

An
Coimisiún
Pleanála

**Commission Order
PL-500906-WW-26**

Planning and Development Act 2000, as amended

Planning Authority: Wicklow County Council

Planning Register Reference Number: 2560074

Appeal by Daniel Guy against the decision made on the 10th day of February, 2026 by Wicklow County Council to grant subject to conditions a permission to Clonmel Enterprises Limited in accordance with plans and particulars lodged with the said Council.

Proposed Development: A proposed development comprising 71 number residential units and a retail/commercial space of approximately 96 square metres on a site of approximately 0.75 hectares adjoining generally the public road at Newtown Centre to the north, Newtown Square and apartments to the East and 'Downshire Park' residential development to the west and south. The residential development will consist of 35 number one and two bedroom apartment units within a four storey building (Block 1), and 36 number 2two and three bedroom duplex apartments within three number three storey buildings (Blocks 2,3 and 4) comprising five number one Bed Units, 48 number two Bed Units and 18 number three Bed Units together with all site development works and proposed access roads, car parking, bicycle parking,

footpaths, bin storage, boundary treatments, public lighting, open space, soft and hard landscaping, electricity sub-station/switch room and new vehicular entrance onto the existing public road bounding the site to the north (Opposite Dunnes Stores) together with vehicular services access and provision for a future access to adjoining lands to the east from existing access road alongside the eastern site boundary and proposed connections to main services including surface water attenuation, foul sewers, surface water sewers and watermains, all at Newtown Centre/Newtown Square , Blessington Demesne , Blessington, County Wicklow. The proposed development was revised by further public notice received by the planning authority on the 2nd day of September 2025.

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:

- (a) the nature, scale, and extent of the proposed development and the pattern of existing and permitted development in the area,
- (b) the location of the site within the development boundary of Blessington on lands zoned *TC Town Centre* and also identified as *Opportunity Site OP6 - Downshire Park* in the Blessington Local Area Plan 2025-2031,

- (c) the provisions of the Eastern and Midlands Regional Assembly - Regional Spatial and Economic Strategy 2029 – 2031 and the policies and objectives of the Wicklow County Development Plan 2022-2028 and the Blessington Local Area Plan 2025-2031,
- (d) Project Ireland 2040 National Planning Framework: First Revision (April 2025),
- (e) the National Biodiversity Action Plan (NBPA) 2023-2030,
- (f) Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024),
- (g) Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (2023),
- (h) Urban Development and Building Heights, Guidelines for Planning Authorities (2025),
- (i) Design Manual for Urban Roads and Streets (DMURS) (2019),
- (j) the availability in the area of a wide range of social, community, transport and water services infrastructure,
- (k) the documentation submitted with the planning application and the grounds of appeal, and
- (l) the submissions and observations received on file including from the planning authority, prescribed bodies, and third parties,

it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities of the area or of property in the vicinity, would be acceptable in

terms of urban design, height and quantum of development and would be acceptable in terms of traffic and pedestrian safety and convenience. Furthermore, the proposed development accords with the Blessington Local Area Plan objectives for the development of opportunity site 6 and therefore contributes to enhancing the vitality of the town centre. 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 in accordance with the plans and particulars lodged with the application on the 13th day of February 2025, as amended by the further Information documents/drawings received by the Planning Authority on the 21st day of August 2025 and 2nd day of September 2025 and as amended by the Clarification of Further Information submitted on 15th day of January 2026 for 70 number residential units and 2 number retail / commercial units 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. (a) A phasing scheme which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of any development.
- (b) No dwelling units shall be occupied until the Backlands Access Road (Accessing sites identified as OP 4 and OP 5, in the 2025 Blessington LAP) and Open Space areas are completed and made available to future occupants.
- (c) The Backlands Access Road lands (Accessing sites identified as OP 4 and OP 5, in the 2025 Blessington LAP) shall be kept clear from obstruction in line with the drawing NRB-CFI-001. For clarity it shall be constructed up to the boundaries to provide access to adjoining lands with no obstruction including the erection of any structure which would otherwise constitute exempted development under the Planning and Development Regulations 2001, as amended.

Reason: To ensure the timely provision of services, for the benefit of the occupants of the proposed dwellings and to comply with Objective BLESS-OP4-6.

3. (a) Prior to the commencement of development, the developer shall submit for the written agreement of the planning authority revised plans which provide that the proposed retail/commercial units will have a floor to ceiling heights of between 3.5 metres to 4 metres.

- (b) Prior to the occupation of the retail/ commercial units in Block 1, the applicant or developer shall submit for the written agreement of the planning authority the proposed occupier of each unit.

Reason: In the interests of residential amenity, compliance with the requirements of the Apartment Guidelines, clarification, and proper planning and sustainable development and the strategy for the development of Site OP6 in the Blessington Local Area Plan.

4. Prior to commencement of development, proposals for a development name and numbering scheme, and associated signage shall be submitted to and agreed in writing with the planning authority. Thereafter, all such names and numbering shall be provided in accordance with the agreed scheme. No advertisements/ marketing signage relating to the name(s) of the development shall be erected until the developer has obtained the planning authority's written agreement to the proposed name(s).

Reason: In the interest of urban legibility and to ensure the use for new residential areas.

5. Prior to the commencement of development details of the materials, colours, and textures of all the external finishes to the proposed buildings (including the retaining walls) and boundary treatments shall be submitted to the planning authority for written agreement.

Reason: In the interest of visual amenity.

6. (a) The use of internally illuminated lettering for signage on the commercial elements of the development shall not be permitted.
- (b) All plant including extract ventilation systems and refrigerator condenser units shall be sited in a manner so as not to cause nuisance at sensitive locations due to odour or noise. All mechanical plant and ventilation inlets and outlets shall be sound insulated and/or fitted with sound attenuators to ensure that noise levels do not pose a nuisance at noise sensitive locations.
- (c) No additional development shall take place above roof parapet level of the apartment buildings, including lift motor enclosures, air handling equipment, storage tanks, ducts or other external plant, telecommunication aerials, antennas or equipment, unless authorised by a further grant of planning permission.

Reason: To protect the residential amenities of property in the vicinity and the visual amenities of the area.

7. The site shall be landscaped in accordance with a comprehensive scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This scheme shall include the following:
- (a) A plan to scale of not less than 1:500 showing –
- (i) The species, variety, number, size and locations of all proposed trees and shrubs which shall comprise predominantly native species such as mountain ash, birch,

willow, sycamore, pine, oak, hawthorn, holly, hazel, beech or alder.

- (ii) Details of screen planting.
 - (iii) Details of roadside/street planting
 - (iv) Hard landscaping works, specifying surfacing materials, furniture (play equipment) and finished levels.
- (b) Specifications for mounding, levelling, cultivation and other operations associated with plant and grass establishment.
- (c) A timescale for implementation. 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.
- (d) Prior to the commencement of development, the applicant shall submit to the planning authority for full written agreement full details of a suitably located children's play zone within the proposed development. The proposed play equipment shall conform to relevant European Standards, and the management and maintenance of the play equipment shall be the sole responsibility of the appointed Management Company.

Reason: In the interest of visual and residential amenity and to ensure the provision of sustainable play areas.

8. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays inclusive, 0800 to 1400 hours on Saturdays, and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.

9. (a) Public lighting shall be provided in accordance with a scheme which shall be submitted to and agreed in writing with the planning authority prior to the commencement of development. The scheme shall include lighting along pedestrian routes through open spaces and shall take account of the agreed landscaping plans.
- (b) The agreed lighting system shall be fully implemented and operational prior to the making available for occupation of any residential unit.

Reason: In the interests of amenity and public safety.

10. Prior to the commencement of development, the developer shall enter into connection agreements with Uisce Éireann to provide for service connections to the public water supply and/or wastewater collection network. In addition, the diversion of existing Uisce Éireann Infrastructure shall be agreed with Uisce Éireann.

Reason: In the interest of public health and to ensure adequate water/wastewater facilities.

11. The disposal of surface water shall comply with the requirements of the planning authority for such works and services. Prior to the commencement of development, the developer shall submit details for the disposal of surface water from the site for the written agreement of the planning authority.

Reason: In the interest of public health and to ensure the appropriate disposal of foul and surface water.

12. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.

Reason: In the interests of visual and residential amenity.

13. (a) Prior to commencement of development and/ or occupation of the residential units, as applicable, final Road Safety Audit(s) and/ or Quality Audit(s) of the development, including the main entrance, internal road, pedestrian/ cycle path layouts, shall be submitted to and agreed in writing with the planning authority.
- (b) Where the audit identifies the need for design changes revised design details should be submitted to and agreed in writing with the planning authority. The developer shall carry out all necessary works in accordance with the agreed revised design.

Reason: In the interests of traffic, pedestrian and cyclist safety, and sustainable transport.

14. (a) The internal road network serving the proposed development, including carriageway widths, corner radii, turning bays, junctions, set down/ drop off area(s), parking areas, footpaths, kerbs, pedestrian crossings, raised tables, and cycle lanes shall be in accordance with the detailed construction standards of the planning authority for such works, and design standards outlined in the Design Manual for Urban Roads and Streets and the National Cycle Manual issued by the National Transport Authority. In default of agreement the matter(s) in dispute shall be referred to An Coimisiún Pleanála for determination.
- (b) Footpaths shall be dished at road junctions in accordance with the requirements of the planning authority. Details of all locations and materials to be used shall be submitted to and agreed in writing with the planning authority prior to the commencement of development.

Reason: In the interest of traffic and pedestrian safety.

15. (a) All parking within the scheme shall be for the residents of the proposed development only and shall not be reserved for any individual or individual residential units and shall not be sold separately.
- (b) Electric vehicle charging infrastructure shall be provided in accordance with the submitted details.
- (c) Ducting shall be provided for all remaining car parking spaces, facilitating the installation of electric vehicle charging points/ stations at a later date. Where proposals relating to the installation

of electric vehicle ducting and charging stations/ points have not been submitted with the application, in accordance with the above noted requirements, such proposals shall be submitted and agreed in writing with the planning authority prior to the occupation of the development.

Reason: To provide for and/ or future proof the development such as would facilitate the use of electric vehicles.

16. A Construction and Environmental Management Plan (CEMP) shall be submitted to and agreed in writing with the planning authority prior to the commencement of development. The CEMP shall include but not be limited to construction phase controls for dust, noise and vibration, waste management, protection of soils, groundwaters, and surface waters, site housekeeping, emergency response planning, site environmental policy, and project roles and responsibilities.

Reason: In the interest of environmental protection residential amenities, public health and safety and environmental protection.

17. A detailed construction traffic management plan shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The plan shall include details of arrangements for routes for construction traffic, parking during the construction phase, the location of the compound for storage of plant and machinery and the location for storage of deliveries to the site.

Reason: In the interest of sustainable transport and safety.

18. An Operational Waste Management Plan (OWMP) containing details for the management of waste within the development, the provision of facilities for the storage, separation, and collection of the waste and for the ongoing operation of these facilities, shall be submitted to and agreed in writing with the planning authority not later than six months from the date of commencement of the development. Thereafter, the waste shall be managed in accordance with the agreed OWMP.

Reason: In the interest of residential amenity, and to ensure the provision of adequate refuse storage for the proposed development.

19. (a) The development hereby permitted shall be carried out and completed at least to the construction standards set out in the planning authority's Taking in Charge Policy. Following completion, the development shall be maintained by the developer, in compliance with these standards, until taken in charge by the planning authority.
- (b) The management and maintenance of the development following its completion shall be the responsibility of a legally constituted management company, or by the local authority in the event of the development being so taken in charge.
- (c) The communal open spaces, hard and soft landscaping, car and cycle parking areas, access ways, refuse/ bin storage, and all areas not intended to be taken in charge by the local authority, shall be maintained by the legally constituted management company.

- (d) Details of the management company contract, and drawings/ particulars describing the parts of the development for which the company would have responsibility, shall be submitted to, and agreed in writing with, the planning authority before any of the residential units are made available for occupation.

Reason: To ensure that the development is carried out and completed to an acceptable standard of construction and to provide for the satisfactory future maintenance of this development.

20. (a) The developer shall engage a suitably qualified archaeologist (licensed under the National Monuments Acts) to carry out pre-development archaeological testing in areas of proposed ground disturbance and to submit an archaeological impact assessment report for the written agreement of the planning authority, following consultation with the Department of Housing, Local Government and Heritage in advance of any construction works. The report shall include an archaeological impact statement and mitigation strategy.
- (b) Where archaeological material is shown to be present, avoidance, preservation in-situ, preservation by record (archaeological excavation) and/or monitoring may be required. Any further archaeological mitigation requirements specified by the planning authority, following consultation with the Department, shall be complied with by the developer. No site preparation and/or construction works shall be carried out on site until the archaeologist's report has been submitted to and approval to proceed is agreed in writing with the planning authority.

- (c) The planning authority and the Department shall be furnished with a final archaeological report describing the results of any subsequent archaeological investigative works and/or monitoring following the completion of all archaeological work on site and the completion of any necessary post-excavation work. All resulting and associated archaeological costs shall be borne by the developer.

Reason: To ensure the continued preservation either in situ or by record of places, caves, sites, features or other objects of archaeological interest.

21. Prior to commencement of development, the applicant or other person with an interest in the land to which the application relates shall enter into an agreement in writing with the planning authority in relation to the provision of housing in accordance with the requirements of section 94(4) and sections 96(2) and (3) (Part V) of the Planning and Development Act 2000, as amended, unless an exemption certificate shall have been applied for and been granted under section 97 of the Act, as amended. Where such an agreement is not reached within eight weeks from the date of this order, the matter in dispute (other than a matter to which section 96(7) applies) may be referred by the planning authority or any other prospective party to the agreement to An Coimisiún Pleanála for determination.

Reason: To comply with the requirements of Part V of the Planning and Development Act 2000, as amended, and of the housing strategy in the development plan of the area.

22. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion and maintenance until taken in charge by the local authority and/ or management company of roads, footpaths, watermains, drains, public open space and other services required in connection with the development, coupled with an agreement empowering the local authority to apply such security or part thereof to the satisfactory completion or maintenance of any part of the development. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Coimisiún Pleanála for determination.

Reason: To ensure the satisfactory completion and maintenance of the development until taken in charge.

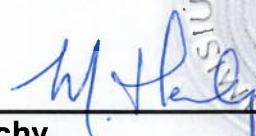
23. (a) Unless otherwise agreed in writing with the planning authority, prior to the commencement of any residential unit in the development as permitted, the applicant or any person with an interest in the land shall enter into an agreement with the planning authority (such agreement must specify the number and location of each residential unit), pursuant to Section 47 of the Planning and Development Act 2000, as amended, that restricts all residential units permitted, to first occupation by individual purchasers i.e. those not being a corporate entity, and/or by those eligible for the occupation of social and/or affordable housing, including cost rental housing.

- (b) An agreement pursuant to Section 47 shall be applicable for the period of duration of the planning permission, except where after not less than two years from the date of completion of each specified residential unit, it is demonstrated to the satisfaction of the planning authority that it has not been possible to transact each specified residential unit for use by individual purchasers and/or to those eligible for the occupation of social and/or affordable housing, including cost rental housing.
- (c) The determination of the planning authority as required in (b) shall be subject to receipt by the planning authority and housing authority of satisfactory documentary evidence from the applicant or any person with an interest in the land regarding the sales and marketing of the specified residential units, in which case the planning authority shall confirm in writing to the applicant or any person with an interest in the land that the Section 47 agreement has been terminated and that the requirement of this planning condition has been discharged in respect of each residential unit.

Reason: To restrict new housing development to use by persons of a particular class or description in order to ensure an adequate choice and supply of housing, including affordable housing, in the common good.

24. 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 Coimisiún 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.



Mary Henchy

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

Dated this 8th day of July 2026