



An
Coimisiún
Pleanála

Inspector's Addendum Report

ABP-318978-24

Development

Demolition of structures including a dwelling and farm sheds, construction of 13 houses, new road, footpaths, public lighting, open space, boundaries, landscaping, attenuation system with entrance location at existing farmyard entrance and associated works.

Location

Keatingstown Farm, Ballynerrin
Townland, Wicklow, Co. Wicklow

Planning Authority

Wicklow County Council

Planning Authority Reg. Ref.

23390

Applicant(s)

Noeleen Dickenson

Type of Application

Permission

Planning Authority Decision

Grant

Type of Appeal

Third Party

Appellant(s)

Sylvie Narp, Keatingstown Residents Association

Observer(s)

None

Date of Site Inspection

21st November 2024

Inspector

Clare Clancy

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1.0 Introduction

- 1.1. This is an addendum report and should be read in conjunction with the original Inspector's Report in respect of ABP-318978-24, dated 21st January 2025.
- 1.2. Board Direction BD-018967-25 dated 19th February 2025 sets out the decision of the Commission to defer consideration of the case and to issue a Section 132 notice to the applicant.
- 1.3. The reason for the Section 132 notice was that the Commission decided that information relating to the presence (or otherwise) of bats on site was necessary for the purpose of enabling it to determine the appeal.
- 1.4. In that regard, an ecological bat assessment / survey of the subject site, including all existing buildings thereon, associated impact assessment and mitigation proposals (as and if appropriate) was requested, on or before 26th May 2025.
- 1.5. At the request of the applicant, the Commission extended the time frame for the submission of the ecological bat assessment / survey until not later than 5:30 p.m. on 26th June 2025.
- 1.6. The response received to the Section 132 notice was required to be circulated to third parties. Under Section 131 of the Act, the response was cross circulated and submissions or observations on same were invited.
- 1.7. A response to the Section 131 circulation was received from Sylvie Narp, Keatingstown Residents Association.
- 1.8. Following consideration of the details received and in light of the omission of details due to an incomplete report, the applicant was requested to submit a full and complete Bat Fauna Impact Assessment under Section 132 of the Act. This was received by the Commission on 26th September 2025 and was referred to third parties i.e. Wicklow County Council and the third party appellant, inviting submissions or observations under Section 131 of the Act.
- 1.9. A response to the Section 131 notice was received from Sylvie Narp, Keatingstown Residents Association.
- 1.10. This addendum report has been prepared in response to the Board Direction BD-018967-25 dated 19th February 2025.

2.0 **Background**

Appeal ABP-318978-24 relates to an application for the demolition of a dwelling and associated farm buildings and the construction of 13 no. dwellings, connect to services, associated works including for new road, footpaths, public lighting, open space, boundaries, landscaping, attenuation system, and vehicular entrance from existing farmyard entrance.

3.0 **Response's Received**

3.1. **The Applicant's Response**

- 3.1.1. On 24th June 2025 and on 26th September 2025, the Commission received the applicant's response to the Section 132 request which includes for a Bat Fauna Impact Assessment for the Proposed Development at Keatingstown Yard. The response consists of an assessment of the appeal site to determine if bat species are present on the site. It sets out the competency of the assessor and the legislative context which applies to the protection of all bat species. It also provides an account of the methodologies employed to detect the presence of bats on site in terms of trees and buildings which includes for emergent/detector surveys.
- 3.1.2. The site survey was carried out on 24th April 2025 and on 10th June 2025. The following is noted:

Trees As Potential Bat Roost

- All trees on site were assessed.
- Trees of low bat roosting potential are located in the area of dense vegetation to the south of the site. These are proposed to be retained.
- No bats were directly observed emerging from the trees.
- At first site visit 24th April 2025, high bat foraging activity was observed in and around the trees during sunset.

Buildings

- The site inspection of the buildings on site was carried out on 10th June 2025.

- The built fabric of the existing buildings was noted to comprise of concrete, or well pointed stone/brick which had few cracks or areas of bat roosting potential.
- They were examined by endoscope, and no evidence of bat roosting was noted.

Emergent / Detector Surveys

- Surveys were conducted of the overall site on 24th April 2025 and on 10th June 2025 within the active bat season. Weather conditions were favourable, and insects were present.
- The following bats species were observed on site:
 - Soprano pipistrelle
 - Common pipistrelles
 - Leisler's bat.
- Foraging activity was observed at the southern end of the site where there is existing dense vegetation, and within the centre of the site between the existing structures on site.
- No bats were observed emerging from the existing structures.
- The buildings were inspected and no potential roosts were identified.

3.1.3. Existing bat records were reviewed which indicated that within 2 km² grid encompassing and surrounding the study area indicated, 3 of the 9 known Irish bat species have been recorded locally (Soprano pipistrelle, Common pipistrelles, Leisler's bat). Figures 8 and 9 presented in the appraisal indicates the areas in which the bats were recorded. This site is located approx. 1.46 km to the north of the appeal site.

3.1.4. Summary of Findings:

- No bat roosts were recorded within any building or trees on site therefore no negative impacts on bat roost are expected.
- It is confirmed that the site is used for foraging by 3 common bat species.
- The site is deemed to be of moderate importance to the local bat population.

- As no bat roost was confirmed on site, an NPWS derogation licence is not required for the proposed felling of trees or the demolition of buildings.
- Bat collision is not significant as the proposed materials are solid and would have good acoustic properties to reflect echolocation signals and as a result the buildings would be visible to bat species.
- Works on site will result in the site being modified in the vicinity of existing foraging areas. Following implementation of the proposed landscape strategy and the proposed mitigation measures, it is expected that the occurrence of the species on site and in surrounds should persist.
- The residual impact of the proposed development on bats will be minor adverse/not significant in the short term and low beneficial positive in the long term.

3.1.5. Potential Impacts:

- The removal of trees and the increase of artificial light may impact negatively on bat foraging and on bat flight corridors.

3.1.6. Proposed Mitigation Measures:

- Pre-construction inspection for bats present in trees of bat roosting potential and in buildings. Should the presence of bats be encountered, the NPWS will be required to be contacted and a derogation licence acquired.
- At construction stage and only during hours of operation, lighting at all stages is required to be done sensitively with no direct lighting of hedgerows and treelines. No floodlighting of the site.
- Bat friendly lighting in accordance with bat lighting guidelines is required subject to approval of project ecologist.
- Pollinator friendly planting will be required to be established to ensure insects are plentiful for the continuation of foraging on site.
- Bat boxes x 3 to be placed on site in consultation with the project ecologist.

3.2. Third Party Response

3.2.1. On 22nd July 2025, a response was received from Sylvie Narp Keatingstown Residents Association to the Section 132 request. A further response was received on 29th October 2025 to a subsequent Section 132 request. The responses raise concerns in regard to the survey methodology, missing data and conclusions. The points raised may be summarised as follows:

Tree Removal and Condition 10 of P.A. Ref. 23/390

- The planning application did not identify which trees are to be removed or retained and the only visual reference is an included drawing 'Proposed Landscape Plan' as per Figure 4 in the Bat Survey. Condition 10 is a pre-development condition requiring a tree survey report. Until a tree survey is carried out, the conclusions of the Bat Survey regarding trees of bat roosting potential or impact mitigation remains speculative.

Mitigation Measures

- Reference to a project ecologist is made and to construction lighting and operational lighting, installation of bat boxes. None of the 25 conditions attached to P.A. Ref. 23/390 require the appointment of a project ecologist.

Requirement for Derogation License

- Contends that a bat derogation license should be sought notwithstanding that a bat roost was not recorded on site, given that all bat species in Ireland are afforded protection under the European Communities (Birds and Natural Habitats) Regulations 2011, as amended. This legislation prohibits inter alia the destruction of bats during critical stages of their life cycle which include any activity that interferes with their life cycle including foraging.
- The proposed development will give rise to disturbance as the construction phase would involve a timeline of 1 year operating six days per week which will impact on foraging within the site, which was observed to be high during the first survey.
- Figure 6 of the survey indicates a high level of foraging in the trees located to the east of the site. The draft proposed landscape plan indicates that all trees

to the east of the site are scheduled for removal which would result in permanent disturbance to the bat population. The ecological report submitted with the application indicates that the treelines on the site form a valuable ecological corridor for wildlife species such as birds, bats and other mammals which is high local ecological value and should be protected.

- It is unclear whether the attic of the farmhouse was inspected as it is not stated in the survey, or if bat droppings were observed. A photo is provided of the attic taken at ground level with the hatch open, and no image is provided showing the interior of the attic space.
- The start and finish times of the surveys is not indicated which is contrary to best practice, as bats are crepuscular/nocturnal and different species emerge at different times after sunset.
- The bat survey relies on ground level tree assessment. This approach is not sufficient given conditions described in the report as 'dense vegetation cover and numerous tall trees'. It identifies a number of circumstances whereby detection was difficult. Given that high bat foraging activity was encountered on the site, this would be an indicator of a nearby roost, and the absence of physical signs cannot definitively rule out the presence of a roost.

Foraging Bats & Likely Roost Proximity

- Figure 8 indicates that Keatingstown estate is the only known location in Wicklow town's urban area where the 3 identified species have been observed. The other known location is the Murrough area a coastal zone. As bats typically forage close to their roosts as referenced in the Bat Mitigation Guidelines for Ireland – Version 2, it is not clear where they are roosting and it is reasonable to infer that roosts may be present within the development footprint. The absence of a confirmed roost in the report does not eliminate the possibility that roosts may be present within the development footprint.
- Prior to granting permission, request the applicant to provide a comprehensive tree survey, an updated bat survey based on the revised tree survey, require the appointment of a project ecologist, and require a derogation licence.

4.0 Assessment

Having regard to the response of the applicant and to the submission received from interested third parties, I am satisfied that the main matters to be considered in this addendum report to the original Inspectors report for appeal ref. ABP-318978-24 is as follows:

- Ecological Bat Impact Assessment of the Site
- Conditions

4.1. Ecological Bat Impact Assessment

4.1.1. It is important to note at the outset that the ecological bat impact assessment was prepared by qualified experienced ecologists and that the assessment provides for an appropriate desk top study which contains a review of existing bat records in the area, and a description of the methodology used with reference to recognised guidance. Bat Conservation Ireland recommend that bat surveys should be carried out in summer time when bats are most active unless a site is significant for hibernating bats when surveys should ideally be carried out in winter time. I note that the bat survey was carried out in the months of April and June. I consider that the basis and methodology of the survey are acceptable.

4.1.2. The appeal site comprises an area of ground containing a vacant dwelling and redundant farm buildings in the northern part of the site. The site is overgrown with significant vegetation and mature trees along the perimeters. I note that there is existing mature vegetation located along the eastern boundary of the site outside of the application site boundary. Having regard to the foregoing it is reasonable to conclude that this would be a suitable site for bats to forage and/or roost.

4.1.3. With regard to the survey results, it is stated that visual observations of bats were confirmed at the site. A bat detector survey was undertaken using an Echo meter touch 2 pro device to determine bat activity. The survey records Common Pipistrelle, Leisler's Bat, and Soprano Pipistrelle at the site and 4-5 bats were recorded. Trees examined on site as potential bat roosts were identified at the southern end and were deemed to have low bat roosting potential. Bats were not observed emerging from trees. High bat foraging activity in and around the trees was observed after sunset.

- 4.1.4. The findings of the assessment confirmed that there were no bat roosts existing within the site, either in the buildings proposed for demolition or in mature trees. However, the site is used by bats for foraging and is categorised as moderate importance to the local bat population.
- 4.1.5. I note that the identified bat species are not a qualifying interest of either The Murrough SPA (Site Code 004186) or The Murrough Westlands (Site Code 002249), the closest European sites.
- 4.1.6. Having regard to the foregoing, I am satisfied that the basis of the information provided has adequately demonstrated the extent of bat activity on site.

➤ **Impacts**

In terms of the proposed development and the potential impacts arising to bats, the impacts identified include for tree removal and increase in artificial light which may impact negatively on bat foraging, bat flight corridors.

Tree Removal

- 4.1.7. Arising from the proposed development, the use of the site will intensify resulting in the existing local environment being modified. It will result in the removal of all of the existing structures and much of the existing vegetation. Concerns arise with regard to consequential tree removal on site thus interrupting foraging patterns and potential trees used for bat roosting. I note the landscaping plan provided in the application details and the indicative sketch drawing of trees identified on the ground and those identified proposed to be removed. It is indicated that as the site is very overgrown that a detailed assessment of exact size and location of trees was difficult. The majority of the trees to be removed are located along the western boundary of the site and I note that some may relate to trees that are located outside of the application site boundaries, although this is unclear as the sketch is indicative.
- 4.1.8. The survey results of the bat detector show in Figure 6 (carried out 24th April 2025) and Figure 7 (carried out 10th June 2025) that the activity of the bats mapped is concentrated to the central and northern portion of the site. In this portion of the site, this requires the removal of all structures and vegetation. I note that the population recorded at the site is low, however this does not negate the fact that the site is used for foraging by the local bat population. In this regard, I consider that a tree survey and

an arboriculture assessment is required to be carried out of how existing trees will be affected by the proposed development. This should provide recommendations for protection measures for trees that are identified as potential roosts for bats. In the event of a grant by the Commission, I recommend the inclusion of a condition for same.

Artificial Light

4.1.9. The introduction of artificial light from the proposed development is identified as a principal source of interference with bat activity in terms of foraging onsite. A general public lighting scheme was provided with the application details. The design details of proposed lighting should however be such that light overspill is prevented with the use of cowls to direct light to the intended public areas only. In this regard, I recommend the inclusion of a pre-condition to address lighting design, should the Commission be minded to grant permission.

➤ **Mitigation**

4.1.10. The mitigation measures include compensation for the loss of foraging grounds for bats. This includes for the provision of pollinator friendly planting to be established to ensure insects are plentiful for foraging. At construction stage, lighting will only be used during working hours, and bat friendly lighting will be provided in line with bat lighting guidelines. No floodlighting is proposed. This is addressed in Section 4.1.9 above. Bat boxes are proposed and the location for same are to be agreed with a project Ecologist.

➤ **Derogation Licence**

It is the appellant's view that a derogation licence is required as disturbance would also include for any activity that would interfere with foraging during key life stages. I note that a derogation licence is required in relation to four specific prohibited activities under Regulation 51 of the European Communities (Birds and Natural Habitats) Regulations, 2011 ('the 2011 Regulations'):

- a) Deliberately capture or kill a bat in the wild;
- b) Deliberately disturb a bat particularly during the period of breeding, rearing, hibernation and migration;
- c) Damage or destroy a bat's breeding site or resting place, or;

- d) Keep, transport, sell, exchange, offer for sale or offer for exchange any bat taken in the wild, other than those taken legally before the Habitats Directive before the Habitats Directive was implemented.

Foraging is not listed as a prohibited activity. I note that there is also a record of bats observed approx. 1.45 km to the north of the appeal site. On the basis of the survey findings, there is no evidence to suggest that the site is a breeding site or a resting place for bats. This includes for the redundant buildings and the trees. Notwithstanding, given the type of buildings present on the site that have lay vacant for a substantial period of time, I would consider it appropriate to include a pre-development condition to carry out a further survey of the buildings interiors prior to demolition, to conclusively rule out that the structures are not used as breeding or roosting places for bats. In this regard, I note for the Commission that species protection legislation applies even when planning consent has been granted. Otherwise I am satisfied that a derogation licence is not warranted in this case.

➤ Conclusion

Having regard to the foregoing, although it has been established that the site is used by a low population number of bats as a foraging ground, I am satisfied that the basis and methodology of the survey is acceptable and has adequately demonstrated the impacts arising. I consider that the recommendations set out in the Ecological Bat Impact Assessment will adequately protect against long-term negative impacts on bats using this location to forage. Subject to a number of pre-development conditions recommended, I consider that the proposed development is acceptable.

4.2. Conditions

- 4.2.1. Condition 4 included in the grant of permission relates to a special development contribution attributed to a supplementary development contribution under Section 49(1) of the Planning and Development Act 2000, as amended. This relates to the construction of the Wicklow Port Access and Town Relief Road. I note that the appeal site is located within the identified boundary of the scheme Section 49 Supplementary Development Contribution Scheme Adopted 14th November 2005.
- 4.2.2. Following a review of Wicklow County Council's supplementary development contribution scheme, I note that the Wicklow Port Access & Town Relief Road

Development Contribution Scheme 2005 was extended for a period of 10 years up to 13th November 2015. This period was extended further by an additional 10 years making the scheme effective up to 13th November 2025. This was extended again allowing the scheme to remain in place for another year, up to 14th November 2026

Extend Duration of Wicklow Port Access & Town Relief Development Contribution 22nd September 2025. Having regard to the foregoing, I consider it appropriate to include a Section 49 supplementary development contribution in relation to the proposed development, and recommend its inclusion should the Commission decide to grant permission.

5.0 **Recommendation**

Having regard to the above, I recommend that permission is granted based on the following reasons and considerations and subject to the attached conditions.

This recommendation supersedes the recommendation in my report dated 21st January 2025, that being to refuse permission.

6.0 **Reasons and Considerations**

Having regard to the relevant objectives of the Wicklow County Development Plan 2022-2028, the National Planning Framework including specific objectives to consolidate residential growth in urban areas, the Sustainable Residential Development and Compact Settlements Guidelines issued by the Department of Housing (January 2024), the nature of the proposed development, and the pattern of development in the surrounding area, it is considered that, subject to compliance with the conditions set out below, the proposed development would be in accordance with relevant policies and objectives of the development plan, would not seriously injure the residential or visual amenities of the area or of property in the vicinity, would provide an acceptable standard of amenity for future occupants, would not give rise to a traffic hazard, would not be prejudicial to public health and would constitute an acceptable form of development at this location thereby adequately integrating with the adjoining residential development. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

7.0 Conditions

1.	<p>The development shall be carried out and completed in accordance with the plans and particulars lodged with the planning application on the 18th day of April 2023 and as amended by Further Information received on the 04th day of December 2023, and on 26th day of September 2025 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. In default of agreement, the matter(s) in dispute shall be referred to An Coimisiún Pleanála for determination.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>The mitigation measures as outlined in the 'Bat Fauna Impact Assessment (20th June 2025) prepared by Altemar Marine & Environmental Consultancy shall be implemented as part of the development and shall be supervised by a qualified Ecologist.</p> <p>Reason: In the interest of environmental protection and nature conservation.</p>
3.	<p>Prior to commencement of development, the developer shall submit for the written agreement of the planning authority, a pre-construction internal and external survey of all buildings to be demolished on the site which shall be undertaken by a qualified Ecologist, in order to rule out if any building is used as a breeding site or roost for bats.</p> <p>Reason: In the interest of environmental protection and nature conservation.</p>
4.	<p>The proposed development shall be amended as follows: -</p> <p>The west facing elevation of house number 7 shall be redesigned as a dual fronted dwelling to provide additional enhanced frontage onto the internal access road.</p>

	<p>Revised plans and elevations incorporating the above amendments shall be submitted to the Planning Authority for written agreement, prior to commencement of development. In default of agreement, the matter(s) in dispute shall be referred to An Bord Pleanála for determination.</p> <p>Reason: In the interest of the protection of residential amenity.</p>
5.	<p>Prior to commencement of development, drawings which detail the design and finish of the proposed bin and bicycle storage areas as indicated on drawing no. KFY-23-01A shall be submitted to the Planning Authority for agreement.</p> <p>Reason: In the interest of orderly development and visual amenity, and to prevent littering.</p>
6.	<p>A comprehensive boundary treatment scheme shall be submitted to and agreed in writing with the planning authority, prior to commencement of development. This scheme shall include the following: –</p> <ul style="list-style-type: none"> a) All rear gardens shall be bounded by block walls, 1.8 metres in height, capped and rendered, on both sides. b) Details of boundary treatment proposals relating to the sides and front of each dwelling. c) Details of all boundary treatments relating to the adjoining lands, and to the boundaries of the site. d) Detail proposals for the re-use of salvaged original stonework to be used on boundary treatments, from the demolished structures. <p>Reason: In the interests of residential and visual amenity.</p>
7.	<p>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.</p> <p>(a) The developer shall submit a lighting scheme plan for the written agreement of the planning authority. All external lighting shall be designed and installed using best practice to reduce impacts on bats and other wildlife in accordance with 'Bat and Lighting, Guidance</p>

	<p>Notes for: Planners, Engineers, Architects and Developers December 2010".</p> <p>(b) The scheme shall include lighting along pedestrian routes through open spaces. Such lighting shall be provided prior to the making available for occupation of any residential unit.</p> <p>Reason: In the interest of environmental protection, the protection of bats and in the interest of amenity and public safety.</p>
8.	<p>Prior to commencement of development, the developer shall enter into water and wastewater connection agreements with Uisce Éireann.</p> <p>Reason: In the interest of public health.</p>
9.	<p>The attenuation and 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.</p> <p>Reason: In the interest of public health.</p>
10.	<p>The development hereby permitted shall be carried out and completed at least to the construction standards as set out in the planning authority's Taking In Charge Standards. In the absence of specific local standards, the standards as set out in the 'Recommendations for Site Development Works for Housing Areas' issued by the Department of the Environment and Local Government in November 1998. Following completion, the development shall be maintained by the developer, in compliance with these standards, until taken in charge by the planning authority.</p> <p>Reason: To ensure that the development is carried out and completed to an acceptable standard of construction.</p>
11.	<p>(a) The internal road network serving the proposed development including turning bays, junctions, parking areas, footpaths, and kerbs shall comply with the detailed construction standards of the planning authority for such works and design standards outlined in Design Manual for Urban Roads and Streets (DMURS).</p>

	<p>(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.</p> <p>Reason: In the interest of amenity and of traffic and pedestrian safety.</p>
12.	<p>26 no. car parking spaces shall be provided within the site. The location(s) and layout of these spaces shall be submitted to and agreed in writing with the planning authority prior to the commencement of development.</p> <p>Reason: To ensure adequate off-street parking provision is available to serve the proposed development.</p>
13.	<p>All the communal parking areas serving the residential units shall be provided with functional electric vehicle charging points, and all of the in-curtilage car parking spaces serving residential units shall be provided with electric connections to the exterior of the houses to allow for the provision of future electric vehicle charging points. Details of how it is proposed to comply with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p>Reason: In the interest of sustainable transportation.</p>
14.	<p>(a) An Arboricultural Impact Assessment shall be carried out by a qualified arborist or landscape architect and shall be submitted to, and agreed in writing with the planning authority, prior to commencement of development. The survey shall show the location of each tree on the site, together with the species, height, girth, crown spread and condition of each tree, distinguishing between those which it is proposed to be felled and those which it is proposed to be retained. It shall identify any trees that have potential for use as bat roosts.</p> <p>(b) Measures for the protection of those trees which it is proposed to be retained shall be submitted to, and agreed in writing with, the planning</p>

	<p>authority before any trees are felled.</p> <p>Reason: To facilitate the identification and subsequent protection of trees to be retained on the site, the interest of environmental protection and nature conservation and visual amenity</p>
15.	<p>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:</p> <p>(a) A plan to scale of not less than 1:500 showing –</p> <ul style="list-style-type: none"> i. Existing boundaries, trees, hedgerows specifying which are proposed for retention as features of the site landscaping. ii. The measures to be put in place for the protection of these landscape features during the construction period. iii. 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. iv. Details of roadside/street planting. v. Hard landscaping works, specifying surfacing materials, furniture and finished levels. <p>(b) Specifications for mounding, levelling, cultivation and other operations associated with plant and grass establishment</p> <p>(c) A timescale for implementation including details of phasing where required.</p> <p>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 or until the development is taken in charge by the local authority, whichever is the sooner, shall be replaced within the next</p>

	<p>planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.</p> <p>Reason: In the interest of residential and visual amenity.</p>
16.	<p>The areas of public open space shown on the lodged plans shall be reserved for such use and shall be levelled, soiled, seeded, and landscaped in accordance with the detailed requirements of the planning authority. This work shall be completed before any of the dwellings are made available for occupation unless otherwise agreed with the planning authority and shall be maintained as public open space by the developer until taken in charge by the local authority.</p> <p>Reason: In order to ensure the satisfactory development of the public open space areas, and their continued use for this purpose.</p>
17.	<p>A schedule of landscape maintenance shall be submitted to, and agreed in writing with, the planning authority prior to occupation of the development. The schedule shall cover a period of at least three years and shall include details of the arrangements for its implementation.</p> <p>Reason: To provide for the satisfactory future maintenance of this development in the interest of visual amenity.</p>
18.	<p>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. All existing over ground cables shall be relocated underground as part of the site development works.</p> <p>Reason: In the interests of visual and amenity.</p>
19.	<p>Proposals for the numbering scheme and associated signage shall be submitted to, and agreed in writing with the Planning Authority, prior to commencement of development. Thereafter, all numbering shall be provided in accordance with the agreed scheme.</p> <p>Reason: In the interest of urban legibility.</p>

20.	<p>The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with the Planning Authority, prior to commencement of development. This plan shall provide details of intended construction practice for the development, including:</p> <ul style="list-style-type: none"> (a) Location of the site and materials compound(s) including area(s) identified for the storage of construction refuse; (b) Location of areas for construction site offices and staff facilities; (c) Details of site security fencing and hoardings; (d) Details of on-site car parking facilities for site workers during the course of construction; (e) Details of the timing and routing of construction traffic to and from the construction site and associated directional signage, to include proposals to facilitate the delivery of abnormal loads to the site; (f) Measures to obviate queuing of construction traffic on the adjoining road network; (g) Measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network; (h) Details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels; (k) Containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained. Such bunds shall be roofed to exclude rainwater; (l) Off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil; (m) Means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains. (n) A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be available for inspection by the planning authority; <p>Reason: In the interest of amenities, public health and safety and environmental protection.</p>
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21.	<p>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.</p> <p>Reason: In order to safeguard the residential amenities of property in the vicinity.</p>
22.	<p>The development hereby permitted shall be carried out and completed at least to the construction standards set out in the Wicklow County Council's Taking in Charge Policy & Completion of Developments Policy 2010. Following completion, the development shall be maintained by the developer, in compliance with these standards, until taken in charge by the planning authority.</p> <p>Reason: To ensure that the development is carried out and completed to an acceptable standard of construction.</p>
23.	<p>(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.</p> <p>(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 such 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</p>

	<p>individual purchasers and / or to those eligible for the occupation of social and / or affordable housing, including cost rental housing.</p> <p>(c) The determination of the Planning Authority as required under (b) shall be subject to receipt by the Planning Authority and housing authority of satisfactory documentary evidence from the application 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 condition has been discharged in respect of each residential unit.</p> <p>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.</p>
24.	<p>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 on the land in accordance with the requirements of Section 94(4) and Section 96(2) and 96(3) (b), (Part V) of the Planning and Development Act 2000, as amended, unless an exemption certificate has been granted under Section 97 of the Act, as amended. Where such an agreement cannot be reached between the parties, the matter in dispute (other than a matter to which Section 96(7) applies) shall be referred by the planning authority or any other prospective party to the agreement, to An Bord Pleanála for determination.</p> <p>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 for the area.</p>
25.	<p>Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or such other security as may be acceptable to the planning authority, to secure the satisfactory reinstatement of the site upon cessation of the project coupled with an agreement empowering the planning authority to</p>

	<p>apply such security or part thereof to such reinstatement. 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 Bord Pleanála for determination.</p> <p>Reason: To ensure satisfactory reinstatement of the site.</p>
26.	<p>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 Bord Pleanála to determine the proper application of the terms of the Scheme.</p> <p>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.</p>
27.	<p>The developer shall pay to the planning authority a financial contribution in respect the Wicklow Port Access and Town Relief Road benefiting the area of in accordance with the terms of the Supplementary Development Contribution Scheme made by the planning authority under section 49 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</p>

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 Supplementary Development Contribution Scheme made under section 49 of the Act be applied to the permission.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

Clare Clancy
Planning Inspector

08th December 2025