



An
Bord
Pleanála

Board Order
ABP-320318-24

Planning and Development Acts 2000 to 2022

Planning Authority: Wicklow County Council

Planning Register Reference Number: 24102.

Appeal by O'Flynn Construction (Bray) Unlimited Company care of McCutcheon Halley of 6 Joyce House, Barrack Square, Ballincollig, County Cork against the decision made on the 5th day of July 2024, by Wicklow County Council, to refuse permission for the proposed development.

Proposed Development: The change of use at ground floor from Commercial/Café to Office/Community use, ancillary to the adjacent residential development as approved under planning register reference number 18/1432 at 5 Albert Avenue, Bray, 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 provisions of the Wicklow County Development Plan 2022-2028, to the limited size of the unit and the limited area of street frontage, to the nature and scale of the development as an amendment to an existing development with 32 permitted apartments, and to the nature of Albert Avenue and the surrounding area, it is considered that the proposed development, subject to compliance with the conditions set out below, would not seriously injure the amenities of the area, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

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 particulars received by the planning authority on the 24th day of June 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. Apart from any departures specifically authorised by this permission, the development shall comply with the conditions of the parent permission granted under planning register reference number 18/1432, as amended by planning register reference numbers 21/470, 22/943, and 23/209, unless the conditions set out hereunder specify otherwise. This permission shall expire on the date of expiry of the parent permission.

Reason: In the interest of clarity and to ensure that the overall development is carried out in accordance with the previous permissions.

3. The ground floor unit in question shall be made available to the residents as a communal amenity/meeting/event space on a seven-day basis.

Reason: To ensure that the overall development is carried out in accordance with the details submitted in the appeal, to ensure an active frontage, and in the interest of residential amenity.



Mary Gurrie

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

Dated this 27 day of January 2025.