

Comhairle Contae Chill Mhantáin Wicklow County Council

Forbairt Pleanála agus Comhshaol Planning Development and Environment

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PRR No: 23/60219

06/10/2023

Keldrum Limited
C/O Brock McClure Brock McClure
63 York Road
Dun Laoghaire
Co. Dublin
A96 T0H4

RE: Planning and Development Regulations 2001(as amended) – Planning Register Reference 23/60219 - Keldrum Limited - LARGE SCALE RESIDENTIAL DEVELOPMENT - (a)Construction of 352 no. residential units (b) The proposed development will connect to the Tinakilly Park residential development and Rathnew Village via a new section of the Rathnew Inner Relief Road. The proposed road will join the constructed/under construction elements permitted under WCC Ref. 17/219/ ABP Ref. PL27.301261 and amended under WCC Ref. 22/837 to the south with a section of the link road to the northwest of the site at the R761 roundabout in Rathnew granted under WCC Ref. 21/1333. This includes all associated vehicular and pedestrian access, carriageways, paths and junctions. (c) No proposed works to Tinakilly Country House Hotel (a protected structure Reference No. 25-15) save for works to close the western portion of Tinakilly avenue to vehicular traffic and the provision of a new vehicular entrance and gates along the eastern portion of Tinakilly Avenue off the Rathnew Inner Relief Road to facilitate access to Tinakilly House and other properties to the east of the site accessed from Tinakilly Avenue. (d) All associated site development works, service provision, infrastructural and drainage works, provision of esb substations, bin stores, bicycle stores, car parking, public lighting, landscaping, open space, and boundary treatment works. (e) The planning application is accompanied by an Environmental Impact Assessment Report and Natura Impact Statement. The application site is generally bounded to the north by greenfield lands, to the east by Tinakilly Country House Hotel (which is a Protected Structure RPS No. 25-15), to the west/southwest by commercial development, the R750 Wicklow – Rathnew Road and Rathnew Village; and to the south by the Tinakilly Park residential development currently under construction. at Site of c.16.8ha, at Tinakilly, Rathnew, Co. Wicklow

A Chara,

With reference to the above application I am to inform you that the information submitted is not adequate to enable a decision to be made.

Accordingly, in pursuance of Article 33 3(A) of the Planning & Development Regulations, 2001(as amended) notice is hereby given requiring the information requested on the following page(s)

This information is essential in order to fully assess the proposal. If it is not received within **2 months** from the date of this notice the application will be automatically declared withdrawn. **Please ensure your response is clearly marked with the above planning register reference number otherwise it may not be considered as a response to this request and may be declared withdrawn as above.**

Please note that the planning portal will now allow you to upload your response <https://planning.localgov.ie>



Please note that in accordance with the provisions of Article 35 of the Planning & Development Regulations 2001, as amended you may be required to give notice in an approved newspaper and erect a new site notice following the submission of the further information or revised plans if it is considered that the information, evidence, revised drawings, plans or particulars received, as appropriate, contain significant additional data, including information in relation to effects on the environment. You will be informed of any requirements regarding publication of a newspaper notice following inspection of the information submitted. Your response in this regard will be required within a very short timeframe. The period for determining the application will run from the date of receipt by the Planning Authority of the revised notices.

All drawings submitted in response to Article 33 must comply with the requirements of Article 23 of the Planning and Development Regulations 2001 (as amended).

Mise le Meas,



pp **SENIOR EXECUTIVE OFFICER**
PLANNING, DEVELOPMENT AND ENVIRONMENT

1. Please submit a Planning & Design Statement in relation to how the proposed development would provide for and enhance pedestrian and cyclist use and permeability within the proposed development, between the proposed development and existing development and between the proposed development and the wider area, including existing public amenity areas and local services. The Statement should identify existing pedestrian and cyclist routes and any new routes that would be developed, or supported, by the proposed development. The Statement should set out how the proposed development aligns with the Objectives of the County Development Plan 2022, and National & Regional Planning Policy, to create healthy places that enable a high quality of life, reduce reliance on vehicular travel, promote active travel, facilitate pedestrian and cycle linkages, etc.

The Statement should also address the following specific items:

(a) The Wicklow Town – Rathnew Development Plan 2013 identifies a pedestrian walkway along the existing Tinakilly Avenue and the road leading to the Murrough SAC/SPA. Furthermore, Tinakilly Avenue and the road leading to the Murrough SAC/SPA are used, and have been historically used, by the public as a walking and cycling route between the R750 and the Murrough SAC/SPA. It would appear that the proposed development includes both the provision of a timber boundary and controlled gates located on the existing Tinakilly Avenue, which would sever this particular route. Such severance would have a severe and unacceptable impact on pedestrian and cycle permeability, would be contrary to the Objectives of the County Development Plan 2022 and the Wicklow Town – Rathnew Development Plan 2013, as well as National & Regional Planning Policy and may block an existing public right of way.

(b) The proposed development, by virtue of the provision of a timber boundary across Tinakilly Avenue, would result in pedestrian and cycle access from the proposed development being reliant on the proposed Inner Relief Road, which joins the R750 at Merrymeeting and the R761/R772 on the northern side of Rathnew. Having regard to,

(i) the location of the proposed development and the permitted adjoining housing development to the south, both of which are part of 2 residential zoning blocks (R1 & R2) detailed in the Clermont – Tinakilly Action Area of the Wicklow Town – Rathnew Development Plan 2013, (ii) the location of an existing bus stop on the R750 opposite the existing entrance to Tinakilly Avenue and

(iii) the location of existing services within Rathnew Town Centre,

It is considered that the proposed development would result in a circuitous pedestrian and cycle route from the proposed and adjoining development, which would not enhance and promote pedestrian and cycle permeability and accessibility.

(c) The submitted documents state that the owner of Tinakilly Avenue will close the original entrance at the R750. However, no details have been provided what this entails and how it would be achieved. In this regard, it is noted that the existing entrance onto the R750 is located outside of the subject site and there are currently no gates on the said entrance, nor would it appear that any planning permission exists for such closure.

d) The proposed development, by virtue of the proposed controlled gates located on the existing Tinakilly Avenue to the east of the proposed Inner Relief Road, would effectively block vehicular, cycle and pedestrian access to existing dwellings located on the road leading to the Murrough SAC/SPA. No information, or evidence, has been submitted that the Applicant has sufficient interest to carry out the proposed blocking of such access

In responding to this item, the Applicant may wish to submit revised proposals to address any matters identified.

2. The applicant is proposing the provision of an Avenue Parkland along a section of Tinakilly Avenue to the west of the inner relief road crossing over the avenue. These lands are within the ownership of a Third Party and while a letter of consent has been submitted allowing the applicant to include these lands as part of the planning application, concerns are raised regarding the future ownership of the proposed Avenue Parkland along Tinakilly Avenue having particular regard to the potential requirement for the Local Authority in relation to the taking in charge of this public open space area at a future date. Please address.

3. The applicant is request to submit a revised boundary plan which addresses the following concerns:

(a) The boundary plan indicates that the boundary with a large adjoining field to the east of the site will comprise in part of a block built 2 metre high wall to the rear of the proposed maisonettes but the remaining boundary, which comprises of the existing timber and wire fence will remain in situ and is not very robust or secure.

While a wall would not be suitable along this entire boundary due to the foundations required and visual appearance of such a structure, it is considered that a more robust physical boundary treatment combined with boundary planting is required along this boundary. Please address.

(b) There is a single dwelling along the northern eastern boundary of the southern field of the site. The existing boundary comprises of planting and a wire and post fence. The applicant is not proposing any change along this section of the boundary; however it is considered that a more secure boundary treatment should be erected along this boundary to protect the privacy, security and amenity of this adjoining property. Please address.

4. A third party observation has raised concerns regarding works to be carried out along and within the adjoining water course to the west of the site as part of the surface water drainage system. The applicant is requested to demonstrate that they have sufficient legal interest to carry out the works to accommodate the proposed outfalls to the adjoining watercourses and to confirm that the red line boundary does not include any third party lands for which the Applicant has no consent from such owner.

5. A number of third party observations have raised concerns with regard to the removal of a tree located centrally within the southern field which has been referred to as a fairy tree of local significance.

It is noted that the tree survey and arboriculture report prepared by The Tree File does not include the tree referred to as the Fairy Tree and it is not clear why it has been excluded.

The applicant is required to submit an updated arborist report in relation to the tree, including any relevant historical information and if appropriate put forward mitigation measures to protect/preserve the tree.