

AN BORD PLEANÁLA
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ABP- _____
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Henry & Aoife Clarke,
Evelyn & Shay Ryan
Tinakilly,
Rathnew,
Co. Wicklow
A67X403

Date Monday 26th Feb, 2024

RE: Wicklow County Council Planning Application 2360219

Regarding Planning Application 2360219 and Wicklow County Council's decision to grant Permission to Keldrum LTD for the construction of a large-scale residential development in Tinakilly, Rathnew, Co Wicklow, we wish to address several significant concerns. As long standing residents of Tinakilly with familial ties spanning over 150 years, we feel compelled to express our objections and observations regarding the conditions attached to this development.

Objection to Curtailing Our Right of Way

Condition number 21 of the granted permission outlines the requirement for the erection of black estate railings alongside proposed bollards on Tinakilly Avenue's western pedestrianised section. This condition aims to prevent unauthorised vehicular access to the western section of the avenue, to enhance safety and amenity. We strongly oppose this condition because it directly threatens our legal right to use vehicles on Tinakilly Avenue to access the R750 at Rathnew. Not only is this restriction legally unsound, but it also lacks foresight. Despite the Planning Department's claim that pedestrian access will remain unaffected, there are existing gates on the lower western section of Tinakilly Avenue, outside of Keldrum Ltd site boundary and ownership. Keldrum Ltd does not have the landowner's consent to keep these gates open, making it impossible for them to guarantee continued access. This puts the entire avenue at risk of closure or development by other parties, jeopardising both its historical significance, and as a local green space. The belief held by the Wicklow County Council's planning department that restricting vehicular access improves pedestrian and cyclist safety is again, simply untrue. It holds no bearing in reality. Instead, it will force pedestrians and cyclists to navigate a new main road and access gates to Tinakilly House Hotel's eastern section, increasing traffic and compromising safety.

It's important to highlight that before our submission, along with others from the community, Wicklow County Council (WCC) had not addressed the pedestrianisation of the western section of Tinakilly Avenue. Initially, they considered it acceptable to completely close off this part of the avenue to residents and the Rathnew community, expecting us to walk over 2 kilometres to reach our village. Only after numerous submissions and discussions with the developer did it become apparent that this lower section should be accessible to the general public, not just the future residents of the newly built estate.

We note that, following our discussions with a representative of Keldrum Ltd, plans were submitted proposing the installation of automated bollards to facilitate residents' right of passage on the western section of Tinakilly Avenue. This gesture indicates a willingness to address our concerns, as reflected in drawing number 426-PD-01.2 dated November 2023. However, in the subsequent grant of permission, WCC removed this option.

We appeal to An Bord Pleanála to safeguard both our vehicular and pedestrian access along the entirety of Tinakilly Avenue to Rathnew as we have enjoyed for more than 150 years. Preserving our access is essential to protecting Rathnew's cultural heritage.

Should the condition restricting our vehicular access be upheld, we will be compelled to pursue legal action to defend our right of way through the judicial system.

Proposed Rathnew Relief Road (RRR)

The planned construction of the Rathnew Relief Road (RRR) presents a grave threat to Tinakilly's historic avenue, effectively erasing a crucial piece of Rathnew's and world history. At a time when sites connected to figures like Captain Robert Halpin are being preserved and celebrated worldwide, Wicklow County Council's decision to allow a road to bisect Tinakilly Avenue is highly concerning. We firmly believe that the RRR is unnecessary and unsuitable for its intended purpose. By slicing through Tinakilly Avenue, this road will sever Rathnew's connection to a vital part of its heritage.

We are particularly concerned about the potential traffic chaos at the northern end of the RRR, especially given the already strained infrastructure near Aldi and Clermont Grove. Neglecting these existing congestion issues while adding a poorly planned (relief) road is both illogical and shortsighted. Alternative routes, such as the R751 and Hawkstown Road, offer more suitable relief options for Rathnew without sacrificing Tinakilly Avenue.

It is also worth pointing out that the main R750 road from Wicklow Town to the N11 serves as a vital artery, offering a direct and efficient route through Rathnew. Given its convenience and directness, it is improbable that commuters would opt to deviate from this main thoroughfare to utilise a relief road cutting through two housing estates, only to reconnect with the busy junction at Aldi on the original R750. Suggesting this as a viable relief road for the R750 doesn't seem sensible. Moreover, the idea of permanently destroying Tinakilly Avenue for an access road for estates appears highly misguided.

We urge An Bord Pleanála to intervene and halt the proposed RRR from dividing Tinakilly Avenue. Since one half of the road has already been constructed, repurposing it as estate access roads only would preserve Tinakilly Avenue's integrity for the enjoyment of Rathnew's residents and visitors alike.

Lack of Community Gain

The absence of an onsite childcare facility within the proposed development is concerning. Instead, the developer suggests using an offsite facility in Broomhall Rathnew, a location that would require families to undertake, per the WCC planning department, a "15-minute journey" which is unrealistic, especially considering the weather and daily commitments that families face.

As per the planner's report, **"It's worth noting that the childcare facility, currently under construction, will be situated approximately 350m to 1km away from the permitted and proposed dwellings in Tinakilly"** However, we must correct the misconception presented in this statement. The walk from the closest house in the estate under construction to the childcare facility would realistically take a minimum of 10 minutes for a family to exit the large estate, and walk the steep hill. Furthermore, for the proposed houses in Tinakilly Demesne, the distance is significantly greater, with the farthest house requiring a minimum 30-minute walk to reach the facility. It's evident that this notion of a general 15-minute trip is unfounded.

This shortsighted approach will inevitably increase traffic congestion around Broomhall, already burdened by various amenities and schools. There are 2 primary schools located here, and this road services a large secondary school. Located at the top of this road, is the local Rathnew commercial centre. The roads are already at capacity in the mornings and evenings. WCC are simply adding to the chaos here, with the impending influx of extra traffic filing into this childcare facility.

The proposed allocation of green and open spaces within the proposed development is inadequate, particularly considering their placement on flood and drainage plains. These areas, saturated with groundwater for much of the year, as witnessed by our family for decades, will likely render the spaces unusable for residents and the public. The paving and drainage plans exacerbate this issue, ensuring continued flooding and environmental damage.

We implore An Bord Pleanála to recognise that this development not only fails to provide community benefits but actively harms Rathnew as a whole.

The Murrough (Special Area of Conservation)

We want to highlight the close proximity of the proposed development to the Murrough Special Area of Conservation (MSPAC). The Murrough Wetlands are the largest wetland area on the east coast of Ireland and hold EU designations as a Special Area of Conservation and Special Protection Area. Approving a development of this scale next to such a vital conservation area, especially in a time when climate issues are increasingly pressing, is a serious oversight by the WCC planning department. This invaluable area, the largest of its kind on the east coast, now faces an uncertain future just as governments worldwide are working to preserve ecological treasures for future generations.

The developers own environmental report states that this development will have an impact on this priceless ecological treasure we have on our doorstep. There will be storm water runoff into the streams and outflows that all feed into the MSPAC. There are various species that will be under threat now from both the development's construction phase and its operational phase. Unfortunately, we have already observed a noticeable change in wildlife behaviour in this area since the development at Tinakilly Park.

Keldrum Ltd have attenuation ponds and apparent adequate drainage systems in the plans to alleviate pollution issues. Across the country now we are seeing many flooding events in areas that have no history of flooding. The surrounding fields around this site that Keldrum Ltd proposes to build this LRD are well documented flood plains. These fields flood on an annual basis and feed directly into the MSPAC. We can only assume that the current climate crisis we are experiencing is going to make these flooding events more extreme and more widespread. It's not outside the realms of possibility that we could have permanent wetlands extended right up to the boundary of the development in the not too distant future. The construction and maintenance of the drains and attenuation ponds planned are of the utmost importance to the welfare of the MSPAC.

It's important to highlight a letter dated October 11, 2023, from Inland Fisheries Ireland to WCC planning regarding the proposed development. The letter emphasises the significant impact the development will have on the MSPAC and offers several recommendations. We feel these recommendations should be given utmost consideration and priority.

We request that An Bord Pleanála address the proximity of this proposed development to the Murrough Special Area of Conservation with due regard to the future proofing of systems to remove the dangers of pollution in this area.

Fairy Tree

Nestled within the heart of the site for development by Keldrum Ltd stands a tree revered for its cultural significance to Rathnew's locals for nearly a century. Many longtime residents recall fond childhood memories of playing in the fields surrounding Rathnew, particularly around this fairy tree. Despite this sentimental attachment, the developers have compiled a report arguing against the tree's preservation. They cite a lack of mention in historical records, specifically the "schools collection" from [duchas.ie](https://www.duchas.ie) dating back to 1930.

However, the age requirement for a tree to qualify as a part of local cultural heritage remains unclear. This particular tree has been integral to the childhoods of every member of the Rathnew community, including individuals aged 85 to 90, who have grown up around it, played beneath its branches, and tended to the land nearby. Such communal care and reverence are what imbue landmarks like this with cultural significance. Dismissing the tree's worthiness based solely on its age seems arbitrary, especially considering its substantial presence over nearly a century. Removing it now for profit-driven purposes would be devastating to the local community. If it did not hold reverence amongst the community, why hasn't any former farmer/landowner removed it? This lends to our collective assertion of its importance within the community of Rathnew.

While Keldrum Ltd has mentioned in response to a request from WCC that they will attempt to relocate the fairy tree to another part of the site, the wording of "attempt to move it" raises concerns about the tree's survival. Although their consideration is appreciated, there is apprehension regarding their commitment to preserving the tree.

We urge An Bord Pleanála to prioritise the protection of the fairy tree, recognising its immense cultural value to the Rathnew community. Its destruction would not only be a loss to the community's heritage but also hinder the integration of new developments into our cherished local identity.

In conclusion, we oppose Planning Application 2360219 due to several significant concerns that jeopardise our quality of life and the well-being and heritage of Rathnew. Firstly, the restriction on vehicular access along Tinakilly Avenue threatens our longstanding right of way and community cohesion. Secondly, the proposed Rathnew Relief Road poses a grave threat to Tinakilly's historic avenue and the local heritage it represents. Thirdly, the lack of community gain, including the inadequate provision of childcare facilities and inadequate placing of green spaces. Additionally, the proximity of the development to the Murrough Special Area of Conservation raises serious environmental concerns, particularly regarding pollution and flooding. Finally, the proposed removal of a culturally significant fairy tree further undermines the community's connection to its heritage. We urge An Bord Pleanála to carefully consider these issues and take appropriate action to protect our interests, Rathnew's interests and our heritage.

And on behalf of: Caroline O' Neill, David O' Neill, Seamus & Evelyn Ryan at Tinakilly Rathnew Co Wicklow A67X403

Signed



Aoife Ryan Clarke



Henry Clarke



Comhairle Contae Chill Mhantáin
Wicklow County Council

Forbairt Pleanála agus Comhshaoil
Planning Development and Environment

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13/12/2023

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ACKNOWLEDGEMENT of RECEIPT of SUBMISSION or OBSERVATION on a
PLANNING APPLICATION

THIS IS AN IMPORTANT DOCUMENT

KEEP THIS DOCUMENT SAFELY. YOU WILL BE REQUIRED TO PRODUCE THIS ACKNOWLEDGEMENT TO AN BORD PLEANÁLA IF YOU WISH TO APPEAL THE DECISION OF THE PLANNING AUTHORITY. IT IS THE ONLY FORM OF EVIDENCE THAT WILL BE ACCEPTED BY AN BORD PLEANÁLA THAT A SUBMISSION OR OBSERVATION HAS BEEN MADE TO THE PLANNING AUTHORITY ON THE PLANNING APPLICATION.

PLANNING AUTHORITY NAME Wicklow County Council

PLANNING APPLICATION REFERENCE No.2360219

A further submission/observation in writing, has been received from Henry & Aoife Clarke Evelyn & Shay Ryan on 13/12/2023 in relation to the above planning application.

The submission/ observation is in accordance with the appropriate provisions of the Planning and Development Regulations 2001(as amended) and will be taken into account by the planning authority in its determination of the planning application.


SENIOR EXECUTIVE OFFICER
PLANNING, DEVELOPMENT AND ENVIRONMENT

Planning Authority Stamp

Date 13/12/2023

Wicklow County Council
13 DEC 2023
PLANNING DEPT.

*Tá an doiciméad seo ar fáil i bhformáid eile ar iarratas.
This document is available in alternative formats on request.
Is cóir gach comhalta a sheoladh chuig an Stiúrthóir Seirbhíse, Forbairt Pleanála agus Comhshaoil.
All correspondence should be addressed to the Director of Services, Planning Development & Environment.*

