

File With C Flynn

Large-Scale Residential Development Appeal Correspondence Form

Case No: ABP 322476-25 (Formerly 319137)

Please treat correspondence received on 26th JUNE 2025 as follows:

1. Update Plean-IT with new agent of Applicant/Appellant

2. Acknowledge with LRD 20

3. Keep copy of Board Letter ☐

1. Return to sender with LRD ☐

2. Keep Envelope ☐

3. Keep Copy of Board Letter ☐

Amendments/Comments: Response to BP70 by Henry Clark + others

4. Attach to File

(a) LRD Unit ☐

(b) Inspector ☐

Return to EO ☒

Plans Date Stamped ☐

Date Stamp Filled in ☐

EO: Rory Kenney

AA: Robin Dwyer

Date: 29/6/2025

Date: 30/06/2025



Jan Sweeney

Cf

From: Appeals2
Sent: Friday 27 June 2025 10:33
To: Catherine Flynn
Subject: FW: further information submission for new case ABP 322476 (previous ABP 319137)
Attachments: Henry and Aoife Clarke.docx

From: Henry Clarke <henny262@gmail.com>
Sent: Thursday 26 June 2025 17:54
To: Appeals2 <appeals@pleanala.ie>
Subject: further information submission for new case ABP 322476 (previous ABP 319137)

Caution: This is an **External Email** and may have malicious content. Please take care when clicking links or opening attachments. When in doubt, contact the ICT Helpdesk.

A Chara,

In light of the recent decision of the high court to quash the decision of An Bord Pleanála for case number ABP 319137 and the reopening of the appeal under ABP 322476, please find attached below a letter containing further submissions in relation to the direction of the High Court to look at the appeal again.

Kind Regards

Henry Clarke

Henry and Aoife Clarke
Seamus and Evelyn Ryan
David and Caroline O'Neill
Tinakilly,
Rathnew,
Co. Wicklow
A67 X403 / A67 Y049

18 June 2025

Re: Further Submissions – ABP Case No. 322476-25

Previous Case Ref: ABP 319137-24

Planning Authority Ref: WCC 2360219

Development: Large-scale residential development at Tinakilly, Rathnew, Co. Wicklow (220 houses, 132 apartments, new section of Rathnew Inner Relief Road, associated infrastructure and site works).

A Chara,

Following the High Court Order of 11 April 2025 to quash the decision in Case ABP 319137-24 and the subsequent reactivation of the appeal as ABP 322476-25, we, as original parties to this case, wish to make the following further submissions for your consideration.

1. Planning Policy Context

The **Wicklow Rathnew Local Area Plan 2025–2030 (WRLAP25)** will come into effect on **23 June 2025**, and **Variation No. 2** of the **Wicklow County Development Plan 2022–2028** has been in effect since **12 May 2025**.

We believe that the original grant of conditional permission under WCC Ref. 2360219 was **premature**, having been adjudicated upon during the draft stages of WRLAP25. The current application under ABP 322476-25 must be assessed in light of the new Local Area Plan and the recently adopted Variation No. 2 to ensure compliance with up-to-date planning policy.

2. Reference to Previous Submissions

We respectfully request that our previous submissions be taken into account as part of this reactivated appeal:

- WCC Ref. 2360219 – Submission from Shay and Evelyn Ryan, and Henry and Aoife Clarke dated 13 September 2023.
- ABP Ref. 319137-24 – Submission from Shay and Evelyn Ryan and Henry and Aoife Clarke dated 26 February 2024 (Receipt No. 070307-24).

These submissions remain valid and relevant to the reopened case.

3. Protection of the "Fairy Tree"

We request that specific conditions be attached to any grant of permission to ensure the **full protection of the “Fairy Tree”** located at Tinakilly for the duration of all construction works. This tree is of **local heritage and cultural significance**.

4. Rathnew Inner Relief Road (RIRR)

Under Appendix 3 of WRLAP25, Transport Objective WTR80 outlines the need for a **Local Transport Plan (LTP)** for Wicklow Town and Rathnew. It states:

“The delivery of the LTP shall be actively progressed by the Council’s Roads and Transportation Unit during the lifetime of the plan, in collaboration with the NTA and any other relevant transport agency.”

We submit that the **construction of the RIRR prior to the preparation and publication of this LTP is premature**. The RIRR design must be informed by the findings of the LTP to ensure a coordinated and sustainable transport strategy.

Furthermore, we reiterate our objection to the RIRR as it:

- Will **significantly reduce the quality of life** for existing residents of Tinakilly Lane;
- **Increases traffic hazards** and disrupts a long-established residential area;
- **Severs our legal right of way** to the R750 at Rathnew;
- **Damages local biodiversity** and erodes the historical character of the area.

5. Strategic Local Objective SLO2

SLO2 requires that the developer provide active open space including:

- A full-sized playing pitch (minimum 145m x 90m);
- A 2000m² equipped playground;
- Tennis and basketball courts;
- A 7-a-side mixed-use pitch.

We oppose any attempt by the developer to substitute this requirement by offering facilities in another separate development. This will result in:

- Overcrowded housing with **insufficient on-site active open space**;
- **Increased traffic and pedestrian risks** as new residents are forced to travel elsewhere for basic recreational needs.

A condition must be attached to any permission requiring that **all active open space and play facilities be constructed within the site boundary of the current application (ABP 322476-25)**.

6. Existing Services and Right of Way

As long-term residents of Tinakilly, we have a **legal right of way via Tinakilly Avenue to the R750 at Rathnew**, which must remain fully protected. Any severance or restriction of this right will be **strongly opposed**.

We also rely on essential utilities accessed via Tinakilly Avenue—**electricity, water, and fibre broadband**. In the event of construction-related disruption, conditions must require:

- **Advance notification** of any planned interruptions;
- **Immediate rectification** of service damage.

7. Conclusion

In conclusion, we request that An Bord Pleanála fully consider these updated observations in line with the recently adopted planning policies. Any permission should include conditions that protect existing residents, maintain public safety, uphold heritage, and ensure the sustainable development of Rathnew.

We appreciate your attention to our submission and remain available to provide any further clarification required.

Le meas,

Henry and Aoife Clarke
Seamus and Evelyn Ryan
David and Caroline O'Neill
Tinakilly, Rathnew, Co. Wicklow
A67X403 / A67Y049

