

An  
Bord  
Pleanála

Board Order  
ABP-311747-21

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**Planning and Development Acts 2000 to 2021**

**Planning Authority: Wicklow County Council**

**Planning Register Reference Number: 21/469**

**Appeal** by Charles Keddy of Sea Road, Kilcoole, County Wicklow against the decision made on the 30<sup>th</sup> day of September, 2021 by Wicklow County Council to grant subject to conditions a permission to Saint Catherine's Association care of Ó Broin Architects of 'The Studio', Kircullen, Kinlen Road, Greystones, County Wicklow in accordance with plans and particulars lodged with the said Council:

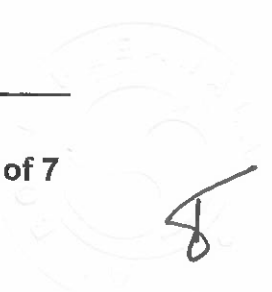
**Proposed Development:** Construction of a two-storey Administration Centre, single storey Adult Day Centre, Gym, Respite Centre incorporating four number accommodation units and a wastewater pumping station on lands associated with the old Holy Faith Convent, Kilcoole. The application includes for a new access road from the R761, main Kilcoole road, opposite the intersection with Lott Lane, car parks and associated site works, all at lands associated with the Holy Faith Convent, Kilcoole, County Wicklow.

## **Decision**

**GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.**

## **Reasons and Considerations**

Having regard to the nature and scale of the proposed development, its location at the edge of Kilcoole town centre, in an area well served by public transport and close to and accessible to services, residential areas, and public amenities, to the provisions of the Wicklow County Development Plan 2016 - 2022 and the Greystones - Delgany and Kilcoole Local Area Plan 2013 - 2019, including Objectives CD18 and CD19, it is considered that the proposed development would not seriously injure the residential or visual amenities of the area or of property in the vicinity, would respect the existing character of the vicinity, and would be acceptable in terms of traffic and pedestrian safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.



## 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 plans and particulars submitted on the 30<sup>th</sup> day of July 2021, 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. Prior to commencement of development, the developer shall submit the following details to the planning authority for their written agreement:
  - (a) Final design details for the proposed access road and its junction with the Regional Road - R761, including cycle and pedestrian facilities.
  - (b) Proposals to close off the existing field entrance to the site from the R761.
  - (c) Details of the roadside boundary set back in accordance with the plans and particulars submitted on the 30<sup>th</sup> day of July 2021, in particular Drawing Number D1919-MAL-00-XX-C-01.

The above works shall be designed in accordance with the requirements of the planning authority.

**Reason:** In the interests of amenity and of traffic and pedestrian safety.

3. Prior to commencement of development, the developer shall submit the following proposals, including revised layout plans to the planning authority for their written agreement, which shall comply with the following:
  - (a) The lands allocated for the provision of a cycle track and footpath on the southern side of the proposed access road shall be retained as a grass verge unless otherwise agreed in writing with the planning authority.
  - (b) A proposal for the intended boundary treatment to the south of the proposed access road.

**Reason:** In the interests of amenity and of traffic and pedestrian safety.

4. Prior to commencement of development, the developer shall submit the following proposals, including revised drawings (elevations, sections, plans, etc.), to the planning authority for their written agreement, which shall comply with the following:

The administration centre building shall be constructed with the following:

- (a) All first-floor windows in the north elevation shall be omitted and replaced with high level windows a minimum of 1.8 metres above internal floor level.



- (b) The first-floor balcony on the west elevation shall be redesigned to incorporate an opaque glazed screen a minimum height of 1.8 metres.

**Reason:** In the interest of residential amenity.

- 5. The revised roadside boundary wall shall match the existing boundary wall at this location.

**Reason:** In the interest of traffic safety and in the interest of protecting the architectural heritage of the area.

- 6. (a) The landscaping scheme (Drawing Number PP327-03) and implementation of the hedgerow protection plan (Drawing Number PP327-02), submitted with further information to the planning authority on 30<sup>th</sup> day of July, 2021 shall be overseen by a qualified Landscape Architect and carried out within the first planting season following substantial completion of external construction works and be in accordance with the Landscape Specifications (Drawing Number PP327-04) (submitted to the planning authority as further information on 30<sup>th</sup> day of July, 2021).
- (b) All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

- (c) When all landscape works are inspected and completed to the satisfaction of the Landscape Consultant, a Practical Completion Certificate shall be submitted to, and agreed in writing with, the planning authority, as verification that the approved landscape plans and specifications have been fully implemented.

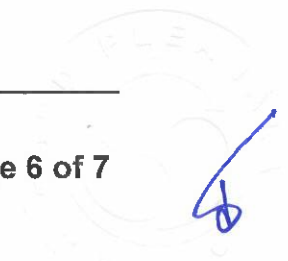
**Reason:** In the interests of residential and visual amenity.

7. All trees and hedgerow on the site boundaries shall be retained and maintained with the exemption of those strictly required to facilitate the development.

**Reason:** In the interest of visual amenity.

8. Prior to commencement of development, the developer shall enter into water and/or wastewater connection agreement(s) with Irish Water.

**Reason:** In the interest of public health.



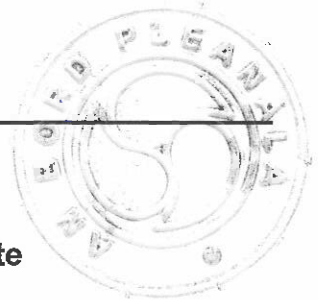
9. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to 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 An Bord Pleanála to determine the proper application of the terms of the Scheme.

**Reason:** It is a requirement of the Planning and Development Act 2000, as amended, 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.



Terry Ó Niadh

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



Dated this 22nd day of June, 2022.