



Planning and Development Act 2000, as amended

Planning Authority: Wicklow County Council

Planning Register Reference Number: 2560433

APPEAL by John A Hopkins against the decision made on the 29th day of August 2025, by Wicklow County Council to grant, subject to conditions, a permission to HX Properties Limited in accordance with the plans and particulars lodged with the said Council.

Proposed Development: (1) Construction of four number one bed apartments and two number two bed apartments over three storeys with penthouse to top floor. (2) retail/commercial unit at ground floor (48 square metres). (3) new internal bike/bin storage and all ancillary site works at Mill Lane, Bray, County Wicklow.

Decision

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

Reasons and Considerations

It is considered that the layout and design of the proposed development would produce a cramped and substandard form of apartment development on this site and by reason of the topography, proximity to the public footpath and the constraints of the site would result in an unacceptable level of residential amenity and constitute overdevelopment of the site. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Commission agreed that the height of the proposed apartment development was acceptable at this location but considered that the north facing and single aspect nature of Unit 01 and its proximity to the public footpath would not be acceptable in terms of residential amenity, daylight and sunlight, privacy and security and did not consider this should be addressed by condition. The Commission agreed with the Inspector that there would be a deficit of private open space for Unit 05 and were not satisfied that it had been demonstrated that the provision of open space, in the form of a balcony, which projected outside the site red line boundary was acceptable for unit numbers 02, 03, 04 and 05. The Commission also shared the concerns of the Inspector as regards the provision of waste facilities within the proposed development and were not satisfied that the provision of commercial and communal bins, to serve the proposed development, could be adequately accommodated whilst also providing adequate bike parking facilities.



Marie O'Connor

**Planning Commissioner of An Coimisiún
Pleanála duly authorised to authenticate
the seal of the Commission.**

Dated this 23rd day of March 2026.