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**Planning and Development Acts 2000 to 2019**

**Planning Authority: Wicklow County Council**

**Planning Register Reference Number: 19/521**

**APPEAL** by McEleney Homes care of John Spain Associates of 39 Fitzwilliam Place, Dublin against the decision made on the 2<sup>nd</sup> day of July, 2019 by Wicklow County Council to refuse permission for the proposed development.

**Proposed Development:** Amend a previously permitted development An Bord Pleanála Reference PL 27.249185 (Wicklow County Council Register Reference 16/1402) by adding an additional floor containing 10 number apartments, consisting of eight number two bed, one number one bed and one number three bed with balconies and increasing the size of the basement by 180 square metres containing an additional five number car park spaces and storage. The proposal will increase the overall number of apartments from 39 to 49, consisting of 36 number two beds, six number one beds and seven number three beds, basement car park spaces from 47 to 52 and the height of the proposed building from four storey part five storey to five storey part six storey block with terraces and roof garden all with the permitted two number retail units, 17 number surface car park spaces with landscaped areas and ancillary site works at Ulysses, Montebello Terrace, 58-59 Strand Road, 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**

Having regard to:-

- (i) the location of the development, centrally along the Seafront in Bray, which has retained its Victorian character,
- (i) the amendments proposed under this application,
- (iii) the zoning objective for Bray Seafront as set out in the Bray Municipal District Local Area Plan 2018, which seeks to protect and enhance the character of the seafront area, and where proposed development will only be permitted where it does not negatively impinge on (1) the amenity and character of the area, (2) its natural and built heritage, (3) protected views and prospects and (4) protected structures, and
- (iv) the Protected views towards Strand Road as set out in the Bray Municipal District Local Area Plan 2018,

it is considered that the proposed development would, by virtue of its increased massing and scale, be disproportionate and overbearing relative to adjoining properties, would have a negative dominant impact on the visual setting of this Victorian seafront and would seriously injure a view listed for protection. The proposed development would, therefore, be contrary to the Bray Seafront zoning objective of the Bray Municipal District Local Area Plan 2018, would seriously injure the amenities of property in the vicinity and would be contrary to the proper planning and sustainable development of the area.

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**Maria FitzGerald**

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

**Dated this            day of            2019.**