



An
Bord
Pleanála

Board Direction
BD-017516-24
ABP-319274-24

The submissions on this file and the Inspector's report were considered at a Board meeting held on 12/09/2024.

The Board decided to grant permission, for the following reasons and considerations, and subject to the following conditions.

Reasons and Considerations:

The Board considered that the proposed development is a minor extension of a use ancillary to the existing retail park. It will provide a facility for customers and employees of the park. The proposed development would represent a relatively minor amendment to the current retail offering were it to be delivered. The proposed development is therefore not considered a material contravention of the Bray Municipal District Local Area Plan 2018-2024.

The Board noted that the Retail Planning Guidelines 2012 do not restrict the provision of ancillary facilities such as this at retail parks. The proposed development is consistent with the primary use of the area as a retail park.

Therefore the Board considered that the proposed development, subject to compliance with the conditions set out below, would not seriously injure the visual amenity of the area, would be in accordance with the provisions of the relevant development plans and draft local area plan, 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 considered that the proposed development would also not change the function or role of the retail park nor of the current permitted development materially but instead would provide an ancillary use for customers and employees of the retail park and therefore would have no material impact upon the role and function of Bray Town Centre. The Board were satisfied that the development would remain ancillary to the park and will not be an attraction in its own right and the bulky goods offering will remain the attraction at this location. The proposed development will act predominantly to serve the needs of visitors to the site

Conditions

1. 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 submitted to the Board appeal on the 12th day of March, 2024, 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. **Reason:** In the interest of clarity.

2. The hours of operation shall be as per permitted for PA ref 18/509

Reason: In the interest of the amenities of the area.

3. Details of the materials, colours and textures of all the external finishes to the proposed development, including the windows, canopies and doors, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of the visual amenities of the area.

4. No advertisement or advertisement structure other than those shown on the drawings submitted with the appeal shall be erected or displayed on

the building or within the curtilage of the site in such a manner as to be visible from outside the building, unless authorised by a further grant of planning permission.

Reason: In the interest of visual amenity and to protect the residential amenities of the area.

5. Litter in the vicinity of the premises shall be controlled in accordance with a scheme of litter control which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This scheme shall include the provision of litter bins and refuse storage facilities.

Reason: In the interest of visual amenity.

6. 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

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.

Board Member


Liam Bergin

Date: 19/09/2024