

An
Bord
Pleanála

Board Order
ABP-320215-24

Planning and Development Acts 2000 to 2022

Planning Authority: Wicklow County Council

Planning Register Reference Number: 23/60347

Appeal by Brian and Darbhaile Connell of Carrigslaney, Marine Road, Greystones, County Wicklow against the decision made on the 25th day of June, 2024 by Wicklow County Council to grant permission, subject to conditions, to Tiglin Challenge care of O'Keeffe Architects Limited of Suite One, The Avenue, Beacon Court, Bracken Road, Sandymount, Dublin for the proposed development.

Proposed Development: Retention of use of the building as a café and ice-cream booth with associated external seating areas. Permission for the relocation of pedestrian access from Kimberley Lane to the Marine Road boundary of the site, the fitting of glass protective balustrades to the local boundary walls and associated redesign and reduction of the existing external seating areas along with new screening landscaping, at 1 Marine Road, Rathdown Lower, Greystones, County Wicklow.

Decision

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

Reasons and Considerations

Having regard to the location of the site, the established uses within the subject site, and the nature and scale of the development it is considered that, subject to compliance with the conditions set out below, the proposed development and the development proposed for retention would not seriously injure the residential amenities of the area or of property in the vicinity and would be acceptable in terms of traffic safety and convenience. The proposed development and the development proposed for retention would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be retained, carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 29th day of May, 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 and the development shall be retained, carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Revised drawings illustrating the glass protective balustrades to the boundary walls shall be submitted to the planning authority for written agreement prior to commencement of development.

Reason: In the interest of orderly development, and to protect the heritage and visual amenities of the area.

3. Details of the proposed interface between the western boundary of the site and the previously approved Part 8 development to construct 14 number one bed age-friendly apartments under planning register reference number 22/8 on the 26th day of April 2023 shall be agreed in writing with the planning authority within three months of the date of this Order.

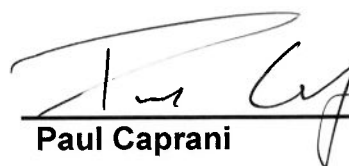
Reason: In the interest of clarity.

4. The hours of operation shall be between 0700 to 1900 daily. The café shall not operate outside these hours.

Reason: To protect the amenities of the area.

5. 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 with three months of the date of this Order 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 or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

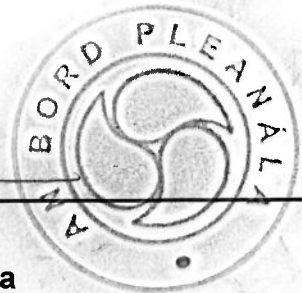
Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.



Paul Caprani

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**



Dated this 06th day of March, 2025.