

May

S.37

File With

SECTION 131 FORM

Appeal No

PL-500165-WW

Defer Re O/H

☒

Having considered the contents of the submission dated/received **24/11/2025** from **Avril Power** I recommend that section 131 of the Planning and Development Act, 2000 ~~be~~/not be invoked at this stage for the following reason(s):

no in planning - *reason*

Section 131 not to be invoked at this stage

☒

Section 131 to be invoked — allow 2/4 weeks for reply

☐

Signed

[Signature]

EO

Date

10/12/25

Signed

SEO/SAO

Date

M

Please prepare BP — Section 131 notice enclosing a copy of the attached submission.

To

Task No

Allow 2/3/4 weeks

BP

Signed

EO

Date

Signed

AA

Date

Response

Correspondence Coversheet

Page 1 of 2

Case Number
PL-500165-WW

Case Priority
Normal

Case Lodged On
24/10/2025

Case EO
Catherine Flynn

PA Reg. Reference
2560207

Case Details

Planning Authority
Wicklow County Council

PA Reg. Reference
2560207

Summary Description
Mixed use development, comprising of residential units and commercial spaces and all associated ancillary site works.

Site Location
Site largely within the Former Bray Golf Course Lands , Off Ravenswell Road and Dublin Road , Bray

Correspondence Details

Correspondence Type
Response

Received From
Avril Power

Lodged On
24/11/2025

Validity
Valid

Valid OH Req
No

Issue
BP20 — English

Participant
Avril Power

Representative
—

Response Date
Applicable
☐

Number of Days
Allowed
—

Keep Copy of Letter
☐

Return Docs
☐

Keep Envelope
☐

Comments
—

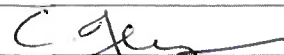
Filing

Attach to File
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Signatures

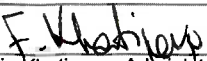
Signed


Catherine Flynn, Executive Officer

Date

03/12/2025

Signed


Fadimie Khatipova, Administrative Assistant

Date

4/12/25

Catherine Flynn

From: Appeals2
Sent: Monday 24 November 2025 17:01
To: James Sweeney
Subject: FW: Wicklow Co Co PA ref. 25.60207/ACP Ref. PL27.500165 - SaveBray
Attachments: PA ref. 25.60207 - SaveBray.docx

From: SaveBray <savebray2021@gmail.com>
Sent: Monday, November 24, 2025 4:55 PM
To: Appeals2 <appeals@pleanala.ie>
Subject: Wicklow Co Co PA ref. 25.60207/ACP Ref. PL27.500165 - SaveBray

Caution: This is an **External Email** and may have malicious content. Please take care when clicking links or opening attachments. When in doubt, contact the ICT Helpdesk.

A chairde,

Attached please find Comment from SaveBray on Shankill Property Investment's Appeal.

Many thanks,

Yours sincerely,

Avril Power,
Hon. Sec.,
SaveBray

Comment on First Party Appeal by Shankill Property Investments:

Re: Wicklow Co. Co. Planning Ref. 25.60207 and An Coimisiún Pleanála Ref. PL27.500165:

We would like to comment on the Appeal made by Shankill Property Investments on the Conditions attached to Wicklow County Council's grant of permission in the above case.

The Conditions which they are appealing are Conditions 2; 5 (i) and (ii); and 6, and we will comment on them in that order.

CONDITION 2: BLOCK E:

This states that the proposed 15 storey element of Block E should be reduced by six storeys by removing floors 4, 5, 6, 7, 11, and 12 "in the interests of visual amenity and residential amenity".

With regard to the applicant's response to this Condition, as laid out on p2 of their First Party Appeal, we would initially comment as follows:

- The proposed height of Block E being appropriate with reference to the applicant's own documents is hardly surprising, as these documents have been written specifically with that object in mind;
- More relevant is whether Condition 2 is in accordance with State planning policy and the central tenets of sustainable planning and development;
- We will deal with the applicant's misleading claims regarding 'planning precedents establishing the acceptability of increased heights within the former Bray Golf course lands' in detail later in this document;
- The proposed apartments on floors 10-15 would certainly benefit from a high level of amenity for their own residents, thereby making their sales price higher – apart from the possibility of flooding on the lower floors where, according to the second paragraph of 3.8 (p33), "the amenities necessary to support the 109 no. units proposed in the building" are located. In other words, the strong likelihood of flooding at this point, because of Block E's location, would impact not only the lower floors, but all 109 units. And they will certainly impact negatively on the residential amenity of existing residents in this area;
- All 341 no. housing units can be delivered within this location in a safe manner by 'swapping' them with units planned for the floodplain, if proper planning is applied.

Planner's Report: 25th September, 2025:

We fully support Wicklow's planner's quoted opinion (with our emphasis) at 2.2.2.2 on p9 that:

"The visual impact of Block E will be significant, and will, it is considered, detract from the visual amenities of Bray. Stating that the viewer at Bray Seafront has many more visual stimulants, such that the development will be 'imperceptible' to 'moderate', I would not concur with. In addition, whilst the view from Fiddler's Bridge is not sterilised, the impact of Block E on this view would be excessive."

"The narrative that having this tower design is the sole way to achieve higher densities on the overall site does not, it is considered, stack up, and there are other design approaches which could have been utilised to achieve same. Block E will protrude in the skyline not only within Bray itself, but in wider views. It will be a dominant feature in views from Bray Seafront and from the listed view to the south. The alteration of the built environment by the development in Sea Gardens does not, it is considered, require an element that will dominate Bray itself."

"It is therefore considered that Block E should be reduced to mirror the scale of that already permitted, and the proposed hotel. Therefore, it is proposed to omit floors 4, 5, 6, 7, 11, and 12."

The applicant's response to the above extracts is given on p29. Their LVIA, Howell's response to the planner's report, and their AHIA Report are quoted to bolster their contention that Block E's height will not dominate or overwhelm key views. The reasons quoted, however, are not only quite incoherent, but are also very qualified statements, particularly with regard to "locations of heritage significance from which it may be visible, which is likely to be confined to a small number of locations on the seafront, the objective potential for impact will depend on how large a role Sea Gardens, or any structures in that development, play in any view and to what degree they might, or might not, contrast with historic elements also seen in that view." They conclude: "Based on these criteria, the objective potential for impacts on the setting of architectural heritage is assessed in the AHIA as likely to range in extent from 'imperceptible' to 'moderate' at some locations on Bray seafront, limited to locations from which the development is visible."

The Planner's Report, on the other hand, is:

- definite (*"The visual impact of Block E will be significant" and "The alteration of the built environment by the development in Sea Gardens does not, it is considered, require an element that will dominate Bray itself"*);
- specific (Bray Seafront, the listed view from the south, Fiddler's Bridge); and
- straightforward in pointing out that: *"The narrative that having this tower design is the sole way to achieve higher densities on the overall site does not, it is considered, stack up, and there are other design approaches which could have been utilised to achieve same."*

The applicant admits on p13 that, in fact, "the proposed height of Block E exceeds the existing scale of Bray", but considers that "the evolving receiving environment, which is being shaped by the Sea Gardens Masterplan" and "its strategic position" entitle it to do so. Yet, their rebuttal of the arguments contained in the planner's report (above) contradict this statement, maintaining that the views of Sea Gardens from other parts of Bray will be negligible.

Bray Seafront/The Coast:

On p11, the applicant states that "higher density residential blocks are positioned along the seafront" "while lower-rise houses and duplexes (2-3 storeys) are set further inland." The tallest houses along the seafront are three-storey over basement, as are the hotels and guest houses, and the new apartments have maintained that height. Further inland, on the road parallel to the seafront – the Meath Road – the tall houses are again a maximum of three storey over basement, as are the houses on the main roads leading away from the seafront – the Putland Road to the south and the Quinsboro Road to the north.

It should also be noted that all of the houses on Bray seafront are set well back from the strand, allowing substantial soakage because of the green space in between, and built on the same height as the promenade, as well as being protected by flood defences.

The applicant continues this misleading insistence on the acceptability of higher buildings along the coast on p13, with: "Block E continues the established practice of increased building heights along the eastern edge of the site, where increased heights have been consented on this site [the former Bray Golf Club lands] as far back as 2006 and to the north within Sea Gardens Phase 1B.

Phase 1B:

There are consistent references throughout this Appeal to Phase 1B of Sea Gardens being 'permitted', particularly throughout 3.3.1 on p 18. The document fails to mention the following...

Sea Gardens Phase 1B, Ref. ABP – 314686-22, was granted permission by the then An Bord Pleanála on August 19, 2024, but *that decision is being challenged in a Judicial Review*, taken in the name of Noeleen McManus on behalf of SaveBray.

Leave was granted for McManus v An Bord Pleanála, High Court Record No. 2024/1256 JR on November 4th, 2024, and papers were served on ABP and Shankill Property Investments immediately. *No response has been received yet from either party a year later.*

Block B, one of the apartment blocks resubmitted in the Phase 1B application, having been refused earlier, is referred to on p19 of the applicant's Appeal, as follows:

"Block B, within Phase 1B, the closest of the tall buildings to Block E, was initially proposed at 12 storeys but was permitted at 9 storeys following concerns regarding visual impacts on coastal amenity and heritage. This reduction was accepted as a reasonable mitigation without undermining the overall height strategy or the integrity of the masterplan."

If Block B was already refused permission for 12 storeys, with that ruling being considered 'reasonable' by the same applicant, and is part of a Phase the entirety of which is now being challenged in court, why would this be considered a 'precedent' for allowing a height of 15 storeys, or indeed 12, for Block E?

The other apartment block – Block A – that had been refused, along with Block B, in the initial application (ABP Ref. 311181-21) is located in Dun Laoghaire/Rathdown: Block B is in Wicklow.

Shankill Property Investments have since applied, on August 19, 2025, to Dun Laoghaire/Rathdown (LRD25A/0644/WEB) to build Block A1 (6-10 storeys) and A2 (7-11 storeys) – presumably as replacements for Block A in the disputed Phase 1B. The applicant refers to the Inspector's report on this application on p27 as somehow bolstering their contention regarding the permitted height of Block E, with the following quote:

"The Planning Authority [Dun Laoghaire/Rathdown] consider that this location being set away from Bray Seafront and in a new Urban Quarter of its own, is capable of accommodating additional height as proposed."

It seems an odd quotation to use to bolster an argument for the height of a self-described 'marker' building, located closest to the seafront and the river.

P27 again reiterates "recent approval for Sea Gardens Phase 1B and the longstanding Pizarro Masterplan" as establishing "robust precedents for taller buildings in these lands, particularly along the eastern portion, where Block E is proposed". Yet the arguments presented by the applicant for Phase 1B as a precedent for higher buildings, and indeed their submission for a replacement for half of that grant of permission, are hardly convincing, nor indeed are their arguments regarding Pizarro's Masterplan as another precedent.

Pizarro Masterplan:

When, on p13, the applicant states that "increased heights have been consented on this site as far back as 2006", they omit to mention that this permission was promptly overturned following an Appeal to An Bord Pleanála, and an Oral Hearing.

On May 8, 2006, Bray Town Council had granted permission to Pizarro Developments for their proposal, in contravention of '14.5: Flooding' in their 2005 Development Plan:

'No development shall be permitted at any location on the Golf Club Lands until the Council and the Office of Public Works are entirely satisfied that all lands throughout the town, that are located in proximity to the riverbank, are not put at a new or increased risk from potential flooding associated with the development of the Golf Club Lands.'

The flood defences were not commenced until 2012, and completed in 2017.

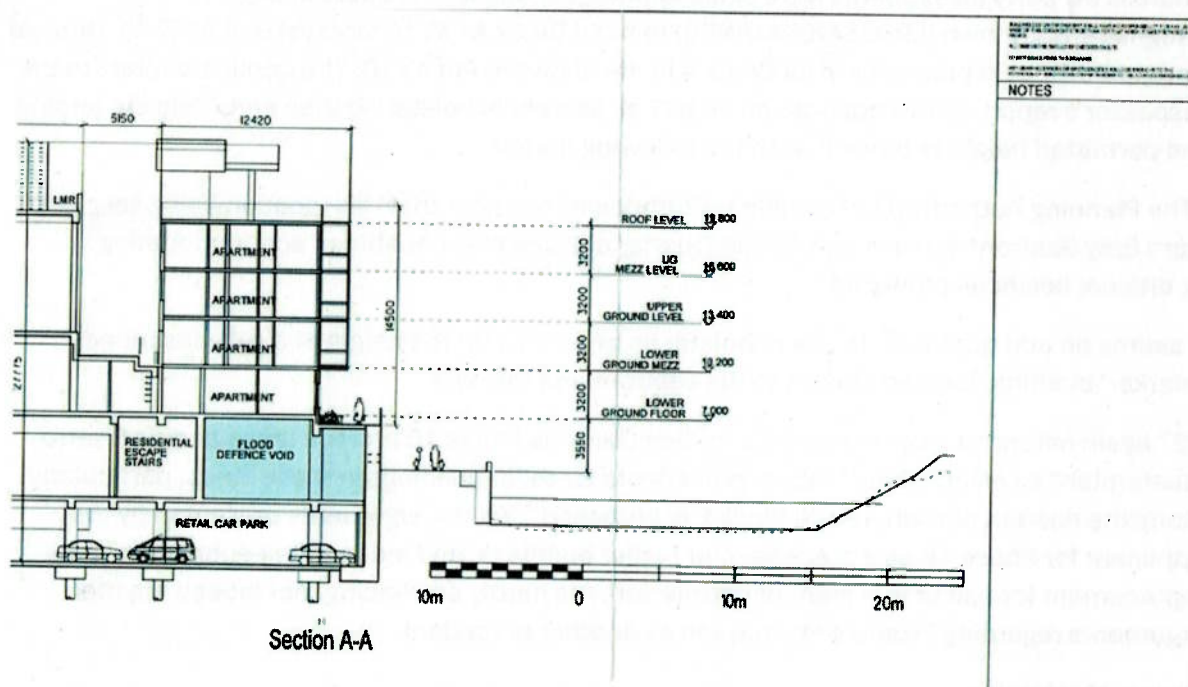
Pizarro's 1st application: An Oral Hearing was held into Pizarro's application from October 16 to October 23, 2006. *The two applications for the development within Bray (PL 39.217901 and PL 39.217906), and the two applications for Dun Laoghaire/Rathdown (PL 06D.217910 and PL 06D.217691) were – justly - judged as one entity.*

On April 4, 2007, An Bord Pleanála refused Pizarro's applications on three grounds – 'the proposed development is located in an area at risk of flooding'; inadequate provision for active open space; and traffic.

The applicant's references to the Pizarro Masterplan, particularly on p19 of their Appeal, consistently ignore this refusal.

Pizarro's 2nd application: In July, 2007, Pizarro submitted a second application to Bray Town Council. (Ref. 07/194)

Within Wicklow's border, the main difference was a reduction of 206 parking spaces, allowing a flood defence void - a culvert approximately 8m high by 10m wide - to run through the basement car park, in theory replacing the open floodplain, where floods from upriver are stored. *This culvert is shown in the drawing below, copied from Pizarro's 2nd application.*



On July 18, 2008, Bray Town Council granted permission to Pizarro Developments for their new application, without waiting for the Flood Defence scheme to be approved, much less put in place, thus in contravention of their Development Plan for the second time.

An Boru Pleanála decided that no Oral Hearing would be held on Pizarro's latest application. It would be dealt with instead through written procedures – <https://archive.pleanala.ie/en-ie/case/230246>

On August 10, 2009, *Inspector Stephen Kay recommended refusal on the basis of flooding and traffic*, with that recommendation strongly supported by a Report submitted by Prof. Michael Bruen, Professor of Environmental Hydrology, who had been commissioned by ABP. He was requested to prepare an Addendum to that Report based on information received from the applicant 'on foot of a Board Direction dated 10th October, 2009'. Prof. Michael Bruen was also invited to update his original report. It is an Addendum that is fraught with doubts about flood safety, e.g. 'I would agree with Prof. Bruen that the setting back of development is the safer option and the optimal way of ensuring compliance with the Guidelines.' (4.3.8 of pdf p12, [https://archive.pleanala.ie/api/documents/Report/230/R230246\(.pdf](https://archive.pleanala.ie/api/documents/Report/230/R230246(.pdf)

With regard to height, the Inspector states at 10.6.1 on p56 of his original report:

"The scale of development proposed on the appeal site varies from the single storey crèche building located at the very south-west corner of the site up to a maximum of 10 storey at Block 6 a mixed retail and residential block located at the eastern end of the mixed use zone. The general scale of the development in the mixed use zone is 5 to 7 storeys in height while that to the north in the residential element (Blocks 3 and 4) is between 4 and 8 storeys."

This substantially contradicts the applicant's claim on p19, repeated on p22, that: "Building heights range from 2 to 11 storeys. Yet the Appeal continues, on p22: "Block 1/6 reaches a maximum height of c.42.85 metres (11-12 storeys) with elevations towards the river and coastline...", again contradicting the Inspector's report in the quote above.

Granted, the Inspector then goes on to say (p57) that "the general height of 5 storeys specified in Zone 1 and 4 storeys in Zone 3" is "generally in accordance" and "provision is made in the AAP for heights greater than this". However, despite this proviso, it is difficult to understand how heights of "5 to 7 storeys", and "between 4 and 8 storeys" could be construed as a precedent for dismissing Wicklow County Council's planner's recommendation that Block E should be reduced to 9 – nor indeed to the applicant's second proposal that it should be reduced to 12, particularly as (p19) in their own Phase 1B they accepted the reduction of Block B from 12 to 9.

Ultimately, permission was granted to Pizarro, with the following explanation contained in the requested Addendum to the Inspector's Report at 4.5.5 on p13:

"In a situation where the proposed development was prepared and submitted following the publication of the Flood Risk Management Guidelines, and given the scale of the site and the availability of considerable scope for alternative layouts that avoid lands with a flood risk Zone A, I would have significant concerns as regards the compatibility of the proposed development with the Guidelines. Was the zoning of the lands to be considered afresh in the context of the Guidelines it is my opinion that, on balance, the identification of a development zone adjacent to the river on lands at high flood risk with open space / recreational lands located on lands with a lower flood risk would be contrary to the key principles of the risk based sequential approach to managing flood risk set out in Chapter 3 of the Guidelines."

Those Guidelines were, of course, in place when Wicklow County Council granted permission for Shankill Property Investment's Phase 2.

In summary, while we accept that increasing heights and densities are being allowed in this era of housing shortages, we believe that any height of building, whether 15 - or even 12 - storeys should be refused in a location that was granted permission for a Coastal Garden, ideal for floodplains, and consequently not objected to by our community.

On June 3, 2010, An Bord Pleanála approved Pizarro's applications, although we learned shortly afterwards that Pizarro was in the process of being taken over by NAMA at the time. In 2014 they went into liquidation.

Condition 2 of that grant of permission at [An Coimisiún Pleanála](#) stated: "This permission is for a period of 10 years from the date of this order." The online Order is not dated.

Extension of Grant of Permission from 2010 to 2025:

On September 7, 2020, Wicklow County Council granted an application from Shankill Property Investments (Ballymore) for a further five year extension to the ten year Grant of Permission given to Pizarro's plans on June 3, 2010. -

<https://www.eplanning.ie/WicklowCC/AppFileRefDetails/20672/0>

According to Shankill Property's Cover Letter dated July 13, 2020, permission granted ceased to have effect from August 30, 2020. This seems odd as the permission had been approved, subject to Condition 2 and its 10 year period - on June 3, 2010. The extension was granted on September 7th.

Housing Supply:

Another consistent refrain throughout this Appeal is that a refusal of Phase 2 will mean: "Preventing the construction of 44 no. residential units." (P11). This claim is repeated on p31: "a refusal of these six storeys is reducing housing supply". This is absolute nonsense.

This site's contribution to the "targets set in the National Planning Framework and in the Programme for Government 2025 as 300,000 new homes by the end of 2030" quoted on p32 can just as easily be met by good planning as by, for instance, putting a park in a Flood Zone B and high density housing in a Flood Zone A.

The Planner's Report, quoted at the beginning of this Comment, puts it very succinctly:

"The narrative that having this tower design is the sole way to achieve higher densities on the overall site does not, it is considered, stack up, and there are other design approaches which could have been utilised to achieve same."

Viability of 9 storey Block E:

We come to the real reason the applicant doesn't want Block E reduced to 9 storeys on p33, and it has nothing to do with a shortage of housing stock for the people of Bray. It is because such a reduction: "...has a profound effect on the financial viability of the construction of Block E. Such a reduction in floorspace, resulting in 44 fewer residential will reduce revenue by tens of millions of Euro, severely impacting on the commercial viability of the building.

"The revenue loss is particularly acute as those apartments on the higher floors and at penthouse level command higher prices per square metre than apartments located on lower floors. As WCC policy CPO 6.2 prevents the sale of apartments to corporate entities the units have been designed to appeal to a particular owner-occupier market which demands the types of apartments contained in the upper floors.

"The loss of revenue is not matched by a commensurate reduction in costs. Land acquisition and groundworks costs are unchanged. The amenities necessary to support the 109 no. units proposed in the building are located on the lower floors." [Thus open to flooding.] "They are not viable without the quantum of development proposed."

"Should these 44 no. apartments not be permitted it undermines the ability of the applicant to secure funding for and to proceed to construction of Block E. *Quite simply a nine storey Block E would not be constructed and the total delivery of residential units in the proposed development would potentially drop by 109 no. units, further exacerbating the undersupply of housing nationally and in County Wicklow.*"

...But then comes the punch line on p34: "Notwithstanding the above, and without prejudice should ACP consider a reduction in height of Block E is required, *Section 4 (following) sets out an alternative design for Block E which reduces the marker building to 12 storeys.*"

Possible Revisions to Block E:

The revised proposal consists of 87 instead of 109 apartments, over a 12 storey block. This is a reduction of 22 as opposed to 44, according to p35, the first half of which is given over to explaining what a very bad idea this would be. Table 4.1 on p36 shows that reduction as consisting of 2 bed apartments.

The second half of that page emphasises the applicant's insistence for 'a marker building in this location':

"Should ACP consider a reduction in height of Block E is required please find set out below an alternative design for Block E which reduces the marker building to 12 storeys. *This is considered to be the most significant reduction in height which could be countenanced whilst still delivering the design intent to provide a marker building at this location.*"

We will return to the 'necessity' of a marker building in this location further on in this document.

The Appeal then goes on to list some of the advantages of this revised proposal, notwithstanding its undesirability, starting with: "Retains Block E's role as a marker and gateway to Sea Gardens."

This is followed by some very descriptive prose on p37 which maintains that the revised 12 storey option is "the minimum height Block E may be if it is to fulfil its function as a marker building providing rhythm to the skyline and legibility to Sea Gardens." Dear God...

It concludes with an interesting, if ambiguous, statement that, if ACP does not accept either a 15 storey or 12 storey Block E, then "we request that the block be refused permission in its entirety so that there is clarity that the rest of the scheme can be built out in accordance with the proposed phasing as conditioned in Condition 5 (a)."

We don't understand what this means as Condition 5 (a) simply says: "The development shall be carried out in accordance with the phasing scheme submitted subject to the following amendments, and shall be agreed in writing by the Planning Authority prior to the commencement of development."

While we appreciate that the applicant is a business that needs to make a profit, the magnitude of that profit should be balanced against the common good.

Block E: A 'Marker' Building:

On p6 (2.1.1) of their Appeal, the applicant makes a statement that is repeated throughout their appeal to this Condition, i.e. that Block E was designed to be a marker building in this location.

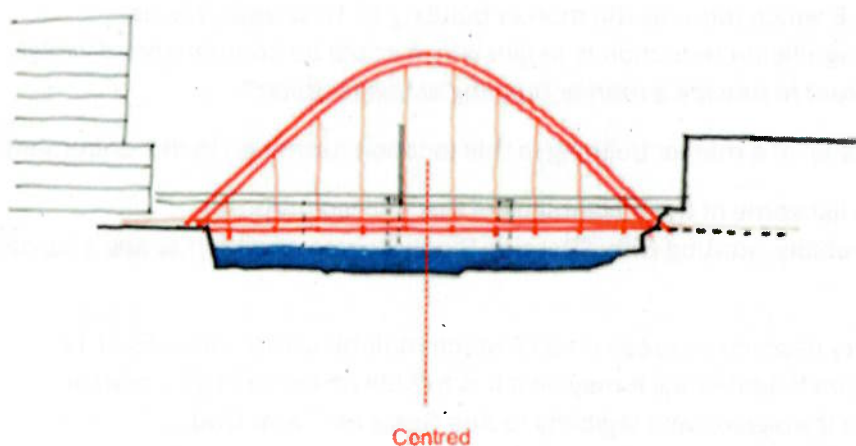
Co-incidentally, on p6 (4.3) of the Architectural Design Statement for Wicklow's proposed bridge, it states: "The bridge should be a landmark "eye-catcher", as seen from the east by train travellers and from the west from the Fran O'Toole Bridge, and the river banks."

That the location of *Shankill Property Investment's* marker building was designed in co-ordination with the design of Wicklow's proposed "eye-catcher" can be seen from further extracts from *Wicklow's proposal* at [App C - Architectural Design Statement.pdf](#) :

Pdf p6 (4.5): "The bridge should respond to the scale of the Irish Water works on the south bank, and the immediately adjacent future developments on the north bank (**that are likely to be in excess of 10 storeys high**)."

Pdf p7 (5): "As viewed from the west, to the left of the crossing we show the likely scale and massing of the new apartment development. In the centre is the profile of the existing railway bridge (with central catenary cable support mast shown). To the right is the profile of the existing Irish Water concrete drum structure."

Eight options are shown for the design of the bridge: option 7 (below) was chosen, but **all 8 options show the proposed development on the left of the drawing, balancing the Irish Water works height on the right**.



The Proposal; The Bow String Arched Bridge

Equally, the applicant's drawings from their initial application (Phase 1 of Sea Gardens) show the proposed access road to the bridge, around which their design is planned, including ground levels around their Coastal Garden, now proposed as home to Block E.

We would contend that both private and public development should be designed with safety in mind, particularly regarding their location, not simply as 'eye-catchers', due to their scale and location.

Policy and Wicklow and Bray Development Plans:

On this basis, neither Wicklow nor Bray's Development Plans, in particular SLO3 of Bray's 2018 LAP should be seen as a valid support for the height and location of Block E, as both the Planning Authority and the applicant's plans overlap.

No mention is made in any part of the application, FI request or replies, or this Appeal, that this 'marker' building is located in what was supposed to be a Coastal Garden, and that it seems to be at least partly located in Flood Zone A. *We refer here to the 'real' Flood Zone A that has been consistently recognised until it was shown as having grown substantially in the 2018 LAP, following the erection of the flood defences,* but is shown as a Flood Zone C in Wicklow's bridge proposal.

It is unfortunate that we could not find a way to access the WCC Planner's Report, whose earlier quotes showed a move away from the acceptance that the applicant is entitled to consider only the residents of Sea Garden – that is, the residents on the higher ground or higher storeys. We cannot therefore put the quote on p30 into context:

"The WCC Planner's Report states the proposal will not give rise to any significant negative impacts on the existing residential properties in O'Dwyer Park. No failure to meet appropriate residential amenity standards is identified in the WCC Planner's Report."

Presumably this remark is not intended to include flood risk as Dwyer Park is the last stop for the flood waters before entering the old golf club lands: the tarmacadam on its road was rolled up like a carpet by the force of the flood waters in '86, and homes nearest to the side entrance to the golf links were utterly destroyed.

As stated, it is unfortunate that we cannot give context to this quote, as the applicant's document (p30) then continues: "It is not clear in reading WCC's assessment how the proposed development impacts negatively on residential amenity." This sounds as if the planner did indeed suggest a negative impact on residential amenity – perhaps on the neighbours upriver?

We would suggest that it is more than possible to: "Harness the potential of the former Bray golf course, Bray harbour and key town centre development sites to deliver compact growth" (WCDDP quoted on p16) without having such a negative effect.

We would submit, therefore, that what is needed on this site is not a revision of Block E, but a complete revision of the applicant's plans for Phases 2 and 3, with all of the Dargle area's residents in mind.

Transport:

As we are aware that another applicant is commenting on transport, we will reduce our comment here to the applicant's consistent referrals to what are in effect promises, already made in 2008, and still not fulfilled, such as the "future LUAS Green Line extension" (p29), along with public transport enhancements.

CONDITIONS 5 (I) AND (II):

This states that: (i) no development shall commence on site until such time as the pedestrian and cycle infrastructure at the Fran O'Toole bridge has commenced, and (ii) no occupation of any residential/commercial unit shall take place until that infrastructure has been completed.

The applicant's main objections to this Condition seems to be (a) that they have no control over these works, and (b) these works would be 'nice to have' but are not necessary before development commences.

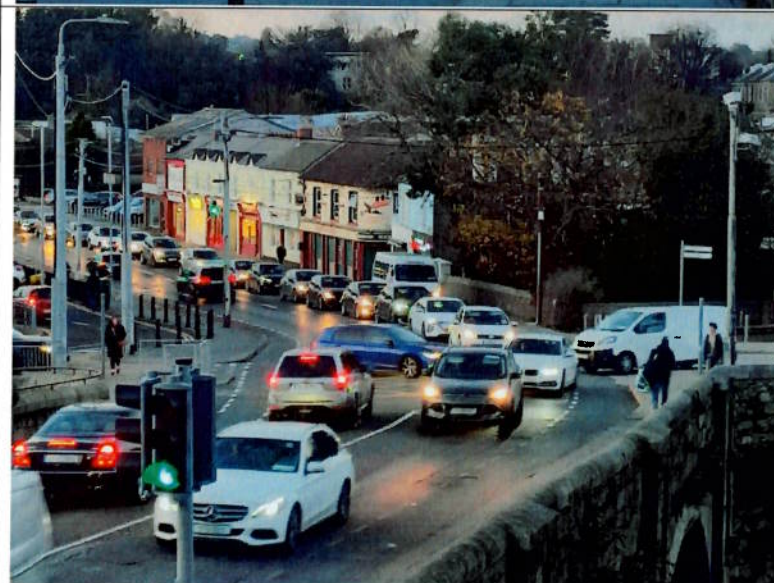
While the first part of this statement is true, the second part contradicts their clearly stated agreement with Wicklow County Council that a second bridge is necessary, because of the bottleneck created by traffic at the present bridge, and its consequent danger to road users, particularly VRUs. As the applicant's development progresses, this danger will be exponentially increased. It is therefore necessary, not just 'nice', for pedestrian and cycle links as proposed by Wicklow County Council to be in place before development is continued on this site: this narrow bridge is already dangerously overcrowded, particularly for pedestrians and cyclists.

The photograph shown at Fig. 5-1 of the Fran O'Toole bridge, with very little traffic on it, shows an image so rare that it should be placed in a museum for safe keeping.

Below are photographs showing the flexible bollards several months ago, and then normal rush hour traffic on this bridge, from both directions, on 19th November:



Note road to the right, after the bridge, leading to The Maltings housing estate, which cyclists must cross. This faces the Seapoint Road, a turning already categorised as dangerous in 2008.



Traffic coming from the north into the town centre, over the Fran O'Toole bridge. On the right is Ravenswell Road, on the left is the Lower Dargle Road.



Left: Traffic from the north crossing the Fran O'Toole bridge, with the Royal Hotel above left.

Finally, with regard to the applicant's comment (p41, paragraph 4 of 5.4 of their Appeal) that "the infrastructure is not required for the movement of pedestrians and cyclists between Sea Gardens and the Bray Town Centre", this is typical of the applicant's disregard for residents outside Sea Gardens for whom safety on this bridge is very necessary to 'render it acceptable' as per the Practice Notes.

The dedicated cycle and pedestrian lanes already in place on the Fran O'Toole bridge have made an already narrow bridge even narrower, and the flexible bollards in place to mark those lanes would not protect any cyclist or pedestrian in case of a vehicle bumping inadvertently into them.

Condition 6:

"Before development commences, the developer shall pay the sum of €4,354,683 (four million three hundred and fifty four thousand and six hundred and eighty three euro) to the Planning Authority as a contribution in respect of public infrastructure and facilities benefiting development in the area of the Planning Authority."

"REASON: The public infrastructure and facilities included in the Development Contribution Scheme will facilitate the development and it is considered reasonable that the developer should contribute towards the cost thereof."

The applicant's objection to the price tag on this Condition seems to be mainly based on their contention that "the cost of the provision of" their Southern Access Road, "borne by the applicant, should be offset against the subject conditioned development contribution".

As can be seen from the three Google Earth historical maps below, most of this road was already in existence when the applicant purchased the site in December, 2019. Built for the Ravenswell School campus, it is referred to locally as the 'Schools' Road' because it was constructed to facilitate the two new schools as per Planning Application 15/190.

Work commenced on the building of St. Philomena's Primary school (Ravenswell) and Coláiste Raithín on the high ground of the former golf club lands in July, 2016. The two schools finally moved into their new premises in autumn 2018. The Google Earth maps on the following page (Figs. 1-3) show no roads at all in 2016, work in progress in 2017, and the road completed in 2018.

The eastern end of this road, adjoining the railway underpass, was excavated in 2023, while in the possession of Shankill Property Investments, allegedly in order to facilitate necessary public water improvements by Irish Water. However, the actual excavation of the road, and its reinstatement, were carried out by Shankill Property Investments, according to an email we have received from Irish Water, stating that it made practical sense – as the applicant was also carrying out work on the road at that time – to facilitate both. *The route of the road was changed during that reinstatement in order to facilitate Shankill Property's plans.*

Fig. 1: Former Bray Golf Club lands, 2016:

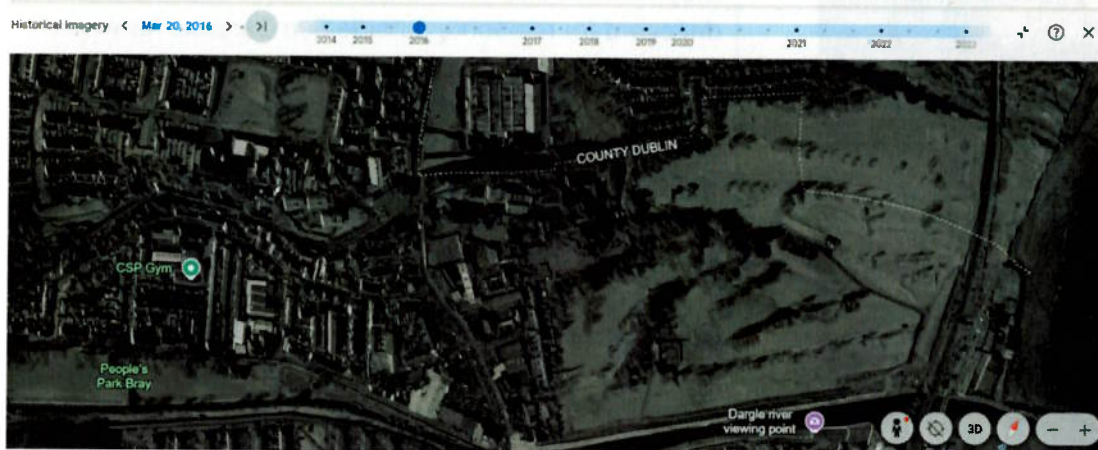


Fig. 2: Former Bray Golf Club lands, 2017:

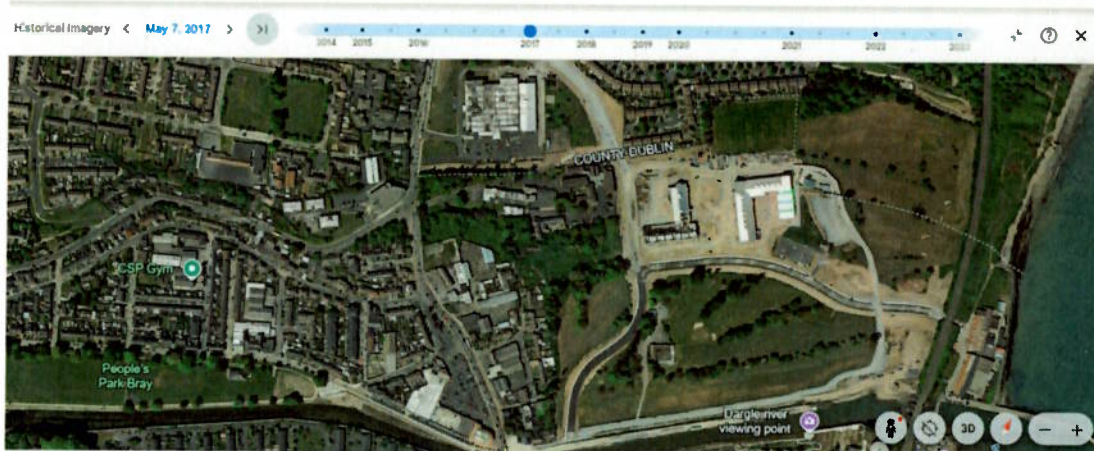
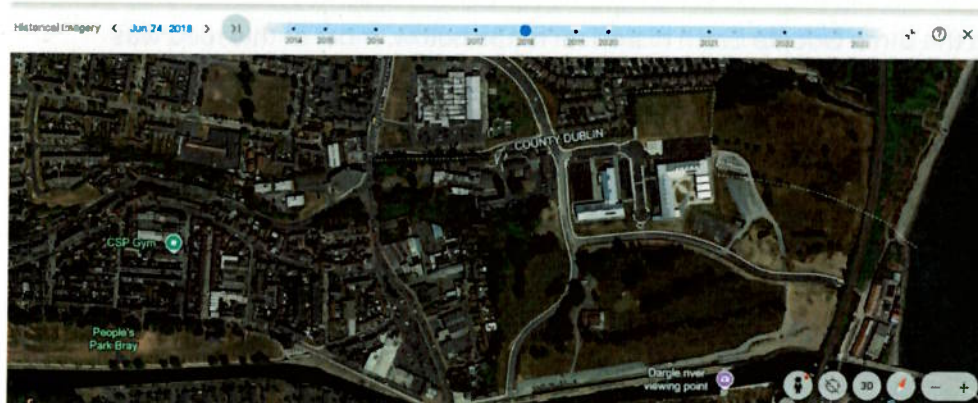


Fig. 3: Former Bray Golf Club lands, 2018:



The final part of the Southern Access Road, outlined in red in their Fig. 6-1, is proposed entirely to facilitate their desired closure of the entrance at Ravenswell Road, as per their own plans. This proposed diversion onto Sunnybank (the junction between the Dublin Road and the Upper Dargle) is inappropriate and will cause even more traffic havoc and dangerous road conditions, if it is allowed to go ahead.

In the final paragraph of 1.2.3 on p3 of their Appeal, the applicant states that the “proposed Southern Access Road provides an important link for pedestrians, cyclists and motorists between the Dublin Road and the waterfront and the planned Luas Stop”.

Motorists exiting the Dublin Road will not be able to access the waterfront via this road as the bridge proposed is for public transport only. The railway underpass on the northern side of the river is closed to motorists also. The present Southern Access Road (from the Dublin Road opposite Chapel Lane right down to the underpass just mentioned) provides an equally safe route for pedestrians and cyclists wishing to access the waterfront, and indeed takes them directly to the harbour with its dedicated, safe pedestrian and cycle lanes.

Finally, to propose that the provision of a proposed Luas stop that would, if it goes ahead, provide a valuable public transport route through their development, instead of serving the town centre, should somewhat deserve a ‘reward’ is simply nonsense.

Summary:

Condition 2: Block E:

The applicant’s rationale for insisting this building must be at least 12 storeys, if not 15, high seems to be that it is a ‘marker building’ in this location. ‘This location’ is close to the river, the swans’ flight path, on Flood Zones A and B, and has obviously been chosen to somehow balance a bridge that has not yet been assessed, much less authorised. The main reason however seems to be profit, and we submit that no one has the right to profit from putting other people’s lives and homes in danger.

Condition 5 (i) and (ii): the Fran O’Toole bridge:

This bridge is already dangerous for cyclists and pedestrians alike, who are not protected from harm in any way by the flexible bollards there. Until a second bridge, upriver, is built taking cars off this route and turning it into a public transport bridge that will serve the town of Bray and its inhabitants, that danger will increase. Closing Ravenswell Road and moving that bottle-neck further back along the queue to the Upper Dargle and the old Ravenswell Convent entrance will exacerbate that danger.

Condition 6: Contribution in respect of Public Infrastructure and Facilities:

This attempt to claim compensation for a road that was already in place when the applicant purchased the land, and which Shankill Property Investments has already moved to its advantage and now wants to move again, is ludicrous. Especially as the reason why the road is proposed to be moved is to facilitate their flawed design and their hoped for public transport diversion away from the town and into this development.

Signed: Avril Power, Hon. Sec. SaveBray, c/o 1, St. Cronan’s Road, Bray, Co. Wicklow. A98 WD59

Date: 24th November, 2025.

