



An
Coimisiún
Pleanála

Direction
CD-020397-25
ABP-322268-25

The submissions on this file and the Inspector's report were considered at a meeting held on 01/08/2025.

The Commission decided to treat this case under section 139 of the Planning and Development Act, 2000. The Commission also decided, based on the Reasons and Considerations set out below, that the planning authority be directed, as follows:

Amend condition numbers 2 and 5 as follows:

2. (a) Unless otherwise agreed in writing with the planning authority, prior to the commencement of any residential unit in the development as permitted, the applicant or any person with an interest in the land shall enter into an agreement with the planning authority (such agreement must specify the number and location of each residential unit), pursuant to Section 47 of the Planning and Development Act 2000, as amended, that restricts all relevant residential units permitted, to first occupation by individual purchasers i.e. those not being a corporate entity, and/or by those eligible for the occupation of social and/or affordable housing, including cost rental housing.

(b) An agreement pursuant to Section 47 shall be applicable for the period of duration of the planning permission, except where after not less than two years from the date of completion of each specified residential unit, it is demonstrated to the satisfaction of the planning authority that it has not been possible to transact each of the residential

units for use by individual purchasers and/or to those eligible for the occupation of social and/or affordable housing, including cost rental housing.

(c) The determination of the planning authority as required in (b) shall be subject to receipt by the planning and housing authority of satisfactory documentary evidence from the applicant or any person with an interest in the land regarding the sales and marketing of the specified residential units, in which case the planning authority shall confirm in writing to the applicant or any person with an interest in the land that the Section 47 agreement has been terminated and that the requirement of this planning condition has been discharged in respect of each specified residential unit.

Reason: To restrict new housing development to use by persons of a particular class or description in order to ensure an adequate choice and supply of housing, including affordable housing, in the common good.

Condition 5

5.(a) The type and layout of cycle parking relating to bike stores 1 and 2 shall accord with Drawing No. 291 REV 1 received by the planning authority on the 13th of February 2025.

(b) Parking facilities for the electric and cargo bicycles shall be within a secure cycle cage or store at basement level.

Reason: To promote sustainable transport use and in the interest of the proper planning and sustainable development of the area.

Planning

Commissioner:

Eamonn James Kelly

Eamonn James Kelly

Date: 01/08/2025

DRAFT WORDING FOR ORDER

Reasons and Considerations

Having regard to the design, scale and nature of the proposed development and its relationship to surrounding properties, it is not considered that other aspects of the proposed development would have a significant impact on residential or visual amenity and that they are in accordance with the proper planning and development of the area. It is therefore considered appropriate in accordance with section 139 of the Act, that the appeal should be considered against conditions only.

Noting that Objective CPO 6.2 has remained in the final adopted Wicklow Development Plan 2022-2028, that no challenge to its statutory standing has occurred subsequent to the recommendation of the OPR and given that a HNDA will be carried out in due course, as referenced in the Wicklow County Development Plan 2022-2028, it is considered reasonable that the intent of Objective CPO 6.2 is reflected in Condition 2 in so far as it relates only to the additional units proposed under this planning application, with flexibility to allow amendments relevant to housing need and demand, such as tenure policy, in the context of the of the upcoming HNDA.

The bicycle storage system proposed by the applicant allows for the efficient use of space at basement level and it accords with Development Plan requirements and SPPR 4 (Cycle Parking and Storage) of the Compact Settlements Guidelines in terms of such facilities located within the footprint of the building, being covered, secure and sheltered.