



Planning and Development Acts 2000 to 2018

Planning Authority: Wicklow County Council

Planning Register Reference Number: 18/53

Appeal by Eileen and Roy Byrne care of BPS Planning Consultants of 23 Saval Park Road, Dalkey, County Dublin against the decision made on the 8th day of January, 2019 by Wicklow County Council in relation to an application by O'Connor Kelliher Treacy Limited (the "Receiver") for Cannockway Limited care of bba architecture of Suite 3, The Eden Gate, Delgany, County Wicklow for permission for development comprising a 10 year permission for 16,498 square metres mixed development comprising of one number crèche building, one number neighbourhood centre building, one number nursing home building and four number office buildings on 12.06 acres/48,809 square metres site, together with all infrastructure works to service this development, including car and cycle parking, connection to foul drainage and local water supply, landscaping roads and ancillary site works at Ballybeg, Rathnew, County Wicklow. The proposed development was amended by further plans and particular lodged with the said Council on the 5th day of December, 2018, (which decision was to grant subject to conditions permission for Office Block 1, one number nursing home building, one number crèche and all associated site works and services and to refuse permission for Office Block 2, 3 and 5, café and associated internal roads, parking and site ancillary works.

Decision

REFUSE permission for the above proposed development based on the reasons and considerations set out below.

Matters Considered

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

Reasons and Considerations

The site of the proposed development is zoned E2 'Enterprise and Employment' in the Wicklow Town – Rathnew Development Plan 2013 – 2019, where the objective is 'to provide for enterprise and employment development in the form of light industry, warehousing and logistics development'. Policy Objective EMP2 under 'Objectives for enterprise and employment development' as set out in the Development Plan states 'to promote and support the development of employment zoned land and to protect employment zoned land from inappropriate development'. The proposed development includes a mix of office, crèche and nursing home uses which it is considered would be prejudicial to the development of the appeal site for light industry, warehousing and logistics development. The proposed development would, therefore, contravene Zoning Objective 'E2' and Policy Objective EMP2, and would be contrary to the proper planning and sustainable development of the area.

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

Dated this day of 2019.