



Draft Wicklow Rathnew Draft LAP Amendment Stage Submission - Report

Who are you:	Agent
Name:	Ardale Property Group
Reference:	DWTRLAP-141700
Submission Made	March 31, 2025 2:17 PM

Topic

LAP - Proposed Material Amendments No 19 Submission

Submission

Please refer to submission attached.

File

Ardale Property Groupd - Tinakilly Submission.pdf, 0.23MB

Administrative Officer
Planning Section
Wicklow County Council
Station Road
Wicklow Town

31st March 2025

Submission on the Proposed Material Alterations to the Draft Wicklow Town – Rathnew Local Area Plan 2025-2031

Dear Sir / Madam,

We, Brock McClure Planning & Development Consultants, 63 York Road, Dún Laoghaire, Co. Dublin, have been instructed by our client, **Ardale Property Group, Unit B4, Oakfield Industrial Estate, Ninth Lock Road, Clondalkin, D22 XS28**, to make this submission to Wicklow County Council in response to the Material Alterations to the Draft Wicklow Town – Rathnew Local Area Plan 2025-2031, that are currently on public display. We note the relevant submissions date is **31st March 2025** in this case and this submission is lodged within that timeframe.

Our client specifically wishes to comment on the Proposed Material Amendment No. 19 in the context of their lands at Tinakilly, Rathnew, Co. Wicklow which are identified to be in the area of SLO2 Tinakilly / Newrath within the Draft Wicklow Town – Rathnew Local Area Plan 2025-2031.

Our client has the following comments in relation to the Proposed Material Alterations for the Council's due consideration.

Proposed Material Amendment No. 19

Amend the text and map of **SLO2 Tinakilly / Newrath** and amend the SLO2 Concept Plan as follows:

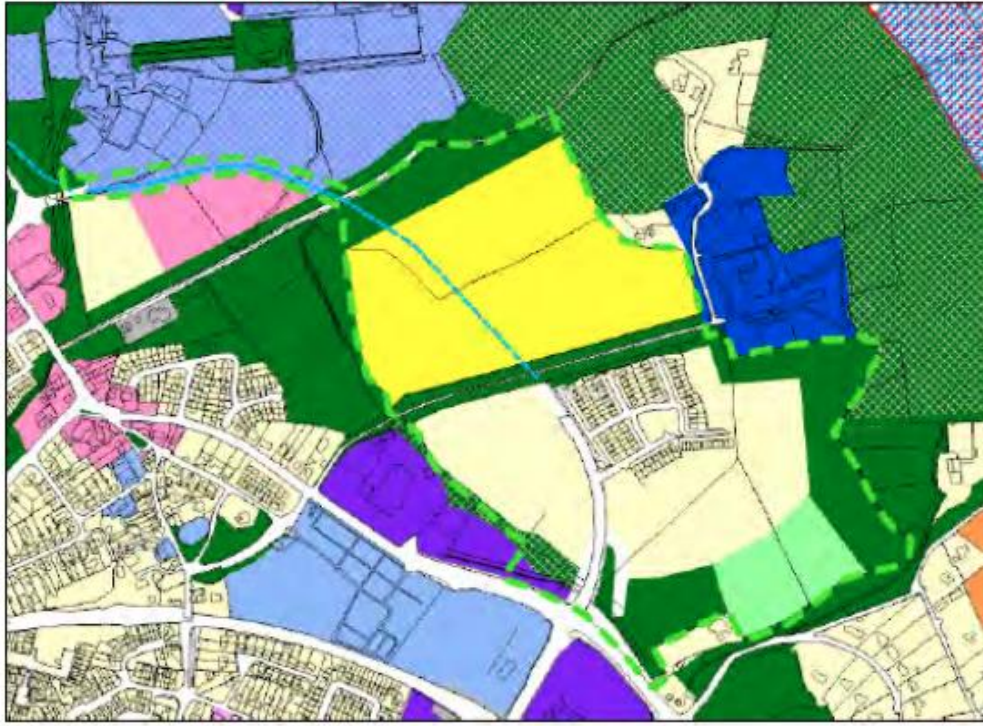
“This SLO is located in the townlands of Tinakilly and Newrath. The SLO comprises New Residential (RN1), Existing Residential (RE), Active Open Space (AOS), Natural Areas (OS2) and Open Space (OS1) zonings. Any development proposal shall comply with the County Development Plan, this Local Area Plan and the following:

- *Provision of the Rathnew Inner Relief Road (RIRR) to facilitate access to new developments from the existing road network, to prevent congestion in Rathnew village centre due to the development of the Clermont and Tinakilly area and to achieve good traffic circulation in the area. ~~The RIRR shall be constructed in full by the developer from Clermont Grove to Tinakilly Park. The delivery of the RIRR may be on a phased basis, but no dwelling within the SLO may be occupied until the full completion and operation of the road,~~ be developed in accordance with the delivery programme set out in the future Wicklow Town – Rathnew Local Transport Plan;*
- *Provision of a childcare facility at an appropriate location on the RN1 zoned lands in line with the relevant Guidelines for Planning Authorities and*
- *Retain the ‘fairy tree’ at its current location (shown with green tree symbol on map SLO 2).*
- *Provision of a mixed use games area of not less than 0.75ha on lands zoned RN1 or OS1 comprising at a minimum: an equipped playground of not less than 2,000sqm; one tennis court; one basketball court; and a ‘7-a-side’ size mixed use pitch. No dwelling may be occupied in on the lands zoned RN1 until this facility is complete and available for use.*



- *Provision of a fully drained, levelled and seeded full size playing pitch (at least 145mx90m) on the AOS lands in this SLO along with the completion of the associated vehicular access and car parking prior to the commencement of any residential development on the RN1 lands in this SLO.”*

Proposed amended LAP SLO2 boundary



Extend the SLO2 boundary to include the RE lands and AOS lands south of Tinakilly Avenue as follows:

Our client wishes to express their support for the proposed SLO2 boundary amendment to acknowledge the existing uses in the wider area.

Within the lifetime of the LAP It is our clients intention to:

1. Fully deliver the Rathnew Inner Relief Road
2. Complete the full development of the Tinakilly Lands within their landholding.

This aligns our client fully with the primary objectives of the proposed plan for the lands.

The focus therefore of this submission is to highlight, and seek amendment to, a number of proposed specific development objectives that will obstruct, confuse and ultimately delay the full delivery of the Rathnew Inner Relief Road and the development of the Tinakilly Lands. The amendments sought will support not detract from these primary objective.

SLO2 Objective:

Provision of a mixed use games area of not less than 0.75ha on lands zoned RN1 or OS1 comprising at a minimum: an equipped playground of not less than 2,000sqm; one tennis court; one basketball court; and a ‘7-a-side’ size mixed use pitch. No dwelling may be occupied in on the lands zoned RN1 until this facility is complete and available for use.

Provision of a fully drained, levelled and seeded full size playing pitch (at least 145mx90m) on the AOS lands in this SLO along with the completion of the associated vehicular access and car parking prior to the commencement of any residential development on the RN1 lands in this SLO.”



Ardale Property Group Comment:

In principle, our client has no objection to the obligation for the delivery of a mixed-use games area of not less than 0.75 ha comprising at a minimum, an equipped playground, a tennis court, a basketball court and a ‘7-aside’ sized mixed-use pitch. However, Ardale's concern lies with the proposed phasing of these facilities, particularly with regard to the health and safety implications of delivering such facilities within the proposed timeline.

While we understand the preference for the full delivery of the multi-use games area prior to occupation of the residential development, it is crucial to highlight the serious health and safety risks involved in delivering these facilities in the midst of an active construction site, given that the RN1 lands are not expected to be delivered as part of one overall phase. Delivering a playground and recreational amenities while construction activities are ongoing creates an inherently dangerous environment. With children and teenagers expected to use these facilities so close to active building works, the risk of accidents or injuries is exceedingly high. We strongly question whether Wicklow County Council has fully considered the safety risks posed by this arrangement, particularly in terms of exposure to heavy machinery, construction materials, and other hazards typical of an active building site. The potential for harm to vulnerable users, especially children, is a serious concern.

The scale of the construction required in terms of time is considerable and the safety of future users of the recreational facilities, particularly children, must take precedence over the delivery of these facilities in such an unsafe environment. The current phasing requirement for these community amenities to be delivered before construction is completed could ultimately hinder the developer's ability to provide essential housing in Rathnew. More importantly, it would increase the risk to public safety by potentially exposing residents, especially children, to a hazardous site for a prolonged period.

To mitigate these risks, and to ensure that safety is prioritised above all, we propose that the delivery of the community infrastructure should be phased. This would allow for the occupation of a portion of the housing while the multi-use games area are being constructed in safer phases. This phased approach would reduce the exposure of vulnerable users to potential harm and ensure that the community facilities are completed and operational in a safer, more controlled environment. This approach is consistent with the permitted residential development on lands zoned ‘RE – Existing Residential’ on the southern portion of SLO2 (WCC Ref. 17/219 / ABP-310261-18 as amended by Refs. 20/100, 21/411, and 22/837). In that case, the active open space, recreational areas, and playgrounds were developed alongside the residential units, with the facilities becoming operational upon the occupation of at least 40% of the residential units. This arrangement allowed for safe construction while minimising risks to the public.

Therefore, Ardale Property Group submits to Wicklow County Council that the multi-use games area should be delivered in phases, with the occupation of 40% of the total residential development on the RN1 zoned lands at Clermont – Tinakilly occurring before the community infrastructure is fully completed and operational. This phased delivery approach will ensure that health and safety concerns are addressed effectively and that the recreational facilities are delivered in a way that does not expose children or other users to unnecessary risks. Any proposed development on these lands should be accompanied by a detailed phasing plan to be agreed upon with Wicklow County Council.

Further, Ardale seeks clarity regarding the specific objective requirement for the “*provision of a fully drained, levelled, and seeded full-size playing pitch (at least 145m x 90m) on the AOS lands in this SLO, along with the completion of the associated vehicular access and car parking, prior to the commencement of any residential development on the RN1 lands in this SLO.*” We note that the AOS lands are already subject to an approved planning permission under WCC Ref. 17/219 / ABP-310261-18, as amended by Refs. 20/100, 21/411, and 22/837. A fully levelled area (the size of a playing pitch) has already been provided and is operational, albeit with a path crossing through the pitch area. This forms part of the permitted development design.

Should any GAA clubs in the Wicklow-Rathnew area wish to utilise this area as a playing pitch, the associated drainage arrangements can be addressed through conditions within the already permitted development.

Considering that the required infrastructure has already been completed and is operational, we respectfully request that the objective requiring the creation of a new, fully drained, levelled, and seeded full-size playing pitch be removed from SLO2. This would align the LAP and SLO2 with the existing reality on the ground and



avoid unnecessary construction that could delay the progression of other essential aspects of the development.

Requested Amendments to Proposed Material Alteration No. 19

Where it is submitted that text be removed, this is shown in red with a strikethrough. Inclusion of new suggested text is shown in green:

“This SLO is located in the townlands of Tinakelly and Newrath. The SLO comprises New Residential (RN1), Existing Residential (RE), Active Open Space (AOS), Natural Areas (OS2) and Open Space (OS1) zonings. Any development proposal shall comply with the County Development Plan, this Local Area Plan and the following:

- Provision of the Rathnew Inner Relief Road (RIRR) to facilitate access to new developments from the existing road network, to prevent congestion in Rathnew village centre due to the development of the Clermont and Tinakilly area and to achieve good traffic circulation in the area. ~~The RIRR shall be constructed in full by the developer from Clermont Grove to Tinakilly Park. The delivery of the RIRR may be on a phased basis, but no dwelling within the SLO may be occupied until the full completion and operation of the road,~~ *be developed in accordance with the delivery programme set out in the future Wicklow Town – Rathnew Local Transport Plan;*
- Provision of a childcare facility at an appropriate location on the RN1 zoned lands in line with the relevant Guidelines for Planning Authorities and
- Retain the ‘fairy tree’ at its current location (shown with green tree symbol on map SLO 2).
- ~~Provision of a mixed use games area of not less than 0.75ha on lands zoned RN1 or OS1 comprising at a minimum: an equipped playground of not less than 2,000sqm; one tennis court; one basketball court; and a ‘7-a-side’ size mixed use pitch. No dwelling may be occupied in on the lands zoned RN1 until this facility is complete and available for use.~~ *allowing for the occupation of 40% of the total residential development quantum on the zoned lands at Clermont – Tinakilly before the multi-use games area is completed and operational. Any proposed development on the subject lands should be accompanied by a detailed phasing drawing and rationale to be agreed with Wicklow County Council.”*
- ~~Provision of a fully drained, levelled and seeded full size playing pitch (at least 145mx90m) on the AOS lands in this SLO along with the completion of the associated vehicular access and car parking prior to the commencement of any residential development on the RN1 lands in this SLO.~~

Ardale Property Group requests that the proposed amendments and considerations be incorporated into the final Wicklow Town – Rathnew Local Area Plan 2025.

Our client emphasises their availability to meet Wicklow County Council to discuss any issues arising in the foregoing relating to their subject lands.

We trust that the matters outlined above will be taken into consideration as part of the preparation of the final Plan.

We confirm that we act on behalf of Ardale Property Group, and request that all future correspondence in relation to this matter be directed to this office.

Yours sincerely,

Laura Brock
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