



Planning and Development Acts 2000 to 2022

Planning Authority: Wicklow County Council

Planning Register Reference Number: 21/1185

APPEAL by David Elliott and Frank Farrell care of Vincent Farry Town Planning Limited of Suite 180, 28 South Frederick Street, Dublin against the decision made on the 16th day of May, 2022 by Wicklow County Council to grant a permission subject to conditions.

Proposed Development: Demolition of three existing commercial retail units and proposed mixed use development over four floor levels consisting of three commercial units at ground floor level, nine two-bedroom apartments at first, second and third floor levels, connection to existing services and all associated site works, at 35, 35A and 36 Florence Road, Bray, County Wicklow.

Decision

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



Reasons and Considerations

Specific Objective TC3 of the Bray Municipal District Plan 2018-2024 seeks to promote active uses above ground floor level and promote the concept of 'living over the shop' and, in this respect, allows for a relaxation in density, car parking and open space standards where the development meets a very high quality of design and accommodation. The proposed development comprises of three commercial units at ground floor level with nine apartments set out over three floors, while not making provision for new car parking or public open spaces, taking advantage of this objective.

However, the objective also requires that the development meets a very high standard of design and accommodation. Notwithstanding the planning authority's condition number 4, it is considered that the design of the proposed development, by reason of the irregular pattern of windows, doors, shopfronts and material finishes, is not of a sufficiently high standard to ensure compliance with this objective, fails to protect the visual amenity of the streetscape and would set an undesirable precedent for future development along Florence Road. Having regard to the same and to the inadequate safe and covered cycle parking area and by reason of the lack of adequate bin storage for the proposed commercial units, the proposed development would result in an incongruous form of development in the area, would seriously injure the visual amenities of the area, would be contrary to the specific objective TC3 as set out in the Bray Municipal District Plan 2018-2024 in relation to town centre development and would, therefore, be contrary to the proper planning and sustainable development of the area.


Stephen Bohan

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

Dated this *9/6* day of *January* 2024.