



Planning and Development Act 2000, as amended

Planning Authority: Wicklow County Council

Planning Register Reference Number: 2560847

Appeal by Linda and David Murphy against the decision made on the 7th day of April 2026 by Wicklow County Council to grant, subject to conditions, a permission to Encoy Developments Limited in accordance with plans and particulars lodged with the said Council.

Proposed Development: The development will consist of three number detached two storey dwellings the relocation and modification of two existing vehicular entrances/exits, new connections to existing foul and water services this all together with associated site development works, all at number 10 Rocky Road, Wicklow Town, County Wicklow. The proposed development was revised by further public notices received by the planning authority on the 14th day of March 2026.

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 location of the site within the built-up area of Wicklow Town on lands zoned RE – Existing Residential in the Wicklow Town and Rathnew Local Area Plan 2025, on which residential development is acceptable in principle; to the policies and objectives of the Wicklow County Development Plan 2022–2028 and of the Local Area Plan which support the consolidation of the built-up area of the town and the development of serviced infill sites within it; to the residential development standards of the development plan and to the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities 2024; to the established pattern of development on Rocky Road; to the design, height, scale and layout of the dwellings proposed and to their relationship with adjoining property; to the reports of the planning authority and of Uisce Éireann; and to the submissions made in connection with the planning application and the appeal, it is considered that, subject to compliance with the conditions set out below, the proposed development would be in keeping with the character and pattern of development in the area, would not seriously injure the residential amenities of property in the vicinity, would be acceptable in terms of traffic safety and convenience, and would be capable of being adequately serviced by the public water and wastewater networks. 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 information received by the planning authority on 14th day of March, 2026, 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 shall complete the development in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Prior to the occupation of any of the dwellings, the following works shall be carried out at the developer's expense and in accordance with the requirements of the planning authority:
 - (a) the roadside boundary shall be set back and the boundary wall, railing and grass verge provided as shown on the drawings received on the 10th day of March 2026, so that sightlines of not less than 45 metres in each direction, measured to the near-side kerb from a setback of 2.4 metres, are available at each entrance and are thereafter kept free of obstruction;
 - (b) the public footpath shall be reinstated across the full frontage of the site;
 - (c) drop kerbs and tactile paving shall be provided at each entrance; and

- (d) ducting shall be provided to all in-curtilage car parking spaces to facilitate the future installation of electric vehicle charging points.

Reason: In the interest of traffic and pedestrian safety.

- 3. Prior to commencement of development, the developer shall submit for the written agreement of the planning authority a revised boundary treatment plan, which shall omit the proposed 1.8 metre high concrete post and concrete gravel board fence along the western boundary and shall provide an alternative boundary treatment that does not permanently enclose the mature tree line, resulting in an area which cannot be maintained, but which sufficiently delineates and secures the application site boundary.

Reason: In the interest of tree protection and residential amenity.

- 4. The development shall be connected to the public water supply and to the public foul sewer network.
 - (a) Prior to commencement of development, the developer shall enter into a connection agreement with Uisce Éireann for all the necessary arrangements to ensure the provision of the services necessary to serve the development and shall adhere to the standards and conditions set out in that agreement.
 - (b) There shall be no build over of public infrastructure and separation distances from public infrastructure shall be achieved in accordance with Uisce Éireann's standards, codes and practices. The design and construction of the water and wastewater pipes and related infrastructure to be installed in the development shall comply with the Uisce Éireann Connections

and Developer Services Standard Details and Codes of Practice.

Reason: To ensure that the development is adequately serviced by way of water and wastewater, and in the interest of public health.

5. All uncontaminated roof and surface water drainage shall be collected via a separate storm water system and attenuated on site, and full design details satisfying the requirements of the Greater Dublin Strategic Drainage Study shall be submitted for the written agreement of the planning authority prior to commencement of development. The submission shall include proposals for Sustainable Urban Drainage Systems providing volume reduction and source control of pollutants, together with provision for emergency overflow. Surface water run-off shall not be permitted to discharge onto the public road, to the public foul sewer or to adjoining properties.

Reason: To ensure satisfactory storm water drainage, in the interest of public health and the proper planning and sustainable development of the area.

6. Prior to commencement of works, the developer shall submit to, and agree in writing with the planning authority, a Construction Management Plan, which shall be adhered to during construction. This plan shall provide details of intended construction practice for the development, including hours of working, noise and dust management measures and off-site disposal of construction/demolition waste.

Reason: In the interest of public safety and amenity.

7. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Friday inclusive, between 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.

8. 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.

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 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.




Declan Moore

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

Dated this 1ST day of SEPTEMBER 2026