



Development	Construction of 4 No. 1 & a half storey dwellings, vehicular access and all associated site works.
Location	Rathenrea , Sea Road , Kilcoole
Planning Authority	Wicklow County Council
Planning Authority Reg. Ref.	2560695
Applicant(s)	Jason Walsh and Daniel Kavanagh
Type of Application	Permission
Planning Authority Decision	Grant Permission + Conditions
Type of Appeal	Third Party Normal Planning Appeal
Appellant(s)	Dwyer Nolan Developments Ltd & Chris Gammell
Observer(s)	None
Date of Site Inspection	10 th April 2026
Inspector	Frank O'Donnell

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1.0 Site Location and Description

- 1.1. The subject appeal site is located on the northern side of Sea Road, to the east of the centre of Kilcoole. The site has a stated area of 0.296 hectares and is estimated to have a maximum length of c. 90 metres and a maximum width of c. 40 metres at the rear (north) of the site. The foundations of a dwelling are positioned on the western side of the centre of the site. The remainder of the site is under grass. The site is accessed via an existing recessed field entrance on the western side of the centre of the site frontage. I note there is a separate field access comprising a wrought iron gate and 2 no. associated natural stone piers located on the eastern side for the site frontage adjacent to the eastern site boundary.
- 1.2. There are existing residential properties located to the east, west and south of the subject appeal site. The lands to the rear north remain undeveloped.

2.0 Proposed Development

- 2.1. The proposed development comprises the following:
 - Permission for the construction of 4 no. 4 bedroom 1 and a half storey dwellings presented as 1 no. House Type A, 2 no. House Type B and 1 no. House Type C.
 - House Type A is estimated to have an overall floor area of 211 sqm and is proposed to have an overall height of 7.21 metres.
 - House Type B is estimated to have an overall floor area of 144 sqm and is proposed to have an overall height of 8.7 metres.
 - House Type C is estimated to have an overall floor area of 140 sqm and is proposed to have an overall height of 7.8 metres.
 - The proposed development is also stated to include vehicular access and connection to all existing public services and for ancillary site works to facilitate the development.

3.0 Planning Authority Decision

3.1. Decision

3.1.1.1. The Local Authority issued a Request for FURTHER INFORMAITON on 23rd October 2025 in relation to 5 no. main points, which can be broadly summarised under the general topics of

- i) Access arrangements and proposed road widths to accommodate the proposed 4 no. dwellings and future development to the north,
- ii) A revised sightline drawings of sufficient detail and indicating sufficient set-backs,
- iii) A revised site plan showing clear driveway entrances and fully dimensions car parking spaces per dwelling, consideration of mobility impaired drivers/ passengers and a swept path analysis indicating adequate manoeuvring space to facilitate access and egress for 2 no. cars in forward gear,
- iv) A revised Landscaping Plan and Site Boundary Plan. Pedestrian visibility to be maintained at the main entrance onto Sea Road and proposed driveway entrances. A pleasant pedestrian environment along the proposed link road which benefits from adequate passive surveillance.
- v) A Contiguous Front Elevation Drawing along the street elevation in order to fully assess how the proposed dwelling will integrate and enhance the existing streetscape.

3.1.1.2. The Local Authority issued a Notification of Decision to GRANT permission on 22nd November 2025 subject to 21 no. conditions.

3.1.2. Conditions

Condition no. 5 read as follows:

5. *The access road shall be constructed right up to the ownership boundary of the adjoining lands to the north and future vehicular access retained in order*

to facilitate the future expansion of this access road northwards and to facilitate the development of the adjoining zoned lands to the north.

Reason: In the interests of the proper planning and sustainable development of the area.

Condition no. 8 read as follows:

8. *The west facing first floor gable window of House A, the east and west facing first floor gable windows of House Type B and the east facing first floor gable window of House Type C shall comprises of manufactured obscured glazing.*

Reason: In the interests of privacy and residential amenity.

3.2. **Planning Authority Reports**

3.2.1. Planning Reports

- The **Local Authority Planner** considered that subject to compliance with other relevant planning considerations on the subject appeal site the principle for the proposed development was acceptable, that the proposed residential density was acceptable when the proposed access road was taken into consideration, that the design and layout of the 3 no. house types (A,B and C) was acceptable subject to minor design amendments, that the proposed road design and layout was acceptable subject to a condition that it be constructed right up to the adjacent ownership boundary of the lands to the north to allow for the future development of said lands, that the proposed 90 metres sightlines were acceptable as per the Report from the Roads Department, that the proposed car parking arrangements were acceptable including sufficient space to accommodate at least 1 no. accessible space, that the proposed swept path analysis arrangements were acceptable, that the proposed landscaping and boundary treatment arrangements were acceptable subject to conditions in relation to finishes, that an acceptable level of passive surveillance would be achieved, that clear visibility for pedestrians and drivers using the proposed residential entrances would be achieved and that the proposed development dwelling elevations would fit in with the existing streetscape and were therefore acceptable.

- The **Local Authority Planner** concluded that the proposed development was acceptable and recommended that planning permission be granted subject to conditions.

3.2.2. Other Technical Reports

- The **Chief Fire Officer** raised no objection to the proposed development subject to 5 no. conditions.
- The **Transport & Infrastructure Delivery Section** recommended that Further Information be sought in relation to Access/ Sightlines, Entrance Design, Pedestrian/ Cycle Facilities, Parking/ Internal Layout and Drainage.
- The **Municipal District Engineer** recommended states that it is understood that Further Information was received in relation to the application and requests that the applicant be requested to submit proposals in relation to
 - Surface Water arrangements in compliance with the Development Plan provisions, SuDs and Development Guidance (April 2025) to include confirmation of permeable paving to all driveways,
 - The treatment of the existing Footpath along the site frontage,
 - Compliance with the Traffic Signs Manual for the internal pedestrian crossing,
 - Internal footpaths to be continuous across all property entrances,
 - Details of the proposed access road and treatment of surface water run-off from said access road.

3.3. Prescribed Bodies

- None

3.4. Third Party Observations

3.4.1. The Application was the subject of 1 no. Third Party Submission from the following:

- Dwyer Nolan Ltd and Chris Gammell

3.4.2. The issues raised in the submission are the same as those summarised in the Local Authority Planners Report.

4.0 Planning History

4.1. The following planning history pertains to the subject site:

- **22/910:** Applicant: Jason Walsh & Daniel Kavanagh. Permission for construction of 2 No. 1 & a half storey dwellings, vehicular access, for the connection to all existing public services and for all ancillary site works to facilitate the development. Permission was **GRANTED** on 15th November 2022 subject to 12 no. conditions.
- **22/98: Applicant: Daniel Kavanagh & Jason Walsh.** Permission for the construction of 4 no. 1 & a half storey dwellings, vehicular access, for the connection to all existing public services and for all ancillary site works to facilitate the development. Permission was **REFUSED** in March 2022 for 2 no. reasons, as follows:
 1. *The proposed development is located within Action Area Plan AP8: Ballydonarea as set out in the Greystones -Delgany and Kilcoole LAP 2013, and is subject to objective R09 to provide an access road to facilitate the development of zoned lands at AP8: Ballydonarea Action Plan, in the form of a link road between Sea Road and Lott Lane. Having regard to the proposed development which makes no provision for this access, it is considered that the proposed development would contravene materially the objective R09 and provisions of AP8 as set out in the Greystones - Delgany and Kilcoole 2013 LAP and would therefore be contrary to the proper planning and sustainable development of the area.*
 2. *Insufficient information is submitted to demonstrate how the storm water runoff from the proposed development will be dealt with in accordance with the Greater Dublin Strategic Drainage Study in order to provide volume reduction and source control of pollutants. To permit the development in the absence of such information, would be contrary to the amenities of the area and may give rise to pollution, would be contrary to proper planning and sustainable development.*
- **18/348:** Applicant: Daniel Kavanagh & Jason Walsh. EXTENSION OF DURATION (EOD) of planning reg. ref. no. 12/6592. **EOD GRANTED** in May

2018 for a period of 3 years, stated expiry date on planning register is 07th September 2021.

- **12/6592 (Appeal Ref. No. L 27.241738):** Applicant: Jason Walsh and Daniel Kavanagh. Permission for 2 no. two-storey houses and associated site works. Permission was **GRANTED** in June 2013 subject to 16 no. conditions.

4.1.1. Surrounding Planning History in the area

Site located c. 137 metres to the northwest, access from Lotts Lane

- **Appeal Ref. no. PL27.320257 (Planning Reg. Ref. no. 23509):** Applicant: Dwyer Nolan Developments Limited. Permission for the Construction of 50 houses and all associated site development works. A new vehicular access is proposed off Lott Lane which will serve a new distributor road along the north of the site. Application was accompanied by a Natura Impact Statement. Permission was **REFUSED** on 22nd December 2025 for the following 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 & Kilcoole Local Area Plan 2013-2019 and 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.

5.0 Policy Context

- ***Wicklow County Development Plan, 2022 to 2028 (incl. Variation no. 5) (the Development Plan)***

5.1. Development Plan

- 5.1.1. The Wicklow County Development Plan, 2022 to 2028 was adopted on 12th September 2022 and came into effect on 23rd October 2022. The Development Plan has been the subject of 5 no. Variations to date. I have reviewed the Development Plan and the LPF and I have referenced the Chapters, Sections and Objectives further below which I consider to be of relevance to the assessment of the proposed development.
- 5.1.2. **Volume 1** of the Development Plan relates to the **Written Statement**. Variation no. 5 (Core Strategy & Housing Objectives) came into effect on 30th March 2026. In the Wicklow Settlement Hierarchy set out in Table 3.2 of **Chapter 3 (Core Strategy)** of **Variation no. 5**, Kilcoole is identified as a Level 4 settlement, 'Self Sustaining town' in the County settlement hierarchy.
- 5.1.3. As set out in **Chapter 4 (Settlement Strategy)** of the Development Plan, Kilcoole had a population of 4,244 persons in 2016 and has a population target of 4,778 persons for quarter 2 of 2028, a difference of 534 persons.
- 5.1.4. **Chapter 6 (Housing)** of the Development Plan was updated under Variation no. 6. In the case of Kilcoole and other Self Sustaining Towns, a density range of between 25 dph to 40 dph is recommended at Edge/ Urban Extension locations.
- 5.1.5. **Chapter 12 (Sustainable Transportation)** of the Development Plan includes the following Objectives:

Cycling & Waling Objectives

- **CPO 12.12:** *To require all new or improved roads to include pedestrian facilities, cycle lanes / tracks (unless the scale / design of the road does not warrant such infrastructure having regard to the guidance set out in the National Cycle Manual and DMURS) and public lighting as deemed appropriate by the Local Authority.*
- **CPO 12.13:** *To facilitate the development of pedestrian and cycle linkages through and between new and existing developments to improve permeability and provide shorter, more direct routes to schools, public transport, local services and amenities while ensuring that personal safety, particularly at night time, is of the utmost priority.*

General Roads Objectives

- **CPO 12.30:** *Traffic Impact Assessments will be required for new developments in accordance with the thresholds set out in the 'Design Manual for Urban Roads and Streets' DMURS (DTTA-DHPLG) and the 'Traffic & Transport Assessment Guidelines' (TII).*
- **CPO 12.31:** *Road Safety Audits, Road Safety Impact Assessments, Street Design Audits as per DMURS, or Accessibility Audits shall be required at the discretion of the Planning Authority, but shall generally be required where new road construction or a permanent change to the existing road / street layout is proposed.*
- **CPO 12.33:** *To require all new or improved roads (of all designations) to include pedestrian facilities, cycle lanes / tracks (unless the scale / design of the road does not warrant such infrastructure (having regard to the guidance set out in the National Cycle Manual and DMURS), public lighting and bus stop facilities as deemed appropriate by the Local Authority.*
- **CPO 12.34:** *The design of new roads or improvements to existing local roads and new means of access onto roads shall generally comply with the guidance set out in the 'Design Manual for Roads & Bridges' DMRB (TII), the 'Design Manual for Urban Roads and Streets' DMURS (DTTA-DHPLG), the 'Traffic Management Guidelines' (DoT-DoELG-DTO) and 'Recommendations for Site*

Development Works for Housing Areas' (DoELG) as appropriate. as may be amended and revised, unless local conditions determine otherwise.

Local Roads Objectives

- **CPO 12.53:** *Where a proposed development is adjoining future development lands or provides the only possible access route to other lands, new roads will be required to be designed by the developer to ensure that future access to other lands can be facilitated.*

5.1.6. **Chapter 13 (Water Services)** of the Development Plan includes the following Objectives:

Storm & Surface Water Infrastructure Objectives

- **CPO13. 21:** *Ensure the implementation of Sustainable Urban Drainage Systems (SUDS) in accordance with the Wicklow County Council SuDS Policy to ensure surface water runoff is managed for maximum benefit. In particular to require proposed developments to meet the design criteria of each of the four pillars of SuDS design; Water Quality, Water Quantity, Amenity and Biodiversity.*

5.1.7. **Volume 2** of the Development Plan relates to **Plans** and includes Part 6 – Local Planning Frameworks (LPF). Under Variation no. 4 the **Greystones – Delgany & Kilcoole LPF** came into effect on 9th February 2026, see further below.

5.1.8. **Volume 3** of the Development Plan provides a total of 11 no. **Appendices** including Appendix 1 (Development and Design Standards), Appendix 3 (Housing Strategy), and Appendix 4 (Record of Protected Structures).

- **Greystones – Delgany & Kilcoole Local Planning Framework (LPF)**

5.2. Local Framework Plan (LPF)

5.2.1. The **Greystones – Delgany & Kilcoole Local Planning Framework (LPF)** came into effect on 9th February 2026 under Variation no. 4 of the Development Plan. As per the LPF Land Use Zoning Map (March 2026) which superseded the previous Land Use Zoning Map (Adopted in February 2026), the subject appeal site, together with other adjacent lands to the immediate north, is zoned RN New Residential. Under the

previous Land Use Zoning Map (February 2026), the lands were zoned RN(2) New Residential – Priority 2.

5.2.2. The overall lands zoned RN New Residential at this location, including the subject appeal site, are the subject of a Specific Local Objective (SLO6) – Ballydonarea. SLO6, see further below.

5.2.3. Part A of the LPF relates to Strategy and includes the Overall Strategy for the LPF. Section A2.8 relates to Service Infrastructure and includes a Service Infrastructure Strategy. In relation to Surface Water Management, the stated Strategy is to *‘Ensure the implementation of Sustainable Urban Drainage Systems (SUDS) and in particular, to ensure that all surface water generated in a new development is disposed of on-site or is attenuated and treated prior to discharge to an approved surface water system.’*

5.2.4. Part B relates to Settlement Specific Objectives.

5.2.5. Objectives GDK15 to GDK21 relate to Housing Objectives for the LPF. The following Objectives are considered to be of particular relevance to the subject proposal:

- ***GDK17*** *To require that new residential development represents an efficient use of land and achieves the highest densities suitable to that site subject to the reasonable protection of existing residential amenities and the established character of existing settlements. In promoting higher densities and more compact development, new development should demonstrate compliance with: - Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (DoHLGH 2024) - Design Standards for New Apartments Guidelines for Planning Authorities (DoHLGH 2023) - Urban Development and Building Height Guidelines for Planning Authorities (DoHLGH 2018) - Design Manual for Urban Roads and Streets (DMURS); - any subsequent / replacement Ministerial / Government guidelines. However, lower density residential developments may be required at certain locations; whereby virtue of environmental, topographical and service constraints, including lack of public mains infrastructure, poor road access, steep gradients, flooding issues and significant coverage of natural biodiversity, a lower density of development is preferable. In particular, the planning authority will carefully control new housing development and the density of new development on lands zoned ‘RE:*

*Existing Residential' at **Blackberry Lane, Kindlestown Upper and Bellevue Demesne.***

5.2.6. Section B.5 relates to Social and Community Development. Section B5.2 relates to Childcare as states the following:

- *The County Development Plan requires that where considered necessary by the Planning Authority, developers of new housing developments of 75 units or more shall make provision in the development for childcare facilities at a ratio of 20 places per 75 residential units, unless it can be demonstrated that having regard to the existing geographic distribution of childcare facilities and the emerging demographic profile of the area that this level of childcare facilities is not required. The SIA identifies shortfalls in the provision of adequate childcare facilities across the LPF area, and therefore across this LPF area and for this LPF period, this objective shall be applied in all cases, without exception. The development of other childcare facilities, outside of the new housing developments, shall be supported and facilitated by this LPF.*

5.2.7. Objective GDK41 relates to Childcare Facilities and states the following:

- **GDK41: Without exception**, to require the provision of childcare facilities in all new residential developments comprising 75 houses or more (including local authority and social housing schemes). In accordance with Department of Environment, Heritage & Local Government guidelines, childcare places shall be provided at a ratio of 20 places per 75 residential units, having regard to cumulative effects of permitted development.

Where such childcare facilities are required as part of new developments, they shall be:

- *designed from the outset as childcare facilities, with internal and external spaces meeting national standards for childcare use,*
- *of such a location, design and scale as to ensure childcare use is viable, and*
- *shall be provided ready for occupation upon the occupation of the 75th house in the development.*

Without substantial cause, it is the policy of the Planning Authority not to allow a change of use of these premises within five years of first occupation of the development.

5.2.8. Section B5.4 relates to Open Space where, as per Table 8.3 (Proposed Open Space Provision), reference is made to Specific Local Objective (Ballydonarea SLO 6) which pertains to the subject appeal site. The Open Space use category for SLO 6 is indicated to be type 'B' (Passive Play Space), the zoning is OS2 (Natural Area) and the relevant area is indicated to measure 3.5 hectares.

5.2.9. Section B6 relates to Heritage, Biodiversity and Green Infrastructure.

5.2.10. Section B.7 relates to Infrastructure and Services and includes the following Infrastructure Objectives:

- ***GDK60:*** *To support and facilitate the implementation of local projects which improve pedestrian and cyclist permeability, safety and access to schools and public transport. In particular to support and facilitate the following schemes / programmes:*

a) Pedestrian and cycling infrastructure from Kilcoole Main Street to Kilcoole train station.

b) Pedestrian and cycling infrastructure from Kilcoole to Charlesland, which may be in the form of improvements to the existing Regional Road R761 or, where the existing road configuration does not allow for this, a new pedestrian and cycling route from Ballygannon (north Kilcoole) to Charlesland to the east of the regional road. The location and layout of any such route shall be determined following a comprehensive route selection process and consultation with affected landowners, and in particular shall ensure no adverse impacts on working farms in the area.

....

- ***GDK61:*** *In order to facilitate the delivery of improved pedestrian / cyclist safety, public realm enhancement programmes and vehicular movement improvements in the LPF area, to support and facilitate the delivery of the following schemes:*

...

c) In order to improve pedestrian and cyclist safety in Kilcoole town centre and to allow for future improvements to the public realm on Kilcoole Main Street particularly in the area between 'Upper Green' and 'Sylvan Lawns': the improvement of the alternative route to the east of Kilcoole to 'bypass' the core town centre. This route commences at the R761 junction with Lott Lane at Kilcoole Community Centre, continues along Lott Lane to Sea Road and onto 'Holywell Avenue' to the south of Sea Road, as far as the regional road at CCA. Improvement shall include the re-design of various existing junctions in order to give priority to this route as shown on Map No. 5 as Objective GDK61.

d)

Where such improvements are located on designated development land, the development shall be so delivered to provide for those elements of the scheme within that site.'

5.2.11. Section B.8 relates to Zoning and Land Use. The subject appeal site is zoned RN: New Residential. As per the table set out in Section 12.1 Zoning Objectives: the zoning objective for RN: New Residential lands is *'to provide for new residential development and supporting facilities during the lifetime of the LPF.'* The following description for RN New Residential Zoning is provided in the same table:

- *'To facilitate for the provision of high quality new residential developments at appropriate densities with excellent layout and design, well linked to the town centre and community facilities. To provide an appropriate mix of house sizes, types and tenures in order to meet household needs and to promote balanced communities.'*

5.2.12. Uses which are generally appropriate for residential (RN/ RE) are stated to include:

- *'..houses, apartments, residential open space, education, community facilities, retirement homes, nursing homes, childcare/crèche , health centres, guest house, bed and breakfast, places of public worship, home based economic activity, utility installations and ancillary development and other residential uses in accordance with the County Development Plan and this LPF.'*

5.2.13. Section B.9 relates to Specific Local Objectives (SLO), the purpose of which is to *'guide developers as to the aspirations of the LPF...'* It is stated that *'a masterplan for*

the entire SLO area may be required to be submitted as part of the first application within the SLO. It is further stated that:

- *In particular, both masterplans and individual applications within SLOs shall show the proposed overall roads and infrastructure layout for the entire SLO area to ensure that all land parcels within the SLO are serviceable and no development prejudices or unduly constrains the development on another parcel.*

5.2.14. The following guidance is provided in relation to the subject SLO 6 – Ballydonarea:

- **SLO 6 Ballydonarea:** *These SLO lands are located east of Lott Lane, Kilcoole in the townlands of Kilcoole and Ballydonarea and measure c. 12.7ha and are zoned for 'New and OS2 'Natural Areas'. The Ballydonarea Loop / Strawberry Lane walk forms part of the northern boundary of this area.*

This area may be developed for a mix of uses including residential, community and open space, in accordance with the following requirements:

- *The development shall provide for a new residential community well served by on-site facilities and well connected to the wider settlement, including high quality pedestrian and cycling links to the town centre and existing transport services.*
- *A total area of c. 8.9ha is zoned for new housing development which shall be divided into a least two distinct character areas / estates either side of the central green area, including a wide range of house types and sizes to meet the needs of all in society, including units suitable for older persons or people with accessibility needs.*
- *Lands zoned RN [west] shall be accessed from Lott Lane only. Lands zoned RN [east] shall be accessed from Sea Road only. Pedestrian and cycling connectivity shall be provided between the two RN zones across the green space, to Ballydonarea Loop / Strawberry Lane walk to the north and Wellfield to the south.*
- *New development within 25m of the Ballydonarea Loop / Strawberry Lane walk shall be so designed as to maintain and enhance the walk, preserving all natural features including watercourses, trees and mature*

hedgerows. No walls / fences will be permitted in this buffer zone, no structures shall back onto same and any structures shall be so designed to address and overlook the walk, and provide passive surveillance of same.

- *Open space shall be provided as follows*
 - *A central green area shall be provided along the watercourse and encompassing a natural wooded area to the north-west of same, of not less than 3.6ha in area.*
 - *Within this space, a 'natural' undisturbed area of not less than 10m shall be maintained either side of the stream and existing trees and hedgerows shall be maintained. Cycleway / footpath crossings over / through the watercourses, or tree / hedgerow lines, shall be minimised to that absolutely necessary for access; any such stream crossing shall be via a clean span bridge that maintains its natural character.*
 - *Where following ecological assessment, it is found that there are areas within this OS zone suitable for redevelopment, said lands shall be laid out for recreational purposes, including suitable play spaces, walks, seating area etc.*
 - *The open space shall link fully through from Sea Road to Ballydonarea Lane.*
- *Community facilities shall be provided within the SLO area to meet the needs of the new resident community of the area in the first phase of development. In particular, the development shall include at a minimum a childcare facility; in determining additional requirements for community facilities, a community services audit shall be carried out.*

5.2.15. Appendix 4 of the LPF relates to a Social Infrastructure Audit (SIA). Section 3.3 of same relates to Childcare. Section 3.3.1 of same relates to Childcare Facilities Synopsis/ Demand Analysis which finds that there is an insufficient number of childcare places available within the LPF. The analysis is informed by research carried out by Wicklow County Childcare Committee where it was found that there are no childcare

spaces available in Kilcoole. The analysis concludes that *'it is paramount that new childcare facilities for all ages are provided in tandem with new residential schemes.'*

5.2.16. Appendix 5 of the LPP relates to Green Infrastructure Audit.

5.3. **Wicklow County Council Sustainable Drainage Systems (SuDS) Policy and Development Guidance**

5.3.1. The stated purpose of the above Policy and Guidance document, as per Section 1.3 of the document is *'to provide a brief introduction to SuDS, guidance on the various standards; the Council's planning requirements and the various types of SuDS components.'* In addition, the document provides guidance in relation to stormwater management and information as to the required development standards which facilitate the implementation of SuDS.

5.4. **National and Regional Plans**

5.4.1. The following National and Regional Plans are considered to be of relevance:

- *National Planning Framework, (First Revision) (2025)*
- *Eastern & Midland Regional Assembly: Regional Spatial & Economic Strategy (RSES) 2019 & 2031.*

5.5. **National Guidance**

5.5.1. The following National Guidance is considered to be of relevance:

- Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024).
- National Transport Authority, Cycle Design Manual, 2023
- Design Manual for Urban Roads and Streets, (DMURS) (2019)
- Quality Housing for Sustainable Communities: Design Guidelines (2007).

5.6. **Natural Heritage Designations**

5.6.1. The site is not located within or adjacent to a Natura 2000 site. The nearest Natura 2000 sites are as follows:

- The Murrough Wetlands SAC (Site Code: 002249) located c. 930 metres to the west.

- The Murragh c. SPA (Site Code: 004186) located c. 930 metres to the west.

6.0 EIA Screening

6.1. The proposed development has been subject to preliminary examination for environmental impact assessment (refer to Form 1 and Form 2 in Appendices of this report). Having regard to the characteristics and location of the proposed development and the types and characteristics of potential impacts, it is considered that there is no real likelihood of significant effects on the environment. The proposed development, therefore, does not trigger a requirement for environmental impact assessment screening and an EIAR is not required.

7.0 The Appeal

7.1. Grounds of Appeal

7.1.1. The proposed development is the subject of 1 no. Third Party Appeal from the following:

- Dwyer Noal Developments Limited and Chris Gammell

7.1.2. The main Grounds of Appeal can be summarised as follows:

- Insufficient width of Road Reservation:
 - There is a 10 metre wide road reservation (stated to be 9.5 metres wide in the Appellants accompanying Engineers Report) from the Sea Road to the south through the subject appeal site. The purpose of this road reservation is to provide access to lands to residentially zoned lands to the rear north of the site. The reservation is too narrow accommodate a road of sufficient width to serve said lands to the rear (north), the majority of which is in the ownership/ control of the Appellants.
 - The permitted road width is insufficient to accommodate an off street cycle track or a verge to accommodate street trees or SuDs measures.
 - Although the Applicant has classified the access road as a Local Street with a proposed carriageway width of 5.5 metres. A street serving the scale of residential development envisaged on the Appellants lands may

be considered as a Linked Street within the Roads Hierarchy set out in DMURS.

- The preferred width for a Linked Street, as per DMURS, is between 3.0 metres and 3.25 metres which means a carriageway width of between 6 to 6.5 metres would be appropriate. The Commission is respectfully requested to consider whether the proposed carriageway width of 5.5 metres is appropriate in this instance.
- The proposals are without grass verges or street trees. As per DMURS verge widths of between 1.5 to 2 metres are recommended for a Linked Street. There is insufficient width to accommodate SuDs measures. The Commission is respectfully requested to consider whether the absence of a verge and street trees is appropriate having regard to the function of the street.
- No cycling facilities are provided. The Appellant submits that such cycling facilities should be accommodated in accordance DMURS. The Commission is respectfully requested, having regard to the anticipated higher speeds along this street, to consider whether the absence of cycling infrastructure is appropriate in this instance.
- Greystones Delgany Kilcoole Local Area Plan, 2013 to 2019
 - At the time of writing the Appeal submission the above LAP was the only plan applicable to the subject appeal site.
 - The lands located to the north of the subject appeal site were the subject of Area Action Plan (AP8). As per AP8 2 no. areas of residentially zoned lands were identified. The first relates to lands accessed off Lott Lane further to the northwest of the subject appeal site and the second relates to lands to the rear (north) of the subject appeal site with access from Sea Road via the subject appeal site. These said 2 no. land parcels were to be connected via a link road providing a link between Sea Road and Lotts Lane in both directions.
 - The carriageway, including cycle lanes and landscape verges/ strips, was to be c. 13 metres in width.

- Greystones Local Planning Framework, 2025
 - As per the accompanying map, the phase 1 lands, which are the subject of ABP Ref. 320257, are shown in yellow. Other lands which are the subject of current concerns are shown in orange.
 - At the time of the Appellants Appeal submission the framework was in the process of being made under Variation no. 4 of the County Development Plan and had yet to be adopted. Proposed material variations to the framework plan were in the process of being considered by the Local Authority.
 - The Appellant notes that it is now proposed that the 2 no. residential phases will not be connected by road and that access between Lott Lane and Sea Road is for pedestrian and cyclists only.
- Variation no. 6 of the County Development Plan
 - This relates to the implementation of the National Planning Framework (NPF) housing targets and alterations to the Core Strategy of the County Development Plan. The Appellant submits that, at the time of writing the Appeal submission, achievement of increased targets is to be delivered via increased residential densities on residential zoned lands.
 - The lands to the north (shown in orange on the accompanying map) could accommodate between 250 and 365 no. dwellings. The Appellant questions whether or not an access road to said lands could be provided within a 10 metre reservation which could adequately service the said lands.
- Planning reg. ref. no. 22/910
 - As per the Local Authority Planners Report dated October 2022 attached to planning reg. ref. no. 22/910 reference is made to the need to provide a link road from Sea Road to Lotts Lane. Although a Link Road was needed, a 10 metre wide reservation through the site was deemed to be acceptable.
- Appeal Ref. no. 320257 (Planning reg. ref. no. 23/509)

- Under the above case, there was a requirement for the link road include cycle lanes, landscaping strips etc. within a width of c. 13 metres. The Appellant accepts however that this may become academic as, at the time of the decision by the Commission in relation to the subject appeal, Variation no. 4 and the Greystones Local Planning Framework (LPF) will have come into effect.
- Consulting Engineers Report
 - The Appeal submission is accompanied by a Consulting Engineers Report.
- Conclusion
 - A 10 metre wide reservation is inadequate and will not be capable of accommodating traffic movements from a development of up to c. 300 dwellings on the lands to the immediate north.
 - The design and layout of the proposed development is of poor quality and does not serve to provide an appropriate entrance to 7 hectares of land zoned for residential development. The site has limited development space available with the proposed dwellings positioned within 1 metre of the boundary walls bordering a footpath with no landscaping over a distance of 90 metres. The proposed design and layout will be visually unacceptable and totally lacking in environmental quality and aesthetic.
 - If the Commission is satisfied that the proposed access arrangements are acceptable, the Appellant is more than satisfied for permission to be Granted subject to suitable conditions for future access to the lands to the rear.

7.2. Applicant Response

- None

7.3. Planning Authority Response

- None

7.4. Observations

- None

7.5. Further Responses

- None

8.0 Assessment

8.1. Introduction

8.1.1. Having examined the application details and all other documentation on file, including all of the submissions received in relation to the appeal and the reports of the planning authority and having inspected the site, and having regard to relevant local/ regional and national policies and guidance, I consider the main issues in this appeal are as follows:

- Access to SLO 6 Ballydonarea
- Design Manual for Urban Roads and Streets, 2019 (DMURS)
- Other Matters
 - *Sustainable Urban Drainage Systems (SUDs)*
 - *Proposed Variation no. 6*
 - *Design and Layout*

8.2. Access to SLO 6 Ballydonarea

8.2.1. The subject appeal site, as per the land use zoning map (map no. 1) attached to the Greystones-Delgany & Kilcoole Local Planning Framework (LPF), is zoned RN New Residential. The said LPF came into effect in February 2026. The site, together with other adjacent lands to the rear (north) and further to the northwest, form part of a designated Strategic Local Objective Area (SLO 6 – Ballydonarea). The majority of the lands contained within the said SLO are zoned RN New Residential.

8.2.2. I note, based on a review of the online planning register, that the subject application and current appeal will be the first application within SLO 6 (Ballydonarea) to be

assessed under the above LPF. The planning application was assessed by the Local Authority under the previous Greystones Delgany Kilcoole LAP (2013) in November 2025, prior to the adoption of the Greystones-Delgany & Kilcoole LPF in February 2026.

- 8.2.3. As per guidance set out in Section B.9 (Specific Local Objectives (SLO)) of the LPF, the first application within the SLO area may be required to submit a masterplan. It is stated that *'in particular, both masterplans and individual applications within SLOs shall show the proposed overall roads and infrastructure layout for the entire SLO area to ensure that all land parcels within the SLO are serviceable and no development prejudices or unduly constrains the development on another parcel.'* The subject application does not include a masterplan, nor indeed does it include any proposals for the overall roads and infrastructure layout for the entire SLO. The guidance set out in the LPF specific to the SLO 6 – Ballydonarea emphasises the importance of Community Facilities which shall be provided within the SLO area in the first phase of development. It is further stated that *'in particular, the development shall include at a minimum a childcare facility..'* and that *'a community services audit shall be carried out.'*
- 8.2.4. In my view therefore, as per the guidance, the future development of the SLO, including the subject appeal site, first needs to be informed by a Community Service Audit. The findings of such an Audit will then dictate the requirement, or otherwise, for Community Facilities which, as a minimum shall include a Childcare Facility.
- 8.2.5. Although the optimum location for a Childcare Facility on the overall lands has yet to be determined and could, for example, include the RN (west) lands, it could similarly, in my opinion, include the subject appeal site or part thereof. By way of context, I note there is an existing Childcare facility located c. 132 metres further to the west along Sea Road which is positioned adjacent to the public road and includes an internal set down area. A key consideration as to the optimum location for the Childcare Facility within the overall SLO is, in my opinion, likely to be informed by a preference for ease of access and the minimisation of potential traffic conflicts. In any case, a Community Facility, such as a Childcare Facility, shall be provided in the first phase of development.

8.2.6. Having regard to the size, scale and potential residential yield of the overall SLO and the relevance of the subject appeal site, being the sole means of vehicular access to the RN zoned lands to the north (RN (east)), it is my opinion, that the development of the subject lands, as presented, prior to the completion of a Community Service Audit, which would inform the preparation of an overall masterplan for the area and would assist in the determination of an appropriate location for a Childcare facility, would represent uncoordinated piecemeal development, would be premature and would have the potential to undermine the future orderly development of the area.

8.3. Design Manual for Urban Roads and Streets, 2019 (DMURS)

8.3.1. I note as per the proposed Site Plan (Drg. No. 001 – FI Nov 2025), lodged in response to the Request for Further Information, that it is proposed to provide a central access road which is shown to extend to the northern site boundary. The said access road allows for two way traffic. I estimate the maximum access corridor width to measures c. 9.5 metres. This includes 2 no. footpaths and 2 no. road lanes. Each of the footpaths are estimated to measure c. 2 metres in width and I estimate the road surface itself has a maximum width of c. 5.5 metres (i.e. each lane is estimated to measure c. 2.75 metres in width). There are no cycle lanes proposed. I also note, as per the Landscaping Plan (Drg. no. 004 – FI Nov 2025) submitted in Response to the Request for Further Information, that the Applicant is not proposing to provide any landscaping, grass verges or tree planting within the proposed c. 9.5 metre wide access corridor.

8.3.2. The LPF guidance specific to SLO 6 - Ballydonarea, places an onus upon the achievement of high quality pedestrian and cycling links and specifically states that *'lands zoned RN (east) shall be accessed from Sea Road only'* and that pedestrian and cycling connectivity shall be provided between the two RN zones within SLO 9 across the green space. The guidance refers to *'a new residential community well served by on-site facilities and well connected to the wider settlement, including high quality pedestrian and cycling links to the town centre and existing transport services.'* This, in my opinion, in addition to the overall SLO lands, applies to and includes the proposed new access corridor on the subject appeal site.

8.3.3. I note, as per Section 4.4.1 Carriageway Widths of DMURS, that the recommended carriageway width on *Local* streets should be between 5 to 5.5 metres (i.e. with lane widths of between 2.5 to 2.75 metres), see also figure 4.55 (Carriageway Widths)

where the standard carriageway width of a *Local* street is indicated to measure 5 to 5.5 metres. In the case of new designs for *Arterial* and *Link* Streets the standard lane width is recommended to be within the range of 2.75 metres to 3.5 metres. Within this range, the stated preferred values are 3.0 metres and 3.25 metres. The Guidance in Section 4.4.1 of DMURS also notes that the selected values within the overall range will depend upon a number of factors which include: - *the function and context of the street*, - *the number of large vehicles using the street*, - *access requirements and frequency of accesses*, - *the overall number of lanes and the need for lane width reductions at pinch points*. In the case of Local streets, it is stated that *'the standard carriageway width should be between 5.0 to 5.5 metres (i.e. with lane widths of 2.5 metres to 2.75 metres).'*

8.3.4. As the maximum lane width proposed measures c. 2.75 metres and the proposed road carriageway width measures c. 5.5 metres, I am satisfied that the carriageway has been designed as a Local Street. Owing to the anticipated future function of the access road, which would be the sole means of vehicular access to what is proposed to comprise a considerable extent of future residential development further to the north, the subject road would, in my opinion, be required to have a higher carrying capacity to that of a Local Street and should therefore, instead, be designed as a Link Street. Having regard to the preferred lane width values for a Link Street (i.e. between 3.0 metres and 3.25 metres), the preferred lane width for a Link Street is therefore between 6.0 metres and 6.5 metres. If a 2 metre footpath is included on both sides of the road, this means the proposed maximum access corridor width of c. 9.5 metres is below the preferred width of a Link Street between 10.0 and 10.5 metres (including 2 no. 2 metre wide footpaths).

8.3.5. In addition, and as noted further above, there is a stated emphasis in the SLO to a requirement for high quality pedestrian and cycling links. Section 4.3 of DMURS deals with the Pedestrian and Cyclist Environment. Section 4.3.1 is concerned with Footways, Verges and Strips where it is recommended that *'the width of footways should increase according to function from Local (lower activity), Link (moderate activity) to Arterial streets (moderate to higher activity) and as the developed densities increase.'* As set out above, it is my opinion that the proposed access corridor should serve as a Link Street and therefore, as per the guidance in DMURS, including figure

4.34, it is my further opinion that an increased footpath width of 2.5 metres (areas of low to moderate pedestrian activity) is warranted in this instance.

- 8.3.6. The Applicant has not provided for any designated cycle access within the proposed access corridor. I note that under planning reg. ref. no. 23/509 (Appeal Ref. No. ABP-320257-24), which was refused permission, that the Applicant under that application/ appeal proposed a designated cycle track along the northern site boundary on either side of a proposed access road. This said access corridor was proposed to serve a residential development of 50 no. houses on what is now part designated as RN (west) and OS2 within SLO 6 Ballydonarea lands and accessed from Lott Lane further to the northwest. The RN (east) lands which are required to be accessed via the subject appeal site from Sea Road will serve RN (east) which is a considerably larger area of land zoned RN (New Residential). I note the guidance set out in Section 4.3.5 of DMURS which deals with Cycle Facilities. In particular, I note the distinguishment between recommendations for cycle facilities on lightly trafficked/ low speed streets, where designers are generally directed to create Shared Streets between cyclists and motor vehicles, and busier/ moderate speed streets where designers are generally directed to apply cycle lanes/ cycle tracks. Owing to the anticipated extent of future residential development within RN (east), which would be accessed via the subject appeal site and the stated requirement in SLO 6 for high quality pedestrian and cycling links to the town centre and existing transport services, it is my opinion that a designated cycle track is warranted in this case.
- 8.3.7. The Guidance in Section 4.3.1 of DMURS recommends that on Arterial and Link Streets with no on-street parking a verge of 1.5 metres to 2.0 metres should be provided within which large trees or indeed street furniture could be accommodated. The Applicant has not provided any verges within the access corridor. In my opinion, such verges are required owing to the anticipated future function of the subject access corridors as a Link Street.
- 8.3.8. In conclusion therefore, it is my opinion that the configuration and space dedicated to the proposed access corridor (i.e. c. 9.5 metres maximum), is insufficient to cater for the anticipated extent of future residential development which would be accessed via the subject appeal site from Sea Road. As per recommendations contained in DMURS, it is my opinion that the access corridor should be designed as a Link Street, with a

preferred road carriageway width of between 3.0 metres and 3.25 metres (i.e. 2 no. lanes of between 6.0 metres and 6.5 metres in width), a verge width of between 1.5 metres and 2.0 metres and a footpath width of a minimum of 2.5 metres. This equates to a minimum width of 10 metres excluding a dedicated cycle track.

8.3.9. I note as per recommendations contained in the National Transport Authority (NTA) Cycle Manual, 2023, where, as per Section 2.6 (Width Calculator) and Table 2.2 (Width Calculator), guidance is provided in relation to the calculation of the appropriate width of a cycle lane. The width of a cycle lane is made up of 4 no. primary elements (A to D), i.e. A (Inside Clearance), B (Central Width), C (Outside Clearance) and D (Buffer Width). As per Table 2.2 (Width Calculator), the recommended desirable width for the main cycle track (B. Central Width) of a one-way cycle track of less than 300 cycle flow per hour is indicated to be 2.0 metres and is 3.0 metres in the case of a two-way cycle track. Where the A (Inside Clearance), C (Outside Clearance) and D (Buffer Width) are included, as recommended, I estimate the overall minimum desirable width of all 4 no. elements (A to D) including the above minimum figure of 2.0 metres (one-way cycle track) equates to 2.3 metres where the Inside Clearance (A) and Outside Clearance (C) are flush or near-flush to surface including low and splayed kerbs up to 60mm high. Where this minimum width (2.3 metres) for a one-way cycle track is applied on both sides (2 X 2.3 metres) of a Link Street road carriageway designed to the minimum preferred width of 6.0 metres, in addition to 2 no. verges of minimum width (2 X 1.5 metres) and footpaths on both sides (2 X 2.5 metres), I estimate the overall required minimum width of the access corridor to measure 18.6 metres. While such an extensive access corridor may not be justified in this instance, it is my opinion that the proposed access corridor width, which extends to c. 9.5 metres, is insufficient to accommodate the access road, verges, footpaths and a dedicated cycle track. I am therefore satisfied that the proposed development, as presented, conflicts with recommendations contained in SLO 9 – Ballydonarea, particularly in relation to access from Sea Road and the requirement to provide high quality pedestrian and cycle links.

8.4. Other Matters

- *Sustainable Urban Drainage Systems (SuDs)*

8.4.1. I note as per Question 20 of the submitted application form that it is proposed to dispose of surface water disposal via Soakpit and that each of the respective 4 no.

dwellings, as per the initial site layout drawing (Drg. 002 – Sept 2025), are proposed to have individual soakpits. No proposals are presented in relation to the treatment of surface water within the proposed access corridor. I note Condition no. 16 c) of the Notification of Decision to Grant permission states: *‘On no account shall surface water run-off be allowed to discharge onto the public road, to the public foul sewer or adjoining properties’*.

8.4.2. The Appellant correctly notes that there are no verges proposed within the access corridor for tree planting to accommodate SuDs measures.

8.4.3. I note as per Section A2.8 Service Infrastructure of the Greystones – Delgany & Kilcoole Arklow Local Planning Framework (LPF) the stated Service Infrastructure Strategy in relation to surface water treatment and disposal is to *‘ensure the implementation of Sustainable Urban Drainage Systems (SUDS) and in particular, to ensure that all surface water generated in a new development is disposed of on-site or is attenuated and treated prior to discharge to an approved surface water system.’*

8.4.4. Having regard to the above, it is my opinion that there is an onus upon the Applicant to demonstrate compliance with SuDs measures. As the Applicant has not proposed any surface water treatment proposals within the proposed access corridor nor indeed demonstrated compliance with SuDs, at this location, I am satisfied that the proposed development, as presented, is not fully SuDs compliant. The inclusion of SuDs measures within the proposed access corridor would, in my opinion, likely require the introduction of a verge and associated planting within the proposed access corridor.

- *Proposed Variation no. 6*

8.4.5. The Appellant refers to Proposed Variation no. 6 of the Wicklow County Development Plan, 2022 to 2028 and stated this relates to the implementation of the National Planning Framework Housing Targets for the County and alterations to the Core Strategy. The Appellant submits that, at the time of writing the Appeal submission, achievement of increased targets is to be delivered via increased residential densities on residential zoned lands. The Appellant refers to the lands to the immediate north and to their suitability to accommodate a significant residential yield. The Appellant questions whether the achievement of said significant residential yield, stated to be between 250 and 350 no. dwellings, could be provided with the proposed 10 metre wide reservation.

- 8.4.6. I note as per the Local Authority website, that Variation no. 5 (Core Strategy) to the Wicklow County Development Plan, 2022 to 2028 is stated to have been adopted and came into effect on 30th March 2026. It is further stated that *'this Variation was previously advertised as 'Proposed Variation no. 6' but was adopted as 'Variation no. 5 to the Wicklow County Development Plan, 2022 to 2028.'* Notwithstanding the foregoing, I note the said lands to the north are currently zoned RN New Residential and form part of SLO 6 Ballydonarea.
- 8.4.7. The final residential yield of said lands to the immediate north and indeed the overall lands contained within SLO 6 Ballydonarea will be determined at application stage. The Appellants concerns in relation to the suitability of a restricted 10 metre wide access corridor to serve future residential development to the north is discussed and appraised further above.
- *Design and Layout*
- 8.4.8. The concerns of the Appellant in relation to the design and layout of the proposed development are noted. The suitability of a restricted 10 metre wide access corridor to serve future residential development to the north is discussed and appraised further above.
- 8.4.9. As per proposed Site Plan drawing no. 001 – FI Nov 2025, lodged in Response to the Request for Further Information, the Applicant is proposing to provide an 1.8 metre high boundary wall to the side of all 4 no. dwellings adjacent to the proposed access corridor. This proposed arrangement does not, in my opinion, provide active street frontages, which would serve to enliven the edge of the street resulting in a more engaging and interesting environment. Section 4.2.3 of DMURS relates to Active Street Edges and the promotion of Passive Surveillance.
- 8.4.10. I note as per the initial site layout drawing, (Drg. Ref. No. 002 – Sept 2025), that the Applicant has indicated a separation distance of 1.1 metres between the side (west) elevation of House Type C and the edge of the access corridor. I have measured the separation distance between the side elevation (east) of House Type A on the revised site layout drawing, Drg. Ref. No. 001 – FI Nov 2025, submitted in Response to the Request for Further Information and I estimate the minimum separation distance at this location to be c. 0.75 metres (c. 750 mm).

8.4.11. As per the Development & Design Standards set out in Appendix 1 of the Wicklow County Development Plan, 2022 to 2028, relating to Infill/ backlands development in existing housing areas (Section 3.1.6), a minimum separation distance of 0.9 metres will be required between the house gable and the side wall of the plot. The proposed development, as presented, does not, in my opinion, observe this minimum separation distance of 0.9 metres.

8.4.12. Having regard to the foregoing, it is my opinion that the Design and Layout of the proposed development, as presented, particularly in relation to the promotion of active street frontages, an acceptable level of passive surveillance and appropriate separation distances, represents a substandard form of residential development and is therefore not in accordance with the proper planning and sustainable development of the area.

9.0 AA Screening

9.1. I have considered the proposal in light of the requirements S177U of the Planning and Development Act 2000 as amended. The subject site is located in the urban area of Kilcoole, at a distance of approximately 930 metres from the Murragh Wetlands SAC (Site Code: 002249) and the Murragh c. SPA (Site Code: 004186), which are the closest European Sites.

9.2. The proposed development is for the construction of 4 no. dwellings and an access road. No appropriate assessment issues were raised as part of the appeal. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European site. The reason for this conclusion is as follows:

- The nature and scale of the works and the availability of wastewater services.
- The separation distance from the nearest European site and lack of meaningful connections.
- The screening determination of the Planning Authority.

9.3. I conclude, on the basis of objective information, that the development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects. Likely significant effects are excluded and therefore Appropriate

Assessment (under Section 177V of the Planning and development Act 2000) is not required.

10.0 Water Framework Directive

- 10.1. The Kilcoole Stream_010 (IE_EA_10K010580) lies within c. 130 metres to the southwest of the subject appeal site (Waterbody Status: Moderate). The site lies above the Wicklow Groundwater body ((EU Code: IE_EA_G_076) (Waterbody Status: Good). The proposed development is detailed in section 2.0 of my report. No specific water deterioration concerns were raised in the planning appeal or observations.
- 10.2. I have assessed the proposed development and associated works and have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface & ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration.
- 10.3. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any surface and/or groundwater water bodies either qualitatively or quantitatively.
- 10.4. The reason for this conclusion is as follows:
- Nature of works e.g. small scale and nature of the development;
 - Location-distance from nearest water bodies and/or lack of hydrological connections;
- 10.5. I conclude that on the basis of objective information, that the proposed development will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment.

11.0 Recommendation

11.1. I recommend that planning permission be refused for the proposed development based on the reasons and considerations set out below.

12.0 Reasons and Considerations

12.1. Having regard to the location of the subject appeal site within a defined Specific Local Objective Area (SLO – 6 Ballydonarea) and within the defined settlement boundary of Kilcoole, the RN (New Residential) zoning objective of the lands, *‘to provide for new residential development and supporting facilities during the lifetime of the LPF’*, and other relevant policy provisions of the Greystones – Delgany & Kilcoole Local Planning Framework (LPF) and the Wicklow County Development Plan, 2022 to 2028, it is considered that:

- the restricted width and configuration of the proposed access corridor which, as per recommendations set out in DMURS, has been designed as a Local Street as opposed to a Link Street and does not adhere to the stated requirements of SLO 6 in terms of the provision of high quality pedestrian and cycle links to the town centre and existing transport services,
- the absence of any Sustainable Urban Drainage (SuDs) measures for the proposed new access corridor,
- the general Design and Layout of the proposed development which does not provide active frontages which promote passive surveillance and does not observe appropriate separation distances,
- the proposed development, as presented, prior to the completion of a Community Service Audit, which would serve to inform the preparation of an overall Masterplan for the area and would assist in determining an appropriate location for a Childcare Facility.

The proposed development would therefore represent uncoordinated piecemeal development, would be premature and would have the potential to undermine the future orderly development of the area. The proposed development therefore, would

not be in accordance with the proper planning and sustainable development of the area.

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 me, directly or indirectly, following my professional assessment and recommendation set out in my report in an improper or inappropriate way.

Frank O'Donnell
Planning Inspector

23rd April 2026

Appendix 1: Form 1 EIA Pre-Screening

Case Reference	PL-500502-WW-25
Proposed Development Summary	Construction of 4 No. 1 & a half storey dwellings, vehicular access and all associated site works.
Development Address	Rathenrea, Sea Road, Kilcoole
IN ALL CASES CHECK BOX / OR LEAVE BLANK	
1. Does the proposed development come within the definition of a 'Project' for the purposes of EIA?	<input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q.2.
	<input type="checkbox"/> No, No further action required.
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
<input type="checkbox"/> Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
<input type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994. No Screening required.	N/a

<input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required	
<input checked="" type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold. Preliminary examination required. (Form 2) OR If Schedule 7A information submitted proceed to Q4. (Form 3 Required)	<p><u>Class 10 Infrastructure Projects</u></p> <p>Class 10 b) i) Construction of more than 500 dwelling units.</p> <p>Class 19 b) iv) Urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere. (In this paragraph, “business district” means a district within a city or town in which the predominant land use is retail or commercial use.)</p>
4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?	
Yes <input checked="" type="checkbox"/>	Screening Determination required (Complete Form 3)
No <input type="checkbox"/>	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: _____

Date: _____

Appendix 2: Form 2 - EIA Preliminary Examination

Case Reference	PL-500502-WW-25
Proposed Development Summary	Construction of 4 No. 1 & a half storey dwellings, vehicular access and all associated site works.
Development Address	Rathenrea , Sea Road , Kilcoole
This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.	
Characteristics of proposed development (In particular, the size, design, cumulation with existing/ proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).	The development has a modest footprint, comes forward as a standalone project, does not require demolition works, does not require the use of substantial natural resources, or give rise to significant risk of pollution or nuisance. The development, by virtue of its type, does not pose a risk of major accident and/or disaster, or is vulnerable to climate change. It presents no risks to human health.
Location of development (The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites,	The proposed development site is a part greenfield/ part brownfield infill site located in an urban area. The site is removed from sensitive natural habitats and designated sites and landscapes of identified significance in the County Development Plan. The site is not located within an Architectural Conservation Area (ACA) or an area of archaeological significance. There are no Protected Structures on the subject site or within the general vicinity of same.

densely populated areas, landscapes, sites of historic, cultural or archaeological significance).	
<p>Types and characteristics of potential impacts</p> <p>(Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).</p>	<p>Having regard to the modest nature of the proposed development, its location removed from sensitive habitats/features, likely limited magnitude and spatial extent of effects, and absence of in combination effects, there is no potential for significant effects on the environmental factors listed in section 171A of the Act.</p>
Conclusion	
Likelihood of Significant Effects	Conclusion in respect of EIA
There is no real likelihood of significant effects on the environment.	EIA is not required.

Inspector: _____ **Date:** _____

DP/ADP: _____ **Date:** _____

(only where Schedule 7A information or EIAR required)

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