

An
Bord
Pleanála

Board Order
ABP-309081-21

Planning and Development Acts 2000 to 2021

Amendment of Board Order

Planning Authority: Wicklow County Council

Planning Register Reference Number: 20/545

Development Concerned: Amendments to the previously permitted residential development (An Bord Pleanála reference number PL 27.248401, planning register reference number 15/1307). The amendments will consist of the following: (A) an amendment to the layout of 36 number previously permitted dwellings (numbers 19 to 34 inclusive, 54 to 60 inclusive and 72 to 84 inclusive) for the construction of 10 number additional dwellings. The amended development will consist of 92 number new single, two and three storey dwellings including five number four bed detached dwellings, 14 number four bed semi-detached dwellings, 44 number three bed semi-detached dwellings, 28 number three bed terraced dwellings and one number two bed terraced dwelling. The proposal includes the omission of previously permitted houses types A, B, E and F and the inclusion of new houses types J1, M1 and N; (B) the position of previously permitted dwelling numbers 43 to 53 inclusive are to be moved south. The alignment of the internal estate road and public open space in front of these dwellings is to be amended accordingly; (C) the position of the previously permitted northern site boundary wall and fencing is proposed to be moved; (D) the proposed

alteration to previously permitted house type H (previously permitted dwelling numbers 47,48 and 49). The two number type H end of terrace three bed dwellings are to be reduced in gross floor area from 103.8 square metres to 101.7 square metres; (E) the previously permitted three metres high boundary wall with the convent land on the southeast site boundary is to be reduced in height to provide a 1.8 metres high capped and rendered blockwork wall; (F) A 10 square metres extension to the rear of the previously permitted creche. The new gross floor area is to be 154 square metres with a proposed increase in childcare capacity from 23 to 25 child spaces, all at site of 4.28 hectares at Richview House, Bellevue Hill, Delgany, County Wicklow.

WHEREAS the Board made a decision to grant permission, subject to conditions, in relation to the above-mentioned development by Order dated the 3rd day of May, 2022:

AND WHEREAS it has come to the attention of the Board that due to a clerical error a condition in relation to Section 47 of the Planning and Development Act, 2022, as amended, was omitted from the decision:

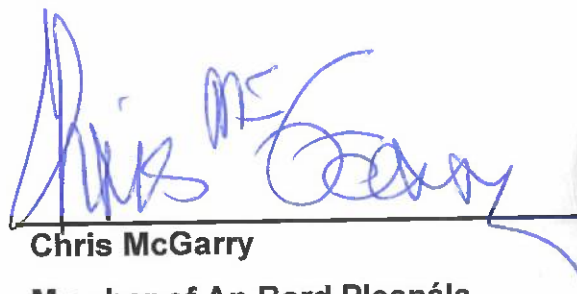
AND WHEREAS the Board considered that the correction of the above-mentioned error would not result in a material alteration of the terms of the development, the subject of the decision:

AND WHEREAS having regard to the nature of the issue involved, the Board decided not to invite submissions in relation to the matter from persons who had made submissions or observations in relation to the appeal the subject of this amendment:

NOW THEREFORE in accordance with section 146A(1) of the Planning and Development Act 2000, as amended, the Board hereby amends the above-mentioned decision so that a further condition shall be attached to the Order (condition number 7 and the reason therefor) as follows:

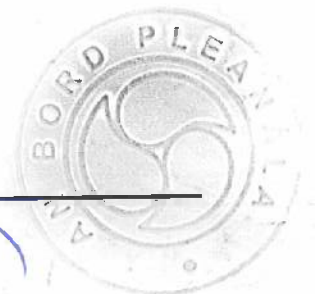
7. Prior to the commencement of any house or duplex unit in the development as permitted, the applicant or any person with an interest in the land shall enter into an agreement with the planning authority (such agreement must specify the number and location of each house or duplex unit), pursuant to Section 47 of the Planning and Development Act 2000, as amended, that restricts all houses and duplex 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.

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.



Chris McGarry

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



Dated this 10th day of March 2023.