



An
Coimisiún
Pleanála

Commission Order
ABP-320257-24

Planning and Development Act 2000, as amended

Planning Authority: Wicklow County Council

Planning Register Reference Number: 23/509

Appeal by Dwyer Nolan Developments Limited care of Colin McGill of Suite 3, Eden Gate Centre, Delgany, County Wicklow against the decision made on the 28th day of June, 2024 by Wicklow County Council to refuse permission.

Proposed Development: Construction of 50 houses (one number five-bedroom, 17 number four-bedroom, 30 number three-bedroom and two number two-bedroom units). A new vehicular access is proposed off Lott Lane which will serve a new distributor road along the north of the site. The proposed development is to the south of the distributor road and contains a central public open space on which a foul sewer pumping station is proposed. Associated site development, landscaping and boundary treatments are proposed, all on a site of 3.24 hectares on lands to the east of Lott Lane and north of the existing Wellfield housing development, Kilcoole, County Wicklow, as revised by the further public notices received by the planning authority on the 7th day of May, 2024.

Decision

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

Reasons and Considerations

Having regard to the location of the site within the settlement boundary of Kilcoole, the respective residential and open space zoning objectives, and other relevant policy provisions of the Greystones-Delgany and Kilcoole Local Area Plan 2013-2019 and the Wicklow County Development Plan 2022-2028, it is considered that:

- (a) the proposed utilisation of an on-site pumping station to dispose of waste waters arising from the proposed development would be unsustainable and premature in the absence of a drainage plan for the Action Plan lands,
- (b) the proximity of substantive development works, notably attenuation basins and alterations of land levels, within 25 metres of the on-site watercourses would not be in accordance with Objective CPO 17.26 of the Wicklow County Development Plan 2022-2028, and
- (c) the proposed removal of a townland boundary comprising trees and hedgerow and the absence of any appropriate measures to replace the same type of boundary of similar length or set-back would not be consistent with Objective CPO 17.23 of the Wicklow County Development Plan 2022-2028.

Given the cumulative shortcomings of the proposed development, as submitted, and the subsequent failure of the applicant to appropriately address all of these issues as part of the appeal, it is considered that the proposed development would represent a piecemeal approach to the sustainable development of the area and would, thereby, conflict with the above-mentioned policy provisions of the development plan. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.



Mary Henchy

**Planning Commissioner of An Coimisiún
Pleanála duly authorised to authenticate
the seal of the Commission.**

Dated this 22nd day of December 2025.