



Planning and Development Acts 2000 to 2018

Planning Authority: Wicklow County Council

Planning Register Reference Number: 18821

APPEAL by Helen O'Reilly care of Derek Whyte of Great Connell, Newbridge, County Kildare against the decision made on the 4th day of September, 2018 by Wicklow County Council to refuse permission.

Proposed Development: Construction of a single-storey conservatory style extension to the south façade of existing single-storey coffee shop and all associated site works at The Coffee Dock, Bray Seafront, Bray, County Wicklow.

Decision

REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.

Matters Considered

In making its decision, the Board 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 submissions and observations received by it in accordance with statutory provisions.

Reasons and Considerations

1. It is considered that, by reason of its uncharacteristic design, the proposed development would materially and adversely affect the character of the cut-stone, granite former boathouse building to which it is to be attached and would, therefore, seriously injure the amenities of the area and be contrary to the proper planning and sustainable development of the area.
2. The applicant has failed to demonstrate sufficient legal interest in the site. The area on which the proposed extension is to be constructed would appear to be public land. Article 22(2) of the Planning and Development Regulations, 2001, as amended, states- “A planning application referred to in sub-article (1) shall be accompanied by – *inter alia* (g) “where the applicant is not the legal owner of the land or structure concerned, the written consent of the owner to make the application”. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Michelle Fagan
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.

Dated this day of 2018.