



An
Bord
Pleanála

Board Direction
BD-017085-24
ABP-318636-23

The submissions on this file and the Inspector's report were considered at a Board meeting held on 18/07/2024.

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

Reasons and Considerations:

Having regard to the tourism and recreational objectives and considerations as set out in the current Wicklow County Council Development Plan, 2022 -2028, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity, would not be prejudicial to public health and would be acceptable in terms of traffic safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

1.0 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 submitted on the 18th day of October 2023, 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. The external lighting shall be to the car park, only, as indicated in Drawing No. 18234 - 4-306 submitted on the 27th of March 2023 and no other lighting shall be erected without a prior grant of planning permission, whether or not such works would be exempted development under the Planning and Development Act and associated regulations. The lights should have an automatic switch off, such that they were only on during the periods:
 - (a) 8:00 am to 9:00 pm from the 1st of May until the 30th of September
 - (b) 8:00 am to 6:00 pm from the 1st of October until the 30th of April.

The lights shall be designed to accord with the Wicklow County Council's Public Lighting Guidelines and in particular it's dark sky objective therein.

Reason: In the interests of residential and visual amenity.

3. Prior to the commencement of development, the developer shall carry out and submit the following for the written agreement of the planning authority:
 - a) A survey and test of the available groundwater to serve the proposed well.
 - b) Test the quality of the groundwater and submit proposals to ensure that it is fit for human consumption such as the installation of a UV system with a validated UV system e.g NSF ANSI Standard 55 Disinfection Class A performance or equivalent and pretreatment if required.
 - c) Submit the details of the findings of this testing to the planning authority, including details of the expected yield of the proposed well and calculations of the expected water consumption to serve the proposed development.

The development shall accord with the written agreements.

Reason: In the interest of public health and the proper planning and sustainable development of the area.

4. (a) Prior to the operation of the bike trail head building the existing temporary structures comprising of the temporary café, bike and repair services facility and toilets shall be removed in their entirety.
(b) Upon completion of the proposed wastewater treatment system the existing temporary wastewater treatment system shall be removed or backfilled with inert material.

Reason: To prevent groundwater contamination and in the interest of proper planning and sustainable development of the area.

5. The hard and soft landscaping shall be carried out in accordance with the landscaping plan and details submitted to the planning authority on the 27/03/2022. The landscaping and tree planting shall be carried out before or during the first planting season or part thereof occurring after the commencement of development. Any plants which become seriously damaged shall be replaced by others of similar size and species.

Reason: In order to assimilate developments on this site into the surrounding area in the interests of visual amenity and proper planning and sustainable development.

6. The hours of operation of the bike trailhead building the subject of this application shall be as follows:
(a) 8:00 AM to 9:00 PM from the 1st of May until the 30th of September.
(b) 8.00AM to 6:00 PM from the 1st of October until the 30th of April.

Reason: In the interest of residential amenity, traffic / pedestrian safety and proper planning and sustainable development.

7. The mountain trail head building shall not be open to the public until a permanent ESB connection is in place.

Reason: In the interest upon the planning and sustainable development of the area.

8. The developer shall prevent any mud, dirt, debris or building material being carried onto or placed on the public road or adjoining properties as a result of the

site works and repair any damage to the public road arising from carrying out the works.

Reason: In the interests of orderly development.

9. (a) Surface water from the site shall not be permitted to drain onto the adjoining public road. All uncontaminated roof and surface water drainage from roofs, entrances, parking areas etc shall be collected and disposed of within the site as detailed in the proposed drainage layout submitted on the 18th of October 2023 an associated reports. In particular, no such surface water runoff shall be allowed to flow onto the public roadway nor to discharge to the effluent disposal system.

Reason: To ensure satisfactory stormwater drainage in the interest of proper planning and sustainable development.

10. The requirements of the Transportation Office shall be adhered to, in particular, the developer shall ensure the following measures:
- (a) Installation of large stones and timber bollards (all less than 1 m high) along the road edge margins to prevent haphazard and illegal parking at the site entrance and along the public road and to ensure sightlines are achieved and maintained.

Reason: In the interests of traffic safety and orderly development.

11. Water supply and drainage arrangements, including the disposal of surface water shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

12. All service cables associated with the proposed development (such as electrical, television and telephone) shall be run underground within the site.

Reason: In the interest of the visual amenities of the area.

12. During construction the developer shall provide adequate off carriageway parking facilities, for all traffic associated with the proposed development, incl. delivery and service vehicles / trucks. There shall be no parking along the public road.

Reason: In the interest of traffic safety.

13. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of all intended construction practice for the development, construction traffic routing and management, construction parking, materials storage, site compound, noise management measures and off-site disposal of construction/demolition waste.

Reason: In the interests of public safety and residential amenity

14. Site development and building works shall be carried only out between the hours of 0700 to 1800 Mondays to Fridays inclusive, between 0800 hours to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.

15. 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. The contribution shall be paid prior to the commencement of development 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 the Board to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000 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.

Board Member



Date: 24/07/2024

Liam Bergin