bare Ground (ED2), Buildings and Artificial Surfaces (BL3) and Hedgerows (WL1).

10.9.12. I note that the proposed development site does not lie within any area that has been designated for nature conservation at an international or national level. There are no habitats listed on Annex I of the Habitats Directive or records of rare or protected plants within the development site. Two mature and two immature sycamore trees will be lost which can provide for foraging and nesting habitat for bird species and the trees are of local ecological importance (higher value). No bat roosts are identified in the trees. The area of grassland (measuring 0.65 ha) is deemed to be of local importance (lower value), as it may provide foraging habitat for mammal and bird species. Hedgerows in the area are considered to be patchy and species poor and are of local ecological value.

10.9.13. The EclA and the AA Screening Report refer to and detail multiple site surveys undertaken between 2020 and 2025. The site is not utilised by wintering waterbirds. No geese species such as Light-Bellied Brent Geese were recorded during surveys. No field signs for otters were observed during the 2024 survey. No otter holts were discovered, and it is noted that man-made banks along the River Dargle are unsuitable for holts. No evidence of badger on the lands was found in the 2025 survey.

10.9.14. The EclA concludes that the proposed development will not affect designated conservation sites, watercourses or any areas of high ecological value. Section 5 of the EclA details a range of mitigation measures including implementation of the landscape design plan. I concur with the conclusion of the EclA that no significant ecological impacts are expected, provided ecological mitigation measures are correctly implemented. Having regard to the foregoing, I do not anticipate significant impacts arising on local habitats from the proposed development.

10.10. Other issues

10.10.1. Iarnród Éireann submission

10.10.1.1. Iarnród Éireann (IÉ) as a prescribed body made an observation on the proposed development to the planning authority relating to railway operational safety. I note that the planning authority did not attach a condition in this regard to the permission. Given the proximity of the proposed development to the DART line and the Dublin to Wexford railway, I consider that the majority issues raised by Iarnród Éireann in its observation should be conditioned.

10.10.1.2. Item 11 of the IÉ observation seeks carrying out of a Glint and Glare study with respect to the solar panel array on the rooftops of Blocks A1 and A2. In my view such a study would not be warranted given that the DART/railway line is significantly below the proposed locations of the PV panels, that the panels would not be visible from the railway line, that the panels are oriented towards the sky, and that they are designed to absorb light, rather than reflect it. Therefore, I do not consider the provision of a Glint and Glare study to be necessary in this case.

10.10.1.3. Part of Item 12 of the IÉ observation refers to the carrying out of a noise risk assessment to inform an Acoustic Design Statement. I note however that the application has included an Inward Noise Impact Assessment given its proximity to the railway line. This Assessment has examined internal and external noise levels and finds that the proposed development meets the guidance and criteria set out in the Dublin Agglomeration Noise Action Plan, ProPG: Planning & Noise - Professional Practice Guidance on Planning & Noise (ProPG) and BS8233-Guidance on Sound Insulation and Noise Reduction for Buildings. Having regard to the foregoing, I recommend removal of this part of Point 12 from the condition relating to the submission of an Inward Noise Impact Assessment.

10.10.2. Signage, materiality and finishes

10.10.2.1. The appellants consider that the architectural design of the entrance is not appropriate in terms of placemaking and that the proposed large, illuminated signage is more appropriate to a high street or an office development, rather than a residential

development. The appellants also criticize the materiality and colours proposed which they consider are not in keeping with the seaside town of Bray.

10.10.2.2. I note the appellants have not elaborated on the reasons why they consider the entrance to the development is inappropriate. It is unclear from the appeal whether the appellants are referring to the residential entrances to Blocks A1 and A2 or the vehicular entrance to the proposed development. Residential entrances are provided to the north and south of Blocks A1 and A2, respectively. Podium parking is provided across two levels, achieved by way of a ramp to the north-west of Block A2. Having examined the elevation drawings associated with Blocks A1 and A2 in addition to the vehicular access to the podium parking, I consider the proposed entrances to be acceptable and appropriate in terms of placemaking.

10.10.2.3. I note from the elevation drawings that two back-lit signs comprising 'Sea Gardens' lettering, one each on the western elevation of Blocks A1 and A2 are proposed. In my view, the proposed signage is acceptable in this new urban quarter within Bray; in my view it fosters a sense of place and community.

10.10.2.4. Section 4.7 of the Sea Gardens Masterplan sets out the applicant's rationale and approach to materials and finishes across the Masterplan area and in this regard it considers Bray's existing housing stock, including from the Victorian period which is stated largely to comprise rendered housing stock with a limited palette of materials. The Masterplan notes that the principle façade material to be used will comprise render and brick, with selected colours to be lighter hues.

10.10.2.5. Section 5 of the Architectural Design Statement provided with the planning application sets out the coastal design context and architectural rationale of the proposed development and details proposed finishes. These include two-tone brickwork for Block A with lighter brick forming a continuous horizontal band aligned with proposed balconies and a darker brick framing the windows which provides contrast while maintaining a neutral soft palette blending with the skyline.

10.10.2.6. In its response to the appeal, the applicant notes that the proposed development is a new urban quarter with its own unique character and sense of place which respectfully

merges with the built form of Bray Town and that high quality materials and finishes are used to complement surrounding developments. I note that the planning authority, in its assessment of the planning application, was satisfied with proposed finishes and materials, remarking that they are of a very high standard.

10.10.2.7. I concur with the views of both the applicant and planning authority in this context and consider the proposed materiality, colour and finishes to be of a high standard and conducive to this coastal location and respectful of adjoining development and that within Bray town. The proposed palette of material finishes also assists in fostering a sense of place and character for this new urban quarter and provides visual interest. I therefore conclude that the proposed finishes and materiality are acceptable.

10.10.3. Devaluation of Property

I note the concerns raised in the grounds of appeal in respect of the devaluation of neighbouring property. However, having regard to the assessment and conclusion set out above, I am satisfied that the proposed development would not seriously injure the amenities of the area to such an extent that would adversely affect the value of property in the vicinity. I would further note no evidence in support of this claim has been provided as part of the third party appeal.

10.10.4. Collision Risk

The appellants raise concerns that the proposed tall buildings would adversely impact migrating birds. A Collision Risk Assessment was provided by the applicant on foot of a FI request from the planning authority. This report assesses the potential for collision impacts on bats and birds, noting the proposed heights of Block A1 and A2. The assessment finds that the proposed development will have no significant ecological impact in terms of bird or bat collisions and that the proposed development will not adversely affect avian or bat populations, migratory pathways or habitat connectivity. Having regard to the content and findings of the assessment I am satisfied that the proposed Block A development would not negatively impact migrating bird populations.

10.10.5. Connectivity to Corke Abbey Park

- 10.10.5.1. Provision is made for two connections at the northern boundary into Corke Abbey Park as reflected in the site plan and Landscape Plan. The Access and Connections Plan as outlined in the Landscape Report refers to a 'potential future proposed link to Corke Valley Park' at the north-eastern site boundary. There is an existing link into this public park from the northern boundary, which consists of an informal pathway, with the route on the opposite side of the boundary being down an embankment.
- 10.10.5.2. The future potential proposed link and the existing link into Corke Abbey Park is however excluded from the red line boundary, although these linkages are within the applicant's control as reflected by the blue line boundary. The planning authority has raised concerns and has included a condition (Condition 18) requiring the pathways to the access points along the northern boundary to Corke Abbey Park to be provided up to the boundary line of the Developer's landownership extent.
- 10.10.5.3. I note linkages from the site to Corke Abbey Valley Park were proposed and permitted under the first SHD relating to the wider lands including the subject site (ABP-311181-21 refers). In this regard, Condition 21(f) of that permission required a design solution for the proposed pedestrian and cycle connections at the northern boundary of the site linking into Corke Abbey Valley Park to be submitted for agreement of the planning authority. As such, I consider that this issue of connectivity from the subject site to Corke Abbey Valley Park has already been addressed and conditioned under the extant permission (ABP-311181-21 refers). This condition may be re-stated, should the Commission decide to grant permission.

11.0 Environmental Impact Assessment (EIA)

- 11.1. This application was submitted to the Commission after the 1st of September 2018 and therefore after the commencement of the European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 which transpose the requirements of Directive 2014/52/EU into Irish planning law.
- 11.2. Submitted Environmental Impact Assessment Screening Reports: Two EIA Screening Reports were submitted by the applicant, the first with the application on 19th August 2025 and the second on 12th December 2025 in response to Item 3 of the FI request which sought a robust justification for screening out the subject site in terms of

significant impacts on the environment. Both Screening Reports include Schedule 7 and 7A details and I have had regard to same. Both Screening Reports consider the proposed development is below the thresholds for mandatory EIAR having regard to Schedule 5 of the Planning and Development Regulations 2001, as amended, due to the site size at c 1.38 ha and the number of residential units (150 apartments and 9 townhouses). Reference is also made in the second Screening Report to Class 13(a) which relates to any change or extension of development already authorised, executed or in the process of being executed. In this regard the Screening Report notes that SHD1 (ABP-311181-21 refers) permitted 234 units and that the proposed development will complete that element of SHD1 which was removed by condition (i.e. Blocks A and B totalling 357 units). The Screening Report notes that a total of 393 units on the site will not result in the development being of a class listed in Part 1 or paragraphs 1 to 12 of Part 2 of Schedule 5. Finally, Class 15 of Part 2 of Schedule 5 relates to any project which does not exceed a quantity, area or other limit in this Part, in respect of the relevant class of development, but which would be likely to have significant effects on the environment, having regard to criteria set out in Schedule 7. The Screening Report received in response to the FI request considers, based on the nature and scale of the proposed development, that there is no potential for significant effects on the environment and that the preparation of an EIAR is not required under Class 15 of Part 2 of Schedule 5 of the Planning and Development Regulations 2001 as amended.

11.3. The following classes of development as set out in the Planning and Development Regulations 2001, as amended, are relevant to the proposal:

- Class 10(b)(i) Construction of more than 500 dwelling units,
- Class 10(b)(iv) Urban development, which would involve an area greater than 2 ha in the case of a business district*, 10 ha in the case of other parts of a built-up area and 20 ha elsewhere.

*a 'business district' means a district within a city or town in which the predominant land use is retail or commercial use.

- Class 13(a) Any change or extension of development already authorised, executed or in the process of being executed (not being a change or extension referred to in Part 1) which would:-

(i) result in the development being of a class listed in Part 1 or paragraphs 1 to 12 of Part 2 of this Schedule, and

(ii) result in an increase in size greater than –

- 25 per cent, or

- an amount equal to 50 per cent of the appropriate threshold, whichever is the greater.

- Class 15 Any project listed in this Part which does not exceed a quantity, area or other limit specified in this Part in respect of the relevant class of development but which would be likely to have significant effects on the environment, having regard to the criteria set out in Schedule 7.

11.4. The criteria as set out in Schedule 7 are relevant to the question as to whether the proposed sub-threshold development would be likely to have significant effects on the environment and should be the subject of EIA. The criteria include the characteristics of the proposal, the location of the site, and any other factors leading to an environmental impact.

11.5. The proposed development is sub-threshold in terms of mandatory EIA requirements arising from Class 10(b)(i) and Class 10(b)(iv) of the Planning and Development Regulations 2001, as amended. In terms of mandatory EIA requirements arising from Class 13(a) it is clear that the proposed development of 159 residential units along with the 234 residential units permitted under ABP-311181-21 (totalling 393 units) does not cause the development to fall into any classes of development listed in Part 1 or classes 1 to 12 of Part 2 of Schedule 5.

11.6. In terms of cumulative effects on the environment, a previous iteration of the proposed development formed part of the Phase 1 development. An SHD application (ABP-311181-21) for 591 residential units with an EIAR was submitted for Phase 1 development. The EIAR assessed potential environmental impacts of the Phase 1 development as well as cumulative effects. No significant individual or cumulative environmental effects were anticipated to occur. Permission was granted for 234 no. units in Phase 1; however permission was refused for Blocks A and B (357 units) due to non-compliance with section 3.2 of the Urban Development and Building Heights Guidelines for Planning Authorities 2018. Furthermore, a previous iteration of the

proposed development was also previously permitted on the site as Block A (for BTR units) under a second SHD application for 586 residential units (ABP-314686-22 refers). An EIAR was also submitted in respect of that application and potential cumulative effects during construction and operational phases for Block A and the Masterplan development were assessed and the EIAR concluded that no significant individual or cumulative environmental effects were anticipated to occur.

11.7. Having regard to the above, I consider that environmental impact assessment of the subject LRD site has been undertaken. The EIAR submitted with ABP-311181-21 concluded that no significant environmental effects, cumulative or otherwise would occur. Given the location, the number of proposed residential units and overall design approach of the proposed development, it is considered that the proposed development is similar to that which was assessed within ABP-311181-21.

11.8. In this context, I also refer to a High Court Judgement [H.JR.2025.0001283] delivered in February 2026 which stated the following in terms of requirement for EIA:

if consent is sought for a sub-threshold project which is part of a supra-threshold project (whether already part-consented in successive phases, or involving separate consent applications in process or yet to be made) then the project for which consent is sought must be treated as supra-threshold if either: (a) an EIA was not carried out initially and thus an EIA that would otherwise be required would be avoided by the splitting or (b) an EIA was carried out initially but the part of the project being consented has significant unassessed effects on the environment in conjunction with another part that has already been subjected to EIA such that the combined effects were not all assessed initially.

11.9. The proposed development comprises 159 residential units and is sub-threshold but it does form part of a supra-threshold project. However, given that an EIA was carried out initially and submitted with ABP-311181-21 and that the proposed development involves no significant alteration to the development which was assessed within ABP-311181-21, it is considered that no EIAR is required in respect of this proposed LRD application. I do not anticipate cumulative significant negative effects on the area arising from the project.

- 11.10. I have completed an EIA screening assessment and determination as set out in Appendices 2 and 3 of this report. I have concluded that the proposed development would not be likely to have significant effects (in terms of extent, magnitude, complexity, probability, duration, frequency, or reversibility) on the components of the environment and that the preparation and submission of an Environmental Impact Assessment Report is not therefore required. In terms of Class 15, given the nature and scale of the proposed development, there is no potential for significant effects on the environment to occur.
- 11.11. The proposed development does not meet the threshold for a mandatory EIA as per Schedule 5 of the Regulations. In undertaking the EIA screening assessment and determination, I have had regard to the submitted EIA screening reports and the various reports submitted with the application which address a variety of environmental issues and assess the impact of the proposed development, in addition to cumulative impacts with regard to other permitted developments in proximity to the site, and it is demonstrated that, subject to the various construction and design related mitigation measures recommended, the proposed development will not have a significant impact on the environment.
- 11.12. I have had regard to the characteristics of the site, location of the proposed development, and types and characteristics of potential impacts. I have examined the sub criteria having regard to the Schedule 7A information and all other submissions, and I have considered all information which accompanied the application.
- 11.13. In these circumstances, the application of the criteria in Schedule 7 to the proposed sub-threshold development demonstrates that it would not be likely to have significant effects on the environment and that an environmental impact assessment is not required before a grant of permission is considered. This conclusion is consistent with the EIA Screening Statements submitted with the application. Refer to Appendices 1 and 2 of this report.

12.0 AA Screening

- 12.1. Appendix 3 sets out the AA Screening Determination.
- 12.2. The Appropriate Assessment Screening is set out in Appendix 3 of this report. In accordance with Section 177U of the Planning and Development Act 2000 (as

amended) and on the basis of the information considered in this AA screening, I conclude that the proposed development individually or in combination with other plans or projects would not be likely to give rise to significant effects on the Wicklow Mountains SAC and the Rockabill to Dalkey Island SAC or any other European site, in view of the conservation objectives of these sites and is therefore excluded from further consideration. Appropriate Assessment is not required.

12.3. This determination is based on:

- Scientific information provided in the AA Screening Report.
- The nature, scale and location of the proposed residential development in a zoned area on serviced lands.
- Standard pollution controls that would be implemented regardless of proximity to a European Site and the effectiveness of same.
- No significant effects on water quality.
- Qualifying interests and conservation objectives of the European sites.
- Separation distances from European sites.
- No loss of species, fragmentation or disturbance to QIs or SCIs.
- Very low risk of collision with proposed Blocks A1 and A2 for bat and bird species

12.4. No mitigation measures aimed at avoiding or reducing impacts on European Sites were required to be considered in reaching this conclusion.

13.0 Water Framework Directive (WFD) - Screening

13.1. Appendix 4 sets out the WFD Impact Assessment.

13.2. The site is prominently located proximate to the Bray waterfront and the River Dargle flows c 230m south into Bray Harbour. The River Dargle Flood Defence Scheme along the watercourse is in place since 2017. The Crinken/Rathmichael Stream is located approximately 40m to the north of the subject site and flows under the Irish Rail railway line (beyond the eastern site boundary) and discharges into the Irish Sea. The Irish Sea is c 90m east of the appeal site.

13.3. No water quality deterioration concerns were raised in the planning appeal.

13.3.1. I have assessed the proposed LRD 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, groundwater, coastal and transitional water bodies 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 significant risk to any surface and groundwater bodies either qualitatively or quantitatively. The reasons for this are as follows:

- The nature of works comprising a medium scale of development on brownfield lands zoned for new residential development within the settlement of Bray.
- Location-distance from the site to the nearest coastal, surface and transitional water bodies.
- Standard pollution controls that would be implemented as contained in submitted documentation including the CEMP.
- The proposals to incorporate several SuDS features as part of the proposed development.

13.4. 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.

14.0 Conditions and Recommendations Table

14.1. The following table summarises the conditions/recommendations of the Dun Laoghaire Rathdown County Council grant of permission and how they will be addressed in a decision to grant permission:

DLRCC Condition / Recommendation	Recommended Relevant Condition
1. Development to be undertaken in accordance with the plans and details submitted.	Condition No.1
2. Each unit to be used a single dwelling unit and not sub-divided.	Condition not required. Planning Enforcement matter for planning

	authority.
3. Submit updated drawings and report to ensure consistency and reflect all SuDS measures prior to commencement of works.	Addressed through Condition No. 22.
4. Comply with the requirements of Uisce Éireann.	Addressed through Condition No. 10.
5. Submit site specific construction stage details and accessible maintenance arrangements for green roofs and SuDS measures prior to commencement.	Addressed through Condition No. 22.
6. Submit a Stage 2 Stormwater Audit and include a design statement for surface water management system prior to commencement.	Addressed through Condition No. 22.
7. Submit a Stage 3 Completion Stage Stormwater Audit upon completion of the development.	Addressed through Condition No. 22.
8. Implement a construction management plan.	Addressed through Condition No. 26.
9. Ensure all drainage works are carried out according to agreed details and that a post-construction maintenance specification and schedule is implemented.	Addressed through Condition No. 22.
10. Green roofs to be designed, installed and maintained in accordance with particular specifications.	Condition No. 22.
11. SuDS features to accord with the SuDS manual (CIRIA C753).	Addressed through Condition No. 22.
12. Landscape proposals to be compatible with drainage proposals.	Addressed through Condition No. 18.
13. Details of proposed surface water system drainage system in the event of blockage.	Addressed through Condition No. 22.
14. Take all necessary measures to: (a) prevent mud, dirt carried onto roads/properties during construction. (b) Repair road damage that may occur. (c) Avoid conflict between construction activities and pedestrian/vehicular movements.	Addressed through Condition No 26.
15. The development to be operated in accordance with the Mobility Management Plan provisions and TIA submitted.	Addressed through Condition No. 7.
16. Road network, turning bays, junctions, parking areas footpaths/kerbs, vehicular	Addressed through Condition No. 7.

entrances to accord with planning authority standards and DMURS.	
17. Pedestrian / cycle linkages along the eastern perimeter of the site shall be maintained during construction.	Condition No. 5.
18. All pathways to the access points along the northern boundary to Corke Abbey Park to be provided up to the boundary line of the Developer's landownership extent.	See 10.10.5 of this report. Matter already conditioned in the previous application relating to the subject site and lands. Recommend that condition be re-stated. Condition No. 6.
19. Engagement of a suitably qualified ecologist, from commencement of construction and for the duration of the implementation of mitigation measures.	Condition No. 14.
20. All measures for the protection of species and habitats, as set out in the EcIA, the Ecology Management Plan and the CEMP will be implemented.	Condition No. 14.
21. Ecology Management Plan to be submitted.	Condition No. 15.
22. (a) Vegetation clearance not to occur during bird breeding season. (b) Where potential exists for presence of burrows/setts/dens, monitoring during clearance by qualified mammal specialist.	This is covered under the Wildlife Acts. Condition not required. Condition No. 16.
23. Trees to be felled to be supervised by ecologist and trees to be left on the ground for a minimum of 24 hours to allow any bats to escape.	Condition No. 17.
24. Protection measures for trees and hedgerows.	Condition No. 19.
25. Landscaping: submit Final Plan.	Condition 18.
26. Submit a report from the ecologist post installation of external lighting confirming its operation according to their satisfaction and specification.	Addressed in Condition 14.
27. Submit a final site-specific CEMP.	Condition 27.
28. Submit a detailed site-specific Operations Environment Management Plan (OEMP) for agreement.	Condition 24.

29. Monitoring reports from ecologist to be submitted to planning authority.	Condition 14.
30. Construction hours.	Condition No. 11.
31. Implement measures within the submitted Construction Management Plan (CMP) and Construction and Environmental Management Plan (CEMP). Submit a detailed site specific CMP for agreement.	Addressed through Conditions 26 and 27.
32. Implement measures within the submitted Resource and Waste Management Plan (RWMP). Submit a detailed site specific RWMP for agreement.	Condition No. 28.
33. Develop and implement a Public Liaison Plan for the duration of works.	Addressed through Condition No. 27.
34. Implement measures detailed within the submitted Operational Waste Management Plan (OWMP). Submit a detailed site specific OWMP for agreement.	Addressed through Condition No. 26.
35. Pest control plan to be developed and implemented.	Addressed through Condition No. 26.
36. Naming and numbering condition and Part V condition.	Conditions 13 and 31 respectively.
37. Details of a properly constituted Owners' Management company to be provided.	Addressed through Condition No. 21.
38. Lodgement of bond.	Addressed through Condition No. 32.
39. Section 47 agreement.	Addressed through Condition No. 30.
40. Development contribution for provision of surface water infrastructure.	Addressed through Condition No. 33.
41. Development contribution for provision of transport infrastructure.	Addressed through Condition No. 33.
42. Development contribution for provision of Community and Parks facilities and recreational amenities.	Addressed through Condition No. 33.
43. Development not to be carried out without prior agreement between applicant and planning authority regarding payment of development contributions.	This requirement is already detailed in contribution condition.

15.0 Recommendation

I recommend that permission is granted for the LRD as proposed for the reasons and considerations set out below, and subject to conditions.

16.0 Reasons and Considerations

Having regard to the following:

(i) the location of the site on lands with a zoning objective 'A – Residential' with the objective 'To provide residential development and improve residential amenities while protecting the existing residential amenities and also on lands with the zoning objective 'F – Open Space' with the objective 'To preserve and provide for open space with ancillary active recreational amenities' in the Dun Laoghaire Rathdown DLRCDP 2022-2028,

(ii) the nature, scale and design of the proposed development which is consistent with the provisions of the Dun Laoghaire Rathdown DLRCDP 2022-2028 and appendices contained therein, with the exception of two instances of material contravention (detailed below),

(iii) the Regional Spatial and Economic Strategy for the Eastern and Midland Region 2019-2031 (RSES);

(iv) to Delivering Homes, Building Communities 2025-2030: An Action Plan on Housing Supply and Targeting Homelessness,

(v) the provisions of the National Biodiversity Action Plan 2023-2030, which have been considered,

(vi) the provisions of the Sustainable Residential and Compact Settlement Guidelines for Planning Authorities (January 2024),

(vii) the Design Standards for Apartments, Guidelines for Planning Authorities, July 2025,

(viii) the Urban Development and Building Heights Guidelines for Planning Authorities (2018)

(ix) the Climate Action Plan 2024 and the Climate Action Plan 2025,

(x) the availability of a wide range of physical social, community and transport infrastructure and services in the area,

(xi) the Planning Reports and supporting technical reports of Dun Laoghaire Rathdown County Council,

(xii) the planning history and extant permissions,

(xiii) the submissions received including third party submissions, and

(xiv) the Inspector's report

it is considered that, subject to compliance with the conditions set out below, the proposed development would constitute an acceptable scale and density of development in this new urban quarter of Bray, would be acceptable in terms of layout, urban design, height and quantum of development, would be acceptable in terms of traffic and pedestrian and cyclist safety and convenience, would not seriously injure the residential or visual amenities of the area or of property in the vicinity, would not adversely affect the value of property in the vicinity, and would not impact would not impact on protected habitats or the Qualifying Interests of any European Site. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

The proposed development unit mix of no three bedroom houses or less would materially contravene the Dun Laoghaire Rathdown DLRCDP 2022-2028 given the requirement for an unspecified 'proportion' of houses to have three bedrooms or less as outlined in section 12.3.3.1. However, having regard to section 37(2)(a) of the Planning and Development Act 2000, as amended, and having regard to the identification of the subject lands at the former Bray golf course for the development of new residential communities and high density mixed-use development in local and regional planning policy, along with the current national housing shortage and national policy to significantly increase national housing output as detailed in the NPF First Revision (2025) and Delivering Homes, Building Communities (2025), and having regard to the Sustainable Residential Developments in Urban Areas, Guidelines for

Planning Authorities,2024 which focuses on sustainable residential development and the creation of compact settlements, it is considered that the proposed development should be granted.

The proposed development would materially contravene the Dun Laoghaire Rathdown DLRCDP 2022-2028 on the basis that the quantum of private open spaces for the townhouses is below 75sqm as outlined in Table 12.10. However, having regard to section 37(2)(a) of the Planning and Development Act 2000, as amended, and having regard to the identification of the subject lands at the former Bray golf course for the development of new residential communities and high density mixed-use development in local and regional planning policy, along with the current national housing shortage and national policy to significantly increase national housing output as detailed in the NPF First Revision (2025) and Delivering Homes, Building Communities (2025), and having regard to the Sustainable Residential Developments in Urban Areas, Guidelines for Planning Authorities,2024 which focuses on sustainable residential development and the creation of compact settlements, it is considered that the proposed development should be granted.

17.0 Recommended Draft Order

Application for permission under the Planning and Development Act 2000, as amended, in accordance with plans and particulars lodged with Dun Laoghaire Rathdown County Council on the 19th day of August 2025 and the 12th day of December 2025 and appealed to An Coimisiún Pleanála on the 9th day of February 2026.

Proposed Development:

- 159 number residential units comprising 150 number apartments and 9 number townhouses.
- Block A1 is six to ten storeys in height and accommodates 69 number apartments consisting of 22 number 1 bedroom units, 26 number 2 bedroom units and 21 number 3 bedroom units. Block A1 provides a work/lounge space, a communal

gym, a cinema room, services room and refuse and bicycle stores.

- Block A2 is seven to eleven storeys in height and accommodates 81 apartments consisting of 26 number 1 bedroom units, 32 number 2 bedroom units and 23 number 3 bedroom units. Block A2 provides a bulky waste room, two residential bulky storage rooms and bin and bicycle stores.
- The 9 number 4 bedroom townhouses are of three to four storey design with private terraces at podium and second levels.
- The apartment blocks and townhouses enclose a shared communal open space / courtyard (c 1692sqm) above the two level podium.
- Public open space measures c 7,797sqm.
- The development includes car, bicycle and motorbike parking, landscaping, public lighting, pedestrian cycle linkages with adjoining existing and permitted development, connections to the road network, all associated plant and substations / switch rooms, drainage arrangements, utility connections and all site development works.

Appeal:

Third party appeal from Conor McHugh and others against the decision to grant permission subject to conditions as issued by Dun Laoghaire Rathdown County Council.

Decision:

Grant permission for the above proposed development based on the reasons and considerations set out above and subject to the conditions set out below.

Matters Considered:

In making its decision, the Commission had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any observations received by it in accordance with statutory provisions.

In coming to its decision, the Commission had regard to the following:

- (i) the location of the site on lands with zoning objectives 'A – Residential' and 'F – Open Space' in the Dun Laoghaire Rathdown DLRCDP 2022-2028,
- (ii) the nature, scale and design of the proposed development which is consistent with the provisions of the Dun Laoghaire Rathdown DLRCDP 2022-2028 and appendices contained therein, with the exception of two instances of material contravention (detailed below), and the Regional Spatial and Economic Strategy for the Eastern and Midland Region 2019-2031 (RSES),
- (iii) Delivering Homes, Building Communities 2025-2030: An Action Plan on Housing Supply and Targeting Homelessness,
- (iv) the provisions of the National Biodiversity Action Plan 2023-2030, which have been considered,
- (v) the provisions of the Sustainable Residential and Compact Settlement Guidelines for Planning Authorities (January 2024),
- (vi) the Design Standards for Apartments, Guidelines for Planning Authorities, (July 2025),
- (vii) the Urban Development and Building Heights Guidelines for Planning Authorities (December 2018),
- (viii) the Climate Action Plan 2024 and the Climate Action Plan 2025,

(ix) the availability of a wide range of physical social, community and transport infrastructure and services in the area,

(x) the pattern of existing and permitted development in the area,

(xi) the Planning Reports and supporting technical reports of Dun Laoghaire Rathdown County Council,

(xii) the planning history and the extant permissions,

(xiii) the submissions received including third party submissions, and

(xiv) the Inspector's report,

it is considered that, subject to compliance with the conditions set out below, the proposed development would constitute an acceptable scale and density of development in this new urban quarter of Bray, would be acceptable in terms of layout, urban design, height and quantum of development, would be acceptable in terms of traffic and pedestrian and cyclist safety and convenience, and would not seriously injure the residential or visual amenities of the area or of property in the vicinity and would not impact on protected habitats or the Qualifying Interests of any European Site. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

The Commission agreed with the Inspector that the proposed development unit mix of no three bedroom houses or less would materially contravene the Dun Laoghaire Rathdown DLRCDP 2022-2028 given the requirement for an unspecified 'proportion' of houses to have three bedrooms or less as outlined in section 12.3.3.1. The Commission considered, having regard to section 37(2)(a) of the Planning and Development Act 2000, as amended, and having regard to the identification of the subject lands at the former Bray golf course for the development of new residential communities and high density mixed-use development in local and regional planning policy, along with the current national housing shortage and national policy to significantly increase national housing output as detailed in the NPF First Revision

(2025) and Delivering Homes, Building Communities (2025), and having regard to the Sustainable Residential Developments in Urban Areas, Guidelines for Planning Authorities, 2024 which focuses on sustainable residential development and the creation of compact settlements, that the proposed development should be granted.

The Commission also agreed with the Inspector that the proposed development would materially contravene the Dun Laoghaire Rathdown DLRCDP 2022-2028 on the basis that the quantum of private open spaces for the townhouses is below 75sqm as outlined in Table 12.10. The Commission considered, having regard to section 37(2)(a) of the Planning and Development Act 2000, as amended, and having regard to the identification of the subject lands at the former Bray golf course for the development of new residential communities and high density mixed-use development in local and regional planning policy, along with the current national housing shortage and national policy to significantly increase national housing output as detailed in the NPF First Revision (2025) and Delivering Homes, Building Communities (2025), and having regard to the Sustainable Residential Developments in Urban Areas, Guidelines for Planning Authorities, 2024 which focuses on sustainable residential development and the creation of compact settlements, that the proposed development should be granted.

Appropriate Assessment Stage 1:

The Commission completed an Appropriate Assessment screening exercise in relation to the potential effects of the proposed development on European Sites, taking into account the nature and scale of the proposed development on serviced lands, the nature of the receiving environment which comprises a site in an established urban area, the distances to the nearest European sites, and the hydrological pathway considerations, submissions on file, the information submitted as part of the applicant's Appropriate Assessment Screening Report documentation and the Inspector's report.

In completing the screening exercise, the Commission agreed with and adopted the report of the Inspector and that, by itself or in combination with other development, plans and projects in the vicinity, the proposed development would not be likely to have a significant effect on any European Site in view of the conservation

objectives of such sites, and that a Stage 2 Appropriate Assessment is not, therefore, required.

Environmental Impact Assessment (EIA):

The Commission completed an environmental impact assessment screening of the proposed development and considered that the Environmental Impact Assessment Screening Report submitted by the applicant, which contains the information set out Schedule 7A to the Planning and Development Regulations 2001 (as amended), identifies and describes adequately the direct, indirect, secondary, and cumulative effects of the proposed development on the environment.

Having regard to:

- The nature and scale of the proposed development, which is below the threshold in respect of Classes 10(b)(i) and (iv) and Class 13 of Part 2 of Schedule 5 of the Planning and Development Regulations 2001, as amended,
- Class 15 of Part 2 of Schedule 5 of the Planning and Development Regulations 2001, as amended,
- The planning history relating to the site, particularly the two previous SHD applications (ABP-311181-21 and ABP-314486-22) related to the site and adjoining lands which were iterations of the proposed development which included EIARs that concluded no significant individual or cumulative environmental effects were anticipated to occur.
- The location of the site on lands governed by zoning objectives 'A – Residential' and 'F – Open Space' in the Dun Laoghaire Rathdown DLRCDP 2022-2028, and the results of the strategic environmental assessment of the Dun Laoghaire Rathdown DLRCDP undertaken in accordance with the SEA Directive (2001/42/EC),
- The former use on the site and pattern of development in surrounding area,
- The availability of mains water and wastewater services to serve the proposed development,
- The criteria set out in Schedule 7 of the Planning and Development Regulations 2001 (as amended), and

- The features and measures proposed by applicant envisaged to avoid or prevent what might otherwise be significant effects on the environment, including measures identified in the Construction Environmental Management Plan

it is considered that the proposed development would not be likely to have significant effects on the environment and that the preparation and submission of an environmental impact assessment report would not, therefore, be required.

18.0 Conditions

1.	<p>The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 12th 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.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>The number of residential units permitted by this grant of permission is 159 residential units in the form of 150 number apartments and 9 number townhouses.</p> <p>Reason: In the interest of clarity.</p>
3.	<p>The mitigation and monitoring measures outlined in the plans and particulars submitted with this application, shall be carried out in full, except where otherwise required by conditions attached to this permission.</p> <p>Reason: In the interest of clarity and the protection of the environment during the construction and operational phases of the development.</p>

4.	<p>Details of the materials, colours and textures of all the external finishes to the proposed residential buildings shall be submitted to, and agreed in writing with the planning authority prior to commencement of development. In default of agreement the matter(s) in dispute shall be referred to An Coimisiún Pleanála for determination.</p> <p>Reason: In the interest of visual amenity and to ensure an appropriate high standard of development.</p>
5.	<p>Pedestrian and cycle linkages along the eastern perimeter of the site shall be maintained during the construction, details of which shall be submitted to, and agreed in writing with the planning authority prior to commencement of development.</p> <p>Reason: In the interests of residential amenity and permeability.</p>
6.	<p>A design solution for the proposed pedestrian connections at the northern boundary of the site linking into Corke Abbey Valley Park shall be submitted for the written agreement of the Dun Laoghaire-Rathdown County Council planning department prior to the commencement of development. These bicycle and pedestrian connections shall connect into existing paths in Corke Abbey Valley Park and shall be delivered prior to the occupation of the development.</p> <p>Reason: In the interests of the proper planning and sustainable development of the area.</p>
7.	<p>(a) The internal road network serving the proposed development including turning bays, junctions, parking areas, footpaths, and kerbs shall comply with the detailed construction standards of the planning authority for such works and design standards outlined in Design Manual for Urban Roads and Streets (DMURS).</p> <p>(b) Footpaths shall be dished at road junctions in accordance with the requirements of the planning authority. Details of all locations and materials to be used shall be submitted to, and agreed in writing with the planning authority prior to the commencement of development.</p>

	<p>(c) The developer shall implement in full the recommendations of the submitted Mobility Management Plan which shall be overseen by an appointed Mobility Manager.</p> <p>Reason: In the interests of amenity, permeability, traffic and pedestrian safety and sustainable transport.</p>
8.	<p>(a) The car parking facilities hereby permitted shall be reserved solely to serve the proposed development. All car parking spaces shall be assigned permanently for the residential development as indicated and shall be reserved solely for that purpose. These residential spaces shall not be utilised for any other purpose, including for use in association with any other uses of the development hereby permitted, unless the subject of a separate grant of planning permission.</p> <p>(b) Prior to the occupation of the development, an updated Parking Management Plan shall be prepared for the development and shall be submitted to and agreed in writing with the Planning Authority.</p> <p>Reason: To ensure that adequate parking facilities are permanently available to serve the proposed residential units and the remaining development.</p>
9.	<p>A minimum of 20% of all car parking spaces shall be provided with functioning EV charging stations/points, and ducting shall be provided for all remaining car parking spaces. Where proposals relating to the installation of EV ducting and charging stations/points has not been submitted with the application, in accordance with the above noted requirements, such proposals shall be submitted and agreed in writing with the Planning Authority prior to the occupation of the development.</p> <p>Reason: To provide for and/or future proof the development such as would facilitate the use of Electric Vehicles.</p>
10.	<p>Prior to commencement of development, the developer shall enter into water and wastewater connection agreements with Uisce Éireann.</p> <p>Reason: In the interest of public health.</p>

11.	<p>Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Friday inclusive, between 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.</p> <p>Reason: In order to safeguard the residential amenities of property in the vicinity.</p>
12.	<p>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.</p> <p>Reason: In the interest of visual amenity.</p>
13.	<p>Proposals for an estate/street name, house and apartment numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all estate and street signs, and house/apartment numbers, shall be provided in accordance with the agreed scheme. The proposed name(s) shall be based on local historical or topographical features, or other alternatives acceptable to the planning authority. 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).</p> <p>Reason: In the interest of urban legibility and to ensure the use of locally appropriate placenames for new residential areas.</p>
14.	<p>(a) A suitably qualified ecologist shall be retained by the developer to oversee the site works and construction of the proposed development and the implementation of mitigation and all monitoring measures relating to ecology as set out in the Ecology Impact Assessment Report (EclA), the Ecology Management Plan and the final Construction Environmental Management Plan. The ecologist shall be present during site construction works.</p>

	<p>(b) Ecological monitoring reports detailing all monitoring of the site works shall be prepared by the appointed ecologist to be kept on file as part of the public record.</p> <p>(c) The developer shall submit a report from the ecologist to the planning authority post installation of the lighting scheme, confirming it is operating according to the specification and their satisfaction.</p> <p>Reason: In the interest of nature conservation and the protection of the environment.</p>
15.	<p>The developer shall submit the Ecology Management Plan (referenced in the Construction Environmental Management Plan provided with the planning application), to the planning authority at least 5 weeks in advance of site clearance and site works commencing. The Ecology Management Plan shall include the following:</p> <p>(a) Detail all the biodiversity related mitigation measures for the proposed development at all stages including site clearance, construction and operation of the development and shall include all biodiversity measures relevant to the EclA, Final CEMP, and Landscape Plan.</p> <p>(b) All mitigation measures relating to biodiversity outlined shall be implemented, recorded and reported on by the appointed ecologist to the planning authority.</p> <p>(c) The Plan shall clearly set out badger mitigation measures, including in terms of the ecological buffer zone along the northern and eastern boundary of the development site and Masterplan lands which will allow for connectivity of habitats.</p> <p>(d) The Plan shall set out clearly which bird and bat box measures apply specifically to the part of the development site and clarify how these relate to the overall deployment of boxes throughout the wider development / Masterplan area.</p> <p>(e) The Plan shall set out the detailed specifications of all boxes to be deployed in relation to the subject site and also include types and locations.</p>

	<p>The appointed ecologist shall liaise with the landscape architect in relation to this matter.</p> <p>(f) The Plan shall clearly set out the elements that relate specifically to the subject site and explain how these will fit in and function with those of the development-wide, overall Masterplan lands.</p> <p>(g) The Plan shall include the programme for the monitoring and implementation of the biodiversity related mitigation measures for all stages of the proposed development by the appointed ecologist.</p> <p>Reason: To protect biodiversity and to ensure the implementation of mitigation measures and monitoring for biodiversity.</p>
16.	<p>Where there is potential for the presence of burrows/setts/dens in areas of dense scrub and undergrowth that could not be thoroughly searched during earlier faunal surveys, monitoring during vegetation clearance shall be undertaken by a suitably qualified mammal specialist.</p> <p>Reason: To mitigate the potential impact on protected faunal species and their resting places that may be present on site.</p>
17.	<p>The felling of identified trees on the site shall be carried out under the supervision of a suitably qualified ecologist and these trees shall be left intact on the ground for a minimum period of 24 hours to allow any bats (if present) to escape.</p> <p>Reason: To protect biodiversity and to ensure the protection of important bat species.</p>
18.	<p>The developer shall submit a final Landscape Plan and specifications to the planning authority which shall include the following:</p> <p>(a) Details in respect of planting for biodiversity enhancement following agreement with the appointed ecologist.</p> <p>(b) The ecological buffer zone along the northern and eastern boundary of the development site shall allow for connectivity of habitats and be unlit and fenced off, with appropriate signage, to prevent access to people and dogs in order to provide safe and dark refuge for wildlife</p>

	<p>(c) Where native plant species are specified in the Landscape Plan, they shall be sourced from Irish stock, including trees, shrubs and herbs/flowers.</p> <p>(d) Commercial seed shall not be used in green or open spaces or to create meadows but instead reuse of site soils and allowing areas to develop naturally will be examined where possible.</p> <p>(e) Native seed stock suitable for supporting native pollinators shall be used for gardens only.</p> <p>(f) All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development or until the development is taken in charge by the local authority, whichever is the sooner, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.</p> <p>(g) In addition to planting enhancement measures, the final Landscape Plan and specifications shall include other details of biodiversity enhancement measures in respect of the installation of bat and bird boxes and insect hotels at the subject site, in terms of numbers, types and locations. The landscape architect shall liaise with the appointed ecologist in relation to this provision.</p> <p>(h) Landscape proposals shall accord with the drainage design.</p> <p>Reason: To provide appropriate landscape design that provides mitigation, enhancement and protection for biodiversity and in the interest of residential and visual amenity.</p>
19.	<p>(a) Prior to commencement of development, any trees, hedging and shrubs which are to be retained shall be enclosed within stout fences not less than 1.5 metres in height. This protective fencing shall enclose an area covered by the crown spread of the branches, or at minimum radius of two metres from the trunk of the tree or centre of the shrub, and to a distance of two metres on each side of the hedge for its full length, and shall be maintained until the development has been completed.</p>

	<p>(b) No work shall be carried out within the area enclosed by the fencing and, in particular, there shall be no parking of vehicles, placing of site huts, storage compounds or topsoil heaps, storage of oil, chemicals or other substances, and no lighting of fires, over the root spread of any tree to be retained.</p> <p>Reason: In the interest of visual amenity and to protect trees and planting during the construction period.</p>
20.	<p>The areas of public open space shown on the lodged plans shall be reserved for such use. These areas shall be levelled, soiled, seeded and landscaped in accordance with the Final Landscape Plan to be submitted to the planning authority. This work shall be completed before any of the residential units are made available for occupation and shall be maintained as public open space by the developer until taken in charge by the local authority.</p> <p>Reason: In order to ensure the satisfactory development of the public open space areas, and their continued use for this purpose.</p>
21.	<p>The management and maintenance of the proposed development following its completion shall be the responsibility of a legally constituted management company. A management scheme providing adequate measures for the future maintenance of public open spaces, roads and communal areas shall be submitted to, and agreed in writing with the planning authority prior to occupation of the development.</p> <p>Reason: To provide for the satisfactory future maintenance of this development in the interest of residential amenity.</p>
22.	<p>Drainage arrangements including the green roof strategy, attenuation and disposal of surface water shall comply with the requirements of the planning authority for such works and services. Prior to the commencement of development, the developer shall submit to the planning authority for written agreement a Stage 2 – Detailed Design Stage Stormwater Audit. Upon completion of the development, a Stage 3 Completion Stage Stormwater Audit to demonstrate that Sustainable Urban Drainage Systems measures have been installed, are working as designed, and that there has been no</p>

	<p>misconnections or damage to stormwater drainage infrastructure during construction, shall be submitted to the planning authority for written agreement.</p> <p>Reason: In the interest of public health and surface water management.</p>
23.	<p>The development shall comply with the following requirements from Iarnród Éireann:</p> <p>(a) The Railway Safety Act 2005 places an obligation on any third party working near the railway to ensure no danger or hazard is posed to railway operations. Due to the proximity of this site to the railway corridor, the developer must take due consideration of this obligation during the planning and construction of the development.</p> <p>(b) Due to proximity of the Shanganagh Junction to Wexford railway line, a 2.4m high suitable designed, solid block boundary treatment, shall be erected by the developer on the applicant's side of the property boundary. The maintenance of this boundary treatment rests with the applicant and the Successor-in-Title. The exact location and details of this boundary treatment must be identified on site in cooperation with the Third Party Approvals Office.</p> <p>(c) The existing boundary between the development site and the railway corridor must not be removed in any way without seeking prior consent from Iarnród Eireann.</p> <p>(d) At no point should the applicant or their representatives enter railway property, at track level, to undertake the construction of this development. It is imperative that the railway always remains inaccessible to prevent trespassing, both during the construction phase and in the future. This includes safeguarding against unauthorized access, especially through scaffolding or any other means.</p> <p>(e) No additional liquid, either surface water or effluent shall be discharged to, or allowed to seep onto, the railway property or into railway drains / ditches.</p>

	<p>(f) Should the development require the use of a crane that could swing over the railway property, then the developer must enter into an agreement with Iarnród Éireann / CIÉ regarding this issue.</p> <p>(g) No overhang of any part of the development over the railway property is allowed.</p> <p>(h) Lights from the proposed development, either during the construction phase or when the development is completed, should not cause glare or in any way impair the vision of train drivers or personnel operating on track machines.</p> <p>(i) No deciduous trees are to be planted directly along the railway boundary as they may impair the vision of train drivers or their views of signals. Furthermore, falling leaves and/or leaf litter on rails can adversely affect the operation of trains by causing poor wheel / rail adhesion.</p> <p>(j) The cutting of large trees along the boundary presents a significant risk due to their proximity to the railway line and the DART line's electric cables. Trees falling can cause serious incidents and safety hazards. Given these considerations, any tree-cutting project must be approached with caution and meticulous planning, the developer must engage with the Third-Party Co-ordinator at Iarnród Éireann to establish a safe system of work for the completion of these tasks.</p> <p>(k) The railway operates 24 hours a day with maintenance activity taking place at night and during shutdowns of passenger services. The development is in close proximity to the live railway and therefore must take account of the potential noise and vibration impact that an operational railway may have on sensitive receptors. Residential units should be designed, orientated and located to limit the impacts of noise and vibration from transportation traffic and maintenance activities.</p> <p>Reason: In the interest of railway operational safety and ensure a satisfactory standard of development.</p>
24.	A detailed site-specific Operations Environment Management Plan (OEMP) shall be submitted for agreement with the Planning Authority prior to the

	<p>commencement of the proposed works. The OEMP shall include input from the project ecologist / ecologist clerk of works for biodiversity elements and include the following:</p> <p>(a) A complete table of mitigation and enhancement measures in respect of habitats and species.</p> <p>(b) A schedule for monitoring post construction and during operations in respect of measures for the protection of and enhancement for habitats and species, with provision for review and improvement of measures in the future, where necessary / appropriate will be provided for agreement with the planning authority. A commitment to this shall be included in the OEMP.</p> <p>Reason: To protect biodiversity.</p>
25.	<p>A detailed site-specific Operational Waste Management Plan containing details for the management of waste within the apartments, including the provision of facilities for the storage, separation and collection of the waste, and, in particular, recyclable materials and for the ongoing operation of these facilities for each apartment shall be submitted to, and agreed in writing with, the planning authority not later than 6 months from the date of commencement of the development. Thereafter, the waste shall be managed in accordance with the agreed plan.</p> <p>Reason: In the interest of residential amenity, and to ensure the provision of adequate refuse storage.</p>
26.	<p>(i) The developer shall implement the measures detailed within the Construction Management Plan received with the planning application by the planning authority.</p> <p>(ii) The construction of the development shall be managed in accordance with a detailed site-specific Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including:</p>

<p>(a) Location of the site and materials compound(s) including area(s) identified for the storage of construction refuse;</p> <p>(b) Location of areas for construction site offices and staff facilities;</p> <p>(c) Details of site security fencing and hoardings;</p> <p>(d) Details of on-site car parking facilities for site workers during the course of construction;</p> <p>(e) Details of the timing and routing of construction traffic to and from the construction site and associated directional signage, to include proposals to facilitate the delivery of abnormal loads to the site;</p> <p>(f) Measures to obviate queuing of construction traffic on the adjoining road network;</p> <p>(g) Measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network;</p> <p>(h) Alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of any public road or footpath during the course of site development works;</p> <p>(i) Details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels;</p> <p>(j) Containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained. Such bunds shall be roofed to exclude rainwater;</p> <p>(k) Off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil;</p> <p>(l) Means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains.</p> <p>(m) A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be available for inspection by the planning authority.</p>

	<p>(n) Develop and implement a public liaison plan and the appointment and responsibilities of a community liaison officer for the duration of the construction period.</p> <p>(o) Develop and implement a Rodent/Pest Control Plan for the duration of the works on site.</p> <p>Reason: In the interest of amenities, public health and safety and environmental protection.</p>
27.	<p>(1) The developer shall implement the measures detailed within the Construction Environmental Management Plan (CEMP) submitted with the planning application.</p> <p>(2) A revised site-specific Final CEMP shall be submitted for the written agreement of the planning authority prior to commencement of development. 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.</p> <p>(3) The Final CEMP shall include input from the appointed ecologist for biodiversity elements and shall address the following:</p> <p>(a) All of the mitigation and enhancement measures relating to the subject site, as set out in the EclA, the Ecology Management Plan and the CEMP, the Final Landscape Plan and Specifications.</p> <p>(b) Provide clarity as to which measures specifically apply to the subject site as opposed to the wider development area / Masterplan area.</p> <p>(c) Include the details and rationale in respect of the Ecology Management Plan and clearly set out the elements of the Plan that relate specifically to</p>

	<p>the subject site for this LRD application and explain how this fits in with the overall development-wide site /Masterplan area.</p> <p>(d) Include the detailed programme for monitoring mitigation and enhancement measures, for agreement with the planning authority.</p> <p>Reason: In the interest of environmental protection, residential amenities and public safety.</p>
28.	<p>(i) The developer shall implement the measures detailed within the Resource Waste Management Plan (RWMP) received with the planning application by the planning authority.</p> <p>(ii) Prior to commencement of development, a detailed site-specific RWMP as set out in the EPA's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021) shall be prepared and submitted to the planning authority for written agreement. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.</p> <p>Reason: In the interest of reducing waste and encouraging recycling.</p>
29.	<p>The developer shall engage a suitably qualified (licensed eligible) archaeologist to monitor (licensed under the National Monuments Acts) all site clearance works, topsoil stripping, groundworks, dredging and/or the implementation of agreed preservation in-situ measures associated with the development. Prior to the commencement of such works the archaeologist shall consult with and forward to the Local Authority archaeologist or the NMS as appropriate a method statement for written agreement. The use of appropriate tools and/or machinery to ensure the preservation and recording of any surviving archaeological remains shall be necessary. Should archaeological remains be identified during the course of archaeological monitoring, all works shall cease in the area of archaeological interest pending a decision of the planning authority, in consultation with the National</p>

	<p>Monuments Service, regarding appropriate mitigation (preservation in-situ/excavation).</p> <p>The developer shall facilitate the archaeologist in recording any remains identified. Any further archaeological mitigation requirements specified by the planning authority, following consultation with the National Monuments Service, shall be complied with by the developer.</p> <p>Following the completion of all archaeological work on site and any necessary post-excavation specialist analysis, the planning authority and the National Monuments Service shall be furnished with a final archaeological report describing the results of the monitoring and any subsequent required archaeological investigative work/excavation required. All resulting and associated archaeological costs shall be borne by the developer.</p> <p>Reason: To ensure the continued preservation [either in situ or by record] of places, caves, sites, features or other objects of archaeological interest.</p>
30.	<p>(a) Prior to the commencement of any house or duplex unit in the development as permitted, the applicant or any person with an interest in the land shall enter into an agreement with the planning authority (such agreement must specify the number and location of each house or duplex unit), pursuant to Section 47 of the Planning and Development Act 2000, that restricts all relevant houses and duplex units permitted, to first occupation by individual purchasers i.e. those not being a corporate entity, and/or by those eligible for the occupation of social and/or affordable housing, including cost rental housing.</p> <p>(b) An agreement pursuant to Section 47 shall be applicable for the period of duration of the planning permission, except where after not less than two years from the date of completion of each specified housing unit, it is demonstrated to the satisfaction of the planning authority that it has not been possible to transact each specified house or duplex unit for use by individual purchasers and/or to those eligible for the occupation of social and/or affordable housing, including cost rental housing.</p>

	<p>(c) The determination of the planning authority as required in (b) shall be subject to receipt by the planning and housing authority of satisfactory documentary evidence from the applicant or any person with an interest in the land regarding the sales and marketing of the specified housing units, in which case the planning authority shall confirm in writing to the applicant or any person with an interest in the land that the Section 47 agreement has been terminated and that the requirement of this planning condition has been discharged in respect of each specified housing unit.</p> <p>Reason: To restrict new housing development to use by persons of a particular class or description in order to ensure an adequate choice and supply of housing, including affordable housing, in the common good.</p>
31.	<p>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 on lands in accordance with the requirements of section 94(4) and section 96(2) and 96(3) (b), (Part V) of the Planning and Development Act 2000, as amended], unless an exemption certificate has been granted under section 97 of the Act, as amended. Where such an agreement cannot be reached between the parties, the matter in dispute (other than a matter to which section 96(7) applies) shall be referred by the planning authority or any other prospective party to the agreement, to An Coimisiún Pleanála for determination.</p> <p>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 for the area.</p>
32.	<p>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 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</p>

	<p>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.</p> <p>Reason: To ensure the satisfactory completion and maintenance of the development until taken in charge.</p>
33.	<p>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.</p> <p>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.</p>

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 me, directly or indirectly, following my professional assessment and recommendation set out in my report in an improper or inappropriate way.

John Duffy
Planning Inspector

30th April 2026

Appendix 1

Form 1 - EIA Pre-Screening

No EIAR Submitted

Case Reference	ACP-324074-26
Proposed Development Summary	159 residential units comprising nine townhouses and 150 apartments in two blocks, 171 no. car parking spaces, 8 no. motorcycle spaces, 365 no. bicycle spaces, communal open spaces, public open space and all site development works.
Development Address	Former Bray Golf Club lands, off Dublin Road and Ravenswell Road, Bray, Co. Dublin.
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	<input checked="" type="checkbox"/> Yes, it is a 'Project.' Proceed to Q2.
	<input type="checkbox"/> No, No further action required.
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
<input type="checkbox"/> Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	State the Class here
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
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?	

<p><input type="checkbox"/> 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.</p> <p>No Screening required.</p>	
<p><input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold.</p> <p>EIA is Mandatory. No Screening Required</p>	
<p><input checked="" type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold.</p> <p>Preliminary examination required. (Form 2)</p> <p>OR</p> <p>If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</p>	<p>Class 10(b)(i): Threshold of 500 dwellings. 159 dwellings proposed comprising 150 apartments and 9 townhouses.</p> <p>Class 10(b)(iv): Urban Development - Threshold of 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere. Site size is 1.38ha.</p> <p>Class 13(a): Any change or extension of development authorised.</p> <p>The proposed development of 159 residential units along with the 234 residential units permitted under ABP-311181-21 (totalling 393 units) does not cause the development to fall into any classes of development listed in Part 1 or classes 1 to 12 of Part 2 of Schedule 5.</p> <p>Class 15: Any project listed in this Part which does not exceed a quantity, area or other limit specified in this Part in respect of the relevant class of development but which would be likely to have significant effects on the environment, having regard to the criteria set out in Schedule 7.</p>

	Given the nature and scale of the proposed development, there is no potential for significant effects on the environment to occur.
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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)?	
Yes <input checked="" type="checkbox"/>	Screening Determination required (Complete Form 3)
No <input type="checkbox"/>	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: _____ **Date:** _____

Appendix 2: Form 3 - EIA Screening Determination Form

A. CASE DETAILS		
An Coimisiún Pleanála Case Reference	LH06D.324074	
Development Summary	159 no. residential units comprising 9 no. townhouses and 150 no. apartments in two blocks. Block A1 ranges in height from 6-10 storeys and Block A2 ranges in height from 7 to 11 storeys, 179 parking spaces, 365 bicycle parking spaces, c 1,692 sqm communal open space, c7,797 sqm public open space including play areas, landscaping, public lighting, pedestrian/cycle linkages with adjoining existing and permitted developments; associated connections to surrounding existing and permitted road network, all associated plant and substations/switch rooms, refuse storage, drainage arrangements, utility connections and all site development works.	
	Yes / No / N/A	Comment (if relevant)
1. Was a Screening Determination carried out by the PA?	Yes	An EIA Screening Report was submitted with the planning application which screened out the requirement for submission of an Environmental Impact Assessment Report (EIAR). The planning authority noted that while the proposed development of 159 residential units is below the threshold of 500 units as set out under Class 10(b)(i) of Schedule 5, Part 2 of the Planning and Development Regulations 2001, as amended, it raised concerns regarding the cumulative impact of the proposed development and other phases of the Sea Gardens development both during the construction and operation phases, and concluded that an EIAR may be required. Item 3 of the Further Information (FI) request required the applicant to provide a robust justification for screening out the subject site or to provide an EIAR. An updated EIA Screening Report providing a detailed justification for not submitting an EIAR along with a written response from RPS were provided in response to the FI request. This referred

		to the fact that EIA had been carried out on the site previously for residential development. No significant environmental impacts were identified. On foot of this the planning authority considered there is no real likelihood of significant effects on the environment arising from the proposed development.
2. Has Schedule 7A information been submitted?	Yes	The EIA Screening Reports submitted with the planning application and at FI stage both provide for screening against Schedule 7A criteria at sections 5.5 and 5.3, respectively.
3. Has an AA screening report or NIS been submitted?	Yes	An Appropriate Assessment Screening Report was submitted as part of the application documentation. The Screening Report concludes that the proposed development, either alone or in-combination with other plans or projects, will not result in likely significant effects on any Natura 2000 site. Therefore, the Report recommends that it is not necessary for the scheme to proceed to Stage 2 Appropriate Assessment. The planning authority concluded that the proposed development would not significantly impact upon a Natura 2000 Site and that an Appropriate Assessment is not required.
4. Is a IED/ IPC or Waste Licence (or review of licence) required from the EPA? If YES has the EPA commented on the need for an EIAR?	No	
5. Have any other relevant assessments of the effects on the environment which have a significant bearing on the project been carried out pursuant to other relevant Directives – for example SEA	Yes	EIA Screening Reports which consider the EIA Directive (2011/92/EU, as amended by 2014/52/EU). An Ecological Impact Assessment (EclA) which considers the Habitats Directive (92/43/EEC), the Birds Directive (2009/147/EC) and content of Water Framework Directive (2000/60/EC). AA Screening Report Inward Noise Impact Assessment which considers the European Noise Directive 2002/49/EC. Climate Action and Energy Statement which considers the content of the Energy Performance in Buildings Directive (2010/31/EU).

		<p>Outline Operational Waste Management Plan which considers the EU Waste Framework Directive and the WEE Directive 2002/96/EC</p> <p>SEA was undertaken in respect of the Dun Laoghaire Rathdown DLRCDP 2022-2028 by the planning authority.</p>	
B. EXAMINATION	Yes/ No/ Uncertain	<p>Briefly describe the nature and extent and Mitigation Measures (where relevant)</p> <p>(having regard to the probability, magnitude (including population size affected), complexity, duration, frequency, intensity, and reversibility of impact)</p> <p>Mitigation measures –Where relevant specify features or measures proposed by the applicant to avoid or prevent a significant effect.</p>	<p>Is this likely to result in significant effects on the environment?</p> <p>Yes/ No/ Uncertain</p>
1. Characteristics of proposed development (including demolition, construction, operation, or decommissioning)			
<p>1.1 Is the project significantly different in character or scale to the existing surrounding or environment?</p>	Yes	<p>The development proposes the development of a residential scheme of 159 residential units comprising nine houses and 150 apartments in two blocks. Block A1 ranges from 6-10 storeys in height and Block A2 ranges in height from 7 to 11 storeys, served by communal open space and public open space.</p> <p>The subject site measuring c 1.38ha forms part of the former Bray Golf Club lands. If permitted the proposed development would complete Phase 1 of the wider Sea Gardens development.</p> <p>Shoreside Park, a residential development permitted under a Strategic Housing Development</p>	<p>No, due to mitigation.</p> <p>Bray seafront has historically had higher buildings than other parts of the town.</p>

(SHD) (ABP-311182-21) adjoins the site to the west and south-west. Another SHD which included the subject lands was permitted under ABP-314686-22; it is currently the subject of Judicial Review proceedings. Further south, Phase 2 of Sea Gardens (PL-500165-25) comprising a mixed-use development of 341 no. residential units and office/retail units is currently the subject of first and third party appeals, having been granted by Wicklow County Council.

The residential element of the proposed development is located on lands zoned 'Objective A' in the DLRCDP which states 'To provide residential development and improve residential amenity while protecting the existing residential amenities.' Public open space is proposed on lands within the subject site which are zoned 'Objective F' which is 'To preserve and provide for open space with ancillary active recreational amenities.'

The predominant housing typology in the area presently comprises two and three storey dwellings at Shoreside Park and Corke Abbey. The proposal compared to the pattern of residential development in the immediate area, will result in significant increases in building height and density. Higher residential blocks are proposed in this application with Block A1 ranging in height from 6-10 storeys and Block A2 ranging in height from 7 to 11 storeys. These are to identify the northernmost boundary of the overall Sea Gardens development.

<p>1.2 Will construction, operation, decommissioning or demolition works cause physical changes to the locality (topography, land use, waterbodies)?</p>	<p>No</p>	<p>The site is prominently located on the Bray waterfront and the River Dargle flows south of the site into Bray Harbour. The River Dargle Flood Defence Scheme is in place along the watercourse. The Crinken/Rathmichael Stream is located to the north of the proposed development and it flows under the Irish Rail railway line and discharges into the Irish Sea.</p> <p>The proposed development will result in the construction of a residential scheme on lands which are zoned for residential development under the Objective A zoning objective. Public open space serving the residential development will be on Objective F zoned lands. No demolition works are proposed.</p> <p>While construction works will lead to physical changes across the site, these would not be detrimental to the surrounding area.</p> <p>Proposed excavation works will cause a change in site topography / ground levels, which will be managed through implementation of the Construction Environmental Management Plan (CEMP) and Resource Waste Management Plan (RWMP).</p> <p>Surface water runoff will be collected and attenuated on-site and then discharged to the River Dargle. The proposed development will connect to/ be serviced by public water supply and wastewater drainage systems.</p>	<p>No</p>

		<p>At operational phase, when the residential development is occupied, no physical changes to the locality are anticipated.</p> <p>Accordingly, I do not consider that the physical changes arising from the project are likely to result in significant effects on the environment in terms of topography, land use, and hydrology/hydrogeology.</p>	
<p>1.3 Will construction or operation of the project use natural resources such as land, soil, water, materials/minerals or energy, especially resources which are non-renewable or in short supply?</p>	<p>Yes</p>	<p>The project uses standard construction methods, materials and equipment, and the process will be managed through the implementation of the final CMP/ CEMP/RWMP. Similarly, waste arising from the site preparation and construction phase will be managed through the implementation of the RWMP and final RWMP. There is no significant use of natural resources anticipated.</p> <p>The project uses land, which is a finite resource, however it is used more efficiently and sustainably than at present (vacant zoned lands previously used as a golf course).</p> <p>The project connects to the public water and wastewater systems which have sufficient capacity to cater for demands arising from the project. Surface water drainage infrastructure for the proposed development has already been constructed as part of the adjoining Sea Gardens Shoreside Park residential development permitted under ABP-311181-21.</p> <p>The project includes an energy efficient design, several SuDS features in the surface water drainage design, and includes public open spaces.</p>	<p>No, due to mitigation.</p>

		Accordingly, I do not consider the use of natural resources in the project likely to result in a significant effect on the environment of the area.	
1.4 Will the project involve the use, storage, transport, handling or production of substance which would be harmful to human health or the environment?	Yes	<p>Construction activities will require the use of potentially harmful materials, such as fuels, hydraulic oils, and other such substances. Such use will be typical of construction sites.</p> <p>Noise and dust emissions during the construction phase are likely. Any impacts would be local and temporary in nature and the implementation of the final CEMP, final RWMP and final CMP will appropriately mitigate potential impacts.</p> <p>The operational phase of the project does not involve the use, storage, or production of any harmful substance. Conventional waste produced from residential activity will be managed through the implementation of a final Operational Waste Management Plan (OWMP).</p> <p>Accordingly, I do not consider this aspect of the project likely to result in significant effects on the environment in terms of human health or biodiversity.</p>	No
1.5 Will the project produce solid waste, release pollutants or any hazardous / toxic / noxious substances?	Yes	<p>Conventional waste will be produced from construction activity and will be managed through the implementation of the final CEMP/final CMP and final RWMP, as outlined above.</p> <p>The operational phase of the project (i.e., the occupation of the residential units) will not produce or release any pollutant or hazardous material. Conventional operational waste will be managed</p>	No

		<p>through the implementation of the OWMP to obviate potential environmental impacts.</p> <p>Accordingly, I do not consider the production of waste or generation of pollutants in the project likely to result in a significant effect on the environment of the area.</p>	
<p>1.6 Will the project lead to risks of contamination of land or water from releases of pollutants onto the ground or into surface waters, groundwater, coastal waters or the sea?</p>	<p>No</p>	<p>The site is prominently located on the Bray waterfront and the River Dargle flows south of the site into Bray Harbour. The Crinken/Rathmichael Stream is located to the north of the proposed development and it flows under the Irish Rail railway line and discharges into the Irish Sea.</p> <p>No significant risk identified subject to the implementation of appropriate mitigation measures. The operation of the CEMP and final CMP will satisfactorily mitigate emissions from spillages during construction. The operational development will connect to mains water and wastewater services which meets Uisce Éireann and planning authority requirements.</p> <p>Surface water drainage infrastructure for the proposed development has already been constructed as part of the adjoining Sea Gardens Shoreside Park residential development permitted under ABP-311181-21. Lands within the proposed development have been designed to discharge into the River Dargle. All surface water from the proposed development will be drained in accordance with the principles of Sustainable Urban Drainage Systems (SUDS). Measures for the attenuation, de-silting, and hydrocarbon interception have been installed for all surface</p>	<p>No</p>

		<p>water discharges during both Construction and Operational phases preventing environmental impacts to the surrounding watercourses. In this regard a suitably sized bypass interceptor permitted under ABP-311181-21 is installed downstream to provide a final treatment for storm runoff before being discharged to the receiving River Dargle.</p> <p>No significant emissions during operation are anticipated.</p>	
<p>1.7 Will the project cause noise and vibration or release of light, heat, energy or electromagnetic radiation?</p>	<p>Yes</p>	<p>Noise, vibration, and light impacts are likely during the site development works. These works are short term in duration, and impacts arising will be temporary, localised, and be managed through implementation of the CEMP/final CMP.</p> <p>The operational phase of the project will also likely result in noise and light impacts associated with the increased intensity of the residential use (e.g., traffic generation, use of communal and private open spaces).</p> <p>However, these are anticipated to be typical of such mid-scaled, mid-density residential schemes as proposed. Lighting impacts will be mitigated by the provision of a public lighting plan designed to comply with industry guidance and provided to the satisfaction of the planning authority.</p> <p>The development site adjoins the existing railway line and therefore an Inward Noise Assessment is provided to protect future residents and ensure internal and external noise levels are within guidance levels.</p>	<p>No</p>

		Accordingly, I do not consider this aspect of the project likely to result in significant effects on the environment in terms of air quality (noise, vibration, light pollution).	
1.8 Will there be any risks to human health, for example due to water contamination or air pollution?	No	<p>The potential for water contamination and air pollution (noise and dust emissions) during the construction phase is likely.</p> <p>These works will be managed through implementation of the CEMP. Site development works are short term in duration, and impacts arising will be temporary, localised, addressed by the mitigation measures.</p> <p>The operational phase of the project will not likely cause risks to human health through water contamination or air pollution due to the nature and design of the scheme, connection to public water systems, incorporation of SuDS features in the surface water management system, and scale of residential activities, and use arising.</p> <p>Accordingly, in terms of risks to human health, I do not consider this aspect of the project likely to result in a significant effect on the environment.</p>	No
1.9 Will there be any risk of major accidents that could affect human health or the environment?	No	No significant risk having regard to the nature and scale of development. Any risk arising from construction will be localised and temporary in nature. The submitted Flood Risk Assessment concludes that the proposed development will not result in an adverse impact to the existing hydrological regime of the area, nor increase flood risk to other areas, nor create unacceptable levels of flood risk within the proposed development.	No

		There are no Seveso / COMAH sites in the immediate vicinity of this location.	
1.10 Will the project affect the social environment (population, employment)?	Yes	<p>The development of this site as proposed will result in a change of use and an increased population at this location. This is not regarded as significant given the urban location of the site and surrounding pattern of land uses, which are characterised by residential development and/or earmarked for residential / mixed use development.</p> <p>Employment will be generated during the construction phase.</p> <p>Accordingly, I do not consider this aspect of the project likely to result in a significant effect on the social environment of the area.</p>	No
1.11 Is the project part of a wider large scale change that could result in cumulative effects on the environment?	Yes	<p>The proposed development forms part of the Sea Gardens Masterplan lands within the applicant's wider landholding.</p> <p>The Masterplan lands also comprise the following developments: Phase 1a, Phase 1 (Block B), Phase 2 and Phase 3.</p> <p>This proposed development (Block A) (albeit a previous iteration) formed part of the Phase 1 development. An SHD application (ABP-311181-21) for 591 residential units with an EIAR was submitted for Phase 1 development. The EIAR assessed potential environmental impacts of the Phase 1 development as well as cumulative effects. No significant individual or cumulative environmental effects were anticipated to occur. Permission was granted for 234 no. units in Phase 1; however permission was refused for Blocks A</p>	No

		<p>and B (357 units) due to non-compliance with section 3.2 of the Urban Development and Building Heights Guidelines for Planning Authorities 2018.</p> <p>This proposed development (Block A) (albeit a previous iteration) was also previously permitted on the site as Block A (for BTR units) under a second SHD application for 586 residential units (ABP-314686-22 refers). An EIAR was also submitted in respect of that application and potential cumulative effects during construction and operational phases for Block A and the Masterplan development were assessed.</p> <p>The subject site of this current LRD application formed part of these aforementioned previous applications / proposals with 166 no. residential units proposed under the first SHD (ABP-311181-21) and 162 no. residential units proposed under the second SHD (ABP-314686-22).</p> <p>While proposals for the subject (Block A) site under both ABP-311181-21 and ABP-314686-22 were different to the current proposal, all three proposals are substantively similar in scale with previous proposals for residential development being slightly greater in scale (i.e. comprising 7 no. additional apartment units under ABP-311181-21 and 3 no. additional apartment units under ABP-314686-22).</p> <p>Development permitted under ABP-311181-21 is presently underway/nearing completion as part of Phase 1. The mitigation measures which were proposed and approved under the accompanying EIAR are being applied.</p>	
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	<p>A mandatory EIAR was also undertaken to accompany the planning application for a mixed-use development on Phase 2 of the Sea Gardens Masterplan (further south of the subject LRD site) and this is presently the subject of both first and third party appeals (ACP Ref. 500165-25).</p> <p>Phase 2 comprises a mixed-use development and includes 341 no. residential units. The Phase 2 EIAR considers development cumulatively with Phase 1 as permitted under ABP-311181-21 (234 no. units), and also as permitted under ABP-314686-22 (570 no. units).</p> <p>In addition, the Phase 2 EIAR considers cumulative impacts which could potentially arise from the development of indicative proposals under Phase 3 of the Sea Gardens Masterplan, which would provide an overall total of 912 no. units within the masterplan site, incorporating Block A as proposed.</p> <p>The Phase 2 EIAR concludes that no likely significant impacts on the environment would occur as a result of either the implementation of the Phase 2 development on its own; or cumulatively as a result of the implementation of Phase 2 in combination with Phase 1 as permitted (under ABP-311181-21), Block A as proposed under the subject application, and with indicative proposals for Phase 3 of the masterplan development.</p> <p>Having regard to the foregoing it is considered that environmental impact assessment of the subject LRD site has been undertaken. The EIAR submitted with ABP-311181-21 concluded that no significant environmental effects, cumulative or otherwise would occur. Given the location, the</p>	
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	<p>number of proposed residential units and overall design of the proposed development, it is considered there is no significant difference to the proposed development which was assessed within ABP-311181-21.</p> <p>A High Court Judgement [H.JR.2025.0001283] delivered in February 2026 stated the following in terms of requirement for EIA:</p> <p><i>if consent is sought for a sub-threshold project which is part of a supra-threshold project (whether already part-consented in successive phases, or involving separate consent applications in process or yet to be made) then the project for which consent is sought must be treated as supra-threshold if either:</i></p> <p><i>(a) an EIA was not carried out initially and thus an EIA that would otherwise be required would be avoided by the splitting or (b) an EIA was carried out initially but the part of the project being consented has significant unassessed effects on the environment in conjunction with another part that has already been subjected to EIA such that the combined effects were not all assessed initially.</i></p> <p>The proposed development comprises 159 residential units and is sub-threshold but it does form part of a supra-threshold project. However, given that an EIA was carried out initially and submitted with ABP-311181-21 and that the proposed development involves no significant alteration to the development which was assessed within ABP-311181-21, it is considered that no</p>	
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		<p>EIAR is required in respect of this proposed LRD application.</p> <p>I do not anticipate cumulative significant negative effects on the area arising from the project.</p>	
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2. Location of proposed development

<p>2.1 Is the proposed development located on, in, adjoining or have the potential to impact on any of the following:</p> <ul style="list-style-type: none"> - European site (SAC/ SPA/ pSAC/ pSPA) - NHA/ pNHA - Designated Nature Reserve - Designated refuge for flora or fauna - Place, site or feature of ecological interest, the preservation/conservation/ protection of which is an objective of a development plan/ LAP/ draft plan or variation of a plan 	<p>No</p>	<p>An Appropriate Assessment Screening was provided in support of the application. There are no European sites within or adjacent to the site.</p> <p>The Screening Report considers that there is no indirect connectivity to any European Site during the construction phase of the proposed development and therefore this phase of the proposed development will have no effect on any Natura 2000 site.</p> <p>During the operational phase of the proposed development surface water drainage will outfall to the River Dargle (c 225m to the south) which provides potential connectivity to two mobile qualifying species namely harbour porpoise associated with the Rockabill to Dalkey Islands SAC (Site Code:003000) and otter associated with the Wicklow Mountains SAC (Site Code:002122). Having regard to the filter drains, interceptors and attenuation included within the existing infrastructure no water quality impacts to the River Dargle are likely from surface water run-off from the proposed development. Therefore there are no likely effects arising from this pathway on any QI otters or harbour porpoises.</p>	<p>No</p>
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		<p>Bray Harbour is known as a Swan Sanctuary. 2024 site surveys noted one Mute Swan and one mallard overflying the railway bridge adjacent to Bray Harbour and then to the River Dargle but did not cross the proposed development site.</p> <p>Foul wastewater from the proposed development at operational stage will connect to the local wastewater network with final treatment to occur at Shanganagh WWTP. As such there will be no effects on any European Site from foul water emissions at operational stage.</p> <p>The AA Screening Report concludes that with the absence of any mitigation measures, the proposed development, either alone or in-combination with other plans and / or projects, will not result in likely significant effects on Rockabill to Dalkey Island SAC or Wicklow Mountains SAC or any other Natura 2000 site.</p> <p>There are no NHAs or pNHAs within or adjacent to the site.</p> <p>Bray Head pNHA is the nearest, located c 1.7km to the south. Bray Head is also designated as a SAC (Site Code:000714). Bray Head is also subject to a Special Amenity Area Order (SAAO). There is no direct connectivity from the site to Bray Head.</p>	
<p>2.2 Could any protected, important or sensitive species of flora or fauna which use areas on or around the site, for example: for breeding, nesting, foraging, resting, over-wintering, or migration, be affected by the project?</p>	<p>No</p>	<p>Both the Ecological Impact Assessment (EclA) and the AA Screening Report refer to and detail multiple site surveys undertaken between 2020 and 2025.</p>	<p>No</p>

	<p>The site is not utilised by wintering waterbirds. No geese species such as Light-bellied Brent Geese were noted during surveys.</p> <p>A 2025 bat survey recorded no bats emerging from any of the 4 sycamore trees at the southern boundary. No bat roosts were recorded. Commuting bats were recorded during the survey.</p> <p>No field signs for otters were observed during the 2024 survey. No otter holts were discovered alongside the proposed development and it is noted that man-made banks along the River Dargle are unsuitable for holts.</p> <p>The site is within the foraging and commuting area for badgers. No evidence of badger on the lands was found in the 2025 survey. There is knowledge of a badger sett located c 800m north of the development site.</p> <p>No protected habitats, rare or protected plants are present on the site. Habitats are detailed as follows:</p> <p>Scattered Trees and Parkland (WD5): 4 sycamore trees at southern boundary</p> <p>Amenity Grassland (GA2): Predominant habitat given former use as golf course.</p> <p>Spoil and Bare Ground (ED2): No ecological value.</p> <p>Buildings and Artificial Surfaces (BL3): Gravel surfaces.</p> <p>Hedgerow (WL1): Located outside western boundary; excluded from site works.</p> <p>Overall the greater part of the development site is considered to be of low ecological value. It is concluded that habitat losses to the proposed</p>	
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		<p>development are not significant and that provided ecological mitigation measures are implemented correctly, no cumulative impacts are anticipated.</p> <p>A Collision Risk Assessment submitted at FI stage assesses the potential for collision impacts on bats and birds, noting the proposed heights of Block A1 and A2. It finds that the proposed development will have no significant ecological impact in terms of bird or bat collisions and that the proposed development will not adversely affect avian or bat populations, migratory pathways or habitat connectivity.</p>	
<p>2.3 Are there any other features of landscape, historic, archaeological, or cultural importance that could be affected?</p>	<p>No</p>	<p>There are no protected structures on the site or adjacent to it. The site is not located within an Architectural Conservation Area (ACA).</p> <p>There is a localised ridge running in an east-west direction across along the county boundary, which is identified as a linear earthwork (DU026- 124---- / WI004-005----) that possibly formed part of the medieval Pale ditch which follows the line of the county boundary. However, the results of a number of archaeological investigations of the feature indicates that it is a landscaped feature dating to recent centuries</p> <p>The Archaeological commentary submitted with the application notes that according to local information the linear earthwork is known as the 'Nuns Walk,' recalling the use of the earthwork as a delineated pathway through the golf club to the sea shore from the adjoining Ravenswell Convent to the south.</p>	<p>No</p>

	<p>Recent archaeological investigations undertaken for the Sea Gardens Phase 1 development suggests that the feature was formed as a result of the landscaping associated with the northern expansion of the Bray Golf Club into the former grounds of Ravenswell House in the early 20th century. This expansion included the proposed Block A site which was developed as part of the golf course at this time.</p> <p>Hand excavated trenches across the recorded linear earthwork were excavated under licence and these confirmed the earthwork to be a late 19th or early 20th century landscape feature.</p> <p>The Sea Gardens Phase 1 lands, including the proposed development site, have previously been subject to several archaeological investigations. An area of c 3.4 hectares was archaeologically monitored and nothing of an archaeological nature was found. The monitored area included the western portion of the proposed site.</p> <p>The archaeological monitoring report for Excavation Licence No. 22E0552 concluded that the residual greenfield land within the Sea Gardens Phase 1 development site retain an archaeological potential and recommended that future topsoil stripping in such areas would be subject to a programme of licenced archaeological monitoring. This recommendation still applies to greenfield areas within the proposed Phase 1 Block A development site.</p> <p>The proposed development would not likely result in significant negative effects on the environment</p>	
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		in terms of cultural heritage and landscape importance.	
2.4 Are there any areas on/around the location which contain important, high quality or scarce resources which could be affected by the project, for example: forestry, agriculture, water/coastal, fisheries, minerals?	No	<p>The River Dargle flows c 225m to the south of the site. The site is located on the Bray waterfront.</p> <p>The AA Screening Report finds that with the absence of any mitigation measures, the proposed development, either alone or in-combination with other plans and / or projects, will not result in likely significant effects on Rockabill to Dalkey Island SAC or Wicklow Mountains SAC or any other Natura 2000 site.</p> <p>Excavation works will be monitored and if contaminated material is encountered, it will be segregated from uncontaminated soils. Any contaminated soils will be transported by appropriately permitted hauliers to an appropriate EPA licensed facility where it will be disposed of in accordance with relevant waste management legislation.</p>	No
2.5 Are there any water resources including surface waters, for example: rivers, lakes/ponds, coastal or groundwaters which could be affected by the project, particularly in terms of their volume and flood risk?	No	<p>The Crinken/Rathmichael Stream is located to the north of the proposed development and it flows under the Irish Rail railway line and discharges into the Irish Sea. The River Dargle flows c 225m to the south of the site. The site is located on the Bray waterfront.</p> <p>I direct the Commission to the response to Q:1.2 above in respect of the construction and operation phase impacts of the project on the water resources at the site/ in the vicinity (i.e., surface water/ groundwater impacts).</p>	No

		<p>There are indirect hydrological connections between the site and European Sites in the Irish Sea, via surface water outfall to the River Dargle and wastewater pathways formed by the public drainage networks.</p> <p>I direct the Commission to the response to Q:2.1 above in respect of the impact of the project on watercourses and European Sites.</p> <p>Mitigation measures are identified in the CEMP during the construction phase of the project to safeguard the quality of the surface water runoff, prevent pollution events to groundwater, and mitigate against excessive siltation.</p> <p>The operational phase impacts are addressed primarily through design, with a comprehensive surface water management system including SuDS features, attenuation, and outfall to the River Dargle.</p> <p>A Stage 1 Flood Risk Assessment was conducted in accordance with The Planning System and Flood Risk Management – Guidelines for Planning Authorities and considered the site to be located in Flood Zone C, low probability of flooding. The SFRA prepared in support of the DLRCDP indicates the proposed development site to be outside Flood Zone A and Flood Zone B.</p>	
<p>2.6 Is the location susceptible to subsidence, landslides or erosion?</p>	<p>No</p>	<p>There is no evidence identified of these risks.</p>	<p>No</p>
<p>2.7 Are there any key transport routes (eg National primary Roads) on or around the</p>	<p>No</p>	<p>The site is accessed from the Dublin Road (R761) via the Northern Access Road which forms the</p>	

<p>location which are susceptible to congestion or which cause environmental problems, which could be affected by the project?</p>		<p>eastern and northern boundaries of Lidl (former Industrial Yarns site), and the Southern Access Road which facilitates access from Castle Street via the Ravenswell Road. These roads lead to an internal network of new streets permitted under ABP-311181-21.</p> <p>The site is well-served by existing high-capacity public transport services including the DART, Commuter Rail and Intercity Rail services. Bray Daly Railway Station is located c 900m from the boundary of the application site. It is also served by the Dublin-Bray Bus Corridor with several stops located along the Dublin Road.</p> <p>Future public transport in the area is proposed with plans to upgrade train services through the DART+ Coastal South project and there is a long term project to extend the Luas Green Line to Bray. The delivery of BusConnects network redesign results in enhanced services in the Bray area. A public transport bridge is also proposed to cross the River Dargle and connect the Bray station area with Dublin Road.</p> <p>The proposed development is designed to integrate into the existing area, create new links to the south and integrate into the street network as permitted under ABP-311181-21.</p> <p>During the site development works, the project will result in an increase in traffic activity (HGVs, workers) as construction equipment, materials, and waste are delivered to/ removed from the site. Site development works are short term in duration and impacts arising will be temporary, localised, and managed under the CEMP/final CMP.</p>	
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		<p>The TIA considers operation phase traffic impacts for the project, with direct impacts of Block A vehicular impacts on the Lower Dargle Road (LDR), Southern Access Road (SAR) and Northern Access Road (NAR) predicted to be insignificant and in all cases less than 1%. An assessment of the larger Sea Gardens Masterplan lands is also undertaken with traffic modelling showing the base road network as constrained with the closure of the Ravenswell Road junction being the main driver of decreased capacity and increased traffic. Overall the TIA finds that the anticipated impact on the existing road network is manageable within the current infrastructure's capacity.</p> <p>Given the accessible nature and location of the site 171 no. car parking spaces are proposed (mainly within the shared 2-level podium) which is below the maximum quantum as set out for Zone 2 (near public transport) areas in the CDP. 8 no. motor cycle spaces are also proposed along with 332 no. long stay spaces and 33 short-term (visitor) spaces.</p> <p>Having regard to the foregoing the transport infrastructure / network serving the area is capable of accommodating the proposed development.</p>	
<p>2.8 Are there existing sensitive land uses or community facilities (such as hospitals, schools etc) which could be affected by the project?</p>	<p>No</p>	<p>There are existing schools in the area along the Dublin Road at Ravenswell, and St. John of God Community Services however it is considered that these are sufficiently located away from the proposed development such that no undue impacts would arise on their operations. The site adjoins / is proximate to existing residential</p>	<p>No</p>

		<p>development and Corke Valley Park. Bray Harbour is located c 240m to the south-east.</p> <p>Site development works will be implemented in accordance with the final CMP and CEMP which includes mitigation measures to protect the amenity of adjacent properties and residents.</p> <p>Once operational, the design, siting, and scale of the proposed buildings and the separation distances to the closest dwellings are such that negative impacts arising from overlooking, overshadowing, overbearance are not reasonably anticipated.</p> <p>The operational phase of the project will cause an increase in activity at the site (traffic generation, use of communal and private open spaces) which are considered to be typical of such residential schemes as proposed, sited in urban neighbourhood locations such as the receiving area and are well within acceptable parameters for same.</p> <p>The project will be under the control of an established management company and no negative impacts on residential amenity are anticipated.</p>	
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3. Any other factors that should be considered which could lead to environmental impacts

<p>3.1 Cumulative Effects: Could this project together with existing and/or approved development result in cumulative effects during the construction/operation phase?</p>	<p>No</p>	<p>See Q:1.11 above. Existing and/or approved planning consents in the vicinity of the site and wider area have been noted in the application documentation and associated assessments (e.g., in respect of AA Screening, EIA Screenings).</p>	<p>No</p>
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		Other projects have been identified as part of the planning history. These developments are of a nature and scale that have been determined to not have likely significant effects on the environment. No developments have been identified in the vicinity which would give rise to cumulative significant environmental effects with the project. As such, no cumulative significant effects on the area are reasonably anticipated.	
3.2 Transboundary Effects: Is the project likely to lead to transboundary effects?	No	The subject site forms part of the former Bray Golf Club lands and is located within the administrative areas of DLRCC. Adjoining lands to the south are located within the administrative area of WCC. Surface water from the proposed development will discharge into the River Dargle which is within the WCC administrative area.	No
3.3 Are there any other relevant considerations?	No	No	
C. CONCLUSION			
No real likelihood of significant effects on the environment.	<input checked="" type="checkbox"/>	EIAR Not Required	
Real likelihood of significant effects on the environment.	<input type="checkbox"/>	EIAR Required	
D. MAIN REASONS AND CONSIDERATIONS			
Having regard to: -			

- (a) The nature and scale of the proposed development which is below the thresholds in respect of Class 10(b)(i), 10(b)(iv) and Class 14 of the Planning and Development Regulations 2001 as amended,
- (b) The location of the site on lands zoned lands (Zoning Objective A (Residential) and Zoning Objective F (Open Space) and the provisions of the Dun Laoghaire DLRCDP 2022-2028, and the results of the strategic environmental assessment of this plan undertaken in accordance with the SEA Directive (2001/42/EC).
- (c) The nature of the subject site (brownfield), its location in an urban area served by public services and infrastructure, and the pattern of development in the area,
- (d) The availability of mains water supply and wastewater infrastructure and services,
- (e) The guidance set out in the “Environmental Impact Assessment (EIA) Guidance for Consent Authorities regarding Sub-threshold Development,” issued by the Department of the Environment, Heritage and Local Government (2003),
- (f) The criteria set out in Schedule 7 and 7A of the Planning and Development Regulations 2001 as amended,
- (g) The site has been subject to EIA previously, and
- (h) The features and measures proposed by the applicant envisaged to avoid or prevent what might otherwise be significant effects on the environment, including those identified in the CEMP, CDP, CRWMP, the outline OWMP, the Inward Noise Impact Assessment and the Engineering Report,
- It is considered that the proposed development would not be likely to have significant effects on the environment and that the preparation and submission of an Environmental Impact Assessment Report would not therefore be required.

Inspector: John Duffy

Date: 5th March 2026

Approved (DP/ADP): Mary MacMahon

Date: 5th March 2026

Appendix 3: Appropriate Assessment – Screening Determination

Screening for Appropriate Assessment Test for likely significant effects	
Step 1: Description of the project and local site characteristics	
Brief description of project	<p>Large-scale Residential Development (LRD)</p> <p>159 no. residential units comprising 9 no. townhouses and 150 no. apartments in two blocks. Block A1 ranges in height from 6-10 storeys and Block A2 ranges in height from 7 to 11 storeys, 179 parking spaces, 365 bicycle parking spaces, c 1,692 sqm communal open space, c7,797 sqm public open space including play areas, landscaping, public lighting, pedestrian/cycle linkages with adjoining existing and permitted developments; associated connections to surrounding existing and permitted road network, all associated plant and substations/switch rooms, refuse storage, drainage arrangements, utility connections and all site development works.</p> <p>The residential element of the proposed development is located on lands zoned ‘Objective A’ in the Dun Laoghaire Rathdown DLRCDP which states ‘To provide residential development and improve residential amenity while protecting the existing residential amenities.’ Public open space is proposed on lands within the subject site which are zoned ‘Objective F’ which is ‘To preserve and provide for open space with ancillary active recreational amenities.’</p> <p>See section 2 of this Inspector’s Report and Section 1.1 of the AA Screening Report.</p> <p><u>Surveys</u></p> <p>The EclA and the AA Screening Report refer to and detail multiple site surveys undertaken between 2020 and 2025. The site is not utilised by wintering waterbirds. No geese species such as Light-Bellied Brent Geese were recorded during surveys. A 2025 bat survey recorded no bats emerging from any of the four sycamore trees on the site. No bat roosts were recorded. Commuting bats were recorded during the survey. No field signs for otters were observed during the 2024 survey. No otter holts were discovered, and it is noted that man-made banks along the</p>

	<p>River Dargle are unsuitable for holts. No evidence of badger on the lands was found in the 2025 survey.</p> <p>No protected habitats, rare or protected plants are present on the site. Habitats are detailed as follows in the EclA:</p> <p>Scattered trees and parkland (WD5):4 sycamore trees. Amenity Grassland (GA2): Predominant habitat given former use of lands as golf course. Spoil and Bare Ground (ED2): No ecological value. Buildings and Artificial Surfaces (BL3): Gravel surfaces. Hedgerow (WL1): Located outside western boundary; excluded from site works.</p> <p>Overall, the greater part of the development site is considered to be of low ecological value. It is concluded that habitat losses to the proposed development are not significant and that provided ecological mitigation measures are implemented correctly, no cumulative impacts are anticipated.</p> <p>A Collision Risk Assessment submitted at F1 stage assesses the potential for collision impacts on bats and birds, noting the proposed heights of Block A1 and A2. It concludes that the proposed development will have no significant ecological impact in terms of bird or bats collisions and that the proposed development will not adversely affect avian or bat populations, migratory pathways or habitat connectivity.</p>
<p>Brief description of development site characteristics and potential impact mechanisms</p>	<p>The subject site was formerly used as a golf course and is mainly under grass and mixed vegetation. The lands are generally flat in topography, other than a decrease in elevation towards the southern end of the site. The lands accommodate an archaeological site comprising a linear earthwork (Ref. WI004 – DU026-124) running along the county boundary line. Investigations undertaken have concluded that the earthwork comprises an 18th / 19th century landscape feature.</p> <p>The site is prominently located on the Bray waterfront and the River Dargle flows c 230m south into Bray Harbour. The River Dargle Flood Defence Scheme along the watercourse is in place since 2017. The Crinken/Rathmichael Stream is located to the north of the proposed development and flows under the Irish Rail railway line and discharges into the Irish Sea.</p> <p>A Construction and Environmental Management Plan (CEMP) accompanies the application. Good practice</p>

	<p>construction site management measures are integrated into the project description.</p> <p>The proposed development will connect to/be serviced by public water supply and wastewater drainage systems. In this context, there is significant existing foul drainage infrastructure within the site and a foul drainage network has been constructed as part of the permitted Phase 1 SHD to the west/south-west of proposed Block A. There is also existing water supply infrastructure on the lands, constructed as part of the permitted Phase 1 development.</p> <p>Surface water run-off will be collected and attenuated on site and then discharged to the tidal waters of the River Dargle. There is no surface water storage requirements proposed as part of this LRD application. A range of SuDS measures are proposed in order to aid improvement of water quality, reduce stormwater run-off and to ensure there is no increased risk to downstream flooding when discharging to the River Dargle. SuDS measures include permeable paving, green roofs, tree pits and swales. The storm water run-off from the site is to be treated by way of a bypass interceptor prior to discharge to the River Dargle. This measure will provide a final treatment for stormwater run-off prior to discharge to the watercourse.</p>
Screening report	Yes. An AA Screening Report prepared by Atkins Realis, dated June 2025, was submitted with the planning application.
Natura Impact Statement	No.
Relevant submissions	The third party appeal and third party submissions received by the planning authority refer to potential impacts on local habitats, and the paths of birds and bats.

Step 2. Identification of relevant European sites using the Source-pathway-receptor model

The AA Screening Report identifies 14 no. Natura 2000 sites within the potential Zone of Influence (c 15km) of the proposed development consisting of 9 no. SACs and 5 no. SPA's. These are as follows: Bray Head SAC, Rockabill to Dalkey Island (SAC), Ballyman Glen SAC, Knocksink Wood SAC, Glen of the Downs SAC, Wicklow Mountains SAC, South Dublin Bay SAC, The Murrough Wetlands SAC, Cariggower Bog SAC, South Dublin Bay and River Tolka Estuary SPA, The Murrough SPA, Dalkey Islands SPA, Wicklow Mountains SPA, and North-West Irish Sea SPA.

Tables 5-1 and 5-2 in the AA Screening Report set out the Qualifying Interests (QIs) of each European Site, the approximate distance from the project site and the applicant's screening comments in respect of each one.

The applicant's screening report concludes that the only two sites that require further consideration are the **Rockabill to Dalkey Island SAC** (Site Code 003000) located approximately 4.1km from the project site and the **Wicklow Mountains SAC** (Site Code 002122) located approximately 7.5km from the project site. Based on the applicant's AA Screening Report and on the commentary contained within Tables 5-1 and 5-2, I would concur with this conclusion and I am satisfied that, for the reasons outlined in the aforementioned tables in the AA Screening Report, that the potential for impacts on any other European Sites can be excluded at preliminary stage.

European Site (code)	Qualifying interests ¹ (NPWS, date)	Distance from proposed development (km)	Ecological connections ²	Consider further in screening ³ Y/N
Rockabill to Dalkey Island SAC (003000)	Reefs [1170] Phocoena phocoena (Harbour porpoise) [1351] NPWS Site accessed on 31.3.26	c 4.1km	<p>No direct overlap between project site and this SAC. QI habitats and species do not occur within the project site.</p> <p>At operational stage surface water from the proposed development site will outfall to the River Dargle and Irish Sea. Therefore, there is indirect hydrological connectivity to the QIs of this SAC.</p> <p>At operational stage wastewater from the proposed development site will be treated at Shanganagh WWTP. Therefore, there is indirect hydrological connectivity to the QIs of this SAC from discharged</p>	Y

<p>Wicklow Mountains SAC (002122)</p>	<p>Oligotrophic waters containing very few minerals of sandy plains (<i>Littorelletalia uniflorae</i>) [3110]</p> <p>Natural dystrophic lakes and ponds [3160]</p> <p>Northern Atlantic wet heaths with <i>Erica tetralix</i> [4010]</p> <p>European dry heaths [4030]</p> <p>Alpine and Boreal heaths [4060]</p> <p>Calaminarian grasslands of the <i>Violetalia calaminariae</i> [6130]</p>	<p>c 7.5km</p>	<p>treated waters from Shanganagh WWTP.</p> <p>Given the mobile nature of the QI species, Harbour porpoise, there is potential indirect connectivity should this species occur in marine waters outside the SAC, proximate to Bray Harbour. Harbour porpoise have been recorded within the coastal waters around Bray Harbour. Porpoise prey on aquatic species which are in turn dependent on good water quality.</p> <p>No direct overlap between project site and this SAC. QI habitats and species do not occur within the project site.</p> <p>This SAC is c 14km upstream of the project site; otters are a QI species associated with this SAC. Based on a precautionary approach, ex-situ QI otters from this SAC may commute 14+km downstream to the estuarine waters of the River Dargle in Bray town.</p>	<p>Y</p>
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	<p>Species-rich Nardus grasslands, on siliceous substrates in mountain areas (and submountain areas, in Continental Europe) [6230]</p> <p>Blanket bogs (* if active bog) [7130]</p> <p>Siliceous scree of the montane to snow levels (Androsacetalia alpinae and Galeopsietalia ladani) [8110]</p> <p>Calcareous rocky slopes with chasmophytic vegetation [8210]</p> <p>Siliceous rocky slopes with chasmophytic vegetation [8220]</p> <p>Old sessile oak woods with Ilex and Blechnum in the British Isles [91A0]</p> <p>Lutra lutra (Otter) [1355]</p> <p>NPWS Site accessed on 31.3.26</p>		<p>Given the mobile nature of the QI species, otter, there is potential indirect connectivity should this species occur in estuarine waters of the River Dargle in Bray town, outside the SAC.</p>	
<p>¹ Summary description / cross reference to NPWS website is acceptable at this stage in the report</p> <p>² Based on source-pathway-receptor: Direct/ indirect/ tentative/ none, via surface water/ ground water/ air/ use of habitats by mobile species</p> <p>³if no connections: N</p>				

Step 3. Describe the likely effects of the project (if any, alone or in combination) on European Sites

AA Screening matrix

Site name Qualifying interests	Possibility of significant effects (alone) in view of the conservation objectives of the site*	
	Impacts	Effects
<p>Site 1: Rockabill to Dalkey Island SAC (003000)</p> <p>Reefs [1170]</p> <p>Phocoena phocoena (Harbour porpoise) [1351]</p>	<p>None.</p>	<p>Direct Impacts</p> <p>The proposed development is not located within or adjoining this SAC. Therefore, there will be no direct impacts on this SAC, i.e. no displacement of species, or the permanent removal of habitat supporting qualifying interest and ecological features of the designated site.</p> <p>Indirect Impacts (Construction Stage)</p> <p>Storm water drainage infrastructure for the proposed development has previously been constructed as part of the permitted Phase 1 residential development (ABP-311181-21 refers). The construction phase of Block A therefore involves no interaction with the River Dargle (c 230m to the south). The River Dargle flood defence wall and public promenade also act as a physical barrier, separating the site from the watercourse. As such I concur that potential negative effects on surface water quality of the River Dargle during construction are not likely.</p>

		<p>Excavation works have the potential to expose groundwater to contamination via concrete, hydrocarbons and other chemicals used in construction. Temporary dewatering will likely be required during excavation in portions of the site, but this will not discharge to the River Dargle. Standard construction management measures will also be employed to protect soils and ground water. I would concur that significant impacts to groundwater during the construction phase are not likely; that any potential impacts will not likely affect the surface water quality in the River Dargle or the coastal water quality in the Irish Sea; and would not affect the conservation objectives of QI species Harbour porpoise.</p> <p>Indirect Impacts (Operational Stage)</p> <p>Surface water run-off from the proposed development will outfall to the River Dargle. Prior to discharge the run-off will be treated by SuDS features (e.g. swales, filter drains) and attenuated and pass through a bypass interceptor, and as such the water quality of the watercourse will not be affected in any significant way. As such no effects to QI mobile species (Harbour porpoise) or their prey will occur during the operational stage of the proposed development.</p> <p>Foul water generated by the proposed development will be</p>
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<p>Site 2: Wicklow Mountains SAC (002122)</p> <p>Oligotrophic waters containing very few minerals of sandy plains (<i>Littorelletalia uniflorae</i>) [3110]</p> <p>Natural dystrophic lakes and ponds [3160]</p> <p>Northern Atlantic wet heaths with <i>Erica tetralix</i> [4010]</p> <p>European dry heaths [4030]</p> <p>Alpine and Boreal heaths [4060]</p> <p>Calaminarian grasslands of the</p>	<p>None</p>	<p>treated at the Shanganagh WWTP which has been upgraded and as such can accommodate the additional load to the network. The UE Capacity Register (August 2025) indicates there is spare capacity available and the UE submission included in the application documentation does not raise any concerns regarding capacity in the WWTP. The Shanganagh WWTP itself has already been subject to the Appropriate Assessment process. Having regard to the foregoing, I do not consider that there would be any likely significant effects as a result of foul water discharge.</p> <p>Direct Impacts</p> <p>The proposed development is not located within or adjoining this SAC. Therefore, there will be no direct impacts on this SAC, i.e. no displacement of species, or the permanent removal of habitat supporting qualifying interest and ecological features of the designated site.</p> <p>Indirect Impacts (Construction Stage)</p> <p>Storm water drainage infrastructure for the proposed development has previously been constructed as part of the permitted Phase 1 residential development (ABP-311181-21 refers). The construction phase of Block A therefore involves no interaction with the River Dargle (c 230m to the south). The River Dargle flood</p>
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<p>Violetalia calaminariae [6130]</p> <p>Species-rich Nardus grasslands, on siliceous substrates in mountain areas (and submountain areas, in Continental Europe) [6230]</p> <p>Blanket bogs (* if active bog) [7130]</p> <p>Siliceous scree of the montane to snow levels (Androsacetalia alpinae and Galeopsietalia ladani) [8110]</p> <p>Calcareous rocky slopes with chasmophytic vegetation [8210]</p> <p>Siliceous rocky slopes with chasmophytic vegetation [8220]</p> <p>Old sessile oak woods with Ilex and Blechnum in the British Isles [91A0]</p> <p>Lutra lutra (Otter) [1355]</p>		<p>defence wall and public promenade also act as a physical barrier, separating the site from the watercourse. As such I concur that potential negative effects on surface water quality of the River Dargle during construction are not likely.</p> <p>Excavation works have the potential to expose groundwater to contamination via concrete, hydrocarbons and other chemicals used in construction. Temporary dewatering will likely be required during excavation in portions of the site, but this will not discharge to the River Dargle. Standard construction management measures will also be employed to protect soils and ground water. I would concur that significant impacts to groundwater during the construction phase are not likely; that any potential impacts will not likely affect the surface water quality in the River Dargle or the coastal water quality in the Irish Sea; and would not affect the conservation objectives of QI species otter.</p> <p>Indirect Impacts (Operational Stage)</p> <p>Surface water run-off from the proposed development will outfall to the River Dargle. Prior to discharge the run-off will be treated by SuDS features (e.g. swales, filter drains) and attenuated and pass through a bypass interceptor, and as such the water quality of the watercourse will not be</p>
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		<p>affected in any significant way. As such no effects to QI mobile species (otter) or their prey will occur during the operational stage of the proposed development.</p> <p>Foul water generated by the proposed development will be treated at the Shanganagh WWTP which has been upgraded and as such can accommodate the additional load to the network. The UE Capacity Register (August 2025) indicates there is spare capacity available and the UE submission included in the application documentation does not raise any concerns regarding capacity in the WWTP. The Shanganagh WWTP itself has already been subject to the Appropriate Assessment process. Having regard to the foregoing, I do not consider that there would be any likely significant effects as a result of foul water discharge.</p>
	Likelihood of significant effects from proposed development (alone): No	
	<p>If No, is there likelihood of significant effects occurring in combination with other plans or projects?</p> <p>Other plans and projects are examined in section 5.5 of the AA Screening Report which concludes that there are no approved or planned developments or projects that will act in combination with the proposed development to give rise to significant in-combination effects on Rockabill to Dalkey Island SAC or Wicklow Mountains SAC or any other European Site.</p> <p>I agree with the applicant's AA Screening Report that the proposed development would not result in any likely significant effects on any European Sites for the reasons set out in the bullet points in the Screening Determination below. I also concur with the conclusion of the AA Screening Report which states that 'On the basis of objective information and in view of best scientific knowledge and applying a</p>	

	precautionary principle, it is concluded by the authors of this report that with the absence of any mitigation measures the proposed Sea Gardens Block A development, either alone or in-combination with other plans or projects, will not result in likely effects on Rockabill to Dalkey Island SAC or Wicklow Mountains SAC or any other Natura 2000 site. Thus, it is recommended that it is not necessary for the scheme to proceed to Appropriate Assessment.'
	Possibility of significant effects (alone) in view of the conservation objectives of the site*: No

Wicklow Mountains SAC

* It is not considered that the project would compromise the conservation objectives of restoration of (i) the favourable conservation condition of Northern Atlantic wet heaths with *Erica tetralix* in Wicklow Mountains SAC, (ii) the favourable conservation condition of European dry heaths in Wicklow Mountains SAC, (iii) the favourable conservation condition of Alpine and Boreal heaths in Wicklow Mountains SAC, (iv) the favourable conservation condition of Species-rich *Nardus* grasslands, on siliceous substrates in mountain areas (and submountain areas, in Continental Europe) in Wicklow Mountains SAC, (v) the favourable conservation condition of Blanket bogs (if active bog) in Wicklow Mountains SAC, (vi) the favourable conservation condition of Siliceous scree of the montane to snow levels (*Androsacetalia alpinae* and *Galeopsietalia ladani*) in Wicklow Mountains SAC, (vii) the favourable conservation condition of Calcareous rocky slopes with chasmophytic vegetation in Wicklow Mountains SAC, (viii) the favourable conservation condition of Siliceous rocky slopes with chasmophytic vegetation in Wicklow Mountains SAC, and (ix) the favourable conservation condition of Old sessile oak woods with *Ilex* and *Blechnum* in the British Isles in Wicklow Mountains SAC, having regard to the above commentary given under 'Effects' above.

Step 4 Conclude if the proposed development could result in likely significant effects on a European site

I conclude that the proposed development (alone) would not result in likely significant effects on Rockabill to Dalkey Island SAC and Wicklow Mountains SAC. I conclude also that the proposed development would have no likely significant effect in combination with other plans and projects on any European sites. No further assessment is required for the project.

No mitigation measures are required to come to these conclusions.

Screening Determination

Finding of no likely significant effects

In accordance with section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information considered in this AA screening, I conclude that the proposed

development individually or in combination with other plans or projects would not be likely to give rise to significant effects on Rockabill to Dalkey Island SAC and Wicklow Mountains SAC or any other European Sites in view of the conservation objectives of these sites and they are therefore excluded from further consideration. Appropriate Assessment is not required.

This determination is based on:

- Scientific information provided in the AA Screening Report.
- The nature, scale and location of the proposed residential development in a zoned area on serviced lands.
- Standard pollution controls that would be implemented regardless of proximity to a European Site and the effectiveness of same.
- No significant effects on water quality.
- Qualifying interests and conservation objectives of the European sites.
- Separation distances from European sites.
- No loss of species, fragmentation or disturbance to QIs or SCIs.
- Very low risk of collision with proposed Blocks A1 and A2 for bat and bird species.

No mitigation measures aimed at avoiding or reducing impacts on European Sites were required to be considered in reaching this conclusion.

Appendix 4

WFD IMPACT ASSESSMENT STAGE 1: SCREENING			
Step 1: Nature of the Project, the Site and Locality			
An Coimisiún Pleanála ref. no.	ACP-324074-26	Townland, address	Former Bray Golf Club lands, off Dublin Road and Ravenswell Road, Bray, Co. Dublin.
Description of project		Large-Scale Residential Development: 159 residential units comprising nine townhouses and 150 apartments in two blocks, 171 no. car parking spaces, 8 no. motorcycle spaces, 365 no. bicycle spaces, communal open spaces, public open space and all site development works.	
Brief site description, relevant to WFD Screening,		The subject site located near the coast was formerly used as a golf course and is mainly under grass and mixed vegetation. The lands are generally flat in topography, other than a decrease in elevation towards the southern end of the site. The site is prominently located on the Bray waterfront and the River Dargle flows c 230m south into Bray Harbour. The River Dargle Flood Defence Scheme along the watercourse is in place since 2017. The Crinken/Rathmichael Stream is located to the north of the proposed development and flows under the Irish Rail railway line (beyond the eastern site boundary) and discharges into the Irish Sea.	
Proposed surface water details		Several SuDS features to manage stormwater and surface water run-off. Storm water drainage infrastructure for the proposed development has previously been constructed as part of the permitted Phase 1 residential development (ABP-311181-21 refers). Surface water run-off from the proposed development will outfall to the tidal waters of the River Dargle, which flows c230m to the south of the site.	

Proposed water supply source & available capacity	Water supply is from the public main. A Confirmation of Feasibility has been issued to the applicant advising that water connection is feasible without infrastructure upgrades.
Proposed wastewater treatment system & available capacity, other issues	Wastewater from the proposed development will be discharged to the foul sewer network, which will discharge into the Irish Sea at Killiney following treatment at Shanganagh WWTP. The UÉ Capacity Register for Dun Laoghaire / Rathdown (published in August 2025) indicates the Shanganagh WWTP has spare capacity available. The Plant Capacity PE is now 186,000 following its recent upgrade and there is potential to increase capacity to 248,000 in the future. UÉ's Annual Environment Report (AER) for 2023 notes that the WWTP is compliant with the Emission Limit Values (ELVs) set in the Wastewater Discharge Licence. The AER for 2023 states that the discharge from the wastewater treatment plant does not have an observable impact on the water quality and also does not have an observable impact on the Water Framework Directive status.
Other issues	No.

Step 2: Identification of relevant water bodies and Step 3: S-P-R connection

Identified water body	Distance to (m)	Water body name(s) (code)	WFD Status	Risk of not achieving WFD Objective e.g.at risk, review, not at risk	Identified pressures on that water body	Pathway linkage to water feature (e.g. surface run-off, drainage, groundwater)

Surface water body - River	c 230m to the south and c 29m to north-east	Dargle_040 IE_EA_10D010 300	Good	Not at Risk	No significant issues or pressures identified	Surface water run-off, drainage
Surface water body – Estuary/Transitional	c 242m to the south-east	Dargle Estuary IE_EA_110_010 0	Moderate	Under Review	No significant issues or pressures identified	Surface water run-off; Urban wastewater.
Groundwater body	Underlying site	Wicklow IE_EA_G_076	Good	At Risk	Agriculture pressures; Anthropogenic pressures.	Drainage to groundwater
Coastal	c105m to the east	Southwestern Irish Sea – Killiney Bay (HA10)	Good	Not at Risk	No significant issues or pressures identified	Surface water run-off; Urban wastewater.

IE_EA_100_000
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Step 4: Detailed description of any component of the development or activity that may cause a risk of not achieving the WFD Objectives having regard to the S-P-R linkage.

CONSTRUCTION PHASE

No.	Component	Water body receptor (EPA Code)	Pathway (existing and new)	Potential for impact / what is the possible impact	Screening Stage Mitigation Measure	Residual Risk (yes/no) Detail	Determination** to proceed to Stage 2. Is there a risk to the water environment? (if 'screened' in or 'uncertain' proceed to Stage 2.
1.	Surface	Dargle_040 IE_EA_10D01 0300	Surface water runoff	Surface water pollution / Hydrocarbon spillages / Potential for silt to enter watercourse.	Standard Construction Practices / CEMP mitigation measures. Distance to river.	No. Appropriate mitigation is proposed.	Screened out
2.	Surface Estuary / Transitional	Dargle Estuary IE_EA_110_01 00	Surface water runoff	Surface water pollution / Hydrocarbon spillages / Potential for silt to enter estuary.	Standard Construction Practices / CEMP mitigation measures. Distance to estuary.	No. Appropriate mitigation is proposed.	Screened out

3.	Groundwater	Wicklow IE_EA_G_076	Pathway exists – discharge to ground	Deterioration in groundwater quality.	Standard Construction Practice / CEMP mitigation measures.	No. Appropriate mitigation is proposed.	Screened out
4.	Coastal	Southwestern Irish Sea – Killiney Bay (HA10) IE_EA_100_0000	Surface water runoff.	Surface water pollution / Hydrocarbon spillages / Potential for silt to enter coastal waters.	Standard Construction Practices / CEMP mitigation measures Distance to sea.	No. Appropriate mitigation is proposed.	Screened out
OPERATIONAL PHASE							
1.	Surface	Dargle_040 IE_EA_10D010300	Surface water runoff.	Pollution	Primarily SuDS features. Surface water will be attenuated prior to outfall.	No. This is a standard residential development.	Screened out
2.	Surface Estuary / Transitional	Dargle Estuary IE_EA_110_0100	Surface water runoff. Urban wastewater	Pollution	Sufficient capacity in public system to cater for wastewater.	No. This is a standard residential development.	Screened out

					Treatment mechanism of WWTP.		
3.	Groundwater	Wicklow IE_EA_G_076	Discharge to ground	Hydrocarbon spillages	Standard operational management.	No. This is a standard residential development.	Screened out
4.	Coastal	Southwestern Irish Sea – Killiney Bay (HA10) IE_EA_100_0000	Surface water runoff Urban wastewater	Pollution	Primarily SuDS features. Surface water will be attenuated prior to outfall. Sufficient capacity in public system to cater for wastewater. Treatment mechanism of WWTP.	No. This is a standard residential development.	

DECOMMISSIONING PHASE

Decommissioning is not anticipated as this is a permanent residential development.