

Planning and Development Act 2000, as amended

Planning Authority: Wicklow County Council

Planning Register Reference Number: 2560087

APPEAL by Haven Green Residents care of Peter Hearty of 38 Haven Green, Altidore Gardens, Newtownmountkennedy, County Wicklow against the decision made on the 13th day of May, 2025 by Wicklow County Council to grant subject to conditions a permission to Gilkerry Ventures Limited care of Brock McClure of 63 York Road, Dun Laoghaire, County Dublin in accordance with plans and particulars lodged with the said Council.

Proposed Development: Construction of two number four-bedroom detached houses (each measuring 134.5 square metres) with associated private open space and car parking. The development will include reconfiguration of an existing access road forming a portion of Haven Green, and the provision of 822 square metres public open space. The site development and infrastructural works provide for water, foul and surface water drainage and all associated connections, all landscaping and boundary treatment works, including retaining walls, footpaths, and all associated development works, all on lands bounded by Haven Way and Haven Green, Merepark, Newtownmountkennedy, County Wicklow.

Decision

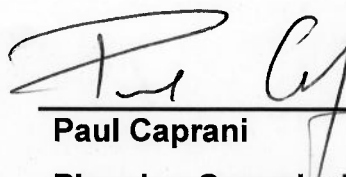
REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.

Reasons and Considerations

1. The Commission is not satisfied that the omission of the creche has been justified at this location having particular regard to the original grant of planning permission which envisaged that a creche be located on the subject site specifically to serve the dwellings in estate number 3. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. Having regard to the constrained nature of the sites which seek to accommodate two additional dwellings, the Commission is not satisfied that the layout and orientation of the dwellings would not compromise the development potential of lands to the immediate north. Furthermore, the location of car parking to the side of the Number 155 results in the private car parking space impinging on the area of public amenity open space which diminishes the usability of the open space particularly as an active kickabout area. The proposed development would adversely impact on the residential amenities of the area and would, therefore, be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Commission had concerns that the relocation of the crèche to a location in excess of one kilometre away from estate 3 would constitute a significant inconvenience for residents of estate 3 and is likely to encourage less sustainable modes of transport in traveling to and from the facility.

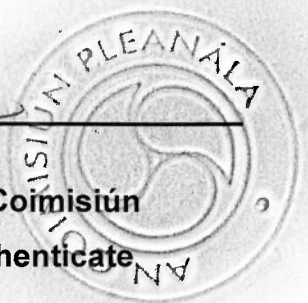
The Commission also had concerns in relation to the disposition and layout of the proposed dwellings on such constrained sites. The separation distance between the proposed dwellings and the northern boundary of the site ranged between 2.3 and 3.3 meters. Furthermore, the constrained nature of the site necessitates the removal of parking associated with the dwellings from the front to the side of the dwellings and particularly in the case of Number 155, this parking is located proximate to the public amenity open space. The position of this private parking area diminishes the potential of the amenity space to accommodate active recreational activity including ball sports on the amenity space.



Paul Caprani

Planning Commissioner of An Coimisiún

**Pleanála duly authorised to authenticate
the seal of the Commission.**



Dated this 8th day of October 2025.