

Planning and Development Acts 2000 to 2022

Planning Authority: Wicklow County Council

Planning Register Reference Number: 22/342

APPEAL by Touncaragh Limited on behalf of Newcastle Limited Partnership care of Ardale Property Group, care of Brock McClure Planning and Development Consultants of 63 York Road, Dún Laoghaire, County Dublin against the decision made on the 16th day of March, 2023 by Wicklow County Council to refuse permission.

Proposed Development: Seven year permission for construction of 27 number three to four bed detached and semi-detached dwellings (ranging in size from circa 105 square metres to 209 square metres each) comprising 13 number dormer bungalows and 14 number two-storey houses with associated car parking and rear gardens. Provision of public open space totalling circa 3,028 square metres. New Vehicular and pedestrian access from Leamore Lane and all internal roads and footpaths. Proposed road upgrade works including widening of Leamore Lane to 5.5 metres with provision of a two metre wide footpath. All associated site development works, services provision, drainage works, open space, landscaping and boundary treatment works, all on a circa 2.05 hectare lands located south of Leamore Lane, Newcastle, County Wicklow The site is generally bounded to the north/north-west by Leamore Lane, to the south by residential units including Hunter's Leap residential estate and to the west and east by agricultural fields. The proposed development was revised by further public notices received by the

planning authority on the 21st day of February, 2023. A separate application is made for five number dwelling units on adjoining lands to the east of the site.

Decision

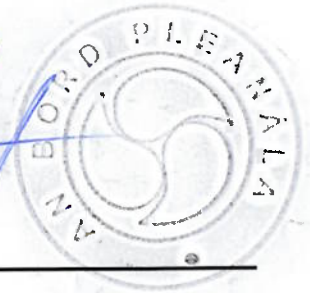
REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.

Reasons and Considerations

1. Having regard to the location of dwelling unit numbers 23 to 27, the ancillary residential access road, and private and public areas of ancillary residential open space on unzoned lands and within Level 10: The Rural Area as identified in the Settlement Strategy of the Wicklow County Development Plan 2022-2028, the Board considered that the proposed development would be contrary to Objective CPO 4.6 of the Wicklow County Development Plan 2022-2028 to require new housing development to locate on designated housing land within the boundaries of settlements, in accordance with the development policies for the settlement. The Board also considered that the above-mentioned residential units would be contrary to Objective CPO 6.1 of the said statutory plan which states that new housing development shall be required to locate on suitably zoned land or designated land in settlements and will only be considered in the open countryside when it is for the provision of a rural dwelling for those with a demonstrable housing, social, or economic need to live in the open countryside. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The development is reliant on improvement works to Leamore Lane, on lands that are outside of the control of the applicant. In the absence of adequate pedestrian infrastructure connecting the subject site to Newcastle town centre, the proposed development would generate pedestrian movements on the carriageway of Leamore Lane and Sea Road, which would endanger public safety by reason of a traffic hazard. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

3. It is an objective of the Wicklow County Development Plan 2022-2028 to require new multi-unit residential development to provide an appropriate mix of unit types and sizes to ensure that there is a range unit types available to suit the needs of the various households in the county, Objective HS12 refers. This objective is considered reasonable. The Board considered that the proposed development does not provide for an appropriate mix of unit types and sizes and would be thus contrary to the said Objective HS12. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.



Tom Rabbette

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.

Dated this 2nd day of April 2024.