



An  
Bord  
Pleanála

**Board Direction**  
**BD-001258-18**  
**ABP-300802-18**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 26/09/2018.

The Board decided, on a vote of 2:1, to grant permission, for the following reasons and considerations, and subject to the following conditions.

### **Reasons and Considerations**

Having regard to the nature and scale of the proposed development, its location on a brownfield site and the zoning objectives for this area as set out in the Bray Town development Plan 2011-2017 it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual amenities of the area, would be acceptable in terms of traffic safety and convenience and would, therefore, be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission, the Board concurred with the opinion of the planning authority and it is considered that, the proposed development represented an acceptable level of development on the site and would not prejudice the objectives of the Master Plan which includes the adjoining lands.

### **Appropriate Assessment Screening**

The Board completed an Appropriate Assessment Screening exercise in relation to the potential effects of the proposed development on designated European Sites, taking into account the nature, scale and location of the proposed development, the

Appropriate Assessment Screening Report submitted with the application and the Inspector's report and submissions on file. In completing the screening exercise, the Board adopted the report of the Inspector and concluded that, by itself or in combination with other development in the vicinity, the proposed development would not be likely to have a significant effect on any European Site in view of the sites' conservation objectives, and that a Stage 2 Appropriate Assessment is not, therefore, required.

### **Conditions**

- 1) PlansPartic
- 2) CMP 1
- 3) CDW
- 4) PA Condition No.05
- 5) PA Condition No.06
- 6) PA Condition 9 (a) only.

**Reason:** "To ensure that multiple access points are provided for users of the proposed development, to enhance permeability through the site and in the interests of proper planning and development."

- 7) UrbanWaterdrain
- 8) PA Condition 11. Replace last sentence with "All details shall comply with the written requirements of the planning authority".
- 9) Public lighting shall be provided in accordance with a scheme, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interests of amenity and public safety.

10) 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.

**Reason:** In the interests of visual and residential amenity

11)

- a. A plan containing details for the management of waste (and, in particular, recyclable materials) within the development, 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, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.  
Thereafter, the waste shall be managed in accordance with the agreed plan.
- b. This plan shall provide for a screened bin store, the location and design of which shall be included in the details to be submitted.

**Reason:** To provide for the appropriate management of waste and, in particular, recyclable materials, in the interest of protecting the environment.

12) Retail Ad 1

13) Security 3

14) S.48 Unspecified

15) S.48 2 (c) Unspecified - Special Contribution Unspecified in respect of the upgrade of Killarney Road/Boghall Road Junction

**Board Member**

**Date:** 04/10/2018

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Stephen Bohan