

The Laurels
Greenpark Road
Bray
Co. Wicklow

29.10.2022

Ref. TA06D.314686.

Dear Sir or Madam,

I wish to submit an Observation regarding Shankill Property Investments Ltd.'s Strategic Housing Development application to build on part of the former Bray Golf Club lands at Ravenswell, Bray, Co. Wicklow - Case Ref. TA06D.314686.

In this Observation, I focus on;

1. The infrastructure to support this site is not yet in place.
2. The interdependence between this application and Wicklow County Council's Part 8 proposal (Ref. PRR 21/869) to build an access road across these lands to their proposed public transport bridge: *this proposal is at present the subject of a Judicial Review.*
3. Flood risk.
4. Building height.

1) The infrastructure to support this site not yet in place.

As work has already commenced on this site it can be expected that units will be lived in within the next 18 to 24 months. One of the principle planning points for this development is its accessibility to public transport and its pedestrian and cyclist credentials. While the dart is accessible via the underpass to the harbour and Castle St. has a bus route most of the transport advocated in the plan is still only at the 'proposed' stage. See Costalquartershd2; Environmental impact Report: Volume III; Appendix8: Traffic and Transportation assessment: Future

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- a) A proposed public transport bridge (Planning ref PRR 21/869) crossing the river adjacent to the railway bridge and sited throughout Shankill Investment's proposal for this site is under Judicial Review.
- b) The Bus Connect Core Corridor 13 is still at proposal stage and is the last phase of the Bus Connect project which means it will reach Bray after 2030.
- c) Pedestrian and cyclist bridges adjoining the Fran O'Toole bridge are also still at proposal stage so don't have a planning reference.
- d) A link road from the development to a junction with the Dublin Rd and Upper Dargle Rd is sited in Shankill Investment's Masterplan for this site but is not included in this phase and is therefore of no benefit to this new community.
- e) A Luas Line extension is not scheduled until 2040 if at all. This is a whole generation away.

With an estimable population increase of thousands of people when this phase of building is completed it stands to reason that at least some of the proposed infrastructure should be in place either prior to or in concurrence with the build. Minister Eamonn Ryan said in 2020 that development plans should only be granted based on 'concrete certainty' about public transport and infrastructure. He issued this warning as he said he could not make a commitment on or guarantee the extension of the Luas line to Bray. [Irish Times 27.09.2020]

It goes without saying that without appropriate infrastructure to facilitate the residents of this new build all 549 parking spaces in the development will be utilised, leading to chaos on the two lane Dublin Rd, confined Castle St. and the narrow Victorian Fran O'Toole Bridge.

2) The interdependence between this application and Wicklow County Council's Part 8 proposal (Ref. PRR 21/869) to build an access road across these lands to their proposed public transport bridge: *this proposal is at present the subject of a Judicial Review.*

The southern part of Shankill Investments 'application is built around a proposed access road (to a proposed public transport suspension bridge) which is the subject of a Judicial Review at present. Wicklow County Council submitted a Part 8 proposal (Ref. PRR 21/869) for this bridge and access road, maintaining that it would have no effect on the

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environment, and so an EIS would not be required. Surprisingly, Bord Pleanála's Inspector agreed with that assessment, despite the fact that Wicklow County Council maintain in their Part 8 proposal that the lowland of the old Bray Golf Club lands is a Flood Zone C, while Bray's LAP 2018 Flood Risk Assessment assesses that land as Flood Zones A and B – another direct contradiction in our local authority's flood risk assessments.

The decision by An Bord Pleanála is currently subject to a Judicial Review.

Shankill Investments claim that their application is 'stand-alone', yet their drawings, their graphics, and their text give the lie to this claim. In particular, their proposal on page 77 (graphic on page 78 at Fig. 18) of their Flood Risk Assessment proposes building up the level of the ground at the southern end of the site against the side of the proposed access road, which is proposed to be built on an embankment:

"In order to enable a sustainable development of the site and **to reduce the risk of flood inundation to the site it is proposed to raise ground levels within the southern area of the site**. It is also proposed to include a proposed road along the southern boundary within the model."

This a) simply assumes the access road will go ahead, regardless of the ongoing judicial process ; and b) shows no regard for the danger building up the ground level across the floodplain might cause for a very vulnerable community living upriver.

This assumption is shown from the very beginning of their documentation, i.e. the second and third Architect's drawings shown at <https://coastalquartershd2.com/drawings/architecture/>.

Drawing BRA-GHA-SW-XX-DR-A-05001 (Site Location Map) shows the schools 'road, leading to the railway underpass, as it is at present. In Drawing BRA-GHA-SW-ZZ-DR-A-05002 (Site Layout Plan, Sheet 1 of 2), however, the part of the schools 'road between the area they designate as the Orchard (in front of Coláiste Raithín) and the railway underpass disappears as a public road.

To claim that the changes proposed along the present schools 'road have nothing to do with the proposed access road that is the subject of a Judicial Review is simply ludicrous, as can

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be seen in particular in Figure 20: Overall Site Layout on page 18 of the Architectural Design Statement

Wicklow Co. Council's disputed access road consistently appears as an integral part of the applicant's plans in any map or graphic on or below the present schools 'road between Coláiste Raithín and the railway underpass, including the following text from page 33 of the Architectural Design Statement, which refers to Figure 33 on the same page:

"The main access road leading to the future public transport bridge and the link from this road to the rail underpass will be taken in charge by the Local Authority."

As noted at the beginning of this section, the applicant's plans actually include building up the ground at the southern end of their site against the proposed access road.

In addition, Page 47 of the Architectural Design Statement says:

"Care has been taken to ensure that landscape levels along the Coastal Gardens are raised above the existing ground levels so that the new ground levels will be close to podium level."

In short, this application, once it reaches the present schools road, is inextricably linked with Wicklow's Part 8 proposal, just as their Master Plan is inextricably linked with this present application.

3) Flood Risk.

<https://coastalquartershd2.com/wp-content/uploads/2022/documents/Reports/Engineering/FLOOD%20RISK%20ASSESSMENT.pdf>

a) Flood Zoning: Shankill Investments 'application assesses "the majority of the Coastal Quarter", that is the high ground (above the present schools 'road) as a Flood Zone C:

- on page 36 at 6.3;
- twice on page 27 (pdf page 75) at 5.1 and 5.2 of their Technical Note; and again

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- on page 29 at 6 (pdf page 77), where they add: "A limited portion within the southern corner of the site is located within a Flood Zone 'A' and Flood Zone 'B' during both the fluvial and tidal flood events."

However, Bray's Local Area Plan 2018 clearly shows almost all of the entire former Bray Golf Club lands – both above and below the schools 'road' – as Flood Zones A and B. See page 20 (pdf page 23) of Appendix C: Flood Risk Assessment of Bray's Local Area Plan 2018 at

<https://www.wicklow.ie/Portals/0/Documents/Planning/Development-Plans-Strategies/Local-Area-Town-Settlement-Plans/Bray/Bray-Municipal-District-Local-Area-Plan-2018/Appendix%20C%20-%20Strategic%20Flood%20Risk%20Assessment%20-Bray%20MD%20LAP%202018.pdf>

Their Justification Test for allowing Mixed Use development on any portion of this site is dependent on the accuracy of that assessment. In other words, if Shankill Investments' flood zoning is correct, then the Justification Test - on which Bray Municipal and Wicklow County Council are allowing Mixed Use development throughout this site – fails.

It fails at 2 (v) as, if there is a substantial Flood Zone C within the site, and a Flood Zone B, then Flood Zone A should be avoided altogether, according to the Sequential Approach set out on page 22 (Fig. 3.1) and continued on the following page of the mandatory Planning System Flood Risk Management Guidelines at

<https://www.opr.ie/wp-content/uploads/2019/08/2009-Planning-System-Flood-Risk-Mgmt-1.pdf>

It also fails at 3, if a rudimentary mistake like this has been made in the Council's Flood Risk Assessment of the site. If Shankill Investments' flood zoning is correct, however, then it is not in line with Bray's LAP 2018.

In either scenario, Shankill Investments' application fails on flood zoning.

Shankill Investments' application assesses the low ground (below the present schools 'road') as Flood Zones A and B. Bray's LAP 2018 agrees, with Shankill Investments noting on page 29 at 6 (pdf page 77), as already stated, that: "A limited portion within the southern corner of the [Coastal Quarter development] site is located within a Flood Zone 'A' and Flood Zone 'B' during both the fluvial and tidal flood events."

b) Topography:

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Part of this lower land is designated for hard landscaping with a “a series of three terraces linked by a fully accessible feature walkway” ... “In order to deal with topography in this location”. See page 45 of their Architectural Design Statement at

<https://coastalquartershd2.com/wp-content/uploads/2022/documents/Reports/Architecture/Architectural%20Design%20Statement.pdf>

The terrace is required to link their proposed Market Square on what is now the schools ' road down to Flood Zones A and B, below the schools ' road.

Shankill Investments have dealt with topography on their site in some detail. They have not mentioned how the topography of the land upstream interconnects with the necessity to preserve the floodplain on their site.

All of the houses in Little Bray immediately upriver from this site are built on the same Flood Zone A that extends downriver onto the former Golf Club lands. As a result, those homes have suffered numerous minor floods since they were built, and four major floods in 1905, '31, '65, and '86.

In each of those floods, the waters flowed north over the banks of the river and into our homes, many of which are below the water level, but they also came as flash floods from upriver, causing immense damage. These flash floods were following the original estuary bed, and they flowed, as any river will, towards the sea, along the deepest channel. *That deepest channel – the original river bed – is the Lr. Dargle Road and Greenpark Road, and all of the smaller roads in between.*

If the flood storage area on the old golf links is blocked, our homes will become the flood storage area instead.

The flood waters entered the old Bray Golf Club lands from two directions.

The first was by breaking down the river wall at Ravenswell Road, at the point where high spring tides meet a flooded river. That overflow spread out sideways over the floodplain, and saved our homes in Little Bray from extra flooding. That can no longer happen, as a flood defence wall has been built between the river and Ballymore's site to protect the floodplain from flooding from that side. Any future flooding that the Dargle's normal

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riverbed cannot contain at that point will now be forced back upriver towards the first undefended place in the flood defences – the Fran O'Toole bridge – from where, as topography will show, it will follow gravity downhill into our homes. *See Figure 10: LiDAR Derived DTM of the applicant's Flood Risk Assessment.*

The second entry point for the flood waters is the escape route always provided for them through the side gate onto the old golf links. In all of the major floods, the current has swept downstream across Castle Street and in through both entrances to Dwyer Park in order to reach the side gate of the old golf links: this is located at the end of Burns Lane, the laneway between O'Sullivan's pub on Castle Street and the little row of shops that climb up from that lane to the bridge. Maintaining Flood Zone A as a storage area for flooding from our homes is vital, if our neighbourhood is not to become a flood storage area instead, and maintaining a free route to that Flood Zone A along its former channel is also vital, for the reasons of topography outlined above.

c) Flood Defence Scheme

This has become even more important with the installation of our flood defence scheme, warmly welcomed by our community. However, we are also acutely aware that *if the flood defences fail upriver from our homes, at any time, the water will now be trapped on our side of the defences, unable to return to the river. If the flood waters are blocked downstream of us by development on the floodplain, and alongside us by flood defences on one side and the steep climb to the Dublin Road on the other, our homes will remain underwater for a very long time indeed...*

None of that has been taken into account in Shankill Investments' application. They simply state that their proposals 'will have no effect on flood risk in the surrounding area', without providing any evidence whatsoever for this claim.

Criteria 2, Part 1, of their Justification Test on page 39 of their Flood Risk Assessment simply rests on the present Flood Defence Scheme – which must be ignored when assessing flood risk, as they have acknowledged elsewhere – plus "an element of compensatory storage ... provided within the boundary of the Coastal Quarter site area to facilitate a small volume of flood water displaced by the proposed road and Market Square". They do not take into

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account at all the possible failure of the flood defences upstream and the consequences – for us - of blocking their escape route to the sea in that event.

Their 'Justification Test - Conclusion 'on page 40 of that same document confirms this. It states: "There is no residual risk to the Coastal Quarter Development."

Putting a very expensive flood defence system in place here, and then allowing development on a floodplain downstream, is a failure in planning.

4) Building Height.

It is proposed that the south east corner of Block B2 of this development be 12 storeys. This is twice the height of the buildings around it and is, worryingly, referred to in Shankill Investments' proposal as 'responding to the appropriateness of this part of the development to accommodate a marker building'. This 'marker building' is mentioned throughout Shankill Investment's proposal for the old Golf Club Lands and yet because of the fragmented manner in which planning is being submitted for this area there is no way of knowing how high this 'landmark building' will be. (This manipulation of planning ought to be called out in the name of clarity and cohesion.)

It should be noted that Shankill Investment's proposed 12 storey building and its 'landmark' companion are 40 metres from a public beach (skirted by low warehouses) and are therefore seafront buildings in an area that is a visual amenity and adjacent to recreational amenities such as low build sea scouts clubhouse, sailing club, boxing club, swimming platform, and kayaking and paddle boarding storage .

This 12 storey building (and the 'landmark building') are unsuitable for this site because;

- a) It does not meet the required mix of uses under Major Town Centre Zoning Objectives (and therefore justification for high build) as it is over 98% housing.

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- b) Tall buildings have a higher carbon impact. Their embodied energy (ie. the resources that go into building them; material manufacturing, steel, concrete, underpinning, maintenance) is far greater than low rise builds (6 storeys max). As Shankill Investments' tall buildings will be built on a golf course, formerly an estuary and therefore devoid of sub rock, considerable underpinning will be necessary. The World Green Building Council promote the assessment of 'whole life-cycle' rather than 'energy efficiency' carbon emissions and advocate high-density low-rise developments. Quick fix, developer driven infrastructure undermines Ireland's carbon emission targets. Carbon debt needs to be tackled now not in promised payback over the next century or lifecycle of a building.
- c) Despite Shankill Investments' argument that this building and its follow on 'landmark' building will form a 'visual connection' to the town its main effect would be to dilute the seafront heritage value of Bray. From Bray head, along the Victorian promenade and on to the low built harbour this structure would be a violation of the heritage landscape of the area. It is our responsibility as residents and your responsibility as planners to choose appropriate development in areas of visual, social and topographical sensitivity. This land will only be built on once, it should adhere to its surroundings in a meaningful way.
- d) Bray is not a city, it is the gateway to a rural county, Wicklow. Perhaps because of its long standing seaside holiday resort tradition Bray still draws countless day-trippers and tourists visiting for the beach and the beautiful local walks and restaurants and in the future it will attract cyclists following the proposed coastal cycle-way from Dublin (as part of the new cycle network) . The ambience of this route will be destroyed if new builds are not set sensitively into the landscape. Are we really going to allow these welcome guests first sight of Bray to be, the beautiful waters of the Irish Sea on one side and, just ahead on the other, overwhelming high-rises towering above their train and bicycle as they arrive in what appears now to be the Dubai of North Wicklow?
- e) Bray is 22km from Dublin and, because of the Dart, accessible for working in Dublin. People who live in Bray choose to live here not just for this convenience but because it is a seaside town rather than a city suburb. Housing needs can be met without destroying that 'town' personality. Anything built in the town centre should have a focus on contributing to a vibrant and multifunctional orientated community that interacts with

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its environs. Research has shown that the taller the building the less engaged with the community its inhabitants and the more disassociated its neighbours feel.

- f) It must be noted that by the SHD nature of this project, (ie. the absence of community input in decisions) locals have not been consulted on whether or not placing high buildings between them and the sea is something that they want. Surely communities, the very people who live and breath their surroundings, are allowed a say in their buildings.
- g) As a costal town, Bray is part of a contoured vista appreciated from Killiney looking southwards and Bray Head looking northwards and from various points on land and sea along Dublin Bay. From Howth Head to Wicklow Head the landscape undulates but at no point does it have tall buildings to the fore. Even Dublin City, set back as it is in the bay does not have high-rise buildings on the seafront. Shankill Investments' proposed 12 storey building and its 'landmark' companion are 40 metres from the shore. Our national visual landscape and shoreline heritage requires conservation.
- h) In a notably idiosyncrasy, Dun-laoghaire Rathdown Council recently recommended that permission be refused for a 16 storey 'landmark' building in Dundrum (15km away from Bray) yet Wicklow County Council, after discussions with the developer, appear to have approved just such a development on Bray seafront. And despite currently developing costal sites to the north of Bray in Shanganagh and Shankill (including a portion of the Shankill Investments' Bray Golf Club development), DLR have followed a low rise policy in its developments, maintaining the integrity of its surroundings.

We need homes but we need them to integrate into the area they are built in, respectful of the needs of already established communities and respectful of the requirements of their residents who are entitled to live in a healthy environment that adheres to its surroundings and follows necessary and recognised policy on flood plains, buildings and societal wellbeing.

Mise le meas,
Joan Conway.