



Planning and Development Acts 2000 to 2020

Planning Authority: Wicklow County Council

Planning Register Reference Number: 20/235

Application for Leave to Appeal against the decision of the planning authority by Patricia Stokes on behalf of Eileen Bentley care of Michael Connolly Architects of Unit C4, Wicklow Enterprise Centre, Wicklow Town, County Wicklow having an interest in land adjoining the land in respect of which Wicklow County Council decided on the 20th day of January, 2021 to grant subject to conditions a permission to Cordiva Limited care of Brock McClure Consultants of 63 York Road, Dún Laoghaire, County Dublin.

Proposed Development: Revisions to development permitted under planning register reference number 08/610066 (as extended by planning register reference numbers 13/610035 and 19/373 and revised by planning register reference numbers 16/1418, 18/1033 and 19/266 and concurrent revisions applications under planning register reference number 20/187 and shall provide for the replacement of 55 number previously permitted units located in 'Phase 3' (comprising six number Type B, 16 number Type C, 17 number Type D and 16 number Type X three bedroom semi-detached/terraced two-storey house units), with 84 number residential units (comprising 68 number two-storey houses and 16 number apartment/duplex units

arranged across three storeys). Permission is also being sought for the omission of 22 number previously permitted units comprising six number houses (consisting of two number three bedroom semi-detached two-storey Type C house units and four number three bedroom terraced two-storey Type D house units) and 16 number apartments (consisting of eight number two bedroom single storey/ground floor apartment units and eight number three bedroom two-storey/duplex apartment units) located to the north of the site and in their place the provision of an enlarged area of public open space. The 84 number residential units shall comprise six number two bedroom terraced two-storey Type A house units circa 81.3 square metres each; 27 number three bedroom terraced/semi-detached two-storey Type C house units circa 96.8 square metres each; four number three bedroom semi-detached two-storey Type D house units circa 97.6 square metres each; 31 number two bedroom terraced two-storey Type F house units circa 81.8 square metres each; eight number one bedroom single storey/ground floor apartment units circa 45.3 square metres each and eight number two bedroom two-storey/duplex apartment units circa 77.7 square metres each with north-east facing balconies at second floor level and associated private open space throughout. All associated landscaping works, open space, boundary treatments; bins storage; car and bicycle parking; residential access roads and pedestrian access; all associated site development works and services provision. All other development within the site will remain as permitted under planning register reference number 08/610066 (as amended and extended). circa at this site of circa 10.2 hectares at Heatherside, Vale Road, Yardland Townland, Arklow, County Wicklow.

Decision

REFUSE leave to appeal under section 37 (6) of the Planning and Development Act, 2000, as amended, 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

Having regard to the submissions and documents received in connection with the application for leave to appeal and the conditions set out in the planning authority's decision, it is considered that it has not been shown that the development in respect of which a decision to grant permission has been made will differ materially from the development as set out in the application for permission by reason of conditions imposed by the planning authority to which the grant is subject.

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

Dated this day of 2021