



An
Bord
Pleanála

Board Direction
BD-017079-24
ABP-319657-24

The submissions on this file and the Inspector's report were considered at Board meetings held on 15/07/2024 & 23/07/2024.

The Board decided to defer consideration of this case and to issue two separate further information requests as follows:

Request under Article 73A(1) (a) of the Planning and Development Regulations 2001, as amended, **to the applicant**, regarding the following:

The Board noted that this application is made under the applicable legislation for large scale residential development. Specifically the Board noted Section 32A(1) and (2)(b)(ii) of the Planning and Development Act 2000, as amended, which refers to large-scale residential development on land 'the zoning of which facilitates its use for the purposes proposed in the application'

In this regard the Board noted that the Blessington Local Area Plan 2013-2019 states that *'In accordance with the Act, a LAP shall have a duration of 6 years, unless after 5 years it is determined that the existing LAP is still consistent with the objectives and core strategy of the County Development Plan and the objectives of the plan have not been substantially secured. In such circumstances, the duration of the plan may be extended for an additional 5 years (i.e. giving the plan a total duration of 10 years) subject to adherence to the procedures set out in Section 19*

(1) of the Act'. The Board further noted that the Blessington Local Area Plan 2013-2019 also states that '*...while it is intended initially that this plan shall have a duration of 6 years, in accordance with Section 19 of the Act, this plan could be extended to a 10 year duration if it is deemed that it remains a robust planning framework for this additional time period and the objectives of the plan have not been substantially secured.*'

To enable the Board to deal with this appeal, please provide any further information confirming that Blessington Local Area Plan 2013-2019 (including the zoning objective set out therein), continues to remain in force and if so, by what specific legislative provision, and provide any further information clarifying the valid zoning status of the subject site, noting that the site falls within the area of the above-mentioned Statutory Plan.

Please provide any further information, for example any relevant provision of the current Wicklow County Development Plan 2022-2028, or any other relevant matter in accordance with the applicable legislation for large scale residential development, which you consider might assist the Board in clarifying its ability to deal with this appeal, specifically in the context of a land use zoning objective pertaining to the application site.

(Allow 3 weeks)

A Section 132 notice **to the planning authority**, regarding the following:

The Board is of the opinion that other information may be necessary for the purpose of enabling it to determine this appeal. The Board therefore requires the planning authority to provide other information on the matter as set out below.

The Board noted that this application is made under the applicable legislation for large scale residential development. Specifically the Board noted Section 32A(1) and (2)(b)(ii) of the Planning and Development Act 2000, as amended, which refers to large-scale residential development on land 'the zoning of which facilitates its use for the purposes proposed in the application'.

In this regard the Board noted that the Blessington Local Area Plan 2013-2019 states that *'In accordance with the Act, a LAP shall have a duration of 6 years, unless after 5 years it is determined that the existing LAP is still consistent with the objectives and core strategy of the County Development Plan and the objectives of the plan have not been substantially secured. In such circumstances, the duration of the plan may be extended for an additional 5 years (i.e. giving the plan a total duration of 10 years) subject to adherence to the procedures set out in Section 19 (1) of the Act'*. The Board further noted that the Blessington Local Area Plan 2013-2019 also states that *'...while it is intended initially that this plan shall have a duration of 6 years, in accordance with Section 19 of the Act, this plan could be extended to a 10 year duration if it is deemed that it remains a robust planning framework for this additional time period and the objectives of the plan have not been substantially secured.'*

To enable the Board to deal with this appeal, please provide any further information confirming that Blessington Local Area Plan 2013-2019 (including the zoning objective set out therein), continues to remain in force and if so, by what specific legislative provision, and provide any further information clarifying the valid zoning status of the subject site, noting that the site falls within the area of the above-mentioned Statutory Plan.

Please provide any further information, for example any relevant provision of the current Wicklow County Development Plan 2022-2028, or any other relevant matter in accordance with the applicable legislation for large scale residential development,

which you consider might assist the Board in clarifying its ability to deal with this appeal, specifically in the context of a land use zoning objective pertaining to the application site.

(Allow 3 weeks)

[Return file to Board upon receipt of any response submissions.]

Board Member:



Stephen Bohan

Date: 23/07/2024