

An  
Bord  
Pleanála

**Board Direction**  
**BD-016065-24**  
**ABP-314064-22**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 10/04/2024.

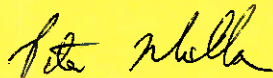
The Board decided to refuse permission, generally in accordance with the Inspector's recommendation, for the following reasons and considerations.

### **Reasons and Considerations**

1. Having regard to the undulating nature of the site topography and the extent of cut and fill activities which are proposed to facilitate the development, including the construction of a bridge structure with a 9 m high embankment and retaining wall within 3 m of the riparian zone of Three Trouts Stream, the Board is not satisfied that sufficient technical information has been submitted to demonstrate that no significant negative impacts would arise to the water quality and biodiversity of this watercourse. As such, the proposed development would be contrary to the proper planning and sustainable development of the area.
2. The proposed development, by reason of its inadequate qualitative provision of public and communal open space, would conflict with the provisions of the Wicklow County Development Plan 2022-2028 and the "Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities" published by the Department of Housing, Local Government and Heritage in December 2022. The proposed development would, therefore, result in a poor standard of residential amenity for future occupants and would be contrary to the proper planning and sustainable development of the area.

3. It is considered that the proposed internal road layout, which incorporates significant embankment features elevated between 6 m and 9 m above the surrounding ground levels, would endanger public safety by reason of traffic hazard. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
4. It is considered that the information provided with the application and appeal in relation to the surface water drainage arrangements has not adequately demonstrated that the proposed development would not result in an increased level of run-off from the site and therefore, an increased level of flooding upstream and downstream along Three Trouts Stream. The proposed development would, therefore, pose an unacceptable risk of flooding and would be contrary to the proper planning and sustainable development of the area.
5. The proposed development does not comply with national policy on Childcare Facilities, as set out in the Guidelines for Planning Authorities issued by the Department of the Environment and Local Government in June, 2001 and the Sustainable Urban Housing Design Standards for New Apartments Guidelines for Planning Authorities published by the Department of Housing, Local Government and Heritage in December 2022 and would be detrimental to the amenities of future residents and, thereby, would be contrary to the proper planning and sustainable development of the area. The Board noted that applicant has included revised drawings with the appeal showing the replacement of 2 no. apartments at lower ground floor level of the apartment block with a childcare facility, however in light of the other 4 grounds for refusal it wasn't necessary to examine this matter further.

**Board Member**



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Peter Mullan

**Date:** 12/04/2024