

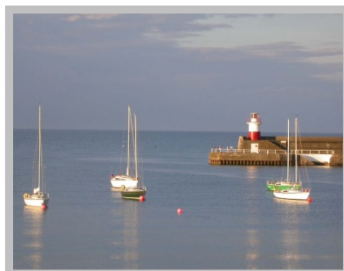
# **WICKLOW COUNTY DEVELOPMENT PLAN**

## **2016-2022**

### **CHIEF EXECUTIVE'S REPORT ON PUBLIC CONSULTATION ON THE DRAFT PLAN**



**Wicklow County Council  
Forward Planning  
May 2016**



**WICKLOW CHIEF EXECUTIVE'S REPORT**

**UNDER SECTION 12 (4) OF THE PLANNING & DEVELOPMENT ACT 2000**

**ON SUBMISSIONS TO THE DRAFT WICKLOW COUNTY DEVELOPMENT PLAN**

**2016-2022**

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## Section 1 Introduction

### SECTION 1.1 INTRODUCTION

#### 1.1.1 Statutory Background to the Chief Executive's Report

This Chief Executive's Report is submitted under Section 12(4) of the Planning and Development Act 2000 (as amended). It is part of the formal statutory process of the preparation and making of the Wicklow County Development Plan 2016-2022. This report contains the following:

- (a) a list of the persons or bodies that made submissions or observations during the public consultation period of the Draft Wicklow County Development Plan 2016-2022 and associated environmental reports,
- (b) a summary of the following from the submissions or observations:
  - a. issues raised by the Minister, and
  - b. thereafter, issues raised by other bodies or persons,
- (c) the response of the Chief Executive to the issues raised, taking account of any directions of the members of the authority, the proper planning and sustainable development of the area, the statutory obligations of any local authority in the area and any relevant policies or objectives of the Government or of any Minister of the Government and, if appropriate, any observations made by the Minister for Arts, Heritage and the Gaeltacht under subsection (3)(b)(iv) relating to proposed additions and deletions to the Record of Protected Structures.

In accordance with Section 12 (4)(bb) of the Act, the report summarises the issues raised and the recommendations made by the **National Transport Authority** (NTA) and outlines the recommendations of the Chief Executive in relation to the manner in which those issues and recommendations should be addressed in the development plan.

In accordance with Section 12 (4)(bc) of the Act, the report summarises the issues raised and recommendations made by the **Eastern and Midland Regional Assembly** and outlines the recommendations of the Chief Executive in relation to the manner in which those issues and recommendations should be addressed in the development plan.

The members of the Planning Authority shall consider the draft plan and this report of the Chief Executive. This consideration shall include the consideration of any submission, observation or recommendation from the Minister or from the Regional Assembly.

**Following this consideration, if the Planning Authority decides not to comply with any recommendations of the Minister or Regional Assembly, it shall inform the Minister or Regional Assembly as soon as practicable by notice in writing including the reasons for the decision.**

The consideration of the draft plan and this Chief Executive's report shall be completed within 12 weeks of the submission of the Chief Executive's report to the members of the authority. **This matter is to be considered at the County Council Meeting in July 2016.**

Following consideration of the draft plan and this Chief Executive's report, if it appears to the members that the draft should be accepted or amended, they may, by resolution, accept or amend the draft plan and make the development plan accordingly.

If the members decide to **materially amend** the draft plan a further period of public consultation will be necessary. The proposed material amendments to the draft Plan must be advertised and the made available for public inspection for a period of not less than 4 weeks. Written submissions or observations only in respect of the proposed material amendment(s) to the draft plan, made to the Planning Authority within the stated period must be taken into consideration before the making of the amendment.

### **1.1.2 Strategic Environmental Assessment (SEA), Appropriate Assessment (AA) and Strategic Flood Risk Assessment (SFRA)**

The draft County Development Plan was subject to Strategic Environmental Assessment, Appropriate Assessment and Strategic Flood Risk Assessment.

The Chief Executive's recommendations, as set out in this report, have undergone a preliminary assessment to determine whether they would have any significant impact on the environment, any Natura 2000 site or would give rise to flood risk. It is considered that the amendments proposed in this report would not give rise to any such adverse impacts. If the elected members choose to accept some or all of these recommended amendments, or make additional amendments, these will undergo a more rigorous assessment and the findings of such assessments will be presented as SEA, AA and SFRA addendum reports on the publication of the proposed amendments.

These reports will also be available for public inspection and submission or observation in relation to such information made also be made during the amendments public consultation period.

### **1.1.3 Public consultation on the Draft Wicklow County Development Plan 2016-2022**

The Draft Wicklow County Development Plan 2016-2022 and associated environmental reports were put on public display during the period 27<sup>th</sup> November 2015 to 19<sup>th</sup> February 2016. During this period a total of **1,849** submissions were received on the public consultation documentation.

In accordance with the legislative requirements, notice of the consultation on the draft plan was issued to the general public and to prescribed bodies including the Minister, An Bord Pleanála, the Eastern and Midland Regional Assembly, the prescribed authorities and the Wicklow Local Community Development Committee.

During the public consultation period the Council pursued a proactive approach in an attempt to raise awareness of the draft plan amongst the citizens of the County and other stakeholders, and by doing so encourage a greater degree of public participation in the plan making process. The initiatives and measures include the following:

- Public notices placed in the Wicklow People on 25<sup>th</sup> November 2015, 30<sup>th</sup> December 2015 and 6<sup>th</sup> January 2016. Notice of the public consultation process was also advertised on the Council website, Facebook, twitter and Countywise magazine.
- The draft plan was displayed on the Council's website [www.wicklow.ie](http://www.wicklow.ie) . Hard copies of Volume 1 and 2 were available for viewing at the all municipal district offices and public libraries.
- Posters were erected within the following towns advertising the public consultation process: Ashford, Aughrim, Avoca, Baltinglass, Carnew, Donard, Dunlavin, Enniskerry, Kilmacanogue, Laragh-Glendalough, Newcastle, Roundwood, Shillelagh and Tinahely.

- 11 public consultation meetings were held on the dates and locations listed below:
  - Thursday 7<sup>th</sup> January at Powerscourt Arms, Enniskerry 4pm-7.30pm
  - Monday 11<sup>th</sup> January at Baltinglass Library, 4pm-7.30pm
  - Tuesday 12<sup>th</sup> January at Newcastle Community Centre, 4pm-7.30pm
  - Wednesday 13<sup>th</sup> January at St. Brigid's Hall, Carnew, 4pm-7.30pm
  - Thursday 14<sup>th</sup> January at Bray Municipal District Office, 4pm-7.30pm
  - Thursday 14<sup>th</sup> January at Greystones Municipal District Office, 4pm-7.30pm
  - Monday 18<sup>th</sup> January at Roundwood GAA, 4pm-7.30pm
  - Tuesday 19<sup>th</sup> January at Arklow Municipal District Office, 4pm-7.30pm
  - Tuesday 19<sup>th</sup> January at County Buildings, Wicklow Town, 4pm-7.30pm
  - Wednesday 20<sup>th</sup> January at Lawless' Hotel, Aughrim, 4pm-7.30pm
  - Thursday 21<sup>st</sup> January at Blessington Municipal District Office, 4pm-7.30pm

The public consultation meetings were co-hosted with members of Council staff from the Economic Development and Community sections of the Council, who were carrying out simultaneous public consultation on the Draft Wicklow Local Economic and Community Plan 2016-2022.

A total of 249 members of the public attended the public meetings, with attendance at each meeting as follows: Enniskerry (42), Baltinglass (5), Newcastle (43), Carnew (11), Bray (14), Greystones (23), Roundwood (26), Arklow (19), Wicklow Town (38), Aughrim (14) and Blessington (14).

- Members of the Public Participation Network (PPN) and Local Enterprise Office (LEO) / County Wicklow Economic Think Tank (CWETT) were advised of the public consultation process and circulated information about the draft plan and the public consultation process through their networks. Community groups and representative business groups were invited to attend a meeting in advance of the open sessions with a planner from the plan making team. The elected representatives were invited to contact community groups within their area who may wish to avail of the offer of a meeting in advance of the open sessions.

A total of 7 groups attended a one to one meeting with a planner from the plan making team.

- In order to encourage student participation, all secondary schools within the county were advised of the public consultation process and were invited to host the plan making team for a talk / workshop session with the students. Coláiste Bhríde, Carnew and Gaelscoil an Inbhir Mhóir, Arklow accepted the invited and sessions were carried out in both schools.

#### **1.1.4 Contents and format of this report**

During the public consultation period, **1,846** submissions were received. Due to the large number of submission, these were collated into groups, according to the issues raised or the characteristics of the submitters. The groups are as follows:

|                |   |
|----------------|---|
| <b>Group A</b> | Prescribed Bodies (14 submissions)                |
| <b>Group B</b> | Elected representatives (11 submissions)          |
| <b>Group C</b> | general mixed topic submissions (195 submissions) |
| <b>Group D</b> | Objective RT17 – 'No Fry Zone' (189 submissions)  |
| <b>Group E</b> | 'The Rocks', Kilcoole (209 submissions)           |
| <b>Group F</b> | The Murrough, Wicklow Town (424 submissions)      |

**Group G** Fitzwilliam Square, Wicklow (796 submissions)  
**Group H** Public Rights Of Way (8 submissions)

This report is presented in the following format:

**Section 1** This introduction

**Section 2** Complete list of all amendments that are being recommended by the Chief Executive. These amendments are set out in the order they would appear in the plan and each amendment is clearly numbered.  
The submission that gives rise to each recommended amendment is clearly marked for cross referencing purposes.

**Section 3** Summary of the issues raised and the CE's response and recommendations.  
This section is broken into the following subsections:

Section 3.1 Prescribed bodies  
Section 3.2 Elected representatives  
Section 3.3 Public submissions  
Section 3.4 Group D R17 'No Fry Zone' submissions  
Section 3.5 Group E 'The Rocks' submissions  
Section 3.6 Group F The Murrough submissions  
Section 3.7 Group G Fitzwilliam Square submissions  
Section 3.8 Public Rights of Way submissions

Where the CE is recommending amendments, the ID number given to that amendment is sourced from Section 2.

**Section 4** Full list of persons or bodies who made submissions or observations

**Section 5** Environmental reports

## SECTION 1.2 GUIDANCE FOR THE ELECTED MEMBERS

### 1.2.1 Introduction

Responsibility for making a development plan, including the various policies and objectives contained within it, in accordance with the various provisions of the Planning and Development Act 2000 as amended, rests with the elected members of the planning authority, as a reserved function under Section 12 of the Act.

In his preamble to Development Plan Guidelines (2007), the Minister emphasises *“the decision-making role that local elected representatives, in delivering their democratic mandate, play in the making of the development plan”* and describes the importance of the elected representatives to *“have an active and driving role in the entire process, from its inception to its finalisation.”*

He further describes their duty to *“listen to and take account of the views and wishes of the communities they represent”* and to *“fulfil their responsibilities and functions in the common interest, adhering to proper planning principles and facilitating the sustainable development of their area”*.

In making and adopting the development plan, the elected representatives, acting in the interests of the common good and the proper planning and sustainable development of the area, must, in accordance with the “Code of Conduct for Councillors” prepared under the Local Government Act 2001, carry out their duties in this regard in a transparent manner, must follow due process and must make their decisions based on relevant considerations, while ignoring that which is irrelevant within the requirements of the statutory planning framework.

The members, following consideration of the draft plan and this report, shall decide whether to adopt the draft plan, with or without amendments. This section of the report shall outline the principle issues that the elected members are required to and should consider in their decision making process.

### 1.2.2 European Legislation

European legislation is playing a larger part than ever before in the law and decision making process at both a national and local level in Ireland. Of particular importance to this County Development Plan review process are the Strategic Environmental Assessment Directive (2001/42/EC), Habitats Directive (92/43/EEC) and Floods Directive (2007/60/EC).

#### **Strategic Environmental Assessment**

Directive 2001/42/EC of the European Parliament and of the Council of Ministers introduced the requirement that SEA be carried out on plans and programmes which are prepared for a number of sectors, including land use planning. The SEA Directive was transposed into Irish Law through the European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004 (Statutory Instrument Number (SI No.) 435 of 2004) and the Planning and Development (Strategic Environmental Assessment) Regulations 2004 (SI No. 436 of 2004) (as amended). Both sets of Regulations became operational on 21 July 2004.

The legislation requires certain plans and programmes which are prepared by Wicklow County Council - including the County Development Plan - to undergo SEA. The findings of the SEA are

expressed in an Environmental Report which is submitted to the Elected Members alongside the Draft County Development Plan. The Elected Members must take account of the Environmental Report and its addendums before the adoption of the Plan. When the Plan is adopted an Environmental Statement must be made public, summarising, inter alia: how environmental considerations have been integrated into the Plan and the reasons for choosing the Plan as adopted over other alternatives detailed in the Environmental Report.

In this regard, the likely environmental impacts of implementing the draft County Development Plan, published in November 2015, are described in the Environmental Report. The elected members are required to consider this Report along with the Draft Plan, (and the submissions on the plan), in making a decision as to whether to adopt the plan.

Any amendments that may be now proposed by either the Chief Executive in this report or by the elected members must also be assessed. This assessment will be contained in the Addendum to the Environmental Report. Cognisant of his obligations with regard to the environment, the Chief Executive has not proposed any amendments that are likely to give rise to significant adverse impacts on the environment. Where elected members resolve to make amendments to the draft plan, such amendments will be put through a same environmental assessment procedure, the results of which are required to be considered by the members prior to making the final decision on the amendments.

The key implication for decision makers therefore is the necessity that the environmental implications of adopting or not adopting a certain strategy or policy / objective must be taken into consideration in decision making and this decision making process must be fully documented and open to public scrutiny.

### **Appropriate Assessment**

With the introduction of the Birds Directive in 1979 and the Habitats Directive in 1992 came the obligation to establish the Natura 2000 network of sites of highest biodiversity importance for rare and threatened habitats and species across the EU. A key protection mechanism for these sites is the requirement to consider the possible nature conservation implications of any plan or project on the Natura 2000 site network before any decision is made to allow that plan or project to proceed.

Not only is every new plan or project captured by this requirement but each plan or project, when being considered for approval at any stage, must take into consideration the possible effects it may have in combination with other plans and projects by going through the process known as 'Appropriate Assessment' (AA). The obligation to undertake AA derives from Article 6(3) and 6(4) of the Habitats Directive, and both involve a number of steps and tests that need to be applied in sequential order. Each step in the assessment process precedes and provides a basis for other steps. The results at each step must be documented and recorded carefully so there is full traceability and transparency of the decisions made. They also determine the decisions that ultimately may be made in relation to approval or refusal of a plan or project.

AA is not a prohibition on new development or activities but involves a case-by-case examination of the implications for the Natura 2000 site and its conservation objectives. In general terms, implicit in Article 6(3) is an obligation to put concern for potential effects on Natura 2000 sites **at the forefront of** every decision made in relation to plans and projects at all stages, including decisions to provide funding or other support.

The first stage of the AA procedure has already been undertaken for the draft development plan, that is, establishing whether full AA is required (this is known as ‘screening’). This analysis concluded that a full AA was required for the draft plan. The AA assessment is set out in the Natura Impact Report that accompanies the draft plan.

Any amendments that may be now proposed by either the Chief Executive in this report or by the elected members must also be assessed. This assessment will be contained in the Addendum to the Natura Impact Report. Cognisant of his obligations with regard to the Habitats Directives, the Chief Executive has not proposed any amendments that are likely to give rise to significant adverse impacts on any Natura 2000 site. Where elected members resolve to make amendments to the draft plan, such amendments will be put through a same environmental assessment procedure, the results of which are required to be considered by the members prior to making the final decision on the amendments.

If it can be concluded on the basis of AA that there will be no adverse effects on the integrity of a Natura 2000 site, the plan or project can proceed to authorisation, where the normal planning or other requirements will apply in reaching a decision to approve or refuse. If adverse effects are likely, **or in cases of doubt**, the plan (or that element thereof) may only be approved where there are imperative reasons of *overriding public interest* (IROPI) requiring a project to proceed, there are no less damaging alternative solutions, and compensatory measures have been identified that can be put in place.

The Habitats Directive requires Member States to inform the European Commission of the compensatory measures; this enables the Commission to review whether the compensatory measures are sufficient to ensure that the coherence of the network is maintained. If the Commission is not satisfied it may take steps against the Member State up to and including litigation in the European Court of Justice. Recourse to derogation to allow a plan or project to proceed should be pursued in exceptional circumstances only, and the Minister must be informed at an early stage of any possible IROPI case.

### **Strategic Flood Risk Assessment**

The draft Wicklow County Development Plan 2016-2022 is accompanied by a Strategic Flood Risk Assessment, carried out in accordance with ‘Planning System and Flood Risk Management: Guidelines for planning authorities’ (DoEHLG/OPW, 2009). The SFRA process facilitates the transparent consideration of flood risk matters during the plan making process.

Any amendments that may be now proposed by either the Chief Executive in this report or by the elected members must also be assessed. This assessment will be contained in the Addendum to the SFRA. Cognisant of his obligations, the Chief Executive has not proposed any amendments that are likely to give rise to new, additional or unmitigated flood risk. Where elected members resolve to make amendments to the draft plan, such amendments will be put through a same assessment procedure, the results of which are required to be considered by the members prior to making the final decision on the amendments.

### **1.2.3 National legislation and policy**

#### **Planning and Development Act 2000 (as amended)**

The Act states as a fundamental principle, that it is enacted “to provide, in the interests of the common good, for proper planning and sustainable development” and that “a development plan

shall set out the overall strategy of the proper planning and sustainable development of the area of the development plan”.

The Act is unambiguous in setting out that “in making the development plan....the members **shall be restricted to** considering the proper planning and sustainable development of the area”, “the statutory obligations of any local authority” and “any relevant policies or objectives....of the Government or any Minister of Government” (Section 12 (11)).

Section 27(1) states that “A planning authority **shall ensure**, when making a development plan... that the plan is consistent with any regional spatial and economic strategy in force for its area”, while Section 28 (1) states that “The Minister may, at any time, issue guidelines to planning authorities regarding their functions under the Act and planning authorities **shall have regard to** those guidelines in the performance of their duties”.

### **Higher Order Plans**

The Wicklow County Development 2016-2022 includes a Core Strategy which shows that the development objectives in the development plan are consistent, as far as practicable, with national and regional development objectives set out in the National Spatial Strategy and regional planning guidelines.

‘Chapter 2 – Vision and Core Strategy’ of the draft plan contains information on the strategic policy context within which the vision and core strategy of the plan are framed. The higher order strategic policy documents that influence the vision and core strategy include:

- National Spatial Strategy 2002-2020
- Regional Planning Guidelines for the Greater Dublin Area 2010-2022
- National Transport Authority’s Transport Strategy
- Sustainable Rural Housing Guidelines for Planning Authorities (DoEHLG, 2005)

Further detail is included within Chapter 2 of the draft plan.

### **Ministerial Guidelines**

The Minister has issued guidelines documents under Section 28 of the Planning & Development Act 2000 (as amended) as set out below. The Act requires planning authorities to have regard to these guidelines in the performance of their duties.

- Development Plan – Guidelines for Planning Authorities (2007)
- Implementing Regional Planning Guidelines –Best Practice Guidelines (2010)
- Implementation of SEA Directive (2001/42/EC): Assessment of the Effects of Certain Plans and Programmes on the Environment (2004)
- Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities (2009)
- Sustainable Rural Housing Guidelines (2005)
- Sustainable Residential Development in Urban Areas (2009)
- Quality Housing for Sustainable Communities – Design Guidelines (2007)
- Urban Design Manual – Best Practice Guidelines (2009)
- Sustainable Urban Housing - Design Standards for New Apartments (2007)



- Design Manual for Urban Roads and Streets (2013)
- Redevelopment of Certain Lands in the Dublin Area Primarily for Affordable Housing (2006)
- Retail Planning Guidelines and Retail Design Manual(2012)
- Guidance on Spatial Planning & National Roads (2012)
- Telecommunications and Support Structures – Guidelines (1996)
- Wind Energy Guidelines (2006)
- Quarries and Ancillary Activities (2004)
- The Planning System and Flood Risk Management Guidelines (2009)
- Childcare Facilities Guidelines (2001)
- Provision of Schools and the Planning System: Code of Practice (2012)
- Architectural Heritage Protection for Places of Public Worship (2003)
- Architectural Heritage Protection - Guidelines for Planning Authorities (2011)
- Landscape and Landscape Assessment (2000)
- Tree Preservation Guidelines
- Draft Guidance for Planning Authorities on Drainage and Reclamation of Wetlands

## Section 2 Chief Executive's Recommended Amendments to the Draft Wicklow County Development Plan 2016-2022

### SECTION 2.1 VOLUME 1 Written Statement

Amended / new text in red, deleted text in blue-strikethrough

The submission(s) that gave rise to each amendment are indicated thus: A55, C17

Each amendment has been assessed for impacts on the environment and / or impacts on designated Natura 2000 sites. Those amendments that are considered to alter the original assessment carried out, or would potentially give rise to new /altered impacts, have been provided with a comment in green font at the end of the amendment. Those with no comment are not considered to give rise to any alterations to the original assessment.

#### SECTION 2.1.1 CHAPTER 1 INTRODUCTION TO WICKLOW COUNTY DEVELOPMENT PLAN

No amendments

#### SECTION 2.1.2 CHAPTER 2 VISION AND CORE STRATEGY

### AMENDMENT 1 NATIONAL TRANSPORT AUTHORITY

#### Section 2.2, 'Strategic Policy Context', p8

##### ~~NTA Greater Dublin Area Draft Transportation Strategy 2011-2030 '2030 Vision'~~

~~The Draft Transport Strategy for the GDA was produced by the National Transport Authority for the period 2011-2030. The strategy sets out policies and measures required to support the GDA in realising its potential as a competitive, sustainable city region with a good quality life for all.~~

~~A number of fundamental tenets underlie the draft strategy objectives. These include the adoption of a hierarchy of transport users with pedestrians, cyclists and public transport users at the top of the hierarchy. Consequently these users should have their safety and convenience needs considered first. A second key principle is the requirement that land use planning and transport planning be considered together in the overall development of the GDA region.~~

~~The strategy identifies a number of Designated Towns and Designated Districts, based on the RPG classifications. Bray and Wicklow are categorised as Designated Towns. Greystones, Arklow, Newtownmountkenedy and Blessington are categorised as Designated Districts. The strategy focuses on land use measures that promote sustainable travel patterns both within the Designated Towns and Districts and also between the centres. The land use measures set out in the strategy seek to:~~

- ~~• focus person trip intensive development, particularly to key destinations such as retail and offices, into Dublin City and Designated Town centres within the GDA (for Wicklow these include Bray and Wicklow); and~~
- ~~• focus any person trip intensive development outside Dublin City and Designated Town centres to locations served by stations on the existing and proposed rail network (particularly Metro and DART).~~

~~In these areas densities should be higher and intensive development should take place in areas well served by rail. Development should take place at these locations in advance of other locations. The strategy identifies that mixed use development will be the primary pattern of growth in all areas, with an emphasis on commercial uses in centres and on residential uses in other areas served by public transport.~~

~~Key projects identified in the strategy, of relevance to County Wicklow, include:~~

- ~~• extension of the Luas Green Line from Bride's Glen to the Bray area, subject to the timing and scale of new development in the Bray-Fassaroe area and appraisal and economic assessment (this is identified as a 'longer term' priority);~~
- ~~• the finalisation and protection of a 'Leinster Orbital Route' corridor, with possible incremental implementation of this road;~~
- ~~• the provision of additional track and other measures on the single rail track south of Bray to facilitate additional rail services to Greystones, Wicklow and Arklow; and~~
- ~~• retention of local bus service in Wicklow Town, subject to anticipated population increases.~~

~~Subsequent to the submission of the Draft Transport Strategy in 2011 to the Minister for Transport, Tourism and Sport, the focus shifted to the short-term with the adoption of the Integrated Implementation Plan 2013-2018, in accordance with Section 13 of the Dublin Transport Authority Act 2008. This plan set out a 6-year programme for transport investment in the GDA, including provision for Luas Cross City, the Phoenix Park Tunnel Link, and Bus Rapid Transit (BRT).~~

~~The 2011 draft transport strategy is in the process of being superseded by the new 'Draft Transport Strategy for the GDA 2016-2035' which was published for public consultation after this draft plan was crafted. Updates to this County Development Plan will be made when possible through the plan making process to reflect any new NTA strategy that is adopted.~~

## **NTA TRANSPORT STRATEGY FOR THE GREATER DUBLIN AREA 2016-2035**

This transport strategy provides a framework for the planning and delivery of transport infrastructure and services in the Greater Dublin Area (GDA) over the next two decades. It also provides a transport planning policy around which other agencies involved in land use planning, environmental protection, and delivery of other infrastructure such as housing, water and power, can align their investment priorities. It is, therefore, an essential component, along with investment programmes in other sectors, for the orderly development of the Greater Dublin Area over the next 20 years.

The transportation assessment and proposals to meet demand provided in the strategy are based around 6 'radial corridors' emanating out from the city centre and for County Wicklow, the following strategy is set out:

### **Corridor E – N81 Settlements – South Tallaght – Rathfarnham – to Dublin City Centre**

Corridor E is made up of generally suburban residential development and is not defined on the basis of a major transport route, road or public transport service. It presents a challenge in that respect as it is more difficult to serve with high capacity public transport than other corridors, which are defined by multi-lane roads and / or dual carriageways, and contain existing or proposed rail lines.

As limited growth in radial trips along Corridor E outside of the Metropolitan Area is anticipated, it is not proposed to implement significant public transport infrastructure improvements. Bus capacity will be increased to meet demand along the N81.

For the Metropolitan parts of this corridor, the performance of the Rathfarnham Quality Bus Corridor is poor relative to others and requires enhancement. As such, a number of options, including Light Rail, have been examined. However, due to the land use constraints in the corridor and owing to the pressure on the existing road network, a Luas line was not deemed feasible. Instead, the emerging solution comprises a BRT to Tallaght via Rathfarnham and Terenure. This will result in a significant increase in capacity and reliability compared to existing public transport services and will balance public transport requirements with those of the private car. The BRT will be supplemented by a core radial bus corridor between Rathfarnham, Rathmines and the City Centre.

Two new roads are to be built within this corridor, a South Tallaght link road from Oldcourt Road to Kiltipper Road, and a public transport bridge over the Dodder to the east of Tallaght from Firhouse Road to the N81 to address localised access and congestion issues.

### **Corridor F – Arklow – Wicklow – Greystones – Bray – Cherrywood – Dundrum – Dun Laoghaire – Dublin City Centre.**

Corridor F stretches from the south east business districts to Wicklow, based around the N/M11 route and containing both the DART and Luas Green Line. The Strategic Development Zone of Cherrywood is in this corridor.

During the preparation of the Strategy, the Authority prepared a report on the South East corridor. This study primarily aimed to identify public transport options that could effectively meet the growth in travel demand to year 2035, between the South East Study Area and Dublin City Centre. A number of options to cater for transport growth were examined. This included the upgrading of the Green line to Metro standard all the way to a point in Bray. Other options included focusing on the DART and a combination of BRT and bus priority to service growth, including a BRT network linking to the upgraded Metro at Bride's Glen or Sandyford.

Given the need to accommodate expected growth in demand between segments along Corridor F, as well as from these segments to the city centre, a number of schemes are proposed. The capacity of the South Eastern rail line will be increased through enhancements to the existing rail line, incorporating city centre signalling and extra rolling stock. DART Underground will also enable increases in capacity along this corridor. This will facilitate faster and more frequent intercity, regional and DART services to be provided on this line.

While these schemes focus on the coastal areas, the western parts of the corridor, including Cherrywood and other potential development areas, will require high capacity public transport. It is, therefore, proposed to upgrade the Luas Green Line to Metro standard from the city centre, where it will link into the new Metro North, as far as its current terminus at Bride's Glen. From this point to Bray, a new Luas line is proposed. This will provide a new north-south inland rail axis from Swords to Bray. These rail services will be supplemented by the proposed BRT on the N11 from UCD to Blanchardstown, and the core radial bus corridors on the N11, south of UCD, and on the Rock Road.

To provide for growth in vehicular trip demand and improve road safety, the N11 and M50 between Newtownmountkennedy and Sandyford (including the M11/M50 junction) will be upgraded. Additionally, Loughlinstown roundabout will be improved, while a distributor road network will be developed to service development lands at Kiltiernan / Glenamuck.

## AMENDMENT 2

C113

### Section 2.3 Vision and Goals, p12

#### Point 3

##### Transport

To integrate land use planning with transportation planning, with the ~~goal~~ aims of reducing the distance that people need to travel to work, shops, schools and places of recreation and social interaction, **facilitating the sustainable transportation of goods** ~~facilitating~~ and the delivery of improved public transport.

#### Point 7

##### Infrastructure

To protect and improve the county's transport, water, waste, energy, communications **and maritime infrastructure**, whilst having regard to our responsibilities to respect areas protected for their important flora, fauna and other natural features.

## AMENDMENT 3

## REGIONAL AUTHORITY

### Section 2.4.4 'Housing' and Section 2.4.5 'Zoning' p17-20

#### 2.4.4 Housing

Assuming the following:

- (1) Average household size<sup>1</sup> for the various intervals between 2011 and 2028 at:

Table 2.5 County Wicklow Household Sizes

| Year       | 2011 | 2012 | 2025 | 2028 |
|------------|------|------|------|------|
| Av HH Size | 2.79 | 2.41 | 2.3  | 2.19 |

- (2) 'Excess factor', which encompasses vacancy rate, at 6.5% for all target years

These are the housing unit targets for the plan period and up to 2028:

Table 2.6 County Wicklow Housing Targets

| Year                     | 2011    | 2022    | 2025                | 2028                |
|--------------------------|---------|---------|---------------------|---------------------|
| Population               | 136,640 | 158,000 |                     |                     |
| Housing Stock (existing) | 54,351  |         |                     |                     |
| House Stock (required)   |         | 69,822  | 73,328 <sup>2</sup> | 85,589 <sup>2</sup> |
| Increase (from 2011)     |         | +15,471 | +22,977             | +31,238             |

While the proposed new 2028 population target is compatible with the existing 2022 target from the RPGs of 176,000, the 'housing stock' target differs slightly due to an assumption being made about household size – it is assumed that household size will continue to fall following national and international trends. The RPGs in 2010 allowed for a total housing stock in Wicklow of 82,012 units in 2022 to meet this 176,800 population target – this is proposed to be increased to 85,589 for 2028.

To reach this target, it will be necessary to delivery an annual average housing completion rate of 1,838 units per annum 2011-2028.

This is reasonably consistent with the housing growth rate allowed to Wicklow in the current RPGs – 2,058 units per annum 2006-2022, taking into account the much slower rate of development that has occurred in the period 2008-2014.

The following table sets out the housing stock growth distribution for 2022 and 2028 on the basis of the population and housing stock growth figures set out in Tables 2.3 and 2.6. The target growth for each town is on the basis of the population figures provided in Table 2.4, less the 'compensatory headroom' of 15% for the towns. These should be considered a form of 'minimum' figure, while Tables 2.8 and 2.9 should be considered 'maximum' figures.

<sup>1</sup> Ratio of enumerated population to the total number of housing units in categories A, B and C of the Census housing stock descriptions. Other categories of housing i.e. categories D, E and F are accounted for in the 6.5% 'excess factor' which includes the 'vacancy rate'.

<sup>2</sup> These changes are just the correction of transcription errors in the draft plan.

**Table 2.7 Housing growth distribution**

|                            | <b>2011<br/>Existing<br/>Housing<br/>Stock</b> | <b>2022<br/>Target<br/>Housing<br/>Stock</b> | <b>2028<br/>Target<br/>Housing<br/>Stock</b> | <b>Target<br/>Housing Stock<br/>Growth<br/>2011-2028</b> | <b>% of total<br/>Housing Stock<br/>Growth<br/>2011-2028</b> |
|----------------------------|--|--|--|--|--|
| <b>Bray</b>                | 11,518   | 13,958                                       | 16,896                                       | 5,378  | 17.22%   |
| <b>Wicklow / Rathnew</b>   | 5,399  | 7,813  | 10,138                                       | 4,739  | 15.17%   |
| <b>Arklow</b>              | 5,459  | 7,509  | 9,715  | 4,256  | 13.62%   |
| <b>Greystones/ Delgany</b> | 6,637  | 8,321  | 10,138                                       | 3,501  | 11.21%   |
| <b>Blessington</b>         | 1,865  | 2,519  | 3,168  | 1,303  | 4.17%  |
| <b>Newtown</b>             | 1,078  | 1,913  | 2,534  | 1,456  | 4.66%  |
| <b>Ashford</b>             | 531  | 1,030  | 1,373  | 842  | 2.70%  |
| <b>Aughrim</b>             | 592  | 677  | 845  | 253  | 0.81%  |
| <b>Baltinglass</b>         | 769  | 991  | 1,267  | 498  | 1.59%  |
| <b>Carnew</b>              | 491  | 654  | 845  | 354  | 1.13%  |
| <b>Dunlavin</b>            | 313  | 822  | 1,162  | 849  | 2.72%  |
| <b>Enniskerry</b>          | 642  | 887  | 1,056  | 414  | 1.33%  |
| <b>Kilcoole</b>            | 1,402  | 1,799  | 2,112  | 710  | 2.27%  |
| <b>Rathdrum</b>            | 657  | 1,095  | 1,478  | 821  | 2.63%  |
| <b>Tinahely</b>            | 419  | 504  | 634  | 215  | 0.69%  |
| <b>Avoca</b>               | 282  | 322  | 380  | 98   | 0.31%  |
| <b>Donard</b>              | 92   | 99   | 127  | 35   | 0.11%  |
| <b>Kilmacanogue</b>        | 277  | 345  | 401  | 124  | 0.40%  |
| <b>Newcastle</b>           | 313  | 410  | 507  | 194  | 0.62%  |
| <b>Roundwood</b>           | 326  | 405  | 507  | 181  | 0.58%  |
| <b>Shillelagh</b>          | 200  | 220  | 275  | 75   | 0.24%  |
| <b>Urban total</b>         | <b>39,262</b>                                  | <b>52,293</b>                                | 65,558                                       | 26,296   | 84.18%   |
| <b>Large Villages</b>      | 1,407  | 1,600  | 1,848  | 441  | 1.41%  |
| <b>Small Villages</b>      | 445  | 711  | 851  | 406  | 1.30%  |
| <b>Rural clusters</b>      | 413  | 468  | 559  | 146  | 0.47%  |
| <b>Open countryside</b>    | 12,824   | 14,749                                       | 16,773                                       | 3,949  | 12.64%   |
| <b>Rural Total</b>         | <b>15,089</b>                                  | <b>17,528</b>                                | <b>20,031</b>                                | 4,942  | 15.82%   |
| <b>County total</b>        | <b>54,351</b>                                  | <b>69,822</b>                                | <b>85,589</b>                                | 31,238   | 100.00%  |

### 2.4.5 Zoning

This development plan sets the population and housing targets for all 21 'towns' in the County up to 2028. However, it only provides 'zoning' for 13 settlements, the remainder of the settlements having their own stand-alone 'Local Area Plans', which will be reviewed after the adoption of this County Development Plan.

The zoning provisions of this plan and future LAPs are based on the population figures set out in Table 2.4 (which includes a 15% 'compensatory headroom' inflator), rather than the housing stock growth figures set out in Table 2.7.

## Local Area Plans

It is planned that these LAPs will be adopted during 2017-2019 period, in order of timeline priority (i.e. according to the date when each existing plan is due to expire). Each LAP will cover a period of 6 years (the latest plan to be reviewed having a timeline of 2019-2025) and zoning will be provided on the basis of the land needed to meet a 6 year horizon, plus 3 years zoning 'headroom' or 'market factor'<sup>3</sup>, as recommended in the Development Plan Guidelines issued by the Minister. The horizons utilised for each plan will also be cognisant of the fact the LAPs have the potential to be extended to last for up to 10 years, but no plan will include a timeline beyond 2028.

Zoning Table 2.6 2.8 to follow shows the zoning requirements for the LAP towns, up to the year 2025, plus headroom.

This table shows that the majority of current LAPs do not have sufficient zoned land available to meet the 2025 population target (the exceptions being Blessington and Rathdrum which are very slightly 'over-zoned' to the tune of 2-3 hectares each). The review of each LAP will ensure that each plan is consistent with the County Development Plan 'Core Strategy'.

## Other Town / Settlement Plans

With respect to the remaining towns and settlements, their plans form part of this County Development Plan and are therefore being adopted with a 2016-2022 horizon. Zoning is therefore provided on the basis of the land needed to meet the 2022 population and housing targets, plus 3 years 'headroom'.

Zoning Table 2.7 2.9 to follow shows the zoning requirements for these settlements / towns, up to the year 2022.

Level 5: The majority of the town plans adopted for these towns prior to the review of this County Development Plan had a surplus of zoned land having regard to the population and housing targets set out in this plan. This was in the main due to the revised population targets included in this plan, as well as previous take up of land for housing development altering the headroom proportion<sup>4</sup>. Where a surplus was identified, the surplus land has been either re-designated for an alternative, non-residential use, or as a 'Strategic Land Bank' (SLB). The only exception is Enniskerry where a deficit was identified. Therefore the new Enniskerry town plan forming part of this CDP includes additional zoned land to address this deficit.

Level 6: These are 'settlement plans' that don't have the same detailed zonings as LAPs or Level 5 'town plans'. The amount of residential development that is facilitated in these settlements is therefore not a function of the amount of 'zoned' land, but is dictated by the population and housing objectives set out in the CDP and the 'settlement plan' itself.

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<sup>3</sup> "Headroom" or "market factor" which is 'extra' land that should be zoned over and above the minimum amount needed to accommodate the population target. Headroom is provided so as to allow for greater location choice and deal with any land supply inflexibility which may arise. This is not the same as the 'compensatory headroom' provided for in Table 2.4 for the town in the County, which is to allow for towns that unable to growth due to infrastructural deficits.

<sup>4</sup> For example, where it is determined that 100 acres of zoned housing land is required to achieve a certain housing target, a total of 150 acres may be zoned to allow for market choice or headroom (i.e. 50% headroom). If however 50 acres is developed, the 'headroom' proportion would increase to 100% (i.e. only 50 acres needed for development, yet 100 acres remain zoned).



Table 2.7 2.8 LAP Settlements

| Future Plan Type | Settlement           | Population 2011 | Housing Stock 2011 | Core Strategy Population Allocation 2025 | Total Housing Unit Requirement 2025 | Housing Unit Growth Requirement 2011-2025 | Housing Unit Growth Requirement + headroom <sup>5</sup> | Housing Yield of existing zoned land <sup>6</sup> | Shortfall/surplus (UNITS) | Method of addressing shortfall / surplus |
|------------------|----------------------|-----------------|--------------------|--|-------------------------------------|---|---|---|---------------------------|--|
| LAP              | Bray                 | 29,339          | 11,518             | 38,119                                   | 17,651                              | 6,133                                     | 7,934   | 4,689   | -3,245                    | <b>Note 1</b>                            |
| LAP              | Wicklow – Rathnew    | 13,468          | 5,399              | 22,141                                   | 10,252                              | 4,853                                     | 6,272   | 5,640   | -632                      | Future LAP                               |
| LAP              | Arklow               | 13,066          | 5,459              | 21,247                                   | 9,838                               | 4,379                                     | 5,726   | 4,000   | -1,726                    | Future LAP                               |
| LAP              | Greystones – Delgany | 17,208          | 6,637              | 22,801                                   | 10,558                              | 3,921                                     | 5,034   | 3,767   | -1,267                    | Future LAP                               |
| LAP              | Blessington          | 4,780           | 1,865              | 7,020                                    | 3,251                               | 1,386                                     | 1,782   | 1,840   | +58                       | Future LAP                               |
| LAP              | Newtownmountkennedy  | 3,073           | 1,078              | 5,483                                    | 2,539                               | 1,461                                     | 1,840   | 2,056   | +216 -134                 | Note 2 Future LAP                        |
| LAP              | Kilcoole             | 4,063           | 1,402              | 4,835                                    | 2,239                               | 837                                       | 1,030   | 782   | -248                      | Future LAP                               |
| LAP              | Rathdrum             | 1,638           | 657                | 3171                                     | 1,469                               | 812                                       | 1045  | 1,089   | +44                       | Future LAP                               |

**Note 1:** A future LAP for Bray town and environs shall address the zoning shortfall in Bray. This new plan shall comprise a 'Bray Municipal Area Local Area Plan' which shall replace the existing Bray Town Development Plan and the Bray Environs Local Area Plan, and shall encompass all settlements in the MD including Kilmacanogue and Enniskerry.

**Note 2:** The current Newtownmountkennedy LAP provides a potential yield on zoned housing land of 1,706 units. Additional lands have been zoned in this County Development Plan which have a housing yield of c. 350 units and in combination there is a zoning surplus of +216 units. There are no current proposals to address this zoning surplus in Newtownmountkennedy.

<sup>5</sup> Equivalent of +3 years zoning i.e. to meet '2028' target

<sup>6</sup> As per plans adopted pre 2015 and any lands zoned through this plan

Table 2.8.2.9 Other Settlements

| Future Plan Type        | Settlement   | Population 2011 | Housing Stock 2011 | Core Strategy Population Allocation 2022 | Total Housing Unit Requirement 2022 | Housing Unit Growth Requirement 2011-2022 | Housing Unit Growth Requirement + headroom <sup>7</sup> | Housing Yield of proposed zoned land <sup>8</sup> | Shortfall/ Surplus (UNITS) |
|-------------------------|--------------|-----------------|--------------------|--|-------------------------------------|---|---|---|----------------------------|
| Level 5 Town Plan       | Ashford      | 1,484           | 531                | 2,675                                    | 1,182                               | 651                                       | 858   | 858   | Balance                    |
| Level 5 Town Plan       | Aughrim      | 1,315           | 592                | 1,758                                    | 777                                 | 185                                       | 278   | 278   | Balance                    |
| Level 5 Town Plan       | Baltinglass  | 1,786           | 769                | 2,572                                    | 1,136                               | 367                                       | 521   | 521   | Balance                    |
| Level 5 Town Plan       | Carnew       | 1,145           | 491                | 1,698                                    | 750                                 | 259                                       | 365   | 365   | Balance                    |
| Level 5 Town Plan       | Dunlavin     | 793             | 313                | 2,134                                    | 943                                 | 630                                       | 840   | 840   | Balance                    |
| Level 5 Town Plan       | Enniskerry   | 1,940           | 642                | 2,302                                    | 1,017                               | 375                                       | 470   | 470   | Balance                    |
| Level 5 Town Plan       | Tinahely     | 956             | 419                | 1,308                                    | 578                                 | 159                                       | 231   | 231   | Balance                    |
| Level 6 Settlement Plan | Avoca        | 717             | 282                | 835                                      | 369                                 | 87  | 120   | 120   | Balance                    |
| Level 6 Settlement Plan | Donard       | 179             | 92                 | 257                                      | 114                                 | 22  | 37  | 37  | Balance                    |
| Level 6 Settlement Plan | Kilmacanogue | 799             | 277                | 897                                      | 396                                 | 119                                       | 151   | 151   | Balance                    |
| Level 6 Settlement Plan | Newcastle    | 817             | 313                | 1,065                                    | 471                                 | 158                                       | 211   | 211   | Balance                    |
| Level 6 Settlement Plan | Roundwood    | 780             | 326                | 1,052                                    | 465                                 | 139                                       | 195   | 195   | Balance                    |
| Level 6 Settlement Plan | Shillelagh   | 426             | 200                | 571                                      | 252                                 | 52  | 83  | 83  | Balance                    |

<sup>7</sup> Equivalent of +3 years zoning i.e. to meet '2025' target

<sup>8</sup> As per this County Development Plan

## AMENDMENT 4

## TRANSPORT INFRASTRUCTURE IRELAND, C190

### Section 2.4.6 'Transport', p21

#### Roads

In light of the likely continuing car dependency to access the metropolitan region in the short to medium term, it is the strategy of this plan to facilitate and encourage measures to improve capacity and efficiency of the national routes and facilitate the improved use of the national routes by public transport. The priority for strategic road improvement will be:

- the upgrade of the N11 in the north of the County, from the Dublin border as far as [Kilpedder](#), [Ashford](#) in particular improvements to the M50 / M11 merge which is deficient in capacity, and all interchanges serving Bray;
- the upgrade of the N81 between the Dublin border and Hollywood; and
- the finalisation of and protection of the Leinster Outer Orbital Route corridor with possible incremental implementation of the road (in line with NTA Strategy).

## AMENDMENT 5

## NATIONAL TRANSPORT AUTHORITY

### Section 2.4.6, 'Public Transport', p22

The NSS identifies the Dublin – Rosslare rail line as a **Strategic Radial Corridor** from Dublin to the south-east of Ireland. The RPGs identify the rail line as a **Multi-Modal Transport Corridor**.

This is the only heavy rail line in the County, which is single track only from Bray and has only six functioning stations from Bray to Arklow. The settlement strategy exploits the towns along this route by allocating over two thirds of the population growth to these settlements.

It is proposed to extend the Luas light rail system to Bray – this extension is identified in the RPGs as a **critical strategic transport project** - and the vast majority of the population growth for Bray is allocated [for Fassaroe, which will require for areas](#) to be served by Luas [or other mass transit](#). This will reinforce the role of Bray as the primary settlement in the County and will provide an option for removing car traffic from the N11/M11 north of Bray with the provision of park-and-ride facilities.

It is the strategy of this plan to encourage and facilitate:

- significant improvements to heavy and light rail infrastructure, including the provision of new lines and new stations and the provision of improvements to the rail line south of Bray to facilitate additional rail services to Greystones, Wicklow and Arklow;
- improvements to the Dublin-Rosslare rail line, the extension of Luas [or other mass transit](#) to Bray [town centre, Bray station and](#) Fassaroe, the provision of car and bus park-and-ride facilities and improved penetration of local bus services in designated growth towns; and
- retention of local bus services.

**It is therefore the strategy of this plan to:**

Craft land use policies to produce settlements of such form and layout that facilitates and encourages sustainable forms of movement and transport, prioritising walking and cycling, and for larger settlements, bus transport. Integrated land use and transport studies will be used to:

- inform future policy formulation;
- promote development that facilitates the delivery of local transport links within towns (such as feeder buses to train stations), between towns and in rural areas;
- promote development that delivers improvements to public transport services, in particular the upgrading of the Dublin – Rosslare train line, improved DART Services, bringing the LUAS/~~BRT~~ or other mass transit to Bray and Fassaroe and the development of improved bus services;
- allow for the improvement or provision of new walking and cycling facilities throughout the County;
- facilitate the improvement of the existing road network, to remove bottlenecks and increase free flow;
- to improve east – west linkages in the County, as well as linkages between the west and south of the County to other counties; and
- to improve facilities for pedestrians and access for people with special mobility needs.

**AMENDMENT 6                      NATIONAL TRANSPORT AUTHORITY, C190**

**Section 2.4.7, 'Economic Development', p24**

**Replace existing Table 2.10**

**Table 2.10 — ~~County Wicklow employment growth targets~~**

|                        | 2011         |               |            | 2028                |                   |               | 2011 - 2028           |
|------------------------|--------------|---------------|------------|---------------------|-------------------|---------------|-----------------------|
|                        | Labour Force | Existing Jobs | Jobs ratio | Target Labour Force | Target Jobs Ratio | Jobs Required | Jobs Growth / Decline |
| <b>Levels 1-4</b>      | 38,850       | 17,688        | 46%        | 51,870              | 80%               | 41,329        | 18,340                |
| <b>Level 5 &amp; 6</b> | 9,041        | 4,220         | 47%        | 12,832              | 70%               | 8,984         | 4,764                 |
| <b>Rural</b>           | 17,695       | 5,666         | 32%        | 19,769              | 25%               | 4,942         | -724                  |
| <b>County</b>          | 65,586       | 27,574        | 42%        | 84,472              | 65%               | 55,255        | 22,380                |

Replace with the following expanded table:

**Table 2.10 County Wicklow employment growth targets by settlement**

|                           | 2011         |               |            | 2028                |                   |               | 2011 - 2028      |                   |
|---------------------------|--------------|---------------|------------|---------------------|-------------------|---------------|------------------|-------------------|
|                           | Labour Force | Existing Jobs | Jobs ratio | Target Labour Force | Target Jobs Ratio | Jobs Required | Growth 2011-2028 | % of total growth |
| <b>Bray</b>               | 14,081       | 7,678         | 55%        | 16,665              | 83%               | 13,832        | 6,154            | 28%               |
| <b>Wicklow / Rathnew</b>  | 6,464        | 3,071         | 48%        | 9,999               | 72%               | 7,199         | 4,128            | 19%               |
| <b>Arklow</b>             | 6,271        | 3,580         | 57%        | 9,582               | 86%               | 8,241         | 4,661            | 21%               |
| <b>Greystones/Delgany</b> | 8,259        | 1,808         | 22%        | 9,999               | 33%               | 3,300         | 1,492            | 7%                |
| <b>Blessington</b>        | 2,299        | 984           | 43%        | 3,125               | 65%               | 2,031         | 1,047            | 5%                |
| <b>Newtown</b>            | 1,475        | 567           | 38%        | 2,500               | 57%               | 1,425         | 858              | 4%                |
| <b>Ashford</b>            | 712          | 245           | 34%        | 1,250               | 52%               | 645           | 400              | 2%                |
| <b>Aughrim</b>            | 631          | 165           | 26%        | 833                 | 39%               | 327           | 162              | 1%                |
| <b>Baltinglass</b>        | 857          | 596           | 70%        | 1,250               | 104%              | 1,304         | 708              | 3%                |
| <b>Carnew</b>             | 550          | 318           | 58%        | 833                 | 87%               | 723           | 405              | 2%                |
| <b>Dunlavin</b>           | 381          | 240           | 63%        | 1,042               | 95%               | 985           | 745              | 3%                |
| <b>Enniskerry</b>         | 931          | 206           | 22%        | 1,250               | 33%               | 415           | 209              | 1%                |
| <b>Kilcoole</b>           | 1,950        | 836           | 43%        | 2,083               | 64%               | 1,340         | 504              | 2%                |
| <b>Rathdrum</b>           | 786          | 438           | 56%        | 1,458               | 84%               | 1,219         | 781              | 4%                |
| <b>Tinahely</b>           | 459          | 270           | 59%        | 625                 | 88%               | 552           | 282              | 1%                |
| <b>Avoca</b>              | 344          | 99            | 29%        | 375                 | 36%               | 135           | 36               | 0%                |
| <b>Donard</b>             | 86           | 39            | 45%        | 125                 | 57%               | 71            | 32               | 0%                |
| <b>Kilmacanogue</b>       | 383          | 362           | 94%        | 417                 | 118%              | 492           | 130              | 1%                |
| <b>Newcastle</b>          | 392          | 234           | 60%        | 500                 | 75%               | 373           | 139              | 1%                |
| <b>Roundwood</b>          | 374          | 126           | 34%        | 500                 | 42%               | 210           | 84               | 0%                |
| <b>Shillelagh</b>         | 204          | 46            | 22%        | 292                 | 28%               | 82            | 36               | 0%                |
| <b>Total</b>              | 47,886       | 21,908        | 46%        | 64,703              | 70%               | 44,899        | 22,991           | 103%              |
| <b>Total rural</b>        | 17,695       | 5,666         | 32%        | 19,769              | 25%               | 4,942         | -724             | -3%               |
| <b>County total</b>       | 65,581       | 27,574        | 42%        | 84,472              | 59%               | 49,841        | 22,267           | 100%              |

*Note: The Jobs Ratio for target for settlements in Levels 1-5 is calculated by increasing the existing jobs ratio by 50%; in Level 6 settlements by 25% and assuming a Jobs Ratio decline in the rural area from 32% to 25%.*

### Strategic Environmental Assessment Comment

This proposed amendment elaborates on the content already included in the Draft Plan. Although some of the bottom line figures on Table 2.10 are proposed to be changed (e.g. jobs growth from 2011-2028 to be changed from 22,380 to 22,267) the potential effects that would arise from the altered Draft Plan remain unchanged. Such an alteration therefore would not necessitate further assessment.

### Appropriate Assessment Comment

This proposed amendment elaborates on the content already included in the Draft Plan. Although some of the bottom line figures on Table 2.10 are proposed to be changed (e.g. jobs growth from 2011-2028 to be changed from 22,380 to 22,267) the potential effects that would arise from the altered Draft Plan remain unchanged. Such an alteration therefore would not necessitate Stage 2 Appropriate Assessment.

**AMENDMENT 7 C52, C64****Section 3.2, 'Rural Clusters', p44**

Add the following text (in red): "Rural cluster boundaries are set out on the attached maps. All boundaries and the indicative housing growth targets for rural clusters will be reviewed as part of the 2-year statutory review of the plan."

**AMENDMENT 8 C3****Section 4.4, 'Housing Objectives', p74****Amend HD13 as follows:**

**HD13** New apartment developments dependent on access through existing established areas of predominantly single family homes will generally not be permitted.

**AMENDMENT 9 AN TAISCE, C23, C190****Section 4.4, 'Housing Objectives', p76****Amend HD21 as follows:**

**HD21** Residential development will be considered in the open countryside only when it is for the provision of a necessary rural dwelling, to those with a definable housing, social or economic need to live in the open countryside.

Residential development will be considered in the countryside in the following circumstances:

1. A permanent native resident seeking to build a house for his / her own family and not as speculation. A permanent native resident shall be a person who has resided in a rural area in County Wicklow for at least 10 years in total (including permanent native residents of levels 8 and 9), or resided in the rural area for at least 10 years in total prior to the application for planning permission.
2. A son or daughter, or niece/nephew considered to merit the same position as a son/daughter within the law (i.e. when the uncle/aunt has no children of his/her own), of a permanent native resident of a rural area, who can demonstrate a definable social or economic need to live in the area in which the proposal relates and not as speculation.
3. A son or daughter, or niece/nephew considered to merit the same position as a son/daughter within the law (i.e. when the uncle/aunt has no children of his/her own), of a permanent native resident of a rural area, whose place of employment is outside of the immediate environs of the local rural area to which the application relates and who can demonstrate a definable social or economic need to live in the area to which the proposal relates and not as speculation.

4. Replacing a farm dwelling for the needs of a farming family, not as speculation. If suitable the old dwelling may be let for short term tourist letting and this shall be tied to the existing owner of the new farm dwelling were it is considered appropriate and subject to the proper planning and development of the area.
5. A person whose principal occupation is in agriculture ~~and who owns and farms substantial lands~~ and can demonstrate that the nature of the agricultural employment is sufficient to support full time or significant part time occupation.
6. An immediate family member (i.e. son or daughter) of a person described in 5, who is occupied in agriculture and can demonstrate that the nature of the agricultural employment is sufficient to support full time or significant part time occupation.
7. A person whose principal occupation is in a rural resource based activity (i.e. agriculture, forestry, mariculture, agri-tourism etc.) ~~and who can demonstrate a need to live in the immediate vicinity of this activity~~ that can demonstrate a need to live in the immediate vicinity of their employment in order to carry out their occupation. The Planning Authority will strictly require any applicant to show that there is a particular aspect or characteristic of their employment that requires them to live in that rural area, as opposed to a local settlement.
8. A close relative who has inherited, either as a gift or on death, an agricultural holding or site for his/her own purposes and not for speculation and who can demonstrate a definable social and / or economic need to live in the area to which the proposal relates.
9. The son or daughter of a landowner who has inherited a site for the purpose of building a one off rural house and where the land has been in family ownership as at 11th October 2004 for at least 10 years prior to the application for planning permission and not as speculation.
10. An emigrant, returning to their local area, seeking to build a house for his/her own use not as speculation.
11. Persons whose work is intrinsically linked to the rural area and who can prove a definable social or economic need to live in the rural area
12. A permanent native resident that previously owned a home and is no longer in possession of that home (for example their previous home having been disposed of following legal separation / divorce / repossession, the transfer of a home attached to a farm to a family member or the past sale of a home following emigration) and can demonstrate a social or economic need for a new home in the rural area.
13. Permanent native residents of moderate and small growth towns, seeking to build a house in their native town or village within the 60kph / 40mph speed limit on the non national radial roads, for their own use and not as speculation as of 11th October 2004.
14. A person whose business requires them to reside in the rural area and who can demonstrate the adequacy of the business proposals and the capacity of the business to support them full time.
15. Permanent native residents of the rural area who require a new purpose built specially adapted house due to a verified medical condition and who can show that their existing home cannot be adapted to meet their particular needs
16. Persons who were permanent native residents of a rural area but due to the expansion of an adjacent town / village, the family home place is now located within the development boundary of the town / village.

~~In the event of conflict of any other settlement strategy objective / Landscape Zones and Categories, a person who qualifies under policy HD21 their needs shall be supreme, except where the proposed development would be a likely traffic hazard or public health hazard.~~

~~With regard to the preservation of views and prospects, due consideration shall be given to those listed within the area of the National Park; and with respect to all other areas, to generally regard the amenity matters, but not to the exclusion of social and economic matters. The protection and conservation of views and prospects should not give rise to the prohibition of development, but development should be designed and located to minimise impact~~

## **AMENDMENT 10 MINISTER FOR THE ENVIRONMENT, REGIONAL AUTHORITY, AN TAISCE, C33, C53, C76, C77, C190**

### **Section 4.4, 'Housing Objectives - Special Zoning Newtownmountkennedy', p78**

Omit Objective **HD24** and Map 04.01

~~**HD24** To provide for low density residential development with associated leisure, tourism and recreational facilities on lands measuring c. 28ha Ballinahinch Lower, Co. Wicklow, as shown on Map 04.01.~~

#### **Strategic Environmental Assessment Comment**

By providing for development in an area that is removed from the established development envelope of Newtownmountkennedy, Objective HD24 from the Draft Plan provides for a less sustainable type of development and presents the potential for significant adverse environmental effects to arise with regard to all environmental components. Although many conflicts would be mitigated, given the elevated nature of the site, significant adverse effects on the landscape would be likely to occur. Given increasingly stringent national objectives relating to sustainable mobility and transport emissions, it is uncertain as to whether adverse effects could be mitigated and significant conflicts would be likely to remain.

The recommendation to omit Objective HD24 would avoid the occurrence of the potential adverse effects detailed above and therefore would contribute towards the protection and management of the environment.

References to the potential effects of developments at this location will be excluded from the final SEA Environmental Report if the alteration is adopted as part of the Plan.

#### **Appropriate Assessment Comment**

No potential for impacts on European Sites to arise. Such an alteration therefore would not necessitate Stage 2 Appropriate Assessment.

References to the potential effects of developments at this location will be excluded from the final AA Natura Impact Report if the alteration is adopted as part of the Plan.

## **AMENDMENT 11 C159**

### **Chapter 4: Housing**

**Add new objective as follows:**

#### **Protection of Residential Amenity in Transitional Areas**

**HD25** While the zoning objectives indicate the different uses permitted in principle in each zone it is important to avoid abrupt transitions in scale and use at the boundary of adjoining land use zones. In these areas it is necessary to avoid developments that would be detrimental to



amenity. In zones abutting residential areas, particular attention will be paid to the use, scale, density and appearance of development proposals and to landscaping and screening proposals in order to protect the amenities of residential properties.

**AMENDMENT 12****FAILTE IRELAND, C113, C193****Section 5.4 'The role of land use planning in economic development', part (viii), pg.89****(viii) Supporting key sectors for growth**

Through the research and analysis undertaken for both the LECP and the Think Tank, it is clear that certain sectors / industries have great potential in County Wicklow, above other locations. While this plan will support the development of all sectors/industries within the County subject to normal planning criteria, the following key sectors have been identified, with this plan setting out particular policy supports for the future growth of these areas.

The key sectors identified within the County include:

**The film industry** - Wicklow is an important centre for film making, based largely on the presence of Ardmore Studios in Bray and Ashford Studios located on the outskirts of the town of Ashford. The industry contributes significantly to direct and indirect employment and also contributes to the international image of the County. The 'Think Tank' action plan identifies the development of a film industry cluster in County Wicklow (a hub for film making and ancillary industries) as a real opportunity to drive investment and job creation in the County. It is envisaged that the development of the film industry cluster will enable the County to realise the potential value from film making directly, plus film tourism, accommodation services and other support services.

It is envisaged within the action plan that the effective management of this key employment sector could leverage up to €1bn in inward investment and up to 5,000 direct and indirect jobs within the County.

**Food sector** - Within Wicklow there is an established cluster of artisan / SME Food processing companies, estimated to be in excess of 35 companies, with potential for growth. In addition there is vibrant food service industry in the County, many being customers of the artisan segment. To date businesses across this sector largely operate independently with no forum for mutually beneficial collaborative projects. Collaboration between the food service sector and the local producers could lead to enhanced employment opportunities. Local cooperative processing may also be a solution to overcome the prohibitive cost of investment in food processing facilities for individual small companies acting alone.

**Maritime** - The maritime sector in Wicklow benefits from a host of assets ~~and activities~~ capable of ~~supporting a range of maritime activities~~ expansion and development including: shore-side services ~~maritime services~~, shipping services, repair and maintenance ~~services~~, fishing, tourism and leisure, servicing of the off-shore renewable energy industry, maritime financial services etc. ~~A proactive approach is required if the potential economic opportunities for these assets are to be identified and realised.~~ Wicklow County Council supports the identification and realisation of the economic opportunities within this sector.

**Wholesale, retail trade, transportation and storage** – This sector forms the largest industrial group within the County. In regard to wholesale and retail sector significant opportunities to develop this area arise from the identified expenditure outflows from the County in particular to Dublin. Measures specifically addressing this sector are set out in the County Retail Strategy contained in this plan.

From a transportation and storage sector perspective the locational strengths of Wicklow offer significant opportunities for the expansion of this sector. The County's positioning along the east coast 'strategic transportation corridor', made up of the N11 / M11 and the Dublin to Rosslare rail line creates excellent connectivity between ports within the County and between the County and the ports in Dublin and Rosslare. These connections ensure Wicklow's role as a key entry point to the Greater Dublin Region with the potential to facilitate the expansion of existing or create new spin off industries within this sector.

The promotion of the Leinster Outer Orbital Route connecting the N11 and the east of the County (Arklow town/port) to the west of the County and the major national primary routes within Kildare namely the M9 and M7 create further potential for the expansion of this sector with ease of accessibility to the north and south of the Greater Dublin Region.

**Information and communications technology** – The information and communications sector forms the second largest industrial group in Wicklow. With Ireland being a technology hub of choice for many when it comes to attracting the strategic business activities of ICT companies, significant opportunities exist to develop this sector with the County. The presence of Clermont College and its envisaged expansion as a third level centre of excellence alongside Wicklow's highly educated workforce further enhance the attractiveness of the County to prospective new companies within the ICT sector maximising the potential of the County.

**Tourism and recreation** – Tourism and recreation make a positive contribution to the economic and social wellbeing of County Wicklow. In 2013, income from tourists and visitors to Wicklow was in the region of €105m, with over 65% of this income coming from overseas visitors. The increase in income from domestic visitors rose by over 15% between 2010 and 2014, the highest rate of increase in the region.

The County's tourism and recreational attractions are important assets, which form the basis of the County's tourism industry and which are fundamental to the enjoyment of the County by both visitors and residents. Attractions range from areas of scenic beauty, which provide attractive natural bases for outdoor pursuits, such as the Wicklow Mountains, which comprise mountain peaks, valleys, rivers and lakes, the coastline with long stretches of sandy beaches and dunes and the numerous woodlands. The County has a rich heritage of archaeological and historical sites, manor homes and gardens, and attractive towns and villages. In addition, there are a number of golf and resort hotels, and adventure centres, which are within driving distance of Dublin that are attracting increasing numbers of visitors and business related events.

## **AMENDMENT 13                      AN TAISCE**

### **Section 5.5 'Objectives for Economic Development', p91**

#### **Amend Objective EMP7 as follows:**

**EMP7** To encourage the redevelopment of brownfield sites for enterprise and employment creation throughout the County and to consider allowing 'relaxation' in normal development standards on such sites to promote their redevelopment, ~~subject to no adverse impacts arising on the locality~~ where it can be clearly demonstrated that a development of the highest quality, that does not create an adverse or unacceptable working environment or create unacceptable impacts on the built, natural or social environment, will be provided.

**AMENDMENT 14****MINISTER FOR THE ENVIRONMENT, REGIONAL  
AUTHORITY, AN TAISCE, C68, C184, C190****Section 5.5 'Objectives for Economic Development', p92**

Amend Objective EMP12 as follows:

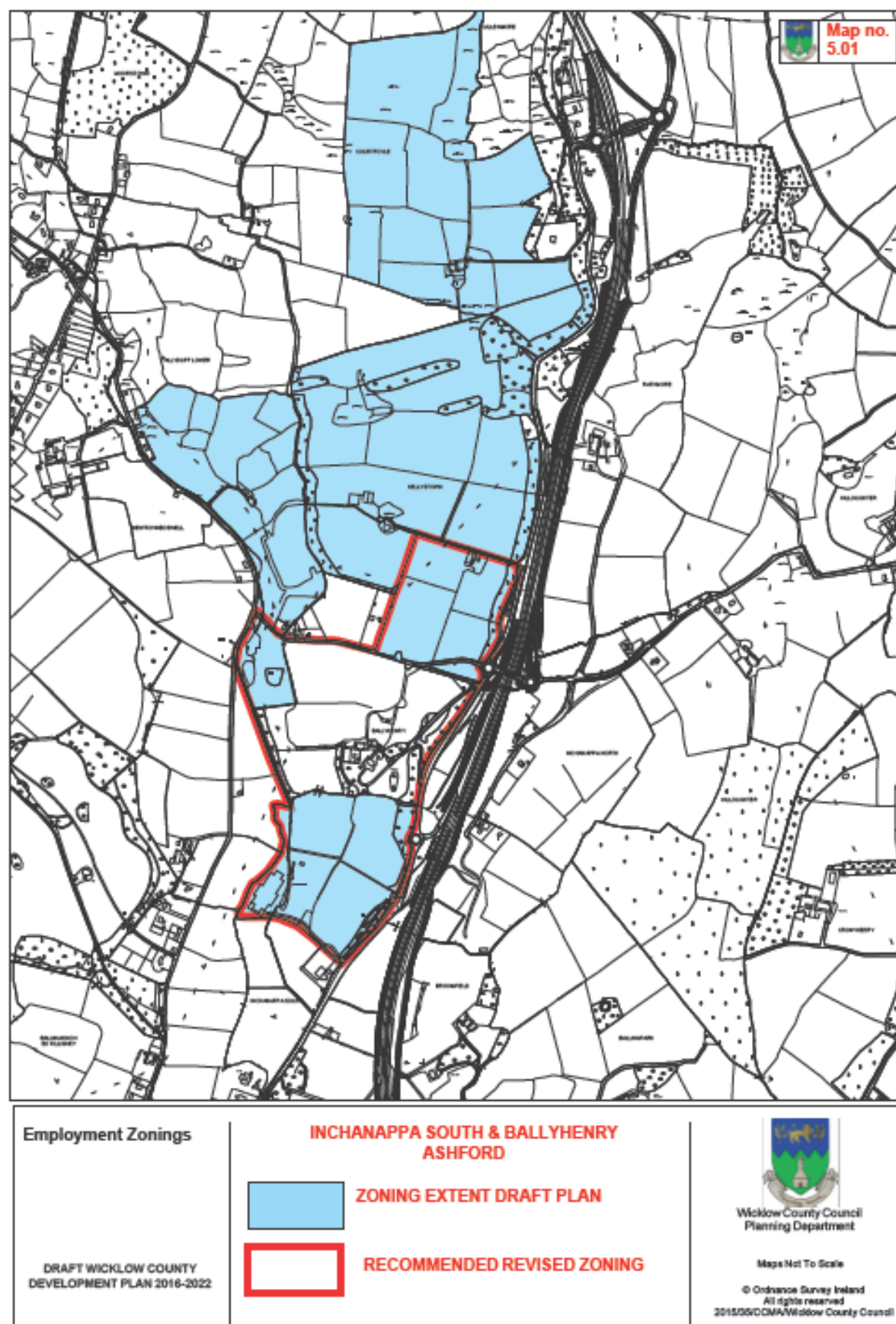
**EMP 12** ~~To provide for employment development at the following locations as shown on maps 5.01-5.08.~~

| Location                                   | Map No.           | Size (ha)        | Zoning Objective   |
|--|-------------------|------------------|--|
| <del>Mountkennedy—Demesne, Kilpedder</del> | <del>5.01</del>   | <del>34.7</del>  | <del>To provide for a data centre facility<sup>9</sup> and associated related industries set in open parkland with extensive landscaping, a high architectural standard of layout and building design with low site coverage. Employment types other than those strictly related to data storage shall show a clear process related requirement to locate in proximity to a data centre.</del>   |
| <del>Rath—East—/—Knockloe, Tullow</del>    | <del>5.02</del>   | <del>4.4</del>   | <del>To provide for a light industrial development</del>   |
| <del>Kilmurray South</del>                 | <del>5.03</del>   | <del>0.76</del>  | <del>To provide for transport purposes development</del>   |
| <del>Kilmurray North</del>                 | <del>5.04</del>   | <del>0.8</del>   | <del>To provide for a warehousing / storage / distribution and commercial vehicle park</del>   |
| <del>Scratenagh crossroads</del>           | <del>5.05</del>   | <del>8.09</del>  | <del>To provide for light industrial uses / business park uses with extensive landscaping and a high architectural standard of layout and building design.</del>   |
| <del>Kilpedder Interchange</del>           | <del>5.06</del>   | <del>27.7</del>  | <del>To provide for employment uses including industrial, transport, distribution, warehouse or retail warehouse developments of good architectural design, layout and landscaping including substantial screening from N11. The provision of transport and retail facilities will not be at the expense of facilities in existing settlements. Any redevelopment of the (former) Dan Morrissey / SM Morris sites shall include significant proposals to address the unsightly appearance of these sites. In addition, any development on these lands shall connect the footpath from Greytsones towards the pedestrian bridge at Kilpedder.</del>   |
| <del>Rathmore, Ashford</del>               | <del>5.07</del>   | <del>10.53</del> | <del>To provide for employment uses</del>  |
| Inchanappa South and Ballyhenry, Ashford   | 5.01 <sup>8</sup> | 160<br>62.25     | <p>To provide for the development of and expansion of the existing film studios in Ashford on the lands shown on Map 5.01 in accordance with the following requirements:</p> <ul style="list-style-type: none"> <li>- the development of these lands shall be strictly limited to facilities for the production of film, TV, animation etc and any associated spin offs such as visitor facilities; in particular residential development or other non film related commercial activities are not to be permitted</li> <li>- the agreement of a master plan for the entire area any application in advance of the agreement of this plan shall set out which shall include: <ul style="list-style-type: none"> <li>(a) the phasing a detailed phasing plan which shall be linked to</li> </ul> </li> </ul> |

<sup>9</sup> ~~A data centre is a facility used to house computer systems and associated components, such as telecommunications and storage systems. It generally includes redundant or backup power supplies, redundant data communications connections, environmental controls (e.g., air conditioning, fire suppression) and security devices.~~

|  |  |  |  |
|--|--|--|--|
|  |  |  | <p>the conclusions and recommendations of a Traffic and Transport Assessment, which shall clearly set out the traffic generation model for the entire development and its constituent phases, and a detailed evaluation of the capacity of all roads serving the site, including all N11 junctions and the N11 itself and their abilities to accommodate the development without impacting on the carrying capacity of the national road for strategic inter-County traffic;</p> <p>(b) sequence of development, that shall be generally from south to north;</p> <p>(c) the infrastructure plans for the servicing of the site;</p> <p>- this zoning shall be for the lifetime of this plan only.</p> |
|--|--|--|--|

**Ashford Film Studio Zoning – Map 5.08 (change to **Map 5.01**)**



#### STRATEGIC ENVIRONMENTAL ASSESSMENT COMMENT

Objective EMP12 from the Draft Plan provides for employment development in areas that are removed from the established development envelopes of existing settlements. As such this provision provides for a less sustainable type of development and poses a greater extent of potential conflicts with the environment – including with regard to the following:

- Adverse effects on sustainable mobility with increases in car usage;
- Associated adverse effects with respect to energy usage and travel related greenhouse gas and other emissions to air;
- Adverse visual impacts on the landscape; and
- Increased pressures on ground and surface water bodies arising from limited options for water services.

Given the size and greenfield nature of these sites, adverse visual impacts would be likely to occur. Also, given increasingly stringent national objectives relating to sustainable mobility and transport emissions, it is uncertain as to whether adverse effects could be mitigated and significant conflicts would be likely to remain.

The recommendation to alter Objective EMP12 would avoid the occurrence of many of the potential adverse effects detailed above and therefore would contribute towards the protection and management of the environment.

The development of and expansion of the existing film studios in Ashford would still pose potential adverse effects however these would be mitigated by other measures which have been integrated into the Draft Plan.

References to the potential effects of developments at the excluded locations will be excluded from the final SEA Environmental Report if the alteration is adopted as part of the Plan.

#### APPROPRIATE ASSESSMENT COMMENT

No additional potential for impacts on European Sites to arise taking into account both the proposal and the other provisions that have already been integrated into the Draft Plan, including those relating to the protection of European Sites. Such an alteration therefore would not necessitate Stage 2 Appropriate Assessment. The development of and expansion of the existing film studios in Ashford has already been assessed as part of the AA of the Draft Plan.

References to the potential effects of developments at the excluded locations will be excluded from the final AA Natura Impact Report if the alteration is adopted as part of the Plan.

## AMENDMENT 15                      FAILTE IRELAND

### Section 5.6, 'Objectives for Wicklow's Rural Economy', p96

#### Intro

The objectives in this section are focused on the forms of rural development that are employment and wealth generating (other than tourism, which is addressed separately in Chapter 7 of this plan). Improving the rural economy is only one strand that needs to be addressed in order to result in a strong rural community that is socially, economically and environmentally sustainable. The issues of social wealth and environmental protection are addressed in Chapters 8 and 10 of this plan, and therefore these objectives should be considered dually with the objectives set out in this chapter.

## **AMENDMENT 16**

**C152**

### **Section 5.6, 'Objectives for Wicklow's Rural Economy', p99**

#### **Extractive Industry**

**Strategic Objective** To **support and** facilitate the exploitation of County Wicklow's natural aggregate resources in a manner which does not unduly impinge on the environmental quality, and the visual and residential amenity of an area.



**AMENDMENT 17****MINISTER FOR THE ENVIRONMENT****Section 6.2, 'County Wicklow Retail Strategy', p109****6.2.1 Context****Retail Planning Guidelines (DoECLG, 2012)**

The strategy and policies for retailing set out in this plan have been prepared having regard to the guidance set out in the 'Retail Planning Guidelines for planning authorities' (DoECLG, 2012). This development plan addresses the list of matters to be considered in a plan, as required by 'Section 3.3 Development Plans and Retailing' of the Guidelines.

**Retail Strategy for the Greater Dublin Area 2008-2016**

The Retail Strategy for the Greater Dublin Area 2008-2016 provides guidance and policies for retail development at a strategic level in the Greater Dublin Area.

The strategy was adopted in July 2008 and is now outdated as it does not account for the significant economic, demographic and policy changes experienced in the GDA since its adoption. Notwithstanding this, the core principles of the strategy remain of relevance. The strategy and policies for retailing as set out in this plan are in accordance with the core principles of the GDA Retail Strategy.

**Regional Spatial and Economic Strategy (RSES) 2016**

The forthcoming RSES for the Eastern and Midlands Region is likely to be produced in 2016-2017, and this will address the retail strategy for the region. The County Wicklow Retail Strategy will be updated if required by way of variation when the RSES is finalised.

**AMENDMENT 18****MINISTER FOR THE ENVIRONMENT****Section 6.3, 'Objectives for Centres and Retail', p121****Add new objective:**

- RT4** In the preparation of Local Area Plans, areas in need of development and renewal, in order to prevent:
- adverse effects on existing amenities in such areas, in particular as a result of the ruinous or neglected condition of any land,
  - urban blight and decay,
  - anti-social behaviour, or
  - a shortage of habitable houses or of land suitable for residential use or a mixture of residential and other uses
- shall be identified and addressed with appropriate objectives.

## **AMENDMENT 19**

**B5, C97, C172**

### **Section 6.3, 'Objectives for Centres and Retail', p123**

#### **Amend Objective RT16 as follows:**

**RT16** To promote an appropriate mix and balance of different types and styles of retail within centres and to control the number of bookmakers, off-licences (including off-licences in convenience stores), take-aways, formula businesses (i.e. franchise / chain type outlets that have standardised services, décor, methods of operations and other feature that make them virtually identical to similarly branded businesses elsewhere) and other uses that can adversely affect the character of a centre.

The mix and balance of different type of retail (including retail services) is important to attract people to centres, and to ensure centres remain the main meeting point for the community. Too many of certain types of outlet can destroy the balance of a centre.

## **AMENDMENT 20**

**MINISTER FOR THE ENVIRONMENT,  
HEALTH SERVICE EXECUTIVE,  
B1, B2, B3, B4, B5, B6, B7, B8, B9, B10, B11,**

### **Section 6.3, 'Objectives for Centres and Retail', p123**

#### **Amend Objective RT17 as follows:**

**RT17** Conscious of the fact that planning has an important role to play in promoting and facilitating active and healthy living patterns for local communities, the following criteria will be taken into account in the assessment of development proposals for fastfood/takeaway outlets, including those with a drive through facility:

- ~~Exclude any new fast-food outlets which offer foods that are high in fat, salt or sugar from being built or from operating within 400m of the gates or site boundary of schools, parks or playgrounds excluding premises zoned town centre.~~ Give careful consideration to the location of fast food outlets in the vicinity of schools and parks, in particular in newly developing areas. All proposals will be considered on a case by case basis, with regard paid to opening hours, the size and scale of the proposed development, cumulative effect on the amenities of area and the effect on the mix of land uses and activities in an area. This objective does not relate to town centre locations;
- ~~Fast food outlets/takeaways with proposed drive through facilities will generally only be acceptable within Major Town Centres or District Centres and will be assessed on a case-by-case basis;~~
- Location of vents and other external services and their impact on adjoining amenities in terms of noise/smell/visual impact.

**In the absence of the above not being accepted by the members, the Chief Executive recommends that the entire RT17 objective be deleted.**

## **AMENDMENT 21**

## **TRANSPORT INFRASTRUCTURE IRELAND**

### **Section 6.3, 'Objectives for Centres and Retail', p124**

#### **Amend Objective RT23 as follows:**

**RT23** There shall be a general presumption against large out-of-town retail centres in particular those located adjacent or close to existing, new or planned national roads/motorways.

~~However, as a limited exception, large retail warehouses may be considered for locations close to such road networks where the proposed development would be situated where the road network has sufficient capacity to cater for the scale of development proposed.~~

## **AMENDMENT 22**

## **C172**

### **Section 6.3, 'Objectives for Centres and Retail', p125**

#### **Amend Objective RT25 as follows:**

#### **Retail – Large Convenience Goods Stores**

**RT25** To allow for the development of large convenience goods stores on suitably zoned land and to determine proposals having regard to the 'Retail Planning Guidelines for Planning Authorities' (DoECLG, 2012).

Convenience retail floorspace caps shall be applied in accordance with 'Section 2.4.1 Convenience retail floorspace caps' of the Retail Planning Guidelines (DoECLG, 2012). The guidelines indicate a cap of 3,000m<sup>2</sup> net for County Wicklow.

The planning application drawings should clearly delineate the floorspace to be devoted primarily for the sale of convenience goods. To prevent any adverse impact on town centres, the Planning Authority will generally limit the proportion of comparison goods floorspace within large convenience goods stores **that are located outside of Core Retail Areas**, to a maximum of 20% of the retail floor area. Any proposal in excess of the 20% limit shall be considered on its merits and in particular having careful regard to the impact of a proposal on the vitality and viability of the town centre.

## **AMENDMENT 23**

## **TRANSPORT INFRASTRUCTURE IRELAND**

### **Section 6.3, 'Objectives for Centres and Retail', p127**

#### **Amend Objective RT32 as follows:**

#### **Outlet Centres**

**RT32** There shall be a general presumption against out-of-town regional shopping facilities, **in particular those located adjacent or close to existing, new or planned national**

roads/motorways; however, specialist outlet centres may be considered where the following criteria are met:

- due regard shall be paid to the Retail Strategy and Retail Planning guidelines;
- the developer can show through rigorous retail impact assessment that the proposed centre will not divert trade from either the City centre or major / County towns and that the centre will not absorb such a quantum of retail floorspace in the County so as to undermine the continued growth and viability of existing County settlements;
- the site is located contiguous to a higher order town (i.e. Levels 1-3) and is not located in an isolated rural area, distant from major centres of population;
- the site is located where existing frequent public transport is available or where a short shuttle type connection can be made to rail or light rail system (to be funded by the developer);
- the retail facility shall be designed, developed and managed to provide opportunities for commercial synergy between an outlet centre and urban centre which would lead to economic benefits for the overall area.

## **AMENDMENT 24                      TRANSPORT INFRASTRUCTURE IRELAND**

### **Section 6.3, 'Objectives for Centres and Retail', p127**

#### **Amend Objective RT34 as follows:**

**RT34** Proposals for retailing use at motor fuel stations shall be considered in accordance with the 'Retail Planning Guidelines for planning authorities' (DoECLG, 2012).

Proposals for online and off line motorway service areas shall be considered in accordance with the "Spatial Planning and National Roads" - Guidelines for Planning Authorities (DECLG, 2012) and the TII Policy on Service Areas (2014)

**AMENDMENT 25****FAILTE IRELAND****Section 7.1, 'Introduction', p130****7.1 Introduction**

Tourism and recreation make a positive contribution to the economic and social wellbeing of County Wicklow. In 2013, income from tourists and visitors to Wicklow was in the region of €105m, with over 65% of this income coming from overseas visitors. The increase in income from domestic visitors rose by over 15% between 2010 and 2014, the highest rate of increase in the region.

The County's tourism and recreational attractions are important assets, which form the basis of the County's tourism industry and which are fundamental to the enjoyment of the County by both visitors and residents. Attractions range from areas of scenic beauty, which provide attractive natural bases for outdoor pursuits, such as the Wicklow mountains, which comprise mountain peaks, valleys, rivers and lakes, the coastline with long stretches of sandy beaches and dunes and the numerous woodlands. The County has a rich heritage of archaeological and historical sites, manor homes and gardens, and attractive towns and villages. In addition, there are a number of golf and resort hotels, and adventure centres, which are within driving distance of Dublin that are attracting increasing numbers of visitors and business related events.

Wicklow's close proximity to Dublin offers significant opportunities to expand the existing tourism offer and brand for the County. With Dublin's increasing importance as a popular destination for city-breaks, Wicklow's scenic beauty and rich built and natural heritage provide opportunities to attract visitors from the nearby City-region. Furthermore, the County can benefit from the constrained capacity of the capital city and act as an accommodation base for those visiting Dublin and the east.

While Wicklow is a particularly attractive location for day-trippers, the additional enhancement of the visitor experience is needed to increase dwell time – particularly in the east and south of the County, and ensure the County fully benefits from growth in the tourism sector. The implementation of strategies and programmes by the tourism agencies aim to ensure that visitors are aware of, and directed to, a broad range of attractions across the County, thereby better managing visitor numbers at sites.

Although the County must continue to provide for the positive development of tourism and recreational assets, it is necessary that these facilities are managed in a sustainable manner so as to protect against any potential detrimental impacts on the environment and local communities. In this respect, the Planning Authority is aware that development can damage and destroy the assets it seeks to exploit, in particular through excessive visitor numbers, inappropriate development, various types of pollution and other forms of adverse impact. The relationship between tourism / recreation and the environment must be managed in a way that continues to support local communities and remains viable in the long term.

This chapter will aim to promote and facilitate the development of a sustainable tourism and recreation and will set out objectives to deal with land use matters pertaining to the planning and development of the tourism and recreation sectors, including general matters, tourism related developments including tourist accommodation, facilities and interpretive centres, integrated tourism/leisure/recreational complexes, tourist / recreational infrastructure and the promotion of specific tourist themes and products.

**Section 7.2, 'Context', p131****Failte Ireland Strategies**

~~Failte Ireland, the national tourism development authority, aims to guide and promote tourism as a leading indigenous component of the Irish economy and has developed the following strategies:~~

~~**Ireland's Ancient East** – This strategy is an initiative along the lines of the 'Wild Atlantic Way' in the west of Ireland, which focuses on the history and heritage of the eastern region. The strategy is themed along four pillars – ancient Ireland, early Christian Ireland, Medieval Ireland and Anglo Ireland. The scheme which is to be rolled out in 2016 has the potential to deliver an extra 600,000 overseas visitors (growth of more than 20%) to the region and increased visitor revenue by almost 25% to €950m in total by 2020.~~

~~**Kildare-Wicklow Destination Grand Tour** – The counties of Kildare and Wicklow have been identified as one of 10 key destinations by Fáilte Ireland for the development of tourism in the Country. It is envisaged that this strategy will form a key element of the broader 'Ancient East' initiative with the destination containing the necessary concentration of product, attractions and accommodation to become a tourism destination of significance.~~

~~Wicklow's proximity to Dublin offers significant latent potential to grow and attract visitor numbers and revenue. The overall aim of the strategy is for Kildare and Wicklow to capitalise on their geographical location in order to draw more visitors into the area, staying for longer periods and experiencing the range of product on offer. The strategy aims to do this through a coordinated and cooperative approach with Fáilte Ireland as facilitator to enhance, develop and create new products, services and amenities that will result in new innovations and a competitive destination for overseas and domestic visitors.~~

~~The key actions set out in the strategy aim to:~~

- ~~• Maintain and improve existing infrastructure,~~
- ~~• Provide a high quality workforce with strong communication skills,~~
- ~~• Develop a defined tourism product, and~~
- ~~• Develop a strong marketing campaign for the destination.~~

~~Failte Ireland, the national tourism development authority, aims to guide and promote tourism as a leading indigenous component of the Irish economy. Its current strategy for Wicklow is encompassed in the 'Ireland's Ancient East' programme.~~

~~The purpose of this strategy is to offer visitors a compelling motivation to visit the east of Ireland through the development a new umbrella destination brand. The brand is rooted in the rich history and diverse range of cultural heritage experiences that are particularly prevalent in the east and south regions of Ireland. The new destination brand has been designed to appeal to the key customer segments – namely the Culturally Curious and the Great Escapers, and to present this large geographic area in a cohesive and unified manner.~~

~~The key strategic objectives of the Ireland's Ancient East initiative are:~~

- ~~▪ To drive growth in international visitor numbers, tourism revenue and associated tourism employment in the regions which currently underperform in these areas.~~

- To move Ireland's east and south from a transit and day tripping zone to a destination which attracts international overnight visitors.
- To develop a world class visitor experience, which delivers fully on the brand promise.
- To differentiate the Ireland's East and South destination, within the international tourism marketplace, on the basis of the quality of its heritage experiences and a clear and memorable narrative, which links all experiences within it.
- To disperse visitor traffic across the geography by encouraging the exploration of both the well-known attractions (in some cases congested) and lesser known sites and experiences (hidden gems).
- To ensure Ireland's Ancient East is delivered in accordance with the principles of sustainable tourism, ensuring that economic, social and environmental benefits are delivered in a balanced way.

During the lifetime of this Plan there will be a phased rollout of the branding strategy, with investment in orientation signage and the enhancement of the visitor experience, across the programme area.

## **AMENDMENT 27                      FAILTE IRELAND**

### **Section 7.3, 'Strategy for Tourism & Recreation', p132**

#### **Strategic Objectives**

- To facilitate the expansion of existing and the development new tourism and recreation related development, **in line with the principles for sustainable tourism set out to follow;**
- To facilitate Fáilte Ireland and Wicklow County Tourism initiatives for the development of tourism in the County ~~including the Kildare-Wicklow Destination 'Grand Tour' and 'Ireland's Ancient East' initiative~~
- **To integrate the County's transport and tourism strategies to promote increasingly sustainable travel patterns among visitors to the County;**
- To identify strategic sites capable of accommodating new tourism ventures while also ensuring the preservation of the natural landscape of the area.
- To ensure the effective management and enhancement of the appearance of the key settlements within the County;
- To protect Wicklow's principal strengths and capitalise on the distinct tourism and recreational attractions that are on offer – scenic beauty, woodlands and waterways, coastal areas and beaches, and built and natural heritage;
- To facilitate the development of alternative tourism products within the County such as eco tourism, craft /artisan centres, **having regard to the ability of an applicant to demonstrate compliance with the principles of sustainable tourism;**
- To preserve the character and distinctiveness of scenic landscaped as described in the Landscape Categories of the County set out in Chapter 10;
- To ensure a focus on high quality tourism and recreation ~~products~~ **facilities that are of benefit to visitors and the community alike;**
- To protect the environmental quality of the County.

Subject to the proper planning and sustainable development of an area, and subject to compliance with all other objectives of this plan, it is the objective of the Planning Authority to favourably consider development proposals that contribute towards the achievement of these strategic objectives.

Fáilte Ireland have developed five key principles that ensure developments achieve a balance between appropriate tourism development and economic, environmental and social sustainability. Developments will be assessed having regard to compliance with these, as well as the listed objectives set out in Section 7.4 to follow.

**Principle 1:** Tourism, when it is well managed and properly located, should be recognised as a positive activity which has potential to benefit the host community, the place itself and the visitor alike. Sustainable tourism planning requires a balance to be struck between the needs of the visitor, the place and the host community.

**Principle 2:** Our landscapes, our cultural heritage, our environment and our linguistic heritage all have an intrinsic value which outweighs their value simply as a tourism asset. However sustainable tourism planning makes sure that they can continue to be enjoyed and cherished by future generations and not prejudiced simply by short term considerations.

**Principle 3:** Built development and other activities associated with tourism should in all respects be appropriate to the character of the place in which they are situated. This applies to the scale, design and nature of the place as well as to the particular land use, economic and social requirements of the place and its surroundings.

**Principle 4:** Strategic tourism assets –including special landscapes, important views, the setting of historic buildings and monuments, areas of cultural significance and access points to the open countryside, should be safeguarded from encroachment by inappropriate development.

**Principle 5:** Visitor accommodation, interpretation centres, and commercial / retail facilities serving the tourism sector should generally be located within established settlements thereby fostering strong links to a whole range of other economic and commercial sectors and sustaining the host communities. Sustainable tourism facilities, when properly located and managed can, especially if accessible by a range of transport modes, encourage longer visitor stays, help to extend the tourism season, and add to the vitality of settlements throughout the year.

Underlying these principles for Sustainable Tourism, the definitions of economic, environmental and social sustainability against which any tourism project assessed are defined as follows:

**Economic sustainability** must be considered to ensure that the tourism sector is managed. The key strengths of the County include landscape, heritage, natural environment, lifestyle and amenity pursuits. The sector is highly affected by seasonality and there are extremes in visitor numbers at key attractions contrasted with smaller attractions which struggle to maintain visitor numbers. These ‘peaks and troughs’ should be carefully managed to ensure the protection of natural resources. Tourism innovation should also be encouraged – particularly where it brings about environmental benefits. Finally, for projects to be economically sustainable they should meet the needs of the permanent and also visitor population alike, so the preparation of robust business plans for all such developments will ensure proposals are viable and sustainable.

**Environmental sustainability** will be central to the development and protection of a viable tourism sector and this is a key consideration in the County where tourism attractions are located in environmentally sensitive areas and close to historic areas where the quality of the built heritage and environment must be protected from inappropriate development – whether tourism related or not.

**Social Sustainability** is arguably more difficult to assess. Many of the potentially negative impacts of tourism development can however be addressed through careful consideration of the social and cultural nature of the receiving environment. The impacts that large-scale developments can have on



existing local communities' policies can be assessed having regard to the impact of visitor numbers on local quality of life, culture and heritage – with a particular emphasis placed on unique areas such as culturally sensitive areas where small impacts over time may have a significant cumulative effect.

## **AMENDMENT 28** **FAILTE IRELAND**

### **Section 7.4, 'Tourism & Recreation Objectives', p133 - 137**

- T3** To generally require tourism and recreation related developments to locate within existing towns and villages, except where the nature of the activity proposed renders this unfeasible or undesirable. Within existing towns and villages, the Planning Authority will promote and facilitate the development of tourist related uses at appropriate sites. **In all cases, the applicant must submit a robust assessment setting out the sustainability of any proposal with respect to economic, environmental and social sustainability, as defined herein.**
- T5** The additional use shall be located adjacent to the tourism **facility, and avail of shared infrastructure and services, insofar as possible.**
- T7** To favourably consider proposals for tourism and recreation related development, which involve the reinstatement, conservation and / or replacement of existing disused buildings, **and to adopt a positive interpretation to plan policies to encourage such developments.**
- T23** The Planning Authority will encourage the opening up of heritage Country houses (such as Derrybawn House, Laragh (see Map 07.09)) **for sympathetic uses including – but not limited to,** places of Retreat, Study and Education subject to the following criteria being fulfilled:
- T27** To encourage eco-tourism<sup>10</sup> projects or those tourism projects with a strong environmentally sustainable design and operational ethos.
- T32** To support the development of Avoca Mines as a tourist attraction **having regard to the public safety issues associated with such brownfield sites.**

## **AMENDMENT 29** **C190**

### **Section 7.4, 'Tourism & Recreation Objectives', p135**

#### **Omit Objective T19**

- ~~**T19** To provide for holiday home development (subject to Objective T14) at the following locations:~~
- ~~• Baltyboys Golf Club (up to 4 units on a site of 1.3ha as shown on Map 07.01)~~
  - ~~• Annamoe Fish Farm, (on a site of 1.2ha as shown on Map 07.02)~~

#### **Strategic Environmental Assessment Comment**

Objective T21 from the Draft Plan provides for the development of holiday homes at a number of locations. By providing for development in areas which are removed from the established

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<sup>10</sup> Ecotourism is now defined as "responsible travel to natural areas that conserves the environment, sustains the well-being of the local people, and involves interpretation and education" (**International Ecotourism Society** TIES, 2015). Education is meant to be inclusive of both staff and guests.

development envelopes of existing settlements, in particular, provide for a less sustainable type of development and pose certain conflicts, especially with regard to:

- Adverse effects on sustainable mobility with increases in car usage;
- Associated adverse effects with respect to energy usage and travel related greenhouse gas and other emissions to air;
- Adverse visual impacts on the landscape (including at Castletimon Brittas Bay - located in a sensitive coastal area with landscape sensitivities including landscape designation); and
- Increased pressures on ground and surface water bodies arising from limited options for water services.

Of these effects, adverse effects on sustainable mobility and visual impacts would be least likely to be mitigated for new development at locations such as Baltyboys Golf Club (Area of Outstanding Natural Beauty) and Annamoe fish farm (Area of Outstanding Natural Beauty).

The recommendation to omit Objective T19 would avoid the occurrence of the potential adverse effects referred to above. References to the potential effects of Objective T19 would be excluded from the final SEA Environmental Report if the alteration is adopted as part of the Plan.

### **Appropriate Assessment Comment**

No potential for impacts on European Sites to arise as this proposal removes identified locations for the development of holiday homes. Such an alteration therefore would not necessitate Stage 2 Appropriate Assessment.

## **AMENDMENT 30                      TRANSPORT INFRASTRUCTURE IRELAND, C30, C190**

### **Section 7.4, 'Tourism & Recreation Objectives', p136**

**T20** To support development at existing / proposed integrated tourism / leisure / recreational complexes at the following locations:

- Druids Glen Golf Club, Woodstock Demesne (Map 07.03);
- ~~Ballinahinch Lower, Newtownmountkennedy (Map 07.04);~~
- Brook Lodge, Macreddin West, Aughrim (Map 07.05);
- Rathsallagh House, Dunlavin (Map 07.06);
- ~~Castletimon, Brittas Bay (Map 07.07);~~
- ~~Jack White's Cross (Map 07.08)~~ (on foot of submission A14 from TII)

### **Strategic Environmental Assessment Comment**

Objective T20 from the Draft Plan provides for the development of integrated tourism /leisure/ recreational complexes at a number of locations. The removal of Jack White's Cross, Castletimon and Ballinahinch Lower from this list would remove potential conflicts with the protection of the environment and sustainable development. Potential conflicts to be removed include those with regard to:

- Adverse effects on sustainable mobility with increases in car usage;
- Associated adverse effects with respect to energy usage and travel related greenhouse gas and other emissions to air;
- Adverse visual impacts on the landscape; and
- Increased pressures on ground and surface water bodies arising from limited options for water services.

Other potential adverse impacts on the environment that would have been mitigated by the measures that were integrated into the Draft Plan would be avoided.

### Appropriate Assessment Comment

No potential for impacts on European Sites to arise as this proposal removes identified locations for the development of an integrated tourism/ leisure/ recreational complex. Such an alteration therefore would not necessitate Stage 2 Appropriate Assessment.

## AMENDMENT 31

C25

### Section 7.4, 'Tourism & Recreation Objectives', p137

- T28** To facilitate and promote the development of small-scale tourist enterprises that are developed in conjunction with established rural activities, such as agriculture. Such enterprises may include open farms, health farms, heritage and nature trails, pony trekking etc. ~~In particular, to consider the development of Belmont Demesne, Delgany for such activities, on an area of 80.79 ha. (As shown in Map 7.10).~~

### Omit Map 07.10

### Strategic Environmental Assessment Comment

The removal of reference to Belmont Demesne from this Objective would not change the potential for impacts on European Sites to arise. Such an alteration therefore would not necessitate SEA.

### Appropriate Assessment Comment

The removal of reference to Belmont Demesne from this Objective would not change the potential for impacts on European Sites to arise. Such an alteration therefore would not necessitate Stage 2 Appropriate Assessment.

## AMENDMENT 32

C158

### Section 7.4, 'Tourism & Recreation Objectives', p138

- T30** To support the development of craft/artisan centres at established tourist facilities. ~~In particular, the Council will support the development of an Arts, Crafts and Interpretive Centre at Sexton's garden Centre, Glen Of The Downs (Map 07.11)~~

### Omit Map 07.11

### Strategic Environmental Assessment Comment

The removal of reference to Glen of the Downs from this Objective would not change the potential for impacts on European Sites to arise. Such an alteration therefore would not necessitate SEA.

### Appropriate Assessment Comment

The removal of reference to Glen of the Downs from this Objective would not change the potential for impacts on European Sites to arise. Such an alteration therefore would not necessitate Stage 2 Appropriate Assessment.

**Chapter 7 Tourism & Recreation, Section 7.4, p138**

Amend Objective T34 as follows:

- T34** To promote and encourage the recreational use of coastline, rivers and lakes **and the development of 'blueways'<sup>11</sup> in the County subject to normal environmental protection and management criteria** ~~for activities such as game fishing, boat sailing etc.~~ Where such recreational uses involve the development of structures or facilities, the Planning Authority will ensure that the proposals will respect the natural amenity and character of the area, listed views and prospects onto and from the area in question. Where possible, such structures should be set back an appropriate distance from the actual amenity itself and should not adversely affect the unique sustainable quality of these resources.

**Strategic Environmental Assessment Comment**

The development of blueways has the potential to result in environmental effects. This objective provides for the promotion and encouragement of blueways, "subject to normal environmental protection and management criteria". Future consideration of these investigations at plan or project level, if any, would have to undergo SEA and AA processes as relevant.

**Appropriate Assessment Comment**

The development of blueways has the potential to result in adverse effects upon Natura 2000 sites. This objective provides for the promotion and encouragement of blueways, "subject to normal environmental protection and management criteria". Future consideration of these investigations at plan or project level, if any, would have to undergo SEA and AA processes as relevant.

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<sup>11</sup> Blueways are recreation and tourism initiatives centred on outdoor activity along the environs of waterways. Blueways provide opportunities to enjoy a wide range of activities such as canoeing, cycling and walking.

**AMENDMENT 34****AN TAISCE, TRANSPORT INFRASTRUCTURE IRELAND,  
C30****Section 8.3.2, 'Health, Care & Development', p154****Omit Objective CD17 and Maps 08.01 – 08.04**

~~**CD17** To provide for new or extended residential care facilities for the elderly at the following locations as shown on maps 8.01–8.04:~~

- ~~• Ballinahinch Lower, Newtownmountkennedy (c. 8ha as shown on Map 8.01)~~
- ~~• Blainroe / Kilpoole Lower (c. 2.5ha as shown on Map 8.02)~~
- ~~• Coolgarrow, Woodenbridge (1.5ha as shown on Map 8.03)~~
- ~~• Killickabawn, Kilpedder (c. 6ha as shown on Map 8.04)~~

**Strategic Environmental Assessment Comment**

Objective CD17 from the Draft Plan provides for new or extended residential care facilities for the elderly away from the highest concentration of services within the County including community, social and retail services. This reduces the ability of the elderly to independently utilise these services - this can adversely affect patterns of sustainable mobility.

The recommendation to omit Objective CD17 would avoid the occurrence of the potential adverse effects on sustainable mobility referred to above.

References to the potential effects of developments at the excluded locations will be excluded from the final SEA Environmental Report if the alteration is adopted as part of the Plan.

**Appropriate Assessment Comment**

No potential for impacts on European Sites to arise. Such an alteration therefore would not necessitate Stage 2 Appropriate Assessment.

References to the potential effects of developments at the excluded locations will be excluded from the final AA Natura Impact Report if the alteration is adopted as part of the Plan.

**AMENDMENT 35****NATIONAL TRANSPORT AUTHORITY, TRANSPORT  
INFRASTRUCTURE IRELAND****Section 9.1.2, 'Public Transport', p165-166**

**TR2** To promote the development of transport interchanges and 'nodes' where a number of transport types can interchange with ease. In particular:

- to facilitate the development of park and ride facilities at appropriate locations along strategic transport corridors ~~which will be identified through the carrying out of required coordinated, plan-led transport studies and consultation with the appropriate transport agencies~~ ;
- to enhance existing parking facilities at and/or the improvement of bus links to the train stations in Bray, Greystones, Wicklow and Arklow;
- to promote the linkage of the LUAS extension ~~/Bus Rapid Transport to Bray DART or other mass transit to Bray town centre, Bray train station and Fassaroe;~~
- to encourage the improvement of bicycle parking facilities at all transport interchanges;
- to improve existing and provide new footpath / footway linkages to existing / future transport interchange locations; and
- to allow for the construction of bus shelters, particularly where they incorporate bicycle parking facilities.

**TR3** To continue to work with Iarnrod Eireann ~~and the NTA~~ on the improvement of mainline train and DART services into Wicklow and in particular, to facilitate all options available to increase capacity through Bray Head and along the coastal route south of Greystones.

**TR5** To facilitate, through both the zoning of land and the tie-in of new facilities with the development of land and the application of supplementary development contributions, the extension of the LUAS ~~or other mass transit to /Bus Rapid Transport to Bray Environs/Fassaroe and linked to Bray DART Station in accordance with the provision of the 'Greater Dublin Area Draft Transport Strategy 2011—2030'.~~ Bray town centre, Bray train station and Fassaroe.

**TR7** To promote the delivery of improved and new bus services both in and out of the County but also within the County by:

- facilitating the needs of existing or new bus providers with regard to bus stops and garaging facilities (although unnecessary duplication of bus stops on the same routes / roads will not be permitted);
- requiring the developers of large-scale new employment and residential developments in the designated metropolitan and large growth towns in the County that are distant (more than 2km) from train / LUAS stations to fund / provide feeder bus services for an initial period of at least 3 years;
- promoting the growth of designated settlements to a critical mass to make bus services viable and more likely to continue;
- ~~in larger settlements that can sustain bus services, to require new housing estate road layouts to be designed to have permeable 'bus only' linkages between different housing estates; and~~
- to work with Bus Eireann ~~and the NTA~~ to improve services in south and west Wicklow.

## AMENDMENT 36

## TRANSPORT INFRASTRUCTURE IRELAND

### Section 9.1.4, 'Public Roads', p168

#### N11/M11

While the N11/M11 has undergone significant upgrading over the past number of years, works are still required in order to fully upgrade this national road. Wicklow County Council will continue to promote the upgrading of the N11/M11 to ensure ~~an adequate level of service is provided~~

- access to the south east of the country is enhanced, to maintain access to international markets for freight and tourist traffic through Rosslare Euro-port and via the M50 through Dublin Port and Airport,
- the requirements of existing development within the County is met, and
- the necessary population and employment growth for the County will be accommodated, with particular respect to capacity and accessibility to/from the N11/M11.

Wicklow County Council will work closely with the various road agencies to achieve all necessary upgrading works, which should include, but not be confined to, the following essential improvements to the N11/M11:

#### Objectives for the M/N11

- upgrading of the N11/M11 between the County boundary and ~~Ashford Kilmacanogue / Glen of the Downs~~, including road capacity and safety improvements to the main carriageway and all necessary improvements to associated junctions;
- Improving the M11 / M50 merge;
- ~~Upgrading of substandard junctions on the N11/M11, to improve the safety and capacity of the junctions;~~
- upgrading of the N11 to motorway status between Bray and Cullenmore;
- upgrading the N11 interchange at the Glen of the Downs to facilitate the provision of a northern link road from the N11 to Greystones;
- upgrade Ballyronan Interchange to facilitate improved access to Newtownmountkenedy and a possible link road from Ballyronan to Kilcoole; and
- the provision of a third interchange on the Arklow by-pass, linking the M11 to Vale Road

## AMENDMENT 37

## TRANSPORT INFRASTRUCTURE IRELAND

### Section 9.1.4, 'Public Roads', p169

#### Amend TR21 and omit TR24 as follows:

**TR21** To safeguard the capacity and safety of the National Road network by restricting further access onto National Primary and National Secondary roads in line with the provisions of the 'Spatial Planning and National Roads' Guidelines' (DoECLG 2012). ~~In particular, a new means of access onto a national road shall adhere to the following requirements and the only exceptions shall be as set out in Section 2.6 of "Spatial Planning and National Roads" - Guidelines for Planning Authorities (DECLG 2012):~~

- (a) ~~Lands adjoining National Roads to which speed limits greater than 60kmh apply: The creation of any additional access point from new development or the generation of increased traffic from existing accesses to national roads to which speed limits greater than 60kmh apply shall be avoided. This provision applies to all categories of development, including individual houses in rural areas, regardless of the housing circumstances of the applicant.~~

- (b) Transitional Zones: These are areas where sections of national roads form the approaches to or exit from urban centres, that are subject to a speed limit of 60kmh before a lower 50kmh limit is encountered. Direct access onto such road may be allowed in limited circumstances, in order to facilitate orderly urban development. Any such proposal must, however, be subject to a road safety audit carried out in accordance with the TII's requirements and a proliferation of such entrances, which would lead to a diminution in the role of such zones, shall be avoided.
- (c) Lands adjoining National Roads within 50kmh speed limits: Access to national roads will be considered by the Planning Authority in accordance with normal road safety, traffic management and urban design criteria for built up areas

~~TR24 A new means of access onto a national road will generally not be permitted, but may be considered if one of the following circumstances applies:~~

- ~~• The national road passes through a designated settlement and a speed limit of 50km/h or less applies;~~
- ~~• where the new access is intended to replace an existing deficient one; and~~
- ~~• where exceptional circumstances apply, as described in Section 3.2.6 of the NRA 'Policy Statement on Development Management and Access to National Roads' (NRA May 2006).~~

## **AMENDMENT 38                      TRANSPORT INFRASTRUCTURE IRELAND**

### **Section 9.1.7, 'Roadside Signage', p174**

**Omit Objectives AS2 and AS3 and replace with new AS2**

#### **Information and Directional Signs**

~~AS2 National Road N11/M11 Signage on this route will be strictly controlled and signs will generally only be permitted in accordance with National Roads Authority's "Policy on the provision of Tourist and Leisure signage on National Roads". In particular this policy allows for advance signing for a tourism attraction with 75,000 visitors per year.~~

~~In addition, signs at N11/M11 off slips will be considered for:~~

- ~~• hotels of a minimum three star status that are remote from a settlement signposted from the N11/M11 and within 5 km of that junction; and~~
- ~~• regional tourist attractions including Kilruddery House and Gardens, Mount Usher Gardens, Wicklow Gaol, Kilmacurragh Arboretum etc.~~

~~AS3 National Road N81 Signage on this route, outside of Blessington and Baltinglass, will be controlled and signs will generally only be permitted in accordance with National Roads Authority's "Policy on the provision of Tourist and Leisure signage on National Roads". In particular this policy allows for advance signing for a tourism attraction with 10,000 visitors per year.~~

~~In addition, signs 200m or so in advance of N81 junctions will be considered for:~~

- ~~• hotels of a minimum three star status that are remote from a settlement signposted from the N81, and within 5 km of that junction; and~~
- ~~• regional Tourist attractions such as Russborough House.~~



- AS2** National Roads: Signage on national roads will be strictly controlled and signs will generally only be permitted in accordance with National Roads Authority's "Policy on the provision of Tourist and Leisure signage on National Roads". In order to ensure a proliferation of signage for smaller accommodation establishments does not arise, and take up capacity at junctions, signage at the end of national roads off ramps or at national secondary road junctions (as are allowed by the guidelines) shall be limited to accommodation establishments of 3 stars or higher.

## **AMENDMENT 39** **IRISH WATER**

### **Section 9.2.2, 'Water Supply & Demand', p178**

**Add the following Objective:**

**WI10** To support Irish Water's proposed investment in the Vartry Water Supply Scheme, which is required to secure the existing supply for customers. The proposed upgrade works, subject to a full planning process, will likely comprise:

- Construction of a new water treatment plant on the site at Vartry and decommissioning the existing water treatment plant;
- Construction of a 4km pipeline to secure the transfer of treated water from Vartry to Callowhill pumping station;
- Upgrading the dam of the Vartry Reservoir.

## **AMENDMENT 40** **IRISH WATER**

### **Section 9.2.3, 'Waste Water', p178**

**W15** In order to fulfil the objectives of the Core Strategy, Wicklow County Council will work alongside and facilitate the delivery of Irish Water's **Water Services Investment Programme**, to ensure that all lands zoned for development are serviced by an adequate wastewater collection and treatment system and in particular, to endeavour to secure the delivery of regional and strategic wastewater schemes. **In particular, to support and facilitate the development of a WWTP in Arklow, at an optimal location following detailed technical and environmental assessment and public consultation.**

## **AMENDMENT 41** **C152**

### **Section 9.3.4, 'Emissions to air', p184**

**WE11** To require activities likely to give rise to air emissions to implement measures to control such emissions, ~~to install air quality monitors~~ **to undertake air quality monitoring** and to provide an annual air quality audit.

## **AMENDMENT 42** **C152**

### **Section 9.3.5, 'Noise Pollution', p184**

**WE15** To require activities likely to give rise to excessive noise to install noise mitigation measures ~~and monitors. to undertake noise monitoring and to provide an annual monitoring audit~~ ~~The provision of a noise audit may also be required as appropriate~~

## **AMENDMENT 43 MINISTER FOR THE ENVIRONMENT, MINISTER FOR COMMUNICATION, ENERGY & NATURAL RESOURCES, C92**

### **Section 9.5.3, 'Energy' - Wind Energy Objectives, p192**

**CCE6** To encourage the development of wind energy in accordance with the County Wicklow Wind Strategy and in particular to allow wind energy exploitation in most locations in the County subject to:

- consideration of any designated nature conservation areas (SACs, NHAs, SPAs, SAAOs etc) and any associated buffers;
- impacts on Wicklow's landscape designations;
- impacts on visual, residential and recreational amenity;
- impacts on 'material assets' such as towns, infrastructure and heritage sites;
- consideration of land cover and land uses on or adjacent to the site;
- best practice in the design and siting of wind turbines, and all ancillary works including access roads and overhead cables; and
- ~~Wind farms shall be at least 1,000m from any residential dwellings.~~

## **AMENDMENT 44 MINISTER FOR THE ENVIRONMENT, C92**

### **Section 9.5.3, 'Energy' - Wind Energy Objectives, p192**

~~**CCE7** All wind farms shall be granted for a duration of 10 years (maximum) unless a shorter period is requested.~~

## **AMENDMENT 45** **C184**

### **Section 9.5.3, 'Energy' - Wind Energy Objectives, p192**

#### **Add new objective**

**CCE9** To support community-based wind energy projects

#### **Strategic Environmental Assessment Comment**

This policy further contributes to Plan provisions relating to the development of wind energy projects subject to various environmental criteria. These effects have already been assessed by the SEA. The potential effects on the environment that could arise from the altered Draft Plan remain unchanged.

### Appropriate Assessment Comment

This policy further contributes to Plan provisions relating to the development of wind energy projects subject to various environmental criteria. These effects have already been assessed by the AA. The potential effects on Natura 2000 sites that could arise from the altered Draft Plan remain unchanged.

## AMENDMENT 46

## AN TAISCE, C37, C184, C190

### Section 9.5, 'Solar Energy', p192

#### (2) Solar Energy

The principal application of solar energy is use in heating. Therefore this aspect of solar power is addressed in Section 5 to follow. However, **as technology advances**, solar power **is increasingly being can also be** used to generate electricity through the use of photovoltaic (PV) cells. Photovoltaic systems use semiconductor materials to convert light into electricity. This technology is widely used in consumer products such as solar calculators, watches or garden lights, and is increasingly used as a cost-effective solution in Ireland for stand-alone applications where a grid connection is too expensive (e.g. parking meters, caravans or remote holiday homes). Solar PV can also be used to provide free solar electricity to houses as well as for commercial and industrial applications. It is now possible to connect solar PV systems to the grid, opening up a new era for solar PV in Ireland. **Applications are also being made for commercial scale ground mounted solar PV 'Solar Farms' and such developments are supported, subject to suitable locations being selected and environmental criteria being satisfied.**

#### Solar Energy Objectives

**CCE9** To facilitate the development of solar generated electricity.

**CCE10** To positively consider all applications for the installation of **building mounted** PV cells at all locations, having due regard to architectural amenity and heritage.

**CCE11** To support the development of commercial scale ground mounted solar PV 'Solar Farms' subject to compliance with emerging best practice and available national and international guidance<sup>12</sup>.

### Strategic Environmental Assessment Comment

This proposed amendment elaborates on content already included in the Draft Plan, including the addition of a new objective further supporting solar energy infrastructure. The potential effects that would arise from the altered Draft Plan (which already includes an objective CCE9 'To facilitate the development of solar generated electricity') remain unchanged. It is noted that the example of international guidance provided at new proposed Objective CCE11 includes advice on environmental impacts including mitigation that could further contribute to the environmental protection and management provided for by the Plan.

Such a proposed amendment therefore would not necessitate further assessment.

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<sup>12</sup> It should be noted that there is currently (2016) no national guidance available on the appropriate location and design of solar farms. However there are a number of excellent examples of such guidance provided in other jurisdictions and these will be utilised in the assessment of any applications; for example 'Planning guidance for the development of large scale ground mounted solar PV systems' produced by BRE National Solar Centre and Cornwall Council in the UK

### Appropriate Assessment Comment

This proposed amendment elaborates on content already included in the Draft Plan, including the addition of a new objective further supporting solar energy infrastructure. The potential effects that would arise from the altered Draft Plan (which already includes an objective CCE9 'To facilitate the development of solar generated electricity') remain unchanged. It is noted that the example of international guidance provided at new proposed Objective CCE11 includes advice on environmental impacts including mitigation that could further contribute to the environmental protection and management provided for by the Plan, including that relating to European Sites. Such a proposed amendment therefore would not necessitate Stage 2 Appropriate Assessment.

## AMENDMENT 47

## C190

### Section 9.5.3, 'Heating', p196

#### Heating Objectives

**CCE26** To support the development of district heating systems, particularly those generating heat from renewable sources.

**AMENDMENT 48****MINISTER FOR THE ARTS, HERITAGE AND GAELTACHT****Section 10.2, 'Built Heritage', p198****Built Heritage Strategy**

- To ensure that the protection and conservation of the built heritage of Wicklow is an integral part of the sustainable development of the county and safeguard this valuable, and in many instances, non-renewable resource through proper management, sensitive enhancement and appropriate development;
- to safeguard archaeological sites, monuments, objects and their settings **above and below ground and water** listed in the Record of Monuments and Places (RMP), and any additional newly discovered archaeological remains,
- to identify archaeologically sensitive historic landscapes;
- to ensure the protection of the architectural heritage of Wicklow through the identification of Protected Structures, the designation of Architectural Conservation Areas, the safeguarding of designed landscapes and historic gardens, and the recognition of structures and elements that contribute positively to the vernacular and industrial heritage of the County; and
- to support the actions in the County Wicklow Heritage Plan, in order to enhance the understanding, appreciation and protection of Wicklow's built heritage.

**AMENDMENT 49****C128****Section 10.2.3 Architectural Heritage****Record of Protected Structures, pg 201**

~~Part IV of the Planning & Development Act requires every development plan to include a record of protected structures (RPS). A 'protected structure' is a structure or a specific feature of the structure as may be specified that a Planning Authority considers to be of special interest from an architectural, historical, archaeological, artistic, cultural, scientific, social or technical point of view.~~

**A 'protected structure' is any structure or specified part of a structure, which is included in the RPS. The purpose of the RPS is to protect structures, or parts of structures, which form part of the architectural heritage and which are of special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest. Every development plan shall include a record of protected structures, and shall include in that record every structure which is, in the opinion of the planning authority, of such interest within its functional area.**

The placing of a structure on the RPS seeks to ensure that the character and interest of the structure is maintained and any changes or alterations to it are carried out in such a way as to retain and enhance that character and interest. The inclusion of a structure in the RPS confers certain responsibilities upon the owner of the structure and requires that planning permission be sought for any changes or alterations to the structure. The definition of a 'structure' or 'a specified part of a structure' for the purpose of the RPS includes "the interior of the structure; the land lying within the curtilage of the structure; any other structures lying within the curtilage of that structure and their interiors; and all fixtures and features which form part of the interior or exterior of the structure". From the date of notification of an intention to include a structure in the RPS, the owner has a duty to protect that structure from endangerment. The Council may, on receipt of a written request from the owner or occupier of a protected structure, issue a declaration under Section 57 of the Planning and

Development Act 2000 (as amended), outlining certain works it considers would not materially affect the character and interest of the protected structure and which are, therefore, exempted from the requirement for planning permission. Any works that would materially affect the character and interest of a structure require planning permission. In general works to a protected structure should comply with the guidelines as set out in the Architectural Heritage Protection Guidelines from the Department.

The key to protecting such structures (or groups of structures) is to find ways to protect their physical integrity and maintain their viability. In this regard, there will be presumption in favour of the active use of heritage buildings, even if this means some modern interventions, rather than preserving them forever in the past, which can ultimately result in the structure being unusable and falling into dereliction.

The Wicklow RPS for the County is set out in the Appendix to this plan. The County Wicklow RPS also includes all structures currently listed within Bray Town Development Plan, Wicklow Town –Rathnew Development Plan and the Arklow Town and Environs Development Plan. The policies and objectives set out in this County Plan shall apply to all protected structures in these local plans.

## **AMENDMENT 50                      C128**

### **Section 10.2.3 Architectural Heritage**

#### **Record of Protected Structures, pg 201**

##### **Amend Objective BH9 as follows:**

**BH9**    To ~~protect the character and special interest of protected structures~~ ensure the protection of all structures (or parts of structures) contained in the Record of Protected Structures.

## AMENDMENT 51

## GROUP G

### 10.2.3 Architectural Heritage

#### Architectural Conservation Areas (ACAs) p204

Table 10.1 Existing Architectural Conservation Areas (Maps 10.03 A, B, C & D)

| Settlement          | Location                             |
|---------------------|--------------------------------------|
| <b>Blessington</b>  | Town Centre                          |
| <b>Enniskerry</b>   | Town Centre                          |
| <b>Tinahely</b>     | Town Centre                          |
| <b>Dunlavin</b>     | Town Centre                          |
| <b>Rathdrum</b>     | (1) Main Street                      |
|                     | (2) Low Town                         |
| <b>Delgany</b>      | Village Centre                       |
| <b>Greystones</b>   | (1) Church Road                      |
|                     | (2) Killincarrig Village             |
|                     | (3) The Burnaby                      |
|                     | (4) Blacklion                        |
|                     | (5) Greystones Harbour               |
| <b>Wicklow Town</b> | (1) Town Centre **                   |
|                     | (2) Leirim Place                     |
|                     | (3) Bachelors walk and Church Street |
|                     | (4) Bay View Road                    |
|                     | (5) Brickfield Lane                  |

\*\* The description of this ACA is set out alongside the Wicklow Town ACA map at the end of this chapter. This description replaces the description in the Wicklow Town – Rathnew Development Plan 2013 – 2019. For all other ACAs descriptions refer to each individual plan.

#### Wicklow Town

##### Town Centre ACA

##### Location

This ACA extends along the main street of Wicklow Town from the AIB / dental surgery on Abbey Street to 'Heels' on Fitzwilliam Square, the Bridge Tavern on Bridge Street and to 'Tá Sé's' / Courthouse on Market Square. This is the town centre of Wicklow and is also the main thoroughfare through the town. The tight clustering of buildings within the town lends a distinct and strong town character. Fitzwilliam Square and Market Square are the two significant public open spaces in the ACA.

##### Character

The character of Wicklow Town is of local historical interest containing many historical buildings and features. The town is also of considerable social and cultural interest within the County of Wicklow as a distinctive and attractive place. The main street of Wicklow sits on the slopes down to the Leirim River with the eastern side of the main street obviously built on different levels with the presence of 'The Mall' retaining wall in the centre of the road and the southern row of buildings built at a significant height to the northern side of the road. The memorials commemorating two noted Wicklow men, Billy Byrne, hero of the 1798 Rebellion, and Captain Robert Halpin (1836-1894),

responsible for laying an estimated 41,800 km of underwater telegraph cable, are of artistic and historical interest and are representative of local civic pride.

The Town Centre ACA has been designated based upon its architectural, historical and cultural importance. It has been designated based upon the following characteristics:

- Uniform building line
- Building height range of between two, three and four storeys
- Buildings constructed in the period 1750 to 1900
- Its role as the historic commercial and civic core of the town
- Plot widths dating from the medieval period in the range 5 to 7.5 metres
- Existence of design features that contribute to a harmonious visual environment including: traditional shopfronts; timber sash windows; smooth render building finishes; vertical emphasis fenestration; wood/timber doors
- Fitzwilliam Square and Market Square public open spaces with associated memorials.

The preservation of the character of the Town Centre ACA is essential to safeguarding the identity of the town and maintaining continuity with its development history. The collection of buildings and spaces within the ACA represent a unique aspect of Wicklow Town's built heritage and contribute to its attractiveness.

## **AMENDMENT 52 C152**

### **Section 10.3.2, 'Biodiversity', p210**

#### **Amend Objective NH8 as follows:**

**NH8** To protect non-designated sites from inappropriate development, ensuring that ecological impact assessment is carried out for any proposed development likely to have a significant impact on locally important natural habitats or wildlife corridors. **Ensure appropriate avoidance and mitigation measures are incorporated into development proposals as part of any ecological impact assessment.**

## **AMENDMENT 53 MINISTER FOR THE ARTS, HERITAGE AND GAELTACHT**

### **Section 10.3.2, 'Biodiversity', p211**

#### **Amend Objective NH11 as follows:**

**NH11** ~~Engage with~~ To support the DAHG and the National Parks & Wildlife Service in the development of site specific conservation objectives (SSCOs) ~~to ensure Integrated Management Plans are prepared~~ for all Natura 2000 sites (or parts thereof). ~~This will facilitate the development of site specific Conservation Objectives in the context of the proper planning and sustainable development of the County.~~

## **AMENDMENT 54 C122**

Revise schedule 10.10 (as below) to indicate those County Geological Sites which are recommended as geological NHAs, i.e. Candidate NHA (cNHA), pg.246



## Schedule 10.10 County Geological Sites

|    | Site Name                       | Site Description   | Recommended candidate NHA | Geological Feature  |
|----|---------------------------------|--|---------------------------|---|
| 1  | Powerscourt Waterfall           | A large corrie with a notable waterfall in the corrie backwall                                       |                           | Important for both the glacial feature and for the rocks influence in forming the waterfall       |
| 2  | Bray Head                       | Coastal headland with extensive natural exposure and sea cliffs, plus railway cuttings               | •                         | The Cambrian trace fossils found on Bray Head are a type locality for some species, and important |
| 3  | Greystones Beach                | A 2 km long coastal section exposing several units of glacial till                                   | •                         | A particularly impressive exposure into deep glacial tills, with several unique elements exposed  |
| 4  | Rocky Valley                    | This site comprises a very small, disused quarry on side of the Rocky Valley                         | •                         | Palynological data provide the most reliable age so far obtained for the Bray Group rocks         |
| 5  | Slieveroe lane and rail cutting | A lane and a short section of railway cutting  | •                         | Graptolite fossils from black slates and a rich assemblage of brachiopods and trilobites          |
| 6  | Mottee Stone                    | A large erratic boulder, perched at approximately 250m above sea level on a prominent hill           |                           | An important site in terms of imagining the power of glaciation                                   |
| 7  | Powerscourt Deerpark Cave       | A small cave, which may have been enlarged by excavation, within a stream bed                        | •                         | This cave is the only known natural cave in Wicklow   |
| 8  | Avoca - Connary                 | Connary mine site is on high ground surrounded by rolling farmland and private dwellings             | •                         | Mining last took place in Connary in the 19th Century; subsequently, open shafts were capped      |
| 9  | Avoca - Cronebane               | Cronebane is centred on Cronebane open mine pit  | •                         | The site covers the area of the 19th-century Cronebane mine site, of which little remains         |
| 10 | Avoca - Tigroney East           | A narrow site containing a deep open pit, as well as extensive mine-waste covered ground             | •                         | Tigroney East was the site of intensive mining in the 18th, 19th, and the 20th century            |
| 11 | Avoca - Tigroney West           | This site includes a flat area and a steep, partly wooded section hosting huge volumes of mine waste | •                         | Tigroney West contains the largest and best-preserved engine house at Avoca                       |
| 12 | Avoca - West Avoca              | West Avoca occupies a hillside site above the Avoca River and a large grassy site on the river bank  | •                         | The West Avoca site incorporates two major 19th-century mine sites, Ballygahan and Ballymurtagh   |
| 13 | Glendasan - St. Kevins          | St. Kevin's mine site is on the north bank of the Glendasan River                                    |                           | The St. Kevin's site is unusual in Glendasan as it was the focus of extensive 20th-century mining |
| 14 | Glendasan - Foxrock             | Foxrock mine site is located on the north side of the Glendasan River                                |                           | The Foxrock site is one of the most prominent mine sites in the Glendasan valley                  |
| 15 | Glendasan - Hero                | The site, in two parts, is on the south bank of the Glenealo River                                   | •                         | This is one of the best preserved and studied 19th-century ore processing sites in the country    |
| 16 | Glendasan - Ruplagh             | The site is spread over an area in excess of 8 hectares in moorland                                  |                           | The Ruplagh site is the western-most mine site in the Glendasan valley                            |
| 17 | Glendasan -                     | The site comprises two 19th century  |                           | The Luganure–Hawkrock site is one of the most   |

|    |                        |   |   |  |
|----|------------------------|---|---|--|
|    | Luganure               | mine sites on the northern slopes of Camaderry Mountain   |   | substantial 19th century mine sites in the valley  |
| 18 | Ballyknockan Quarries  | Inactive granite quarries are surrounded by a dispersed village                                     |   | The economic importance of the stone quarrying industry to the growth of Dublin was significant      |
| 19 | Glasnamullen           | A long stream section with rock exposures in the bed and banks                                      |   | The site is a rare piece of evidence of faulting in eastern Ireland from the Miocene                 |
| 20 | Athdown Moraine        | The Athdown Moraine is a large body of sands and gravels deposited at the end of the last Ice Age.  |   | The Athdown Moraine includes a distinctive hummocky topography at Athdown                            |
| 21 | Blessington Delta      | A large accumulation of sands and gravels which has been quarried extensively                       | • | A high, striking example of a dry sand and gravel ridge, standing proud of the surrounding landscape |
| 22 | Britonstown            | Two interlocking glacial meltwater channels, formed by water escaping from Glacial Lake Blessington |   | A site with good teaching potential on glacial meltwater erosion, as the feature is accessible       |
| 23 | Dunran Channel         | A deep channel that was formed by meltwater erosion on the eastern flank of the Wicklow Mountains   |   | The Dunran channel is up to 80m deep and has a U-shaped profile, typical of meltwater channels       |
| 24 | Enniskerry Delta       | A large accumulation of sands and gravels which has been quarried extensively historically          |   | An excellent example of a deglacial, ice marginal, meltwater-deposited feature                       |
| 25 | Glen Of The Downs      | A deep channel that was formed by meltwater erosion on the northeastern flank of the mountains      | • | The Glen of the Downs is considered to have formed completely in the late-glacial Period             |
| 26 | Glenmacnass Valley     | The Glenmacnass Valley is a deep glacial valley in the central Wicklow Mountains                    | • | A stunning example of a glaciated U-shaped valley, with steep sides, a flat floor, and a waterfall   |
| 27 | Glenmalure             | The Glenmalure valley is one of the longest glacial valleys in the country                          | • | The Glenmalure mines are of interest as the oldest of the lead mines along the edge of the granite   |
| 28 | Lough Ouler            | Lough Ouler rests within a deep glacial corrie, situated in the centre of the Wicklow Mountains     |   | This is a fine example of a corrie, with bounding moraine feature                                    |
| 29 | Woodenbridge Wellfield | The Woodenbridge Wellfield is the public water supply source for the Arklow area                    |   | These are very productive bored wells which are among the top-yielding wells in the country          |
| 30 | Lough Nahanagan        | Lough Nahanagan rests within a deep glacial corrie, situated in the centre of the Wicklow Mountains | • | The post-glacial period in Ireland is called the Nahanagan Stadial following dating of the moraines  |
| 31 | Manger-Saundersgrove   | The Manger-Saundersgrove site includes a number of elevated fields under pasture                    |   | The fields comprise a 'delta' feature composed of deep glaciofluvial and glaciolacustrine sediments  |
| 32 | Snugborough            | A deep hollow along a hedgerow, which separate two fields, which is a 'pingo rampart'               |   | The feature is an excellent example of a periglacial feature, formed in permafrost                   |
| 33 | Tober Demesne          | A spring emerges from deep glaciofluvial gravels and flows into a man-made 'fish pond' feature      |   | One of the largest springs in County Wicklow   |
| 34 | Toor Channel           | A deep channel formed by meltwater erosion on the northwestern flank of the Wicklow Mountains       | • | The Toor Channel is up to 40m deep and has a U-shaped profile, typical of meltwater channels         |

## SECTION 2

|    |                                       |   |   |  |
|----|---------------------------------------|---|---|--|
| 35 | Glen Ding                             | A deep channel formed by meltwater erosion on the northwestern flank of the Wicklow Mountains       |   | Glen Ding is up to 50m deep and has a U-shaped profile, typical of meltwater channels                |
| 36 | Upper Lockstown Delta and Kings River | A large accumulation of sands and gravels which has been quarried extensively                       | • | This is an excellent example of a deglacial, ice marginal, meltwater-deposited feature               |
| 37 | Wicklow Service Area                  | This is a long cutting behind a new Motorway Service Station  |   | This fresh and large exposure of Bray Group rocks gives a detailed picture of rock structure         |
| 38 | Aughrim Quarry                        | The site consists of two abandoned quarries cut into the western side of a hill                     |   | The quarries at Tinnakilly are among the best exposures of a certain suite of minor granitoids       |
| 39 | Avoca - Sroughmore                    | The Sroughmore site is a hillside pasture field on the northwestern side of the Connary mine site   | • | Sroughmore contains two concrete structures that are the remains of a 19th-century aerial ropeway    |
| 40 | Ballydonnell                          | The Ballydonnell floodplain occupies the floor of one of three basins that make up the Upper Liffey |   | One of the best sites in Wicklow for studying environmental change since the last ice age            |
| 41 | Ballyrahan Quarry                     | A small long-abandoned quarry developed in a minor granitoid intrusion                              |   | The site contains the best exposure of microtonalite; unique tungsten-tin mineralization in Wicklow  |
| 42 | Camaderry Appinite                    | Extensive, large-scale outcrops on the upper part of the southern face of Camaderry Mountain        |   | The site provides excellent exposure in the most significant appinite intrusion in southeast Ireland |
| 43 | Glendalough                           | A deep glacial valley in the central Wicklow Mountains, including mining sites within               | • | A superb example of a glacial valley; the many, accessible mine features add considerable interest   |
| 44 | Cloghleagh Mine                       | A small, probably quarried, escarpment of rock includes a small mine adit                           |   | The site contains a fault zone with minerals which can be seen close up in the buttress of rock      |
| 45 | Devil's Glen                          | A deep ravine, oriented east-west, bounded by woodland, and stretches a distance of almost 3km      |   | The location has good potential as a teaching site on glacial meltwater erosion                      |
| 46 | Glencullen River                      | A narrow, steep-sided wooded valley in the northeast Wicklow Mountains                              |   | The valley formed along a geological fault and is a meltwater channel                                |
| 47 | Goldmines River                       | The site consists of a c. 1.5km-long section of river, typically 2-3 m wide                         |   | This is the site of Wicklow's gold rush or 1798 when placer gold was discovered in the gravels       |
| 48 | Great Sugar Loaf                      | A prominent, scree covered, quartzite conical mountain peak   |   | The steep upper slopes are blanketed with extensive patches of loose angular quartzite boulders      |
| 49 | Greystones (Appinite)                 | A section of rocky coastline on the scenic and popular Greystones waterfront                        |   | The igneous rocks at Greystones are unique because the contact zone is crowded with inclusions       |
| 50 | Kilmacurra Quarry                     | Kilmacurra Quarry is a large, partly flooded quarry developed in a diorite intrusion, now abandoned |   | The quarry provides good exposure of diorite on quarry faces and in loose blocks                     |
| 51 | Hollywood Glen                        | A deep channel formed by meltwater erosion on the northwestern flank of the Wicklow Mountains       | • | Hollywood Glen is up to 60m deep and has a U-shaped profile, typical of meltwater channels           |
| 52 | Kippure                               | A landmark mountain on the South Dublin-Wicklow county boundary,                                    |   | This site is excellent for observing the effects of long-term (millennial scale) peat erosion        |

## SECTION 2

|    |   |   |   |  |
|----|---|---|---|--|
|    |   | capped with a prominent tower   |   |  |
| 53 | Lough Dan, Lough Tay and Cloghoge River | Scenic lakes occupying depressions in the floors of two adjoining U-shaped valleys                  |   | Classic example of U-shaped glacial valleys in one of Wicklow's most scenic glacial landscapes   |
| 54 | Lough Bray                              | The Lough Bray site consists of two lakes that occupy two of the most accessible corries in Ireland | • | This is a fine example of two corries and an arête, with bounding moraine features               |
| 55 | Lough Dan, North End (Granite contact)  | Here the granite-schist contact zone is clearly visible on the mountain slopes flanking the valley  |   | This is an excellent educational site, used by third level student groups, and is accessible     |
| 56 | Luggala                                 | The site consists of several large outcrops flanking the public road above Lough Tay                |   | The occurrences of coticule at Luggala are relatively abundant and accessible                    |
| 57 | Lugnaquilla                             | Lugnaquilla is the highest mountain in County Wicklow, and Leinster                                 | • | This site is of special interest with fine glacial features and the Leinster Batholith slate cap |
| 58 | Mullaghcleevun                          | The site comprises eroded peatland, exposed granite blockfields, perched boulders, granite sand     |   | An excellent site for observing the results of long-term (millennial scale) peat erosion         |
| 59 | River Dargle Valley                     | A stretch of the river meandering from a wide and flat valley into cascades                         |   | This is an important County Geological site partly because of its dramatic gorge landform        |
| 60 | The Scalp                               | The Scalp comprises a deep channel that was formed by meltwater erosion                             | • | The Scalp channel is up to 70m deep and has a U-shaped profile, typical of meltwater channels    |
| 61 | Upper River Liffey                      | A wide river floodplain in the upper Liffey catchment as well as flanking terraces                  |   | The site is very important to the understanding of past environmental changes in Wicklow         |
| 62 | Wicklow-Greystones Coast                | An uninterrupted shingle beach extending for over 17km long between Greystones and Wicklow          | • | The shingle ridge (beach) is a feature understood to have formed around 5,000 years ago          |

## **AMENDMENT 55 C13, C46, C48, C74, C110**

### **Map 10.14 Views of Special Amenity Value or Special Interest**

### **Schedule 10.14 Views of Special Amenity Value or Special, P.264**

### **Volume 2, Town Plans, Heritage Objectives Maps**

Include the following views on Schedule 10.14 'Views of Special Amenity Value or Special Interest' in Chapter 10 and to show on the associated map

| <b>No.</b> | <b>Origin of view</b>          | <b>Description</b>   |
|------------|--------------------------------|--|
| 37         | Summerhill House Hotel         | View towards the Cookstown Valley and Ballyman Glen  |
| 38         | The lands near Monastery house | View south towards Djouce Mountain   |
| 39         | From Cookstown road            | View towards the Great Sugarloaf Mountain  |
| 40         | From the Glencree road         | View towards Carrigollgan  |
| 41         | From the approach road, Carnew | Views to Carnew mart/graveyard towards the spire of the Catholic Church and Carnew Castle. |

|    |  |  |
|----|--|--|
| 42 | From the main street, Carnew                 | Views looking westward across the Derry river valley towards south Wicklow                 |
| 43 | From the Gorey road, Carnew                  | Views southwards towards Slieveboy and Slievegower uplands areas located in County Wexford |
| 44 | Main Street Newtownmountkennedy              | View river valley  |
| 45 | St. Catherine's School (Newtownmountkennedy) | View to southwest  |
| 46 | Old N11, Newtownmountkennedy                 | View to the northwest  |
| 47 | Kilcoole Road, Newtownmountkennedy           | View to the south  |
| 48 | The R755-0 at Rathdrum Catholic Church       | View across and along the Avonmore river, Rathdrum   |
| 49 | The R752-90 above Rathdrum Mills             | View across the Avonmore river valley, Rathdrum towards the town of Rathdrum               |
| 50 | Coast road, Wicklow Town                     | View / panorama towards Wicklow Golf Course, Brides Head, Wicklow Head and the coastline   |
| 51 | Looking westwards from bridge in Ashford     | View of River Vartry and riverside trees   |

**AMENDMENT 56 B9****Section 11.2, 'Coastal Zone Management', p270****General Coastal Zone Management Objectives**

**CZM7** To facilitate the provision of new or the reinforcement of existing coastal defences and protection measures where necessary along the full coastline of the County and in particular to support the implementation of the measures identified in the Murrough Coastal Protection Study<sup>13</sup> and any other similar studies that are produced during the lifetime of the plan. ~~and where considered necessary.~~

**AMENDMENT 57 ENVIRONMENTAL PROTECTION AGENCY****Section 11.2, 'Coastal Zone Management', p270****General Coastal Zone Management Objectives****Add new objective**

**CZM8** To prohibit development in area at high risk of coastal flooding or would interfere with the natural flood alleviation characteristics of the coastal zone

No amendments

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<sup>13</sup> 2007, WCC/RPS

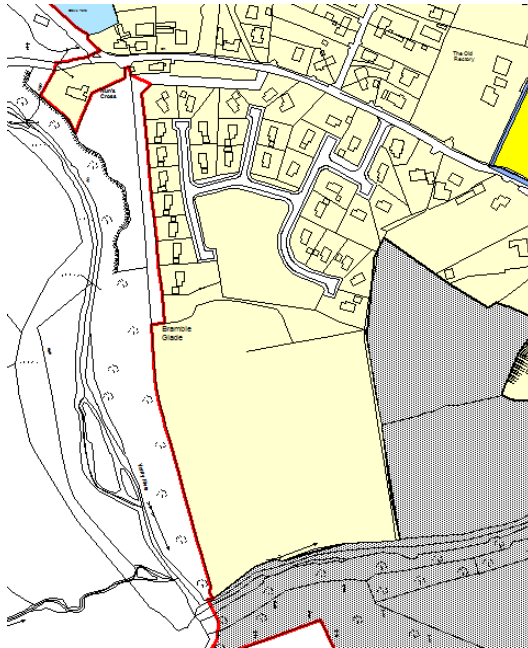
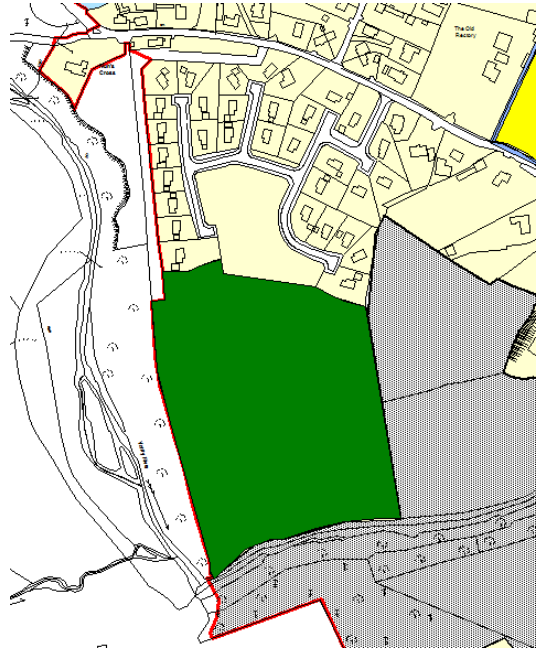
**AMENDMENT 58 C54, C134****Volume 2, Level 5 Town Plans****Level 5 Town Plans Introduction, Section 2 - Zoning & Land Use****Add the following text:**

| <b>Zoning</b>                           | <b>Objective</b>  | <b>Description</b>   |
|---|---|--|
| <b>LSS – Local Shops &amp; Services</b> | To provide for small scale local neighbourhood shops and services | To facilitate the limited development of small scale local neighbourhood shops and retail services and other local service uses that meet only the retail or service needs of residents in the immediate catchment and are not of such a scale or type that would detract or draw trade from lands designated town centre. |
| <b>MU – Mixed Use</b>                   | To provide for mixed use development                              | The nature of the mixed use development envisaged for any particular site will be set out in each individual town plan.  |
| <b>POS: Passive Open Space</b>          | To protect existing open, undeveloped lands                       | To protect, enhance and manage existing open, undeveloped lands that comprise flood plains, buffer zones along rivers and EU protected sites, green and ecological corridors and areas of natural biodiversity   |

**All Level 5 maps – improve colour distinction and legends**

**AMENDMENT 59****C26, C145, C146, C151, C186****Zoning map**

Change the zoning of lands currently identified as 'existing residential' to the south of the Bramble Glade estate to 'open space'.

**Change From:****Change To:**



## AMENDMENT 60

C136

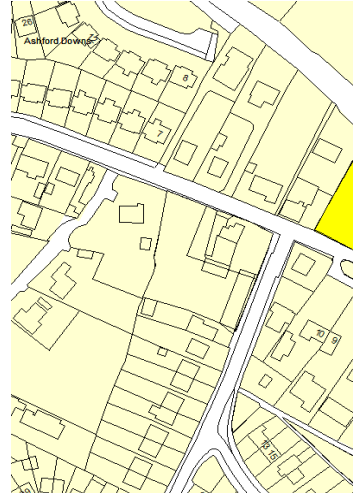
### Zoning map

Change the zoning of lands at Ballinalea identified as 'Town Centre' to 'RE existing residential'.

From:



To:



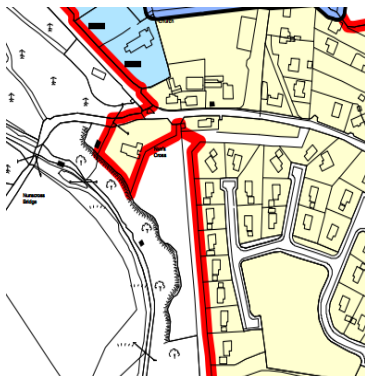
## AMENDMENT 61

C186

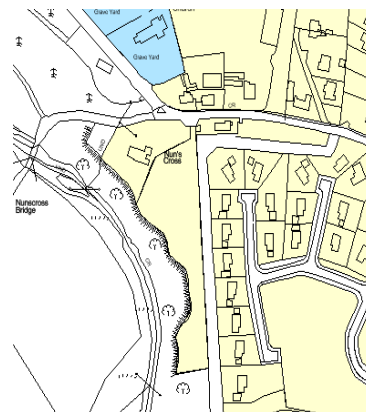
### Zoning map

Amend the land use Zoning Map at Nun's Cross.

From:



To:



**Plan text, p29****Amend SLO1 as follows:**

**SLO 1:** *Inchinappa House This SLO is located on part of the grounds of Inchinappa House that adjoin the M/N11 to the east, the R772 to the west and bounded by Inchinappa House and outbuildings to the south. The overall SLO measures c. 16.2ha, as shown in Figure 4. This Specific Local Objective shall be delivered as a residential and open space/public park area in accordance with the following criteria:*

- *The lands zoned 'AOS' in this SLO shall be developed as a 'community park' open to all (not just residents of this action area) comprising woodland walks, landscaped areas, seats etc and a playground, teenage zone and adult gym (minimum 0.4ha in area) at an easily accessible and safe location.*
- *Only 50% of the proposed residential element may be developed prior to the open space lands being laid out in manner to be agreed with Wicklow County Council and devoted to the public*
- *The design and layout of the overall SLO, in particular the residential element, shall address and provide for passive supervision of the community park and amenity walks. At no point should the design or layout allow for housing backing onto this proposed public open space area.*
- *A pedestrian walk linking the residential area of this SLO to land designated as Opportunity Site 2 shall be provided as part of the development.*
- *The minimum set back of new housing development from the M11 in this SLO shall be 50m. Where housing development is proposed within 100m of the M11, the developer shall be responsible for designing, providing and maintaining suitable noise and light pollution mitigation measures.*

**Strategic Environmental Assessment Comment**

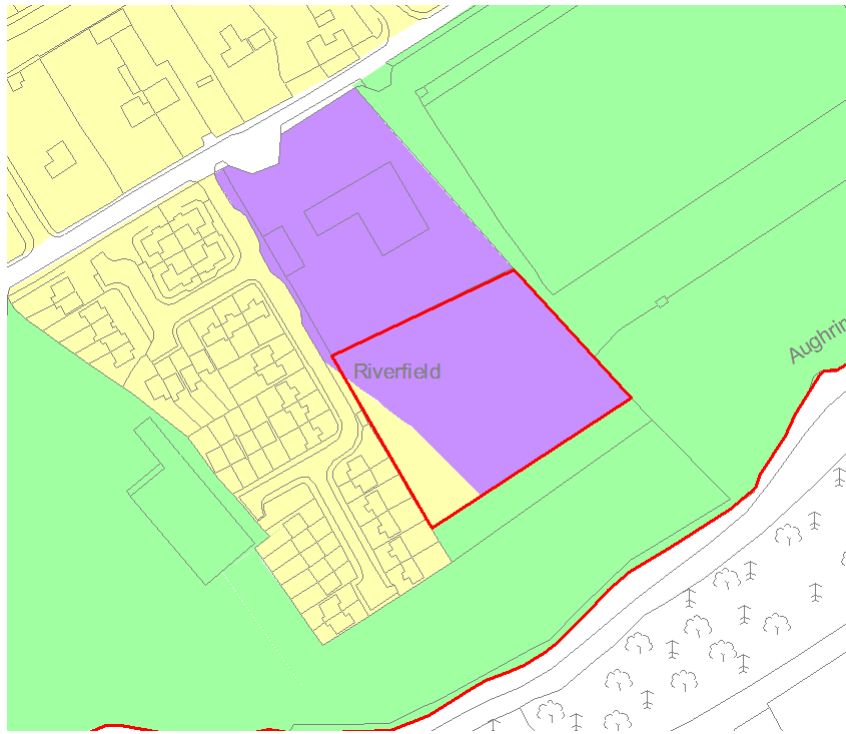
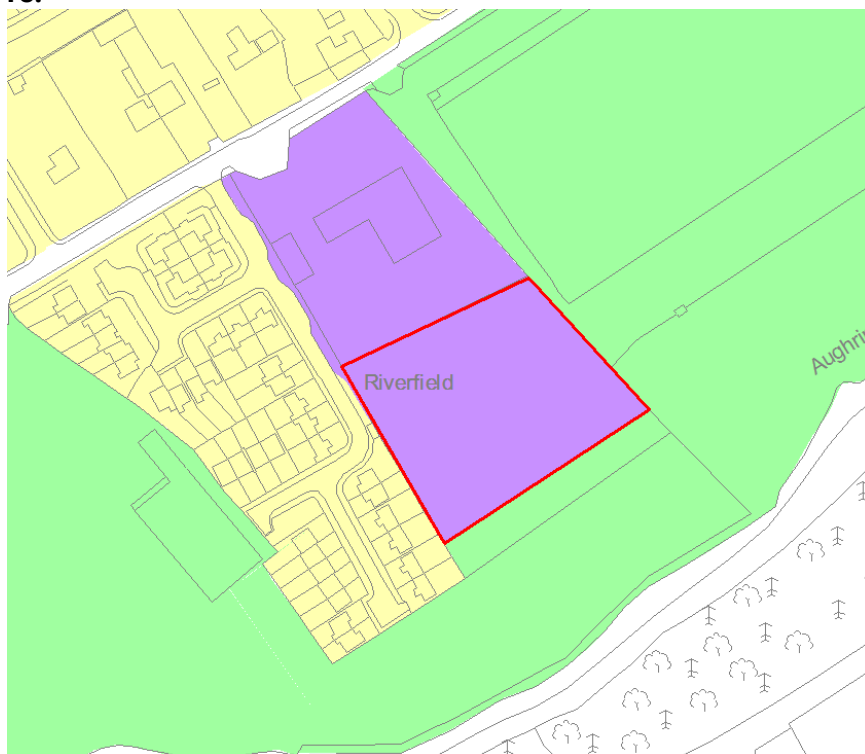
These recommendations have been examined by the SEA and it would not be required to undergo full SEA. This is because it would not be likely to result in additional significant environmental effects.

**Appropriate Assessment Comment**

These recommendations have been examined by the AA and it would not be required to undergo Stage 2 AA. This is because it would not be likely to result in additional potential for effects to arise with respect to the integrity of Natura 2000 sites.

**AMENDMENT 63****C8****Zoning map**

Amend the land use Zoning Map at Rednagh Road (0.09ha / 0.22acre)

**From:****To:**

### Strategic Environmental Assessment Comment

This recommendation has been examined by the SEA and it would not be required to undergo full SEA. This is because it would not be likely to result in additional significant environmental effects.

### Appropriate Assessment Comment

This recommendations has been examined by the AA and it would not be required to undergo Stage 2 AA. This is because it would not be likely to result in additional potential for effects to arise with respect to the integrity of Natura 2000 sites.

## SECTION 2.2.4 BALTINGLASS

No amendments

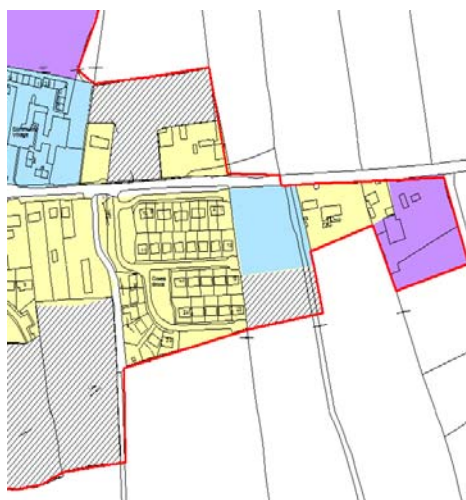
## SECTION 2.2.5 CARNEW

### AMENDMENT 64 C43, C84

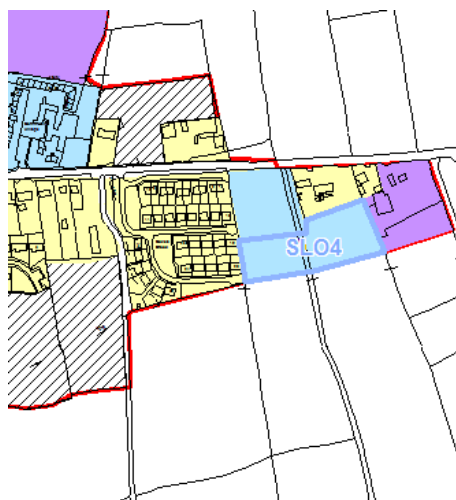
#### A: Zoning map

1. Lands to the rear of the near complete primary care centre currently located within the Strategic Land Reserve be zoned CE measuring c. 0.435ha
2. The adjoining lands to the immediate east currently outside the plan boundary measuring 0.565ha be zoned CE

#### Change From:



#### Change to:



#### B: Add a new specific local objective SLO4 and include the following wording:

**SLO4** This SLO is located to the south and south east of the new Primary Care Centre in the east of the town on the Gorey Road. It measures c. 1ha in total and may be developed as a new community development to specifically deliver a health or care related scheme, including nursing home use, but excluding any stand alone housing units, whether or not they are linked to the primary health and care use.

**Strategic Environmental Assessment Comment**

These recommendations have been examined by the SEA and it would not be required to undergo full SEA. This is because it would not be likely to result in additional significant environmental effects.

**Appropriate Assessment Comment**

These recommendations have been examined by the AA and it would not be required to undergo Stage 2 AA. This is because it would not be likely to result in additional potential for effects to arise with respect to the integrity of Natura 2000 sites.

No amendments

## AMENDMENT 65 C22

### Section 6.9, 'Action Area Plans and Specific Local Objectives', p110

#### A: Amend text as follows:

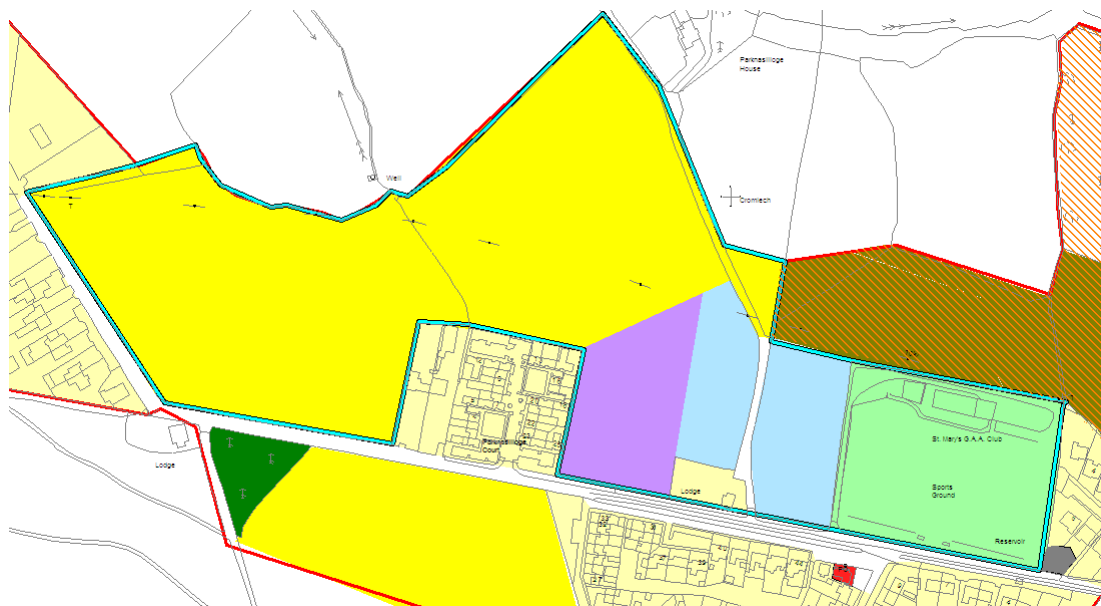
#### Action Area Plan 1

This action area is located west of Enniskerry town centre and immediately north of Kilgarron housing development, in the townland of Parknasilloge. This action area measures ~~c. 12.5ha~~ **c. 13.5ha**. This action area shall be developed as a residential, open space, employment and community zone in accordance with the following criteria:

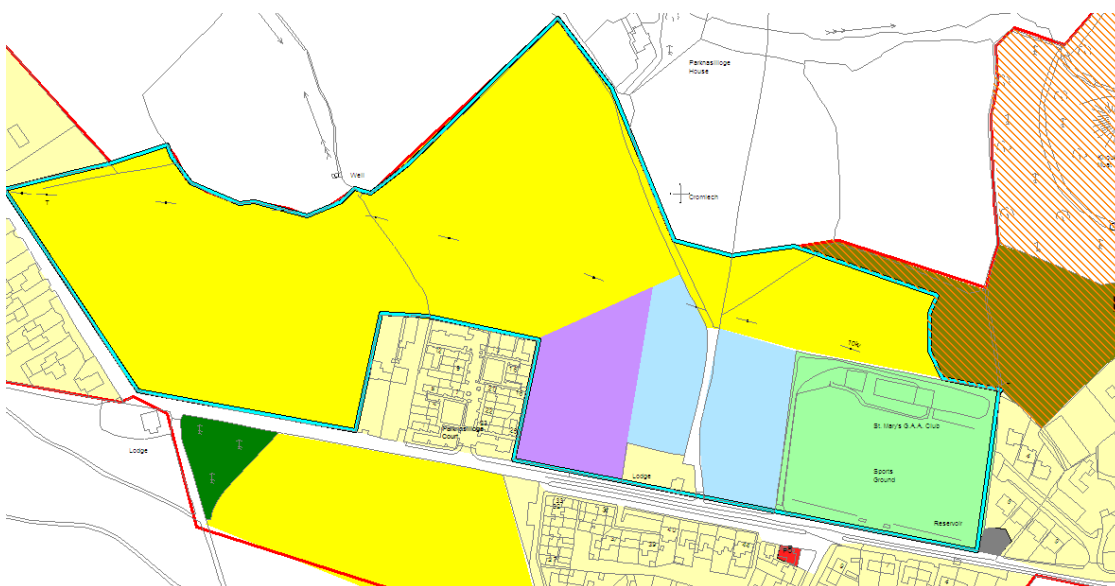
- A minimum area of 2ha shall be reserved as Active Open Space (this is the size of the area currently occupied by Enniskerry GAA). In the event of the relocation of the GAA to an alternative location, this quantum of AOS shall, as a minimum, be maintained within the overall action area. Any alternative AOS shall be maintained available for general public use, shall be suitably sized to allow for organised sporting activities i.e. pitches, courts etc and shall be so located within the action area so as to be easily accessible by the wider community. (Any proposals to redevelop the existing GAA grounds will only be considered when the Planning Authority has been satisfied that suitable alternative lands have been secured for this sporting facility).
- A minimum of 1.2ha shall be reserved for education use.
- A minimum of 0.4ha shall be provided for a community uses, including a community centre of not less than 500sqm and an equipped playground of not less than 400sqm.
- A minimum of 1ha shall be provided for employment uses. Generally, this shall comprise office/studio/surgery type development of the highest architectural quality and layout. A minimum of 0.4ha of this area shall however be reserved for local service and incubator businesses.
- The car park associated with the employment area shall be so located and designed to facilitate tourist use during non-business hours and shall at all times remain available and open for this use
- A maximum of 156 residential units may be provided on the remainder of the site (~~8.8ha~~ **8.8ha**).
- The development shall be delivered in phases such that adequate education, community and employment facilities are provided for each phase; in particular, the school site shall be provided in Phase 1 accompanied by no more 25% of the residential development and the employment facilities shall be provided no later than Phase 2 accompanied by no more than an additional 50% of the residential units.
- A maximum of two vehicular access points onto Local Primary Road L1010 (Enniskerry – Glencree) shall be permitted.
- To achieve a sense of place and allow for visual diversity any residential application should provide for a number of identifiable and distinct housing estates (not exceed 60 units), each containing different house designs within an overall unified theme.
- Full geotechnical and archaeological assessment of the lands shall be undertaken prior to any development taking place.

**B: Amend Zoning Map as follows:**

**From:**



**To:**



**Strategic Environmental Assessment Comment**

With regard to increases in land use zoning, these would increase the extent to which the Plan provides for the replacement of semi-natural lands with artificial surfaces, however, residual environmental effects would be unlikely to be significant. This change would not be required to undergo full SEA

**Appropriate Assessment Comment**

The Knocksink Wood candidate Special Area of Conservation (SAC) adjacent to the subject lands has been selected for protection due to the presence of, inter alia, petrifying springs with tufa formation (a priority annexed habitat under the Habitats Directive). The submission identifies that there is a tufa

springs inner catchment at the subject lands and requests the zoning of lands adjacent to this catchment.

The submission includes evidence (hydrogeological and ecological studies) which was previously unseen that provides a sensitivity rating of the lands in question (low, medium and high sensitivity) and much supporting documentation. The sensitivity rating is informed by, inter alia, information contained within the Hydrogeological Characterisation Study which identifies an inner catchment, or zone of contribution.

Further material submitted identifies that: The detailed hydrogeological mapping defines the zone of contribution of the Tufa Springs and the calculation of recharge area provides confidence that the zone of contribution is significantly conservative. On this basis, the risk of impact to the identified tufa springs from lands outside of the zone of contribution is considered to be insignificant.

The information submitted appears to be internally consistent and of a quality which can inform a decision regarding the zoning of lands identified by the submission as having low ecological sensitivity. From an AA perspective, zoning of the low ecological sensitivity lands would not have an adverse effect on the integrity of the cSAC. Consequently Stage 2 AA would not be required.

## **AMENDMENT 66 C41**

### **Section 6.9, 'Action Area Plans and Specific Local Objectives', p110**

#### **Delete Action Area Plan 2 and replace with SLO2**

##### **Specific Local Objective 2**

This ~~action area~~ **Specific Local Objective** is located south of the town centre, in the townland of Kilgarron. This action area measures c.2.5ha. ~~This action area~~ **These lands** shall be developed as a residential area in accordance with the following criteria:

- Access to the site shall strictly be from local road LP-1010 (Enniskerry - Kilgarron) and no opening, entrance or otherwise (including for construction purposes) shall be made along the Forge Road.
- Development proposals shall be accompanied by a detailed tree survey of the entire ~~action~~ area, including all trees along site boundaries. Development proposals shall include measures to protect and re-enforce existing mature trees and proposals for new tree planting.
- The finished floor level of any development shall not exceed 90.00mOD (for the avoidance of doubt, this being the existing ground level at the south-east of the existing jumping arena); the top ridge height of any structure shall not exceed 98.00mOD.
- A maximum of 0.7ha of the ~~action~~ area shall be developed for residential. The site shall be developed at 'town centre' type densities (i.e. 40 units/ha max), ~~with a maximum of 28 residential units~~ and shall generally comprise terraces and courtyards of dwellings, as opposed to detached format housing; Commercial development is not permitted within the ~~action~~ area.
- The design of any development proposed shall have due regard to the protection of the privacy and amenity of the houses on the north side of the ~~action~~ area and in particular, the design shall include significant screening and planting proposals.
- Any development proposals shall be accompanied by a Visual Impact Assessment which shall have particular regard to views of the site from the town square and the approach roads to the north of the town and where adverse visual impacts are identified, suitable mitigation measures shall be proposed.



- The remainder of the site, zoned open space, is not designated for a particular purpose (either housing or amenity use), shall be retained in its current agricultural use.

## **AMENDMENT 67 C143**

### **Section 6.9, 'Action Area Plans and Specific Local Objectives', p112**

#### **Action Area Plan 3**

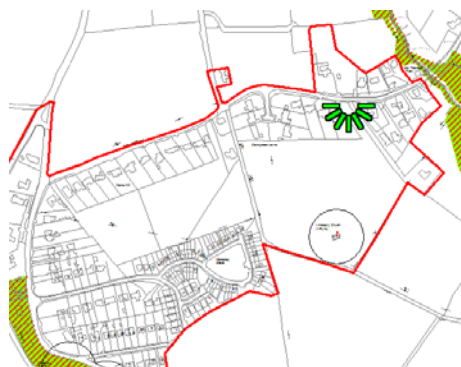
This action area is located south of the town centre, in the townland of Cookstown. This action area measures c. 9.4ha. This action area shall be developed as a residential, open space and community space in accordance with the following criteria:

- A maximum of 6.7ha may be developed for housing, this shall comprise of a maximum of 3 ha at a maximum density of 10/ha with the remainder at a maximum density of 20/ha.
- **Within the 6.7ha for housing**, a minimum area of 0.4ha shall be provided for voluntary / sheltered housing, of a type to be agreed with the Local Authority, in addition to any Part V obligations under the Wicklow Housing Strategy. Permission will not be considered for private housing until sufficient progress has been made on this element.
- Access to the site shall be from local road LP-1020.
- An amenity zone shall be established along the full southern and western boundaries of the action area, which shall comprise an amenity walk area along the existing tree lined field boundaries connecting through the development to regional road R760 (Enniskerry – Kilmacanogue) and to the existing pedestrian route along the Dargle.
- The remainder of the site not designated for a particular purpose (either housing or amenity use) shall be retained in open space for possible future development purposes.
- Any development shall be so designed to maintain maximum views of the Sugarloaf from Cookstown Road.

## **AMENDMENT 68 C13**

### **Heritage Objectives Map**

Amend the location of protected view number 36 (View from the L5507 Ballyman Road, Enniskerry of the Scalp and the Scalp Valley from Ballyman) from the following location:



To the following location:

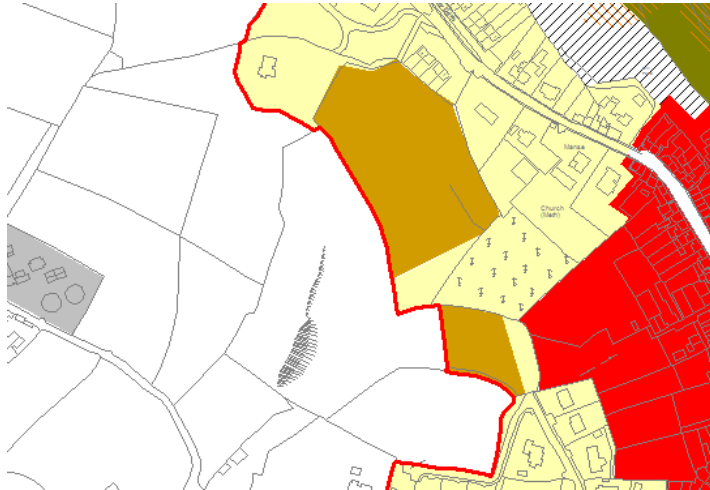
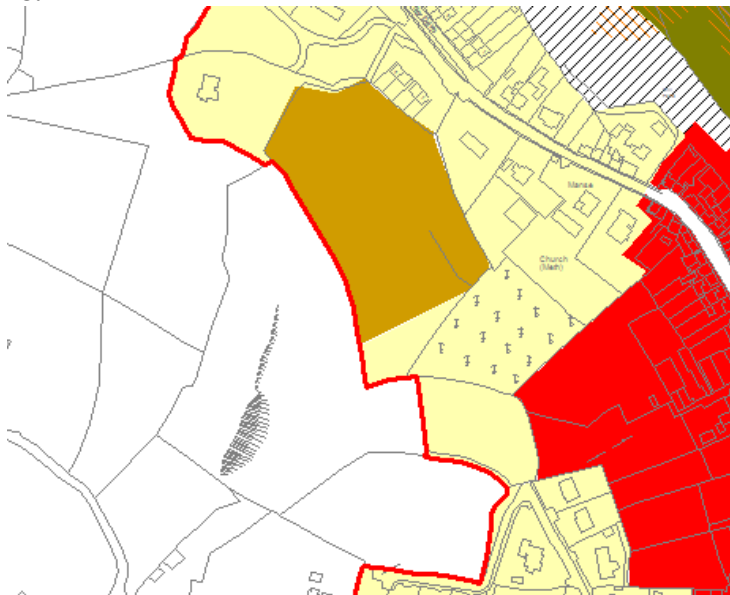


### **Strategic Environmental Assessment Comment**

These recommendations have been examined by the SEA and it would not be required to undergo full SEA. This is because it would not be likely to result in additional significant environmental effects.

### **Appropriate Assessment Comment**

These recommendations have been examined by the AA and it would not be required to undergo Stage 2 AA. This is because it would not be likely to result in additional potential for effects to arise with respect to the integrity of Natura 2000 sites.

**AMENDMENT 69** (SOURCE: PUBLIC MEETING)**A: Amend Zoning Map as follows:****From:****To:****B: Amend Objective TIN1 as follows:**

**TIN1:** To provide for residential development for a maximum of 4 additional units on lands zoned 'R Special', ~~spread over two sites—measuring~~ 1.73ha ~~and 0.37ha~~, to the rear of the Methodist Church.

**Strategic Environmental Assessment Comment**

These recommendations have been examined by the SEA and it would not be required to undergo full SEA. This is because it would not be likely to result in additional significant environmental effects.

### Appropriate Assessment Comment

These recommendations have been examined by the AA and it would not be required to undergo Stage 2 AA. This is because it would not be likely to result in additional potential for effects to arise with respect to the integrity of Natura 2000 sites.

## SECTION 2.2.9 LEVEL 6 SETTLEMENT PLANS INTRODUCTION

No amendments

## SECTION 2.2.10 AVOCA

### AMENDMENT 70 C10

Amend plan text as follows: p144 – p146

#### Settlement Profile

Avoca is a rural town that is located in the south east part of County Wicklow, within a particularly scenic rural setting along the Avoca River. The town is located approximately 10km from the higher order towns of Arklow and Rathdrum, which provide higher order employment and service functions for the town's population. The town currently serves the day-to-day needs of the local population, and is the main service centre for surrounding rural areas including Connary, The Meetings and Woodenbridge.

The town provides a variety of retail and community facilities, including a number of shops and local services, a public house, a takeaway, a café, ~~a betting office~~, a pharmacy, hairdressing salon and beauticians, a primary school, community hall, post office, credit union, IT centre/~~library~~ heritage centre, health centre, Garda station and Catholic Church. Rooster Park sports ground provides the main recreational facility for the town.

The town has a charming centre, with a traditional character, and river and mountainous setting. This charm is diminished somewhat by ~~traffic congestion~~, plus a degree of dereliction and vacancy at prime sites. A Traffic Accessibility Plan was implemented in 2011/2012, through which works were completed to improve pedestrian accessibility and traffic safety throughout the town.

~~The town acts as an important tourist draw, after shooting to fame as the fictional home of BBC TV's 'Ballykissangel'. Although the 'Ballykissangel' draw has diminished somewhat in recent years, the Avoca area remains an important destination for tourists, who visit attractions such as the 'Avoca Handweavers' Mill, the 'Meeting of the Waters', and the mining heritage features of the area. The town provides a number of services for the tourist trade, including tourist accommodation and tourist related shops.~~

Avoca and its surrounding area, including The Meetings, Connary, Tigroney and Woodenbridge, has considerable potential to develop as a tourism hotspot. The area has particular potential to be a destination for niche ecotourism and educational tourism products. Attractions in the area include the historic copper mines at Connary and Tigroney, the 'Meeting of the Waters', Avoca Handweavers, Avoca Gallery shop and painting school, walking trails such as the Avoca Red Kite Loop and the Avoca River for river based activities such as kayaking and angling. The development of sustainable tourism and service related industries could yield significant economic benefits in terms of job creation and investment.

The town has developed mainly along the east of the Avoca River in a linear manner. The promotion of a more concentric settlement pattern is constrained by several matters, including geographical constraints, a wide floodplain and lack of transportation links between the town centre and lands west of the R752. These factors have resulted in the growth of the town in a southerly direction towards Kilmagig. The dispersed spatial development of the town has resulted in a lack of connectivity between the main housing and school areas in Kilmagig, and the town centre.

There are a number of facilities located outside the plan boundary, located along the Rathdrum to Arklow road that serve the town, including a recycling facility, playing pitches, tourist facilities, graveyard, and Church of Ireland church and associated buildings.

### Key Infrastructure

**Water supply:** Water supply to Avoca is sourced from a treated surface water supply at Ballard, Ballinaclash. Water is fed by gravity down the Vale of Avoca and stored in a reservoir at Ballymurtagh. The reservoir has sufficient storage capacity to provide for current target levels of future growth. The delivery of a new Mid-Wicklow Regional Water Supply Scheme (Roundwood, Laragh, Rathdrum, Avoca/Ballinaclash, Aughrim/ Annacurragh and Redcross) is being considered by Irish Water and would resolve any water supply constraints in the area into the future. **Works were completed during 2015 on the replacement of water mains.**

**Wastewater:** ~~Avoca is served by a licensed Wastewater Treatment Plant, which is located in Ballanagh. The plant is currently overloaded and has no extra capacity. The plant provides primary treatment only with no preliminary or secondary treatment. Treated effluent is of a poor quality and discharges to the Avoca River.~~ **Avoca is served by a licenced Wastewater Treatment Plant, which is located in Ballanagh. There are issues around access to the existing treatment plant and treatment processes at the plant. Irish Water is examining ways to resolve these issues and once these are resolved there would be sufficient capacity to meet anticipated demand.**

### Avoca Specific Development Objectives

These objectives should be read in conjunction Part 1 of this Volume - 'Introduction to Level 6 Settlement Plans':

1. To facilitate and promote the development of a range of high quality community and recreational facilities that meet the needs of the local population, and in particular to allow for the development of youth-related developments, including an equipped play space.
2. To particularly facilitate and promote tourist developments that are associated with the following tourism products or themes: ~~-(i) the area's mining heritage, (ii) walking as a recreational activity, (iii) the 'Ballykissangel' tourist draw, (iv) history pertaining to the theme of handweaving / cloth manufacturing, (v) Thomas Moore~~ **(i) the area's mining heritage, (ii) The Meeting of the Waters/ Thomas Moore, (iii) outdoor recreational activities e.g. walking / Red Kite Walk Loop, activities associated with River Avoca etc. (iv) 'the arts' including painting, handweaving etc,**
3. In the **Primary Zone**
  - (a) To encourage and facilitate the redevelopment of derelict and underused structures at Nagle's property for a mixed use development. Any proposed development shall be of an exceptionally high quality design and shall include uses that reflect its landmark

location within the settlement. Any proposed development shall include proposals for improving pedestrian **and traffic** safety at the intersection.

- (b) To promote the safe movement of traffic and pedestrians in and around this area, with particular emphasis on (i) improving the safety of turning movements between the bridge and main street, (ii) improving pedestrian safety, ~~(iii) reducing traffic congestion on the main street, (iv) improving the provision of footpaths, (v) and~~ **(ii)** facilitating the development of additional car parking facilities by extending the existing Church car park or by providing facilities at an alternative appropriate location, ~~(vi) provision of pedestrian link between Avoca Handweavers and the town centre.~~
- ~~(c) To encourage and facilitate the extension or redevelopment of the Old School Community Centre for community uses.~~
- (d) To protect and preserve the public open space area located within the town centre, north of ~~Delaney's property~~ **Hendley's shop.**
- (e) To protect and improve the traditional character and natural setting/backdrop of the town centre.
- (f) To allow for the development of a public toilet at a suitable location.
- (g) To facilitate the appropriate development of the railway station.

#### 4. In the **Secondary Zone**

- (a) Preserve the use of Rooster Park (identified at AV1) for recreational and open space use.
- (b) Any proposal for development on lands identified AV2 located at Kilmagig Upper shall include proposals for the upgrade of access from the public road and shall include proposals for the provision of adequate sightlines, in accordance with the relevant standards. In the interests of protecting the visual amenity of the area, any future development proposal shall include proposals for (i) the landscaping of any retaining works that are required for sightlines, and (ii) the retention of a line of existing trees along the southern perimeter of the site adjoining the existing public road and existing access laneway.
- (c) Any proposal for development on lands identified AV3 at Knockanree Lower shall include proposals for the appropriate upgrade and widening of the existing access way that adjoins the northern boundary of the Community Centre. In the interests of protecting the visual amenity of the area, any future development proposal shall ensure the design, materials, layout, landscaping and screening proposals integrate the development, as far as is possible, with the natural features and landscape of the site. In this regard, particular attention shall be paid to ensuring that the amenity of views of the site from L-9167-19 at Knockanree are protected, as far as possible.

#### **Strategic Environmental Assessment Comment**

These recommendations have been examined by the SEA and it would not be required to undergo full SEA. This is because it would not be likely to result in additional significant environmental effects.

#### **Appropriate Assessment Comment**

These recommendations have been examined by the AA and it would not be required to undergo Stage 2 AA. This is because it would not be likely to result in additional potential for effects to arise with respect to the integrity of Natura 2000 sites.

**AMENDMENT 71****C59, C82, C107, C142, C179**

Amend Objective 4 'Secondary Zone' as follows:

**4. In the Secondary Zone**

- (a) Any developments on lands identified as DON 1 on the plan map shall include
  - the provision of a continuous footpath along the roadside frontage of the site linking the site and adjoining lands to the west to the primary zone
  - the provision of a link road from Irishtown Road to the GAA fields and the caravan park.
- (b) Where new development is proposed within the secondary zoned lands, direct pedestrian connectivity to the primary zone will be required
- (c) To improve pedestrian connectivity between the existing 'Palladius Park' housing development and the village core area as funding allows.

**AMENDMENT 72****C59, C75, C79, C82, C107, C142, C179**

**Add the following text at the end of the plan**

**Donard ACA**

*Historically, Donard is a monastic settlement established c. 8<sup>th</sup> century and further developed in medieval times by Norman baron, Jordan de Marisco, who built a motte-and-bailey type castle immediately beside the settlement site in 1190. The historic core of the village today comprises of the remains of the monastic enclosure; parts of the motte-and-bailey, the triangular market area and the nineteenth century architecture.*

*The monastic site is rectangular in shape and is made up of a graveyard and the ruins of a medieval church. The church building dates from the fifteenth century and consisted of a single chamber with a bell cote at the eastern end wall. The Norman motte-and-bailey lies immediately to the south of the enclosure.*

*Immediately north of the monastic enclosure is the triangular village green which is a significant open space contributing to the character of the village. This may have been a market place attached to the monastery. There is an Ogham stone present here which has been transported from its original location in a field outside the village.*

*It is reported that the village was burnt during the 1798 rebellion and rebuilt in subsequent centuries. The eighteenth and nineteenth century architecture of Donard is highly significant and consists of a range of standard estate type houses, cottages and lodges. These survive in their original form to an impressive degree and they are arranged along the village streets in both terraced and detached forms, as well as the adjoining streets. There are also a number of single storey cottages with metal roofs which may indicate buildings which were formerly thatched.*

*The village has two significant public buildings. These are the Church of Ireland and the Catholic churches, both are positioned at the edge of the village, a little way outside the historic centre.*

*Landscape plays an important role in the character of Donard. This includes both the village green and the countryside surrounding the village and is enhanced by the broad-leaved trees, hedgerows and the drystone walls on the entrances to the village. The surrounding wooded lands and the open landscape acts as an attractive rural backdrop.*

***The ACA is characterised by:***

- *Historic core and layout including the remains of monastic settlement and a triangular village green open space*
- *One and two storey terraced houses arranged along the village streets*
- *Buildings with painted roughcast render, pitched roofs, timber doors and windows with varied window sizes contributing to an urban vernacular character*
- *Use of natural stone in roadside walls and broadleaf tree and hedge planting*
- *Views of the surrounding wooded lands and rural landscape.*

***The following Protected Structures are located within the ACA***

***15-01 Donard Church of Ireland***

***15-02 Donard Demesne (Davidson's house)***

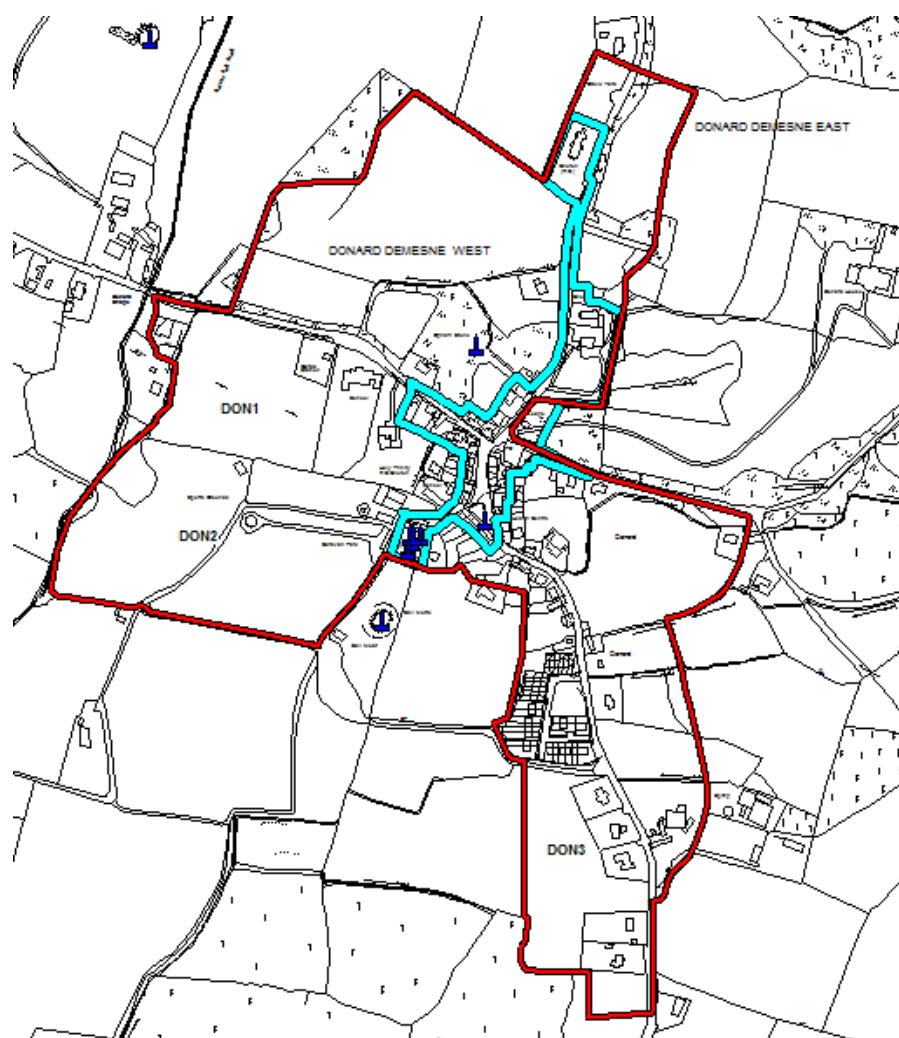
***15-03 Donard House***

***15-04 Donard Catholic Church***

***There 16 buildings on the NIAH for Donard***

**Map 2: Heritage Objectives**

**Add boundary for proposed ACA**





### Strategic Environmental Assessment Comment

These recommendations have been examined by the SEA and it would not be required to undergo full SEA. This is because it would not be likely to result in additional significant environmental effects.

### Appropriate Assessment Comment

These recommendations have been examined by the AA and it would not be required to undergo Stage 2 AA. This is because it would not be likely to result in additional potential for effects to arise with respect to the integrity of Natura 2000 sites.

#### SECTION 2.2.12 KILMACANOGUE

No amendments

#### SECTION 2.2.13 NEWCASTLE

No amendments

#### SECTION 2.2.14 ROUNDWOOD

### AMENDMENT 73 C37, C155

#### Roundwood Specific Development Objectives, p167

##### Amend Objective 1 as follows:

1. Improve and provide roads, footpaths and cycleways where required and at the following locations:
  - along the L-5059 between the town centre and St. Laurence O'Toole National School;
  - along the R765 from junction with R755 towards 'Waters Bridge'; and
  - along the R755 from Health Clinic to GAA Club
  - along the R755 from Roundwood Caravan Park to the Vartry Ground
  - along L5077 from junction with R764 to the old schoolhouse.
  - at the junction of R764 /R755.
  - along the R764 from Kavanagh's Vartry House to Roundwood Park gates.

### Strategic Environmental Assessment Comment

These recommendations have been examined by the SEA and it would not be required to undergo full SEA. This is because it would not be likely to result in additional significant environmental effects.

### Appropriate Assessment Comment

These recommendations have been examined by the AA and it would not be required to undergo Stage 2 AA. This is because it would not be likely to result in additional potential for effects to arise with respect to the integrity of Natura 2000 sites.

#### SECTION 2.2.15 SHILLELAGH

No amendments

#### SECTION 2.2.16 LARAGH-GLENDALOUGH SETTLEMENT AND TOURISM PLAN

No amendments

**AMENDMENT 74 MINISTER FOR THE ENVIRONMENT****Introduction, p1**

The key documents that should be considered in this regard are:

- Best Practice Urban Design Manual
- ~~Design Standards for New Apartments~~
- *Sustainable Urban Housing: Design Standards for New Apartments - Guidelines for Planning Authorities' (2015)*
- Design Manual for Urban Roads and Streets
- Sustainable Residential Development in Urban Areas
- Quality Housing for Sustainable Communities
- Code of Practice for Planning Authorities for provision of schools
- Technical Guidance Documents 025 and 027 – Identification and Suitability Assessment of Sites for Primary and Post Primary Schools.
- Recommendations for Site Development Works for Housing Areas
- The Planning System and Flood Risk Management
- EPA Code of Practice on Wastewater Treatment and Disposal Systems Serving Single Houses
- Architectural Heritage Protection for Places of Worship
- Architectural Heritage Protection Guidelines for Planning Authorities
- Tree Preservation Guidelines
- Draft Guidance for Planning Authorities on Drainage and Reclamation of Wetlands
- Retail Planning Guidelines
- Retail Design Manual
- Telecommunications Antennae and Support Structures
- Quarries and Ancillary Activities
- Wind Energy Development
- Traffic Management Guidelines
- National Cycle Manual
- Smarter Travel
- Design Manual for Roads and Bridges
- Traffic & Transport Assessment Guidelines
- Guidance on Spatial Planning & National Roads
- Childcare Facilities Guidelines

Any guidelines updated or new guidelines produced during the currency of the plan will be utilised in the assessment of applications.

## AMENDMENT 75 MINISTER FOR THE ENVIRONMENT

### Section 1 Unit sizes and Formats (p9)

#### Unit sizes and formats

- All planning applications shall be accompanied by a data table setting out number and floor area of all commercial and residential units;
- All medium to large scale housing developments shall include a range of house types and sizes, including detached houses, semi – detached, terraces, townhouses, duplexes and bungalows; unless otherwise specified by the Planning Authority;
- New apartment developments<sup>14</sup> will be required to include a range of unit sizes to cater for different housing needs
- ~~• The minimum size apartment allowed will be 45sqm<sup>15</sup>. No more than 20% of the units in any single development shall be under 50sqm. At least 50% of the units in any development shall be 73sqm or larger;~~
- ~~• The minimum room size and storage space standards set out in *Sustainable Urban Housing: Design Standards for New Apartments* (DoEHLG 2007) shall be adhered to;~~
- ~~• Single aspect residential units will only be permitted where the main living rooms face south, west or east;~~
- The minimum size / dimensions of apartments, including room and storage / amenity space sizes, as well as the internal layout and aspect, and hallways and lift core design, as set out in '*Sustainable Urban Housing: Design Standards for New apartments - Guidelines for Planning Authorities*' (as may be amended or updated during the lifetime of the plan), shall be adhered to;
- In the design of new residences, cognisance shall be had of the changing space demand of households over time. For example, apartment formats should allow for either the future subdivision of larger units or the merging of two or more smaller units (either horizontally or vertically) and houses (including bungalows) should have attics capable of conversion to habitable rooms.
- New houses should be designed in such a way that facilitates easy future ground floor extension, without negatively impacting on the usability of the original rooms of the house or on neighbouring properties;
- In 'edge of centre' or 'out of centre' new residential development, the quantum of apartments allowable will be regulated, as this dense format of development is more suited to urban core locations, where direct access to services is available. In this regard the maximum quantum of floor space that may be devoted to apartments in 'edge-of-centre' locations shall be 40% of the development and 20% in 'out-of-centre' locations.

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<sup>14</sup> Apartments are residential units in a multi-unit building with grouped or common access and single-storey own door units that form part of a 'duplex' unit

<sup>15</sup> Measurements are internal wall-to-wall dimensions and apply to units on one floor.

## AMENDMENT 76 C3

### Section 1 Open space (p11)

#### Open space

- Open space shall be provided in all new developments, the scale of which shall be dependent of the use of the building/site. In commercial developments, this may be limited to a small area utilised by employees for passive use, such as small courtyard area or roof garden. While the provision of such space may not always be possible in built up urban locations, new developments shall endeavour to provide a minimum area equivalent to 5% of the building gross floor area;
- Within apartment developments, private and communal amenity space shall be provided in accordance with Sustainable Urban Housing: Design Standards for New Apartments: Guidelines for planning authorities' (DoECLG, 2015). Care should be taken to ensure that such places receive adequate sunlight and meet the highest safety standards. The front wall of balconies should be made from opaque material and be at least 1m in height.
- ~~All residential units shall be provided with private open space, either in the form of private balconies, terraces or rear / side gardens. Where necessary to make up for a shortfall in private open space, communal private space, for example, in the form of internal courtyards or roof gardens, shall be provided. Care shall be taken to ensure such spaces receive adequate sunlight and meet the highest safety standards;~~
- ~~All apartments shall be provided with a minimum area of 30sqm private open space, which shall be at least partially made up of a private balcony or terrace. The front wall of balconies should be made from an opaque material and be at least 1m in height. The minimum balcony / terrace sizes shall be:~~

| Apartment size | Minimum balcony / terrace size |
|----------------|--------------------------------|
| One bedroom    | 5sqm                           |
| Two bedrooms   | 7sqm                           |
| Three bedrooms | 9sqm                           |

- Dwellings (including own door duplexes) shall generally be provided with private open space at the following minimum rates:

| House size   | Minimum private open space |
|--------------|----------------------------|
| 1-2 bedrooms | 50sqm                      |
| 3+ bedrooms  | 60-75sqm                   |

As a general 'rule of thumb', 0.64sqm of private open space shall be provided for each 1sqm of house floor area, subject to the minimum sizes specified above.

- Public open space shall be provided in accordance with the standards set out in Section 6. In particular,

- public open space will normally be required at a rate of 15% of the site area – areas within the site that are not suitable for development or for recreational use must be excluded before the calculation is made;
  - the need to provide public open space in town centre developments may be waived if the development specifically achieves other overriding aims of this Plan, particularly where public amenity space such as a town park or beach is in close proximity;
  - in greenfield developments, a hierarchy of open spaces shall be provided to provide for the different play needs of different age groups and all efforts shall be taken to ensure that all houses are in visual range of one open area;
  - Spaces less than 10m in width or 200sqm in area will not be counted as useable public open space; nor will space that is excessively sloping or otherwise unsuitable for usage.
- New organised sports areas shall be located in proximity to existing or planned community or neighbourhood facilities such as neighbourhood retail centres, schools etc.

## **AMENDMENT 77                      ELECTRICITY SUPPLY BOARD**

### **Section 1, Car parking, p12**

#### **Car parking**

- 2 off street car parking spaces shall normally be required for all dwelling units over 2 bedrooms in size. For every 5 residential units provided with only 1 space, 1 visitor space shall be provided. Parking for non-residential uses shall be provided in accordance with the standards set out in Table 7.1 to follow except where a deviation from the standard has been justified
- In new housing areas, car parking has traditionally been located on site, to the front of houses resulting in a regular 6-10m set back and regular buildings lines. Alternative parking arrangements that avoid this monotonous format should be provided; however, parking will always be required to be proximate to the dwelling served.
- In cases where the front door of a residential unit is directly onto a road that is not suitable for on-street parking (e.g. a main distributor road), car parking shall be located adjacent to a back or side door;
- Communal car parking areas shall be conveniently located for residents and suitably lit at night-time;
- Adequate provision shall be made for visitor and disabled car parking;
- Designated sheltered and secure bicycle parking will be required in apartment developments;
- Shared residential car parking areas shall be constructed (including the provision of necessary wiring and ducting) to be capable of accommodating future Electric Vehicle charging points, at a rate of 10% of space numbers

## **AMENDMENT 78                      C159**

### **Section 1: Add new heading and text as follows, p10**

#### **Protection of Residential Amenity in Transitional Areas**

While the zoning objectives indicate the different uses permitted in principle in each zone it is important to avoid abrupt transitions in scale and use at the boundary of adjoining land use zones. In these areas it is necessary to avoid developments that would be detrimental to amenity. In zones abutting residential areas, particular attention will be paid to the use, scale, density and appearance of

development proposals and to landscaping and screening proposals in order to protect the amenities of residential properties.

## **AMENDMENT 79                      C152**

### **Section 3: 'Extractive Industry', p30-31**

#### **Proposed method of extraction**

- Total quantity over the life of the quarry including the maximum annual quantity of material to be extracted (tonnes). ~~(State amount of saleable mineral or aggregate waste and overburden separately);~~
- ~~Rate of production in tonnes per annum (mineral or aggregate and extracted waste to be separately identified);~~ expected life of the excavation and anticipated timeframe for the completion of the extraction;
- Proposed method and depth of working, including details of direction of work, phasing, duration of each of the site development works, tipping and extractive operation and restoration;
- Details of plans of plant and machinery for mineral or aggregate extraction;
- Method of transporting material to processing or disposal point (e.g. roadway, conveyor, tramway, etc);
- State the length of time the operation will last from inception to final restoration.

#### **Conditions attached to permission**

Where planning permission is granted for the development of a quarry, the following matters may be addressed through application of conditions:

1. Permissions may be limited to a specified number of years, in order to enable the planning authority to monitor the impact of the development.
2. Conditions to control the extent of development on the site.
3. The planning authority will require the developer to lodge a cash deposit as security for the satisfactory restoration of the site.
4. ~~The Planning Authority will require the lodgement of cash deposits for satisfactory restoration, rehabilitation and site aftercare, including monitoring of the worked-out pit area, maintenance, repair, strengthening and upgrading of the affected road network, and landscaping and screening of the site during works.~~
5. ~~Conditions attached to the operation, restoration, rehabilitation and aftercare including monitoring, maintenance, repair, strengthening and upgrading of the affected road network, and landscaping and screening of the site. In particular, the Planning Authority will require the annual submission of an 'environmental audit' setting out a summary of all of the environmental monitoring results for the year, a record of movement of heavy vehicles outside the approved opening hours, a full record of any breaches over the previous year for noise, dust, and water quality and a written record of all complaints, including actions taken on each complaint. The Planning Authority will require the lodgement of a cash deposit for the satisfactory undertaking of these activities.~~
6. Conditions pertaining to the following:

- Financial matters;
- Measures to prevent environmental pollution and to protect the amenity of areas in respect of surface water / ground water, gaseous emissions, dust, noise, subsidence, blasting, traffic and roads, transportation impact; archaeological/historical heritage, geological / geomorphological heritage, rights of way;
- Measures to protect residential and visual amenity;
- Measures to protect public health and safety.

## **AMENDMENT 80                      C159**

### **Section 5: Retailing, p37**

#### **General development standards for retail**

In dealing with applications for planning permission for retail development, the Planning Authority shall have regard to the DoECLG 'Retail Planning Guidelines for Planning Authorities' (2012) and the accompanying 'Retail Design Manual' (2012).

The key criteria to be considered in the assessment of proposed retail / retail services developments will include:

- extent to which the development supports the long term strategy for town centres as established in the Core Strategy, the Retail Strategy<sup>16</sup> or local plan; including for example, compliance with retail hierarchy and effect on the role and function of centres, effect of the proposed development on the additional floorspace allocations, compliance with 'sequential approach', evidence of the need for additional retail evaluated against the population of the catchment area to be served by the proposed retail development and the availability of existing retail within that zone etc.
- potential to increase employment opportunities and promote economic regeneration including impact on the rural area;
- potential to increase competition within the area and thereby attract further consumers to the area;
- extent to which the development responds to consumer demand for its retail offering and does not diminish the range of activities and services that an urban centre can support;
- potential adverse impacts on one or more town centres, either singly or cumulatively with recent developments or other outstanding planning permissions (which have a realistic prospect of implementation) sufficient to undermine the quality of the centre or its wider function in the promotion and encouragement of the arts, culture, leisure, public realm function of the town centre critical to the economic and social life of the community;
- impact on vacancy rates;
- access arrangements both by public transport, foot and private car so that the proposal is easily accessible by all sections of society;
- physical and functional links with an existing city/town centre so that there is likely to be commercial synergy; and
- the quality of the design and public realm improvement.
- **Impact on residential amenity and privacy – regard shall be paid to 'Objective HD25: Protection of Residential Amenity in Transitional Areas' of Chapter 4: Housing.**

## AMENDMENT 81

## ELECTRICITY SUPPLY BOARD

### Section 7, Roads & Transportation, p51

#### Car parking

Where on-site car parking is provided, the car parking area shall be suitably surfaced and all bays and aisles marked out with white durable material. Spaces shall meet the following size requirements

#### *Parking and loading dimensions*

|                             |                                 |
|-----------------------------|---------------------------------|
| <b>Car-Parking Bays</b>     | 5.0m x 2.5m                     |
| <b>Disabled Parking Bay</b> | 5.0m x 2.5m + 0.9m between bays |
| <b>Loading Bay</b>          | 6.0m x 3.0m                     |
| <b>Circulation Aisles</b>   | 6.0m in width                   |

- Loading bays shall be located to prevent any obstructions to traffic circulation or use of other spaces;
- Where parking is permitted in the view of the general public, adequate soft landscaping shall be provided to soften the appearance of hard surfaced areas;
- Parking areas shall be reserved solely for the parking of the vehicles and should not be used for the storage of materials or goods associated with the development, nor for the parking of goods or other heavy vehicles;
- The standards set out in Table 7.1 shall apply to all new developments, be it new construction or additional or material change of use of existing buildings.
- Disabled car parking spaces shall generally be provided at a rate of 5% of the total number of spaces, for developments requiring more than 10 car parking spaces, with the minimum provision being one space (unless the nature of the development requires otherwise).
- In all car parks, car parking areas shall be constructed (including the provision of necessary wiring and ducting) to be capable of accommodating future Electric Vehicle charging points, at a rate of 10% of total space numbers.
- In any car park in excess of 20 spaces where public access is available, one fully functional charging point for Electric Vehicles shall be provided in accordance with IEC 61851 Standard for Electric Vehicle Conductive Charging Systems.

## AMENDMENT 82

## ESB TELECOMS

### Section 10, Masts & telecommunications', p63

#### Mast and telecommunications

These standards deal with those telecommunications installations which form part of the requirements for licensed, public mobile telephony and which are considered to be development in accordance with the Planning & Developments Acts. Operators of broadcast VHF and fixed radio link installations, which support the mobile radio requirements of the emergency services, should, where applicable, take cognisance of these standards.



### **Need for the new installation**

All applications for new antennae shall be accompanied by adequate information to show that there is a requirement for the new installation. In particular, the following information shall be provided

- Map of the area concerned (minimum 10km radius) showing all antennae operated by the applicant and the applicant's existing coverage in that area;
- Details of antennae operated by other providers in the area ~~and their associated coverage maps;~~
- Details of the area to be covered by the proposed antennae and technical explanation of the reasons why coverage cannot be provided by existing antennae.

### **Location**

Where it has been proven that there is a need for new / expanded coverage in a particular area, the applicant shall show that all existing masts and support structures in the area have been firstly examined to determine if the attachment of new antennae to existing support structures can provide the coverage required. This will require the submission of

- A map of all existing support structures in the vicinity of the coverage 'gap';
- A technical evaluation of the capabilities of these masts to take additional antennae and provide the coverage required.

Once it has been determined that new antennae / antennae support structures are required and co-location on an existing support structure is not feasible, permission will be considered for new support structures and associated base stations subject to the following control criteria.

### **Locations in settlements**

The applicant shall be required to follow a 'sequential' approach to site location i.e. in accordance with the order of priority set out to follow, the applicant must show that the preferred locations have been examined in the first instance and rejected for specified reasons (commercial competition in this instance will not be acceptable as a reason) and only then, can locations further down in the hierarchy be considered:

1. Clustering with existing support structures;
2. In industrial estates or on industrial zoned lands;
3. Rooftop locations in commercial / retail zones;
4. In parks / open space areas ('disguised' masts may be requested in such areas)

New support structures shall not be permitted within or in the immediate surrounds of a residential area or beside schools.

Impacts on protected structures, Architectural Conservation Areas, National Monuments or other building / sites of heritage value shall be considered.

### **Rural locations**

- Masts and base stations should be sited in a manner which respects the landscape and which limits the intrusion on the landscape, notwithstanding coverage obligation issues
  - Hilltops shall generally be avoided, except in exceptional circumstances, where technical or coverage requirements make it essential
  - Locations in the direct line of listed views or prospects shall be avoided;
  - Along major tourist routes, care shall be taken to avoid terminating views;

- The location of structures, archaeological sites and sites designated for nature conservation reasons (e.g., NHAs, SACs, SPAs) shall be considered against the conservation objectives of these sites<sup>17</sup>;
- Forested locations are likely to be preferable, subject to the nature of the forestry and its felling programme. In such cases, the applicant must be in a position to maintain a suitable cordon of trees around the site and bonded undertakings to that effect will be required to be submitted;
- Unless otherwise advised through pre-planning discussions, a visual impact assessment shall be submitted with any application, which shall address, in alia,
  - Landscape and topography, elevation and overall visibility;
  - Any listed views or prospects in the area;
  - Intermediate objects (e.g. buildings or trees) between the site and the principal viewing locations;
  - The scale of the object in the wider landscape;
  - The multiplicity of other objects in the wider panorama;
  - The position of the object with respect to the skyline;
  - Weather and lighting conditions

### **Access roads and power supply**

Access roads and new overground power lines shall be permitted only where they are absolutely necessary and great care should be taken that they would not appear as a scar on a hillside;

It will normally be a condition that access roads are grubbed up at the end of the construction period. In exceptional cases, the Planning Authority can consider requiring the use of a helicopter for the construction and installation of base stations.

### **Mast / antennae design**

Subject to visual and landscape considerations, support structures will normally be required to be so designed as to facilitate the attachment of additional antennae. Where such a design is facilitated, it will be a condition of any permission that the mast be made available for co-location with other operators;

- Support structures shall be so coloured as to minimise visual impact – in forestry areas, dark green will normally be required whereas those structures that would be visible against the skyline will normally be required to be a neutral sky grey;
- Whilst the design of the antennae support structures and the antennae themselves will be dictated by radio and engineering parameters, all applicants will be asked to explore the possibilities of using other available designs where these might be an improvement on traditional design;
- While it is acknowledged that there is a trade off between height (taller height implying better coverage) and the number of masts required for network coverage, in all cases, height shall be restricted to that required to bridge the existing coverage gap identified. Alternatively, consideration may be given to higher masts if this would allow for an overall reduction in mast in any given area.

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<sup>17</sup> In accordance with the Habitats Directive, any project not directly connected with or necessary to the management of a Natura 2000 site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to appropriate assessment of its implications for the site in view of the site's conservation objectives.

### Site layout / design

- Support structures, associated antennae and base stations shall be designed to minimise visual intrusion. In particular, height and width of the mast shall be kept to a minimum, subject to coverage considerations;
- In built up areas, monopole structures may be preferable, subject to consideration of future co-location demands;
- Site boundaries shall be suitable to the location. In particular, palisade type metal fencing will generally not be considered appropriate in built up areas – render or stone clad solid walls will normally be required;
- Landscaping shall be integrated into the scheme in both urban and rural locations;
- The number of ancillary buildings / containers shall be kept to a minimum, with all such structures proposed being clearly justified. Such structures shall be painted or clad in a material / colour suitable to the location.

### Safety criteria

- ~~As part of their planning application, applicants will be required to furnish a statement of compliance with the International Radiation Protection Association (IRPA) Guidelines (Health Physics, Vol. 54, No. 1(Jan) 1988) or the equivalent European Pretender 50166-2 which has been conditioned by the licensing arrangements with the Departments of Transport, Communications, Energy & Natural Resources and to furnish evidence that an installation of the type applied for complies with the above Guidelines;~~
- ~~Where the applicant proposes to share an existing mast or to enter a clustering arrangement on an existing site, a statement from the owner/landlord of the mast or site that the shared mast or cluster will continue to operate under the guidelines applicable to it should be presented to the Planning Authority;~~
- ~~The results of monitoring, shall, if required, be made available to the Planning Authority and through the Planning Authority to the members of the public;~~
- ~~Safety aspects of the antennae and support structures will, unless perhaps in the case of ground mounted single poles, stayed or otherwise, involve anti climbing devices and proper ducting and insulation measures for cables;~~
- ~~During construction of the site, special precautions may have to be taken in relation to traffic.~~

### Obsolete structures

- Where the original operator is no longer using the antennae and their support structures and no new user has been identified they should be demolished, removed and the site reinstated at the operators expense ~~(This will be a condition of any permission and a bonding arrangement to this effect will be put in place);~~
- Where the owner of a site disposes of the site to another suitably licensed operator, the original operator/owner will be required to inform the Planning Authority of such transfer so that the Authority may be in a position to readily enforce any continuing conditions on the new operator.

### Duration of permission

- ~~Permissions for antennae support structures and associated base stations shall only be granted for 5 years;~~
- ~~Further permissions for the facility at the end of the 5 year period shall be conditional on the provision of evidence, as necessary, to justify the continued need for the facility, given changes in technology and development of other sites in the meantime;~~
- ~~Where a subsequent permission does not include any alterations to the permitted facility, the applicant shall be required to show that no new changes in technology have come about that~~

~~would allow the design (height, width, no of antennae etc.) or environmental impacts of the installation to be improved;~~

- ~~• The Planning Authority shall apply more stringent conditions on any subsequent permission for the same site, if considered necessary.~~
- No time limits will be placed on the consent for a telecommunications structure other than where exceptional circumstances arise, with respect to the particulars of the site or its surrounding environment, which make only a temporary permission feasible and reasonable.
- Where a renewal of a previously temporary permission is being considered, the planning authority shall determine the application on its merits with no time limit being attached, other than where exceptional circumstances apply.

No amendments

No amendments

**AMENDMENT 83****RPS 1            C12**

Add Barniskey Church to the County RPS.

**RPS 2            C57**

Delete Pretty Bush Former National School from the County RPS (Ref. No. 13-18).

**RPS 3            C86**

Amend Ballyteige Bridge on the County RPS.

**From:** RPS 34-04: Ballyteige Bridge, North-west of Aughrim, Bridge Ballyteige Td. The only jack-arch bridge in County Wicklow,

**To:** 'RPS 34-04 : Ballyteige Bridge, North-west of Aughrim , Bridge Ballyteige Td. Jack-arch bridge and insert correct photo.

**RPS 4            C86**

Add Pillar Box at Church Road, Greystones to the RPS with the following text description: *Anonymous pillar letter box dating from c. 1880.*

**RPS 5            C91**

Add Waters Bridge, Vartry Reservoir, Roundwood to the County RPS (NIAH Ref 16309007)

Description: Three-arch road bridge, set within a long causeway spanning the Lower Vartry Reservoir, and two wrought iron gateways with piers at each end. The bridge is in rock-faced granite constructed c.1868. The causeway is battered and has rubble-built parapets with rough rounded coping. Architectural, historical and technical interest.

**RPS 6            C91**

Add Valve Tower, Vartry Reservoir, Roundwood to the County RPS (NIAH Ref 1640180)

Description: Stone-built 'valve' tower, iron girder bridge and tower-like gateway sited within the Vartry Reservoir, constructed c.1865. The valve tower was built to give access to underground draw-off pipes, which stretch from the reservoir itself through a dam to the treatment plant on the other side.

**RPS 7            C91**

Add Bell Mouthed Overflow Shaft, Vartry Reservoir, Roundwood to the County RPS.

Description: Bell Mouthed Overflow Shaft, Vartry Reservoir, constructed in ashlar granite to facilitate the movement of excess water from the lower reservoir. Diameter of 72ft and dept of 39ft. Architectural, historical and technical interest.

**RPS 8                    C105**

Amend 'The Rectory, Annamoe' on the County RPS, to limit description to external features of building.

**RPS 9                    C61, C112, C115, C116, C117, C123, C173, C175, C177, C181,**

Amend Sloan Terrace on the Bray RPS.

**RPS 10                  C124**

Amend Ballykean House description on the County RPS

**RPS 11                  C137**

Amend Hollywood House photo on the County RPS.

**RPS 12                  MINISTER FOR COMMUNICATION, ENERGY & NATURAL RESOURCES, GEOLOGICAL SURVEY OF IRELAND, C9, C122,**

Amend and add structures to the Avoca Mines RPS on the County RPS.

**RPS 13                  MINISTER FOR COMMUNICATION, ENERGY & NATURAL RESOURCES, GEOLOGICAL SURVEY OF IRELAND, C9, C122,**

Define curtilages of the protected structures at Avoca Mines (as set out in the maps to follow).

**Strategic Environmental Assessment Comment**

The addition of structures to the RPS would further contribute towards the protection of architectural heritage in the County that is already provided for by the Plan.




Amendments to the RPS would not result in significant environmental effects.

The removal of one structure from the Draft Plan's Record of Protected Structures would not result in significant environmental effects as the Council is of the opinion that the protection of this structure is no longer warranted.

**Appropriate Assessment Comment**

Changes to the RPS would not affect Natura 2000 sites.




**Amend the Record of Protected Structures as follows:**

| Amd No. | Ref.                        | NIAH Ref | Building Address                              | Structure                         | Townland               | Description   | Photograph   |
|---------|-----------------------------|----------|---|-----------------------------------|------------------------|---|--|
| RPS 1   | County RPS XX-XX            | n/a      | Barniskey Catholic Church                     | Church                            | Barranisky West Td     | T- Shaped, single story Roman Catholic Church built c. 1910 with natural slate roof and porch extension to front.   |   |
| RPS 3   | <del>County RPS 13-18</del> | n/a      | <del>Pretty Bush Former National School</del> | <del>School, now a dwelling</del> | <del>Knockroe Td</del> | <del>A small National School of circa 1950. The building is gable-ended with painted, rough cast walls, a flat-roofed porch at the north end and five windows to the front.</del> |  |
| RPS 4   | County RPS 34-04            | n/a      | Ballyteige Bridge North-west of Aughrim       | Bridge                            | Ballyteige Td          | <del>The only</del> Jack-arch bridge <del>in County Wicklow</del>   |   |
| RPS 5   | County RPS XX-XX            | n/a      | Pillar Box, Church Road, Greystones.          | Post Box                          | Rathdown Lwr Td        | Anonymous pillar letter box dating from c. 1880   |  |





|              |                  |          |   |  |               |  |   |
|--------------|------------------|----------|---|--|---------------|--|---|
| <b>RPS 6</b> | County RPS XX-XX | 16309007 | Waters bridge, Vartry Reservoir, Roundwood.               | Road bridge  | Togher Mor Td | Three-arch road bridge, set within a long causeway spanning the Lower Vartry Reservoir, and two wrought iron gateways with piers at each end. The bridge is in rock-faced granite constructed c.1868. The causeway is battered and has rubble-built parapets with rough rounded coping. Architectural, historical and technical interest |    |
| <b>RPS 7</b> | County RPS XX-XX | 16401801 | Valve Tower, Vartry Reservoir, Roundwood.                 | Stone-built 'valve' tower, iron girder bridge and tower-like gateway | Togher Mor Td | Stone-built 'valve' tower, iron girder bridge and tower-like gateway sited within the Vartry Reservoir, constructed c.1865. The valve tower was built to give access to underground draw-off pipes, which stretch from the reservoir itself through a dam to the treatment plant on the other side                                       |    |
| <b>RPS 8</b> | County RPS XX-XX | n/a      | Bell Mouthed Overflow Shaft, Vartry Reservoir, Roundwood. | Overflow Shaft   | Togher Mor    | Constructed in ashlar granite to facilitate the movement of excess water from the lower reservoir. Diameter of 72ft and dept of 39ft. Architectural, historical and technical interest.  |   |
| <b>RPS 9</b> | County RPS 18-11 |          | The Rectory, House, Annamoe                               | House  | Drummin       | Three- bay, two-storey house c. 1908 built originally as a dispensary. <del>of circa 1870</del> with Cement-rendered walls, inset doorcase with round-headed arch, half-hexagon bows on the ground floor, paired, round-headed windows and a triple, round-headed window on the first floor. External features only.                     |  |

## SECTION 2

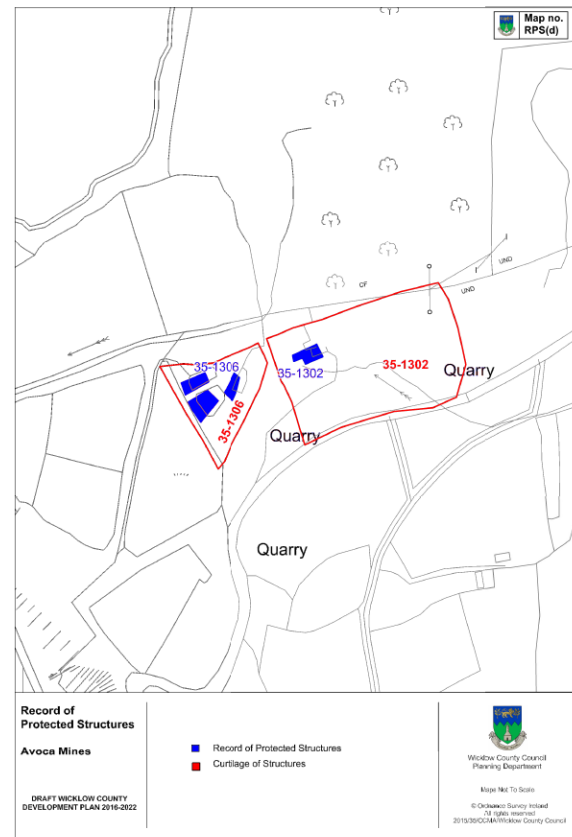
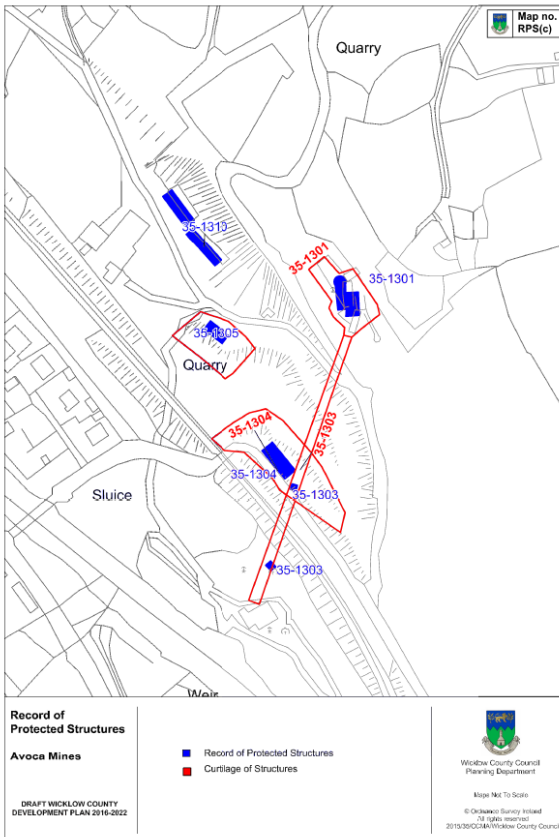
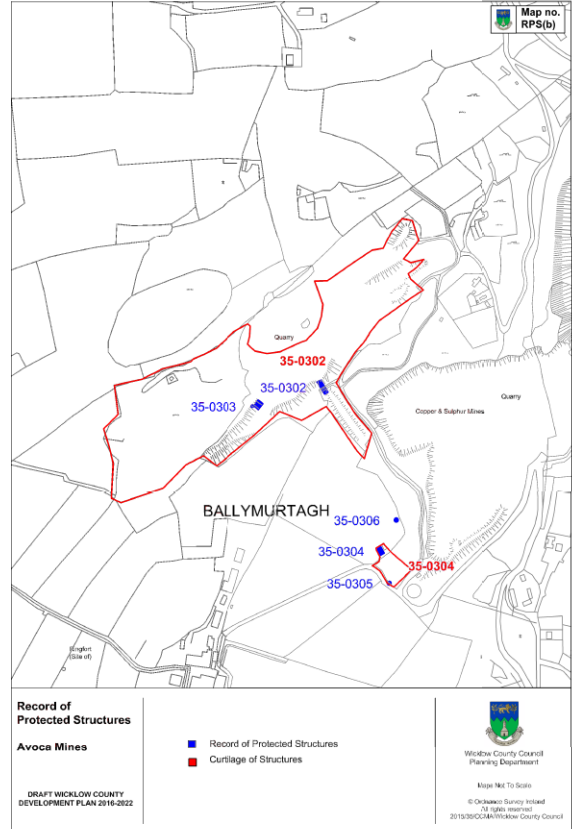
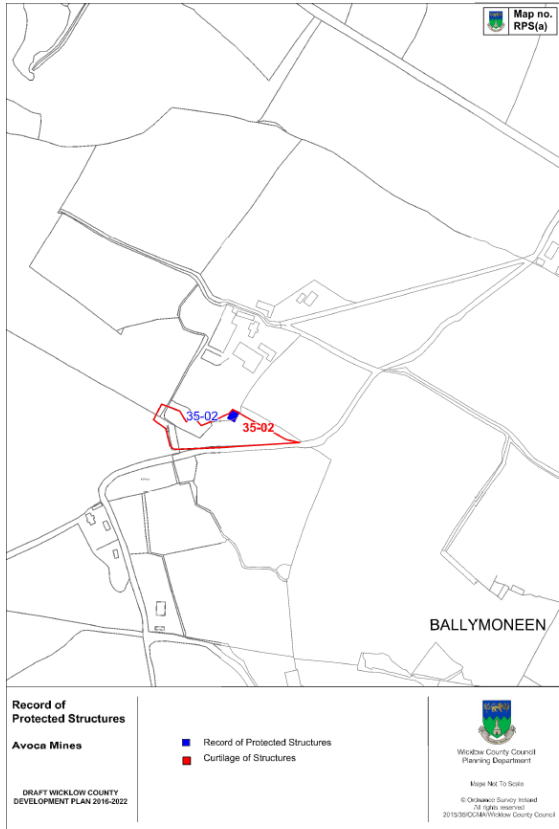
|               |                   |          |                                    |                                 |               |   |   |
|---------------|-------------------|----------|------------------------------------|---------------------------------|---------------|---|---|
| <b>RPS 10</b> | RPS XX-XX         | 16301032 | 2 Sloane Terrace, Meath Road, Bray | House                           | Bray Td       | <p><b>Front facade of house and railings.</b> Semi-detached two-storey house, built c.1880 with slate roof and timber sash, one over one windows. The front door is timber panelled, flanked by pilasters with a semi circular fanlight above. The house is slightly set back behind decorative wrought-iron railings which sit on a low rendered wall. This is one of a pair of well preserved houses, the front facade of which remains very much intact and is of special interest. <del>which remains very much intact.</del> A very typical design which adds greatly to the 19th-century streetscape.</p> |   |
| <b>RPS 10</b> | County RPS XX-XX  | 16301033 | 1 Sloane Terrace, Meath Road Bray  | House                           | Bray Td       | <p><b>Front facade of house and railings.</b> Semi-detached two-storey house, built c.1880 with slate roof and timber sash, one over one windows. The front door is timber panelled, flanked by pilasters with a semi circular fanlight above. The house is slightly set back behind decorative wrought-iron railings which sit on a low rendered wall. This is one of a pair of well preserved houses, the front facade of which remains very much intact and is of special interest. <del>which remains very much intact.</del> A very typical design which adds greatly to the 19th-century streetscape</p>  |    |
| <b>RPS 11</b> | County RPS 30 -04 |          | Ballykean House                    | Country House & Demesne Grounds | Ballykeane Td | <p>A fine, late-18th Century house with two storeys at the front and three storeys at the rear. The façade is of five</p>   |   |

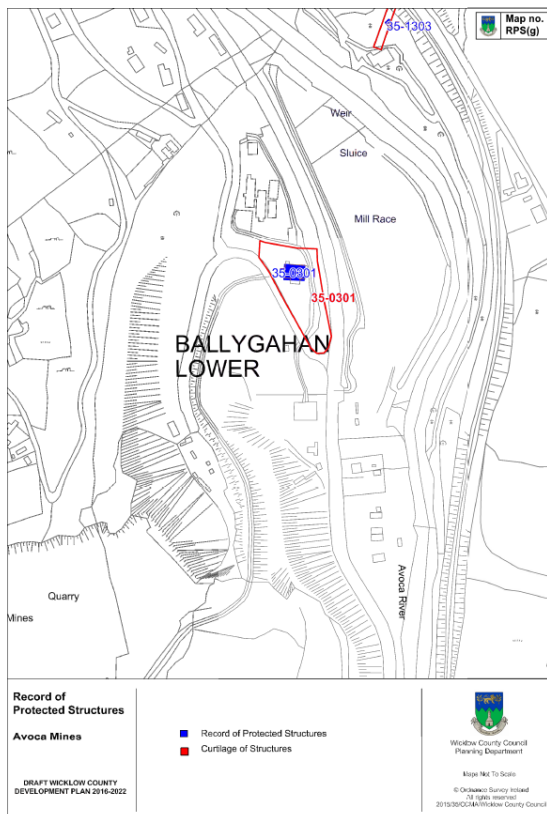
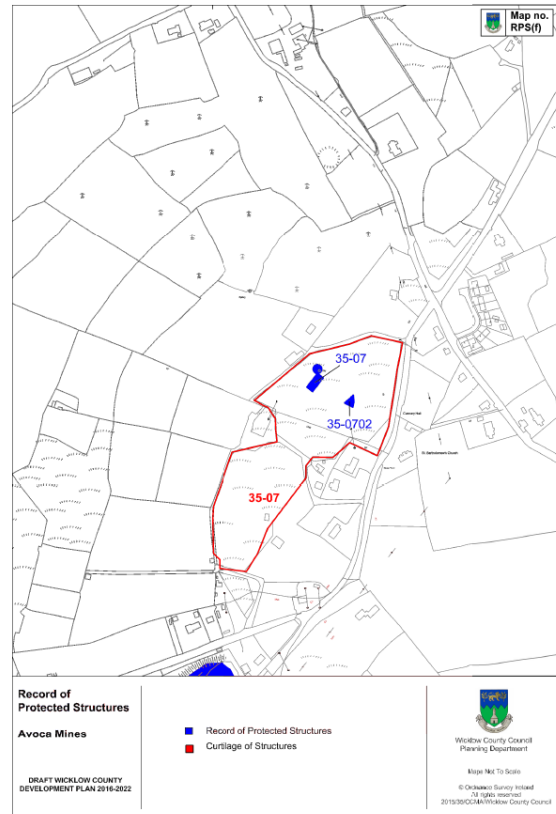
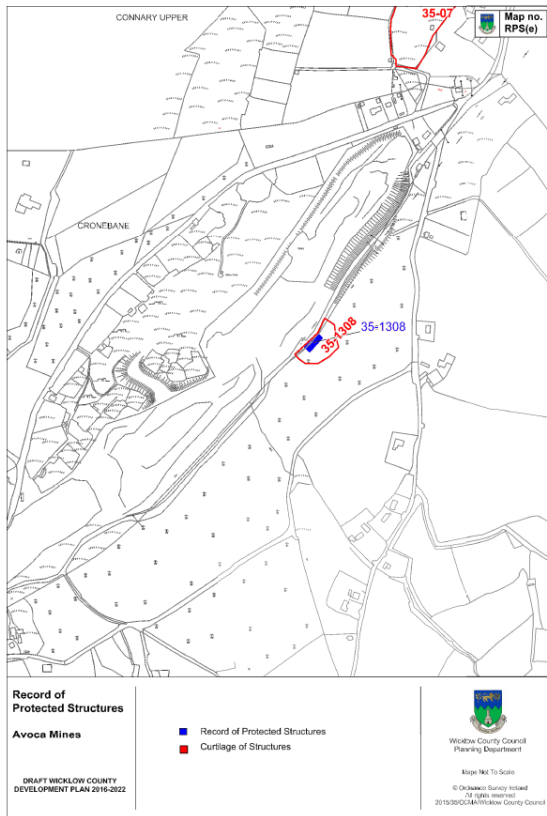
## SECTION 2

|               |                    |  |                           |  |                 |  |   |
|---------------|--------------------|--|---------------------------|--|-----------------|--|---|
|               |                    |  |                           |  |                 | bays and two storeys with rough-cast walls and parapet, handsome round-headed doorcase with side lights in cut stone, delicate leaded lights. The demesne grounds include the original outbuildings, the historically designed landscape and field boundaries and the straight tree lined stretch of road that runs from the R754 in a north west direction. <del>—and sash windows with Georgian panes.</del> |                                    |
| <b>RPS 12</b> | County RPS 24-13   |  | Hollywood House, Glenealy | Country House                                | Ballydowling Td | A late-18th Century house of five bays and two storeys with 19th Century plaster enrichments. It has a pedimented breakfront with a tetrastyle, ionic porch, lined and rendered walls, architraves to the windows, a wide doorcase with sidelights and a Wyatt window over the porch. There is a full-height bow on the right-hand return façade.  |  <p>(Note This is a new Photo)</p> |
| <b>RPS 13</b> | County RPS 35-0701 |  | Sroughmore, Avoca         | Four masonry support structures (stanchions) | Sroughmore Td   | Support bases for footprint of an Ariel wire ropeway which extended from the Avonmore river to Connary. The rope was driven by a water turbine and operated pumps at Connary. The stanchions would have carried metal sheave wheels for the wire rope. Four of the stanchions remain. The system is unique in Ireland.   |   |
| <b>RPS 13</b> | County RPS 36-1308 |  | Tigrone East, Avoca       | Footprint of Assay House                     | Tigrone East Td | Foot print of inferred mineral assay office at Cronebane. The curtilage includes the surrounding area  |   |

## SECTION 2

|               |                    |  |                      |                          |                  |   |  |
|---------------|--------------------|--|----------------------|--------------------------|------------------|---|--|
|               |                    |  |                      |                          |                  | containing archaeological artefacts such as assay crucibles and a mineral sett boundary stone.  |  |
| <b>RPS 13</b> | County RPS 35-1306 |  | Tigroney West, Avoca | Ochre precipitation pits | Tigroney West Td | A series of linked pits used for the precipitation of ochre (iron oxide) from mine waters and oxidised ores. Ochre pits close to Baronets shaft and at Tigroney. The ochre pits are stone lined and interlinked with diversion channels so that one pit could be drained and the ochre extracted whilst the other(s) were in operation. |  |
| <b>RPS 13</b> | County RPS 35-0702 |  | Sroughmore, Avoca    | Engine Pool              | Sroughmore Td    | Triangular shaped concrete lined engine pool which acted as a reservoir for a steam engine at whim shaft, Connary. This is an unusual design and probably dates from the late C19th. Extant engine pools are rare in Ireland.   |  |
| <b>RPS 13</b> | County RPS 35-1305 |  | Tigroney West, Avoca | Precipitation launders   | Tigroney West Td | Areas of partially exposed copper precipitation launders at Tigroney. The Tigroney mine was one of the pioneers of copper precipitation in the 18 <sup>th</sup> & 19 <sup>th</sup> centuries.   |  |





**AMENDMENT 84****C80****Volume 3      Appendix 5 Landscape Assessment, p31**

Amend the wording for the Southern Coastal Cell 2(b) as follows:

*2(b) - The southern coastline comprises of lands south of Wicklow Town beginning at the **Glen Turn, encompassing Wicklow Head** and extending as far as south of Arklow Rock. This area comprises of the main sandy beaches of Brittas and Clogga Beach and provides for a continuous prospect and numerous views from the coast road out to sea. Sand dunes are dominant in sections of the area forming a number of important environmental designations such as Maherabeg Dunes and Buckronev Brittas Dunes and Fen (NHA and SAC) and Arklow Rock/Askintinny NHA. These areas are important not just from a landscape or habitat perspective, but also are increasingly important for recreational activities, the development and promotion of which must be managed appropriately.*

**Strategic Environmental Assessment Comment**

Changes to the Landscape Assessment Map would further contribute towards the protection of the landscape that is already provided for by the Plan.

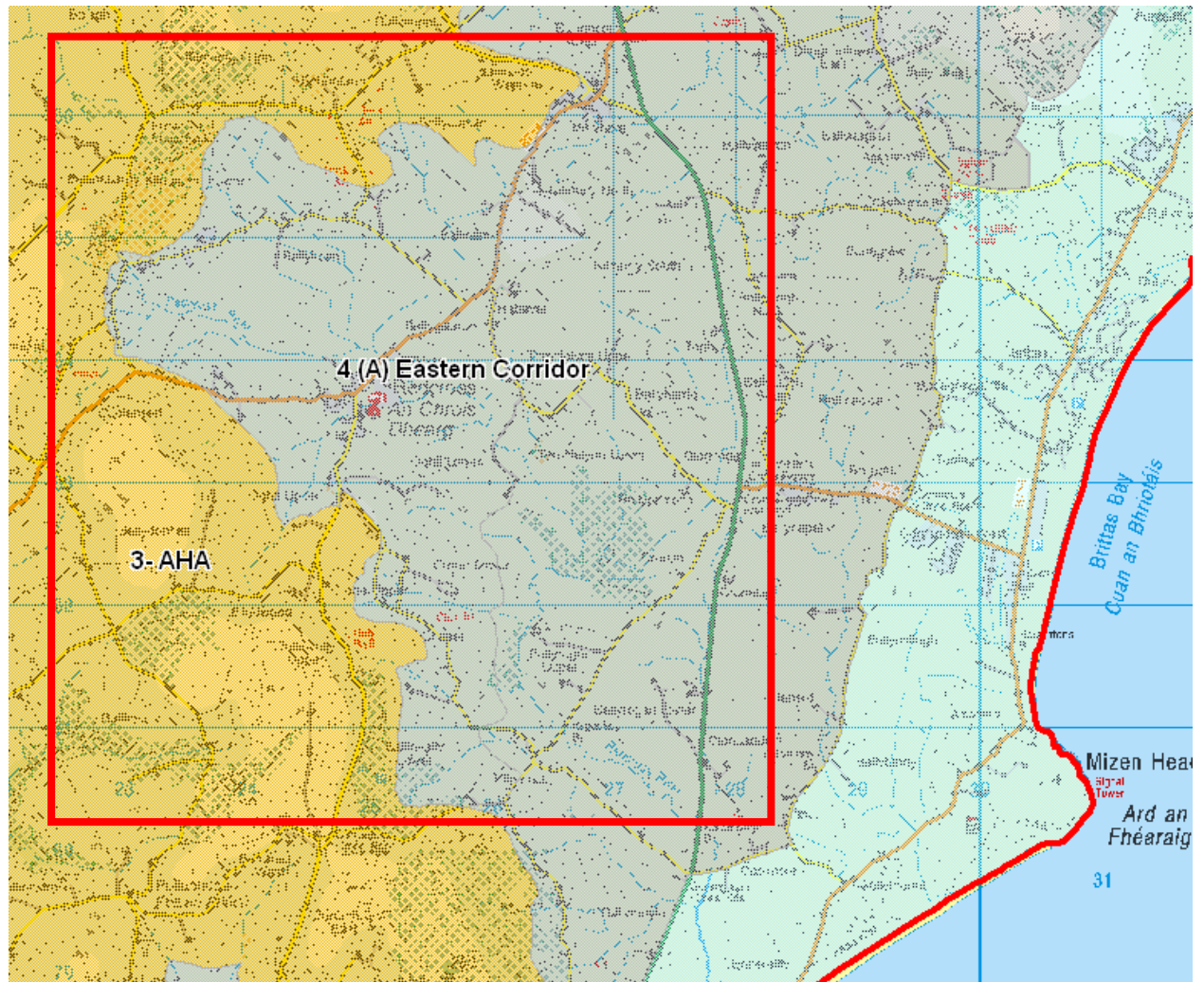
**Appropriate Assessment Comment**

Changes to the Landscape Assessment Map would not affect Natura 2000 sites.



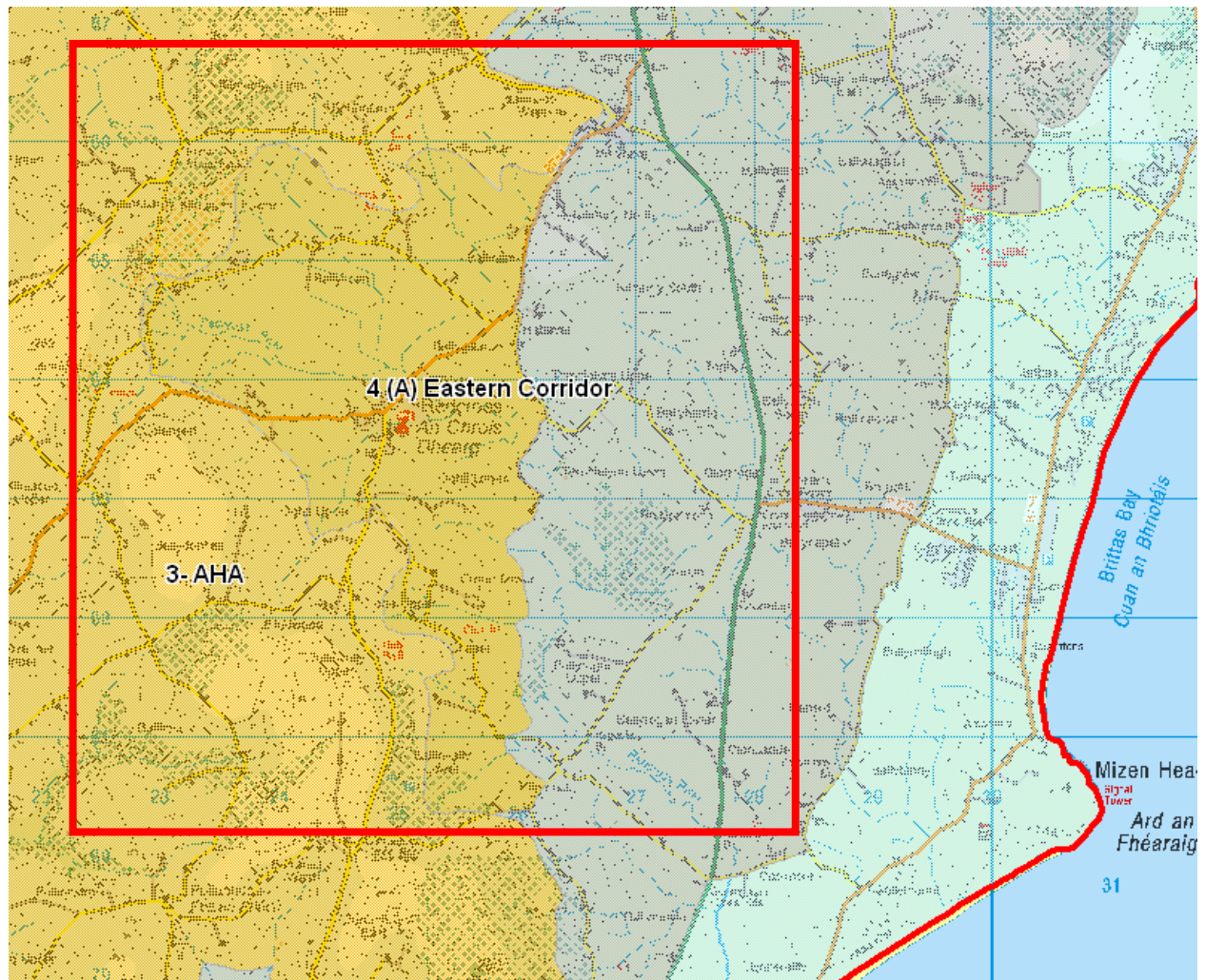
## Volume 3      Appendix 5 Landscape Assessment Map

Change from:





Change to:



## AMENDMENT 86 C55

### Appendix 6 'Wind Energy Strategy', p11

All applications for wind turbines ~~with a rotor diameter of 50m or less shall include a detailed assessment of shadow flicker impacts on all residences within 500m from any turbine. Applications providing for a rotor diameter in excess of 50m~~ shall include a detailed assessment of shadow flicker on all residences within a minimum radius of 10 times the diameter of the rotor e.g. a wind turbine with a rotor diameter of 65m will be required to carry out an assessment of impacts on all residences within a minimum 650m radius of any turbine.

No amendments

No amendments

Refer to Addendum to SEA report

Refer Addendum to AA report

## AMENDMENT 87 EPA

### APPENDIX 11 – STRATEGIC FLOOD RISK ASSESSMENT

Under 'Section 7' add new heading 'Coastal Zones' add additional maps showing the flood risk zones for each cell.

To be updated in line with amendments

To be updated in line with amendments

To be updated in accordance with any updates to Planning and Development Act 2000 (as amended).

**AMENDMENT 88****(SECTION 14 PROCESS)****Chapter 10****Section 10.3.8 Public Rights of Way**

Section 10(2)(o) of the Planning and Development Act 2000, requires the inclusion of a mandatory objective in the development plan for the preservation of public rights of way (PROW) which give access to seashore, mountain, lakeshore, riverbank or other place of natural beauty or recreational utility and PROWs shall be identified both by marking them on at least one of the maps forming part of the development plan and by indicating their location on a list appended to the plan.

Section 14 of the Act sets out the formal process for making provisions in development plans for the inclusion for the first time provisions for the preservation of a specific public right of way. The scope of these statutory provisions is grounded on identification of existing routes over which P.R.O.W's are deemed by the planning authority to exist. The inclusion of such objectives provides greater protection for such route-ways under the development management provisions of planning legislation whilst also restricting the scope of certain exempted development.

A P.R.O.W. is a type of easement of way that is in legal terms distinct from other easements of way such as private rights of way and customary rights of way. A P.R.O.W. or highway is a physically defined route over which the public have a right of passage which in legal terms is described as 'a user as of right'. The form of P.R.O.W. referenced herein is the type that is normally used for recreational purposes rather than for regular daily vehicular/non vehicular access-transportation purposes. A P.R.O.W. "confers the unrestricted right of the general public to pass and re-pass at all times of the day or night and at all seasons without notice to, or permission from the landowner over whose lands the way runs"<sup>18</sup>. The most common physical characteristics of P.R.O.W's have been identified as follows:

- It follows a defined route which may be sub-divided amongst different branches, and
- The route normally runs between two public places, such as public roads as defined under roads legislation and/or landscapes of special amenity such as a beaches, woodlands or lakes.

The Council has identified nine routes that are outlined in Table 10.13 that are considered to accord with the established common law criteria pertaining to P.R.O.W's as a form of public easement of passage<sup>19</sup> (See Maps 10.10 A to F).

**Note:** The list of identified public rights in Table 10.3 of way does not purport to include all public rights of way in County Wicklow.

Table 10.3 Public Rights Of Way

| Reference | Location                   | Description  |
|-----------|----------------------------|--|
| P.R.O.W.1 | The Murrough, Wicklow Town | <del>From the Wicklow Town boundary, along the coastline of</del> A coastal walkway from the public car park in the Murrough Wicklow Town to the former Wicklow Town Council boundary in Tinakelly via , Bollarney Murrough, Knockrobin, Murrough, and Tinakilly Murrough. |

<sup>18</sup> Edward Walsh & Constance Cassidy v The County Council for the County Sligo, [2013] IESE 48.

<sup>19</sup> PROW1 to PROW4 are 4 existing public rights of way that were established in 1994 by way of variation to the 1989 County Development Plan in the Wicklow Town Environs Plan 1994.

|            |  |   |
|------------|--|---|
| P.R.O.W.2  | Dunbur Lower and Dunbur Head, Brides Head, Wicklow Town.   | <del>From the Wicklow Town boundary along the coastline to Brides Head and Lime Kiln Bay</del> From the public car-park known as the Glen Car-park in Dunbur Lower/off the R.750 coast road to the Glen Strand, onto Brides Head-Lime Kiln bay on a cliff/coastline path as far as the private road leading from the R.750 to the site of Wicklow Head Light House in the townland of Dunbur Head and back onto the principal linear section of this pathway via a new short looped section of path (to be developed during the lifetime of this plan).   |
| P.R.O.W.3  | Broomhall, Wicklow Town  | From the junction of the Rocky Road and Ashtown Lane (L-1099-0) and L-5100-20) to <del>Rathnew back road along the western boundary of Wicklow</del> Environs the roundabout junction at Merrymeeing/Burkeen (L-5392-0 and L-1098-60).  |
| P.R.O.W.4  | Corporation Lands and Dunbur Lower, Wicklow Town   | <del>Along</del> The old coast road from the north-western public road junction (L 5721-15/L-57251-10) in Seafeld housing estate (townland of Corporation Lands) <del>at Dunbur Lower from Seafeld housing estate to public road</del> on a path that runs along the western boundary of that estate, to the R.750 (Dunbur Lower) via pathway adjoining the eastern boundary of an agricultural field and a laneway respectively between two housing estates (Seaview and Seapoint/Bayside Glen).   |
| P.R.O.W.5  | <del>Bray/Greystones Cliff Walk</del><br>From Beach Road Greystones to the coastline in Rathdown Lower and Rathdown upper, via two branches. | <del>From the southern end of Strand Road/the Promenade in Bray, via the townlands of Newcourt, Ballynamuddagh, Rathdown Upper and Rathdown Lower, to two separate termini in the Greystones harbour area namely; the north beach and Beach Road, respectively.</del><br>This section of amenity route constitutes the initial linear southern section of the long established Bray to Greystones Cliff Walk. From Beach road (L-12042) in the Greystones harbour area via part the new residential area of the Greystones harbour-marina development,, with two separate perpendicular branches linking this route to the coastline at (a) a pathway enclosed with two bounding metal fences to the north beach and (b) a pathway to the coast in the vicinity of the site of the former Rathdown Castle. Total cumulative length of this route is circa 1.4 km. |
| P.R.O.W.6  | <del>Newcastle / The Murrough</del><br>Tinakelly The Murrough to Blackditch Newcastle.   | <del>Coastal Walk. From the eastern end of Sea Road, Newcastle to Tinakelly Murrough in Wicklow Town (linking up with PROW1).</del><br>A continuation of the Murrough coastal walk referenced herein as P.R.O.W.1 from Tinakelly Murrough Wicklow to the vicinity of the former Newcastle Railway Station, Blackditch at the eastern end of the Sea Road (L5550-0), via the townlands of: Clonmannon, Ballybla, Castlegrange, Grange South and Grange North.  |
| P.R.O.W.7  | Enniskerry-Tinnehinch-Cookstown  | <del>'Lovers Leap'. From the R760 on a wooded pathway, above a section of the northern bank of the River Dargle, with minor branch routes leading to the river bank. This route opens onto the L- 1020/ Cookstown Road.</del><br>'Lovers Leap Lane'. From the R760 to the L-1020/Cookstown Road on a wooded pathway, above a section of the northern bank of the River Dargle, with minor branch routes leading to the parts of the northern bank of this river.  |
| P.R.O.W. 8 | Ballyman Road to Barnaslingan Lane across the County Brook stream  | This route transverses the county boundary (defined by 'the County Brook Stream') between Co. Wicklow and the administrative county of Dún Laoghaire Rathdown (dlr). The entire remit of this amenity route is listed/preserved as a public right of way in the current dlr County Development Plan 2016-2022. The section of this route that   |



|           |   |   |
|-----------|---|---|
|           |   | runs between the County Brook Stream and Barnaslingan Lane (L-5507) to the west is located within the townland of Monastery Co. Wicklow.  |
|           | Stratford on Slaney                               | <del>A section of former public road, in the southern part of this village, that links the southern end of Baltinglass Street to the L-8301.</del>  |
| P.R.O.W.9 | Main Street Kilcoole to the L-1042/Kilquade Road. | Sally Walk/Kilcoole Mass Path, <del>, from the R.671 at a point to the south of Saint Anthony's Catholic Church Kilcoole via Priestsnewtown over Saint Patrick's River to the L-1042 in Kilquade.</del> from the a pedestrian opening on the R.671/Main Street to the L-1042 in Priestsnewtown Kilquade via: a public footpath, the grounds of St. Patrick's Hall, a defined pathway, a pedestrian bridge over Saint Patrick's River and through a pathway in a field in Priestsnewtown and a laneway that opens onto the L-1042. |

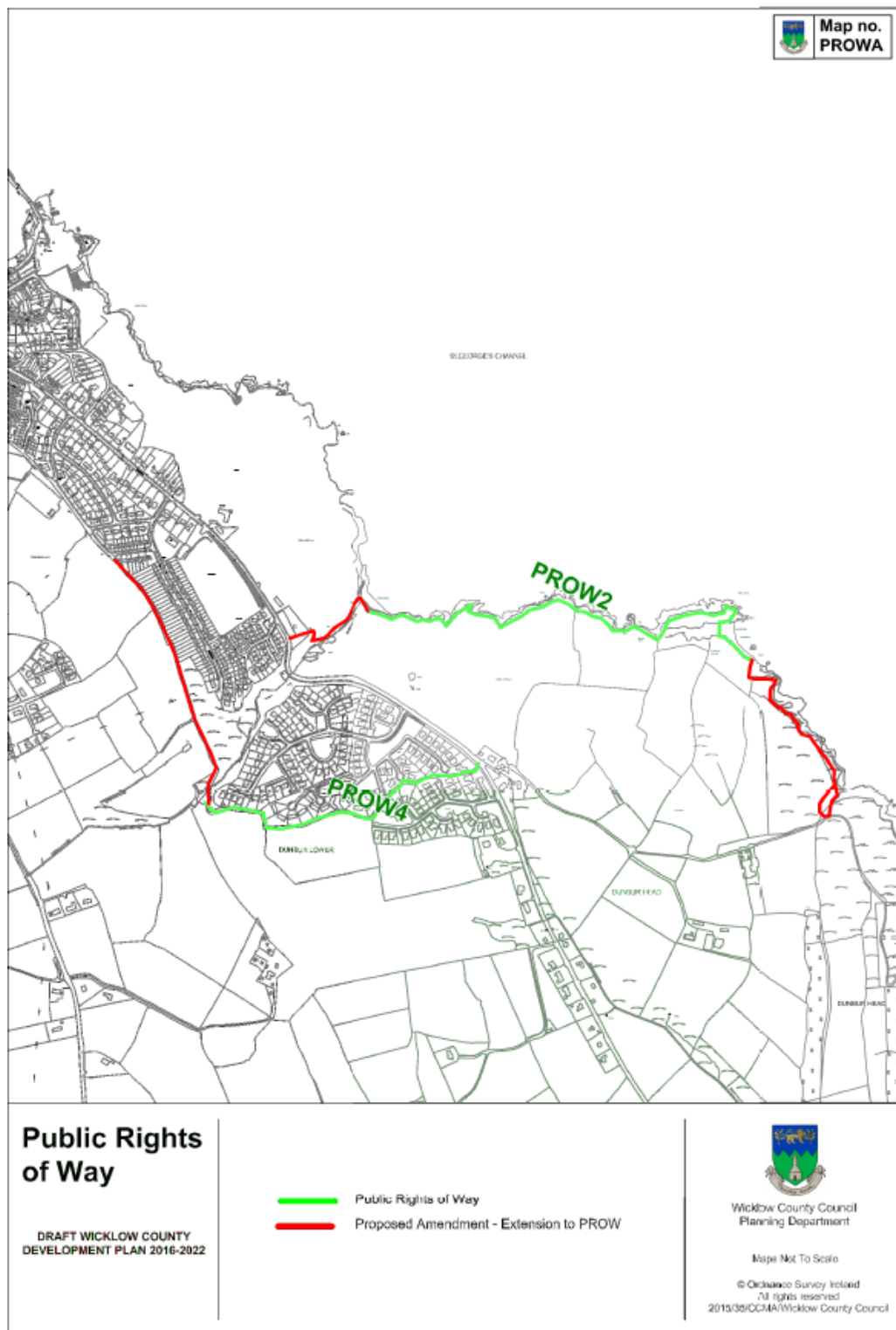
### Public Rights of Way Objectives

**NH45** The Council will utilise its relevant statutory powers for the purpose of preserving in so far as is practical, the character of the routes of the public rights of way detailed in Table 10.1 (Map 10.12) ~~for amenity purposes~~. In this regard, the Council will, in the interests of attaining a balance between the needs of the individual owners of holdings over which these listed routes transverse and the common good, engage with such land-owners in circumstances where there are reasonable ground for giving consideration to the re-routing of sections of such means of public access within the same holding.

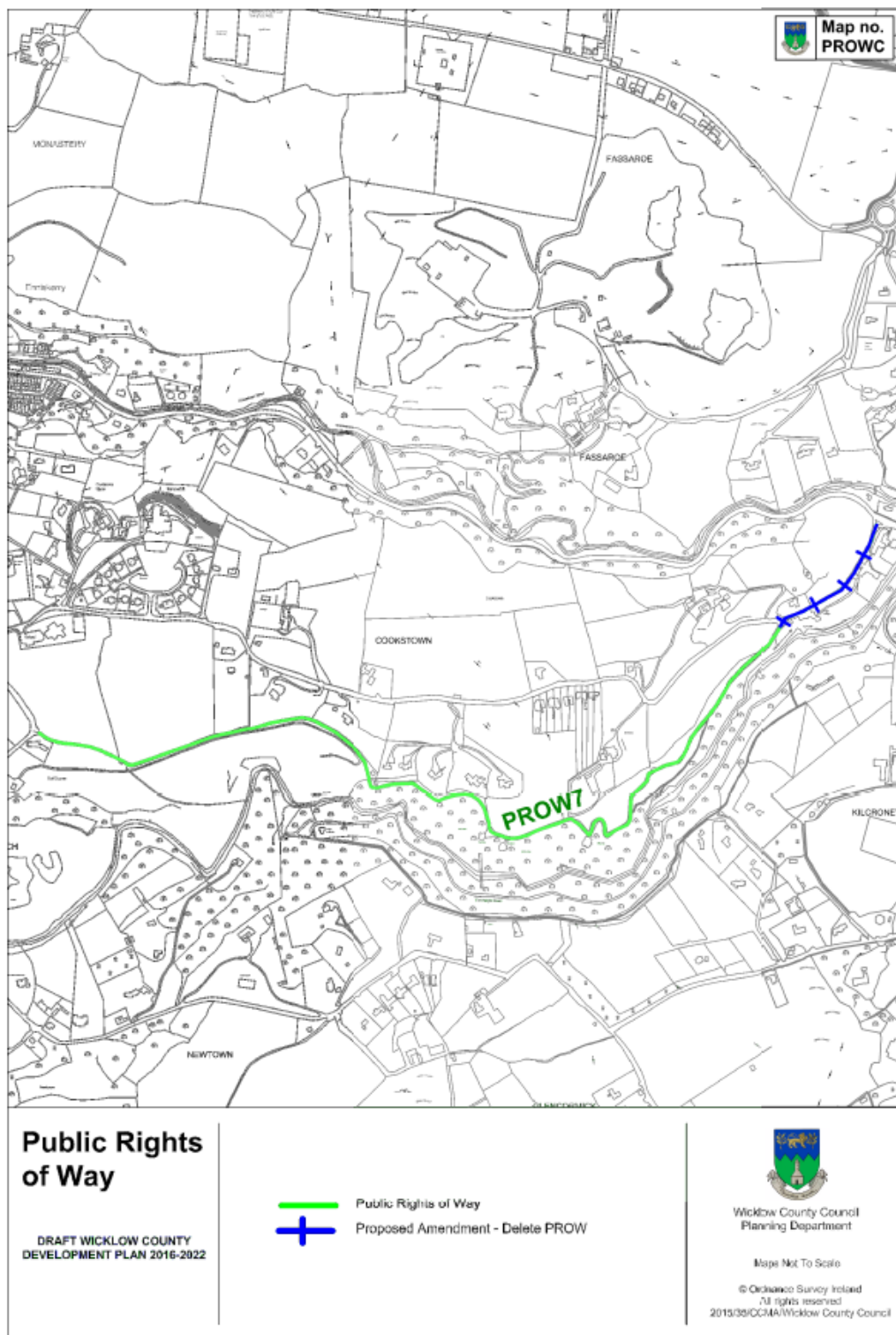
**NH46** To carry out further research, where resources permit, regarding the identification and mapping of other potential existing public rights of ways in the county. Such research will be carried out in consultation with, elected representatives, members of the public, ~~representatives of recreational organisations~~, relevant ~~statutory~~ public bodies, ~~users of amenity access routes~~, landowners, farmer representative groups and the Wicklow Upland Council (where appropriate) for consideration for inclusion of any further identified public rights of way in this plan by way of variation ~~in accordance with Section 13 of the Planning and Development Act 2000 (as amended)~~ Part of such a project may where considered appropriate/warranted, give rise to proposals for the creation of new public rights of way and or the extending/re-routing of existing public rights of way in accordance with respective provisions of either Sections 206 or 207 of this act.

**NH47** In accordance with the provisions of Section 208 of the Planning and Development Act 2000 (as amended) , it is an objective of Wicklow County Council to carry out maintenance and repair works to the four existing public rights of way in the Wicklow Environs area (P.R.O.W. 1 to P.R.O.W. 4 inclusive) that were listed for preservation under planning and development legislation prior to the commencement of this section of the act on 21<sup>st</sup> January 2002. Such works may where considered warranted on foot of an assessment of the structural capacity of such routes to accommodate public usage in a safe and commodious manner, involve the carrying out of surface upgrading-improvement works.

## Public Rights of Way Mapping













## Section 3 Summary of Issues raised and Chief Executive's response and recommendation on these issues

### SECTION 3.1 GROUP A Prescribed Bodies

#### SECTION 3.1.1 DEPARTMENT OF ENVIRONMENT, COMMUNITY & LOCAL GOVERNMENT (A1)

##### Summary of issues raised

The Department considers that the Draft Wicklow County Development Plan 2016-22 provides a well-structured framework for the demographic, economic and social growth of the county in the context of national and regional policy objectives. However, there are a number of important aspects of the Draft Plan that would benefit from the Council addressing more effectively, as set out to follow:

#### 1. Development Standards

In December 2015, the updated '*Sustainable Urban Housing: Design Standards for New Apartments - Guidelines for Planning Authorities*' (2015) were published to replace the previous 2007 guidelines on the subject. They were formally issued under Section 28 of the Planning & Development Act, 2000 and are now the relevant statutory Ministerial Guidelines. They provide guidance on an expanded number of topics related to the apartment building itself and on the individual apartment units including internal space standards for different types of apartments (including studio apartments), dual aspect ratios and floor to ceiling heights.

The Council should also be aware of the Planning & Development (Amendment) Act 2015 which provides under section 3 for specific planning policy requirements (SPPRs) to be applied by planning authorities. The 2015 Apartment Guidelines contain such SPPRs to ensure their consistent application including in the determination of planning applications such that where the guidelines and the standards or provisions of a development plan differ, the national planning policy as reflected in Ministerial guidelines shall prevail and take precedence.

The Department accepts that the updated Apartment Guidelines were issued subsequent to the publishing of the Draft Wicklow CDP 2016-22 in November 2015. The Council should therefore consult the revised Apartment Development Guidelines and examine the Draft Wicklow CDP to ensure that its provisions do not conflict with this updated Ministerial Guidance. In particular, the '*Development and Design Standards*' Appendix should be revised accordingly.

#### 2. Exceptional Zonings Proposed on Specific Sites

The plan features a number of what are described as "exceptional" residential and employment zonings at specific locations that appear to lack the evidential base required by the relevant Ministerial guidelines and appear to be in conflict with the stated core strategy of the Draft Wicklow County Development Plan 2016-22. These are as follows:

##### (a) Employment Zonings

Chapter 5 has a number of specific sites included in Objective EMP12 (Map numbers 5.01-5.07) which are located outside of identified settlements and development areas of the county. These sites have specific zoning objectives for employment/commercial development and appear to be piecemeal and random in nature. They are in conflict with Objective EMP2 which seeks to locate new employment generating

development in settlements and overall the strategic emphasis of the Plan based around the major population settlements as the key focus for economic growth.

Proposed zonings 5.01-5.07 in Objective EMP12 would appear to be significantly at variance with the requirements of the Development Plans Guidelines (2007) which seek, *inter alia*, a spatially sequential and evidence-based approach to development zoning and also to the 'Spatial Planning and National Roads Guidelines' (2012) which seek to ensure the avoidance of any adverse impact on the national road infrastructure from inappropriate new development.

In particular, sites at Kilpedder, Kilmurray South and Kilmurray North adjoining the N11 have not been considered in a strategic manner in relation to the 'Guidelines on Spatial Planning and National Roads' (2012). These three sites are also identified in the Strategic Flood Risk Assessment as subject to flooding (Flood Zone A) and are therefore inappropriate for development with reference to the Sequential Approach to Flood Risk (Figure 3.1 of the 'The Planning System and Flood Risk Management Guidelines for Planning Authorities, 2009') whereby areas prone to flooding should be avoided for new development.

#### **(b) Zoning west of Newtownmountkennedy**

Objective HD24 (pg.78) details a specific zoning provision for housing, tourism and recreational development on a 28ha site at Ballinahinch Lower, west of Newtownmountkennedy (the lands are identified on accompanying map 04.01). This zoning proposal is in conflict with the core strategy of the Plan whereby the identified settlements are to have their housing allocation provided through the LAP process in conformity with the Core Strategy. The proposed zoning is also isolated to the south west of the village and is at odds with the sequential development of lands in Newtownmountkennedy as required by the Development Plans Guidelines (2007) issued by the Minister under section 28.

The Council is advised to delete the above zonings related to Objectives EMP12 and HD24 of the Draft Plan which conflict with the identified core strategy of the Plan and the relevant Ministerial Guidelines on the zoning of lands.

#### **(c) Ashford Film Studios**

The proposed zoning Objective EMP12/Map No.5.08 in Ashford appears to be related to the film industry which is supported in Chapter 5 as one of the key sectors for growth in the local economy. The proposed zoning is extensive in nature and covers c.160 hectares of land in two land parcels to the north of Ashford village. Notwithstanding the wording and intention of the zoning objective, it is considered that the justification for such an extensive zoning has not been demonstrated and the intensity/extent of future development remains insufficiently defined.

The Council is advised to substantially reduce the spatial extent of the zoning and confine development to the locality of the existing studio structures on the site. The wording of the objective should also be examined to ensure that it is sufficiently specific to film industry-related development only that will have minimal impact on the rural character of this area.

### **3. Retail Policy**

- (a) Retail Strategy for the GDA 2008-16 designates Four Level 3 (TOWN AND/OR DISTRICT CENTRE & SUB-COUNTY TOWN CENTRES) centres in County Wicklow at Greystones, Blessington, Baltinglass and Rathdrum. However, the *County Wicklow Retail Hierarchy* (Table 6.2, pg.112) of the Plan has also introduced Newtownmountkennedy into this grouping as a county town centre. The rationale underpinning this departure from the Retail Strategy for the GDA 2008-16 is not satisfactorily provided

in the Plan. The designation of Newtownmountkennedy as a Level 3 retail centre is not in accordance with the Regional Retail Strategy.

The Council is therefore requested to omit Newtownmountkennedy as a designated Level 3 retail centre in Table 6.2 and elsewhere as appropriate.

- (b) An objective requiring a future review of the county retail strategy in light of the forthcoming Regional Spatial and Economic Strategy by the Regional Assembly is also advised to be included in the Plan.
- (c) Proposed Objective RT17 relates to the assessment of proposals for fast food outlets in the context of promoting active and healthy living patterns in local communities. In this regard, consideration should be given to the location of many existing schools, parks and playgrounds in or near town centres and proximate to existing retail facilities and developments. The important planning rationale for the aggregation of such local facilities in sustainable, compact settlements should also be noted. The practical application of Objective RT17 may be at odds with the desired mix of retail and town centre uses and the restriction of fast food outlets in these kinds of situations needs to be carefully considered on a case by case basis.

The Council is advised to re-consider the wording of Objective RT17 in light of the distinction between existing urban areas and other areas where substantial new development is being planned, often through the LAP process, where such locational separateness may potentially be accommodated. A specified distance should also be avoided to allow consideration of individual case circumstances.

#### **4. Wind Energy**

In December 2013 DECLG issued Circular PL 20-13 to planning authorities to advise them that, pending conclusion of the review process for the 2006 Wind Energy Development Guidelines, they should defer changing their existing Development Plan policies relating to wind energy development.

Accordingly, the Council must omit Objectives CCE6 (distance to residential) and Objective CCE7 (limitation on permission duration) as they are considered premature pending the conclusion of the initiated review process and ensure the continuance of existing development plan policy in the Draft Plan.

#### **5. Housing Strategy**

The new Regional Spatial and Economic Strategy (RSES) will be commenced in 2016 by the Eastern and Midland Regional Assembly which will replace the former RPGs including future population and housing allocations for County Wicklow. It is recommended that the Housing Strategy be considered interim in nature and that an appropriate objective be included in the Plan requiring a review of the Housing Strategy be undertaken within two years as part of the mandatory 2 year report on the progress of the Development Plan under section 15(2) of the Act.

#### **6. Transport Policy**

The NTA have a '*Draft Transport Strategy for the Greater Dublin Area 2016-35*' currently in the latter stages of the adoption process under section 12(1)(a) of the Dublin Transport Authority Act 2008. This strategy replaces the previous 2011-2030 strategy document as the NTA policy on transport development and investment in the GDA to 2035.

The Council is advised to examine this new strategy and consider if policy changes included in it will affect the strategy of the Plan or specific objectives/policies included within it – for example in relation to transport

objectives in Chapter 9 or the phased delivery of employment and housing in Bray/ Fassaroe where significant transport infrastructure is required.

## **7. Flooding**

The Plan is accompanied by a Strategic Flood Risk Assessment or SFRA (Appendix 11 of the Plan) and features Objectives (Nos. FL1-FL9, (Chapter 9) in relation to Flood Management. In section 4 of the SFRA composite maps are provided identifying the Flood Risk Zones A & B in certain Level 5 settlements of the Plan as per the '*Planning System and Flood Risk Management*'.

This analysis clearly indicates that there are lands zoned for residential development that are located within Flood Zone A and B in these settlements (e.g. Ashford – Site 1). Such residential zonings are not compliant with the *Planning System and Flood Risk Management Guidelines* (2009) as residential development is classified as Highly Vulnerable per Table 3.1 of the Guidelines and would not be appropriate for development on Flood Zone A or B lands.

The Council is advised to review the Draft CDP settlements and ensure that lands in Flood Zone A or B are not zoned for development in accordance with sequential approach of Figure 3.1 of the '*The Planning System and Flood Risk Management Guidelines for Planning Authorities, 2009*' whereby areas prone to flooding should be avoided for new development.

## **8. Minor Drafting Items**

- (a) There is an error in Table 2.5 where it is suggested that the year '2012' should perhaps be '2022'.
- (b) Paragraph 2 on page 18 – this should perhaps refer to '*Table 2.7*' and not '*Table 2.6*'.
- (c) The Housing & Urban Regeneration Act 2015 was enacted on 1st September 2015 and the Plan will need to reflect that this legislation is now in effect. In particular, sections 10(2)(h)(i)-(iv) of the Act requiring objectives in relation to regeneration need to be satisfactorily detailed.
- (d) The planning authority is reminded to have regard to any observations made by the Eastern & Midlands Regional Assembly, Office of Public Works, Department of Arts, Heritage and the Gaeltacht, National Parks & Wildlife Service, Environmental Protection Agency and Irish Water. In this regard, Wicklow County Council must satisfy itself that it has met the relevant requirements as appropriate, and that the Draft County Wicklow Development Plan 2016-22 is fully compliant with its obligations under planning legislation.

## **Chief Executive's response**

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### **1. Development Standards**

The update to the '*Sustainable Urban Housing: Design Standards for New Apartments - Guidelines for Planning Authorities*' are noted. It is recommended that the *Development & Design Standards* set out in the plan are amended to reflect these new guidelines. It is also considered appropriate to add an additional line of text into the plan setting out that where any existing guidelines are updated or replaced, or new guidelines produced during the lifetime of the plan, these will also be considered in the assessment of any application for permission.

### **2. Exceptional Zonings Proposed on Specific Sites**

#### ***Employment Zones***

The CE is in agreement with the Minister that the employment sites set out in Objective EMP12 (with the exception of 5.08 Ashford studios) are located outside of identified settlements and development areas of the

county; are piecemeal and random in nature and are in conflict with Objective EMP2 which seeks to locate new employment generating development in settlements and overall the strategic emphasis of the Plan based around the major population settlements as the key focus for economic growth.

It is also agreed that proposed zonings 5.01-5.07 in Objective EMP12 would appear to be significantly at variance with the requirements of the Development Plans Guidelines (2007) which seek, *inter alia*, a spatially sequential and evidence-based approach to development zoning and also to the '*Spatial Planning and National Roads Guidelines*' (2012) which seek to ensure the avoidance of any adverse impact on the national road infrastructure from inappropriate new development.

It is therefore recommended that these zonings (other than 5.08) be omitted from the plan.

With respect to **Ashford Film Studios** (5.08) it is agreed that the proposed zoning is extensive in nature and the justification for such an extensive zoning has not been demonstrated and the intensity/extent of future development remains insufficiently defined.

It is therefore recommended that the zoned area be reduced and focuses on development in the immediate locality of the existing studio structures on the site. With respect to the wording of the zoning, on foot of this submission and the submission of the NTA and TII, it is recommended that the wording be strengthened.

### ***Zoning west of Newtownmountkennedy***

The CE is in agreement with the Minister that this zoning proposal is in conflict with the Core Strategy of the Plan whereby the identified settlements are to have their housing allocation provided through the LAP process in conformity with the Core Strategy. It is agreed that the proposed zoning is also isolated to the south west of the village and is at odds with the sequential development of lands in Newtownmountkennedy as required by the Development Plans Guidelines (2007) issued by the Minister under section 28.

It is therefore recommended that this zoning be deleted.

## **3. Retail Policy**

- (a) The Retail Strategy for the GDA 2008-16 designates four Level 3 centres in County Wicklow at Greystones, Arklow, Blessington, Baltinglass and **NOT** Greystones, Blessington, Baltinglass and Rathdrum as set out in this submission.

The Wicklow County Retail hierarchy has, **since 2010**, included Rathdrum and Newtownmountkennedy in this level, in recognition of:

- The designation of Newtownmountkennedy as a 'moderate growth town' in the RPGs and the County Core Strategy, on par with Blessington and above Baltinglass
- The population target for Newtownmountkennedy of 6,000, again on par with Blessington (at 7,500) and significantly higher than Baltinglass (3,000)
- The population target for Rathdrum (3,500) and its significant service role to a wide rural catchment in mid east Wicklow; which is considered very similar in role and function to its hinterland as Baltinglass.
- It should be noted that the RPGs flag Rathdrum, along with Kilcoole and Baltinglass, as having a 'heightened' status compared to other settlements in Level 5 of the settlement hierarchy -

### ***Wicklow***

*The extension of the Luas line into Wicklow from Cherrywood opens up new opportunities for both new housing areas and supporting consolidation of the urban area of Bray and its environs. The*

*recommended examination of possible improvements to the Wicklow rail route by the RPGs will assist in supporting economic and housing activity in the key towns of Greystones, Wicklow and Arklow; as well as the smaller rail served towns of **Rathdrum** and **Kilcoole**, and support the continued delivery of a strong defined settlement pattern for the County. The rural and particular landscape qualities of the County, which see a large rural hinterland to the south west more focused towards Carlow allows the town of **Baltinglass** to grow in a sustainable manner, meeting the needs of the local community and surrounding districts, and playing critical local role.*  
(RPGs p99)

The inclusion of Newtownmountkennedy and Rathdrum in the previous County Development Plan was not flagged as an issue by the Minister during the course of the adoption of the 2010 plan.

The request to omit Newtownmountkennedy from this level is considered illogical where no reference is also made to Rathdrum.

In light of the above, no change is recommended.

- (b) It is agreed that an objective indicating that a review of the County Retail Strategy will be carried out in light of the forthcoming Regional Spatial and Economic Strategy by the Regional Assembly should be included in the plan.
- (c) With respect to proposed **Objective RT17**, as a significant number of submissions have been made on this issue ('no fry zone'), this issue is addressed in its totality in Section 3.4 of this report.

#### **4. Wind Energy**

It is noted that in December 2013 the DECLG issued Circular PL 20-13 to planning authorities to advise them that, pending conclusion of the review process for the 2006 Wind Energy Development Guidelines, they should defer changing their existing Development Plan policies relating to wind energy development.

Accordingly, it is agreed that Objectives CCE6 (distance to residential) and Objective CCE7 (limitation on permission duration) should be omitted as they are considered premature pending the conclusion of the initiated review process.

#### **5. Housing Strategy**

It is not agreed that the Housing Strategy should be considered 'interim' in nature as it is the Housing Strategy until such a time as it requires to be reviewed, either in light of the findings of the mandatory 2 year report on the progress of the Development Plan under section 15(2) of the Act or the issuing of new housing targets through the review of the NSS and RPGs.

#### **6. Transport Policy**

The draft County Development Plan notes, on p9, that the NTA had published a new draft strategy. It is stated in the plan that '*updates to this County Development Plan will be made when possible through this plan making process to reflect the new NTA strategy that is adopted*'.

During the course of the preparation of this report, the NTA Strategy was approved by the Minister.

The approved Strategy has been carefully considered and it appears to the CE that there may be aspects of this strategy that contradict or undermine elements of the regional plan and the County Development Plan. Clarification is therefore being sought at this time with regard to the implications of this strategy for this



County Development Plan. When such clarification is available, amendments may be necessary but at this time, none are recommended.

## 7. Flooding

The CE is satisfied that no land at risk of flooding has been zoned for new residential development, other than lands that have passed the 'Justification Test' as required by the guidelines.

With regard to 'Site 1' in Ashford, this site is zoned 'RE – Existing Residential' as it is the open space that is part of an existing housing estate. It is not zoned for new residential development, which is reinforced by the zoning description which states:

### **Zoning - RE: Existing Residential**

**Objective** - To protect, provide and improve residential amenities of existing residential areas

**Description** - To provide for house improvements, alterations and extensions and appropriate infill residential development in accordance with principles of good design and protection of existing residential amenity. ***In existing residential areas, the areas of open space permitted, designated or dedicated solely to the use of the residents will normally be zoned 'RE' as they form an intrinsic part of the overall residential development; however new housing or other non-community related uses will not normally be permitted.***

(Volume 2, p9)

Furthermore, Objectives HD9 and HD11 of the draft County Development Plan set out:

**HD9** *In areas zoned / designated 'existing residential', house improvements, alterations and extensions and appropriate infill residential development in accordance with principles of good design and protection of existing residential amenity will normally be permitted (other than on lands permitted or designated as open space, see Objective HD11 below). While new developments shall have regard to the protection of the residential and architectural amenities of houses in the immediate environs, alternative and contemporary designs shall be encouraged (including alternative materials, heights and building forms), to provide for visual diversity.*

**HD11** *In existing residential areas, the areas of open space permitted, designated or dedicated solely to the use of the residents will normally be zoned 'RE' as they form an intrinsic part of the overall residential development; however new housing or other non-community related uses will not normally be permitted on such lands.*

Therefore it is not considered necessary to amend the zoning of this land.

## 8. Minor Drafting Items

(a) **Noted** – this will be rectified

(b) **Noted** – this will be rectified

(c) **Noted.** Section 10 (2) (h) of the Planning Act, as amended by the Urban Regeneration & Housing Act 2015 states that a development plan shall include objectives for:

*(h) the development and renewal of areas, identified having regard to the core strategy, that are in need of regeneration, in order to prevent—*

*(i) adverse effects on existing amenities in such areas, in particular as a result of the ruinous or neglected condition of any land,*

- (ii) *urban blight and decay,*
- (iii) *anti-social behaviour, or*
- (iv) *a shortage of habitable houses or of land suitable for residential use or a mixture of residential and other uses*

There is an inconsistency in the Act in that the Act does not require, in the crafting of the Core Strategy, for areas in need of regeneration to be identified in the Core Strategy, which appears to what is suggested in Section 10 (2)(h). It is considered that this is an exercise more suited to the local plan process and is likely to only be an issue in the higher order towns in the County Settlement Hierarchy.

In this regard, it is considered that an objective should be included in the County Development Plan that LAPs prepared after the adoption of the plan shall address this requirement.

With respect to the smaller town plans form part of the County Development Plan, it is considered that appropriate objectives have already been included to address regeneration, for example in the identification of opportunity sites and action areas.

Appendix 14 on Statutory requirements regarding content of development plan should be updated accordingly.

(d) Noted

## **Chief Executive's recommendations**

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### **AMENDMENT 74**

Appendix 1 – Development & Design Standards, p1 'Introduction'

Amend text as follows:

The key documents that should be considered in this regard are:

- Best Practice Urban Design Manual
- ~~Design Standards for New Apartments~~
- *Sustainable Urban Housing: Design Standards for New Apartments - Guidelines for Planning Authorities' (2015)*
- Design Manual for Urban Roads and Streets
- Sustainable Residential Development in Urban Areas
- Quality Housing for Sustainable Communities
- Code of Practice for Planning Authorities for provision of schools
- Technical Guidance Documents 025 and 027 – Identification and Suitability Assessment of Sites for Primary and Post Primary Schools.
- Recommendations for Site Development Works for Housing Areas
- The Planning System and Flood Risk Management
- EPA Code of Practice on Wastewater Treatment and Disposal Systems Serving Single Houses
- Architectural Heritage Protection for Places of Worship
- Architectural Heritage Protection Guidelines for Planning Authorities
- Tree Preservation Guidelines
- Draft Guidance for Planning Authorities on Drainage and Reclamation of Wetlands

- Retail Planning Guidelines
- Retail Design Manual
- Telecommunications Antennae and Support Structures
- Quarries and Ancillary Activities
- Wind Energy Development
- Traffic Management Guidelines
- National Cycle Manual
- Smarter Travel
- Design Manual for Roads and Bridges
- Traffic & Transport Assessment Guidelines
- Guidance on Spatial Planning & National Roads
- Childcare Facilities Guidelines

Any guidelines updated or new guidelines produced during the currency of the plan will be utilised in the assessment of applications.

## AMENDMENT 75

Appendix 1 – Development & Design Standards, p9 'Building Design – Unit sizes and Formats'

### Unit sizes and formats

- All planning applications shall be accompanied by a data table setting out number and floor area of all commercial and residential units;
- All medium to large scale housing developments shall include a range of house types and sizes, including detached houses, semi – detached, terraces, townhouses, duplexes and bungalows; unless otherwise specified by the Planning Authority;
- New apartment developments<sup>1</sup> will be required to include a range of unit sizes to cater for different housing needs
- ~~The minimum size apartment allowed will be 45sqm<sup>2</sup>. No more than 20% of the units in any single development shall be under 50sqm. At least 50% of the units in any development shall be 73sqm or larger;~~
- ~~The minimum room size and storage space standards set out in *Sustainable Urban Housing: Design Standards for New Apartments* (DoEHLG 2007) shall be adhered to;~~
- ~~Single aspect residential units will only be permitted where the main living rooms face south, west or east;~~
- The minimum size / dimensions of apartments, including room and storage / amenity space sizes, as well as the internal layout and aspect, and hallways and lift core design, as set out in '*Sustainable Urban Housing: Design Standards for New apartments - Guidelines for Planning Authorities*' ( as may be amended or updated during the lifetime of the plan), shall be adhered to;
- In the design of new residences, cognisance shall be had of the changing space demand of households over time. For example, apartment formats should allow for either the future subdivision of larger units or the merging of two or more smaller units (either horizontally or vertically) and houses (including bungalows) should have attics capable of conversion to habitable rooms.

<sup>1</sup> Apartments are residential units in a multi-unit building with grouped or common access and single-storey own door units that form part of a 'duplex' unit

<sup>2</sup> Measurements are internal wall-to-wall dimensions and apply to units on one floor.

- New houses should be designed in such a way that facilitates easy future ground floor extension, without negatively impacting on the usability of the original rooms of the house or on neighbouring properties;
- In 'edge of centre' or 'out of centre' new residential development, the quantum of apartments allowable will be regulated, as this dense format of development is more suited to urban core locations, where direct access to services is available. In this regard the maximum quantum of floor space that may be devoted to apartments in 'edge-of-centre' locations shall be 40% of the development and 20% in 'out-of-centre' locations.

## AMENDMENT 14

### Chapter 5 'Economic Development', Objective EMP12, p92

Amend Objective EMP12 as follows: (blue text to be deleted, new text in red)

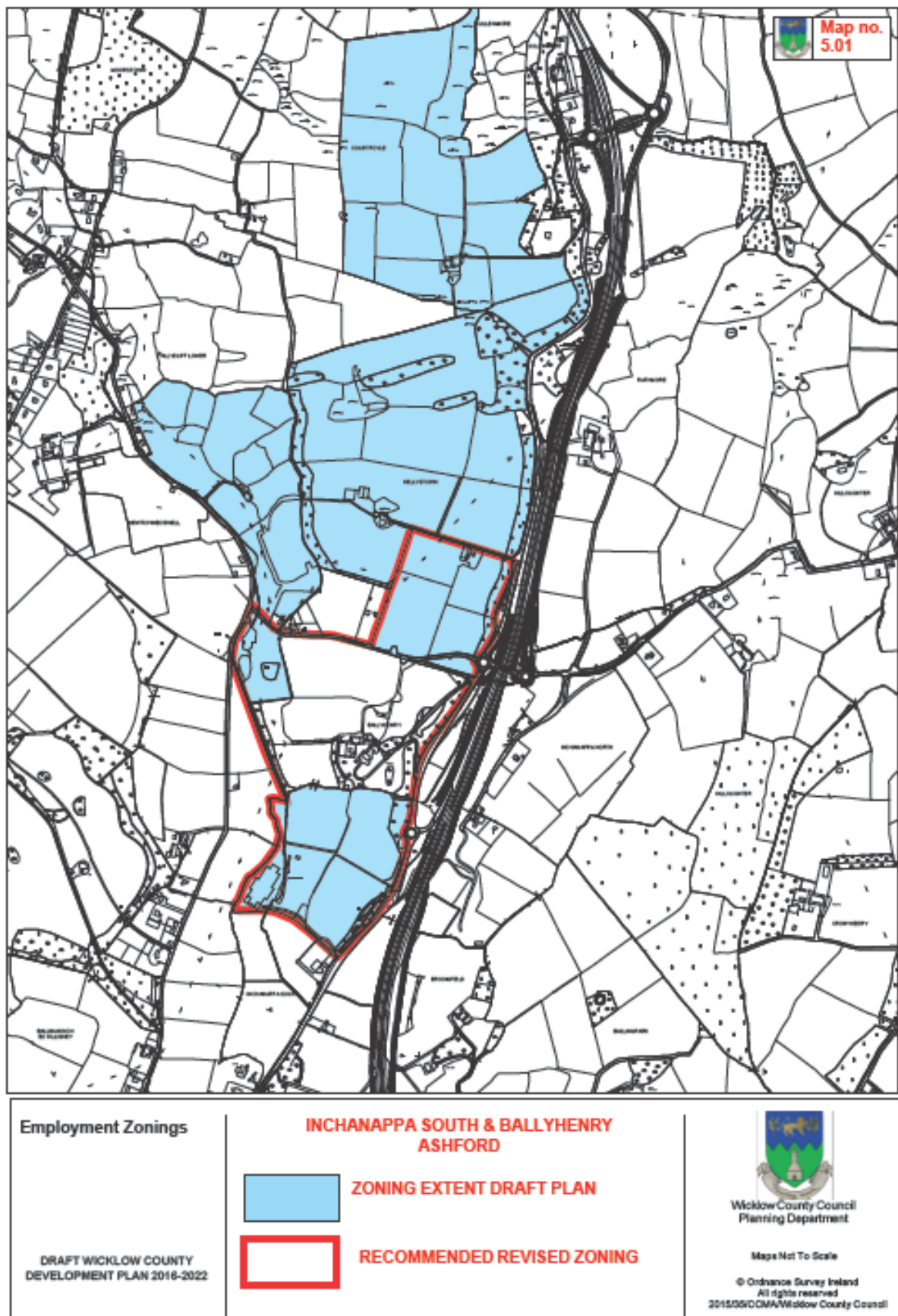
**EMP 12** ~~To provide for employment development at the following locations as shown on maps 5.01-5.08.~~

| Location                                   | Map No.           | Size (ha)               | Zoning Objective  |
|--|-------------------|-------------------------|---|
| <del>Mountkennedy Demesne, Kilpedder</del> | <del>5.01</del>   | <del>34.7</del>         | <del>To provide for a data centre facility<sup>3</sup> and associated related industries set in open parkland with extensive landscaping, a high architectural standard of layout and building design with low site coverage. Employment types other than those strictly related to data storage shall show a clear process related requirement to locate in proximity to a data centre.</del>  |
| <del>Rath East / Knockloe, Tullow</del>    | <del>5.02</del>   | <del>4.4</del>          | <del>To provide for a light industrial development</del>  |
| <del>Kilmurray South</del>                 | <del>5.03</del>   | <del>0.76</del>         | <del>To provide for transport purposes development</del>  |
| <del>Kilmurray North</del>                 | <del>5.04</del>   | <del>0.8</del>          | <del>To provide for a warehousing / storage / distribution and commercial vehicle park</del>  |
| <del>Scratenagh crossroads</del>           | <del>5.05</del>   | <del>8.09</del>         | <del>To provide for light industrial uses / business park uses with extensive landscaping and a high architectural standard of layout and building design.</del>  |
| <del>Kilpedder Interchange</del>           | <del>5.06</del>   | <del>27.7</del>         | <del>To provide for employment uses including industrial, transport, distribution, warehouse or retail warehouse developments of good architectural design, layout and landscaping including substantial screening from N11. The provision of transport and retail facilities will not be at the expense of facilities in existing settlements. Any redevelopment of the (former) Dan Morrissey / SM Morris sites shall include significant proposals to address the unsightly appearance of these sites. In addition, any development on these lands shall connect the footpath from Greytsones towards the pedestrian bridge at Kilpedder.</del>  |
| <del>Rathmore, Ashford</del>               | <del>5.07</del>   | <del>10.53</del>        | <del>To provide for employment uses</del>   |
| Inchanappa South and Ballyhenry, Ashford   | 5.01 <del>8</del> | <del>160</del><br>62.25 | <p>To provide for the development of and expansion of the existing film studios in Ashford on the lands shown on Map 5.01 in accordance with the following requirements:</p> <ul style="list-style-type: none"> <li>- the development of these lands shall be strictly limited to facilities for the production of film, TV, animation etc and any associated spin offs such as visitor facilities; in particular residential development or other non film related commercial activities are not to be permitted</li> <li>- the agreement of a master plan for the entire area <del>any application in advance of the agreement of this plan shall set out which shall include:</del> <ul style="list-style-type: none"> <li>(a) <del>the phasing</del> a detailed phasing plan which shall be linked to the conclusions and recommendations of a Traffic and</li> </ul> </li> </ul> |

<sup>3</sup> A data centre is a facility used to house computer systems and associated components, such as telecommunications and storage systems. It generally includes redundant or backup power supplies, redundant data communications connections, environmental controls (e.g., air conditioning, fire suppression) and security devices.

|  |  |  |   |
|--|--|--|---|
|  |  |  | <p>Transport Assessment, which shall clearly set out the traffic generation model for the entire development and its constituent phases, and a detailed evaluation of the capacity of all roads serving the site, including all N11 junctions and the N11 itself and their abilities to accommodate the development without impacting on the carrying capacity of the national road for strategic inter-County traffic;</p> <p>(b) sequence of development, that shall be generally from south to north;</p> <p>(c) the infrastructure plans for the servicing of the site;</p> <p>this zoning shall be for the lifetime of this plan only.</p> |
|--|--|--|---|

Ashford Film Studio Zoning – Map 5.08 (change to **Map 5.01**)



**SECTION 3.1**

## **AMENDMENT 10**

### **Chapter 4, 'Housing', p78 - 'Special Zoning Newtownmountkennedy', p78**

Omit Objective **HD24 and Map 04.01**

~~**HD24** To provide for low density residential development with associated leisure, tourism and recreational facilities on lands measuring c. 28ha Ballinahinch Lower, Co. Wicklow, as shown on Map 04.01.~~

## **AMENDMENT 17**

Add the following text to Chapter 6 'Centres & Retailing', Section 6.2.1, p109

### **6.2.1 Context**

#### **Retail Planning Guidelines (DoECLG, 2012)**

The strategy and policies for retailing set out in this plan have been prepared having regard to the guidance set out in the 'Retail Planning Guidelines for planning authorities' (DoECLG, 2012). This development plan addresses the list of matters to be considered in a plan, as required by 'Section 3.3 Development Plans and Retailing' of the Guidelines.

#### **Retail Strategy for the Greater Dublin Area 2008-2016**

The Retail Strategy for the Greater Dublin Area 2008-2016 provides guidance and policies for retail development at a strategic level in the Greater Dublin Area.

The strategy was adopted in July 2008 and is now outdated as it does not account for the significant economic, demographic and policy changes experienced in the GDA since its adoption. Notwithstanding this, the core principles of the strategy remain of relevance. The strategy and policies for retailing as set out in this plan are in accordance with the core principles of the GDA Retail Strategy.

#### **Regional Spatial and Economic Strategy (RSES) 2016**

The forthcoming RSES for the Eastern and Midlands Region is likely to be produced in 2016-2017, and this will address the retail strategy for the region. The County Wicklow Retail Strategy will be updated if required by way of variation when the RSES is finalised.

## **AMENDMENT 43**

**Amend Chapter 9, 'Infrastructure', Section 9.5 Climate Change & Energy, p192 as follows:**

### ***Wind Energy Objectives***

**CCE6** To encourage the development of wind energy in accordance with the County Wicklow Wind Strategy and in particular to allow wind energy exploitation in most locations in the County subject to:

- consideration of any designated nature conservation areas (SACs, NHAs, SPAs, SAAOs etc) and any associated buffers;
- impacts on Wicklow's landscape designations;
- impacts on visual, residential and recreational amenity;
- impacts on 'material assets' such as towns, infrastructure and heritage sites;



- consideration of land cover and land uses on or adjacent to the site;
- best practice in the design and siting of wind turbines, and all ancillary works including access roads and overhead cables; and
- ~~Wind farms shall be at least 1,000m from any residential dwellings.~~

#### **AMENDMENT 44**

~~CCE7 All wind farms shall be granted for a duration of 10 years (maximum) unless a shorter period is requested.~~

#### **AMENDMENT 18**

Chapter 6, 'Centres & Retailing', Section 6.3, p121

Add new objective:

- RT4** In the preparation of Local Area Plans, areas in need of development and renewal, in order to prevent:
- a. adverse effects on existing amenities in such areas, in particular as a result of the ruinous or neglected condition of any land,
  - b. urban blight and decay,
  - c. anti-social behaviour, or
  - d. a shortage of habitable houses or of land suitable for residential use or a mixture of residential and other uses
- shall be identified and addressed with appropriate objectives.

### Summary of issues raised

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1. The Assembly acknowledges the effort of Wicklow County Council to co-ordinate the policies and objectives of the Draft Development Plan so that they are consistent with the Greater Dublin Area Regional Planning Guidelines (RPGs). The Assembly considers that the overall population and housing targets proposed in the core strategy and the policies and objectives contained in the Draft Plan are generally consistent with the Regional Planning Guidelines.

2. **Introduction to Wicklow County Development Plan 2016 – 2022**

This chapter provides a strategic introduction to the current issues facing Wicklow County, addressing the key policy documents that shape the approach to the Development Plan and is welcomed.

3. **Vision And Core Strategy**

The Core Strategy of the Draft Development Plan (DDP) comments extensively on the current national and regional policy framework that informs the strategic policy context for the making of the plan. The strategy includes a vision for the county with 11 key strategic goals underpinning the plan, this is a welcome reference for the overall goals of the plan and the inclusion of climate change as a goal is supported. The core strategy map is a key requirement of any core strategy and this example is a legible representation of the settlement hierarchy in the County.

*(a) Settlement hierarchy*

The settlement hierarchy as identified in Table 2.2 of the DDP is consistent with the settlement hierarchy in Table 8 of the RPGs for the settlements identified as county development plan level 1-4 settlements. With regard to the lower order settlements these are to be defined by individual development plans and in this regard it is noted that Dunlavin has been re-designated from level 6 in the current Wicklow County Development Plan 2010 to level 5 in the DDP.

*(b) Population*

With regard to the population targets for the County, the CSO regional projections issued in 2013 which are based on the 2011 census would suggest, using the M2F2 Traditional Scenario that the population targets expressed in the RPGs will not be reached by 2022 in Wicklow County, the projection would suggest 2028. It is worthwhile noting that these regional projections are based on trends in fertility, mortality and migration, and that the RPG population targets are county and local authority area targets that are influenced by regional policy as well as the prevailing demographic trends.

Whilst the local authority may not reach its RPG policy population target by 2022, it is considered prudent that the capacity to achieve this target, in housing numbers and overall zoned land available for residential development, should be retained in the Plan. Therefore the approach in the plan to provide capacity for the RPG population target, but project it to 2028 is supported. The narrative on the methodology for the population targets for the County is sound and it is recognized that delivery of these targets is in some part predicated on factors outside of the gift of the local authority.

*(c) Housing*

The core strategy uses a declining average household size to project the housing need over the DDP period with growth based on the existing housing stock numbers, it is noted that this analysis results in a projected total housing stock of 85,589 units whereas the RPGs project 82,012 units. Given the revised household size (falling further in 2028) and the vacancy rate used in the core strategy and that the projection is to 2028 (not 2022 as per the RPGs) this deviation is acceptable.

*(d) Zoning*

This section of the core strategy sets the population and housing targets for all of the defined settlements in the DDP and is detailed in tables 2.7 and 2.8. The DDP proposes to produce new LAPs for each of the identified settlements in table 2.7 replacing existing Local Area Plans and the plan itself provides zoning and objectives for development of the other towns/settlements. This approach is welcomed and the structure for these plans (both in the DDP and in future LAPs) is outlined in the core strategy. Tables 2.7 and 2.8 would benefit from further clarity by demonstrating the connection to the overall housing target of 31,238 units in the County expressed in table 2.6.

Under table 2.7 LAP settlements Newtownmountkennedy has a further surplus of zoned residential lands proposed in this DDP without any rationale. This additional zoning does not accord with the evidence based approach to the core strategy which is supported by the Assembly, and therefore it is recommended that it is omitted.

*(e) Economic Development*

The analysis in the core strategy of the employment growth in the county is a sound methodology and the use of jobs ratio as a measurement of economic development in the county is recognized. This could be further enhanced to a spatial perspective by an analysis of the quantum of land zoned for enterprise and employment in the County, aligned with job location and density, which could assist in addressing the complex issue of lands to be identified for enterprise and employment. This would provide for an evidence based approach, in the core strategy, to policy making for employment and enterprise zoned lands.

*(f) Retail*

The Retail Strategy for the Greater Dublin Area (RSGDA) 2008 is the relevant retail policy document from the Regional Planning Guidelines to reflect the retail hierarchy in Wicklow County. Whilst this document may require a review, which will take place as part of the upcoming Regional Spatial and Economic Strategy, the policy hierarchy for retail centres (which is also set out in section 3.6 of the RPGs) and the definitions of the centre level of retail remains relevant. In this regard whilst the planned growth in Newtownmountkennedy and Rathdrum is recognized, it is not at the level commensurate with a need for town centre level of retail provision and the hierarchy policy for retail should reflect the hierarchy stated in the Regional Planning Guidelines and The Retail Strategy for the Greater Dublin Area.

4. **Settlement Strategy**

The Assembly welcomes the Settlement Strategy for County Wicklow outlining the role and function of each settlement, this will assist in the preparation of LAPs for those identified settlement and sets the policy framework and development boundary for the other planned settlements in the DDP.

5. **Housing**

The RPGs support the key housing principles identified in this chapter including the consolidation of the existing built urban footprint by redevelopment of underutilised sites and densification, followed by the sequential development of greenfield lands in a phased manner all in accordance with the core strategy housing unit targets. Suitable densities should be promoted at a sufficient scale and nature, with higher densities promoted at appropriate locations to ensure a sustainable return on the development of serviced lands that will provide for high quality neighborhoods and vibrant communities.

With regard to Policy HD24 "Special Zoning Newtownmountkennedy" which appears to have no rational or justification in the core strategy for these proposals. They are located outside of the development boundary of Newtownmountkennedy as identified in the LAP and do not accord with the

key housing principles in this chapter. Therefore it is recommended that these entire proposals at this location, including the nursing home and associated leisure, tourism and recreational facilities are omitted.

## **6. Economic Development**

The Regional Assembly recognizes that the local authority is performing its enhanced economic role as required under the Local Government Reform Act 2014, which provided a stronger, clearer role for local government in economic and community development. The Local Community and Economic Plans (LECPs) introduced in the Local Government Reform Act 2014 are a central component of the local authority's role in economic and community development.

The Regional Assembly has a statutory function in the preparation of these plans to ensure consistency in the first instance with the RPGs and subsequently with their successor, the Regional Spatial and Economic Strategies, and also consistency with the core strategy of the County Development Plan. In performing this function the Regional Assembly will also continue to consult with the local authority during the preparation, consultation and development of the LECPs.

The Assembly recognizes the economic approach taken by the DDP and supports the policy of focusing economic growth in key centres, which are aligned with the RPGs and focused on the two core economic areas of Wicklow / Arklow with Wicklow being the primary centre effecting also the settlements of Rathnew, Ashford and Rathdrum. The other designated area being Bray / Cherrywood / Greystones with Bray including Fassaroe being the primary town.

The principles for determination of zoned employment land are sustainable and the policies, in particular EMP2, of brownfield and centrally located lands being developed before sequentially developing greenfield lands is supported. In this regard the rationale for policy EMP12 is not evident in the DDP, these proposed employment zonings are contrary to the principles expressed in this chapter and Policy EMP2 and therefore it is recommended that they are omitted. It is also noted that some of these lands are identified at a flood risk in the Strategic Flood Risk Assessment, and any proposals to zone these lands should be considered in accordance with DECLG 'The Planning System and Flood Risk Management - Guidelines for Planning Authorities'.

## **7. Centres and Retailing**

As stated above under the core strategy, the Retail Strategy for the Greater Dublin Area (RSGDA) 2008 is the relevant retail policy document from the Regional Planning Guidelines to reflect the retail hierarchy in Wicklow County. In this regard whilst the planned growth in Newtownmountkennedy and Rathdrum is recognized it is not at the level commensurate with a town centre, this is reflected in the indicative additional floorspace allocations provide for these settlements in this chapter, which are of a neighbourhood centre level. Therefore it is recommended that the hierarchy policy for retail should reflect the hierarchy stated in the Regional Planning Guidelines and The Retail Strategy for the Greater Dublin Area

## **8. Tourism and Recreation**

The RPGs support the policies in relation to tourism, Chapter 7 of the RPGs addresses the Tourism industry and its potential to contribute to community, economy and quality of life.

## 9. **Community Development**

The Local Community and Economic Plans (LECPs) introduced in the Local Government Reform Act 2014 are a central component of the local authority's role in economic and community development. In the formulation of the LECP for Wicklow County some of the objectives and actions in this chapter could be expressed in the objectives and actions of the LECP.

## 10. **Infrastructure**

The RPGs promote regional sustainable growth and recognize that this growth can only be achieved through the provision of high quality infrastructure by the alignment of land use planning with transport planning, water services, energy supply and waste management. In this regard the settlement strategy expressed as clear policies in the RPGs support the growth and consolidation of the settlement hierarchy and its existing settlements, and therefore requirement for additional infrastructure capacity to facilitate this growth is also supported.

With regard to Sustainable Travel it should be noted that the National Transport Authority are preparing a new transport strategy for the GDA that will align with Regional Planning Guidelines policy, and should assist in the realization of the DDP for Wicklow County. In this regard the overall sustainability principles in this chapter to change the mode share and promote the increased use of soft modes and public transport are reflected and supported by the policies in the RPGs

Climate change has an influence on a cross section of themes including transportation, water provision and distribution of population. The approach of integrating climate change considerations into policies and objectives of the DDP in conjunction with the National Climate Change Adaptation Framework is welcomed.

## 11. **Heritage**

The Assembly recognizes the significant built and natural heritage of Wicklow County and supports policies to protect and conserve the built heritage and conserve and enhance the natural heritage and biodiversity of the County.

The Assembly notes the recognition of a Green Infrastructure Network of natural resources and biodiversity in the County and welcomes the Green Infrastructure Strategy for the County as an appendix of this Plan, as a recommendation from the Regional Planning Guidelines.

## 12. **Coastal Zone Management**

This chapter is welcomed in the DDP and could benefit from consideration to the RPG policy on Coastal Zone Management (CZM) and the Regional Assembly's Celtic Seas Partnership project. This project will provide best practice on how integrated coastal management and the Maritime Spatial Planning Directive can be integrated into land use planning, to provide for the proper planning and sustainable development of the coast, while protecting its landscape and seascape character.

## 13. **Implementation and Monitoring**

An integral part of delivering and implementing the development plan is monitoring, and the proposals to monitor the plan through the development management function in tandem with the monitoring programme from the SEA is welcomed.

## 14. **Level 5 Town Plans and Level 6 Settlement Plans**

The approach of incorporating the Local Area Plans for the smaller settlements into the DDP is welcomed as this streamlines the number of plans available and reduce the overall number of LAPs to 8

in county (as identified in Table 2.7). The principles of aligning these settlement plans with the core strategy is supported and the objectives and zoning to inform development in the level 5 and 6 plans is adequate.

15. **SEA / AA**

The use of relevant viable scenarios in the SEA is noted and the emergence of a scenario based on even growth in a policy based settlement hierarchy is welcomed. The evaluations against the Strategic Environmental Objectives supports this selection. The elements of these scenarios are reflected in RPG polices and are considered to be underpinned in the draft Development Plan.

16. **Other**

Resilience is another principle that is considered in the new approach to the city, in this regard the Assembly is commencing a Horizon 2020 funded, 3 year project to prepare a European Resilience Management Guideline to support the practical application of resilience with regard to critical infrastructure. The outputs of this project may inform future policy making on resilience.

**Chief Executive's response**

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1. Noted. No change necessitated.

2. Noted. No change necessitated.

3. (a) Noted. No change necessitated.  
(b) Noted. No change necessitated.  
(c) Noted. No change necessitated.

(d) Zoning

The point raised about correlating Tables 2.7 and 2.8 with Table 2.6 is noted and it is recommended that amendments are made to this section of the Core Strategy. In particular, it is recommended that a new table be added, that sets out the housing targets for each town, showing the total correlating to the County housing growth target. The insertion of this new table will result in a change in numbering of existing Tables 2.7 and 2.9 (to become 2.8 and 2.9).

With respect to the residential zoning at Newtownmountkennedy, it is agreed that this should be omitted.

(e) Economic development – it is suggested that the jobs growth target be shown to correlate directly to the employment zoning provisions of the plan, in much the same way as the housing growth targets are required to be shown to correlate to the amount of housing land zoned.

Having regard to:

- The fact that there is no national or regional guidance on calculating jobs growth requirement, or how this should be correlated to employment zoning;
- There is no requirement in the Planning Act to show this correlation in the Core Strategy;
- The fact that each settlement will have different characteristics with respect to employment, with some having capacity in the existing town centre and existing employment sites to meet growth requirements and some requiring the zoning of tracts of new greenfield land to meet job growth targets;

it is considered that this request should not and cannot be fulfilled. It is considered that trying to correlate job targets with zoned employment land could show apparent inconsistency in the application of employment zoning, which is not in fact the case.

In the case of all town plans that form part of the County Development Plan, each individual plan sets out the jobs growth target for that town, based on the figures set out in the Core Strategy and what the strategy is in that particular town to meet that target.

For future LAPs, detailed analysis of jobs growth requirements and how they translate in the zoning provisions, will be provided.

(f) Retail

The issue raised is in relation to the inclusion of Rathdrum and Newtownmountkennedy in Level 3 of the Retail Hierarchy. The Wicklow County Retail hierarchy has, **since 2010**, included Rathdrum and Newtownmountkennedy in this level, in recognition of:

- The designation of Newtownmountkennedy as a 'moderate growth town' in the RPGs and the County Core Strategy, on par with Blessington and above Baltinglass
- The population target for Newtownmountkennedy of 6,000, again on par with Blessington (at 7,500) and significantly higher than Baltinglass (3,000)
- The population target for Rathdrum (3,500) and its significant service role to a wide rural catchment in mid east Wicklow; which is considered very similar in role and function to its hinterland as Baltinglass.
- It should be noted that the RPGs flag Rathdrum, along with Kilcoole and Baltinglass, as having a 'heightened' status compared to other settlements in Level 5 of the settlement hierarchy -

**Wicklow**

*The extension of the Luas line into Wicklow from Cherrywood opens up new opportunities for both new housing areas and supporting consolidation of the urban area of Bray and its environs. The recommended examination of possible improvements to the Wicklow rail route by the RPGs will assist in supporting economic and housing activity in the key towns of Greystones, Wicklow and Arklow; as well as the smaller rail served towns of **Rathdrum** and **Kilcoole**, and support the continued delivery of a strong defined settlement pattern for the County. The rural and particular landscape qualities of the County, which see a large rural hinterland to the south west more focused towards Carlow allows the town of **Baltinglass** to grow in a sustainable manner, meeting the needs of the local community and surrounding districts, and playing critical local role.*

(RPGs p99)

The inclusion of Newtownmountkennedy and Rathdrum in the previous County Development Plan was not flagged as an issue by the Regional Authority during the course of the adoption of the 2010 plan. In light of the above, no change is recommended.

4. Noted. No change necessitated.
5. Noted. It is agreed that the proposed "Special Zoning Newtownmountkennedy" should be omitted.
6. It is agreed that the rationale for policy EMP12 is not evident and that these proposed employment zonings are contrary to the principles expressed in this chapter and Policy EMP2 and therefore the CE agrees with the recommendation from the Regional Authority that they be omitted, other than the

special zoning for film studios at Ashford, albeit with amendments to that zoning, arising on foot of the submission on this issue from the Minister for the Environment.

7. The issue regarding the Retail Hierarchy and the positions of Newtownmountkennedy and Rathdrum is again raised in this point. The Regional Authority does note that the level of floorspace growth allocated to these towns is more commensurate with Level 4 and therefore these settlements should be designated Level 4, rather than Level 3 in the retail hierarchy. It is important to note that the Regional Authority has no apparent issue with the level of floor space growth allocation, just the positioning of these towns in the hierarchy.

As set out above, no change is recommended with respect to this issue.

8. Noted. No change necessitated.
9. Noted. No change necessitated.
10. Noted. No change necessitated.
11. Noted. No change necessitated.
12. It is indicated that the CZM strategy set out in the draft County Development Plan could benefit from consideration of the RPG policies on CZM and the Regional Assembly's Celtic Seas Partnership project. However, any particular inconsistencies or conflicts between the CZM set out in the draft County Development Plan and these two other documents / projects are not flagged. Having further considered these documents, no apparent inconsistencies are evident, and no particular enhancements are considered necessary at this time.

In particular, the draft County Development Plan, including the CZM chapter, has been crafted in accordance with and mindful of the provisions of:

- Water Framework Directive,
- Birds Directive,
- Marine Strategy Framework Directive,
- Flood Risk Assessment studies,
- Article 6 of the Habitats Directive,
- Best available information on the impacts of climate change and
- All current and future alignments between these directives, assessments, and plans,

as set out in the RPGs.

The Celtic Seas Partnership project is a project being developed to meet Ireland's obligations under the Marine Strategy Framework Directive. This directive requires countries to work together to manage the marine environment in a collaborative way. The main goal of the directive is to achieve or maintain 'Good Environmental Status' in Europe's waters by 2020. 'Good Environmental Status' will be achieved by protecting the marine environment, preventing its deterioration and restoring it where practical, while using marine resources sustainably.

Celtic Seas Partnership project is a platform for countries and different marine industries to come together for discussion or exchanging information at this scale. The project aims to develop innovative and collaborative ways of working to feed into the Marine Strategy Framework Directive consultation process in France, Ireland and the United Kingdom and build understanding of the ecosystem approach to marine management.

Wicklow County Council is happy to engage with and be part of this project, and where enhancement or amendments to our existing coastal zone management land use framework is required, this can be



facilitated through the development of more detailed local plans or through variation to the County Development Plan. It should be borne in mind however that this land use framework is only one element to the overall objective of effective coastal zone management.

13. Noted. No change necessitated.

14. Noted. No change necessitated.

15. Noted. No change necessitated.

16. Noted. No change necessitated.

### **Chief Executive's recommendations**

### **AMENDMENT 3**

Chapter 2, Vision & Core Strategy, Section 2.4.4 Housing

Amended / new text in red, deleted text in blue

#### **2.4.4 Housing**

Assuming the following:

(1) Average household size<sup>4</sup> for the various intervals between 2011 and 2028 at:

*Table 2.5 County Wicklow Household Sizes*

| Year              | 2011 | 2012 | 2025 | 2028 |
|-------------------|------|------|------|------|
| <b>Av HH Size</b> | 2.79 | 2.41 | 2.3  | 2.19 |

(2) 'Excess factor', which encompasses vacancy rate, at 6.5% for all target years

These are the housing unit targets for the plan period and up to 2028:

*Table 2.6 County Wicklow Housing Targets*

| Year                            | 2011    | 2022    | 2025    | 2028    |
|---------------------------------|---------|---------|---------|---------|
| <b>Population</b>               | 136,640 | 158,000 |         |         |
| <b>Housing Stock (existing)</b> | 54,351  |         |         |         |
| <b>House Stock (required)</b>   |         | 69,822  | 73,328  | 85,589  |
| <b>Increase (from 2011)</b>     |         | +15,471 | +22,977 | +31,238 |

While the proposed new 2028 population target is compatible with the existing 2022 target from the RPGs of 176,000, the 'housing stock' target differs slightly due to an assumption being made about household size – it is assumed that household size will continue to fall following national and international trends. The RPGs in 2010 allowed for a total housing stock in Wicklow of 82,012 units in 2022 to meet this 176,800 population target – this is proposed to be increased to 85,589 for 2028.

<sup>4</sup> Ratio of enumerated population to the total number of housing units in categories A, B and C of the Census housing stock descriptions. Other categories of housing i.e. categories D, E and F are accounted for in the 6.5% 'excess factor' which includes the 'vacancy rate'.

To reach this target, it will be necessary to delivery an annual average housing completion rate of 1,838 units per annum 2011-2028.

This is reasonably consistent with the housing growth rate allowed to Wicklow in the current RPGs – 2,058 units per annum 2006-2022, taking into account the much slower rate of development that has occurred in the period 2008-2014.

The following table sets out the housing stock growth distribution for 2022 and 2028 on the basis of the population and housing stock growth figures set out in Tables 2.3 and 2.6. The target growth for each town is on the basis of the population figures provided in Table 2.4, less the 'compensatory headroom' of 15% for the towns. These should be considered a form of 'minimum' figure, while Tables 2.8 and 2.9 should be considered 'maximum' figures.

**Table 2.7 Housing growth distribution**

|                            | <b>2011<br/>Existing<br/>Housing<br/>Stock</b> | <b>2022<br/>Target<br/>Housing<br/>Stock</b> | <b>2028<br/>Target<br/>Housing<br/>Stock</b> | <b>Target<br/>Housing Stock<br/>Growth<br/>2011-2028</b> | <b>% of total<br/>Housing Stock<br/>Growth<br/>2011-2028</b> |
|----------------------------|--|--|--|--|--|
| <b>Bray</b>                | 11,518   | 13,958                                       | 16,896                                       | 5,378  | 17.22%   |
| <b>Wicklow / Rathnew</b>   | 5,399  | 7,813  | 10,138                                       | 4,739  | 15.17%   |
| <b>Arklow</b>              | 5,459  | 7,509  | 9,715  | 4,256  | 13.62%   |
| <b>Greystones/ Delgany</b> | 6,637  | 8,321  | 10,138                                       | 3,501  | 11.21%   |
| <b>Blessington</b>         | 1,865  | 2,519  | 3,168  | 1,303  | 4.17%  |
| <b>Newtown</b>             | 1,078  | 1,913  | 2,534  | 1,456  | 4.66%  |
| <b>Ashford</b>             | 531  | 1,030  | 1,373  | 842  | 2.70%  |
| <b>Aughrim</b>             | 592  | 677  | 845  | 253  | 0.81%  |
| <b>Baltinglass</b>         | 769  | 991  | 1,267  | 498  | 1.59%  |
| <b>Carnew</b>              | 491  | 654  | 845  | 354  | 1.13%  |
| <b>Dunlavin</b>            | 313  | 822  | 1,162  | 849  | 2.72%  |
| <b>Enniskerry</b>          | 642  | 887  | 1,056  | 414  | 1.33%  |
| <b>Kilcoole</b>            | 1,402  | 1,799  | 2,112  | 710  | 2.27%  |
| <b>Rathdrum</b>            | 657  | 1,095  | 1,478  | 821  | 2.63%  |
| <b>Tinahely</b>            | 419  | 504  | 634  | 215  | 0.69%  |
| <b>Avoca</b>               | 282  | 322  | 380  | 98   | 0.31%  |
| <b>Donard</b>              | 92   | 99   | 127  | 35   | 0.11%  |
| <b>Kilmacanogue</b>        | 277  | 345  | 401  | 124  | 0.40%  |
| <b>Newcastle</b>           | 313  | 410  | 507  | 194  | 0.62%  |
| <b>Roundwood</b>           | 326  | 405  | 507  | 181  | 0.58%  |
| <b>Shillelagh</b>          | 200  | 220  | 275  | 75   | 0.24%  |
| <b>Urban total</b>         | <b>39,262</b>                                  | <b>52,293</b>                                | 65,558                                       | 26,296   | 84.18%   |
| <b>Large Villages</b>      | 1,407  | 1,600  | 1,848  | 441  | 1.41%  |
| <b>Small Villages</b>      | 445  | 711  | 851  | 406  | 1.30%  |
| <b>Rural clusters</b>      | 413  | 468  | 559  | 146  | 0.47%  |
| <b>Open countryside</b>    | 12,824   | 14,749                                       | 16,773                                       | 3,949  | 12.64%   |
| <b>Rural Total</b>         | <b>15,089</b>                                  | <b>17,528</b>                                | <b>20,031</b>                                | 4,942  | 15.82%   |
| <b>County total</b>        | <b>54,351</b>                                  | <b>69,822</b>                                | <b>85,589</b>                                | 31,238   | 100.00%  |

## 2.4.5 Zoning

This development plan sets the population and housing targets for all 21 'towns' in the County up to 2028. However, it only provides 'zoning' for 13 settlements, the remainder of the settlements having their own stand-alone 'Local Area Plans', which will be reviewed after the adoption of this County Development Plan.

The zoning provisions of this plan and future LAPs are based on the population figures set out in Table 2.4 (which includes a 15% 'compensatory headroom' inflator), rather than the housing stock growth figures set out in Table 2.7.

### Local Area Plans

It is planned that these LAPs will be adopted during 2017-2019 period, in order of timeline priority (i.e. according to the date when each existing plan is due to expire). Each LAP will cover a period of 6 years (the latest plan to be reviewed having a timeline of 2019-2025) and zoning will be provided on the basis of the land needed to meet a 6 year horizon, plus 3 years zoning 'headroom' or 'market factor'<sup>5</sup>, as recommended in the Development Plan Guidelines issued by the Minister. The horizons utilised for each plan will also be cognisant of the fact the LAPs have the potential to be extended to last for up to 10 years, but no plan will include a timeline beyond 2028.

Zoning Table 2.6 2.8 to follow shows the zoning requirements for the LAP towns, up to the year 2025, plus headroom.

This table shows that the majority of current LAPs do not have sufficient zoned land available to meet the 2025 population target (the exceptions being Blessington and Rathdrum which are very slightly 'over-zoned' to the tune of 2-3 hectares each). The review of each LAP will ensure that each plan is consistent with the County Development Plan 'Core Strategy'.

### Other Town / Settlement Plans

With respect to the remaining towns and settlements, their plans form part of this County Development Plan and are therefore being adopted with a 2016-2022 horizon. Zoning is therefore provided on the basis of the land needed to meet the 2022 population and housing targets, plus 3 years 'headroom'.

Zoning Table 2.7 2.9 to follow shows the zoning requirements for these settlements / towns, up to the year 2022.

Level 5: The majority of the town plans adopted for these towns prior to the review of this County Development Plan had a surplus of zoned land having regard to the population and housing targets set out in this plan. This was in the main due to the revised population targets included in this plan, as well as previous take up of land for housing development altering the headroom proportion<sup>6</sup>. Where a surplus was identified, the surplus land has been either re-designated for an alternative, non-residential use, or as a 'Strategic Land Bank' (SLB). The only exception is Enniskerry where a deficit was identified. Therefore the new Enniskerry town plan forming part of this CDP includes additional zoned land to address this deficit.

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<sup>5</sup> "Headroom" or "market factor" which is 'extra' land that should be zoned over and above the minimum amount needed to accommodate the population target. Headroom is provided so as to allow for greater location choice and deal with any land supply inflexibility which may arise. This is not the same as the 'compensatory headroom' provided for in Table 2.4 for the town in the County, which is to allow for towns that unable to growth due to infrastructural deficits.

<sup>6</sup> For example, where it is determined that 100 acres of zoned housing land is required to achieve a certain housing target, a total of 150 acres may be zoned to allow for market choice or headroom (i.e. 50% headroom). If however 50 acres is developed, the 'headroom' proportion would increase to 100% (i.e. only 50 acres needed for development, yet 100 acres remain zoned).

Level 6: These are 'settlement plans' that don't have the same detailed zonings as LAPs or Level 5 'town plans'. The amount of residential development that is facilitated in these settlements is therefore not a function of the amount of 'zoned' land, but is dictated by the population and housing objectives set out in the CDP and the 'settlement plan' itself.

Table 2.7 2.8 LAP Settlements

| Future Plan Type | Settlement           | Population 2011 | Housing Stock 2011 | Core Strategy Population Allocation 2025 | Total Housing Unit Requirement 2025 | Housing Unit Growth Requirement 2011-2025 | Housing Unit Growth Requirement + headroom <sup>7</sup> | Housing Yield of existing zoned land <sup>8</sup> | Shortfall/surplus (UNITS) | Method of addressing shortfall / surplus |
|------------------|----------------------|-----------------|--------------------|--|-------------------------------------|---|---|---|---------------------------|--|
| <b>LAP</b>       | Bray                 | 29,339          | 11,518             | 38,119                                   | 17,651                              | 6,133                                     | 7,934   | 4,689   | -3,245                    | <b>Note 1</b>                            |
| <b>LAP</b>       | Wicklow – Rathnew    | 13,468          | 5,399              | 22,141                                   | 10,252                              | 4,853                                     | 6,272   | 5,640   | -632                      | Future LAP                               |
| <b>LAP</b>       | Arklow               | 13,066          | 5,459              | 21,247                                   | 9,838                               | 4,379                                     | 5,726   | 4,000   | -1,726                    | Future LAP                               |
| <b>LAP</b>       | Greystones – Delgany | 17,208          | 6,637              | 22,801                                   | 10,558                              | 3,921                                     | 5,034   | 3,767   | -1,267                    | Future LAP                               |
| <b>LAP</b>       | Blessington          | 4,780           | 1,865              | 7,020                                    | 3,251                               | 1,386                                     | 1,782   | 1,840   | +58                       | Future LAP                               |
| <b>LAP</b>       | Newtownmountkennedy  | 3,073           | 1,078              | 5,483                                    | 2,539                               | 1,461                                     | 1,840   | 2,056   | -134                      | Future LAP                               |
| <b>LAP</b>       | Kilcoole             | 4,063           | 1,402              | 4,835                                    | 2,239                               | 837                                       | 1,030   | 782   | -248                      | Future LAP                               |
| <b>LAP</b>       | Rathdrum             | 1,638           | 657                | 3171                                     | 1,469                               | 812                                       | 1045  | 1,089   | +44                       | Future LAP                               |

**Note 1:** A future LAP for Bray town and environs shall address the zoning shortfall in Bray. This new plan shall comprise a 'Bray Municipal Area Local Area Plan' which shall replace the existing Bray Town Development Plan and the Bray Environs Local Area Plan, and shall encompass all settlements in the MD including Kilmacanogue and Enniskerry.

~~**Note 2:** The current Newtownmountkennedy LAP provides a potential yield on zoned housing land of 1,706 units. Additional lands have been zoned in this County Development Plan which have a housing yield of c. 350 units and in combination there is a zoning surplus of +216 units. There are no current proposals to address this zoning surplus in Newtownmountkennedy.~~

<sup>7</sup> Equivalent of +3 years zoning i.e. to meet '2028' target

<sup>8</sup> As per plans adopted pre 2015 and any lands zoned through this plan

Table 2.8.2.9 Other Settlements

| Future Plan Type        | Settlement   | Population 2011 | Housing Stock 2011 | Core Strategy Population Allocation 2022 | Total Housing Unit Requirement 2022 | Housing Unit Growth Requirement 2011-2022 | Housing Unit Growth Requirement + headroom <sup>9</sup> | Housing Yield of proposed zoned land <sup>10</sup> | Shortfall/ Surplus (UNITS) |
|-------------------------|--------------|-----------------|--------------------|--|-------------------------------------|---|---|--|----------------------------|
| Level 5 Town Plan       | Ashford      | 1,484           | 531                | 2,675                                    | 1,182                               | 651                                       | 858   | 858  | Balance                    |
| Level 5 Town Plan       | Aughrim      | 1,315           | 592                | 1,758                                    | 777                                 | 185                                       | 278   | 278  | Balance                    |
| Level 5 Town Plan       | Baltinglass  | 1,786           | 769                | 2,572                                    | 1,136                               | 367                                       | 521   | 521  | Balance                    |
| Level 5 Town Plan       | Carnew       | 1,145           | 491                | 1,698                                    | 750                                 | 259                                       | 365   | 365  | Balance                    |
| Level 5 Town Plan       | Dunlavin     | 793             | 313                | 2,134                                    | 943                                 | 630                                       | 840   | 840  | Balance                    |
| Level 5 Town Plan       | Enniskerry   | 1,940           | 642                | 2,302                                    | 1,017                               | 375                                       | 470   | 470  | Balance                    |
| Level 5 Town Plan       | Tinahely     | 956             | 419                | 1,308                                    | 578                                 | 159                                       | 231   | 231  | Balance                    |
| Level 6 Settlement Plan | Avoca        | 717             | 282                | 835                                      | 369                                 | 87  | 120   | 120  | Balance                    |
| Level 6 Settlement Plan | Donard       | 179             | 92                 | 257                                      | 114                                 | 22  | 37  | 37   | Balance                    |
| Level 6 Settlement Plan | Kilmacanogue | 799             | 277                | 897                                      | 396                                 | 119                                       | 151   | 151  | Balance                    |
| Level 6 Settlement Plan | Newcastle    | 817             | 313                | 1,065                                    | 471                                 | 158                                       | 211   | 211  | Balance                    |
| Level 6 Settlement Plan | Roundwood    | 780             | 326                | 1,052                                    | 465                                 | 139                                       | 195   | 195  | Balance                    |
| Level 6 Settlement Plan | Shillelagh   | 426             | 200                | 571                                      | 252                                 | 52  | 83  | 83   | Balance                    |

<sup>9</sup> Equivalent of +3 years zoning i.e. to meet '2025' target

<sup>10</sup> As per this County Development Plan

## AMENDMENT 10

Chapter 4, 'Housing', p78 - 'Special Zoning Newtownmountkennedy'

Omit Objective **HD24 and Map 04.01**

~~**HD24** To provide for low density residential development with associated leisure, tourism and recreational facilities on lands measuring c. 28ha Ballinahinch Lower, Co. Wicklow, as shown on Map 04.01.~~

## AMENDMENT 14

### Chapter 5 'Economic Development', Objective EMP12, p92

It is recommended that Objective EMP12 is amended as follows: (blue text to be deleted, new text in red)

~~**EMP 12** To provide for employment development at the following locations as shown on maps 5.01-5.08.~~

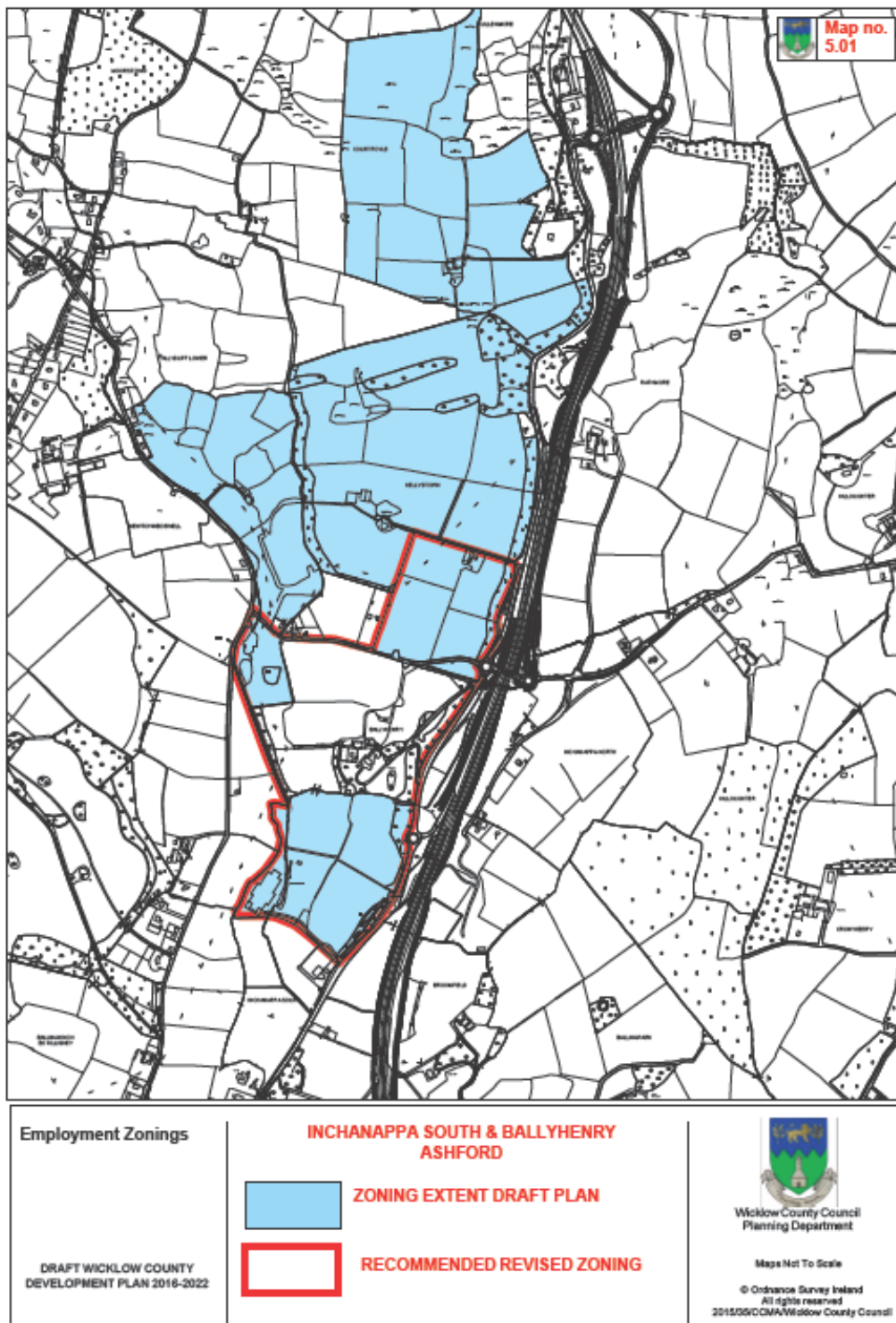
| Location                        | Map No. | Size (ha) | Zoning Objective   |
|---------------------------------|---------|-----------|--|
| Mountkennedy Demesne, Kilpedder | 5.01    | 34.7      | <del>To provide for a data centre facility<sup>11</sup> and associated related industries set in open parkland with extensive landscaping, a high architectural standard of layout and building design with low site coverage. Employment types other than those strictly related to data storage shall show a clear process related requirement to locate in proximity to a data centre.</del>  |
| Rath East / Knockloe, Tullow    | 5.02    | 4.4       | <del>To provide for a light industrial development</del>   |
| Kilmurray South                 | 5.03    | 0.76      | <del>To provide for transport purposes development</del>   |
| Kilmurray North                 | 5.04    | 0.8       | <del>To provide for a warehousing / storage / distribution and commercial vehicle park</del>   |
| Scratenagh crossroads           | 5.05    | 8.09      | <del>To provide for light industrial uses / business park uses with extensive landscaping and a high architectural standard of layout and building design.</del>   |
| Kilpedder Interchange           | 5.06    | 27.7      | <del>To provide for employment uses including industrial, transport, distribution, warehouse or retail warehouse developments of good architectural design, layout and landscaping including substantial screening from N11. The provision of transport and retail facilities will not be at the expense of facilities in existing settlements. Any redevelopment of the (former) Dan Morrissey / SM Morris sites shall include significant proposals to address the unsightly appearance of these sites. In addition, any development on these lands shall connect the footpath from Greytsones towards the pedestrian bridge at Kilpedder.</del> |
| Rathmore, Ashford               | 5.07    | 10.53     | <del>To provide for employment uses</del>  |

<sup>11</sup> ~~A data centre is a facility used to house computer systems and associated components, such as telecommunications and storage systems. It generally includes redundant or backup power supplies, redundant data communications connections, environmental controls (e.g., air conditioning, fire suppression) and security devices.~~

|  |       |                         |   |
|--|-------|-------------------------|---|
| Inchanappa South and Ballyhenry, Ashford | 5.018 | <del>160</del><br>62.25 | <p>To provide for the development of and expansion of the existing film studios in Ashford on the lands <b>shown on Map 5.01</b> in accordance with the following requirements:</p> <ul style="list-style-type: none"> <li>- the development of these lands shall be strictly limited to facilities for the production of film, TV, animation etc and any associated spin offs such as visitor facilities; in particular residential development or other non film related commercial activities are not to be permitted</li> <li>- the agreement of a master plan for the entire area <del>any application in advance of the agreement of this plan shall set out</del> which shall include: <ul style="list-style-type: none"> <li>(d) <del>the phasing</del> a detailed phasing plan which shall be linked to the conclusions and recommendations of a Traffic and Transport Assessment, which shall clearly set out the traffic generation model for the entire development and its constituent phases, and a detailed evaluation of the capacity of all roads serving the site, including all N11 junctions and the N11 itself and their abilities to accommodate the development without impacting on the carrying capacity of the national road for strategic inter-County traffic;</li> <li>(e) sequence of development, that shall be generally from south to north;</li> <li>(f) the infrastructure plans for the servicing of the site;</li> </ul> </li> <li>- this zoning shall be for the lifetime of this plan only.</li> </ul> |
|--|-------|-------------------------|---|



**Ashford Film Studio Zoning – Map 5.08 (change to **Map 5.01**)**



### Summary of issues raised

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1. **Vision & Core Strategy:** Since the publication of the Draft Development Plan, the Authority has formally submitted a Draft Transport Strategy for the period 2016-2035 to the Minister for Transport, Tourism and Sport for his determination. The Authority therefore recommends that the section in Chapter 2 related to the previous strategy is replaced.
2. **Vision & Core Strategy:** The projects within the current Draft Transport Strategy of relevance to County Wicklow are as follows:
  - Extension of Luas Green Line to Bray;
  - Core Bus Corridor on the N11 to Bray;
  - Core Regional Bus Route from Wicklow and Arklow;
  - Widening of the M50 to three lanes in each direction between Junction 14 (Sandyford) and Junction 17 (M11);
  - Capacity enhancement and reconfiguration of the M11/N11 from Junction 4 (M50) to Junction 14 (Ashford);
  - Protection of the Leinster Outer Orbital Route Corridor; and
  - Increased passenger capacity on the South East Rail Line through the provision of shuttle commuter train services operating south of Greystones, which will interchange with DART services at Greystones.
3. **Vision & Core Strategy:** The Authority welcomes the revised population targets, as agreed with the RPG office, as a temporary solution in the absence of national and regional figures. In terms of the detailed distribution into the settlement hierarchy, the Authority recommends that growth in certain settlements should be prioritised over others. As most people in all settlements in Wicklow, particularly in lower-order settlements, travel to work in other settlements, both in Wicklow and elsewhere, any population growth in such locations will add to the demand for travel in peak hours. As such, those settlements which provide transport alternatives should be prioritised, specifically, those settlements with public transport links to Bray and Dublin.
4. **Vision & Core Strategy:** The Authority recommends that the Core Strategy provides greater clarity in relation to the precise locations for the distribution of the 22,380 new jobs in the County as proposed in the Draft Development Plan, in particular, the 18,340 proposed for settlement levels 1-4. It is also recommended the transport required to serve this growth is set out in the Development Plan, having regard to the Draft Transport Strategy.
5. **Housing:** The Authority welcomes the Key Housing Principles set out in section 4.3 of the draft plan and look forward to their application in future Local Area Plans.
6. **Economic Development:** The Authority welcomes the land use zoning principles set out in section 5.4 and the objectives in section 5.5, most notably that which states that developments that result in an unacceptable high level of traffic generation will not be permitted. It is recommended that an objective is added to this chapter which states that development will be carried out in accordance with the Department of Environment's "Spatial Planning and National Roads: Guidelines for Planning Authorities".

## 7. Infrastructure

### (a) Public Transport

It is recommended that reference to BRT serving Bray is removed. It is the intention of the Authority to extend the Luas Green Line to Bray and there is no proposal therefore to deliver BRT.

Reference to the NTA (as the contracting authority for Public Service Obligation transport services, as provided by state transport companies) should be inserted into Public Transport Objectives TR3 and TR7.

It is recommended that Policy TR5 is amended to read as follows:

*"To facilitate, through both the zoning of land and the tie-in of new facilities with the development of land and the application of supplementary development contributions, ~~the extension of the LUAS/Bus Rapid Transport to Bray Environs/Fassaroe and linked to Bray DART Station~~ the extension of the Luas Green Line to Bray and an appropriate public transport service to Fassaroe, in accordance with the provisions of the 'Greater Dublin Area Draft Transport Strategy 2016-2035'".*

The Authority has serious concerns in relation to the rationale behind the second bullet point under Objective TR7. The location of large-scale residential and employment uses<sup>12</sup> more than 2km from rail stations and Luas stops is contrary to a wide range of transport and land-use planning policies, including those set out in the Authority's Integrated Implementation Plan and the Draft Transport Strategy 2016-2035. Furthermore, the feasibility of providing feeder bus services as an alternative in order to ameliorate traffic impacts of such developments in all cases, and to promote public transport, is questionable.

The Authority recommends that in cases where such proposals are catered for by existing land-use zonings, the zonings are reviewed in the first instance, and in the event that the zonings remain, that close engagement with the Authority is undertaken with a view to providing adequate public transport by way of variations to existing bus services provided as part of the comprehensive metropolitan bus network. In the case that such services cannot be provided, it must then be demonstrated that the proposal will operate in a manner that minimises impact on the road network, for example by applying a more restrictive car parking standard than that which would normally apply, and by committing the applicant to the implementation of a comprehensive workplace or residential Travel Plan. For certain proposals, such plans may include a feeder bus service, if feasible and appropriate. These recommendations are of particular significance for developments which may impact on the carrying-capacity of the national road network.

The rationale behind the fourth bullet point under the same objective, requiring new housing estates to provide "bus-only" links, is also questionable. The Development Plan or Local Area Plan process should identify if bus services are required in each settlement, and the general routings of such services. Bus services will also generally run on distributor roads and not necessarily through housing estates. As such, this objective is unnecessary and may not apply in many cases.

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<sup>12</sup> large-scale residential development is defined as any single development that would increase the housing stock in the settlement by 10% or more and a large-scale employment development is taken to be one with a working population of 200 persons or more

(b) Roads

In relation to national roads, it is recommended that the term “various road agencies” is replaced with “Transport Infrastructure Ireland and the National Transport Authority”. In the Draft Transport Strategy, the Authority recognises the constraints on the N/M11 and the south-eastern section of the M50, and proposes to enhance the capacity on these routes. Some of the detailed objectives of the Draft Development Plan related to the N/M11, however, are overly-specific and may not be supported by the Authority. As such, it is recommended that the second, fifth and seventh bullet points are removed. It is also recommended that the following objective is inserted:

- Undertake a detailed study and design process for improvements to the N/M11 with Transport Infrastructure Ireland and the National Transport Authority, and adopt the findings of this study as a Variation to the County Development Plan once complete.

(c) Car Parking

In relation to the car parking standards, the Authority welcomes their continued application as maximum standards in areas where alternatives are available.

## 8. General Comments

The Authority is fully aware of the constraints that apply to both transport infrastructure and services in County Wicklow – more specifically, the limited capacity on both the road and public transport networks along the east coast. The Authority is also cognisant of the requirement of Wicklow County Council to demonstrate consistency with the prevailing Regional Planning Guidelines, which will be superseded in 2016, and the difficulties in doing so, given such constraints. The Authority will continue to support and collaborate with Wicklow County Council, the Eastern and Midland Regional Assembly, and Transport Infrastructure Ireland in delivering sustainable regional and local spatial planning, and its integration with transport infrastructure and services.

### Chief Executive’s response

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1. The draft County Development Plan notes, on p9, that the NTA has published a new draft strategy. It is stated in the plan that *‘updates to this County Development Plan will be made when possible through this plan making process to reflect the new NTA strategy that is adopted’*.

During the course of the preparation of this report, the NTA Strategy was approved by the Minister. Therefore it is recommended that the part of the plan detailing the NTA Strategy, as set out in Chapter 2 (p8) be updated.

2. With regard to the transport projects indicated for Wicklow in the (now approved) NTA Strategy, all of these projects are identified in the County Development Plan. The draft County Development Plan includes additional necessary projects and provides further details with regard to listed projects.

The strategic, County wide projects identified in the draft County Development Plan which the NTA has not explicitly included in its final Strategy, but the CE considers essential to retain in the County Development Plan in order to ensure the delivery the development strategy for the County as set out in the regional plan and the Core Strategy include:

- LUAS or other mass transit to Fassaroe (bus based transport is now proposed by the NTA)
- Rail line enhancement between Bray and Greystones
- Upgrade of the N81 between Hollywood and Dublin
- Improvements to the Blessington – Naas route and Dunlavin / Baltinglass to M9 route
- East to west connector routes such as the Sally and Wicklow Gaps and the R747 (Arklow – Baltinglass)
- Public transport links within the County, not just from the County to Dublin

Therefore no amendments are recommended.

3. It is suggested that the population growth strategy should prioritise the growth of towns which have public transport links to Bray and Dublin. The NTA appears to have forgotten that the settlement strategy and growth priorities for Wicklow are set by the NSS and the RPGs, based on a range of factors, including transportation and movement, and the availability of public transport is not the only determinant of the appropriate location for growth.

The settlement strategy is required to be based on sound spatial planning principles, and where an area / town is otherwise identified as suitable for growth but is deficient in public transport services, the transport authorities must do their job and ensure the transport infrastructure is provided.

The NTA appears to be ignoring the fact that no settlements in County Wicklow, other than Arklow, Rathdrum, Wicklow Town, Kilcoole and Greystones have rail based public transport linkages to Bray and Wicklow, all being served by the Dublin – Rosslare railway line. Even this service is particularly inadequate with very limited number of trains per day south of Greystones. On the basis of the NTA's criteria, growth should therefore really only occur in Greystones and Bray. This is not in accordance with the RPGs or the Wicklow Core Strategy and is completely unreasonable for the NTA to suggest.

This suggestion also assumes that the development strategy, in particular the economic strategy, should be predicated on the basis of all or the majority of workers travelling to Bray and Dublin for employment. This is contrary again to the RPGs which aim to enhance the jobs ratio and employment availability in the designated growth towns of Wicklow Town, Arklow, Blessington and Newtownmountkennedy.

In west Wicklow, none of the towns have a decent public transport connection to Dublin, let alone Bray. The same applies in south-west Wicklow, in the towns of Aughrim, Tinahley, Carnew and Shillelagh. On the basis of the NTA's suggestion, this would imply that no further growth should be accommodated in west / south-west Wicklow or certainly it should not be a priority. This again is not in accordance with the RPGs or the Wicklow Core Strategy and is completely unreasonable for the NTA to suggest.

4. With regard to the distribution of new jobs in the County, it is agreed that greater clarity regarding the targeted location of jobs growth would be of benefit. It is therefore recommended that an expanded jobs growth target table be provided, along with the basis of all calculations. By splitting this table into towns, rather than growth of towns belonging to

certain levels, some of the total figures for the County are altered overall, and the target jobs ratio will be c. 60%.

The transport strategy to serve this growth in employment **is** set out in the draft County Development Plan and is further expanded in the all local plans serving each settlement and it is considered that the NTA would be well aware of these strategies having been a prescribed body in the adoption of these other strategies. The NTA is no doubt quite aware the 'Core Strategy' of the County Development Plan does not and is not required to set out all of the local transport strategies for each town and for each type of land use within each town. It would be well aware that the County Development Plan focuses on strategic infrastructure issues, not local ones, and these are all addressed in the draft County Development Plan.

Just to take two examples of the County's priority growth towns:

(a) Bray

The targeted employment growth areas in Bray are in the town centre, on employment zoned lands throughout the settlement and in Fassaroe. The transport strategy for Bray is set out in Chapter 2 'Vision and Core Strategy' of the draft County Development Plan (p22), as well as in Chapter 9 'Infrastructure', Section 9.1 p164-173 and further expanded in both the Bray Town Plan 2011-2017, the Bray Environs LAP 2009-2017 and indeed in the Bray Environs LUTS (land use and transportation study) 2006.

In particular, a priority employment growth zone for Bray is Fassaroe, and all of the above plans / strategies clearly outline that it will be necessary to service this area with a high quality public transport link to both Dublin and into Bray centre, such as LUAS, which has been planned and designed to serve Fassaroe, before the project was suspended. The draft plan, in recognition of the possibility of the LUAS extension to Fassaroe being difficult to fund has introduced flexibility to include an alternative form of rapid transit, such as BRT (Bus Rapid Transport) that may be a viable alternative (Objective TR5 specifically refers).

(b) Wicklow – Rathnew

The targeted employment growth areas in Wicklow – Rathnew are in the town centre of Wicklow Town, in the 'village centre' of Rathnew, the Port / Murrough and other zoned employment lands served by the Port Access Road, and at Clermont. The transport strategy for Wicklow - Rathnew is set out in Chapter 2 'Vision and Core Strategy' of the draft County Development Plan (p22), as well as in Chapter 9 'Infrastructure', Section 9.1 p164-173 and further expanded in the Wicklow Town, Rathnew and Environs Development Plan 2013-2019 and the Wicklow and Environs IFPLUT (Integrated Framework Plan for Land Use and Transportation) 2005. In particular, the transport strategy for the settlement is clearly set out in Chapter 9 of the Town Development Plan, and for employees focuses on enhanced train and bus services to and within the town, enhanced connectivity between all areas of the town and the station / bus / employment hubs, and for goods focuses on access to the Port Access Road, Town Relief Road and the N/M11.

5. Noted

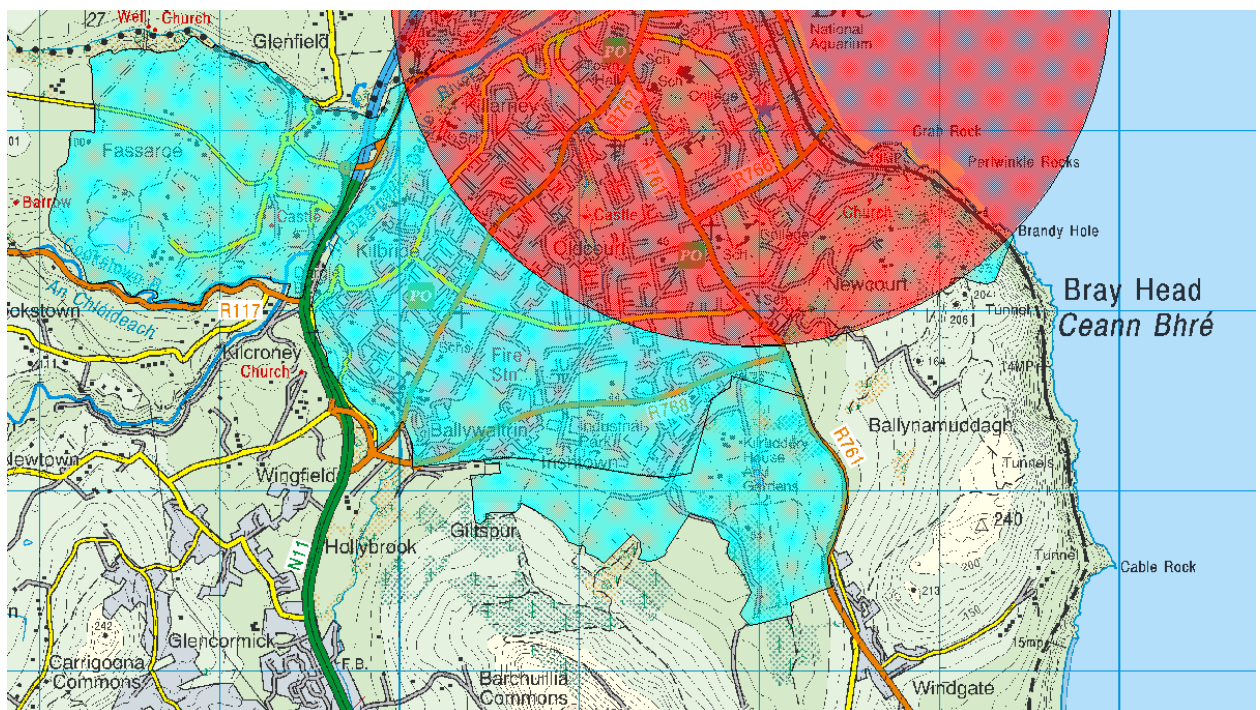
6. It is not considered necessary to state in the objectives on Economic Development that all developments will be carried out in accordance with the Department's *"Spatial Planning and National Roads: Guidelines for Planning Authorities"* as these are Ministerial guidelines, along with many, many others that the Planning Authority must have regard to in its functions. The draft County Development Plan was crafted to accord with these guidelines.



## 7. (a) Public transport

- It is noted that the NTA request the removal of the reference to 'BRT' from the plan as it is intended to serve Bray by Luas. This reference was included to allow for flexibility in the rapid transit options for Fassaroe in particular. Therefore the suggested revised wording for objective TR7 is not considered reasonable and an alternative is suggested to follow.
- The NTA has concerns in relation to the second point of TR7 which requires the developers of large-scale new employment and residential developments in the designated metropolitan and large growth towns in the County that are distant (more than 2km) from train / LUAS stations to fund / provide feeder bus services for an initial period of at least 3 years because the provision of such large scale developments in excess of 2km from rail stations or LUAS stops would be contrary to a wide range of transport and land-use planning policies.

This suggestion is considered completely unreasonable having regard to the location of our growth towns, our rail stations (5) and LUAS stops in the County (0). In particular, were development in excess of 2km from a rail station to be excluded, the following areas marked in blue would be 'no major development zones' in Bray:



Similarly, all of Delgany and Charlesland would be excluded from Greystones – Delgany, Rathnew and Clermont would be excluded from Wicklow – Rathnew, Killinskyduff excluded from Arklow, as would the entire towns of Blessington and Newtownmountkennedy.

While it can be understood that there is a need to achieve modal shift and thus have development close to rail stations, this is only to prevent congestion in and into Dublin. However, the key method of reducing metropolitan congestion is by having people living as close as possible to their employment and in this scenario distance to rail heads is not relevant. The Regional Planning Guidelines recognise this.

In the order of 30,000 additional housing units up to 2028 must be accommodated in County Wicklow to comply with the Regional Planning Guidelines. As the amount of available, zoned land in the growth centres that are within 2km of a train station certainly would not facilitate even 25% of this amount; such a suggestion would prevent Wicklow County Council complying with higher order plans and fulfilling its role in the region.

If the NTA is taking the same approach in all counties in the region, and attempting to restrict development in the other Metropolitan Consolidation Towns of Swords and Lucan, other Large Growth Towns 1 of Navan and Naas, as well as moderate growth towns of Ashbourne, Dunshaughlin, Kells, Trim, Kilcullen and Athy, this would turn the current regional plan on its head and render it meaningless

- It is suggested that where land is already zoned for such large scale development more than 2km from a rail station, that the zonings should be reviewed and in the event that the zonings remain, the Council should engage with the NTA to ensure delivery of appropriate public transport. This is exactly the proposition that Wicklow County Council agrees with, and all areas already zoned for significant development in the growth towns have been so zoned following detailed Land Use and Transportation Studies (LUTS) and statutory consultation with the NTA. As the zoning reviews have therefore already been undertaken, and the zonings remain, the NTA must now craft their own strategy that delivers public transport to the designated development areas, such as Fassaroe.
- It is agreed that where public transport services cannot be provided, that Wicklow County Council will ensure that it be shown that the development will operate in a manner that minimises impact on the road network, for example by committing the applicant to the implementation of a comprehensive workplace or residential Travel Plan, which could result in the provision of a feeder bus service, if feasible and appropriate. This would be part of the normal application assessment process, and the County Development Plan clearly sets out that developments will be assessed against the criteria set out in various design and transport guidelines such as:
  - Best Practice Urban Design Manual
  - Design Manual for Urban Roads and Streets
  - Sustainable Residential Development in Urban Areas
  - Quality Housing for Sustainable Communities
  - Traffic Management Guidelines
  - National Cycle Manual
  - Smarter Travel
  - Design Manual for Roads and Bridges
  - Traffic & Transport Assessment Guidelines
  - Guidance on Spatial Planning & National Roads

The plan also specifically requires new large employment / retail / health, education and community developments to craft and implement Mobility Management Plans that would ensure:

- Provision of appropriate parking spaces;
- Optimisation of links with the public transport system;
- Provisions of facilities for cyclists and pedestrians;



- Encouragement of modes of transport other than personal travel by private car. (Volume 3)

Therefore no amendments to the second bullet point of TR7 are recommended.

- It is also suggested that the 4<sup>th</sup> bullet point of TR7 be omitted i.e. *"in larger settlements that can sustain bus services, to require new housing estate road layouts to be designed to have permeable 'bus only' linkages between different housing estates"*. The basis for this suggestion is that buses should not necessarily run through housing estates but on distributor roads outside of the estates. This is noted and therefore it is recommended that this bullet point be omitted.

#### (b) Roads

- While there is no issue with replacement the term 'various road agencies' with TII and NTA, given the number of name changes and agency amalgamations that have occurred over recent years, and the possibility of further changes, in order to future proof the plan, it is considered that the term 'various road agencies' should not be amended.
- With regard to the detailed objectives set out in the draft plan with regard to the improvement of the M/N11, it is considered wholly appropriate for a local plan to provide such additional detail, being crafted by the Wicklow based experts who know exactly what is needed to upgrade the national road network.
- With regard to the suggestion that a new objective be inserted that WCC would undertake a detailed study with the TII and NTA for the required improvements to the M/N11, this is considered unnecessary as any improvement programme will have to include a detailed study and design process anyway with WCC as a partner in this process.

#### (c) Car parking

Point noted; no amendments are required.

### Chief Executive's recommendations

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#### AMENDMENT 1

#### Chapter 2 'Vision & Core Strategy', Section 2.2 Strategic Policy Context, p8

#### ~~NTA Greater Dublin Area Draft Transportation Strategy 2011-2030 '2030 Vision'~~

~~The Draft Transport Strategy for the GDA was produced by the National Transport Authority for the period 2011-2030. The strategy sets out policies and measures required to support the GDA in realising its potential as a competitive, sustainable city region with a good quality life for all.~~

~~A number of fundamental tenets underlie the draft strategy objectives. These include the adoption of a hierarchy of transport users with pedestrians, cyclists and public transport users at the top of the hierarchy. Consequently these users should have their safety and convenience needs considered first. A second key principle is the requirement that land use planning and transport planning be considered together in the overall development of the GDA region.~~

### SECTION 3.1

The strategy identifies a number of Designated Towns and Designated Districts, based on the RPG classifications. Bray and Wicklow are categorised as Designated Towns. Greystones, Arklow, Newtownmountkennedy and Blessington are categorised as Designated Districts. The strategy focuses on land-use measures that promote sustainable travel patterns both within the Designated Towns and Districts and also between the centres. The land-use measures set out in the strategy seek to:

- focus person-trip intensive development, particularly to key destinations such as retail and offices, into Dublin City and Designated Town centres within the GDA (for Wicklow these include Bray and Wicklow); and
- focus any person-trip intensive development outside Dublin City and Designated Town centres to locations served by stations on the existing and proposed rail network (particularly Metro and DART).

In these areas densities should be higher and intensive development should take place in areas well served by rail. Development should take place at these locations in advance of other locations. The strategy identifies that mixed use development will be the primary pattern of growth in all areas, with an emphasis on commercial uses in centres and on residential uses in other areas served by public transport.

Key projects identified in the strategy, of relevance to County Wicklow, include:

- extension of the Luas Green Line from Bride's Glen to the Bray area, subject to the timing and scale of new development in the Bray-Fassaroe area and appraisal and economic assessment (this is identified as a 'longer term' priority);
- the finalisation and protection of a 'Leinster Orbital Route' corridor, with possible incremental implementation of this road;
- the provision of additional track and other measures on the single rail track south of Bray to facilitate additional rail services to Greystones, Wicklow and Arklow; and
- retention of local bus service in Wicklow Town, subject to anticipated population increases.

Subsequent to the submission of the Draft Transport Strategy in 2011 to the Minister for Transport, Tourism and Sport, the focus shifted to the short-term with the adoption of the Integrated Implementation Plan 2013-2018, in accordance with Section 13 of the Dublin Transport Authority Act 2008. This plan set out a 6 year programme for transport investment in the GDA, including provision for Luas Cross City, the Phoenix Park Tunnel Link, and Bus Rapid Transit (BRT).

The 2011 draft transport strategy is in the process of being superseded by the new 'Draft Transport Strategy for the GDA 2016-2035' which was published for public consultation after this draft plan was crafted. Updates to this County Development Plan will be made when possible through the plan making process to reflect any new NTA strategy that is adopted.

## **NTA TRANSPORT STRATEGY FOR THE GREATER DUBLIN AREA 2016-2035**

This transport strategy provides a framework for the planning and delivery of transport infrastructure and services in the Greater Dublin Area (GDA) over the next two decades. It also provides a transport planning policy around which other agencies involved in land use planning, environmental protection, and delivery of other infrastructure such as housing, water and power, can align their investment priorities. It is, therefore, an essential component, along with investment programmes in other sectors, for the orderly development of the Greater Dublin Area over the next 20 years.

The transportation assessment and proposals to meet demand provided in the strategy are based around 6 'radial corridors' emanating out from the city centre and for County Wicklow, the following strategy is set out:

### **Corridor E – N81 Settlements – South Tallaght – Rathfarnham – to Dublin City Centre**

Corridor E is made up of generally suburban residential development and is not defined on the basis of a major transport route, road or public transport service. It presents a challenge in that respect as it is more difficult to serve with high capacity public transport than other corridors, which are defined by multi-lane roads and / or dual carriageways, and contain existing or proposed rail lines.

As limited growth in radial trips along Corridor E outside of the Metropolitan Area is anticipated, it is not proposed to implement significant public transport infrastructure improvements. Bus capacity will be increased to meet demand along the N81.

For the Metropolitan parts of this corridor, the performance of the Rathfarnham Quality Bus Corridor is poor relative to others and requires enhancement. As such, a number of options, including Light Rail, have been examined. However, due to the land use constraints in the corridor and owing to the pressure on the existing road network, a Luas line was not deemed feasible. Instead, the emerging solution comprises a BRT to Tallaght via Rathfarnham and Terenure. This will result in a significant increase in capacity and reliability compared to existing public transport services and will balance public transport requirements with those of the private car. The BRT will be supplemented by a core radial bus corridor between Rathfarnham, Rathmines and the City Centre.

Two new roads are to be built within this corridor, a South Tallaght link road from Oldcourt Road to Kiltipper Road, and a public transport bridge over the Dodder to the east of Tallaght from Firhouse Road to the N81 to address localised access and congestion issues.

### **Corridor F – Arklow – Wicklow – Greystones – Bray – Cherrywood – Dundrum – Dun Laoghaire – Dublin City Centre.**

Corridor F stretches from the south east business districts to Wicklow, based around the N/M11 route and containing both the DART and Luas Green Line. The Strategic Development Zone of Cherrywood is in this corridor.

During the preparation of the Strategy, the Authority prepared a report on the South East corridor. This study primarily aimed to identify public transport options that could effectively meet the growth in travel demand to year 2035, between the South East Study Area and Dublin City Centre. A number of options to cater for transport growth were examined. This included the upgrading of the Green line to Metro standard all the way to a point in Bray. Other options included focusing on the DART and a combination of BRT and bus priority to service growth, including a BRT network linking to the upgraded Metro at Bride's Glen or Sandyford.

Given the need to accommodate expected growth in demand between segments along Corridor F, as well as from these segments to the city centre, a number of schemes are proposed. The capacity of the South Eastern rail line will be increased through enhancements to the existing rail line, incorporating city centre signalling and extra rolling stock. DART Underground will also enable increases in capacity along this corridor. This will facilitate faster and more frequent intercity, regional and DART services to be provided on this line.

While these schemes focus on the coastal areas, the western parts of the corridor, including Cherrywood and other potential development areas, will require high capacity public transport. It is,

therefore, proposed to upgrade the Luas Green Line to Metro standard from the city centre, where it will link into the new Metro North, as far as its current terminus at Bride's Glen. From this point to Bray, a new Luas line is proposed. This will provide a new north-south inland rail axis from Swords to Bray. These rail services will be supplemented by the proposed BRT on the N11 from UCD to Blanchardstown, and the core radial bus corridors on the N11, south of UCD, and on the Rock Road.

To provide for growth in vehicular trip demand and improve road safety, the N11 and M50 between Newtownmountkennedy and Sandyford (including the M11/M50 junction) will be upgraded. Additionally, Loughlinstown roundabout will be improved, while a distributor road network will be developed to service development lands at Kiltiernan / Glenamuck.

## AMENDMENT 6

### Chapter 2 'Vision & Core Strategy', Section 2.4.7, p24

Omit existing Table 2.10 and replace with the following expanded table:

**Table 2.10 County Wicklow employment growth targets by settlement**

|                           | 2011         |               |            | 2028                |                   |               | 2011 - 2028      |                   |
|---------------------------|--------------|---------------|------------|---------------------|-------------------|---------------|------------------|-------------------|
|                           | Labour Force | Existing Jobs | Jobs ratio | Target Labour Force | Target Jobs Ratio | Jobs Required | Growth 2011-2028 | % of total growth |
| <b>Bray</b>               | 14,081       | 7,678         | 55%        | 16,665              | 83%               | 13,832        | 6,154            | 28%               |
| <b>Wicklow / Rathnew</b>  | 6,464        | 3,071         | 48%        | 9,999               | 72%               | 7,199         | 4,128            | 19%               |
| <b>Arklow</b>             | 6,271        | 3,580         | 57%        | 9,582               | 86%               | 8,241         | 4,661            | 21%               |
| <b>Greystones/Delgany</b> | 8,259        | 1,808         | 22%        | 9,999               | 33%               | 3,300         | 1,492            | 7%                |
| <b>Blessington</b>        | 2,299        | 984           | 43%        | 3,125               | 65%               | 2,031         | 1,047            | 5%                |
| <b>Newtown</b>            | 1,475        | 567           | 38%        | 2,500               | 57%               | 1,425         | 858              | 4%                |
| <b>Ashford</b>            | 712          | 245           | 34%        | 1,250               | 52%               | 645           | 400              | 2%                |
| <b>Aughrim</b>            | 631          | 165           | 26%        | 833                 | 39%               | 327           | 162              | 1%                |
| <b>Baltinglass</b>        | 857          | 596           | 70%        | 1,250               | 104%              | 1,304         | 708              | 3%                |
| <b>Carnew</b>             | 550          | 318           | 58%        | 833                 | 87%               | 723           | 405              | 2%                |
| <b>Dunlavin</b>           | 381          | 240           | 63%        | 1,042               | 95%               | 985           | 745              | 3%                |
| <b>Enniskerry</b>         | 931          | 206           | 22%        | 1,250               | 33%               | 415           | 209              | 1%                |
| <b>Kilcoole</b>           | 1,950        | 836           | 43%        | 2,083               | 64%               | 1,340         | 504              | 2%                |
| <b>Rathdrum</b>           | 786          | 438           | 56%        | 1,458               | 84%               | 1,219         | 781              | 4%                |
| <b>Tinahely</b>           | 459          | 270           | 59%        | 625                 | 88%               | 552           | 282              | 1%                |
| <b>Avoca</b>              | 344          | 99            | 29%        | 375                 | 36%               | 135           | 36               | 0%                |
| <b>Donard</b>             | 86           | 39            | 45%        | 125                 | 57%               | 71            | 32               | 0%                |
| <b>Kilmacanogue</b>       | 383          | 362           | 94%        | 417                 | 118%              | 492           | 130              | 1%                |
| <b>Newcastle</b>          | 392          | 234           | 60%        | 500                 | 75%               | 373           | 139              | 1%                |
| <b>Roundwood</b>          | 374          | 126           | 34%        | 500                 | 42%               | 210           | 84               | 0%                |
| <b>Shillelagh</b>         | 204          | 46            | 22%        | 292                 | 28%               | 82            | 36               | 0%                |
| <b>Total</b>              | 47,886       | 21,908        | 46%        | 64,703              | 70%               | 44,899        | 22,991           | 103%              |
| <b>Total rural</b>        | 17,695       | 5,666         | 32%        | 19,769              | 25%               | 4,942         | -724             | -3%               |
| <b>County total</b>       | 65,581       | 27,574        | 42%        | 84,472              | 59%               | 49,841        | 22,267           | 100%              |

Note: The Jobs Ratio for target for settlements in Levels 1-5 is calculated by increasing the existing jobs ratio by 50%; in Level 6 settlements by 25% and assuming a Jobs Ratio decline in the rural area from 32% to 25%.

## AMENDMENT 5

### Chapter 2 'Vision and Core Strategy' Section 2.4.6

#### Public Transport

The NSS identifies the Dublin – Rosslare rail line as a **Strategic Radial Corridor** from Dublin to the south-east of Ireland. The RPGs identify the rail line as a **Multi-Modal Transport Corridor**.

This is the only heavy rail line in the County, which is single track only from Bray and has only six functioning stations from Bray to Arklow. The settlement strategy exploits the towns along this route by allocating over two thirds of the population growth to these settlements.

It is proposed to extend the Luas light rail system to Bray – this extension is identified in the RPGs as a **critical strategic transport project** - and the vast majority of the population growth for Bray is allocated for Fassaroe, which will require for areas to be served by Luas or other mass transit. This will reinforce the role of Bray as the primary settlement in the County and will provide an option for removing car traffic from the N11/M11 north of Bray with the provision of park-and-ride facilities.

It is the strategy of this plan to encourage and facilitate:

- significant improvements to heavy and light rail infrastructure, including the provision of new lines and new stations and the provision of improvements to the rail line south of Bray to facilitate additional rail services to Greystones, Wicklow and Arklow;
- improvements to the Dublin-Rosslare rail line, the extension of Luas or other mass transit to Bray town centre, Bray station and Fassaroe, the provision of car and bus park-and-ride facilities and improved penetration of local bus services in designated growth towns; and
- retention of local bus services.

#### It is therefore the strategy of this plan to:

Craft land use policies to produce settlements of such form and layout that facilitates and encourages sustainable forms of movement and transport, prioritising walking and cycling, and for larger settlements, bus transport. Integrated land use and transport studies will be used to:

- inform future policy formulation;
- promote development that facilitates the delivery of local transport links within towns (such as feeder buses to train stations), between towns and in rural areas;
- promote development that delivers improvements to public transport services, in particular the upgrading of the Dublin – Rosslare train line, improved DART Services, bringing the LUAS/BRT or other mass transit to Bray and Fassaroe and the development of improved bus services;
- allow for the improvement or provision of new walking and cycling facilities throughout the County;
- facilitate the improvement of the existing road network, to remove bottlenecks and increase free flow;
- to improve east – west linkages in the County, as well as linkages between the west and south of the County to other counties; and
- to improve facilities for pedestrians and access for people with special mobility needs.

## AMENDMENT 35

### Chapter 9 'Infrastructure' Section 9.1.2

**TR2** To promote the development of transport interchanges and 'nodes' where a number of transport types can interchange with ease. In particular:

- to facilitate the development of park and ride facilities at appropriate locations along strategic transport corridors;
- to enhance existing parking facilities at and/or the improvement of bus links to the train stations in Bray, Greystones, Wicklow and Arklow;
- to promote the linkage of the LUAS extension, ~~/Bus Rapid Transport to Bray DART or other mass transit to Bray town centre, Bray train station and Fassaroe;~~
- to encourage the improvement of bicycle parking facilities at all transport interchanges;
- to improve existing and provide new footpath / footway linkages to existing / future transport interchange locations; and
- to allow for the construction of bus shelters, particularly where they incorporate bicycle parking facilities.

**TR3** To continue to work with Iarnrod Eireann and the NTA on the improvement of mainline train and DART services into Wicklow and in particular, to facilitate all options available to increase capacity through Bray Head and along the coastal route south of Greystones.

**TR5** To facilitate, through both the zoning of land and the tie-in of new facilities with the development of land and the application of supplementary development contributions, the extension of the LUAS ~~or other mass transit to /Bus Rapid Transport to Bray Environs/Fassaroe and linked to Bray DART Station in accordance with the provision of the 'Greater Dublin Area Draft Transport Strategy 2011—2030'.~~ Bray town centre, Bray train station and Fassaroe.

**TR7** To promote the delivery of improved and new bus services both in and out of the County but also within the County by:

- facilitating the needs of existing or new bus providers with regard to bus stops and garaging facilities (although unnecessary duplication of bus stops on the same routes / roads will not be permitted);
- requiring the developers of large-scale new employment and residential developments in the designated metropolitan and large growth towns in the County that are distant (more than 2km) from train / LUAS stations to fund / provide feeder bus services for an initial period of at least 3 years;
- promoting the growth of designated settlements to a critical mass to make bus services viable and more likely to continue;
- ~~in larger settlements that can sustain bus services, to require new housing estate road layouts to be designed to have permeable 'bus only' linkages between different housing estates; and~~
- to work with Bus Eireann and the NTA to improve services in south and west Wicklow.

## Summary of issues raised

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### 1. General Comments

The new CDP will provide a key policy document of central importance for a critical period in Irish society and will form a contract between the PA and the local community embodying a promise to regulate land use in accordance with its policies and objectives.

It is now over two decades since the 1992 Earth Summit in Rio de Janeiro when scientists warned humanity that 'no more than a few decades remain before the chance to avert the threats we not confront will be lost and the prospects for humanity immeasurably diminished'. The worldwide response to these messages from those in a position to bring about change has been almost nil. It is now, therefore, imperative that the new CDP set out a clear, rational, evidence based and plan-led strategy for the future spatial development of the locality to address critical emerging global challenges, most importantly energy scarcity and climate change, and is grounded in the principles of sustainable development.

The objective for those preparing the new CDP should be conciseness, clarity and simplicity in use of language, and that planning terms be explained in an appending glossary. The excessive flexibility inherent in many CDPs is a key factor in the long delays experienced in the planning process. The flexibility is evidenced both vagueness and by 'let-out' clauses which causes interpretation problems for the developer, the Councillors, the public, and even the officials.

- The PA is requested to review the plan ensuring any vagueness and 'let-out' clauses are removed;
- The PA is requested to explain planning terms in an appending glossary

### 2. Vision and Goals

*"For County Wicklow to be a cohesive community of people enjoying distinct but interrelated urban and rural environments; where natural surroundings and important resources are protected; where opportunities abound to live and work in a safe atmosphere, allowing people to enjoy the benefits of well paid jobs, a variety of housing choices, excellent public services, ample cultural and leisure opportunities, and a healthy environment"*

The local authority should be less restrictive in their vision of a cohesive community. The inclusion of 'well paid jobs' impedes the facilitation of an economy that supports sustainable living through all job sectors and wage.

### 3. Population

*"The RPGs require that 42% of the total growth allocated to County Wicklow be allocated to the Metropolitan Area settlements and that the 'majority' of the remainder be allocated to the Growth Towns, weighted towards the Large Growth towns in the settlement hierarchy and also particularly towards towns with rail based public transport i.e. c 70% of total population growth to be directed towards the 'growth towns'.*

*As in the previous County Development Plan, rigid adherence to these distribution requirements has led to difficulties – once the allocation for the metropolitan and other growth towns is distributed, and natural rural growth is taken into account, there is very little growth left to allocate to the 15 other towns*



*in the County (Levels 5 and 6 in the hierarchy). The majority of these towns have the capacity for growth, and to severely restrict development due to strict adherence to these population distribution requirements is considered a retrograde step, considering especially the investment in infrastructure that has been undertaken in these towns"*

The RPG is a policy document which aims to direct the future growth of the GDA over the medium to long term and works to implement the strategic planning framework set out in the NSS.

The Population and housing Distribution Table for Target Year 2016 require that 42% of the total growth allocated to County Wicklow be allocated to the Metropolitan Area settlements.

It is stated in the RPGs for the GDA that 'This figure should be regarded as a minimum requirement by councils and where possible should exceed'. (An Taisce Emphasis Added)

In accordance with provisions of the Planning and Development (amendment) Act (PDA) 2012, it is a mandatory requirement that the CDP must 'be consist' with the relevant Regional Planning Guidelines and the National Spatial Strategy.

An Taisce submit that the Council should adhere to the RPGs for the Greater Dublin Area and ensure that the figure allocated for the GDA for the Metropolitan area shall be accommodated by the council.

#### **4. Roads**

- (a) "The RPGs also identify the 'Leinster Outer Orbital Route', traversing the region from Arklow to the south-east to the Naas-Kilcullen area in the west via a route similar to the existing 747-N81 corridor".

An Taisce submit that such a proposal for an Outer Orbital Road would have the effect of further widening Dublin's Sprawl and tie us further into a model of long distance commuting by private transport mode, thus increasing car-dependency and creating an unsustainable transport system.

- (b) "In light of the likely continuing car dependency to access the metropolitan region in the short to medium term is the strategy of this plan to facilitate and encourage measures to improve capacity and efficiency of the national routes and facilitate the improved use of the national routes by public transport" (An Taisce Emphasis Added)

An Taisce submit that the council should fully encourage and facilitate public transport. Rather than accepting a 'continued car dependency', focus should be placed on reducing such dependency through effective public transport and sustainable land-use zoning means.

#### **5. Zoning (section 4.3.2)**

- i. "The priority for new residential development shall be in the designated 'town' and 'village'/'neighbourhood centres' or 'primary zone' in settlements with development plans, or in this historic centre or large and small villages, through densification of the existing built up area, re-use of derelict or brownfield sites, infill and backland development. In doing so, particular cognisance must be taken on respecting the existing built fabric and residential amenities enjoyed by existing residents and maintaining existing parks and other open areas with settlement"

An Taisce support residential in the town centre in the re-use of derelict or brownfield sites, attempts should be made to maintain ground floor for retail use in order to maintain vitality, viability and vibrancy with town centres. Volume 2 of the Draft Wicklow Development Plan states that it is an objective for the towns to:

*'Encourage higher residential densities in the town centre and the concept of "living of the shop"'*

It is stated elsewhere in the draft development plan that "The most suitable location for local or small scale office development and small scale service industries is generally **in above ground flood premises** at appropriate locations in town/village centre and neighbourhood centres" (Objective EMP16 Office Developments and Small---Scale Service Industries) [An Taisce Emphasis Added]

- ii. Under 'Table 2.7 LAP Settlements', An Taisce note that Newtownmountkennedy has additional surplus of land zoned for residential. There is a lack of evidence to support this additional surplus and as such should not be adopted in the final Wicklow County Development Plan.

In accordance with provisions of the Planning and Development (Amendment) Act 2010, it is now a mandatory legal requirement that the CDP must 'be consistent with' the relevant Regional Planning Guidelines and the National Spatial Strategy.

Wicklow County Council must comply with the new methodical and evidence based approach to land-use zoning and settlement planning included under the PDA 2010 which requires a demonstrated rational 'joined up' assessment of zoned land requirements based on such criteria as, inter alia, regional population targets, the sequential approach, flood risk assessment, infrastructure capacity, natural habitats and S.28 Guidance published by the DoECLG.

## 6. Retail

The Wicklow County Development should be consistent with the Regional Planning Guidelines (RPG) and The Retail Strategy for the Greater Dublin Area. The need for 'town centre' level of retail provision in both Newtownmountkennedy and Rathdrum does not wholly reflect the RPGs and the Retail Strategy for the Greater Dublin Area.

## 7. Housing - HD21

*HD21 Residential development will be considered in the open countryside only when it is for the provision of a rural dwelling to those with a housing, social or economic need to live in the open countryside*

*In the event of conflict of any other settlement strategy objective/Landscape Zones and Categories, a person who qualifies under policy HD21 their needs shall be supreme except where the proposed development would be a likely traffic hazard or public health hazard"*

An Taisce submit that due consideration should be given to high value landscape zones and any development, dwelling or otherwise, that is proposed in such a location, should be avoided if it were to injure the character of the surrounding environment.

## 8. Housing - HD24

*HD 24 To provide for low density residential development with associated leisure, tourism and recreational facilities on lands measuring c. 28ha Ballinahinch Lower, Co. Wicklow, as shown on Map 04.01.*

The proposed 'Special Zoning' for Newtownmountkennedy laid out in the draft Wicklow Development Plan is detached from the development boundary of Newtownmountkennedy. There is no justification for such land uses (residential, leisure, tourism and recreational facilities) at this location departs proper planning and sustainable practice. As such, An Taisce submits that omitted from the final Wicklow Development County Development Plan.

## 9. Economic Development – EMP12

The principles of appropriate land zoning, the reuse of brownfield sites and the implementation of sequential tests when developing outside of centrally located lands should be strongly adopted and implemented by the council the County Development Plan. The proposed zoning under policy EMP12 is contrary to proper planning and sustainable practices. Furthermore, it contravenes policies within the Draft Development Plan such as EMP2 and some of these lands are identified as a flood risk the Strategic Flood Risk Assessment.

## 10. Economic Development - EMP7

*EMP7 To encourage the redevelopment of brownfield sites for enterprise and employment creation through the County and to consider allowing 'relaxation' in normal development standards on such sites to promote their redevelopment, subject to no adverse impacts arising on the locality.*

An Taisce fully support the redevelopment of brownfield sites, however, it is imperative that such redevelopment and design is considered appropriate for the location. The wording of objective EMP7 to consider "*allowing relaxation in normal development standards*" is vague and may impact on the surrounding streetscape, building quality, built environment and road safety.

A 'relaxation' in development standards may result in a development that is contrary to Objective EMP9 and EMP 11 which states that it is an objective of the Council to:

*"Promote and support the enhancement of the built, natural and social environment to attract and sustain employment creation initiatives" (EMP9)*

*"Require employment based developments to be of the highest standard of architectural design and layout and comply with the Development and Design Standards set out in this plan" (EMP11)*

Similar wording is included in Volume 2 of the Draft Development Plan stating that is an objective for town centre and retail development that:

*"To allow a relaxation in certain development standards in the towns centres in achieving the best development possible, both visually and functionally"*

An Taisce consider that this objective, due to its vague wording and 'relaxation' of development standards may contravene an objective in the same section which states that:

*"The redevelopment of lands within the core areas, particularly those sites with frontage onto main streets and squares of the town, shall provide for a street fronting building of high quality design or for a*

**high quality** urban space, including hard and soft landscaping and appropriate street fixtures and furniture, in order to enhance and create a more attractive streetscape” [An Taisce Emphasis Added].

## 11. Integrated Tourism/Leisure/Recreational Complexes

An Taisce support sustainable enterprise in Rural Ireland that would promote social community and tourism development.

The council should include an objective to ensure that such development is successfully integrated into the surrounding environment and would not negatively impact on aspects including: traffic generation; visual impact and amenity; air quality and climate and biodiversity and water quality.

## 12. Education and Development

*“The council seeks to create an environment in which **everyone** can develop to their full potential to enable them to participate in and contribute to all aspects of social, economic and cultural life. The Planning Authority will endeavour to facilitate the provision of the best possible educational facilities at pre---school, primary, secondary and adult levels, on suitable zoned lands, in conjunction with the Department of Education & Skills, the Department of Jobs, Enterprise & Innovation, the Department of Health and the Department of Children and Youth Affairs”* [An Taisce Emphasis Added]

An Taisce recommends that an objective in relation to access is included in this section, in order to ensure that proposed developments for education is easily accessed by all.

## 13. Residential and Day Care

*“Having regard to the ‘aging’ of the Irish population, in addition to health care facilities, there is a growing need for the provision of specific residential and day care facilities for the elderly. The Council recognize that the provision of residential/day care and nursing homes is an essential **community requirement** and that this area is underdeveloped in this Country.* [An Taisce Emphasis Added]

*As those in residential or day care facilities will have different needs and abilities depending on health and ability, it is important to ensure that such facilities are **well integrated into society** and afford residents full access to goods and services outside of the facility”* [An Taisce Emphasis Added]

An Taisce note that it is a specific objective that:

CD19 *“Residential and day care facilities shall in general be required to **locate in existing towns or villages** and shall be located close to shops and other community facilities required by the occupants and shall be **easily accessible to visitors, staff and servicing traffic**, locations outside of delineated settlement boundaries shall only be considered where:*

- i. *the site is located is close proximity to a settlement and would not compromise an isolated development;*
- ii. *there are excellent existing or potential to provide new vehicular and pedestrian linkages to settlement services; and*
- iii. *the design and scale of the facility is reflective of the semi rural location.”* [An Taisce Emphasis Added]

Map No. 08.01 indicates zoning to provide for new or extended residential care facility for the elderly at Ballinahinch Lower, Newtownmountkennedy.

An Taisce consider that the zoning allocated to this site for such a use would be contrary to the objectives laid out pertaining to integration and access for residential and day care

#### **14. Leinster Outer Orbital Route (LOOR)**

*"Both Transport 21 and the National Development Plan 2007 committed the NRA (now the TII) to carrying out a feasibility study on the LOOR. In 2009, the NRA completed a draft study, which included the identification of possible route corridors. A corridor linking Drogheda to Navan to Naas is identified as the optimum route having regard to the objectives set out in the policy document.*

*While this study does not identify a link to Wicklow, it does recommend that further studies be carried out into this possibility...It is therefore considered appropriate to identify possible route corridors for this link up in this Plan"*

As recently commented on above, An Taisce considers that this would have the effect of further widening of Dublin's sprawl.

#### **15. Solar Power**

In recent years, countries across the world have begun to reverse their dependency on fossil fuels. One method of reducing dependency is through the development of Solar PV.

France for example, recently passed a new law that requires all new buildings constructed in commercial areas to be partially covered by either solar panels or green roofs.

Solar PV is an excellent distributive renewable energy source ideal for local and community placement. While not all communities have the resources for a wind development, all communities have rooftops which can be utilized for renewable energy generation – communal buildings, community buildings, schools and individual homes.

An Taisce note that the following objectives are laid out in the Draft Wicklow Development Plan 2016--2022: Solar Energy Objectives

*CCE9 To facilitate the development of solar generated electricity*

*CCE10 To positively consider all applications for the installation of PV cells at all locations, having due regard to architectural amenity and heritage*

Wicklow County Council should use this as opportunity to encourage the development of renewable energy in tandem with new development proposals, in a manner that is not to the detriment of surrounding landscape and good tillage land.

Suitable lands for large scale Solar PV development need to be identified in order to ensure that any such development would be well screened and not injure the visual amenity, land use quality and biodiversity value of an area.

An Taisce recommend that a strong emphasis is placed on reducing energy demand on all building, with particular emphasis on new commercial/warehouse/industrial developments.

## **16. Architectural Conservation Area Objectives (pg.204)**

*BH19 "The design of any development in Architectural Conservation Areas, including any changes of use of existing building, should preserve and/or enhance the character and appearance of the Architectural Conservation Area as a whole..."*

In order to ensure that the character of Architectural Conservation Areas are maintained and that developments contribute positively in terms of design, scale, setting and material finishes, An Taisce recommends the inclusion of the wording "The design of any development in, or adjacent to Architectural Conservation Areas..."

An Taisce recommended including an objective that protects all structure, groups of structures and all features considered to be intrinsic elements to the character of ACAs – all of which should be protected from demolition and non-sympathetic alteration.

Furthermore, An Taisce recommend the inclusion of objectives pertaining to signage, lighting and advertising within Architectural Conservation Areas in order to ensure that they are designed in a manner that it does not detract from the overall character of the ACA.

## **17. Appendix 6 – Wicklow Wind Energy Strategy**

*"The most readily available and simplest to exploit renewable source is wind"*

An Taisce consider this statement to be outdated. As previously mentioned, the development of Solar PV should be strongly encouraged within the new County Development Plan.

Wicklow County Council should use this as an opportunity to encourage the development of renewable solar energy in a manner that is not to the detriment of surrounding landscape and good tillage land in tandem with new development proposals.

Suitable lands for large scale Solar PV development need to be identified in order to ensure that any such development would be well screened and not injure the visual amenity, land use quality and biodiversity value of an area.

An Taisce recommend that a strong emphasis is placed on reducing energy demand on all building, with particular emphasis on new commercial/warehouse/industrial developments.

## **18. Appendix 11 – Climate Change**

Under Climate Change Goals (pg.5), climate change mitigation and targets including; Kyoto Protocol (UNFCCC, 1997). Copenhagen (2009), European Plan on Climate Change – EU2020 and National Climate Bill 2015 are all listed.

An Taisce recommend the inclusion of CoP21 and EU2030.

Following on from CoP21, at which Ireland accepted an obligation to take action to limit global temperature rise below 2 degrees Celsius above pre-industrial levels and notably 'to limit that to 1.5 degrees Celsius', it is now imperative that such action is taken in order to ensure Ireland's contribution to decarbonisation and limit global temperature increases.

The importance of emissions reductions is growing and Ireland has a legally binding obligation under EU 2020 and EU 2030 to commit to a 20% cut in greenhouse gas emissions from 1990 levels by 2020

and a commitment to continue reducing greenhouse gas emissions and setting reduction targets by 40% by 2030 relative to 1990 levels respectively.

## 19. Conclusion

The key priority of the CDP must be transition to a low-carbon society and economy and to mitigate the significant risks associated with rising energy costs and climate change adaptation. Business as usual is no longer an option, we can no longer afford to continue the pursuit of the failed short-sighted policy approaches of the past and that our collective future must be different.

The international and national economic recession has provided a narrow window of opportunity to take action to concentrate investment and focus policy on the transition to a post-oil low-carbon locally resilient society. This is the major challenge of our time and will require urgent understanding of the nature of the challenges; no shortage of decisive political leadership, a radical change of direction together with robust and, in some instances, policy implementation which will be politically unpopular in the short-term. The statutory planning system, through the regulation of physical development and land use, has the most critical role to play in facilitating this transition.

The success or otherwise of the draft CDP can only be judged against verifiable and implementable criteria which are subject to ongoing monitoring.

### Chief Executive's response

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1. (a) Every effort has been made in the crafting of the plan to avoid vagueness and unclear language. As no examples of same have been provided by An Taisce it is not possible to identify any required amendments in this regard.

With regard to what are described as 'let out' clauses by An Taisce, it is correct that the plan does provide for some exceptions to 'rules' e.g.

#### Chapter 4, 4.3.3 Phasing

*Notwithstanding the zoning / designation of any land for residential purposes, the development management process shall monitor and implement the population targets for each settlement as set out in the Core Strategy and shall phase and restrict, where necessary, the granting of residential planning permissions to ensure these targets are not exceeded.*

*The development of zoned / designated land should generally be phased in accordance with the sequential approach:*

- *Development shall extend outwards from centres with undeveloped land closest to the centres and public transport routes being given preference, i.e. 'leapfrogging' to peripheral areas shall be resisted;*
- *a strong emphasis shall be placed on encouraging infill opportunities and better use of under-utilised lands; and*
- *Areas to be developed shall be contiguous to existing developed areas.*

*Only in exceptional circumstances should the above principles be contravened, for example, where a barrier to development is involved. Any exceptions must be clearly justified by local circumstances and such justification must be set out in any planning application proposal.*

It is considered wholly reasonable that the plan includes such provisions (which are limited), particularly where the basis of the exception and the rules which will apply to it are clearly set out. It is considered that flexibility must be accommodated, as an overly prescriptive plan is not adaptable to changing circumstances and cannot predict all types of applications that might emerge during the lifetime of the plan.

- (b) With regard to the inclusion of a glossary, again, all effort has been made to explain terms throughout the plan and to avoid planning jargon and therefore this is not considered necessary. It would be much easier to address this issue if An Taisce had provided some specific examples. Therefore no amendments are recommended.
- 2. It is considered important that the development plan emphasises that it is not just 'jobs' that are required in the County, but decent jobs that pay a living wage at minimum. There is nothing in this vision that prejudices the development of a range of job sectors and wage. Therefore no amendments are recommended.
- 3. With regard to the regional plan and the population targets set out in the draft County Development Plan, it should be noted that the Regional Assembly and the Minister for the Environment have indicated support for the approach taken in the plan. Therefore no amendments are recommended.
- 4. (a) With respect to the LOOR, this is provided for in the regional plan, and therefore is provided for in this County Development Plan. In Point 3 above, An Taisce advocates strict adherence to the RPGs, yet in this point appears to be advising that the RPGs are not followed.  
  
(b) An Taisce is advocating that the Council should more fully support and facilitate public transport. This is undoubtedly the case, as can be seen from the wide range of objectives provided for in the plan, which An Taisce appears to have missed; namely (1) Strategy for public transport set out in Section 2.4.6, (2) land use and transportation strategy set out in Section 9.11, (3) Objectives TR1, TR2, TR3, TR4, TR5, TR6, TR7, TR8  
  
Therefore no amendments are recommended.
- 5. The issue raised with respect to the surplus of zoned land in Newtownmountkennedy is noted and therefore it is recommended that this zoning be removed.
- 6. The issue raised with respect to the retail strategy is dealt with in more detail in response to the submission from the Regional Assembly (please see pX of this report). No change is recommended.
- 7. It is agreed that the inclusion of an objective that makes HD21 supreme above all other planning criteria, other than traffic / public health hazard, may not provide for adequate protection of the landscape generally or for specially protected areas / areas, such as those that lie within a designated view or prospect. Wicklow is famous for its landscapes and their protection is essential particularly on environmental and tourism grounds. It should be noted that the provisions of the plan relating to landscape protection and views / prospects do not prevent development in affected areas, but require new development to be designed so as to not unduly impact on the area. It is considered that this is the appropriate approach, rather than suggesting (as may be inferred from the text in HD21) that landscape considerations are not a priority in applications for rural housing.



8. The issue raised with respect to HD24 has already been addressed and it is proposed to omit this objective.
9. With respect to EMP12, it is agreed that this objective does not accord with appropriate land zoning principles and therefore it is recommended that this objective be amended. In this regard, please see also the submissions from the Minister for the Environment (No. 1) and the Regional Assembly (No. 2).
10. An Taisce considers that the 'relaxation' allowed for in Objective EMP7 may allow adverse impacts on surroundings streetscape, building quality, built environment and road safety. This is clearly not the case as there are further objectives in the plan that require the highest standards of design in all developments and the enhancement of the built, natural and social environment. However, it is considered that the wording of this objective should be enhanced and clarified.
11. It is not considered necessary to state that tourism related development would only be considered where it would not negatively impact on traffic generation, visual amenity, air quality, climate, biodiversity and water quality because all of these factors are required to be considered for all development types set out in the plan. Therefore no amendments are recommended.
12. The issue raised with regard to 'access' to education is unclear, but if it relates to accessibility in terms of for those with disabilities or other physical accessibility issues, it is not considered necessary to include such an objective for educational establishments as this is a legal requirement under the Building Regulations that buildings be accessible; the commitment to adhere to these regulations is nonetheless included in the draft plan in the interest of clarity (Development & Design standards p45). If it is a more general point that education should be easy to avail of by all in society, this would not be a matter for a land use plan, but more for a community activation plan (such as the LECP). If this issue raised relates to transport access, this is a key consideration in the identification of sites for new education in the land use zoning process and in the location and design of new educational establishments, as per the Department of Education's guidelines. Therefore no amendments are recommended.
13. It is agreed that the proposed zoning for a new or extended residential care facility for the elderly at Ballinahinch lower, Newtownmountkennedy would not accord with the principles regarding the appropriate location for such uses set out in Objective CD19. It is therefore recommended that Objective CD17 be omitted in its entirety, as the other sites also included in this objective do not accord either with the principles of CD19.
14. Issue raised with respect to the LOOR; this is already addressed in this response.
15. The issue raised with respect to solar power is noted and it is considered that the plan should include an objective with regard to solar farms. With regard to the suggestion that a strong emphasis should be placed on reducing energy demand for all buildings, this is already addressed in the plan, for example in Objective CCE19 *"To require all new buildings during the design process to incorporate sustainable technologies capable of achieving a Building Energy Rating in accordance with the provisions S.I. No. 243 of 2012 European Communities (Energy Performance of Buildings) Regulations 2012 and the Building Control (Amendment) Regulations 2014"* and the 'design standards for improved energy efficiency', Development & Design standards, p62.

16. The purpose of an ACA to manage development in a certain way within a distinct, clearly delineated area that has architectural characteristics worthy of protection. It is considered unreasonable therefore for additional controls to be placed on properties outside of such a defined area, particular where neither the Planning Act nor guidelines issued by the Minister requires it. The Planning Act clearly states that *"in considering an application for permission for development in relation to lands situated in an architectural conservation area, a planning authority, or the Board on appeal, shall take into account the material effect (if any) that the proposed development would be likely to have on the character of the architectural conservation area"* i.e. only applications IN an ACA must be assessed in light of the impact on the ACA. Therefore no change is recommended.

It is not considered necessary to include an additional objective that all structures, groups of structures and all features considered to be intrinsic elements of the ACA shall be protected – this is already the case by way of the designation itself and the inclusion of Objectives BH18 and BH19 in the plan. Therefore no change is recommended.

Further, it is not considered necessary to include objectives relating to signage, lighting and advertising within ACAs as it is considered that these matters are already addressed in the plan and the *Architectural Heritage Protection Guidelines for Planning Authorities*, which will be utilised in the assessment of any development proposals in ACAs, in particular in the Development and Design standards which state:

*All proposals for development within an ACA shall comply with the requirements of the Architectural Heritage Protection Guidelines for Planning Authorities DAHG, 2011 and shall seek to protect the historic character, existing amenities, visual setting and streetscape character of the ACA.*

*The scale of new structures should be appropriate to the general scale of buildings within the ACA. Where it is proposed to demolish a structure or part of a structure that contributes to the character of an ACA, the onus is on the applicant to justify demolition and redevelopment as opposed to rehabilitation, renovation and re-use. All development works within ACAs should seek to limit, reduce and remove urban and visual clutter including building signage, traffic signage, bollards, utility boxes and other free standing installations. In addition to the general requirements of this Development Plan, signage proposals within ACAs shall have regard to the requirements outlined in Chapter 12 of the Architectural Heritage Protection Guidelines for Planning Authorities, DAHG, 2011.*

17. This issue is already addressed earlier in this report.
18. Reference can be made in the plan to CoP21 and EU2030 as suggested.
19. No comment required.

### Chief Executive's recommendations

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#### **AMENDMENT 10**

Chapter 4, p78 - 'Special Zoning Newtownmountkennedy'

Omit Objective **HD24 and Map 04.01**

~~HD24 To provide for low density residential development with associated leisure, tourism and recreational facilities on lands measuring c. 28ha Ballinahinch Lower, Co. Wicklow, as shown on Map 04.01.~~

## **AMENDMENT 9**

Chapter 4, Section 4.4., p76

### **Housing in the Open Countryside**

**HD21** Residential development will be considered in the open countryside only when it is for the provision of a rural dwelling to those with a housing, social or economic need to live in the open countryside.

Residential development will be considered in the countryside in the following circumstances:

1. A permanent native resident seeking to build a house for his / her own family and not as speculation. A permanent native resident shall be a person who has resided in a rural area in County Wicklow for at least 10 years in total (including permanent native residents of levels 8 and 9), or resided in the rural area for at least 10 years in total prior to the application for planning permission.
2. A son or daughter, or niece/nephew considered to merit the same position as a son/daughter within the law (i.e. when the uncle/aunt has no children of his/her own), of a permanent native resident of a rural area, who can demonstrate a definable social or economic need to live in the area in which the proposal relates and not as speculation.
3. A son or daughter, or niece/nephew considered to merit the same position as a son/daughter within the law (i.e. when the uncle/aunt has no children of his/her own), of a permanent native resident of a rural area, whose place of employment is outside of the immediate environs of the local rural area to which the application relates and who can demonstrate a definable social or economic need to live in the area to which the proposal relates and not as speculation.
4. Replacing a farm dwelling for the needs of a farming family, not as speculation. If suitable the old dwelling may be let for short term tourist letting and this shall be tied to the existing owner of the new farm dwelling were it is considered appropriate and subject to the proper planning and development of the area.
5. A person whose principal occupation is in agriculture and who owns and farms substantial lands.
6. An immediate family member (i.e. son or daughter) of a person described in 5, who is occupied in agriculture.
7. A person whose principal occupation is in a rural resource based activity (i.e. agriculture, forestry, mariculture, agri-tourism etc.) and who can demonstrate a need to live in the immediate vicinity of this activity.
8. A close relative who has inherited, either as a gift or on death, an agricultural holding or site for his/her own purposes and not for speculation and who can demonstrate a definable social and / or economic need to live in the area to which the proposal relates.
9. The son or daughter of a landowner who has inherited a site for the purpose of building a one off rural house and where the land has been in family ownership as at 11th October 2004 for at least 10 years prior to the application for planning permission and not as speculation.

10. An emigrant, returning to their local area, seeking to build a house for his/her own use not as speculation.
11. Persons whose work is intrinsically linked to the rural area and who can prove a definable social or economic need to live in the rural area
12. A permanent native resident that previously owned a home and is no longer in possession of that home (for example their previous home having been disposed of following legal separation / divorce / repossession, the transfer of a home attached to a farm to a family member or the past sale of a home following emigration) and can demonstrate a social or economic need for a new home in the rural area.
13. Permanent native residents of moderate and small growth towns, seeking to build a house in their native town or village within the 60kph / 40mph speed limit on the non national radial roads, for their own use and not as speculation as of 11th October 2004.
14. A person whose business requires them to reside in the rural area and who can demonstrate the adequacy of the business proposals and the capacity of the business to support them full time.
15. Permanent native residents of the rural area who require a new purpose built specially adapted house due to a verified medical condition and who can show that their existing home cannot be adapted to meet their particular needs
16. Persons who were permanent native residents of a rural area but due to the expansion of an adjacent town / village, the family home place is now located within the development boundary of the town / village.

~~In the event of conflict of any other settlement strategy objective / Landscape Zones and Categories, a person who qualifies under policy HD21 their needs shall be supreme, except where the proposed development would be a likely traffic hazard or public health hazard.~~

~~With regard to the preservation of views and prospects, due consideration shall be given to those listed within the area of the National Park; and with respect to all other areas, to generally regard the amenity matters, but not to the exclusion of social and economic matters. The protection and conservation of views and prospects should not give rise to the prohibition of development, but development should be designed and located to minimise impact~~

## **AMENDMENT 14**

### **Section 5.5 'Objectives for Economic Development', p92**

Amend Objective EMP12 as follows:

**EMP 12** ~~To provide for employment development at the following locations as shown on maps 5.01-5.08.~~

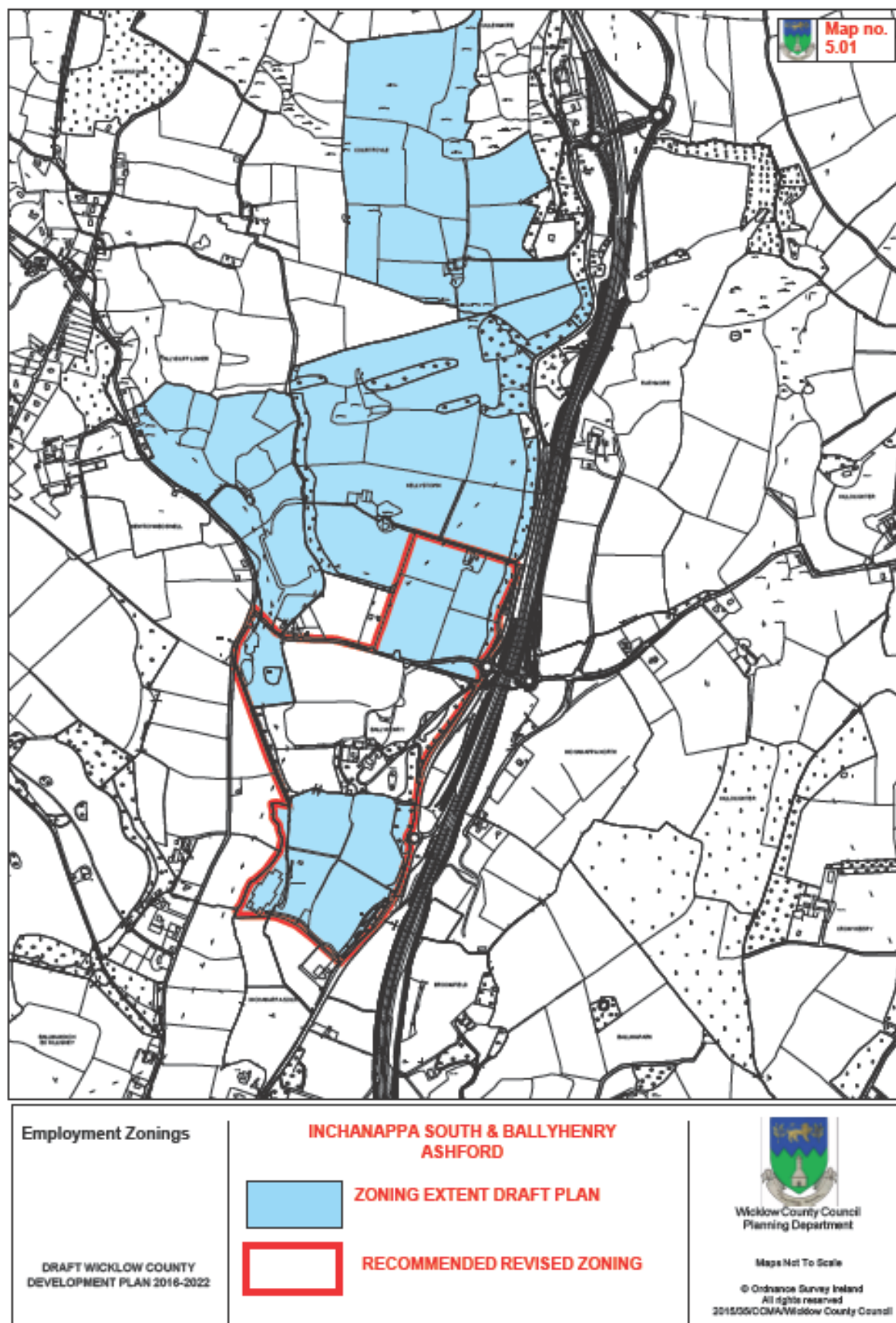
| Location                        | Map No. | Size (ha) | Zoning Objective  |
|---------------------------------|---------|-----------|---|
| Mountkennedy Demesne, Kilpedder | 5.01    | 34.7      | <del>To provide for a data centre facility<sup>13</sup> and associated related industries set in open parkland with extensive landscaping, a high</del> |

<sup>13</sup> ~~A data centre is a facility used to house computer systems and associated components, such as telecommunications and storage systems. It generally includes redundant or backup power supplies, redundant~~

|  |       |              |  |
|--|-------|--------------|--|
|  |       |              | <del>architectural standard of layout and building design with low site coverage. Employment types other than those strictly related to data storage shall show a clear process related requirement to locate in proximity to a data centre.</del>   |
| <del>Rath East / Knockloe, Tullow</del>  | 5.02  | 4.4          | To provide for a light industrial development  |
| <del>Kilmurray South</del>               | 5.03  | 0.76         | To provide for transport purposes development  |
| <del>Kilmurray North</del>               | 5.04  | 0.8          | To provide for a warehousing / storage / distribution and commercial vehicle park  |
| <del>Scratenagh crossroads</del>         | 5.05  | 8.09         | To provide for light industrial uses / business park uses with extensive landscaping and a high architectural standard of layout and building design.  |
| <del>Kilpedder Interchange</del>         | 5.06  | 27.7         | To provide for employment uses including industrial, transport, distribution, warehouse or retail warehouse developments of good architectural design, layout and landscaping including substantial screening from N11. The provision of transport and retail facilities will not be at the expense of facilities in existing settlements. Any redevelopment of the (former) Dan Morrissey / SM Morris sites shall include significant proposals to address the unsightly appearance of these sites. In addition, any development on these lands shall connect the footpath from Greytsones towards the pedestrian bridge at Kilpedder.  |
| <del>Rathmore, Ashford</del>             | 5.07  | 10.53        | To provide for employment uses   |
| Inchanappa South and Ballyhenry, Ashford | 5.018 | 160<br>62.25 | <p>To provide for the development of and expansion of the existing film studios in Ashford on the lands shown on Map 5.01 in accordance with the following requirements:</p> <ul style="list-style-type: none"> <li>- the development of these lands shall be strictly limited to facilities for the production of film, TV, animation etc and any associated spin offs such as visitor facilities; in particular residential development or other non film related commercial activities are not to be permitted</li> <li>- the agreement of a master plan for the entire area <del>any application in advance of the agreement of this plan shall set out</del> which shall include: <ul style="list-style-type: none"> <li>(g) <del>the phasing</del> a detailed phasing plan which shall be linked to the conclusions and recommendations of a Traffic and Transport Assessment, which shall clearly set out the traffic generation model for the entire development and its constituent phases, and a detailed evaluation of the capacity of all roads serving the site, including all N11 junctions and the N11 itself and their abilities to accommodate the development without impacting on the carrying capacity of the national road for strategic inter-County traffic;</li> <li>(h) sequence of development, that shall be generally from south to north;</li> <li>(i) the infrastructure plans for the servicing of the site;</li> </ul> </li> <li>- this zoning shall be for the lifetime of this plan only.</li> </ul> |

~~data communications connections, environmental controls (e.g., air conditioning, fire suppression) and security devices.~~

Ashford Film Studio Zoning – Map 5.08 (change to **Map 5.01**)



**SECTION 3.1**



## AMENDMENT 13

### Chapter 5, Objective EMP12, p91

**EMP7** To encourage the redevelopment of brownfield sites for enterprise and employment creation throughout the County and to consider allowing 'relaxation' in normal development standards on such sites to promote their redevelopment, ~~subject to no adverse impacts arising on the locality~~ where it can be clearly demonstrated that a development of the highest quality, that does not create an adverse or unacceptable working environment or create unacceptable impacts on the built, natural or social environment, will be provided.

## AMENDMENT 34

### Chapter 8, Community Development, Section 8.3.2, p154

#### Omit Objective CD17

~~**CD17** To provide for new or extended residential care facilities for the elderly at the following locations as shown on maps 8.01-8.04:~~

- ~~• Ballinahinch Lower, Newtownmountkennedy (c. 8ha as shown on Map 8.01)~~
- ~~• Blainroe / Kilpoole Lower (c. 2.5ha as shown on Map 8.02)~~
- ~~• Coolgarrow, Woodenbridge (1.5ha as shown on Map 8.03)~~
- ~~• Killickabawn, Kilpedder (c. 6ha as shown on Map 8.04)~~

## AMENDMENT 46

### Chapter 9, 'Infrastructure', Section 9.5, p192

#### (2) Solar Energy

The principal application of solar energy is use in heating. Therefore this aspect of solar power is addressed in Section 5 to follow. However, ~~as technology advances~~, solar power ~~is increasingly being can also be~~ used to generate electricity through the use of photovoltaic (PV) cells. Photovoltaic systems use semiconductor materials to convert light into electricity. This technology is widely used in consumer products such as solar calculators, watches or garden lights, and is increasingly used as a cost-effective solution in Ireland for stand-alone applications where a grid connection is too expensive (e.g. parking meters, caravans or remote holiday homes). Solar PV can also be used to provide free solar electricity to houses as well as for commercial and industrial applications. It is now possible to connect solar PV systems to the grid, opening up a new era for solar PV in Ireland. ~~Applications are also being made for commercial scale ground mounted solar PV 'Solar Farms' and such developments are supported, subject to suitable locations being selected and environmental criteria being satisfied.~~

#### Solar Energy Objectives

**CCE9** To facilitate the development of solar generated electricity.

**CCE10** To positively consider all applications for the installation of ~~building mounted~~ PV cells at all locations, having due regard to architectural amenity and heritage.

**CCE11** To support the development of commercial scale ground mounted solar PV 'Solar Farms' subject to compliance with emerging best practice and available national and international guidance<sup>14</sup>.

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<sup>14</sup> It should be noted that there is currently (2016) no national guidance available on the appropriate location and design of solar farms. However there are a number of excellent examples of such guidance provided in other jurisdictions and these will be utilised in the assessment of any applications; for example 'Planning guidance for the development of large scale ground mounted solar PV systems' produced by BRE National Solar Centre and Cornwall Council in the UK



### Summary of issues raised

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#### 1. Archaeological

- (a) Within the area of Cultural Heritage (Mitigation Measures 9) of particular concern is the impact of large scale zoning in development plans on sub-surface archaeology. The Department would recommend that **Archaeological Impact Assessment** be prepared for proposed zoned areas in the Wicklow County Development Plan 2016-2022 at the very earliest stage in the process and that this impact assessment would include targeted geo-physical survey and archaeological testing in advance of this zoning.
- (b) **Archaeological Heritage Protection:** The Department would recommend that the Wicklow County Council Development Plan state as an objective '*to protect the archaeological heritage of the county, above and below ground and water*'.
- (c) **Archaeological Heritage Protection:** Wicklow's archaeological heritage is protected under the National Monuments Acts (1930-2004), Natural Cultural Institutions Act 1997 and the Planning Acts. The Department would recommend that the Development Plan state that the protection of the archaeological heritage of County Wicklow will be considered in the broader context of the European Convention on the Protection of the Archaeological Heritage (Valetta, 1992) ratified by Ireland in 1997 which relates to the setting and context of archaeological sites.

#### 2. Nature Conservation

- (a) This Department welcomes the comprehensive protection given to the Natural Heritage and notes the use of mitigatory policies to offset potential negative impacts.
- (b) Potential impacts that could arise from the draft Plan include potential impacts from proposed amenity walkways and cycleways, more extensive use of the coastal strip, new river crossings over the River Slaney, additional potable water requirements and waste water treatment requirements arising from the proposed increase in population, upgrading the capacity of the railway, upgrading the N11/M11, developments relating to ports and marinas, and renewable energy such as hydroelectricity plants and wind turbines. Such impacts have been assessed in the SEA Environmental Report (ER) and Natura impact report (NIR). This Department has some comments on these assessments as detailed below.
- (c) This Department notes that Biodiversity Objective NH11 is "*Engage with the National Parks & Wildlife Service to ensure Integrated Management Plans are prepared for all Natura 2000 sites (or parts thereof). This will facilitate the development of site specific Conservation Objectives in the context of the proper planning and sustainable development of the County*".

This Department is currently working on the site specific conservation objectives (SSCOs) and is not currently preparing management plans. Furthermore the Local Authority should note that the site specific conservation objectives (SSCOs) are defined by a list of attributes and targets and accompanied by supporting documents. A reading of the attributes and targets and supporting documents will in fact give a good indication of the required management of the habitats and species that are a qualifying interest for a site.

### 3. SEA Environmental Report and NIR

It is the view of this Department that the assessments have not adequately considered cumulative and ex-situ impacts with other plans and projects. These include for example:

- cumulative impacts as a result of increased water abstraction from groundwater and surface waters including the Derry river, as part of this plan and of other plans and projects within the same catchments/aquifers,
- ex-situ impacts such as the proposed new water supply for the greater Dublin area from the River Shannon catchment,
- cumulative and ex-situ impacts on migrating geese from Wexford along the Slaney River from the proposed new bridges when considered in combination with other projects such as the proposed suspension bridge for the New Ross bypass,
- and cumulative impacts from proposed amenity walkways and cycleways including along river ecological corridors and the coastal strip within the County and also Nationally where such routes form part of a National Network.

The assessments appear to have looked at a 15km buffer around the Plan area without adequate consideration of source and receptor linkages, or river catchments, or groundwater aquifers which may extend outside this buffer. For example, because migrating geese can fly along the River Slaney, Natura 2000 sites further afield such as the Wexford Harbour and Slobbs Special Protection Area (SPA) (site code 004076) designated under the EC Birds Directive (Directive 2009/147 EC), need to be considered in the NIS. Also the proposal for a new Greater Dublin water supply will involve the river Shannon catchment.

The assessments have considered this to be a high level plan and therefore have not adequately considered the projects arising from it. While it may be hard to assess such projects at this stage, this Department would have expected at least some discussion of the issues involved which could inform project constraints at a later stage, thus avoiding development expectations that may be damaging to the environment.

With regard to sites with no site specific conservation objectives it is recommended that when carrying out an appropriate assessment that the Local Authority look at the detailed conservation objectives for other sites which have the same qualifying interests. For example if a site without detailed conservation objectives has otters as a qualifying interest one could refer to the River Barrow and River Nore SAC detailed conservation objectives to see how otters are treated.

Table 2.5 of the NIR identifies sites potentially affected but does not explain how. This is explained in somewhat general terms in section 2.3.3. of the NIR and table 4.1 making it hard to know if all potential impacts have been considered.

There appears to be some confusion in the SEA ER between Nationally protected species and species and habitats listed on the annexes of the Birds and Habitats Directives, referred to as annexed species and annexed habitats in the SEA. For example SEO B1 deals with Natura 2000 sites and annexed habitats and species but the target is to maintain favourable conservation status for all species protected under National and International legislation. It should be noted that the Birds and Habitats Directives are European Directives and that more species are protected under National legislation than under these Directives. It is unclear what is meant in SEO B3 by wildlife sites and listed species. Please refer to the previous advice given by this Department at SEA scoping stage for Biodiversity, Flora and Fauna SEOs, our ref FP2014/123. It

is important to be aware that species protected under the Wildlife Acts of 1976-2012 can occur anywhere in the country and not just in designated sites.

Residual impacts identified in table 8.5 of the SEA ER mention losses or damage to ecology and loss of an extent of non-protected habitats and species arising from the replacement of semi-natural land cover with artificial surfaces. The Local Authority should note that any replacement of semi-natural land cover with artificial surfaces will result in a loss of species, most likely including protected species, as all wild birds are protected.

### Chief Executive's response

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1. (a) It is not appropriate that all lands being considered for zoning undergo the type of detailed archeological testing that is being suggested and is a misinterpretation of the function of a County Development Plan, which is to set broad policies to reference development proposals against, nor is it a requirement under the Planning Act or associated Regulations, or any Ministerial guidelines.

Through the plan crafting and Strategic Environmental Assessment process, areas of known archeological potential are flagged at a very early stage and where impacts are possible, mitigation measures are employed, which could in some instances involve the land not being designated for development. The plan provides the following objectives, which in combination with the normal procedure for assessment of applications for permission, will ensure that archeological impacts will be fully addressed:

**BH1** No development in the vicinity of a feature included in the Record of Monuments & Places (RMP) will be permitted which seriously detracts from the setting of the feature or which is seriously injurious to its cultural or educational value.

**BH2** Any development that may, due to its size, location or nature, have implications for archaeological heritage (including both sites and areas of archaeological potential / significance as identified in Schedule 10.01 & 10.02 and Maps 10.01 & 10.02 of this plan) shall be subject to an archaeological assessment. When dealing with proposals for development that would impact upon archaeological sites and/or features, there will be presumption in favour of the 'preservation in situ' of archaeological remains and settings, in accordance with Government policy. Where permission for such proposals is granted, the Planning Authority will require the developer to have the site works supervised by a competent archaeologist.

**BH3** To protect previously unknown archaeological sites and features, including underwater sites, where they are discovered during development works

- (b) The requested reference to protecting the archaeological heritage of the county, **above and below ground and water** can be integrated into the Built Heritage Strategy set out on p198 of the plan.

- (c) The European Convention on the Protection of the Archaeological Heritage is referenced in the draft plan, Section 10.2.1 (p199). It is not considered that reference to National Cultural Institutions Act 1997 is necessary as the provisions of this Act are not particularly pertinent to the crafting of the Heritage policies of the Plan.

2. (a) Noted

- (b) To be addressed below
- (c) Noted. It is considered that Objective NH11 should be amended.

- 3. All of the issues identified with respect to the Strategic Environmental Assessment and Appropriate Assessment are addressed in detail in Section 5 of this report.

## **Chief Executive's recommendations**

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### **AMENDMENT 48**

#### **Chapter 10 'Heritage', Section 10.2 Built Heritage, p198**

##### **Built Heritage Strategy**

- To ensure that the protection and conservation of the built heritage of Wicklow is an integral part of the sustainable development of the county and safeguard this valuable, and in many instances, non-renewable resource through proper management, sensitive enhancement and appropriate development;
- to safeguard archaeological sites, monuments, objects and their settings **above and below ground and water** listed in the Record of Monuments and Places (RMP), and any additional newly discovered archaeological remains,
- to identify archaeologically sensitive historic landscapes;
- to ensure the protection of the architectural heritage of Wicklow through the identification of Protected Structures, the designation of Architectural Conservation Areas, the safeguarding of designed landscapes and historic gardens, and the recognition of structures and elements that contribute positively to the vernacular and industrial heritage of the County; and
- to support the actions in the County Wicklow Heritage Plan, in order to enhance the understanding, appreciation and protection of Wicklow's built heritage.

### **AMENDMENT 53**

#### **Chapter 10 'Heritage', Section 10.3.2, p211**

Amend Objective NH11 as follows:

~~"Engage with~~ **To support the DAHG and the National Parks & Wildlife Service in the development of site specific conservation objectives (SSCOs)** ~~to ensure Integrated Management Plans are prepared for all Natura 2000 sites (or parts thereof). This will facilitate the development of site specific Conservation Objectives in the context of the proper planning and sustainable development of the County".~~

### Summary of issues raised

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#### 1. Avoca Mines

- (a) At the outset the Minister would like to acknowledge the comprehensive Draft Plan. Moreover the Minister wishes to acknowledge the provisions made in the plan as they affect the former Avoca Mining Area, having regard to the detailed submission made in an earlier stage of the process.
- (b) As a follow up to that submission, the Minister suggests the following amendment to the draft plan

Objective T32, proposed amendment (new text underlined):

**T32** To support the development of Avoca Mines as a tourist attraction. The development of a mining heritage centre could incorporate a range of projects incorporating tourism, nature exploitation, scientific and ecological research, adventure, craftwork and environmental projects. Any development shall accord with the principle of sustainable tourist development and shall particularly ensure the preservation and enhancement of mining heritage having regard to the public safety and environmental management issues associated with such sites

Rationale: The long term realisation of heritage and tourism potential on the site will require cooperation between the Department, Wicklow County Council and the local community. This policy should be amended to reflect that partnership approach. Furthermore, this brings the policy more closely in line with Policy BH23

- (c) On the related issue of protected structures and the definition of curtilages please note that following on from the Department's submission of August 2015, it is the intention of the Minister to seek Section 57 Declarations with respect to all protected structures in the department's ownership in the coming months. The Minister is not seeking the definition of these at this time.

#### 2. Renewable Energy – Wind Energy

The 2009 EU Renewable Energy Directive set Ireland a legally binding target of meeting 16% of our energy requirements from renewable sources by 2020 and in order to meet this target, Ireland is committed to meeting 40% of electricity demand from renewable sources, 12% renewables in the heating sector and 10% in transport. To date, wind energy has proved to be the most cost effective renewable energy technology in the Irish electricity market. However, despite good progress, meeting our targets remains challenging and failure to meet these obligations is likely to result in penalties against Ireland. It is estimated that for every percentage point missed the penalty could be as much as €150 million.

In addition to our EU obligations, the Energy White Paper (consistent with Ireland's engagement with the COP21 process) published in December last, sets out a vision for transforming Ireland's fossil-fuel based energy sector into a clean, low carbon system by 2050, and wind energy is likely to play an important role in this transition.

The Department notes the intent of the County Council to set out a range of Wind Energy Objectives in Chapter 9 (on Infrastructure) as part of the Draft Development Plan. The Department believes it is important that in deciding to determine a setback distance for wind farm projects from residential dwellings, the County Council should be mindful of the work on-going between the Department of Communications, Energy and Natural Resources and the Department of Environment, Community and Local Government to revise the national Wind Energy Development Guidelines. In December 2013, the Department of Environment, Community and Local Government began a review of the existing Wind Energy Development Guidelines. The review focused on the specific issues of noise, proximity, and shadow flicker. Submissions were received from around 7,500 organisations and members of the public during the public consultation period.

This is a very technical area and the engagement between the two departments is on-going. Studies have been obtained on various aspects of the issues, particularly noise - including separation distance - and detailed assessments of various options have been undertaken by the two Departments

It is possible that any decision by Wicklow County Council to issue a decision on wind energy setback distances before this work is complete could cause a range of unintended consequences for meeting our legally binding renewable energy targets.

It is also important to note that any revisions to the guidelines following the conclusion of deliberations will be introduced by issuing the revised guidelines to planning authorities under Section 28 of the Planning and Development Act 2000, as amended.

### **Chief Executive's response**

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1. (a) Noted

(b) The suggested amendment to Objective T32 is not supported. The rationale put forward for the proposed additional text is totally unrelated to the text suggested, and has nothing to do with partnership and community engagement. The requested text appears to be an attempt to ensure that public safety and environmental management are placed on as high a footing as the heritage and tourism related aspects of the future development of the mine area. It is understood that the Department's main priority at this time is to address the public health and safety risks and environmental issues associated with the former mine, but heritage protection and future tourism potential are not high priorities. There is a concern that prioritisation of safety and environmental matters could result in the loss of heritage, for example through the removal or capping of mine working, shafts and adits. This is not considered in the best interest of the heritage of the County and therefore no amendment is recommended.

(c) It is noted that the items listed on the RPS at the former mines do not have curtilage defined in the plan and that the Department intends to have the curtilage legally clarified by way of Section 57 declaration in due course.

2. The concerns of the Department with respect to the proposed wind energy policy are noted. This issue has also been raised by the Minister for the Environment, who requires that Objective CCE6 (distance to residential) be omitted as it is considered premature pending the conclusion of the initiated review process for the Wind Energy Guidelines.

**AMENDMENT 43**

**Chapter 9 'Infrastructure' Section 9.5, p192**

**CCE6** To encourage the development of wind energy in accordance with the County Wicklow Wind Strategy and in particular to allow wind energy exploitation in most locations in the County subject to:

- consideration of any designated nature conservation areas (SACs, NHAs, SPAs, SAAOs etc) and any associated buffers;
- impacts on Wicklow's landscape designations;
- impacts on visual, residential and recreational amenity;
- impacts on 'material assets' such as towns, infrastructure and heritage sites;
- consideration of land cover and land uses on or adjacent to the site;
- best practice in the design and siting of wind turbines, and all ancillary works including access roads and overhead cables; and
- ~~Wind farms shall be at least 1,000m from any residential dwellings.~~

### Summary of issues raised

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1. We acknowledge the commitment, in *Chapter 2 Vision and Core Strategy*, to prepare local area plans (LAPs) for eight settlements within the County. These LAPs should be prepared taking into account the requirements of the SEA, Floods, Water Framework and Habitats Directives. Flood risk assessments should also be carried out for the LAPs to guide/inform the appropriate zoning and development of lands in accordance with the requirements of the *Flood Risk Management Guidelines* (DEHLG, 2009). Where existing zoned undeveloped lands are identified as being at risk of significant flood risk (Flood Zone A or B), the LAPs should consider re-zoning or de-zoning to more appropriate land uses as appropriate.
2. The Settlement Maps accompanying the Plan should also take into account the findings of the flood risk assessment(s). Superimposing existing (and proposed additional) land use zoning within the settlement, with flood risk maps may highlight potential zoning conflicts to be addressed. The Plan should ensure that only appropriate land uses are considered in areas of significant flood risk, in accordance with the *Flood Risk Management Guidelines*, as relevant and appropriate. We acknowledge the intention that in the current 'Level 5 settlements', surplus zoned housing lands will be either re-zoned or reserved as a 'Strategic Land Bank' for future development. The flood risk assessment(s) could assist in identifying potential surplus zoned lands for removal, where relevant.
3. We welcome the commitment in *Section 2.2 Strategic Policy Context* to accommodate higher density developments in areas that are well served by rail. This will assist in encouraging and facilitating increased public transport use. We also note that *Section 2.4.2 Population* describes that settlement growth will be carried out in collaboration with Transport Infrastructure Ireland, in the context of ensuring sustainable modes of travel and public transport usage are promoted / encouraged.
4. We note that Appropriate Assessment Screening will be required for all projects and plans arising from the Plan, under Article 6 of the Habitats Directive, in *Objective NH4* where relevant and appropriate. A similar commitment to take into account the requirements of the Environmental Impact Assessment, Water Framework and Floods Directives respectively, as appropriate and relevant should also be considered.
5. In *Subsection 9.2.2 Water Supply and Demand* and *Subsection 9.2.3 Waste Water*, we acknowledge the commitment to collaborate with Irish Water to ensure the provision of appropriate potable water and an adequate wastewater collection and treatment infrastructure.
6. In *subsection 9.5 Climate and Energy*, the Plan should include a reference to the National Mitigation Plan (DECLG), which is currently being prepared. This national plan seeks to reduce greenhouse gas emissions across a range of sectors (transport, energy, agriculture etc.) in collaboration with other Government Departments including DTTAS, DAFM and DCENR.
7. **Specific Comments on the SEA Environmental Report**
  - (a) The SEA ER (in *Section 4.6.3.2 WFD Surface Status*) describes that certain rivers to the west of the County (including the Douglas River, the Derry River and the Shillelagh River), are currently classified as being of 'Poor' status under the Water Framework Directive (WFD) and the Avoca River is classified as being 'Bad'. The Plan should protect and improve water quality within the Plan area, in accordance with the requirements of the WFD.



- (b) *Section 4.8.1.2 Waste Water Infrastructure* and *Section 4.8.1.3 Drinking Water* of the SEA ER describes the specific issues with a number of public waste water treatment plants and drinking water plants in the County. These are also highlighted in the EPA reports on *Urban Waste Water Treatment in 2014* (EPA, 2015) and *Drinking Water Report for 2013*, (EPA, 2015). The Plan should ensure population and economic growth (and associated development) are linked to the ability to provide adequate and appropriate critical service infrastructure to support current and future growth, in collaboration with other key stakeholders. Issues with drinking water and wastewater treatment facilities should be addressed on a priority basis in association with Irish Water.
- (c) We welcome the inclusion of the Green Infrastructure Strategy 2016 – 2022 (Appendix 8) of the Plan. This will provide a framework to guide future zoning and development in the County while protecting ecological corridors and linkages (and associated biodiversity) at a Plan level. This strategy should also be taken into account and inform the preparation of the proposed eight LAPs as appropriate.
- (d) We note the inclusion the coastal zone management objectives in *Chapter 11 – Coastal Zone Management*. The Plan should also consider future climate scenarios in terms of predicted higher sea levels and periods of increased frequency of storm conditions and associated flooding. The Plan should ensure the protection of ecological buffers/marshlands/estuaries, in order that the effects of coastal squeeze on protected species/designated habitats can be managed appropriately where possible. The role which estuaries and marshes play in terms of flood alleviation could also be highlighted.
- (e) We note the inclusion of *Table 7.1 – Environmental objectives, indicators and targets*. To further strengthen Water objective W1, there is merit in amending it as follows: “*To maintain and approve where possible the quality and status of surface water, in accordance with the requirements of the Water Framework Directive*”. Including an additional indicator to monitoring trends in (WFD) water quality status would also be useful. This trend in water quality status should also be incorporated into the monitoring programme for the plan period. The EPA’s WFD Application, available on EDEN ([www.edenireland.ie](http://www.edenireland.ie)) may assist in monitoring the trend of water bodies.

## 8. Additional Plans/Programme considerations

The following additional Plans/Programmes should also be considered and integrated as appropriate into the Plan:

- National Peatlands Strategy and associated Raised Bog SAC Management Plans and Raised Bog NHA Review (NPWS, 2015)
- Draft Plan for Forestry and Freshwater Pearl Mussel in Ireland (DAFM, currently being prepared).
- Draft National Bioenergy Plan (DCENR, currently under preparation).
- National Landscape Strategy
- Wicklow Mountains National Park Management Plan 2005-2009

## 9. Future Amendments to the Draft Plan

Where amendments to the Plan are proposed, these should be screened for likely significant effects in accordance with the criteria as set out in Schedule 2A of the SEA Regulations and should be subject to the same method of assessment applied in the “environmental assessment” of the Draft Plan.

## 10. SEA Statement– “Information on the Decision”

Following adoption of the Plan, an SEA Statement, should summarise the following:

- How environmental considerations have been integrated into the Plan;
- How the Environmental Report, submissions, observations and consultations have been taken into account during the preparation of the Plan;

- The reasons for choosing the Plan adopted in the light of other reasonable alternatives dealt with; and,
- The measures decided upon to monitor the significant environmental effects of implementation of the Plan

### **Chief Executive's response**

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1. As required by statute or Ministerial Guidelines, all future LAPs will be prepared taking into account the requirements of the SEA, Floods, Water Framework and Habitats Directives.
2. This has been carried out for all settlement plan contained in the draft County Development Plan. As suggested, the flood risk assessment carried out for these plans aided in the identification of appropriate to zone or re-zone when a surplus of zoned land was required to be addressed.
3. Noted.
4. The listed EU Directives are already referenced in the draft plan in Objective NH3 and Section 9.2.5. Therefore no amendment is recommended.
5. Noted
6. The National Mitigation Plan is already referenced in the plan in Section 9.5.2, p188 'National Climate Policy'. The draft Plan is accompanied by a Climate Change Audit that sets out the County Development Plan's land-use framework approach to mitigation and adaptation to climate change. The Audit concludes that the draft Plan, as a land-use plan, addresses the challenges of mitigation and adaptation to climate change from a land-use perspective; and that measures have been integrated into the Plan to address climate change mitigation and adaptation. Therefore no amendment is recommended.
7. (a) The commitment to improve water status is already provided in Objectives NH19 and WI2 of the plan. Therefore no amendment is required.  
 (b) It is suggested that the Plan should ensure population and economic growth (and associated development) are linked to the ability to provide adequate and appropriate critical service infrastructure to support current and future growth, in collaboration with other key stakeholders. However, it is not the availability of infrastructure that dictates the shape of the Core Strategy – it is the NSS and the Regional Planning Guidelines for the Greater Dublin Area and where locations are identified for growth, the service providers are required to deliver infrastructure. Wicklow County Council is working with Irish Water to ensure that its investment plan aligns with the Wicklow Core Strategy. As this issue is directed at water infrastructure, this is now the responsibility of Irish Water and it is its decision whether to allow a water or wastewater connection to any development, rather than Wicklow County Council and the County Development Plan's policies and objectives have no bearing on that decision making process. That said, Wicklow County Council does not grant permission for development where the necessary service infrastructure is not already in place or will not be available to service any development. Therefore no amendment is recommended.  
 (c) Noted  
 (d) It is not considered the role of the County Development Plan or indeed Wicklow County Council in isolation to develop possible future climate change scenarios in terms of predicted higher sea levels and periods of increased frequency of storm conditions and associated flooding – this is considered a much wider issue that must be developed at a national scale

through the national legislation and guidance, and also through the forthcoming 'Climate Change Adaptation Strategy' that Wicklow County Council is required to prepare. That said, the plan has addressed flood risk in considerable detail, particularly having regard to the CFRAM models prepared by the OPW, which build in climate change factors. In advance of the preparation of the wider strategy, climate change and flooding have been addressed in the plan, through the SFRA, the Climate Change audit, and objectives CCE1-CCE5 and FL1-FL9.

With respect to the Coastal Zone in particular, while the ecological areas mentioned are already specifically protected from inappropriate development through objectives NH1-NH12, it is considered it would be useful to show the flood risk associated with each coastal cell in the SFRA. It is recommended therefore that the SFRA is expanded to include these areas.

(e) This item is addressed in the Strategic Environmental Assessment addendum (Section 5 of this report). No changes to the plan arise on foot of this item.

8. All plans, policies and Ministerial guidelines etc that are relevant to this land-use plan have been considered in the drafting of the plan and integrated / referenced where necessary. However, it is not the role of the County Development Plan, as a land use framework, to include objectives regarding / references to all EU and national primary and secondary legislation, guidelines and studies, as well as regional and local policies / programmes / that are in place with regard to environmental protection, as it would render the plan particularly cumbersome and impenetrable to refer to all such documents. EU and national primary and secondary legislation requires to be complied with – it is not the responsibility of a land-use plan to ensure all such laws are complied with. Development Plans are meant to be strategic documents, and are not intended to be inventories of legislation, guidelines and studies. Therefore no amendment is recommended.
9. This is a requirement under statute that will be carried out.
10. Noted.

#### **Chief Executive's recommendations**

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#### **AMENDMENT 57**

#### **Chapter 11, Section 11.2 Coastal Zone Management**

##### **Add new objective**

**CZM8** To prohibit development in area at high risk of coastal flooding or would interfere with the natural flood alleviation characteristics of the coastal zone

#### **AMENDMENT 86**

#### **APPENDIX 11 – STRATEGIC FLOOD RISK ASSESSMENT**

Under 'Section 7' add new heading 'Coastal Zones' add additional maps showing the flood risk zones for each cell.

## Summary of issues raised

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### 1. Introduction

Electricity Supply Board (ESB), 27 Lower Fitzwilliam St, Dublin 2, welcomes this opportunity to make a submission to the Draft Wicklow County Development Plan 2016-2022. ESB agree with the overall vision for the Draft Development Plan, however, outlined below are a number of observations with regard to strategic issues that should be taken into consideration in the preparation of the final plan.

ESB is a landowner and employer in Wicklow with property and infrastructural assets throughout the county which service the Generation, Transmission and Distribution of electricity. The Distribution System now comprises the installation of Electric Vehicle (EV) charging infrastructure. Telecommunications forms a critical element of our network infrastructure and links our Supervisory Control and Data Acquisition (SCADA) system which is used to monitor, control and remotely operate ESB's distribution network.

#### (i) Generation

Turlough Hill, Ireland's only pumped storage power station is located approximately 60km south of Dublin City in the Wicklow Mountains. Construction commenced in 1968, and the station became fully operational in 1974. The station generates up to 292MW during peak demand periods by releasing water from its upper reservoir and allowing it to flow through its four turbines into a lower reservoir. During periods of lower demand the water is pumped back to the upper reservoir ready to be used again. In 2004, Turlough Hill became the Hydro Control Centre (HCC) for the entire ESB hydro fleet which contains 19 generators in total.

There are three hydro generation stations on the Liffey. These comprise two 15MW generators located at Poulaphouca and two 4MW generators each at Golden Falls and Leixlip, giving a total installed capacity of 38MW. In creating the water storage for the power stations at Poulaphouca, Golden Falls and Leixlip, the vital need for increased water supplies to Dublin was met by the 5,600 acre reservoir. The scheme was undertaken in three stages - beginning in 1937 and ending in 1949.

The final Plan must ensure that the long-term operational requirements of existing utilities including Power Stations are protected. Therefore, the need for curtilage management and for the restriction of land uses, which might affect the ability to consolidate and/or expand operations, is essential.

#### (ii) Transmission and Distribution

ESB Networks provides an essential service building and maintaining the electricity networks in Wicklow and throughout Ireland. It is responsible for constructing all the sub-transmission, medium and low voltage electricity network infrastructure in the country and for managing this infrastructure which is owned by ESB. It is unique in that all electricity users are in contact with ESB Networks.

To further improve and strengthen the electricity networks countrywide and to support the country's continued economic development, ESB Networks are currently implementing an investment programme in national energy infrastructure worth €4 billion. This will considerably enhance the security of supply to existing customers and will ensure that a world class infrastructure is in place to support continuing economic development into the future.

### (iii) **ESB Telecoms & Telecommunications Infrastructure**

ESB Telecoms is Ireland's leading independent telecommunications infrastructure provider, delivering high quality, turnkey communication network solutions. ESB Telecoms built and owns a 1,300 kilometre National Telecommunications Fibre Optic Network (NTFON). The NTFON is constructed in a 'Figure of Eight' around Ireland. The NTFON enables high speed data connections to remote locations. The rollout of next generation mobile broadband services (4G) is using capacity available via the NTFON network to provide virtually limitless backhauling capacity to customers and network operators.

### (iv) **ESB roll-out of EV infrastructure**

ESB, as the single owner/operator of the electricity distribution system, is responsible for providing the EV charging infrastructure in Ireland.

To date, ESB has rolled out over 1,000 publicly accessible charge points; including 70 fast chargers along all major inter urban routes. Currently, the charge point infrastructure is building to become a comprehensive network of public and domestic charge points with open systems and platforms accessible to all supply companies and all types of electric cars. ESB targets are to install 2,000 home charge points, 1,500 public charge points and 60 fast charge points nationwide. Approximately 95% of all major towns and cities already have electric vehicle recharging infrastructure in place.

According to the 3rd National Energy Efficiency Action Plan (NEEAP), it is now estimated that approximately 50,000 electric vehicles will form part of the transport fleet by 2020.

## **2. Overall Policy Context**

### **(i) National Planning Policy**

The National Spatial Strategy (NSS), under section 3.7 Key Infrastructure states:

*'Physical networks of infrastructure such as roads, public transport, energy and communications are of particular relevance to the NSS, since they themselves have a spatial impact and also influence the location, timing and extent of development. A feature of the most mature and successful economies is that they possess highly developed, well integrated infrastructure that supports movement, i.e. public and private transport, and energy and communication networks.'*

Section 3.7.2 of the NSS, deals specifically with energy as one of the three key physical elements of strategic infrastructure and states the following:

*'Reliable and effective energy systems, such as gas and electricity to power industry and services, are key prerequisites for effective regional development. Ireland's electricity and gas networks are evolving in an integrated way, serving the whole island, while focusing on strategic locations.'*

The NSS supports the development of energy infrastructure facilities, including the support for energy developments under the Electricity sub-section of the Energy section which identifies:

*'the need to liaise with the operators of the transmission and distribution grids, particularly in the environs of towns, to ensure the continued availability of corridors for overhead cables and continuity of supply for existing and new users of electricity.'*

### **(ii) Regional Planning Guidelines**

The Regional Planning Guidelines for the Greater Dublin Area 2010-2022 outline the role of Local Authorities under Section 6.6.7 (p. 138) and that Development Plans should facilitate the provision of energy networks in principle and highlights five key conditions. ESB deliver projects in accordance with these conditions and it should be noted that development plans should facilitate provision of energy networks where it can be shown that;

*"The proposed development is consistent with international best practice with regard to materials and technologies that will ensure a safe, secure, reliable, economic and efficient and high quality network."*

Strategic recommendation PIR25 states;

*"That reinforcements and new infrastructure are put in place by the key agencies, and their provision is supported in Local Authority policies, to ensure the energy needs of future population and economic expansion within designated growth areas and across the GDA can be delivered in a sustainable and timely manner and that capacity is available at local and regional scale to meet future needs."*

### **(iii) National Economic Policy & Infrastructure Development**

National development plans and policies illustrate the stated commitment of the Irish Government for connectivity and appropriate reinforcement of the existing electricity system and for ensuring the provision of critical, national, strategic infrastructure. ESB supports the implementation of the provisions national planning and economic development policy documents, such as those outlined below, through the development of electricity generation, transmission and distribution infrastructure development.

- Government Policy Statement on Strategic Importance of Transmission and Other Energy Infrastructure.
- Our Sustainable Future – A Framework for Sustainable Development in Ireland.
- National Spatial Strategy for Ireland 2002-2020.
- Government White Paper – the Energy Policy Framework 2007-2020: Delivering a Sustainable Energy Future for Ireland 2007.
- National Development Plan 2007-2013: Transforming Ireland – A better quality of life for all and infrastructure and capital investment 2012-2020 (Medium Term Exchequer Framework).
- Building Ireland's Smart Economy – A Framework for Sustainable Economic Renewal, December 2008.
- National Renewable Energy Action Plan 2014.
- Sustainable Energy Authority of Ireland (SEAI) Strategic Plan 2010-2015.
- Strategy for Renewable Energy 2012-2020.

The strategy outlined in Our Sustainable Future broadly follows the thematic approach of the EU Sustainable Development. ESB is supporting these measures which aim to achieve continuous improvement in quality of life for both current and for future generations. Continued investments in the electricity infrastructure are identified as vital developments for the regions and for the economy and society as a whole. The benefits include:

- Securing future electricity supply for homes, businesses, farms, factories and communities.
- Underpinning sustainable economic growth and new jobs in the regions.
- Enabling Ireland to meet its renewable energy targets and reducing the country's dependence on imported gas and oil and reduce CO<sup>2</sup> emissions.

ESB power generation has been a model of sustainability since its inception - it was first based on hydro power. The demands of economic development soon led to the familiar dominance of fossil fuel thermal stations (peat, oil and coal). At ESB, the future sustainable generation platform will be based on a greatly expanded wind capacity.

ESB is divesting much of our older inefficient thermal plants and replacing them with high-efficiency, combined cycle gas turbines. We're also making rapid progress in building our renewables portfolio based on wind. The latest data from ESB Networks & EirGrid suggests 24% of Ireland's electricity from wind in 2015. ESB has over 400MW of installed capacity in the Republic of Ireland with additional wind farms in development.

#### **(iv) Transport Policy**

In the Programme for Government 2011, the Government stated that it was fully committed to the EU2020 strategy and in 2015 the Climate Action and Low Carbon Development Bill was published, which aims to provide certainty surrounding government policy and provide a clear pathway for emissions reductions, in line with negotiated EU 2020 targets. In the memorandum attached to the Bill it states;

*"The purpose of the Bill is to provide for the approval of plans by the Government in relation to climate change for the purpose of pursuing the transition to a low carbon, climate resilient and environmentally sustainable economy by the year 2050."*

Energy use in transport has grown significantly, increasing 6.3% per annum average between 1990 and 2007, reflecting the country's rapid economic growth. Notwithstanding the economic slow down, continued growth of 2.7% per annum in transport energy to 2020 is anticipated. The National Energy Efficiency Plan sets out actions to reduce the transport energy demand.

- The Government Electric Transport Programme sets the following targets for 2020;
- 10% of all vehicles will be electric.
- 10% of all road transport energy will be renewable.
- ESB will roll out charging points to meet 10% EV target.
- Open access to all electricity suppliers and car manufacturers.
- Roll out of EV's will provide major employment opportunities.

The above targets demonstrate that EV's (incl. plug-in hybrid electric vehicles PHEV's) are central to Government targets for zero carbon emissions transportation systems

### **3. Planning Policy & County Development Plan review**

ESB supports the vision of Wicklow County Council in relation to infrastructure as set out under section 2.3 of the plan – Vision & Goals, where it states;

*"To protect and improve the county's transport, water, waste, energy and communications infrastructure whilst having regard to our responsibilities to respect areas protected for their important flora, fauna and other natural features"*

In this regard, ESB has a number of observations with regard to strategic issues, as set out below that should be taken into consideration in the preparation of the final plan.

#### **(i) Generation, Transmission & Distribution Policy**

The Government Policy Statement on the Strategic Importance of Transmission and Other Energy Infrastructure (July, 2012) emphasises the strategic and economic importance of investment in networks and energy infrastructure. Under this policy the Government has mandated the State owned Networks Companies to deliver the State's network investment programmes in the most cost efficient

and timely way possible in the interests of all energy consumers who need the investment and who also pay for it. Government policies and objectives require *"that these investment programmes are delivered in the most cost efficient and timely way possible, on the basis of the best available knowledge and informed engagement on the impacts and the costs of different engineering solutions."*

At present, about two percent of Ireland's electricity generating capacity is in the form of hydropower. This power derives mainly from ESB's hydropower stations, with minor contributions coming from smaller, independently owned sites. Excluding pumped storage at Turlough Hill, the Liffey accounts for almost a quarter of ESB's Hydro Generating Capacity and is fully integrated into the local and national electricity transmission and distribution network. These vital local and national activities require both curtilage space to enable future consolidation and expansion and buffer space to protect against inappropriate new neighbouring development.

The recognition of 'strategic infrastructure corridors' for transmission and distribution infrastructure and the importance of protecting the immediate environment from inappropriate development is fully supported by ESB. In this regard, ESB welcome the Transmission and Distribution Objectives on p.194 of the Infrastructure Chapter of the draft plan; which state;

**CCE16** – *To support the development and expansion of the electricity transmission and distribution grid including the development of new lines, pylons and substations required.*

**CCE17** – *To suitably manage development within 35m of existing 110kV/220kV transmission lines.*

**CCE18** – *To support and facilitate the development of landing locations for any cross channel power interconnectors.*

The inclusion of the above objectives enable ESB to develop and maintain a safe, secure, reliable, economical and efficient electricity Transmission and Distribution System with a view to ensuring that all reasonable demands for electricity are met having due regard for the environment.

## **(ii) Access to ESB Generation Lands**

The primary function of ESB is the generation, transmission and distribution of electricity. The Penstock and Power Station, Dams, Embankments, Reservoirs, Headrace and Tailrace Canals, Transmission and Distribution Stations are elements of an integrated Hydro Electricity Generating System. All elements are part of operational plant and require ongoing inspection, maintenance, repair, upkeep and on occasion emergency safety works.

Dams, canals reservoirs and embankments constructed for the purpose of electricity generation and can be extremely hazardous. ESB cannot allow open public access due to issues of public safety, site security and operational requirements as these elements are an integral part of an active Power Station.

Objective T29, Chapter 7, Tourism & Recreation, Draft County Development Plan, states;

*To support the development of new and existing walking, cycling, and driving routes / trails, including facilities ancillary to trails (such as sign posting car parks) and the development of linkages between trails in Wicklow and adjoining counties. In, particular, to encourage and facilitate;...the expansion of the 'Blessington Greenway' walk around the Phoulaphuca reservoir..."*

In this context ESB wish to highlight that access is only considered when issues such as ownership, maintenance, impact on station operations and liability for the proposed activities have been addressed.

Therefore, ESB grant access for the use of its lands where appropriate by;

- legal agreement which indemnifies ESB and controls the type of activity,



- providing access to responsible bodies or organisations which have a particular interest or knowledge of a specified activity, and,
- use of appropriate locations where activities can be carried out in a safe manner and do not impact on the operations of the Hydro Scheme.

Implementation of this policy can be illustrated by the type of access that is currently permitted by ESB including:

- Grazing Agreements for flood lands adjacent to the Hydro Scheme which allow for the control of water levels by ESB to facilitate electricity generation, water supply, boating etc.
- Licence Agreements for specific sporting/recreational activities (currently there are a number of agreements in place relating to Phoulaphuca Reservoir for activities which include canoeing, sailing, rowing, fishing, walking etc.).

***Access to ESB lands under licence is granted where appropriate to organisations that have the expertise to manage and control their activities and can indemnify ESB from any liability associated with such activities.***

### **(iii) Telecommunications**

The provision of modern information and communications technologies (ICT) is recognised by Wicklow County Council as being a key component of connectivity, which in turn is one of the drivers for enhanced economic and social development. ESB's collection of ICT infrastructure in the county continues to assist in delivering enhanced communications networks through the provision of backhaul fibre and shared telecommunications towers.

We welcome the strategy highlighted in section 9.4.1 of the draft plan;

*"To promote and facilitate the development of telecommunications infrastructure throughout the county."*

ESB generally supports the Telecommunications policy set out in Section 9.4 of the draft plan and in particular, Council Objectives T1, T2 & T3, which state;

***T1 – To facilitate the roll out of the National Broadband Plan and the development/expansion of communication, information and broadcasting networks, including mobile phone networks, broadband and other digital services, subject to environmental and visual amenity constraints***

***T2 – The development of new masts and antennae shall be in accordance with the development standards set out in volume 4(1) of this plan.***

***T3 – To ensure that telecommunications structures are provided at appropriate locations that minimise and/or mitigate any adverse impacts on communities, and the built or natural environment.***

All ESB Telecoms Mast sites are open for co-location and duplication of infrastructure is reduced as a result. Detailed technical justifications are used in the planning of all new ESB Telecoms infrastructure. The standards for the provision of information as set down in the section 10 of Appendix 1 *Mast and Telecommunications Development & Design* standard, when making a planning application in the immediate surrounds of smaller towns or villages, within a residential area, within the vicinity of schools or private dwellings is consistent with the level of information ESB Telecoms would normally provide in such circumstances.

## 4. Green Infrastructure Strategy and Draft County Development Plan

### (i) EU Policy

The EU is working to reduce the effects of climate change and establish a common energy policy. The overarching EU target is to reduce emissions within the EU to 20% below 1990 levels by the year 2020. By 2020, renewable energy should account for 20% of the EU's final energy consumption (at 8.5% in 2005). To meet this common target, each Member State needs to increase its production and use of renewable energy in electricity, heating, cooling and transport.

According to the EU Directive on Renewable Energy each Member State is mandated to ensure 10% of transport energy (excluding aviation and marine transport) comes from renewable sources by 2020. This forms the basis for the renewable energy transport target for Ireland. In parallel with the focus on renewable energy, the EU has a complimentary package of measures that directly target climate change and these are likely to result in even stronger targets for renewable energy in transport. In addition, the European Commission Proposal (January 2015-2021) for a Directive of European Parliament and of the Council on the development of alternative fuels infrastructure proposes a minimum of 2200 publicly accessible charging points in Ireland by 2020.

### (ii) Sustainable Power Generation

Ireland's National Renewable Energy Action Plan (2010) sets a target of 16% of the national gross final consumption of energy should be from renewable resources by 2020 to be achieved by, inter alia, attaining 40% consumption of electricity and 10% of transport energy from renewable sources. The contribution of all renewable sources of generation must be maximised to achieve these targets.

The Government White Paper, *Delivering a Sustainable Energy Future for Ireland - The Energy Policy Framework 2007 – 2020* has the specific objective to create strong linkages between energy policy and transport policy goals given that the transport sector is 99% oil dependent and accounts for around 33% of total Irish energy demand.

In terms of transportation, an EV doesn't just consume electricity. Its battery stores power, taken from the grid for use later on the road. When that power originates at a wind turbine or solar cell, the EV's avoid burning fossil fuels. Unfortunately, the grid's limited storage capacity can't always accept the full surge of power coming in during windy weather. But if enough electric cars charge up at the right time, their batteries en masse would facilitate more renewable energy to the grid. In the future, plug in cars could supply massive amounts of collective storage to maximise renewable production, as well as balancing fluctuations in the national electricity grid. A network of electric vehicles connected to the smart grid could be coordinated to smooth out the peaks and valleys in the supply from renewable sources and help ensure that the supply of electricity matches the demand. ***The deployment of infrastructure for EV's acts as an enabler for large scale wind energy projects in Ireland.***

### (iii) Government Electric Transport System

Energy use in transport has grown significantly, increasing 6.3% per annum average between 1990 and 2007, reflecting the country's rapid economic growth. Notwithstanding the economic slow down, continued growth of 2.7% per annum in transport energy to 2020 is anticipated. The National Energy Efficiency Plan sets out actions to reduce the transport energy demand.

Transportation is one of the key elements contributing to greenhouse gas emissions. The Government Electric Transport Programme sets the following targets for 2020;

- 10% of all vehicles will be electric.

- 10% of all road transport energy will be renewable.
- ESB will roll out charging points to meet 10% EV target.
- Open access to all electricity suppliers and car manufacturers.
- Roll out of EVs will provide major employment opportunities.

ESB is currently working towards providing a charging infrastructure to support up to 10% of all vehicles being electric by 2020 and plans to complete the rollout of a nationwide infrastructure. In addition to providing a national charging base, the infrastructure will ensure optimal integration of EVs with the electricity grid and deliver long term benefits to the electricity system in Ireland in terms of demand side management and optimisation of renewables.

#### **(iv) Transport Related Planning Policy in CDP**

The establishment of EV infrastructure by ESB and the associated EV usage both nationally and internationally aligns with the key principles and benefits of sustainability and the National Climate Change Strategy on reduction of emissions. ESB will continue to work with Wicklow County Council as appropriate to ensure that this is carried out with maximum benefit to all parties.

Under the transport section in chapter 9.4 of the draft plan, there is recognition of the Government's ambition to see 10% of the vehicles electrified by 2020. Transport Energy Objective CCE23 states;

*"To facilitate the development of services and utilities for alternative vehicle types."*

ESB welcomes this commitment to sustainable transport modes and wish to take this opportunity to highlight revised and updated standards required in order to achieve the desired 10% target for the Electric vehicles. S.I. No. 325 of 2014 ROAD TRAFFIC (TRAFFIC AND PARKING) (CAR CLUBS AND ELECTRICALLY POWERED VEHICLES) REGULATIONS 2014 makes provision for EV parking in public areas. Therefore, in order to meet the targets of the Governments Electric Transport Programme, we respectfully submit that Wicklow County Council should strengthen their support for the roll-out of EV infrastructure with the inclusion of following updated parking standards:

#### **Proposed parking standards for Draft CDP**

##### **1. For Developments with Private Car Spaces (residential and non-residential) including visitor car parking spaces e.g. office –spaces**

- At least one parking space should be equipped with one fully functional EV charging point in accordance with IEC 61851 Standard for Electric Vehicle Conductive Charging Systems. This should be capable of supplying 32A 230V single phase AC electricity and be equipped with Mode 3 protection. It should be fitted with a Type 2 socket as defined by IEC 62196.*
- It should be possible to expand the charging system at a future date (e.g. by installing appropriate ducting now) so that up to 10% of all spaces can be fitted with a similar charging point.*

##### **2. For Developments with Publicly Accessible Spaces (e.g. supermarket car park, cinema etc.)**

- At least one parking space should be equipped with one fully functional EV charging point in accordance with IEC 61851 Standard for Electric Vehicle Conductive Charging Systems. This should be capable of supplying 32A 230V single phase AC electricity and be equipped with Mode 3 protection. It should be fitted with a Type 2 socket as defined by IEC 62196.*
- It should be possible to expand the charging system at a future date (e.g. by installing appropriate ducting now) so that up to 10% of all spaces can be fitted with a similar charging point.*

- c) *The Charge Point Parking space(s) should be clearly marked as being designated for EV charging.*
- d) *Appropriate signage indicating the presence of a charge point or points should also be erected.*
- e) *All charge points fitted in publicly accessible areas should be capable of communicating usage data with the national charge point management system and use the latest version of the Open Charge Point Protocol (OCPP). They should also support a user identification system such as RFID.*

*As the use of electric vehicles continues to increase the Council may increase the number of parking spaces to be equipped with fully functional charge points in either of the above cases.*

Currently, the charge point infrastructure is building to become a comprehensive network of public and domestic charge points with open systems and platforms accessible to all supply companies and all types of electric cars. ESB targets are to install 2,000 home charge points, 1,500 public charge points and 60 fast charge points nationwide.

## 5. Conclusions

ESB endorse the strategic goals for future use of infrastructural resources as set out in the draft plan. Investment in infrastructure is crucial to the economic and social well-being of our country. Such investment creates jobs, stimulates economic activity and provides modern, efficient facilities to provide the services that people need including healthcare, education and community services amongst others. There is a significant multiplier effect from investment in infrastructure which means that it stimulates growth in the local economy. This investment in infrastructure is also necessary to support EU and national policy on Climate Change adaptation and mitigation.

ESB requests that Wicklow County Council give due consideration to the matters raised in this submission including:

- The recognition of '*strategic infrastructure corridors*' for transmission and distribution infrastructure and the importance of protecting the immediate environment from inappropriate development is fully supported by ESB. The inclusion of Objectives CCE16-CCE18 will enable ESB to develop and maintain a safe, secure, reliable, economical and efficient electricity Transmission and Distribution System with a view to ensuring that all reasonable demands for electricity are met having due regard for the environment.
- ESB cannot allow uncontrolled public access to our lands at Phoulaphuca Reservoir due to issues of public safety, site security and operational requirements. ESB grant access for the use of our land by legal agreements which allow for the control of water levels by ESB to facilitate electricity generation, water supply, fishing etc. ***Where access is granted for recreational activities it is at selected locations deemed suitable for specific activities.***
- ESB would welcome Planning Policies and Objectives which will facilitate an improvement in telecommunications infrastructure and help position the county to attract intellectual and physical capital.
- Reflecting the strategic goals of the State to reduce anthropogenic greenhouse gas emissions, support energy generation from renewable sources and to embrace the principles of sustainable development, ESB submit ***that Wicklow County Development Plan should be enhanced and specific objectives regarding the provision EV charge points at residential, commercial and 'on-street' locations should be included to ensure the proposed levels of parking provision for EV's are achieved. Indicative standards are set out in s.3.4.1. of this submission.***

## Chief Executive's response

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1. (i) With respect to the plan managing the 'curtilages' of utility infrastructure, and restricting land uses, so that the ability of the ESB to consolidate / expand operations is not impeded, it is not clear what exactly the ESB are requesting. It is assumed in the first instance that the ESB has control of significant areas of land around their more significant assets, such as power stations, and therefore the power to control uses to which that land is put is in their hands. With respect to lands outside their control, either surrounding power stations or indeed sub-stations or other such infrastructure, it is not considered reasonable to curtail a private land owner's development rights just because the ESB **may** in the future require to expand, unless the ESB could show very clearly that a need to expand the piece of infrastructure is of vital national, regional or local importance, and the options to improving said infrastructure are limited to the land surrounding the asset. In this regard, it would have been useful if the ESB had identified such infrastructure, and the type of land area needed for expansion, so that the suggestion could be more fully evaluated, and integrated into the land use plans contained in the County Development Plan. It is suggested that such submissions should certainly be made for the Local Area Plans for the larger towns that will be developed after the adoption of the County Development Plan.

It should be noted in this also that the plan already includes a provision to support the development of electricity transmission and distribution infrastructure, including substations:

*CCE16 To support the development and expansion of the electricity transmission and distribution grid, including the development of new lines, pylons and substations as required.*

Therefore no changes are recommended.

Points (ii) – (iv) are noted and do not necessitate changes to the plan

2. All points raised are noted and do not necessitate changes to the plan.
3. All points raised are noted and do not necessitate changes to the plan.
4. Points (i)-(ii) are noted and do not necessitate changes to the plan.  
(iv) It is considered that provision should be made in the plan to require development of car parks to provide for the infrastructure for car charging points, but only to provide such points in public accessible car parks in excess of 20 spaces.
5. Noted.

## Chief Executive's recommendations

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### AMENDMENT 77

#### Volume, 3, Appendix 1 – Development and Design Standards, P12

##### Car parking

- 2 off street car parking spaces shall normally be required for all dwelling units over 2 bedrooms in size. For every 5 residential units provided with only 1 space, 1 visitor space shall be provided.

Parking for non-residential uses shall be provided in accordance with the standards set out in Table 7.1 to follow except where a deviation from the standard has been justified

- In new housing areas, car parking has traditionally been located on site, to the front of houses resulting in a regular 6-10m set back and regular buildings lines. Alternative parking arrangements that avoid this monotonous format should be provided; however, parking will always be required to be proximate to the dwelling served.
- In cases where the front door of a residential unit is directly onto a road that is not suitable for on-street parking (e.g. a main distributor road), car parking shall be located adjacent to a back or side door;
- Communal car parking areas shall be conveniently located for residents and suitably lit at night-time;
- Adequate provision shall be made for visitor and disabled car parking;
- Designated sheltered and secure bicycle parking will be required in apartment developments;
- Shared residential car parking areas shall be constructed (including the provision of necessary wiring and ducting) to be capable of accommodating future Electric Vehicle charging points, at a rate of 10% of space numbers

## AMENDMENT 81

### Volume, 3, Appendix 1 – Development and Design Standards, P51

#### Car parking

Where on-site car parking is provided, the car parking area shall be suitably surfaced and all bays and aisles marked out with white durable material. Spaces shall meet the following size requirements

#### *Parking and loading dimensions*

|                             |                                 |
|-----------------------------|---------------------------------|
| <b>Car-Parking Bays</b>     | 5.0m x 2.5m                     |
| <b>Disabled Parking Bay</b> | 5.0m x 2.5m + 0.9m between bays |
| <b>Loading Bay</b>          | 6.0m x 3.0m                     |
| <b>Circulation Aisles</b>   | 6.0m in width                   |

- Loading bays shall be located to prevent any obstructions to traffic circulation or use of other spaces;
- Where parking is permitted in the view of the general public, adequate soft landscaping shall be provided to soften the appearance of hard surfaced areas;
- Parking areas shall be reserved solely for the parking of the vehicles and should not be used for the storage of materials or goods associated with the development, nor for the parking of goods or other heavy vehicles;
- The standards set out in Table 7.1 shall apply to all new developments, be it new construction or additional or material change of use of existing buildings.
- Disabled car parking spaces shall generally be provided at a rate of 5% of the total number of spaces, for developments requiring more than 10 car parking spaces, with the minimum provision being one space (unless the nature of the development requires otherwise).
- In all car parks, car parking areas shall be constructed (including the provision of necessary wiring and ducting) to be capable of accommodating future Electric Vehicle charging points, at a rate of 10% of total space numbers.
- In any car park in excess of 20 spaces where public access is available, one fully functional charging point for Electric Vehicles shall be provided in accordance with IEC 61851 Standard for Electric Vehicle Conductive Charging Systems.

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**Summary of issues raised**

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**1. Background**

ESB Telecoms Ltd was established in early 2001 as a subsidiary company to ESB, Ireland's premier electricity supplier. Since that time ESB Telecoms Ltd has become Ireland's leading independent telecommunications infrastructure provider, delivering high quality, turnkey communication network solutions.

ESB Telecoms Ltd has grown from its original function of providing a communications system for our parent company, ESB. This communications system is called Supervisory Control and Data Acquisition (SCADA) and is still used today to monitor, control and remotely operate the ESB's complex electricity network infrastructure. The SCADA system continues to be upgraded as it is a vital part of radio and transmission communication for ESB's maintenance and repair crews.

ESB Telecoms Ltd now provides network solutions for a wide variety of mobile network operators, wireless broadband providers, as well as transferring data for the SCADA network. In recent years we have grown a substantial external customer base, supporting a wide range of private and public sector business activities.

It is ESB Telecoms Ltd policy to design and construct our communication structures to the highest international standards. All sites developed by ESB Telecoms Ltd are made available to our customer base as points for co-location. Customers provide mobile and broadband coverage from such sites using 2G, 3G and 4G networks.

The ESB Fibre Optic Network consists of 48 fibres (24 pairs, each pair capable of delivering 2.5GB) wrapped around the ESB's high voltage network. This is one of the quickest and most cost-effective ways of delivering a fibre optic network. The technology has been used extensively in Europe and has proven to be up to 10 times more reliable than equivalent underground networks. The ESB network is the first service to offer a uniform bandwidth across the country and plays an important role in fulfilling one of the aims of the National Development Plan by improving telecommunications infrastructure in Ireland.

ESB Telecoms Ltd owns a 1,300 kilometre National Fibre Optic Network (NTFON). The NTFON is constructed in a 'Figure of Eight' around Ireland and also includes a spur from Carrick-on-Shannon to Buncrana, now connected back to Dublin via BT (NI). The NTFON enables high speed data connections (4G) to many urban areas of the country as well as remote locations that may otherwise have been overlooked.

The presence of fibre permits transmission over longer distances at virtually limitless bandwidths (data rates) when compared to other forms of communication. Faster data transmission results in a better service for the end user. The evolution of the telecommunications industry over the past number of years means that the presence of fibre at communication base stations is a key criterion for the provision of mobile technologies such as mobile broadband and internet services to mobile phones.

In November 2012, under the terms of the 4G licence auction, it is stipulated that 70% of the population will have access to 4G services within three years. It is essential that telecommunications infrastructure development be supported over the medium term if such targets are to be achieved.

## **2. National Guidance**

Since the introduction of the National Spatial Strategy (NSS) in 2002, the planning system in Ireland has evolved, in line with the European Spatial Development Perspective, whereby appropriate policies are to be structured within a hierarchy of plans progressing from national through to local plans. Government policy on telecommunications aims to place Ireland in the top quartile of OECD economies as regards to the availability, price and quality of telecommunications services, in order to promote industrial and commercial development and to improve personal and household security and to enhance social exchange and mobility.

## **3. National Spatial Strategy 2002 – 2020**

The National Spatial Strategy 2002 – 2020 (NSS) seeks the balanced regional development of the state through the promotion of policies that enable regions develop to their full potential. This spatial development is to be achieved through the designation of Gateways, Hubs and complementary growth centres with the goal of ensuring critical mass can be obtained to support the investment needed in new and existing infrastructure into the future. The continued development of telecommunications infrastructure is highlighted in the National Spatial Strategy 2002 – 2020 (NSS) as vital to the overall development of the country as they have a direct impact on the spatial nature of development in the areas they service.

Additionally,

“future living standards ...will be determined by Ireland’s ability ... to capture an adequate share of mobile investment”.

(Section 2.6)

This point is again emphasised in Section 5.2.1 where it states that

“the ability to attract mobile investment will be supported by the strategic development of infrastructure such as telecommunications”.

A stated aim of the NSS is to promote the cost effective delivery of public services, a key benefit of good telecommunications linkages, while seeking the development of socially inclusive communities. Mobile communications and its near universal access form an increasingly integral part of the delivery of “socially inclusive communities”.

The importance of advanced communications infrastructure in encouraging clustering of ICT customers is stressed, since such infrastructure is becoming increasingly more important as mobile broadband and fibre optic network linkages become crucial to successful businesses (NSS Section 3.8.3). Furthermore,

“effective communications infrastructure will help support and attract intellectual and physical capital”

(NSS 3.7.3)

## **4. Construction 2020**

Construction 2020 was published in May 2014 in response to the economic downturn and push for recovery. It discusses a range of improvements necessary in the construction sector regarding regulations and standards of build, housing, financing, re-employment and ways in which the planning process can assist recovery. It discusses a new National Planning Framework, policy statement and planning bill which will ensure that

“appropriate development requirements are both identified and approved efficiently, ensuring both sustainable development and economic recovery”.



## **5. National Broadband Plan**

The National Broadband Plan recognises “the importance of digital engagement for Ireland, both economically and socially” and the Government commitment to the rollout of high speed broadband. In order to drive commercial rollout of high speed broadband

“the Government is committed to a range of actions that will facilitate the more efficient rollout of infrastructure including addressing planning and road opening challenges, assisting in getting citizens and businesses online, measures relating to spectrum policy and maximising the use of State assets where possible”.

It is envisaged that

“once completed, all parts of Ireland will have access to a modern and reliable broadband network, capable of supporting current and future generations”.

## **6. Regional Planning Guidelines for Greater Dublin Area 2010-2022**

The Guidelines recognise the need for broadband services in the Greater Dublin Area (Section 1.6). The timely delivery of “advanced broadband connectivity (next generation networks)” is considered an essential component in terms of supporting service sector growth into the future (Section 3.4).

The availability of adequate broadband capacity through the promotion of physical infrastructure, with the aim of promoting entrepreneurial activity, is recognised in Section 3.5.2.

It is a stated aim of these guidelines to develop “economic growth areas” in proximity to major transport routes in order to capitalise on the potential for developing

“diverse regional enterprise and economic clustering activity” (Policy EP1)

and investment in ICT is considered to be central to the achievement of this policy. The importance of economic growth areas are expanded further in Policy EP1 which refers to “critical infrastructural investment in ICT”.

Furthermore, Policy PIP4 confirms the need for ICT investment in such corridors.

Section 6.6.3 supports the roll out and advancement of telecommunications infrastructure and performance as a critical step in creating a more competitive regional and national economy. It states that

“planning should facilitate future-proofing of the regions telecommunication infrastructure; and improve the availability of advanced service offerings”.

ESB Telecoms Ltd maintain that continued investment in telecommunication development will aid in achieving the stated aims of these guidelines in terms of the delivery of vital telecommunications infrastructure to the area.

## **7. Telecommunications Antennae and Support Structures, 1996**

It is stated in the guidelines that the design and siting of antennae support structures will to a large extent be dictated by radio and engineering parameters (Section 4.2).

The Guidelines explicitly state that

“substations operated by the ESB may be suitable for the location of antennae support structures”

(Section 4.3).

It is a primary aim of these guidelines to encourage local authorities to promote clustering and shared services at telecommunication masts, especially in suburban areas, with the aim of reducing visual intrusion (Section 4.5). ESB Telecoms Ltd sites are an excellent example of co-location and shared services as they are available to all operators for co-location.

## **8. Ministerial Circular PL 07/12**

In October 2012 the Minister issued Circular letter PL 07/12 to ensure that Local Authorities did not hamper the rollout of telecommunication infrastructure. It stated that authorities should allow for flexibility stating that

“distance requirements, without allowing for flexibility on a case-by-case basis, can make the identification of a site for new infrastructure very difficult. Planning authorities should therefore not include such separation distances as they can inadvertently have a major impact on the roll out of a viable and effective telecommunications network”.

Against a background of the rollout of next generation broadband (4G), the Department of the Environment, Community and Local Government issued updated guidance for local authorities in relation to telecommunications infrastructure. We draw your attention to Section 2.2 of Circular PL07/12 which advises planning authorities to cease attaching time-limited conditions to telecommunication masts as such structures will continue to play a vital role in delivering economic growth to the areas they service into the future. In order to ensure the progression of telecommunications across the country development contributions and temporary permissions were discouraged in the Minister’s Circular. It states that

“all future Development Contribution Schemes must include waivers for broadband infrastructure provision and these waivers are intended to be applied consistently across all local authority areas”.

The Circular further states that

“Planning authorities are therefore advised that from the date of this Circular Letter, attaching a condition to a permission for telecommunication masts and antennae which limit their life to a set temporary period should cease. Where a renewal of a previously temporary permission is being considered, the planning authority should determine the application on its merits with no time limit being attached to the permission. Only in exceptional circumstances where particular site or environmental conditions apply should a permission issue with conditions limiting their life”.

Appendix 1 of the draft plan “Development & Design Standards” Section 10 Energy and Telecommunications page 66 states as follows:

### *“Duration of permission*

- *Permissions for antennae support structures and associated base stations shall only be granted for 5 years;*
- *Further permissions for the facility at the end of the 5 year period shall be conditional on the provision of evidence, as necessary, to justify the continued need for the facility, given changes in technology and development of other sites in the meantime;*
- *Where a subsequent permission does not include any alterations to the permitted facility, the applicant shall be required to show that no new changes in technology have come about that would allow the design (height, width, no of antennae etc.) or environmental impacts of the installation to be improved;*

*The Planning Authority shall apply more stringent conditions on any subsequent permission for the same site, if considered necessary”.*

This policy conflicts with Ministerial Circular PL 07/12 which seeks to discourage temporary permissions. ESB Telecoms Ltd request that this draft policy be revised accordingly as it is inconsistent with government policy and restricts telecommunication advancement across the county.

Appendix 1 of the draft plan “Development & Design Standards” Section 10 Energy and Telecommunications also discusses the lodgment of bonds for the removal of redundant structures page 66 further states:

*“Obsolete structures*

- Where the original operator is no longer using the antennae and their support structures and no new user has been identified they should be demolished, removed and the site reinstated at the operators expense (This will be a condition of any permission and a bonding arrangement to this effect will be put in place)”.*

ESB Telecoms Ltd request that the Council refrain from including any condition requiring payment of a bond.

Ministerial advice in Circular Letter PL 07/12 states that:

*“Having reviewed experience since 1996 and the limited number of sites that have become obsolescent in that time, it is considered that the lodgment of a bond or cash deposit is no longer appropriate. It is therefore advised that, in general, future permissions should simply include a condition stating that when the structure is no longer required it should be demolished, removed and the site re-instated at the operators’ expense”.*

Section 2.4 of Circular Letter PL 07/12

## **9. Development Control**

Appendix 1 of the draft plan “Development & Design Standards” Section 10 Energy and Telecommunications page 63 states that applications must include

- details of antennae operated by other providers in the area and their associated coverage maps*
- a technical evaluation of the capabilities of these masts to take additional antennae and provide the coverage required.*

Coverage maps and associated technical information of the particular mobile network operators is commercially sensitive and is not available for redistribution in the public domain. For example if ESB Telecoms Ltd propose to erect a structure capable of carrying equipment for say ESB, Tetra, Three and Vodafone – the coverage maps for a nearby Meteor base station cannot be obtained as they are not party to the application and are under no obligation to provide these. The location of other base stations can be identified using details obtained on the ComReg website but the requirement for the actual coverage to be assessed by the applicant is not possible without assessing the individual pieces of transmission equipment on the particular site to which access is difficult. This requirement should be revised to letters of support and intent from operators who have a demonstrated need for the proposed structure as this identifies their intention to locate on the structure rather than an impractical requirement for other operator coverage maps. Access to base stations are strictly monitored for health and safety reasons and technical evaluations of surrounding structures is carried out by the site provider or structure owner rather than other prospective infrastructure providers. This requirement is wholly impractical.

## 10. Health and Safety

With many developments of this nature, there may be concerns from local residents about the perceived implications of the development, primarily in relation to the adverse health effects of the installation. ESB Telecoms Ltd regards the protection of the health, safety and welfare of its staff and the general public as a core company value in all its activities. Accordingly, it is ESB Telecoms Ltd policy to continually review and update standards in light of new developments and research findings.

The Commission for Communications Regulation (ComReg) is the licensing authority for the use of radio frequency in Ireland. ComReg is responsible for ensuring that communication operators comply with their license conditions relating to non-ionising radiation. Planning authorities are urged to concern themselves with design and siting issues only and should defer any health and safety issues and their monitoring to the relevant authorities, in this instance ComReg. Since 2001 ComReg have been randomly testing communication sites to ensure compliance with the adopted ICNIRP and ComReg Standards. In addition to this ESB Telecoms Ltd carry out yearly independent testing of all their sites each of which have fallen well below the ICNIRP limits.

## 11. Conclusion

The vital services provided to the area by telecommunication infrastructure is often overlooked with developments of this nature vastly improving commercial prospects in the area and assisting in implementing Council policy for social inclusion. By providing a good quality and reliable telecommunication service residents will avail of improved telecommunication infrastructure which creates a better work life balance. The provision of good telecommunication linkages improves the quality of life for residents and provides communities with opportunities and services which contributes to their overall wellbeing.

Further to National policy, Government recommendations and overall economic recovery it is requested that Wicklow County Council adhere to Ministerial Guidelines and refrain from restricting telecommunication advancements in the county and specifically request that the Council

- remove time limit restrictions in accordance with Circular PL07/12
- remove requirements for bonds in accordance with Circular PL07/12
- remove requirements for the submission of unattainable technical documents associated with other base station sites.

### **Chief Executive's response**

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The first 7 points of this submission do not require comment or assessment.

With regard to **Ministerial Circular PL 07/12**

- the draft County Development Plan does not include any specific distance requirements, so the issues raised require no amendments to the plan
- it is recommended that time limit restriction be omitted from the plan standards
- the plan has no role with respect to development contributions
- as set out in the guidelines, it is recommended that the bond requirement to ensure obsolescent mast be removed should be omitted
- it is recommended that any reference to health and safety aspects should be omitted

With regard to requiring the coverage maps of other operators, it is recommended that this requirement be omitted.

### AMENDMENT 82

#### Volume 3, Appendix 1 – Development and Design Standards, Section 10, p63

##### Mast and telecommunications

These standards deal with those telecommunications installations which form part of the requirements for licensed, public mobile telephony and which are considered to be development in accordance with the Planning & Developments Acts. Operators of broadcast VHF and fixed radio link installations, which support the mobile radio requirements of the emergency services, should, where applicable, take cognisance of these standards.

##### Need for the new installation

All applications for new antennae shall be accompanied by adequate information to show that there is a requirement for the new installation. In particular, the following information shall be provided

- Map of the area concerned (minimum 10km radius) showing all antennae operated by the applicant and the applicant's existing coverage in that area;
- Details of antennae operated by other providers in the area ~~and their associated coverage maps;~~
- Details of the area to be covered by the proposed antennae and technical explanation of the reasons why coverage cannot be provided by existing antennae.

##### Location

Where it has been proven that there is a need for new / expanded coverage in a particular area, the applicant shall show that all existing masts and support structures in the area have been firstly examined to determine if the attachment of new antennae to existing support structures can provide the coverage required. This will require the submission of

- A map of all existing support structures in the vicinity of the coverage 'gap';
- A technical evaluation of the capabilities of these masts to take additional antennae and provide the coverage required.

Once it has been determined that new antennae / antennae support structures are required and co-location on an existing support structure is not feasible, permission will be considered for new support structures and associated base stations subject to the following control criteria.

##### Locations in settlements

The applicant shall be required to follow a 'sequential' approach to site location i.e. in accordance with the order of priority set out to follow, the applicant must show that the preferred locations have been examined in the first instance and rejected for specified reasons (commercial competition in this instance will not be acceptable as a reason) and only then, can locations further down in the hierarchy be considered:

1. Clustering with existing support structures;
2. In industrial estates or on industrial zoned lands;
3. Rooftop locations in commercial / retail zones;
4. In parks / open space areas ('disguised' masts may be requested in such areas)

New support structures shall not be permitted within or in the immediate surrounds of a residential area or beside schools.

Impacts on protected structures, Architectural Conservation Areas, National Monuments or other building / sites of heritage value shall be considered.

### **Rural locations**

- Masts and base stations should be sited in a manner which respects the landscape and which limits the intrusion on the landscape, notwithstanding coverage obligation issues
  - Hilltops shall generally be avoided, except in exceptional circumstances, where technical or coverage requirements make it essential
  - Locations in the direct line of listed views or prospects shall be avoided;
  - Along major tourist routes, care shall be taken to avoid terminating views;
- The location of structures, archaeological sites and sites designated for nature conservation reasons (e.g., NHAs, SACs, SPAs) shall be considered against the conservation objectives of these sites <sup>15</sup>;
- Forested locations are likely to be preferable, subject to the nature of the forestry and its felling programme. In such cases, the applicant must be in a position to maintain a suitable cordon of trees around the site and bonded undertakings to that effect will be required to be submitted;
- Unless otherwise advised through pre-planning discussions, a visual impact assessment shall be submitted with any application, which shall address, in alia,
  - Landscape and topography, elevation and overall visibility;
  - Any listed views or prospects in the area;
  - Intermediate objects (e.g. buildings or trees) between the site and the principal viewing locations;
  - The scale of the object in the wider landscape;
  - The multiplicity of other objects in the wider panorama;
  - The position of the object with respect to the skyline;
  - Weather and lighting conditions

### **Access roads and power supply**

Access roads and new overground power lines shall be permitted only where they are absolutely necessary and great care should be taken that they would not appear as a scar on a hillside;

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<sup>15</sup> In accordance with the Habitats Directive, any project not directly connected with or necessary to the management of a Natura 2000 site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to appropriate assessment of its implications for the site in view of the site's conservation objectives.

It will normally be a condition that access roads are grubbed up at the end of the construction period. In exceptional cases, the Planning Authority can consider requiring the use of a helicopter for the construction and installation of base stations.

### **Mast / antennae design**

Subject to visual and landscape considerations, support structures will normally be required to be so designed as to facilitate the attachment of additional antennae. Where such a design is facilitated, it will be a condition of any permission that the mast be made available for co-location with other operators;

- Support structures shall be so coloured as to minimise visual impact – in forestry areas, dark green will normally be required whereas those structures that would be visible against the skyline will normally be required to be a neutral sky grey;
- Whilst the design of the antennae support structures and the antennae themselves will be dictated by radio and engineering parameters, all applicants will be asked to explore the possibilities of using other available designs where these might be an improvement on traditional design;
- While it is acknowledged that there is a trade off between height (taller height implying better coverage) and the number of masts required for network coverage, in all cases, height shall be restricted to that required to bridge the existing coverage gap identified. Alternatively, consideration may be given to higher masts if this would allow for an overall reduction in mast in any given area.

### **Site layout / design**

- Support structures, associated antennae and base stations shall be designed to minimise visual intrusion. In particular, height and width of the mast shall be kept to a minimum, subject to coverage considerations;
- In built up areas, monopole structures may be preferable, subject to consideration of future co-location demands;
- Site boundaries shall be suitable to the location. In particular, palisade type metal fencing will generally not be considered appropriate in built up areas – render or stone clad solid walls will normally be required;
- Landscaping shall be integrated into the scheme in both urban and rural locations;
- The number of ancillary buildings / containers shall be kept to a minimum, with all such structures proposed being clearly justified. Such structures shall be painted or clad in a material / colour suitable to the location.

### **Safety criteria**

- ~~As part of their planning application, applicants will be required to furnish a statement of compliance with the International Radiation Protection Association (IRPA) Guidelines (Health Physics, Vol. 54, No. 1(Jan) 1988) or the equivalent European Pretender 50166-2 which has been conditioned by the licensing arrangements with the Departments of Transport, Communications, Energy & Natural Resources and to furnish evidence that an installation of the type applied for complies with the above Guidelines;~~

- ~~Where the applicant proposes to share an existing mast or to enter a clustering arrangement on an existing site, a statement from the owner/landlord of the mast or site that the shared mast or cluster will continue to operate under the guidelines applicable to it should be presented to the Planning Authority;~~
- ~~The results of monitoring, shall, if required, be made available to the Planning Authority and through the Planning Authority to the members of the public;~~
- ~~Safety aspects of the antennae and support structures will, unless perhaps in the case of ground mounted single poles, stayed or otherwise, involve anti climbing devices and proper ducting and insulation measures for cables;~~
- ~~During construction of the site, special precautions may have to be taken in relation to traffic.~~

### **Obsolete structures**

- Where the original operator is no longer using the antennae and their support structures and no new user has been identified they should be demolished, removed and the site reinstated at the operators expense ~~(This will be a condition of any permission and a bonding arrangement to this effect will be put in place);~~
- Where the owner of a site disposes of the site to another suitably licensed operator, the original operator/owner will be required to inform the Planning Authority of such transfer so that the Authority may be in a position to readily enforce any continuing conditions on the new operator.

### **Duration of permission**

- ~~Permissions for antennae support structures and associated base stations shall only be granted for 5 years;~~
- ~~Further permissions for the facility at the end of the 5 year period shall be conditional on the provision of evidence, as necessary, to justify the continued need for the facility, given changes in technology and development of other sites in the meantime;~~
- ~~Where a subsequent permission does not include any alterations to the permitted facility, the applicant shall be required to show that no new changes in technology have come about that would allow the design (height, width, no of antennae etc.) or environmental impacts of the installation to be improved;~~
- ~~The Planning Authority shall apply more stringent conditions on any subsequent permission for the same site, if considered necessary.~~
- No time limits will be placed on the consent for a telecommunications structure other than where exceptional circumstances arise, with respect to the particulars of the site or its surrounding environment, which make only a temporary permission feasible and reasonable.
- Where a renewal of a previously temporary permission is being considered, the planning authority shall determine the application on its merits with no time limit being attached, other than where exceptional circumstances apply.



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**Summary of issues raised**

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**1. Introduction**

This submission has been prepared by Fáilte Ireland, the National Tourism Development Authority, in response to the public display of the Draft Development Plan for County Wicklow for the period 2016 – 2022. The Authority welcomes the opportunity to engage with Wicklow County Council on the emerging Plan for the County and to build on the well-established relationship between the Authority and the County Council working together in one of Ireland's prime tourism counties.

The preparation of this submission comes at a time when Fáilte Ireland are emphasising the need for land-use plans to manage all land uses and economic drivers – of which tourism is but one, in a more holistic, strategic and spatial manner to maximise the efficient use of resources and the achievement of greater outcomes for society at large.

**2. Objective of submission**

Fáilte Ireland has prepared this submission to support and assist Wicklow County Council in the formulation of planning policies and frameworks for the period 2016 – 2022. Fáilte Ireland are seeking to enhance the partnership approach between the County Council and the Authority and ensure that the expertise of both organisations is shared.

The submission seeks to enhance the policy coverage in the new Development Plan to ensure a meaningful framework is established for the enhancement of tourism in the County, and the wider Region, during the Plan period. It has been prepared with inputs from professional planners as well as various strands within Fáilte Ireland. It provides the Council with a concise single submission from the Authority dealing with all aspects of tourism – from strategic planning, to visitor experience and destination management.

The submission has been prepared having regard to the tourism profile of the County; the existing policy context in the Draft County Development Plan; and an established template for sustainable tourism policies being used by Fáilte Ireland to guide Planning Authorities.

**3. Commentary on the Draft Plan**

The Authority is generally supportive of the Draft Plan and again welcomes the opportunity to assist the County Council in the important area of policy preparation. The Authority is acutely aware of the complex range of issues that a Development Plan must tackle. It is also mindful of both the responsibilities and limitations of the prevailing legislation and the role that the Development Plan plays in a statutory context. Our submission has been fully informed by these considerations.

The key comments the Authority would like to make in respect of the current plan are as follows:

- i. The Draft Plan is well-structured and provides a comprehensive coverage of topics. The inclusion of detailed plans for settlements in the County is particularly welcome – not least as Wicklow's towns and villages are focal points of tourism and economic activity.
- ii. The vision statements (Para. 2.3) underpinning the Plan are positive – although a reference to the tourism sector under item (9) Heritage is recommended. Furthermore within Para 2.4.7 Economic Development, references to the tourism sector would be beneficial.
- iii. Within the sections of the Plan dealing with Economic Development (Section 5) additional reference to the role of the tourism sector as an economic driver would be welcome. In particular coverage should be given to tourism as a 'key sector' (para. 5.4(vii)); and also a number of new policies set out under Para. 5.5. Similarly under the section dealing with the rural economy, the absence of references to tourism is regrettable and should be addressed.

This would ensure tourism is 'planned for' like other industries and not simply relegated to sections of the Plan that deal with softer infrastructure.

- iv. The inclusion of policy RT30 which specifically deals with Retail Tourism is particularly welcome.
- v. The Draft Plan provides a dedicated chapter on tourism (Chapter 7). The introductory text estimates the value of the sector as €105m in 2013 – which clearly establishes it as a key economic driver. The overall contribution is difficult to consider in context however as an estimate of the value of the County's economy in general is not provided elsewhere and the recognition provided for the tourism sector as a key economic driver.
- vi. The range of policies currently set out in Chapter 7 – Tourism & Recreation, is comprehensive and Fáilte Ireland is generally supportive of these.
- vii. Under Section 7.2, coverage is given of the Ireland's Ancient East strategy, including a description of the growth targets established by Fáilte Ireland. This text has been superseded by more recent strategy documents [see forward to page 12]. Text in relation to the Kildare-Wicklow Destination Grand Tour is out of date and should be clarified as proposed [see forward].
- viii. The inclusion of goals and objectives for Wicklow County Tourism Ltd is also welcome. This text provides the only real profile of the industry however, so the inclusion of additional analysis is recommended. [see forward to page 15]
- ix. The strategic objectives for tourism (para. 7.3) are good, though somewhat generic in places. These would benefit from additional coverage – particularly arising from a more comprehensive evaluation of the strengths and weaknesses of the sector [see forward to page 15]
- x. The objectives for Tourism and Recreation are specifically assessed in the second section of this report which includes specific amendments, as proposed.
- xi. The policies set out in Chapters 10 and 11 in particular, go to great lengths to protect and enhance much of what is special and unique about Wicklow – which is extremely positive from the point of view of the County's tourism resource

#### **4. Proposals for the Wicklow County Development Plan**

We have prepared this part of the submission drawing on existing strategies for the enhancement and management of tourism in the County. Proposed statements are based on identified gaps in policy coverage and recommended good practice in the area of sustainable tourism. We have set out explanatory text for discussion among the plan-writing team and then included text intended for consideration as a direct insert to the Plan itself.

#### **Chapter 2 – Vision & Core Strategy**

##### **(i) Para 2.4.7**

Amend text under the bullet points to add:

*In addition to these objectives, Wicklow County Council is committed to the enhancement of sectors of the economy – such as the tourism and recreation sector, that protect, promote and enhance the natural resources of the County making it a nicer place to live and visit.*

#### **Chapter 5 - Economic Development**

##### **(i) Para 5.4 (viii)**

Amend text to build on the preceding paragraph is recommended as follows:

## **The Tourism and Recreational Sector**

*This is an important sector of activity in the County – and one which has the added benefit of acting as an external economic driver and also significantly improving the quality of life of the residents of the County.*

*New innovation in the area during the life of the Plan includes the implementation of the new umbrella destination brand - Ireland's Ancient East, by Fáilte Ireland. The brand is rooted in the rich history and diverse range of cultural heritage experiences that are particularly prevalent in the East and South regions of Ireland. The new destination brand has been designed to appeal to the key target markets and to present this large geographic area in a cohesive and unified manner.*

### **(ii) Para 5.5**

Amend new policy in relation to the tourism sector:

### **EMP23: Tourism Development**

*To facilitate the expansion of the County's tourism sector in line with the principles and policies of sustainable tourism, and in accordance with the general policies and objectives set out herein.*

## **Chapter 7 – Tourism & Recreation**

### **(i) Section 7.1 Introduction**

The introductory text to Chapter 7 requires additional detail to provide a more detailed assessment of the needs of the tourism sector within the lifetime of the Plan. Based on the assessments undertaken by Fáilte Ireland, the addition of the following text is recommended after the second paragraph in Para. 7.1.

It is further recommended that the value of the sector is put in the context of overall economic activity and expressed as a % of the County's annual economic activity (or GDP).

Proposed text, after second paragraph in Para. 7.1:

*Wicklow's close proximity to Dublin offers significant opportunities to expand the existing tourism offer and brand for the County. With Dublin's increasing importance as a popular destination for city-breaks, Wicklow's scenic beauty and rich built- and natural-heritage provide opportunities to attract visitors from the nearby City-region. Furthermore, the County can benefit from the constrained capacity of the Capital City and act as an accommodation base for those visiting Dublin and the east.*

*While Wicklow is a particularly attractive location for day-trippers, the additional enhancement of the visitor experience is needed to increase dwell-time – particularly in the east and south of the County, and ensure the County fully benefits from growth in the tourism sector. The implementation of the Ireland's Ancient East strategy aims to ensure that visitors are aware of, and directed to, a broader range of attractions across the County, thereby better managing visitor numbers at sites. A phased signage programme will ensure better orientation to sites and also cross-selling of facilities and products. Wicklow County Council will give to the maintenance and improvement of routes and corridors that link sites; the availability of transport links (particularly public transport) between attractions; and the enhancement of facilities proximate to each route – including accommodation, facilities and flag-ship events, to ensure the visitor experience is well-rounded and highly attractive.*

## **(ii) Section 7.2 Context –Failte Ireland Strategies**

Proposed text

*To offer visitors a compelling motivation to visit the east of Ireland, Fáilte Ireland has developed a new umbrella destination brand called Ireland's Ancient East. The brand is rooted in the rich history and diverse range of cultural heritage experiences that are particularly prevalent in the East and South regions of Ireland. The new destination brand has been designed to appeal to the key customer segments – namely the Culturally Curious and the Great Escapers, and to present this large geographic area in a cohesive and unified manner.*

*The key strategic objectives of the Ireland's Ancient East initiative are:*

- To drive growth in international visitor numbers, tourism revenue and associated tourism employment in the regions which currently underperform in these areas.*
- To move Ireland's east and south from a transit and day tripping zone to a destination which attracts international overnight visitors.*
- To develop a world class visitor experience, which delivers fully on the brand promise.*
- To differentiate the Ireland's East and South destination, within the international tourism marketplace, on the basis of the quality of its heritage experiences and a clear and memorable narrative, which links all experiences within it.*
- To disperse visitor traffic across the geography by encouraging the exploration of both the well-known attractions (in some cases congested) and lesser known sites and experiences (hidden gems).*
- To ensure Ireland's Ancient East is delivered in accordance with the principles of sustainable tourism, ensuring that economic, social and environmental benefits are delivered in a balanced way.*

*During the life-time of this Plan there will be a phased roll-out of the branding strategy, with investment in orientation signage and the enhancement of the visitor experience, across the programme area.*

**Reason:** The strategy will develop Ireland's Ancient East as a destination is easy for the independent visitor to explore, interpret, understand and appreciate. The implementation strategy will deal with on-the-ground information as well as promotional aspects of the brand and the accessibility of sites possibly including mechanisms for pre-booking, ticketing and improved management. The strategy will enhance the visitor experience by promoting innovation in product development including in the delivery of information through foreign languages and using digital technology where appropriate. Wicklow County Council and Fáilte Ireland will also liaise on other Kildare-Wicklow experiences that are fit for purpose and deliver on the Ireland's Ancient East brand promise.

**Note:** text in relation to the Kildare-Wicklow Grand Tour is out-of-date and should be excluded. That initiative is addressed by the last sentence proposed above.

## **(iii) Section 7.2 Context – Failte Ireland Strategies**

Fáilte Ireland promotes the incorporation of the principles of sustainable in the tourism policy section of the County Development Plan. The following five principles have been prepared to encapsulate the need to achieve a balance between appropriate tourism development and economic, environmental and social sustainability.

Proposed text, under Fáilte Ireland Strategies in Para. 7.2:

### ***Fáilte Ireland's Guidance on Sustainable Tourism***

*Fáilte Ireland have developed five key principles that ensure developments achieve a balance between appropriate tourism development and economic, environmental and social sustainability. Developments will be assessed having regard to compliance with these, and the associated policies:*

**Principle 1:** *Tourism, when it is well managed and properly located, should be recognised as a positive activity which has potential to benefit the host community, the place itself and the visitor alike. Sustainable tourism planning requires a balance to be struck between the needs of the visitor, the place and the host community.*

**Principle 2:** *Our landscapes, our cultural heritage, our environment and our linguistic heritage all have an intrinsic value which outweighs their value simply as a tourism asset. However sustainable tourism planning makes sure that asset. However, they can continue to be enjoyed and cherished by future generations and not prejudiced simply by short term considerations.*

**Principle 3:** *Built development and other activities associated with tourism should in all respects be appropriate to the character of the place in which they are situated. This applies to the scale, design and nature of the place as well as to the particular land use, economic and social requirements of the place and its surroundings.*

**Principle 4:** *Strategic tourism assets –including special landscapes, important views, the setting of historic buildings and monuments, areas of cultural significance and access points to the open countryside, should be safeguarded from encroachment by inappropriate development.*

**Principle 5:** *Visitor accommodation, interpretation centres, and commercial / retail facilities serving the tourism sector should generally be located within established settlements thereby fostering strong links to a whole range of other economic and commercial sectors and sustaining the host communities. Sustainable tourism facilities, when properly located and managed can, especially if accessible by a range of transport modes, encourage longer visitor stays, help to extend the tourism season, and add to the vitality of settlements throughout the year.*

*Underlying these the principles for Sustainable Tourism, the definitions of economic, environmental and social sustainability against which any tourism project assessed are defined as follows:*

**Economic sustainability** *must be considered to ensure that the tourism sector is managed. The key strengths of the County include landscape, heritage, natural environment, lifestyle and amenity pursuits. The sector is highly affected by seasonality and there are extremes in visitor numbers at key attractions contrasted with smaller attractions which struggle to maintain visitor numbers. These 'peaks and troughs' should be carefully managed to ensure the protection of natural resources. Tourism innovation should also be encouraged – particularly where it brings about environmental benefits. Finally, for projects to be economically sustainable they should meet the needs of the permanent and also visitor population alike, so the preparation of robust business plans for all such developments will ensure proposals are viable and sustainable.*

**Environmental sustainability** *will be central to the development and protection of a viable tourism sector and this is a key consideration in the County where tourism attractions are located in environmentally sensitive areas and close to historic areas where the quality of the built heritage and environment must be protected from inappropriate development – whether tourism related or not. The 'mainstreaming' of policy guidance tools such as the Strategic Environmental Assessment (SEA) will undoubtedly address any deficits in relation to many of these key policy areas.*

**Social Sustainability** *is arguably more difficult to assess. Man arguably difficult assess. Many of the potentially negative impacts of tourism development can however be addressed through careful consideration of the social and cultural nature of the receiving environment. The impacts that large-scale developments can have on existing local communities policies can be assessed having regard*

to the impact of visitor numbers on local quality of life, culture and heritage – with a particular emphasis placed on unique areas such as culturally sensitive areas where small impacts over time may have a significant cumulative effect.

#### (iv) Section 7.3 Strategy for Tourism & Recreation

'Strategic Objectives' to be restated as follows (new text shown as underlined):

##### Strategic Objectives

- To facilitate the expansion of existing and the development new tourism and recreation related development, *in line with the principles and policies for sustainable tourism;*
- To facilitate Fáilte Ireland and Wicklow County Tourism initiatives for the development of tourism in the County including ~~the Kildare-Wicklow Destination 'Grand Tour' and 'Ireland's Ancient East'~~ initiative *and other Kildare- Wicklow experiences that are fit for purpose and deliver on the Ireland's Ancient East brand promise, within the context of land-use management and infrastructural provision in the County;*
- *To integrate the County's transport and tourism strategies to promote increasingly sustainable travel patterns among visitors to the County;*
- To identify strategic sites capable of accommodating new tourism ventures while also ensuring the preservation of the natural landscape of the area.
- To ensure the effective management and enhancement of the appearance of the key settlements within the County;
- To protect Wicklow's principal strengths and capitalise on the distinct tourism and recreational attractions that are on offer – scenic beauty, woodlands and waterways, coastal areas and beaches, and built and natural heritage;
- To facilitate the development of alternative tourism products within the County such as eco tourism, craft /artisan centres, *having regard to the ability of an applicant to demonstrate compliance with the principles and policies of sustainable tourism;*
- To preserve the character and distinctiveness of scenic landscaped as described in the Landscape Categories of the County set out in Chapter 10;
- To ensure a focus on high quality tourism and recreation ~~products~~ *facilities that are of benefit to visitors and the community alike;*
- To protect the environmental quality of the County.

#### (v) Section 7.4 Tourism & Recreation Objectives

##### Objective Comment

**T1, T2** Good general objectives

**T3** Good objective but would be strengthened to an additional reference to sustainability as follows:  
"To generally require tourism and recreation related developments to locate within existing towns and villages, except where the nature of the activity proposed renders this unfeasible or undesirable. Within existing towns and villages, the Planning Authority will promote and facilitate the development of tourist related uses at appropriate sites. *In all cases, the applicant must submit a robust assessment setting out the sustainability of any proposal with respect to economic, environmental and social sustainability, as defined herein.*"

**T4** Somewhat repetitive with T3 but a statement with merit nonetheless.

**T5** Good policy that would be strengthened with added text (underlined) in the last sentence to read:

*"The additional use shall be located adjacent to the tourism facility, and avail of shared infrastructure and services, insofar as possible."*

**T6** Robust statement that reads well with LCA policies

**T7** Good policy that would be strengthened with added text (underlined) in the first sentence to read:  
*"To favourably consider proposals for tourism and recreation related development, which involve the reinstatement, conservation and / or replacement of existing disused buildings, and to adopt a positive interpretation to plan policies to encourage such developments."*

**T8 – T19** Good general objectives

**T20** Good site-specific objective

**T21, T22** Good general objectives that will assist in the development of new facilities.

**T23** Well intentioned objective but very restrictive in terms of possible new uses – which may inhibit the development of a good range of uses and innovative approaches.

Alternatively text could read as follows:

*"T23 The Planning Authority will encourage the opening up of heritage Country houses (such as Derrybawn House, Laragh (see Map 07.09)) for sympathetic uses including – but not limited to, as places of Retreat, Study and Education subject to the following criteria being fulfilled:"*

**T24 –T26** Good general objectives

**T27** Good objective – although a definition of 'eco-tourism' would be helpful as this is a branding that many project tend to rely on but which may also be overly-relied upon.

**T28** Good general objective

**T29, T30** Good site-specific objective

**T31** Good objective which would benefit from explicit reference to the Ireland's Ancient East strategy and also updated text as to the focus of the strategy

**T32** Good objective that would be strengthened with added text (underlined) in the first sentence to read:

*"To support the longterm development of Avoca Mines as a tourist attraction having regard to the public safety issues associated with such brownfield sites."*

**T33, T34** Good general objectives

**T35** New statement proposed as follows

*To work with Fáilte Ireland on the development of the Ireland's Ancient East branding strategy. As part of that process Wicklow County Council will liaise with the Authority on the development of the overarching strategy, as well as any smaller scale plans or programmes that are prepared to give effect to that strategy. Wicklow County Council will consult with the Authority as required, on the assessment of any such plans, programmes or policies to ensure they are adequately screened or assessed in full compliance with Directives including the SEA Directive and the Habitats Directive.*

## T36 New statement

*To support the implementation of the Ireland's Ancient East programme by Fáilte Ireland, by facilitating the provision of orientation information within the IAE programme area – in line with the policies and objectives with respect to heritage sites; and integrating the objectives of that programme with transport programmes in the County.*

*With respect to transport, Wicklow County Council will play a key role as a Roads Authority in ensuring that the links between sites are well maintained, signposted and managed. The County Council will liaise with public and private transport providers (including coach touring companies) to facilitate access and parking arrangements at visitor sites, while protecting the integrity of the County's resources. The County Council will facilitate information boards and displays to give effect to the strategy on the ground and ensure the tourism sector of the County realises its full potential.*

### Chief Executive's response

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1. Noted

2. Noted

3. (i) Noted

(ii) It is not considered appropriate to make reference to the tourism sector under the 'heritage' goal set out in Section 2.3 – this goal is related to heritage only and not its interactions with tourism or other activities. There is a separate goal with regard to employment and economic activity, under which tourism is considered to fall, along with all other economic activities none of which are specifically highlighted or prioritised over another. Similarly, Section 2.4.7 addresses all economic and employment activities and therefore it is not considered appropriate to highlight or priorities tourism specifically.

(iii) In Chapter 5 of the plan, addressing economic development generally, there are 17 references to tourism and tourists - this is significantly more than any other sector. Furthermore, the tourism sector has its own stand alone chapter in the plan, which no other economic sector has. It is agreed however that the tourism sector should be included in Section 5.4 (viii) – 'Supporting key sectors for growth'. Tourism is not specifically included in the part of Chapter 5 addressing the 'Rural Economy' because the plan includes a stand alone chapter for tourism, and therefore Chapter 5 focuses on the other aspects of rural economic development, such as farming and forestry. It is considered that additional text should be inserted into the introduction to this section just to make this clear.

It is not correct that tourism is not considered an integral part of the economic development strategy for the County and that objectives relating to same are somehow relegated to 'softer' sections of the plan – tourism has its own stand alone chapter and it not hidden away in a 'softer' location of the plan.

(iv) Noted

(v) Point noted – data on the overall Wicklow economy has not been possible to source, but when compared to the value of output from Wicklow's agricultural sector (€150m) and forestry sector (€3.6m), the tourism sector is clearly a substantial economic sector.

(vi) Noted

(vii) Noted

(viii) Noted

(ix) While it is accepted that some of the objectives are general in nature, it must be remembered that this is a strategic land use plan and must be relevant and applicable to a whole range of activities and development and therefore often requires a broad brush approach. With regard to the plan including more detailed analysis of the tourism sector, this is considered unnecessary and inappropriate as this is a strategic land use plan and not a tourism plan; the role of the County Development Plan is provide a land use framework within which



various project may be delivered, not to determine what projects types exactly or locations that should be developed. This appears to be an overall failing of this submission from Failte Ireland generally – the lack of understanding of the role of a land use plan compared to a County tourism plan.

(x) Noted

(xi) Noted

#### **4. Chapter 2**

- (i) The objectives listed Section 2.4.7 are those objectives for economic development that are set out for Wicklow in the NSS and RPGs (this is the section of the plan addressing consistency with these higher level strategies). Therefore random new objectives, no matter how laudable, cannot be inserted into this section. Therefore no change is recommended.

#### **Chapter 5**

- (i) While it is agreed that the Tourism & Recreational sector should be identified in this section, the text suggested is not considered acceptable as it reads more as marketing jargon for the project *du jour* – ‘Ireland’s Ancient East’. It is considered more appropriate for the plan to indicate that its objectives will support and facilitate development that would contribute to the achievement of Failte Ireland strategies for the County and region and for specific development types, but not for a named current initiative, which could well be replaced or modified during the lifetime of this development plan.
- (ii) It is not considered necessary to add a new objective EMP23 into Chapter 5 as suggested as there is an entire chapter of the plan devoted to tourism and recreation, and this is where the strategies and objectives for this sector are set out, not in Chapter 5.

#### **Chapter 7**

- (i) While there is much in the suggested text that is useful and should be integrated into the plan, much of the second paragraph again reads as marketing for the ‘Ireland’s Ancient east’ programme and should not be included. As set out above, this current programme could well be discontinued or amended during the lifetime of the plan and reference to same could therefore render this County Development Plan out of date. Furthermore, the County Development Plan is not an advertising vehicle for Failte Irelands’ projects; it is a land use framework.  
Furthermore, the text suggested also appears to suggesting that Wicklow County Council will commit resources to developing transport routes, public transport, accommodation and other facilities to support this programme. It is clearly outside of the remit of a County Development Plan to commit to such measures and their concomitant resources. Additional text is therefore recommended, but an amended version to that suggested by Failte Ireland.
- (ii) It is considered that the text supplied by Failte Ireland better describes the ‘Ireland’s Ancient East’ strategy and therefore amendment to this section is recommended

- (iii) The suggested text with respect to sustainable tourism principles is considered to be of value and should be integrated into the plan.
- (iv) The suggested changes to the tourism strategic objectives are noted and a number are considered worthy of integration.
- (v) Tourism & Recreation Objectives

**T3** Suggested amendment is considered acceptable.

**T5** Suggested amendment is considered acceptable.

**T7** Suggested amendment is considered acceptable.

**T23** Suggested amendment is considered acceptable.

**T27** It is agreed that 'eco tourism' should be defined / described

**T31** It is not considered that explicit reference to the Ireland's Ancient East strategy is appropriate as per the reasons already set out in this response.

**T32** It is not considered appropriate to make reference to the tourism potential of the Avoca Mines as being a long term objective, as there is potential for short and medium terms project associated with the non-hazardous area of the mines and the lands surrounding. Therefore no change is recommended

**T35** The inclusion of the requested new objective T35 is not appropriate for a land use plan as it relates to operational, not land use matters, in terms of working relationship, consultation etc. therefore no changes are recommended. It is considered that this issue would be more matter for the LECP.

**T36** The inclusion of the requested new objective T35 is not appropriate as again it refers to operational matters with regard to the road programme and traffic management in the County. Furthermore, the plan already supports the implementation of Failte Ireland's strategies and programmes, and therefore there is no need to specifically state that the signage and roads supports required to implement the strategies will be supported and facilitated.

## **Chief Executive's recommendations**

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### **AMENDMENT 12**

#### **Chapter 5, Section 5.4 (viii)**

##### **(viii) Supporting key sectors for growth**

Through the research and analysis undertaken for both the LECP and the Think Tank, it is clear that certain sectors / industries have great potential in County Wicklow, above other locations. While this plan will support the development of all sectors/industries within the County subject to normal planning criteria, the following key sectors have been identified, with this plan setting out particular policy supports for the future growth of these areas.

The key sectors identified within the County include:

**The film industry** - Wicklow is an important centre for film making, based largely on the presence of Ardmore Studios in Bray and Ashford Studios located on the outskirts of the town of Ashford. The industry contributes significantly to direct and indirect employment and also contributes to the international image of the County. The 'Think Tank' action plan identifies the development of a film industry cluster in County Wicklow (a hub for film making and ancillary industries) as a real opportunity to drive investment and job creation in the County. It is envisaged that the development of the film industry cluster will enable the County to realise the potential value from film making directly, plus film tourism, accommodation services and other support services.

It is envisaged within the action plan that the effective management of this key employment sector could leverage up to €1bn in inward investment and up to 5,000 direct and indirect jobs within the County.

**Food sector** - Within Wicklow there is an established cluster of artisan / SME Food processing companies, estimated to be in excess of 35 companies, with potential for growth. In addition there is vibrant food service industry in the County, many being customers of the artisan segment. To date businesses across this sector largely operate independently with no forum for mutually beneficial collaborative projects. Collaboration between the food service sector and the local producers could lead to enhanced employment opportunities. Local cooperative processing may also be a solution to overcome the prohibitive cost of investment in food processing facilities for individual small companies acting alone.

**Maritime** - The maritime sector in Wicklow benefits from a host of assets capable of supporting a range of maritime activities including: maritime services, shipping services, repair and maintenance services, tourism. A proactive approach is required if the potential economic opportunities for these assets are to be identified and realised.

**Wholesale, retail trade, transportation and storage** – This sector forms the largest industrial group within the County. In regard to wholesale and retail sector significant opportunities to develop this area arise from the identified expenditure outflows from the County in particular to Dublin. Measures specifically addressing this sector are set out in the County Retail Strategy contained in this plan.

From a transportation and storage sector perspective the locational strengths of Wicklow offer significant opportunities for the expansion of this sector. The County's positioning along the east coast 'strategic transportation corridor', made up of the N11 / M11 and the Dublin to Rosslare rail line creates excellent connectivity between ports within the County and between the County and the ports in Dublin and Rosslare. These connections ensure Wicklow's role as a key entry point to the Greater Dublin Region with the potential to facilitate the expansion of existing or create new spin off industries within this sector.

The promotion of the Leinster Outer Orbital Route connecting the N11 and the east of the County (Arklow town/port) to the west of the County and the major national primary routes within Kildare namely the M9 and M7 create further potential for the expansion of this sector with ease of accessibility to the north and south of the Greater Dublin Region.

**Information and communications technology** – The information and communications sector forms the second largest industrial group in Wicklow. With Ireland being a technology hub of choice for many when it comes to attracting the strategic business activities of ICT companies, significant opportunities exist to develop this sector with the County. The presence of Clermont College and its

envisaged expansion as a third level centre of excellence alongside Wicklow's highly educated workforce further enhance the attractiveness of the County to prospective new companies within the ICT sector maximising the potential of the County.

**Tourism and recreation** – Tourism and recreation make a positive contribution to the economic and social wellbeing of County Wicklow. In 2013, income from tourists and visitors to Wicklow was in the region of €105m, with over 65% of this income coming from overseas visitors. The increase in income from domestic visitors rose by over 15% between 2010 and 2014, the highest rate of increase in the region.

The County's tourism and recreational attractions are important assets, which form the basis of the County's tourism industry and which are fundamental to the enjoyment of the County by both visitors and residents. Attractions range from areas of scenic beauty, which provide attractive natural bases for outdoor pursuits, such as the Wicklow Mountains, which comprise mountain peaks, valleys, rivers and lakes, the coastline with long stretches of sandy beaches and dunes and the numerous woodlands. The County has a rich heritage of archaeological and historical sites, manor homes and gardens, and attractive towns and villages. In addition, there are a number of golf and resort hotels, and adventure centres, which are within driving distance of Dublin that are attracting increasing numbers of visitors and business related events.

## **AMENDMENT 15**

### ***Chapter 5, Section 5.6 - Objectives for Wicklow's Rural Economy***

The objectives in this section are focused on the forms of rural development that are employment and wealth generating (other than tourism, which is addressed separately in Chapter 7 of this plan). Improving the rural economy is only one strand that needs to be addressed in order to result in a strong rural community that is socially, economically and environmentally sustainable. The issues of social wealth and environmental protection are addressed in Chapters 8 and 10 of this plan, and therefore these objectives should be considered dually with the objectives set out in this chapter.

## **AMENDMENT 25**

### **Chapter 7, Section 7.1 Introduction**

#### **7.1 Introduction**

Tourism and recreation make a positive contribution to the economic and social wellbeing of County Wicklow. In 2013, income from tourists and visitors to Wicklow was in the region of €105m, with over 65% of this income coming from overseas visitors. The increase in income from domestic visitors rose by over 15% between 2010 and 2014, the highest rate of increase in the region.

The County's tourism and recreational attractions are important assets, which form the basis of the County's tourism industry and which are fundamental to the enjoyment of the County by both visitors and residents. Attractions range from areas of scenic beauty, which provide attractive natural bases for outdoor pursuits, such as the Wicklow mountains, which comprise mountain peaks, valleys, rivers and lakes, the coastline with long stretches of sandy beaches and dunes and the numerous woodlands. The County has a rich heritage of archaeological and historical sites, manor homes and gardens, and attractive towns and villages. In addition, there are a number of golf and resort hotels, and adventure centres, which are within driving distance of Dublin that are attracting increasing numbers of visitors and business related events.

Wicklow's close proximity to Dublin offers significant opportunities to expand the existing tourism offer and brand for the County. With Dublin's increasing importance as a popular destination for city-breaks, Wicklow's scenic beauty and rich built and natural heritage provide opportunities to attract visitors from the nearby City region. Furthermore, the County can benefit from the constrained capacity of the capital city and act as an accommodation base for those visiting Dublin and the east.

While Wicklow is a particularly attractive location for day trippers, the additional enhancement of the visitor experience is needed to increase dwell time – particularly in the east and south of the County, and ensure the County fully benefits from growth in the tourism sector. The implementation of strategies and programmes by the tourism agencies aim to ensure that visitors are aware of, and directed to, a broad range of attractions across the County, thereby better managing visitor numbers at sites.

Although the County must continue to provide for the positive development of tourism and recreational assets, it is necessary that these facilities are managed in a sustainable manner so as to protect against any potential detrimental impacts on the environment and local communities. In this respect, the Planning Authority is aware that development can damage and destroy the assets it seeks to exploit, in particular through excessive visitor numbers, inappropriate development, various types of pollution and other forms of adverse impact. The relationship between tourism / recreation and the environment must be managed in a way that continues to support local communities and remains viable in the long term.

This chapter will aim to promote and facilitate the development of a sustainable tourism and recreation and will set out objectives to deal with land use matters pertaining to the planning and development of the tourism and recreation sectors, including general matters, tourism related developments including tourist accommodation, facilities and interpretive centres, integrated tourism/leisure/recreational complexes, tourist / recreational infrastructure and the promotion of specific tourist themes and products.

## **AMENDMENT 26**

### **Chapter 7, Section 7.2 Context**

#### **Faite Ireland Strategies**

~~Faite Ireland, the national tourism development authority, aims to guide and promote tourism as a leading indigenous component of the Irish economy and has developed the following strategies:~~

~~**Ireland's Ancient East** – This strategy is an initiative along the lines of the 'Wild Atlantic Way' in the west of Ireland, which focuses on the history and heritage of the eastern region. The strategy is themed along four pillars – ancient Ireland, early Christian Ireland, Medieval Ireland and Anglo Ireland. The scheme which is to be rolled out in 2016 has the potential to deliver an extra 600,000 overseas visitors (growth of more than 20%) to the region and increased visitor revenue by almost 25% to €950m in total by 2020.~~

~~**Kildare-Wicklow Destination Grand Tour** – The counties of Kildare and Wicklow have been identified as one of 10 key destinations by Fáilte Ireland for the development of tourism in the Country. It is envisaged that this strategy will form a key element of the broader 'Ancient East' initiative with the destination containing the necessary concentration of product, attractions and accommodation to become a tourism destination of significance.~~

~~Wicklow's proximity to Dublin offers significant latent potential to grow and attract visitor numbers and revenue. The overall aim of the strategy is for Kildare and Wicklow to capitalise on their geographical location in order to draw more visitors into the area, staying for longer periods and experiencing the range of product on offer. The strategy aims to do this through a coordinated and cooperative approach with Fáilte Ireland as facilitator to enhance, develop and create new products, services and amenities that will result in new innovations and a competitive destination for overseas and domestic visitors.~~

~~The key actions set out in the strategy aim to:~~

- ~~• Maintain and improve existing infrastructure;~~
- ~~• Provide a high quality workforce with strong communication skills;~~
- ~~• Develop a defined tourism product; and~~
- ~~• Develop a strong marketing campaign for the destination.~~

Faile Ireland, the national tourism development authority, aims to guide and promote tourism as a leading indigenous component of the Irish economy. Its current strategy for Wicklow is encompassed in the 'Ireland's Ancient East' programme.

The purpose of this strategy is to offer visitors a compelling motivation to visit the east of Ireland through the development a new umbrella destination brand. The brand is rooted in the rich history and diverse range of cultural heritage experiences that are particularly prevalent in the east and south regions of Ireland. The new destination brand has been designed to appeal to the key customer segments – namely the Culturally Curious and the Great Escapers, and to present this large geographic area in a cohesive and unified manner.

The key strategic objectives of the Ireland's Ancient East initiative are:

- To drive growth in international visitor numbers, tourism revenue and associated tourism employment in the regions which currently underperform in these areas.
- To move Ireland's east and south from a transit and day tripping zone to a destination which attracts international overnight visitors.
- To develop a world class visitor experience, which delivers fully on the brand promise.
- To differentiate the Ireland's East and South destination, within the international tourism marketplace, on the basis of the quality of its heritage experiences and a clear and memorable narrative, which links all experiences within it.
- To disperse visitor traffic across the geography by encouraging the exploration of both the well-known attractions (in some cases congested) and lesser known sites and experiences (hidden gems).
- To ensure Ireland's Ancient East is delivered in accordance with the principles of sustainable tourism, ensuring that economic, social and environmental benefits are delivered in a balanced way.

During the lifetime of this Plan there will be a phased roll-out of the branding strategy, with investment in orientation signage and the enhancement of the visitor experience, across the programme area.

## AMENDMENT 27

### Chapter 7, Section 7.3 Strategy for Tourism & Recreation

#### Strategic Objectives

- To facilitate the expansion of existing and the development new tourism and recreation related development, **in line with the principles for sustainable tourism set out to follow;**
- To facilitate Fáilte Ireland and Wicklow County Tourism initiatives for the development of tourism in the County ~~including the Kildare-Wicklow Destination 'Grand Tour' and 'Ireland's Ancient East' initiative~~
- **To integrate the County's transport and tourism strategies to promote increasingly sustainable travel patterns among visitors to the County;**
- To identify strategic sites capable of accommodating new tourism ventures while also ensuring the preservation of the natural landscape of the area.
- To ensure the effective management and enhancement of the appearance of the key settlements within the County;
- To protect Wicklow's principal strengths and capitalise on the distinct tourism and recreational attractions that are on offer – scenic beauty, woodlands and waterways, coastal areas and beaches, and built and natural heritage;
- To facilitate the development of alternative tourism products within the County such as eco tourism, craft /artisan centres, **having regard to the ability of an applicant to demonstrate compliance with the principles of sustainable tourism;**
- To preserve the character and distinctiveness of scenic landscaped as described in the Landscape Categories of the County set out in Chapter 10;
- To ensure a focus on high quality tourism and recreation ~~products~~ **facilities that are of benefit to visitors and the community alike;**
- To protect the environmental quality of the County.

Subject to the proper planning and sustainable development of an area, and subject to compliance with all other objectives of this plan, it is the objective of the Planning Authority to favourably consider development proposals that contribute towards the achievement of these strategic objectives.

Fáilte Ireland have developed five key principles that ensure developments achieve a balance between appropriate tourism development and economic, environmental and social sustainability. Developments will be assessed having regard to compliance with these, as well as the listed objectives set out in Section 7.4 to follow.

**Principle 1:** Tourism, when it is well managed and properly located, should be recognised as a positive activity which has potential to benefit the host community, the place itself and the visitor alike. Sustainable tourism planning requires a balance to be struck between the needs of the visitor, the place and the host community.

**Principle 2:** Our landscapes, our cultural heritage, our environment and our linguistic heritage all have an intrinsic value which outweighs their value simply as a tourism asset. However sustainable tourism planning makes sure that they can continue to be enjoyed and cherished by future generations and not prejudiced simply by short term considerations.

**Principle 3:** Built development and other activities associated with tourism should in all respects be appropriate to the character of the place in which they are situated. This applies to the scale, design

and nature of the place as well as to the particular land use, economic and social requirements of the place and its surroundings.

**Principle 4:** Strategic tourism assets –including special landscapes, important views, the setting of historic buildings and monuments, areas of cultural significance and access points to the open countryside, should be safeguarded from encroachment by inappropriate development.

**Principle 5:** Visitor accommodation, interpretation centres, and commercial / retail facilities serving the tourism sector should generally be located within established settlements thereby fostering strong links to a whole range of other economic and commercial sectors and sustaining the host communities. Sustainable tourism facilities, when properly located and managed can, especially if accessible by a range of transport modes, encourage longer visitor stays, help to extend the tourism season, and add to the vitality of settlements throughout the year.

Underlying these principles for Sustainable Tourism, the definitions of economic, environmental and social sustainability against which any tourism project assessed are defined as follows:

**Economic sustainability** must be considered to ensure that the tourism sector is managed. The key strengths of the County include landscape, heritage, natural environment, lifestyle and amenity pursuits. The sector is highly affected by seasonality and there are extremes in visitor numbers at key attractions contrasted with smaller attractions which struggle to maintain visitor numbers. These 'peaks and troughs' should be carefully managed to ensure the protection of natural resources. Tourism innovation should also be encouraged – particularly where it brings about environmental benefits. Finally, for projects to be economically sustainable they should meet the needs of the permanent and also visitor population alike, so the preparation of robust business plans for all such developments will ensure proposals are viable and sustainable.

**Environmental sustainability** will be central to the development and protection of a viable tourism sector and this is a key consideration in the County where tourism attractions are located in environmentally sensitive areas and close to historic areas where the quality of the built heritage and environment must be protected from inappropriate development – whether tourism related or not.

**Social Sustainability** is arguably more difficult to assess. Many of the potentially negative impacts of tourism development can however be addressed through careful consideration of the social and cultural nature of the receiving environment. The impacts that large-scale developments can have on existing local communities' policies can be assessed having regard to the impact of visitor numbers on local quality of life, culture and heritage – with a particular emphasis placed on unique areas such as culturally sensitive areas where small impacts over time may have a significant cumulative effect.

## **AMENDMENT 28**

### **Chapter 7, Section 7.4 Tourism & Recreation Objectives**

- T3** To generally require tourism and recreation related developments to locate within existing towns and villages, except where the nature of the activity proposed renders this unfeasible or undesirable. Within existing towns and villages, the Planning Authority will promote and facilitate the development of tourist related uses at appropriate sites. **In all cases, the applicant must submit a robust assessment setting out the sustainability of any proposal with respect to economic, environmental and social sustainability, as defined herein.**



- T5** The additional use shall be located adjacent to the tourism facility, and avail of shared infrastructure and services, insofar as possible.
- T7** To favourably consider proposals for tourism and recreation related development, which involve the reinstatement, conservation and / or replacement of existing disused buildings, and to adopt a positive interpretation to plan policies to encourage such developments.
- T23** The Planning Authority will encourage the opening up of heritage Country houses (such as Derrybawn House, Laragh (see Map 07.09)) for sympathetic uses including – but not limited to, places of Retreat, Study and Education subject to the following criteria being fulfilled:
- T27** To encourage eco-tourism<sup>16</sup> projects or those tourism projects with a strong environmentally sustainable design and operational ethos.
- T32** To support the development of Avoca Mines as a tourist attraction having regard to the public safety issues associated with such brownfield sites.

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<sup>16</sup> Ecotourism is now defined as "responsible travel to natural areas that conserves the environment, sustains the well-being of the local people, and involves interpretation and education" (**International Ecotourism Society** TIES, 2015). Education is meant to be inclusive of both staff and guests.

### Summary of issues raised

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This submission refers specifically to proposed addition / deletion / amendment to the Record of Protected Structures (RPS). The Irish Geological Heritage Programme of the GSI has the following comments for several localities in County Wicklow.

1. It is requested that under the proposed RPS amendments /additions AMD4, AMD5, AMD6 and ADD6 to ADD16 inclusive, concerning the Ballymurtagh, Connary Upper, East Avoca and Tigroney West Avoca Mine Areas, it be stated that these areas, including the spoil heaps, have been recognized as County Geological Sites (Avoca - Connary, Cronebane, Tigroney East, Tigroney West, West Avoca, Sroughmore) in the CDP and should retain due consideration and protection from inappropriate development.
2. The reason for the amendment under DEL3, Cronebane and East Avoca, that 'These features are included as a County Geological Site in the CDP and afforded more appropriate protection' is duly noted and welcomed.

### Chief Executive's response

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1. In order to respond fully to this submission, it is necessary to provide some context and detail about the proposed amendments, deletions and additions proposed with respect to the Avoca Mines.

**Context:** The current RPS includes many features and structures associated with the historic as well as the more recent stages of mining activity at Avoca. The former mining area is extensive, extending to the east and west sides of the Avoca River and includes features in the townlands of Ballymurtagh, Tigroney West, Connary Upper, Cronebane, and Ballymoneen. Mining activity spanned over 250 years, ceasing in 1982, at which time the majority of lands were transferred into state ownership, principally to the Department of Communications, Energy and Natural Resources (DCENR). Wicklow County also owns some parcels of land within the mining area and there are a small number of private owners.

Having regard to submissions made on behalf of the DCENR, including a conservation assessment, it is proposed to make amendments to the RPS in order to clarify the location and nature of features of special interest in the RPS. It is intended that these amendments will assist the DCENR in implementing its current programme of priority safety works, while at the same time ensuring that appropriate protection is afforded those features within the former mining landscape which contribute to its historical, scientific, architectural, technical or social interest. These amendments deal principally with the structures and features on state owned land.

These are the proposed **AMENDMENTS** of relevance to this submission

#### AMD4 relates to entry 35-03

*Current Description: Old mining office, tramway arch, Western Whim engine house, twin shafts, engine house and chimney stack north, twin shafts chimney stack base south. Tramway engine house stack, drawing shaft engine house, chimney at incline, engine house and Ballygahan engine house, spoil heaps and disturbed ground.*

#### **Amendment 1:** Descriptive wording

- In interests of accuracy, amend wording from '*drawing shaft engine house*' to Twin Shafts Engine House and Chimney Stack North
- In interests of accuracy, amend wording from '*twin shafts chimney stack base south*' to Twin Shafts Engine House South
- In interests of accuracy, amend wording from '*chimney at incline*' to Tramway Engine House Chimney

**Amendment 2:** Remove Spoil Heaps and Disturbed Ground from RPS

- Exclude '*spoil heaps and associated disturbed ground*' as features of special interest.  
Rationale: while the 'special interest' of the spoil heaps may be considered "scientific", this significance lies in their mineral composition rather than their visual appearance which is relatively recent and has altered considerably over the years of mining activity. Their scientific interest is unaffected by alterations in ground levels or regarding works which are proposed by DCENR, however their inclusion within the scope of the Protected Structure makes such alterations problematic to implement. The meaning of '*disturbed ground*' is imprecise and does not fall under a specific category of special interest for the protected structure. Given that the whole area is to some extent 'disturbed ground', the inclusion of this in the RPS description poses practical management issues.

**Amendment 3:** List individual features as Protected Structures

- Amend the RPS to specifically give each of the individual features of special interest, a Protected Structure entry. The rationale for this is to specify features of special interest in the townland of Ballymurtagh, rather have all possible (unspecified) features within the townland included within the scope of RPS 35 03 as is the current situation.

**AMD5 relates to entry 35-07**

*Current description: Chimney and wagon shaft engine house, spoil heaps and associated disturbed ground.*

**Amendment 1:** Descriptive wording

- In interests of accuracy, amend wording from '*Chimney and wagon shaft engine house*' to Wagon Shaft Engine House Chimney.

**Amendment 2:** Townland name

- In the interests of accuracy change the townland from '*Connary Upper*' to Sroughmore

**Amendment 3**

- Exclude '*spoil heaps and associated disturbed ground*' as features of special interest. Rationale: while the 'special interest' of the spoil heaps may be considered "scientific", this significance lies in their mineral composition rather than their visual appearance which is relatively recent and has altered considerably over the years of mining activity. Their scientific interest is unaffected by alterations in ground levels or regarding works which are proposed by DCENR, however their inclusion within the scope of the Protected Structure makes such alterations problematic to implement. The meaning of '*disturbed ground*' is imprecise and does not fall under a specific category of special interest for the protected structure. Given that the whole area is to some

extent 'disturbed ground', the inclusion of this in the RPS description poses practical management issues.

#### **AMD 6 – relates to entry 35-13**

*Current Description: Williams engine house and chimney, Baronet engine house and chimney, flat rod tunnels, spoil heaps and associated disturbed ground.*

##### **Amendment 1:** Descriptive wording

- In the interests of clarity replace '*flat rod tunnels*' with Eastern Flat Rod Tunnel and Western Flat Rod Tunnel.

##### **Amendment 2:**

- Exclude '*spoil heaps and associated disturbed ground*' as features of special interest. Rationale: while the 'special interest' of the spoil heaps may be considered "scientific", this significance lies in their mineral composition rather than their visual appearance which is relatively recent and has altered considerably over the years of mining activity. Their scientific interest is unaffected by alterations in ground levels or regarding works which are proposed by DCENR, however their inclusion within the scope of the Protected Structure makes such alterations problematic to implement. The meaning of '*disturbed ground*' is imprecise and does not fall under a specific category of special interest for the protected structure. Given that the whole area is to some extent 'disturbed ground', the inclusion of this in the RPS description poses practical management issues.

##### **Amendment 3:**

- Amend the RPS to specifically give each of the individual features of special interest, a Protected Structure entry. The rationale for this is to specify features of special interest in the townland of Tigroney West, rather have all possible (unspecified) features within the townland included within the scope of RPS 35 03, as is the current situation.
- In the interests of clarity, specifically include the following features of special interest within the protected structure description; Ore Bins, 850 Adit, Adit Branch incline to Tigroney Deep Adit.

As can be seen from the above text, it is in fact proposed to omit specific reference to the spoil heaps in the RPS for the reasons set out, following input from the Exploration and Mining Division of the DCENR. It was unclear from the submission if the GSI (which falls under the remit of the DCENR) was now seeking for the spoil heaps to be retained as part of the RPS entry.

As there appears to be conflicting requests from the two arms of the DCENR, clarification was sought from both the EMD and the GSI. The DCENR has responded by stating '*In relation to the first bullet point the letter from GSI dated of 12th February, DCENR can confirm that it does not support the designation of spoil piles in Record of Protected Structures and therefore supports the proposed amendments to the Record of Protected Structures*'.

With regard to the Avoca Mines area generally, these areas are clearly identified in the County Development Plan as 'County Geological Sites' in Schedule 10.10 and Map10.10. Objective NH25 states that it is an objective of the Council to '*Protect and enhance 'County Geological Sites' (Schedule*

*10.10 and Map 10.10 of this plan) from inappropriate development at or in the vicinity of a site, such that would adversely affect their existence, or value’.*

2. Noted

**Chief Executive’s recommendations**

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No change

### Summary of issues raised

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Two submissions were received from the HSE, from the Healthy Eating & Active Living Programme unit and from the Community Healthcare Organisation 6. Both relate to proposed Objective RT17.

#### Objective RT17

*"Conscious of the fact that planning has an important role to play in promoting and facilitating active and healthy living patterns for local communities, the following criteria will be taken into account in the assessment of development proposals for fastfood/takeaway outlets, including those with a drive through facility:*

- *Exclude any new fast-food outlets which offer foods that are high in fat, salt or sugar from being built or from operating within 400m of the gates or site boundary of schools, parks or playgrounds, excluding premises zoned town centre;*
- *Fast food outlets/takeaways with proposed drive through facilities will generally only be acceptable within Major Town Centres or District Centres and will be assessed on a case-by-case basis;*
- *Location of vents and other external services and their impact on adjoining amenities in terms of noise/smell/visual impact."*

Both submissions offer support from objective RT17 for the following reasons:

- Increasing the levels of healthy eating and regular physical activity across the population is an important public health measure to address the growing burden of chronic disease. The Healthy Ireland Framework recognises that while individuals can be motivated and supported to make healthier choices, effective action must also include work to remove or at least minimise any legislative or practical barrier that impede their ability to make healthier choices;
- Obesity is a complex problem with many contributing factors including social and economic factors, our physical environment and individual factors. Modifying a physical environment that promotes sedentary behaviour and / or easy access to energy dense foods is a clear example of a multisectoral approach to making the healthy choice the easy choice;
- Planning authorities can influence our built environment to promote health and reduce the extent to which it promotes obesity. The proposed amendment can help create places where people and communities are supported to maintain a healthy weight.

#### Chief Executive's response

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With respect to proposed **Objective RT17**, as a significant number of submissions have been made on this issue ('no fry zone'), this issue is addressed in its totality in Part X (pXX) of this report.

#### Chief Executive's recommendation

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See Section 3.4 of this report.

### Summary of issues raised

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#### 1. General

Irish Water welcomes the opportunity to review the Draft Wicklow County Development Plan 2016-2022. Their observations relate to the provision of sustainable, cost effective water services and the protection of water sources used for public supply. It is Irish Water's objective to provide both drinking water and wastewater strategic infrastructure capacity to meet the domestic requirements of the Settlement and Core Strategies of development plans prepared in accordance with the National Spatial Strategy and Regional Planning Guidelines. Irish Water will endeavour to secure the provision of the infrastructure necessary to support the evolving population change and economic activity over the next plan period, subject to the availability of the necessary capital investment and in compliance with environmental objectives and regulations. It is Irish Water's objective to provide and operate water services both economically and efficiently and in a manner that protects and enhances the environment including supporting the achievement of water body objectives under the Water Framework Directive and supports Ireland's national Climate Change Policy and associated plans and frameworks.

Irish Water has significant challenges in balancing their commitments and available funds to achieve these objectives. Irish Water invests in the development and expansion of the water and wastewater infrastructure in line with its investment programme and connection policies which are subject to the approval by the Commission for Energy Regulation (CER).

All capital investment beyond the Proposed Capital Investment Plan 2014-2016 is subject to the agreement of CER. Irish Water is currently in the process of preparing a submission to the Commission for Energy Regulation (CER) on the national investment programme for the next Capital Investment Plan (2017 - 2021). As part of this a review of all water and wastewater infrastructure in County Wicklow has been undertaken.

Irish Water suggests a suite of policies/objectives for inclusion in the development plan in relation to protecting Irish Water service assets and the environment for the benefit of current and future populations served by public water services networks.

#### 2. Water Supply

- Bray, Wicklow, Greystones / Delgany, Newtown, Enniskerry, Kilcoole, Avoca, Kilmacanogue, Newcastle and Ashford are supplied from Vartry Water Treatment Plant (WTP). Water Supply is currently at a risk due to structural / infrastructural deficits and raw water quality issues (algal blooms) at the Water Treatment Plant. Irish Water is planning an upgrade to the Vartry Water Supply Scheme to ensure a safe and sustainable water supply for the Greater Dublin Region which includes North Wicklow and it is envisaged that this will be complete by 2019. The Water Supply Project – East and Midlands Region will further increase the resilience of water supply to the area, this has an envisaged delivery date of 2022.
- Arklow: An upgrade has just been completed at the Arklow Water Treatment Plant and there is expanded capacity to meet anticipated demand for water supply in the area.
- Blessington: Blessington is currently supplied from the Ballymore Eustace Water Treatment Plant (WTP). Ballymore Eustace WTP is one of the main water supply sources for the Greater Dublin Area. Irish Water has proposed the inclusion of a number of items in the Emerging Investment Plan (2017-2018) which are intended to aid with the resilience of water supply within the Region.

The water supply Project – East and Midlands Region will further increase the resilience of water supply to the area, this has an envisaged delivery date of 2022.

It is envisaged that these projects will ensure a water supply to meet Irish Water's current growth projections in the area.

- Dunlavin: The water supply for Dunlavin is currently constrained due to issues with the current source's available yield. Irish Water envisages resolving these issues in the next investment period (2017 – 2018) and providing a safe and sustainable water supply for the area.
- Aughrim: The existing water supply is at risk due to constraints at the Water Treatment Plant. Irish Water is planning an upgrade to the water supply scheme to ensure a safe and sustainable water supply for mid Wicklow and it is envisaged that this will be complete in 2018.
- Roundwood: The existing water supply is at risk due to constraints at the Water Treatment Plant. Irish Water is planning an upgrade to the water supply scheme to ensure a safe and sustainable water supply for mid Wicklow and it is envisaged that this will be complete in 2018.
- Rathdrum: The existing water supply is at risk due to constraints at the Water Treatment Plant. Irish Water is planning an upgrade to the water supply scheme to ensure a safe and sustainable water supply for mid Wicklow and it is envisaged that this will be complete in 2018.
- Baltinglass: Baltinglass is currently supplied by the Baltinglass Water Treatment Plant, this water supply does not currently have the capacity to meet anticipated demand for water supply and the scheme has not been included in the current Emerging Investment Plan (2017-2018).
- Tinahely, Carnew, and Shillelagh: The Tinahely Water Treatment Plant provides the water supply to Tinahely, Carnew and Shillelagh and given its production capacity it is envisaged that it will be in a position to meet anticipated demand for water supply in the area.
- Donard: Donard is currently supplied by the Hollywood Donard Public Water Supply, this water supply scheme does not currently have the capacity to meet the envisaged growth projections and the scheme is not currently included in the Emerging Investment Plan (2017-2018).

### **3. Vartry Water Supply Scheme**

The Vartry Water Supply Scheme provides drinking water for a supply area stretching from Roundwood, through North Wicklow up to South Dublin and serves over 200,000 people. It was developed in the 1860s and includes two raw water reservoirs, a water treatment plant, a 4km tunnel under Callowhill and 40km of trunk mains that deliver water to storage reservoirs at Stillorgan in Dublin. A significant investment in the Vartry Water Supply Scheme is planned by Irish Water so as to ensure a safe and sustainable drinking supply for the North Wicklow and South Dublin areas. The proposed investment is focused on securing the existing supply to customers and it is not proposed to abstract any additional water from the Vartry reservoirs or catchment areas.

Irish Water seeks the inclusion of the following objective in Section 9.2.2 Water Supply and Demand of the Draft Wicklow County Development Plan 2016-2022:

*'It is an objective of Wicklow County Council to support Irish Water's proposed investment in the Vartry Water Supply Scheme, which is required to secure the existing supply for customers. The proposed upgrade works will comprise:*

- *Construction of a new water treatment plant on the site at Vartry and decommissioning the existing water treatment plant;*
- *Construction of a 4km pipeline to secure the transfer of treated water from Vartry to Callowhill pumping station;*
- *Upgrading the dam of the Vartry Reservoir.'*



#### 4. Mid Wicklow Water Supply Schemes

There is a combination of water quality, water availability and sludge management issues associated with the water supply zones for Rathdrum, Aghrim / Annacurra, Avoca / Ballinaclash, Roundwood, Laragh / Annamoe, Redcross / Connary and Glenealy. Delivery of the Mid Wicklow Water Supply Schemes will address quality issues at all locations and will provide additional quantity, in the medium term, to Rathdrum, Roundwood, Laragh / Annamoe, Redcross / Connary and Glenealy.

Irish Water would welcome the inclusion of the following objective in Section 9.2.2 Water Supply and Demand of the Draft Wicklow County Development Plan 2016-2022:

*'It is an objective of Wicklow County Council to support Irish Water's proposed Mid Wicklow Water Supply Schemes comprising:*

- *New additional reservoirs at Roundwood and Ballygannon;*
- *Refurbishment of reservoirs at Ballymanus and Barnbawn;*
- *New pumping stations at Barnbawn, Vartry Water Treatment Plant, Rathdrum*
- *Upgrade existing pumping station at Blackhill*
- *Interconnecting pipework.'*

#### 5. Wastewater

- Arklow: At present untreated wastewater from homes and businesses in Arklow is discharged into the Avoca River that runs directly through Arklow Town. Economic and residential development in Arklow is currently constrained due to the lack of a Wastewater Treatment Plant (WwTP) for the town. Arklow is identified as a Large Growth Town II in the Regional Planning Guidelines for the Greater Dublin Area 2010-2022 (RPGs) and as a Level 3 Town in the Draft Wicklow County Development Plan. The Draft Wicklow County Development Plan 2016-2022 allocates approximately 19% of the County's core strategy population target to Arklow. The 'development of a high quality treatment plant for Arklow town' is identified in Table 11: Critical Strategic Projects – Wastewater & Surface Water, in the RPG. Achieving the Core Strategies of both the Wicklow County Development Plan and the Arklow Town and Environs Development Plan is dependent upon the WwTP being constructed.

Irish Water intends to develop the Arklow Sewerage Scheme to include the following:

- A new Wastewater Treatment Plant (WwTP) estimated to treat 36,000 Population Equivalent (PE) and associated infrastructure such as pumping station(s);
- Pipeline(s) to bring the untreated wastewater to the WwTP and to bring treated wastewater from the plant to the outfall;
- An outfall pipe to safely discharge the treated wastewater to the sea.

Irish Water has carried out public consultation to identify a suitable site for a new Wastewater Treatment Plant in Arklow and is currently in consultation with An Bord Pleanála as to whether a planning application for the WwTP will be made as Strategic Infrastructure Development. The process for preparing a planning application and Environmental Impact Assessment (EIA) is also underway. It is imperative that the Wicklow County Development Plan includes planning policy that supports the delivery of a new WwTP in Arklow. Irish Water would welcome the inclusion of the following objective in Section 9.2.3 Waste Water in the Draft Wicklow County Development Plan 2016-2022:

Arklow Wastewater Treatment Plant:

*'It is an objective of Wicklow County Council to support Irish Water in the provision of a new Wastewater Treatment Plant, and related infrastructure, in Arklow, at a site that*

*best meets the principles of sustainable development and addresses climate change adaptation through the reduction of energy demand and use.'*

- Avoca: Avoca is served by a Wastewater Treatment Plant which is located at Ballanagh. There are issues around access to the existing treatment plant and treatment processes at the plant. Irish Water is examining ways to resolve these issues and once these are resolved there would be sufficient capacity to meet anticipated demand. Irish Water would welcome the inclusion of the following objective Section 9.2.3 Waste Water in the Draft Wicklow County Development Plan 2016-2022:

*Avoca Wastewater Treatment Plant:*

*'It is an objective of Wicklow County Council to support the provision of appropriate treatment of wastewater for Avoca.'*

- Aughrim: There is no capacity to facilitate development and an upgrade to the existing WwTP has not been included in Irish Water's Investment Plans.
- Blessington: The current plant does not have capacity for additional load and Irish Water indicates it has plans to expand the plant in the short term to meet growth needs.
- Carnew: Irish Water is evaluating options to remove existing sludge imports to the site which would free up capacity to accommodate some growth.
- Dunlavin: WwTP has been upgraded and there is a currently 1,200PE spare capacity at the plant.
- Newcastle: WwTP is currently being upgraded.
- Wicklow Town: The local network does not have sufficient capacity to facilitate further residential development. Irish Water plans to undertake a network upgrade in Abbey Street and Marlton Road within the next two years.
- Greystones: There is currently a high level of restriction in the existing network which is resulting in flooding. Irish Water plans to undertake a Drainage Area Study to develop a model and define solutions that will be carried out within two years and will provide capacity for future residential development.
- Bray/Shanganagh: Irish Water intends undertaking a Drainage Area Plan in the next two years to identify how best zoned lands can be connected to the core network.

Irish Water advises that where specific investment to address capacity deficits in relation to meeting anticipated demands for growth at water/wastewater treatment plants has not been identified in the Emerging Investment Plan 2017-2021, Irish Water will be considering the need to address infrastructural constraints on growth for funding in the next investment cycle. In addition, significant funding for national programmes to address specific deficiencies in water services assets are included in the current Emerging Investment Plan 2017-2021 and a number of assets in County Wicklow will be included in these programmes. In particular, in the case of water supply we are planning for a major programme for leakage reduction. Supplies which are currently constrained in terms of supply will be targeted for leakage reduction thereby creating capacity for growth.

### **Chief Executive's response**

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1. Noted
2. Water Supply

The list of water schemes / improvements projects is noted; however it is important to flag that IW indicates that these enhancements will ensure a water supply to meet '*Irish Water's current growth projectors in the area*'. This is extremely concerning as Irish Water does not set the growth parameters

for any location – these are set by the regional plan and the Wicklow Core Strategy. Furthermore, the Core Strategy population figures are not ‘projections’ but ‘targets’ and historical growth levels in any locations (on which projections are based) are not necessarily the determinant for future growth levels.

With respect to locations that do not currently have an adequate water supply, IW has provided an estimate timeline for improvements, with the majority of improvements proposed to be completed in the 2017-2018 period. One important omission however is the lack of short to medium term proposals to augment capacity in Baltinglass – this is not included in the emerging investment plan for 2017-2018. While Baltinglass is a ‘Level 5’ settlement, as there are settlements higher in the hierarchy that should have priority for investment, Baltinglass is identified in the regional plan and the CPO as having a heightened status in this category of towns, given its important service centre function in the west of the County. This is reflected also in the population growth target of over 750 persons between 2011 and 2022.

It is essential that service providers such as IW recognise the supremacy of the regional plan and the Core Strategy in their investment programme and deliver the service where they are required Vartry Water Supply Scheme

3. The suggested objective is considered reasonable, with a slight amendment to take away the specificity of the proposals, given the important strategic nature of the Vartry project.
4. While the suggested objective with respect to the mid wicklow water schemes is noted, these are considered not strategic, but localised project that would not warrant specific inclusion in the County Development Plan. It is cornered that existing Objective WI1 would be sufficient to address the project mentioned: *"In order to fulfil the objectives of the Core Strategy, Wicklow County Council will work alongside and facilitate the delivery of Irish Water's Water Services Investment Programme, to ensure the provision of sufficient storage, supply and pressure of potable water to serve all lands zoned for development and in particular, to endeavour to secure the delivery of regional and strategic water supply schemes and any other smaller, localised water improvement schemes required during the lifetime of the plan".*
5. Again, while the suggested objective with respect to the Arklow and Avoca WWTPs are noted, it is considered that the existing objectives of the County Development Plan would support and facilitate these projects:  
**WI5** In order to fulfil the objectives of the Core Strategy, Wicklow County Council will work alongside and facilitate the delivery of Irish Water's **Water Services Investment Programme**, to ensure that all lands zoned for development are serviced by an adequate wastewater collection and treatment system and in particular, to endeavour to secure the delivery of regional and strategic wastewater schemes.

Given the strategic important however of the Arklow scheme, it is considered than an additional sentence should be added as follows:

*In particular, to support and facilitate the development of a WWTP in Arklow, at an optimal location following detailed technical and environmental assessment and public consultation.*

6. With respect to the list of wastewater projects supplied there are particular concerns that there are no current investment proposals for Aughrim, Baltinglass, Tinahley, Roundwood or Shillelagh

## Chief Executive's recommendations

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### AMENDMENT 39

Chapter 9 Infrastructure, Section 9.2.3

Add the following Objective:

To support Irish Water's proposed investment in the Vartry Water Supply Scheme, which is required to secure the existing supply for customers. The proposed upgrade works, subject to a full planning process, will likely comprise:

- Construction of a new water treatment plant on the site at Vartry and decommissioning the existing water treatment plant;
- Construction of a 4km pipeline to secure the transfer of treated water from Vartry to Callowhill pumping station;
- Upgrading the dam of the Vartry Reservoir.

### AMENDMENT 40

#### Chapter 9 Infrastructure, Section 9.2.3, p178

- WI5** In order to fulfil the objectives of the Core Strategy, Wicklow County Council will work alongside and facilitate the delivery of Irish Water's **Water Services Investment Programme**, to ensure that all lands zoned for development are serviced by an adequate wastewater collection and treatment system and in particular, to endeavour to secure the delivery of regional and strategic wastewater schemes. In particular, to support and facilitate the development of a WWTP in Arklow, at an optimal location following detailed technical and environmental assessment and public consultation.

**Summary of issues raised**

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TII's observations, provided in the following submission, seek to address issues concerning the safety, capacity and strategic function of the national road network in accordance with the Authority's statutory obligation and the provisions of official policy, and, in terms of the light rail network, to reflect the provisions of the NTA's Draft Transport Strategy for the Greater Dublin Area, 2016 – 2035.

**PUBLIC TRANSPORT****Light Rail Network**

1. The Council will be aware that the NTA's Draft Transport Strategy for the Greater Dublin Area, 2016 – 2035, includes the project to extend the Luas Green Line to Bray, providing a second rail alternative, connecting to the city centre and major destinations along the corridor at Cherrywood, Sandyford and Dundrum.

While the Authority acknowledges that the Draft Plan is supportive of the proposed Luas Green Line extension to Bray, Objective TR5 and the Strategy for Bray outlined in Section 6.2.6 refer, the Council will note that the NTA Draft Strategy has not provided for an extension/spur to Fassaroe within the current Strategy period, 2016 – 2035.

The Authority considers that it is critical that local area planning in Bray and Fassaroe acknowledges the implications of development proposals in the absence of a Luas public transport option and impacts on the national road network. TII notes that it is an objective of the Draft Development Plan to prepare a new local area plan for the Bray Municipal District over the duration of the Development Plan, Objective SS6 refers, and request consultation on the local area plan process.

**Other Public Transport Proposals**

2. In relation to Objective TR6 which outlines the Council objective to improve the capacity of the N11/M11 from Rathnew to the County boundary at Bray in a manner capable of facilitating greater free flow of public transport; the Authority advises that safeguarding the strategic function of the N/M11 is critically important to continuing economic competitiveness and any proposals to give effect to Objective TR6 should be complementary to the continued strategic function of the national road concerned. Having regard to the network reviews being undertaken on this stretch of the N/M11 by TII and Wicklow County Council and Dun Laoghaire Rathdown County Council, TII requests consultation on proposals developed to implement Objective TR6.
3. In relation to Objective TR2, to facilitate the development of park and ride facilities at appropriate locations along strategic transport corridors, the Authority considers that park and ride sites should be identified based on a coherent plan-led strategy and the identification of individual sites on a case by case is inappropriate. The Authority would welcome a commitment included in Objective TR2 requiring a co-ordinated plan led approach to the provision of park and ride sites and would welcome consultation on proposals developed in this regard.

## **NATIONAL ROAD NETWORK**

### **Managing Exchequer Investment and Statutory Guidance**

4. As outlined in the Authority's initial submission on the pre-draft Development Plan consultation, the Trans-European Transport Networks (TEN-T) are a planned set of transport networks across Europe. The TEN-T regulations target a gradual development of the transport network with the core network a priority (by 2030) followed by the remainder of the comprehensive network (by 2050). The TEN-T regulations define the objective of increasing the benefits for road users by ensuring safe, secure and high-quality standards for road users and freight transport in a co-ordinated fashion to achieve integrated and intermodal long-distance travel routes across Europe. The N/M11/N25 Dublin to Rosslare route is identified as part of the TEN-T Comprehensive Network.

The M11/N11 is an important national road and provides the dominant means of access to the south east of the country, in addition to providing access to international markets for freight and tourist traffic through Rosslare Euro-port and via the M50 through Dublin Port and Airport. The M50 also provides onward connection from the M11 to other national road radial routes.

The Council will be aware, from the Authority's initial submissions, of the extensive and on-going analysis into the strategic performance of the N/M11 through Wicklow. While the Draft Plan acknowledges the pattern of commuting established in the County, the real impact of commuting traffic on the N11 is evident in am and pm peak period congestion and flow breakdown which has economic implications and impacts on journey time reliability and predictability for the county, region and nation.

It is noted that Section 9.1.4 of the Draft Plan addresses the need to continue upgrading the N11 and a number of specific objectives for the M/N11 are included in the Draft Plan. The Authority advises that improvements to the N/M11 are not only necessary to meet requirements of existing development and to meet population and employment growth, as identified in the Draft Plan, but, critically, to provide access to the south east of the country, in addition to providing access to international markets for freight and tourist traffic through Rosslare Euro-port and via the M50 through Dublin Port and Airport. The Authority recommends that this wider national and international economic context is also reflected in the Development Plan.

### **Road Proposals**

5. TII welcomes the inclusion of the proposed objectives that are consistent with the findings and recommendations outlined in the Reports and Studies referred to in the Authority's initial submission and reflect the NTA's objectives in the recently published Draft Transport Strategy for the Greater Dublin Area, 2016 – 2035. However, it is noted that a number of objectives are included in the absence of an evidence base and are not supported by TII or the NTA Draft Transport Strategy, in particular,
  - Upgrading the N11 interchange at the Glen of the Downs to facilitate a northern link road from the N11 to Greystones, (also identified as an Objective for Regional Roads),
  - Upgrade Ballyronan Interchange to facilitate improved access to Newtownmountkennedy and a possible link road from Ballyronan to Kilcoole,
  - The provision of a third interchange on the Arklow Bypass linking the M11 to Vale Road.

**a) M11 Arklow Bypass, third interchange**

With reference to the provision of a third interchange on the Arklow Bypass, the Authority has previously advised in a submission on the Draft Development Plan, 2010 – 2016, that the Council will be aware that such a proposal is not scheduled in the Authority's programme of work and is not a TII priority. A Motorway Order is required for the development of a new junction on the M11 and the Authority wishes to advise, as before, that it would not be supportive of proposals for a motorway junction at this location.

**b) Upgrade to N11 Ballyronan Junction**

With reference to Newtownmountkennedy, the Objective to upgrade the Ballyronan Interchange to facilitate improved access to Newtownmountkennedy and a possible link road from Ballyronan to Kilcoole is noted. The Council is aware of potential future capacity constraints at this location arising from planned development in the area included in the existing Local Area Plan and has committed to prepare a framework plan to 'consider all aspects of the existing developed and undeveloped zoned lands in Newtownmountkennedy on the adjacent N11 junction' in the context of other planning permissions granted in this area. The Authority has not received the a copy of the framework plan nor notice that work on the plan has commenced despite the Council committing to undertake this work in 2011. TII considers it premature to include the proposed objective in advance of any works to prepare the committed to framework plan.

TII notes that it is an objective of the Draft Development Plan to prepare a new local area plan for Newtownmountkennedy over the duration of the Development Plan, Objective SS6 refers, and requests consultation on the local area plan. It is the opinion of TII that the local area plan should be progressed in accordance with the findings and recommendations of an agreed framework plan referred to above. The Council will also be aware that the provisions of the DoECLG Spatial Planning and National Roads Guidelines (2012) require that development at national road interchanges or junctions needs to be developed in accordance with the evidence base outlined in Section 2.7 of the Guidelines, such an evidence base should support proposals in the proposed Newtownmountkennedy Local Area Plan.

**c) Upgrade to the N11 Glen of the Downs Junction**

The proposal for upgrading the N11 junction at the Glen of the Downs to facilitate a northern link road from the N11 to Greystones, (also identified as an Objective for Regional Roads), is not a TII priority and is not provided for in the NTA Draft Transport Strategy for the Greater Dublin Area, 2016 – 2035. The Authority is uncertain of the implications such a proposal will have on the NTA Draft Transport Strategy proposal which provides for capacity enhancement and reconfiguration of the M11/N11 from Junction 4 (M50) to Junction 14 (Ashford). Therefore, TII considers it premature to include the proposed objective in advance of proposals being developed to address N11 capacity enhancement in accordance with the NTA Draft Strategy.

**d) Leinster Orbital Route (LOR)**

The support for the Leinster Orbital Route in Objective TR20 is noted and welcome. However, the Authority also notes the inclusion of an objective identifying possible route corridors to link from Arklow west to the line of the Leinster Orbital Route, Section 9.1.4 refers. The Council will be aware that such a route from Arklow is not a scheme identified in the NTA Draft Transport Strategy nor one for which national road investment funding is scheduled. However, it is acknowledged that it is beneficial to identify road schemes that are proposed to be delivered at a local level within the term of the Plan. Though, the Council will be aware that TII may not be responsible for financing these additional projects.

**e) Other national road proposals**

With reference to other national road priority proposals listed in the Draft Plan, it is noted that Section 2.4.6 includes *'the upgrade of the N11 in the north of the County, from the Dublin border as far as Kilpedder, in particular improvements to the M50 / M11 merge which is deficient in capacity, and all interchanges serving Bray'*. However, elsewhere in the Draft Plan, a similar objective in Section 9.1.4 outlines *'upgrading of the N11/M11 between the County boundary and Kilmacanogue / Glen of the Downs, including road capacity and safety improvements to the main carriageway and all necessary improvements to associated junctions'*. The Council will note that these similar objectives extend from the M50/M11 merge to, in one instance, N11 Junction 11 (Kilpedder) and one extends to N11 Junction 8 or 9 (Kilmacanogue / Glen of the Downs).

In relation to the foregoing, the NTA Draft Transport Strategy actually provides for capacity enhancement and reconfiguration of the M11/N11 from Junction 4 (M50) to Junction 14 (Ashford); this is consistent with the Authority's own priorities. Therefore, the Authority recommends that the above objectives in Section 2.4.6 and Section 9.1.4 of the Draft Plan are both reviewed to ensure consistency and to align with the proposals outlined in the NTA Draft Transport Strategy for the Greater Dublin Area, 2016 – 2035.

The Authority also acknowledges the proposed road improvement objectives related to the N81 outlined in Section 9.1.4 of the Draft Plan.

Related to the foregoing, the Authority welcomes the inclusion of National Road Objectives TR18 and TR19 concerning the development of the relevant national road schemes and reserving road improvement corridors free from development which would interfere with the provision of the scheme.

The Council will be aware that the implementation of all national road schemes is subject to budgetary constraints and is subject to prioritisation and adequacy of the funding resource available to the Authority. In these circumstances, the relative priority or timeframe for national road schemes may be subject to alteration.

### **DoECLG Spatial Planning and National Roads Guidelines (2012)**

6. In addition to the above, TII's submission on pre-draft consultation advised that it is of particular importance that policies and objectives are drafted which allow the network of national roads to continue to play the intended strategic role in catering for inter-urban and inter-regional transport requirements that will serve Ireland's economic competitiveness by providing faster, more efficient and safer access to and from our major ports, airports, cities and large towns.

There is a critical need to manage these assets in accordance with national policy as outlined in Smarter Travel (DTTAS, 2009) and the provisions of the Spatial Planning and National Roads Guidelines for Planning Authorities (DoECLG, 2012).

The Authority welcomes the provisions of the Draft Plan that promote settlements of such form and layout that facilitates and encourages sustainable forms of movement and transport and the use of Integrated Land Use and Transport Studies; Section 9.1.1 refers. In the Authority's opinion, such policies assist to safeguard the strategic function of the national road network, in accordance with the requirements of official policy, and would support the overall Settlement Strategy and the Economic Strategy included in the Draft Plan. Policies and objectives that undermine the safety, efficiency and capacity of the national road network will conflict with achieving the aims and objectives of the Strategies concerned.

## **SECTION 3.1**



In addition, the Authority notes and welcomes the principles to be applied to the zoning of new employment lands included in Section 5.4 (ii) (b) of the Draft Plan.

### **Access to National Roads**

7. Related to the foregoing, the Authority welcomes the inclusion of Objective TR21 in relation to safeguarding the capacity and safety of the national road network in line with the provisions of the DoECLG Spatial Planning and National Roads Guidelines (2012).

It is noted that Objective TR24 outlines that a new means of access to a national road will generally not be permitted except in specified circumstances. The Council will note that the DoECLG Spatial Planning and National Roads Guidelines (2012) indicate that a new means of access and the intensification of a direct access to a national road outside urban areas should be avoided. TII would welcome clarification in relation to 'intensification' being included in Objective TR24 in the interests of consistency with the provisions of the DoECLG Guidelines.

In addition, it is noted that Objective TR24 makes reference to the NRA 'Policy Statement on Development Management and Access to National Roads (2006)', however, the Council will be aware that the policy statement was replaced by the Departments Spatial Planning & National Roads Guidelines (2012). It is recommended that Objective TR24 is updated accordingly. The Council will also note that any 'exceptions' to the restriction on access to national roads are required to be identified plan-led in accordance with Section 2.6 of the DoECLG Guidelines. This should also be reflected in the Development Plan, in the interests of clarity.

The Authority considers that this element of the Draft Plan requires review and in the context of developing/agreeing 'exceptional circumstances' in accordance with the provisions of Section 2.6 of the DoECLG Spatial Planning and National Roads Guidelines, the Authority is available to discuss proposals with the Executive of Wicklow County Council. Where the Council proposes to identify 'exceptional circumstances' for agreement a sufficient and robust evidence base would need to be established in consultation with the Authority.

Similarly, Section 7, National Road Development Objectives outlined in the Development and Design Standards accompanying the Draft Plan will also need to be reviewed.

While the Authority remains available to discuss proposals in this regard with the Executive of the Council, the Authority does not support the provision of 'exceptional circumstances' as currently presented in the Draft Plan and considers the provisions to be at variance with the evidence based plan-led approach required by the DoECLG Spatial Planning and National Roads Guidelines. Accordingly, TII requests that Objective TR24 and Section 7 National Road Development Objectives are reviewed.

### **Development at National Road Junctions**

8. There are a number of development objectives included in the Draft Development Plan that TII consider require review to ensure consistency with the Transport Strategy, National Road Objectives and Land Use Zoning Principles outlined in the Draft Plan and the provisions of both the NTA Draft Transport Strategy and official policy outlined in the DoECLG Spatial Planning and National Roads Guidelines, in particular;
  - Objectives for Economic Development; Objective EMP 12
  - Tourism and Recreation Objectives; Objective T20
  - Health and Care Objectives; Objective CD17

#### **a) Objectives for Economic Development; Objective EMP 12**

The above objective seeks to provide for employment development at a number of specific locations that interface with the strategic national road network. The Council will be aware that the Authority has previously commented on a number of the relevant zoning proposals during the process of drafting and adoption of the County Development Plan, 2010 – 2016. The positions outlined below, reflect the observations made on the proposed amendments to the Draft County Development Plan, 2010 – 2016, in June, 2010.

In the interim, the Council will further be aware that the DoECLG has published the Spatial Planning and National Roads Guidelines (2012) and in the Authority's opinion, there is now a requirement to demonstrate that the zoning proposals included in Objective EMP 12 are consistent with the requirements of the DoECLG Guidelines prior to adoption in the new Development Plan.

The Council will note the requirement for evidence based analysis when proposing zoning objectives/designations at junctions on national roads. It appears that this is absent. It is the Authority's opinion that it is premature to adopt the zoning proposals at junctions on the N/M11, in the absence of the required evidence base outlined in Section 2.7 of the DoECLG Spatial Planning and National Roads Guidelines.

The Authority outlines the following observations in relation to the specific locations concerned;

**Map ref. 5.01 (Mountkennedy Demesne, Kilpedder);** indicates a proposed zoning objective to facilitate a Data Centre facility. TII acknowledges the planning history of the subject site. As indicated above, the Council has previously committed to preparing a framework plan for lands adjoining the N11 junction at this location. This framework plan remains outstanding. The proposals to zone lands at this location appear to be inconsistent with the zoning principles outlined in Section 5.4 (ii) (b) of the Draft Plan and are proposed in the absence of the evidence base required under Section 2.7 of the DoECLG Spatial Planning and National Roads Guidelines.

Furthermore, in advance of studies/options to implement identified 'essential improvements' to the N11/M11, the proposal is considered premature and has the potential to conflict with Objectives for the M/N11 included in Section 9.1.4 of the Draft Plan including road capacity and safety improvements to the main carriageway and associated junctions and the provisions of the NTA Draft Transport Strategy.

The Authority previously collaborated with Wicklow County Council on development proposals at this location on the basis that a framework plan for lands adjoining the N11 junction at this location would be prepared by the Council. This remains unaddressed and TII respectfully requests the Council to consider the proposed zoning designation in the context of the foregoing observations and objectives.

The Authority still awaits a copy of the Junction Upgrade Strategy for the Ballyronan Junction as previously committed to by the Council. The Authority also recommends that previous correspondence between the Council and the Authority on this matter is taken into consideration in the development of any zoning strategy for the Newtownmountkennedy local area plan under Objective SS6; please find attached copy of referred to correspondence.

**Map ref. 5.03 (Kilmurray South) and Map ref. 5.04 (Kilmurray North);** the Authority is concerned with the proposal to zone lands for 'transport purposes development' within the N11

junction at Kilmurray South and the proposed zoning designation for 'warehousing/storage/distribution and commercial vehicle park' at Kilmurray North

The proposals appear to be progressed in the absence of any evidence based basic transport assessment; the lands are remote from any established settlement and appear almost completely reliant on access by private car.

Furthermore, in advance of studies/options to implement identified 'essential improvements' to the N11/M11, the proposal is considered premature and has the potential to conflict with Objectives for the M/N11 included in Section 9.1.4 of the Draft Plan including road capacity and safety improvements to the main carriageway and associated junctions and the provisions of the NTA Draft Transport Strategy.

The Authority recommends review of the proposed zoning objectives having regard to the impact the development of such lands could have on the safety and efficiency of the national road network in the area and the impacts such proposals may have for any future upgrade works at the locations concerned.

**Map ref. 5.06 (Kilpedder Interchange);** although the subject site may be accessed from the non-national road network, the implications for the N11 are not clear. In the absence of appropriate TTA or strategic traffic/transport assessments to indicate clearly the implications for the N11, the Authority has to maintain its position initially outlined in 2010; please see copy attached.

Furthermore, in advance of studies/options to implement identified 'essential improvements' to the N11/M11, the proposal is considered premature and has the potential to conflict with Objectives for the M/N11 included in Section 9.1.4 of the Draft Plan including road capacity and safety improvements to the main carriageway and associated junctions and the provisions of the NTA Draft Transport Strategy.

**Map ref. 5.07 (Rathmore, Ashford);** the Authority is concerned with the proposal to zone lands for a general 'employment' designation in such close proximity to M11 Junction 15 having regard to the provisions of the DoECLG Spatial Planning and National Roads Guidelines (2012).

The proposal appears to be progressed in the absence of any basic transport assessment; the lands are remote from any established settlement and appear almost completely reliant on access by private car. The Authority recommends removal of the proposed zoning designation having regard to the impact the development of such lands could have on the safety and efficiency of the national road network in the area and having regard to the requirements of official policy outlined in the DoECLG Spatial Planning and National Roads Guidelines (2012).

**Map Ref. 5.08 (Ashford);** the Authority acknowledges the purpose of the proposed zoning objective to support the development of established film studios in the area. However, the zoning proposal is progressed in the absence of any basic transport assessment and evidence base as required by the DoECLG Spatial Planning and National Roads Guidelines.

The Authority notes that the specific zoning objective at this location requires the agreement of a Masterplan for the entire area. The Authority considers that such an approach to be inappropriate given the significant strategic national road network issues that are unresolved in the proposed zoning designation, specifically concerning the absence of appropriate transport assessment or transport modelling as part of the required evidence base.

With regard to the approach to require a Masterplan, TII would draw the Council's attention to the provisions of both the DoECLG Local Area Plan Guidelines and DoECLG Sustainable Residential Development in Urban Areas Guidelines which advise that such plans can supplement or complement but not replace statutory plans.

Also, the DoECLG Sustainable Residential Development in Urban Areas Guidelines advise that if it is intended to use such non-statutory documents for development management, planning authorities should incorporate them in the development plan or local area plan for the area by way of variation and where possible, public consultation should be integrated into the preparation on non-statutory frameworks. This is not evident in the proposals to zone the subject lands.

There is an absence of appropriate Plan-led evidence based planning and the absence of future liaison and collaboration with TII in relation to planning exercises promoted by the local authority that have significant implications for the strategic national road network in the area concerned. The Authority considers that such issues should be addressed in advance of any decision to adopt the subject zoning designation proposed in the Draft Plan.

#### **b) Objectives for Integrated Tourism/Leisure/Recreational Complexes; Objective T20**

In addition to the foregoing, the Authority also notes the Tourism and Recreation Objective (Objective T20) supporting development of existing/proposed integrated tourism/leisure/recreational complexes at Jack Whites Cross; Map ref. 7.08 in the Draft Plan.

The Authority is concerned with the proposal to zone lands in such close proximity to a new junction of the recently completed M11 having regard to the provisions of the DoECLG Spatial Planning and National Roads Guidelines (2012).

The Authority considers that it is premature to include the proposed zoning designation in the Draft Plan in the absence of the required plan-led evidence based data required in accordance with the provisions of the DoECLG Spatial Planning and National Roads Guidelines (2012) and having regard to the potential impact the development of such lands could have on the safety and efficiency of the strategic national road network in the area.

Accordingly, the Authority respectfully requests that the Council review the proposed zoning designation prior to the adoption of the County Development Plan, 2016 - 2022.

#### **c) Health and Care Objectives; Objective CD17**

In addition to the foregoing, the Authority also notes the proposed objective to provide residential care facilities at Killickabawn, Kilpedder; Map ref. 8.04 refers. This zoning designation should also be considered in the context of Map 5.06 which promotes a zoning designation for a variety of employment types including transport distribution, warehousing and retail warehousing.

The proposal appears to be progressed in the absence of any basic transport assessment and the lands appear almost completely reliant on access by private car. Identifying such lands in proximity to the N11 and associated junction is not considered a practice consistent with the requirement to provide future upgrades to the N11 or this junction included in Section 9.1.4 of the Draft Plan.

The proposals to zone lands at the identified locations, above, appear to be inconsistent with the zoning principles outlined in Section 5.4 (ii) (b) of the Draft Plan and all appear to be proposed in the

absence of the evidence base required under Section 2.7 of the DoECLG Spatial Planning and National Roads Guidelines.

In that regard, TII respectfully requests the review of the zoning designations at the sites identified above and the omission of the zoning designation where requested.

The Council is advised that the Authority aims to protect the strategic national investment in the national routes in Wicklow and will, if necessary, appeal any decision to grant planning permission, which it considers, undermines this investment.

## **9. Specific Policies and Objectives**

### **(a) General Comments and Cross - Referencing**

The Authority acknowledges and welcomes the inclusion of objectives in the Draft Plan that relate to safeguarding the strategic function of the national road network. However, it is noted that there are a number of policies and objectives outlined elsewhere in the Draft Plan, and, if read in isolation may not guide applicants/developers to appropriate policy concerning development impacting on national roads.

Such policies and objectives include, Objective EMP6 and associated text in Section 5.4 concerning wholesale, retail trade, transportation and storage, Objectives for Wicklow's Rural Economy, including the Extractive Industries (Section 5.6 refers), Tourism and Recreation Objectives in Section 7.4 of the Draft Plan and Rural Retailing, Objective RT29.

In that regard, TII would welcome, in the interests of clarity, additional cross referencing in the Draft Plan between Section 9.1.4 National Roads and policies and development objectives that facilitate development proposals with the potential to impact directly on national roads or that generate a transport demand on the national road network contained elsewhere in the Draft Plan.

The Authority, as noted above, remains available to discuss proposals relating to circumstances where access to national roads may be provided in 'exceptional circumstances' with the Executive of the Council in a manner that is complimentary to achieving Government objectives in relation to national roads and to conform with the foregoing provisions of official policy.

### **(b) Rural Housing**

In terms of the Draft Plan approach to Rural Housing, the Authority acknowledges the tradition of rural living in County Wicklow and the identified need of particular rural housing categories to live in the countryside. The Authority notes the policy response developed in Section 4.4 of the Draft Plan.

Consistent with the provisions of the DoECLG Spatial Planning and National Roads Guidelines, it is the opinion of the Authority that such rural housing development needs to be facilitated in a manner that does not conflict with safeguarding the strategic function of the national road network in the area concerned, in the interests of road safety and in accordance with the provisions of official policy.

The Council will also be aware of the provisions of Section 3.3.4 of the Sustainable Rural Housing Guidelines (2005).

Related to the cross referencing requested above, the Authority notes the provision of Objective HD21 which states that in the event of conflicting policies, a housing need in accordance with Objective

HD21 will over-ride conflicting objectives except where this may relate to a traffic hazard or public health hazard.

The Authority also requests a cross reference to Objective TR24 of the Draft Plan to ensure applicants/developers are fully aware of the provisions of official policy concerning access to national roads at the earliest stages of project development to ensure consistency with the provision of official policy.

### **(c) Retailing**

The Authority notes and welcomes the support for safeguarding town centres and promotion of the sequential test outlined in the Objectives for Centres and Retail.

In addition, the Authority notes the presumption against large out of town retail centres, in particular those located adjacent or close to existing, new or planned national roads/motorways outlined in Objective RT23. However, the Authority is seriously concerned with the additional text included in Objective RT23 which indicates that large retail warehouses may be considered at locations close to such networks. This exception, in the Authority's opinion, is at variance with the provisions of the Retail Planning Guidelines and the DoECLG Spatial Planning and National Roads Guidelines; the Authority recommends its removal.

Accordingly, the Authority would welcome Objective RT23 being reviewed prior to adoption of the Development Plan to ensure consistency with the provisions of official policy. The Authority considers that any development objective or zoning designation identified in proximity to the strategic national road network should be advanced plan led in accordance with the provisions of Section 2.7 of the Spatial Planning and National Roads Guidelines.

Similarly, the Council are requested to consider including specific reference to the presumption against large out of town retail centres located adjacent or close to existing, new or planned national roads/motorways as an additional bullet point in Objective RT32.

### **(d) Traffic and Transport Assessment (TTA) and Road Safety Audits (RSA)**

The Authority recommends that planning applications for significant development proposals should be accompanied with TTA and RSA to be carried out by suitably competent consultants, which are assessed in association with their cumulative impact with neighbouring and other planned/proposed developments on the road network.

In that regard, the Authority notes the reference to the TII/NRA Traffic and Transport Assessment Guidelines in the footnote to Objective RT9 but would advise that the Authority reviewed and updated the Guidelines in 2014, the Council may consider it appropriate to update the reference in the Draft Plan accordingly. The Authority also welcomes reference to the TII/NRA TTA Guidelines in Objective TR15.

In relation to proposed Objective TR23, TII is of the opinion that all planned development in an area should be considered when assessing the cumulative impact of development in a traffic and transport assessment and not only development that has planning permission. In that regard, the potential for zoned lands to generate a transport demand, where such lands are in proximity to a national road and/or national road junction, should also be considered in cumulative impacts. The Authority requests that this is reviewed and included in a revised Objective TR23.

**(e) Service Areas**

The Authority notes that Objective RT34 addresses the provision of on-line and off-line service areas and notes the reference to the DoECLG Spatial Planning and National Roads Guidelines.

In addition, the Council will be aware that the Authority has updated and issued the NRA/TII Policy on Service Areas (August, 2014). Section 1.4 of the Policy outlines the roles of the Authority and planning authorities in relation to the provision of service areas. The Council will also note the requirement for provision of Service Areas on the M11 is addressed in Section 3.4 of the Service Area Policy. The Authority would welcome reference in the Draft Plan to the Service Area Policy and its provisions being reflected therein.

**(f) Signage**

The Authority acknowledges that advertising and signage has been addressed in Section 9.1.7 of the Draft Plan and the reference to NRA/TII Policy on the Provision of Tourist and Leisure Signage on National Roads is welcome. However, the Planning Authority is also referred to Section 3.8 of the DoECLG Spatial Planning and National Roads Guidelines which indicates a requirement to control the proliferation of non-road traffic signage on and adjacent to national roads. The Authority would welcome reference to Section 3.8 of the DoECLG Guidelines within the relevant sections of the Draft Plan in the interests of clarity.

The Authority is of the opinion that the exceptions to the general presumption against signage on national roads included in both Objective AS2 and AS3 is contrary to the provisions of the DoECLG Guidelines and TII requests that the Council review this matter in the interests of road safety and consistency with official policy.

**(g) Noise**

Although the Authority acknowledges that Noise is addressed in Section 9.3.5 and in the Development and Design Standards of the Draft Plan, the Council is also requested to refer to the requirements of S.I. No. 140 of 2006 Environmental Noise Regulations in the adopted Plan and the requirements of Section 3.7 of the DoECLG Spatial Planning and National Roads Guidelines (2012).

**10. Local Area Plans/Development Strategies**

The Authority notes the commitment to prepare new local area plans for the main settlements in the County included in Objective SS6; the Authority would welcome consultation on the relevant local area plans where there may be implications for the national road network in the area.

In relation to existing settlement plans and local area plans included in the Draft Plan, the Authority provides the following observations;

- (a) The settlements at **Barndarrig, Hollywood, Kilpedder/Willowgrove and Kilmurray (Kilmac)** all adjoin the national road network. The Authority recommends that access to lands identified in the settlement plans should conform to the requirements of the DoECLG Spatial Planning and National Roads Guidelines concerning the general restriction on access to national roads.

### **(b) Ashford Town Plan**

Having regard to the nature and extent of the lands identified for future development in the Town Plan area including other employment development objectives included in the Draft Plan and proximity to the nearby N11, national primary road, and associated junctions, the Authority recommends that future development proposals are progressed in accordance with the requirements of the Draft Plan concerning Traffic and Transport Assessments; the cumulative impact of planned development should be considered in relevant TTA undertaken. Regard should also be had to Section 7 Set Backs from Public Roads of the Development and Design Standards accompanying the Draft Plan.

Regard should also be had to requirements for addressing environmental noise issues in new development having regard to the proximity of proposed new residential zoned lands to the M11 and the need to provide suitable protection from impacts associated with traffic noise.

### **(c) Kilmacanogue Settlement Plan**

The Council will note from the Authority's submissions on the previous settlement plan proposals for Kilmacanogue that the Authority has carried out analysis on the level of inter-action between the national and non-national road network along the N11 route with a view to suggesting integrated road proposals for consideration. The Authority issued the 'M11/N11 Merging Study Report' and the 'N11 Corridor Review – Fassaroe Junction to Kilmacanogue, Co. Wicklow' Report to Wicklow County Council in April, 2010. Further to that, the Authority has also progressed the M50/M11/N11 Corridor Study (2012).

Objective 2 of the Draft Settlement Plan allows for a feasibility study and public consultation to investigate the possibility of providing a new road to the east of Kilmacanogue which would, amongst other things, provide alternative access to properties currently directly accessed from route N11.

The objective of the reports outlined above is to identify a range of necessary road improvements, including walking and cycling facilities that may be required to appropriately manage the strategic function of the national route in the context of associated local and regional road network needs between Fassaroe Junction and Kilmacanogue.

In addition to Objective 2 of the Draft Plan, the Council may consider it beneficial to review the recommendations of the M50/M11/N11 Corridor Study with a view to establishing specific proposals that can be incorporated into the plan, promote the development of safe and accessible pedestrian and traffic routes and address the lack of integration between the properties on the east side of the N11 with the majority of services located on the west side. The proposals also benefit through traffic on the strategic national road network. TII is available to discuss proposals with the Executive of the Council as they develop in this regard.

### **Chief Executive's response**

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1. It is noted that the NTA's new Transport Strategy for the GDA 2016-2035 does not explicitly include a Luas spur to Fassaroe. Wicklow County Council must comply with the nested planning requirements of the National Spatial Strategy and the Regional Planning Guidelines that require it to accommodate c. 40% of its allocated population increase in the 'metropolitan' area of Bray and Greystones. The only possible way of achieving this is to develop in Fassaroe, and in keeping with planning principles, this has to be at a high density. Obviously infrastructure



providers must service the areas where higher level planning documents have designated population must be located. Fassaroe was already designated for a light rail that could be upgraded to a heavy rail metro. Wicklow County Council sees this as the most sustainable approach, but if the TII feel that a light rail is not appropriate, they will no doubt provide alternative mass transit options.

2. Noted. The TII of course would be consulted, being the key agency with responsibility for the national road network, on any proposals relating to the M/N11.
3. It is agreed that the development of park and ride facilities along strategic transport corridors should happen in a coordinated, not case by case, basis. Therefore it is recommended that Objective TR2 is slightly amended to reflect this.
4. Noted. It is recommended that the plan is amended to reflect the wider national and international economic role of the M/N11.

5. (a) **M11 Arklow Bypass, third interchange**

It is noted that the TII does not support the inclusion of this objective. While it is accepted that this may not have funding or be a priority at present, the Arklow by-pass was designed to allow for the future connection and it would appear short sighted therefore to remove this objective. The maintenance of such objectives also ensures that any development proposals in the area of this possible interchange will be appropriately managed to ensure they would not impede its delivery. Therefore it is not recommended that this objective be omitted.

(b) **Upgrade to N11 Ballyronan Junction**

The TII considers it premature to include this objective until a detailed framework plan is carried out, which will consider all aspects of the existing developed and undeveloped zoned lands in Newtownmountkennedy on the adjacent N11 junction. It is certainly the case that a study requires to be completed in order for the nature of any improvements to be determined, but it is abundantly clear that improvements to the Ballyronan interchange will be required in some format. Therefore it is not recommended that this objective be omitted. The TII will naturally be consulted in the crafting of the next LAP for Newtownmountkennedy, being prescribed body under the Act.

(c) **Upgrade to the N11 Glen of the Downs Junction**

It is noted that the TII does not support the inclusion of this objective. While it is accepted that this may not have funding or be a priority at present, it would appear short sighted to remove this objective. A motorway over bridge was constructed in the Glen at great expense, but serves a very limited area and is very lightly trafficked, yet has the potential to provide a 3<sup>rd</sup> means of access into Greystones, thereby taking pressure of the Delgany and Kilcroneigh interchanges. Obviously such a project cannot proceed without detailed study and justification being carried out and it forming part of the programme for the improvements of the N11 from the County boundary to Ashford. Therefore it is not recommended that this objective be omitted.

(d) **Leinster Orbital Route (LOR)**

Noted

(e) **Other national road proposals**

- the slight wording inconsistencies with regard to the upgrade of the M/N11 are noted and will be addressed.
- reference to the N81 is noted
- support of TR18 and TR19 is noted

6. Noted
7. The issue raised with regard to the objectives relating to a new means of access onto a national road are noted and it is recommended that Objectives TR21 be amended and TR24 be omitted;
8. (a) It is agreed that it has not been demonstrated that the zoning objectives set out in EMP12 do not appear to be consistent with the DOECLG Spatial Planning and National Roads Guidelines (2012) and that an evidence based analysis supporting the proposed zonings has not been provided.

**Map ref. 5.01 (Mountkenedy Demesne, Kilpedder)** It is agreed that the proposal to zone lands at this location appear to be inconsistent with the zoning principles outlined in Section 5.4 (ii) (b) of the Draft Plan and are proposed in the absence of the evidence base required under Section 2.7 of the DoECLG Spatial Planning and National Roads Guidelines. It is also agreed that in advance of studies/options to implement identified 'essential improvements' to the N11/M11, the proposal is considered premature and has the potential to conflict with Objectives for the M/N11 included in Section 9.1.4 of the Draft Plan including road capacity and safety improvements to the main carriageway and associated junctions. It is therefore recommended that this zoning be omitted.

**Map ref. 5.03 (Kilmurray South) and Map ref. 5.04 (Kilmurray North);** it is agreed that the proposals appear to be progressed in the absence of any evidence based basic transport assessment; the lands are remote from any established settlement and appear almost completely reliant on access by private car. It is also agreed that in advance of studies/options to implement identified 'essential improvements' to the N11/M11, the proposal is considered premature and has the potential to conflict with Objectives for the M/N11 included in Section 9.1.4 of the Draft Plan including road capacity and safety improvements to the main carriageway and associated junctions. It is therefore recommended that these zonings be omitted.

**Map ref. 5.07 (Rathmore, Ashford);** it is agreed that the proposal appears to be progressed in the absence of any basic transport assessment; the lands are remote from any established settlement and appear almost completely reliant on access by private car. It is agreed that the development of such lands could have adverse impacts on the safety and efficiency of the national road network in the area. It is therefore recommended that this zoning be omitted.

**Map Ref. 5.08 (Ashford);** it is agreed that the zoning proposal has been progressed in the absence of any transport assessment and evidence base as required by the DoECLG Spatial Planning and National Roads Guidelines. It is also agreed that the proposed 'master plan' approach to the development of these lands would be inappropriate given the significant strategic national road network issues that are unresolved in the proposed zoning designation, specifically concerning the absence of appropriate transport assessment or transport modelling as part of the required evidence base.

However, having regard to the fact that a large film studio already exists at this location and the proposals to expand same would coalesce a range of activities occurring throughout the County into one location, and having considered other submissions in relation to this site and furthermore, the provisions of the Wicklow LECP, it is recommended that this zoning be retained, in a significantly reduced format and with much stronger requirements with respect to phasing being linked to road capacity assessment.

It is therefore recommended that Objective EMP12 be omitted, other than Map 5.08 Ashford film studios, with the amendment as set out to follow.

(b) **Objective T20**, Jack Whites Cross; Map ref. 7.08

It is agreed that it is premature to include the proposed zoning designation in the absence of the required plan-led evidence based data required in accordance with the provisions of the DoECLG Spatial Planning and National Roads Guidelines (2012) and having regard to the potential impact the development of such lands could have on the safety and efficiency of the strategic national road network in the area. It is therefore recommended that this zoning be omitted.

(c) **Objective CD17**, Killickabawn, Kilpedder; Map ref. 8.04

It is agreed that the proposal has been progressed in the absence of any basic transport assessment and the lands appear almost completely reliant on access by private car. It is agreed that identifying such lands in proximity to the N11 and associated junction is not considered a practice consistent with the requirement to provide future upgrades to the N11 or this junction included in Section 9.1.4 of the Draft Plan. It is therefore recommended that this zoning be omitted.

9. (a) The point raised about cross referencing is noted but it is simply not feasible to cross reference all objectives with other objectives that might also relate to them. This would make the plan particularly cumbersome to read and repetitious. It is clear that objectives for example relating to development on, near or affecting the national road that are set out in the section of the plan dealing with national road objectives, would apply to all development types envisaged throughout the plan.

(b) As above

(c) The issue raised with respect to retail warehouses is noted and it is recommended that objective RT23 be amended. The appropriate location for any retail warehousing development will be determined through the local area plan process as set out in Objective RT24. With respect RT32, it is recommended that an amendment be made to same.

(d) The draft plan already requires that TTAs and RSAs be carried out; it would appear that all that is requested is an update to the date of a document set out in the footnote to RT9. This is acceptable.

With respect to TR23, this requires traffic assessment to consider the impact of the proposed development, along with other permitted development in the area. TII is requesting that this be expanded to include an assessment of possible future development from all zoned land in the vicinity. This is considered somewhat unreasonable, as the likelihood of all zoned land being taken up and developed to its maximum capacity in any area is considered extremely low, and there must be a presumption for allowing developments that are ready to proceed to avail of road capacity available at that time, unless there are sound spatial planning, economic or social reasons to hold capacity back for zoned land that has yet to be put forward for development. Therefore no amendment is recommended.

(e) Service area – point is noted and an amendment is recommended.

(f) TII is requesting reference is made in the plan to the Planning Authority fulfilling its statutory functions to take enforcement action against unauthorised signage on / near national road, as its set out in Section 3.8 of the “Spatial Planning and National Roads” guidelines. This is considered unnecessary as statutory duties will be fulfilled whether or not they are referenced in a land use plan.

With regard to Objectives AS2 and AS3, it is noted that these objectives are not fully consistent with the “Policy on the provision of Tourist and Leisure signage on National Roads”. The current policy is neither weaker nor stronger – it simply allows for some signage types not provided for in the guidelines and precludes some signage types that the guidelines appear to allow. In order to more fully align, amendments to these objectives are recommended.

(g) The plan already makes reference to SI 140 of 2006 (otherwise known as the Environmental Noise Regulations 2006) in Objective WE12, but the precise name of the regulation is not correctly stated – stated as the “EPA Noise Regulations 2006”. This will be corrected.

10. (a) Noted – all developments, where or not they are located in the settlement identified in the submission will be subject to the objective relating to access onto national roads.
- (b) Ashford- all issues duly noted and are addressed in the plan. No amendments are required.
- (c) Kilmacanogue – it is suggested that further road objectives may be included in the Kilmacanogue settlement plan having regard to the recommendations set out in the M50/M11/N11 Corridor Study (2012), and various other studies. In this regard, it has already been determined that the necessary road improvements required from the County boundary to the Glen of the Downs, including in the settlement of Kilmacanogue, cannot and should not be considered in isolation from the wider area and as a result it is intended to prepare a Bray Municipal District LAP as soon as the County Development Plan is completed, which will address all of the report mentioned and road improvements required. It is also understood that the TII is carrying out further studies and report at present, which have yet to be completed. In advance of that wider analysis and plan preparation, and completion of the TII’s latest report, it is considered premature to simply add more objectives into the Kilmacanogue plan, which should in a sense be considered an ‘interim plan’ until the new MD plan is adopted. No amendments are therefore recommended.

## Chief Executive’s recommendations

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### AMENDMENT 35

Chapter 9 ‘Infrastructure’, Section 9.1.2, p166

- TR2** To promote the development of transport interchanges and ‘nodes’ where a number of transport types can interchange with ease. In particular:
- to facilitate the development of park and ride facilities at appropriate locations along strategic transport corridors **which will be identified through the carrying out of required coordinated, plan-led transport studies and consultation with the appropriate transport agencies.**
  - to enhance existing parking facilities at and/or the improvement of bus links to the train stations in Bray, Greystones, Wicklow and Arklow;
  - to promote the linkage of the LUAS extension/Bus Rapid Transport to Bray DART;
  - to encourage the improvement of bicycle parking facilities at all transport interchanges;
  - to improve existing and provide new footpath / footway linkages to existing / future transport interchange locations; and
  - to allow for the construction of bus shelters, particularly where they incorporate bicycle parking facilities.

## AMENDMENT 36

Chapter 9 'Infrastructure', Section 9.1.4, p168

### N11/M11

While the N11/M11 has undergone significant upgrading over the past number of years, works are still required in order to fully upgrade this national road. Wicklow County Council will continue to promote the upgrading of the N11/M11 to ensure ~~an adequate level of service is provided~~

- access to the south east of the country is enhanced, to maintain access to international markets for freight and tourist traffic through Rosslare Euro-port and via the M50 through Dublin Port and Airport,
- the requirements of existing development within the County is met, and
- the necessary population and employment growth for the County will be accommodated, with particular respect to capacity and accessibility to/from the N11/M11.

Wicklow County Council will work closely with the various road agencies to achieve all necessary upgrading works, which should include, but not be confined to, the following essential improvements to the N11/M11:

### Objectives for the M/N11

- upgrading of the N11/M11 between the County boundary and Ashford Kilmacanogue / Glen of the Downs, including road capacity and safety improvements to the main carriageway and all necessary improvements to associated junctions;
- Improving the M11 / M50 merge;
- ~~Upgrading of substandard junctions on the N11/M11, to improve the safety and capacity of the junctions;~~
- upgrading of the N11 to motorway status between Bray and Cullenmore;
- upgrading the N11 interchange at the Glen of the Downs to facilitate the provision of a northern link road from the N11 to Greystones;
- upgrade Ballyronan Interchange to facilitate improved access to Newtownmountkennedy and a possible link road from Ballyronan to Kilcoole; and
- the provision of a third interchange on the Arklow by-pass, linking the M11 to Vale Road

## AMENDMENT 4

### Chapter 2 'Vision & Core Strategy' Section 2.4.6, p21

#### 2.4.6 Transport

The transportation strategy set out in the National Spatial Strategy, of the development of 'Strategic Radial Corridors', 'Strategic Linking Corridors' and 'Strategic International Access Points' are translated to the regional level through the Regional Planning Guidelines for the Greater Dublin Area and NTA Greater Dublin Area Draft Transportation Strategy 2011-2030.

#### Roads

The NSS identifies the N11 – M11 as **Strategic Radial Corridor** from Dublin to the south-east of Ireland. The RPGs identify the N11 – M11 as a **Multi-Modal Transport Corridor**.

The N11/M11 national primary route / motorway serves the eastern coast area of the County, while a second national route, national secondary route N81, serves the west of the County along the border with Kildare and Carlow.

The N11 / M11 is part of Euroroute 01 and has undergone significant investment in the last 20 years. The final section of dual carriageway between Bray to the north and the Wexford boundary to the south was completed in 2015 – the Rathnew to Arklow Scheme. Having regard to the limitations of the mainline rail route in the County (see below), the N11/M11 will continue to be the principal access corridor in the eastern side on the County.

The RPGs also identify the ‘Leinster Outer Orbital Route’, traversing the region from Arklow in the south-east, to the Naas-Kilcullen area in the west via a route similar to the existing R747 – N81 corridor.

The second national route in Wicklow, National Secondary Route N81, is not identified in the NSS or the RPGs as being of strategic or regional significance. The N81 has only undergone minor improvements over the last 20 years. The NRA National Road Design Office in 2012 published a ‘preferred route’ for improvements of the N81 from Tallaght to Hollywood, but this scheme has not been progressed as yet to consent or construction stage.

The County is served by a network of regional and local roads, which are essential for inter-County traffic and east-west connections and local movements.

In light of the likely continuing car dependency to access the metropolitan region in the short to medium term, it is the strategy of this plan to facilitate and encourage measures to improve capacity and efficiency of the national routes and facilitate the improved use of the national routes by public transport. The priority for strategic road improvement will be:

- the upgrade of the N11 in the north of the County, from the Dublin border as far as [Kilpedder](#), [Ashford](#) in particular improvements to the M50 / M11 merge which is deficient in capacity, and all interchanges serving Bray;
- the upgrade of the N81 between the Dublin border and Hollywood; and
- the finalisation of and protection of the Leinster Outer Orbital Route corridor with possible incremental implementation of the road (in line with NTA Strategy).

The priority for regional road improvement will be with east-west connector routes i.e. Wicklow – Roundwood – Sally Gap – N81 (R763/4 – R759), Wicklow – Laragh – Wicklow Gap – N81 (R763 – R756) and the R747 (Arklow – Tinahely – Baltinglass).

## AMENDMENT 37

Chapter 9 'Infrastructure, Section 9.1.4, p169

**TR21** To safeguard the capacity and safety of the National Road network by restricting further access onto National Primary and National Secondary roads in line with the provisions of the 'Spatial Planning and National Roads' Guidelines' (DoECLG 2012). ~~In particular, a new means of access onto a national road shall adhere to the following requirements and the only exceptions shall be as set out in Section 2.6 of "Spatial Planning and National Roads" - Guidelines for Planning Authorities (DECLG 2012):~~

- ~~(a) Lands adjoining National Roads to which speed limits greater than 60kmh apply: The creation of any additional access point from new development or the generation of increased traffic from existing accesses to national roads to which speed limits greater than 60kmh apply shall be avoided. This provision applies to all categories of development, including individual houses in rural areas, regardless of the housing circumstances of the applicant.~~
- ~~(b) Transitional Zones: These are areas where sections of national roads form the approaches to or exit from urban centres, that are subject to a speed limit of 60kmh before a lower 50kmh limit is encountered. Direct access onto such road may be allowed in limited circumstances, in order to facilitate orderly urban development. Any such proposal must, however, be subject to a road safety audit carried out in accordance with the TII's requirements and a proliferation of such entrances, which would lead to a diminution in the role of such zones, shall be avoided.~~
- ~~(c) Lands adjoining National Roads within 50kmh speed limits: Access to national roads will be considered by the Planning Authority in accordance with normal road safety, traffic management and urban design criteria for built up areas~~

~~**TR24** A new means of access onto a national road will generally not be permitted, but may be considered if one of the following circumstances applies:~~

- ~~• The national road passes through a designated settlement and a speed limit of 50km/h or less applies;~~
- ~~• where the new access is intended to replace an existing deficient one; and~~
- ~~• where exceptional circumstances apply, as described in Section 3.2.6 of the NRA 'Policy Statement on Development Management and Access to National Roads' (NRA May 2006).~~

## AMENDMENT 14

### Section 5.5 'Objectives for Economic Development', p92

Amend Objective EMP12 as follows:

**EMP 12** ~~To provide for employment development at the following locations as shown on maps 5.01-5.08.~~

| Location                                   | Map No.            | Size (ha)        | Zoning Objective  |
|--|--------------------|------------------|---|
| <del>Mountkennedy Demesne, Kilpedder</del> | <del>5.01</del>    | <del>34.7</del>  | <del>To provide for a data centre facility<sup>17</sup> and associated related industries set in open parkland with extensive landscaping, a high architectural standard of layout and building design with low site coverage. Employment types other than those strictly related to data storage shall show a clear process related requirement to locate in proximity to a data centre.</del>   |
| <del>Rath East / Knockloe, Tullow</del>    | <del>5.02</del>    | <del>4.4</del>   | <del>To provide for a light industrial development</del>  |
| <del>Kilmurray South</del>                 | <del>5.03</del>    | <del>0.76</del>  | <del>To provide for transport purposes development</del>  |
| <del>Kilmurray North</del>                 | <del>5.04</del>    | <del>0.8</del>   | <del>To provide for a warehousing / storage / distribution and commercial vehicle park</del>  |
| <del>Scratenagh crossroads</del>           | <del>5.05</del>    | <del>8.09</del>  | <del>To provide for light industrial uses / business park uses with extensive landscaping and a high architectural standard of layout and building design.</del>  |
| <del>Kilpedder Interchange</del>           | <del>5.06</del>    | <del>27.7</del>  | <del>To provide for employment uses including industrial, transport, distribution, warehouse or retail warehouse developments of good architectural design, layout and landscaping including substantial screening from N11. The provision of transport and retail facilities will not be at the expense of facilities in existing settlements. Any redevelopment of the (former) Dan Morrissey / SM Morris sites shall include significant proposals to address the unsightly appearance of these sites. In addition, any development on these lands shall connect the footpath from Greytsones towards the pedestrian bridge at Kilpedder.</del>  |
| <del>Rathmore, Ashford</del>               | <del>5.07</del>    | <del>10.53</del> | <del>To provide for employment uses</del>   |
| Inchanappa South and Ballyhenry, Ashford   | 5.01 <sup>18</sup> | 160<br>62.25     | <p>To provide for the development of and expansion of the existing film studios in Ashford on the lands shown on Map 5.01 in accordance with the following requirements:</p> <ul style="list-style-type: none"> <li>- the development of these lands shall be strictly limited to facilities for the production of film, TV, animation etc and any associated spin offs such as visitor facilities; in particular residential development or other non film related commercial activities are not to be permitted</li> <li>- the agreement of a master plan for the entire area <del>any application in advance of the agreement of this plan shall set out</del> which shall include: <ul style="list-style-type: none"> <li>(i) <del>the phasing</del> a detailed phasing plan which shall be linked to the conclusions and recommendations of a Traffic and</li> </ul> </li> </ul> |

<sup>17</sup> ~~A data centre is a facility used to house computer systems and associated components, such as telecommunications and storage systems. It generally includes redundant or backup power supplies, redundant data communications connections, environmental controls (e.g., air conditioning, fire suppression) and security devices.~~



|  |  |  |   |
|--|--|--|---|
|  |  |  | <p>Transport Assessment, which shall clearly set out the traffic generation model for the entire development and its constituent phases, and a detailed evaluation of the capacity of all roads serving the site, including all N11 junctions and the N11 itself and their abilities to accommodate the development without impacting on the carrying capacity of the national road for strategic inter-County traffic;</p> <p>(k) sequence of development, that shall be generally from south to north;</p> <p>(l) the infrastructure plans for the servicing of the site;</p> <p>- this zoning shall be for the lifetime of this plan only.</p> |
|--|--|--|---|

**Map no. 5.01**

**INCHANAPPA SOUTH & BALLYHENRY ASHFORD**

**Employment Zonings**

**ZONING EXTENT DRAFT PLAN**

**RECOMMENDED REVISED ZONING**

**Wicklow County Council Planning Department**

**DRAFT WICKLOW COUNTY DEVELOPMENT PLAN 2016-2022**

**Map Not To Scale**

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## **AMENDMENT 34**

### **Chapter 8 'Community Development', Objective CD17, p154**

#### **Omit Objective CD17**

~~**CD17** To provide for new or extended residential care facilities for the elderly at the following locations as shown on maps 8.01-8.04:~~

- ~~• Ballinahinch Lower, Newtownmountkennedy (c. 8ha as shown on Map 8.01)~~
- ~~• Blainroe / Kilpoole Lower (c. 2.5ha as shown on Map 8.02)~~
- ~~• Coolgarrow, Woodenbridge (1.5ha as shown on Map 8.03)~~
- ~~• Killickabawn, Kilpedder (c. 6ha as shown on Map 8.04)~~

Note: While on the omission of the site at Killickabawn as necessitated by the submission of the TII, with respect to further submissions made, it is proposed to omit the entire objective.

## **AMENDMENT 30**

### **Chapter 7 'Tourism & Recreation' 'Objective T20, p136**

**T20** To support development at existing / proposed integrated tourism / leisure / recreational complexes at the following locations:

- Druids Glen Golf Club, Woodstock Demesne (Map 07.03);
- Ballinahinch Lower, Newtownmountkennedy (Map 07.04);
- Brook Lodge, Macreddin West, Aughrim (Map 07.05);
- Rathsallagh House, Dunlavin (Map 07.06);
- Castletimon, Brittas Bay (Map 07.07);
- ~~• Jack White's Cross (Map 07.08)~~

## **AMENDMENT 21**

### **Chapter 6 'Centres & Retailing', Objective RT23, p124**

**RT23** There shall be a general presumption against large out-of-town retail centres in particular those located adjacent or close to existing, new or planned national roads/motorways.  
~~However, as a limited exception, large retail warehouses may be considered for locations close to such road networks where the proposed development would be situated where the road network has sufficient capacity to cater for the scale of development proposed.~~

## **AMENDMENT 23**

### **Chapter 6 'Centres & Retailing', Objective RT32, p127**

#### **Outlet Centres**

**RT32** There shall be a general presumption against out-of-town regional shopping facilities, **in particular those located adjacent or close to existing, new or planned national roads/motorways;** however, specialist outlet centres may be considered where the following criteria are met:

- due regard shall be paid to the Retail Strategy and Retail Planning guidelines;
- the developer can show through rigorous retail impact assessment that the proposed centre will not divert trade from either the City centre or major / County towns and that the centre will not absorb such a quantum of retail floorspace in the County so as to undermine the continued growth and viability of existing County settlements;
- the site is located contiguous to a higher order town (i.e. Levels 1-3) and is not located in an isolated rural area, distant from major centres of population;
- the site is located where existing frequent public transport is available or where a short shuttle type connection can be made to rail or light rail system (to be funded by the developer);
- the retail facility shall be designed, developed and managed to provide opportunities for commercial synergy between an outlet centre and urban centre which would lead to economic benefits for the overall area.

## **AMENDMENT 24**

### **Chapter 6 'Centres & Retailing', Objective RT34, p127**

**RT34** Proposals for retailing use at motor fuel stations shall be considered in accordance with the 'Retail Planning Guidelines for planning authorities' (DoECLG, 2012).

Proposals for online and off line motorway service areas shall be considered in accordance with the "Spatial Planning and National Roads" - Guidelines for Planning Authorities (DECLG, 2012) **and the TII Policy on Service Areas (2014)**

## AMENDMENT 38

### Chapter 9 'Infrastructure', Objectives AS2 and AS3, p174

#### Information and Directional Signs

~~AS2 National Road N11/M11 Signage on this route will be strictly controlled and signs will generally only be permitted in accordance with National Roads Authority's "Policy on the provision of Tourist and Leisure signage on National Roads". In particular this policy allows for advance signing for a tourism attraction with 75,000 visitors per year.~~

~~In addition, signs at N11/M11 off slips will be considered for:~~

- ~~• hotels of a minimum three star status that are remote from a settlement signposted from the N11/M11 and within 5 km of that junction; and~~
- ~~• regional tourist attractions including Kilruddery House and Gardens, Mount Usher Gardens, Wicklow Gaol, Kilmacurragh Arboretum etc.~~

~~AS3 National Road N81 Signage on this route, outside of Blessington and Baltinglass, will be controlled and signs will generally only be permitted in accordance with National Roads Authority's "Policy on the provision of Tourist and Leisure signage on National Roads". In particular this policy allows for advance signing for a tourism attraction with 10,000 visitors per year.~~

~~In addition, signs 200m or so in advance of N81 junctions will be considered for:~~

- ~~• hotels of a minimum three star status that are remote from a settlement signposted from the N81, and within 5 km of that junction; and~~
- ~~• regional Tourist attractions such as Russborough House.~~

AS1 National Roads: Signage on national roads will be strictly controlled and signs will generally only be permitted in accordance with National Roads Authority's "Policy on the provision of Tourist and Leisure signage on National Roads". In order to ensure a proliferation of signage for smaller accommodation establishments does not arise, and take up capacity at junctions, signage at the end of national roads off ramps or at national secondary road junctions (as are allowed by the guidelines) shall be limited to accommodation establishments of 3 stars or higher.

## Section 3 Summary of Issues raised and Chief Executive's response and recommendation on these issues

### SECTION 3.2 GROUP B Elected Representatives

#### SECTION 3.2.1 CLLR JOE BEHAN (B1)

##### Summary of issues raised

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Cllr Behan writes in support of Objective RT17.

##### Objective RT17

*Conscious of the fact that planning has an important role to play in promoting and facilitating active and healthy living patterns for local communities, the following criteria will be taken into account in the assessment of development proposals for fastfood/takeaway outlets, including those with a drive through facility:*

- *Exclude any new fast-food outlets which offer foods that are high in fat, salt or sugar from being built or from operating within 400m of the gates or site boundary of schools, parks or playgrounds, excluding premises zoned town centre;*
- *Fast food outlets/takeaways with proposed drive through facilities will generally only be acceptable within Major Town Centres or District Centres and will be assessed on a case-by-case basis;*
- *Location of vents and other external services and their impact on adjoining amenities in terms of noise/smell/visual impact.*

##### Chief Executive's response

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With respect to proposed **Objective RT17**, as a significant number of submissions have been made on this issue ('no fry zone'), this issue is addressed in its totality in Section 3.4 of this report.

##### Chief Executive's recommendation

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See Section 3.4 of this report.

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**Summary of issues raised**

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Deputy Brady writes in support of Objective RT17.

**Objective RT17**

*Conscious of the fact that planning has an important role to play in promoting and facilitating active and healthy living patterns for local communities, the following criteria will be taken into account in the assessment of development proposals for fastfood/takeaway outlets, including those with a drive through facility:*

- *Exclude any new fast-food outlets which offer foods that are high in fat, salt or sugar from being built or from operating within 400m of the gates or site boundary of schools, parks or playgrounds, excluding premises zoned town centre;*
- *Fast food outlets/takeaways with proposed drive through facilities will generally only be acceptable within Major Town Centres or District Centres and will be assessed on a case-by-case basis;*
- *Location of vents and other external services and their impact on adjoining amenities in terms of noise/smell/visual impact.*

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**Chief Executive's response**

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With respect to proposed **Objective RT17**, as a significant number of submissions have been made on this issue ('no fry zone'), this issue is addressed in its totality in Section 3.4 of this report.

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**Chief Executive's recommendation**

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See Section 3.4 of this report.

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**Summary of issues raised**

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Deputy Daly writes in support of Objective RT17.

**Objective RT17**

*Conscious of the fact that planning has an important role to play in promoting and facilitating active and healthy living patterns for local communities, the following criteria will be taken into account in the assessment of development proposals for fastfood/takeaway outlets, including those with a drive through facility:*

- *Exclude any new fast-food outlets which offer foods that are high in fat, salt or sugar from being built or from operating within 400m of the gates or site boundary of schools, parks or playgrounds, excluding premises zoned town centre;*
- *Fast food outlets/takeaways with proposed drive through facilities will generally only be acceptable within Major Town Centres or District Centres and will be assessed on a case-by-case basis;*
- *Location of vents and other external services and their impact on adjoining amenities in terms of noise/smell/visual impact.*

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**Chief Executive's response**

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With respect to proposed **Objective RT17**, as a significant number of submissions have been made on this issue ('no fry zone'), this issue is addressed in its totality in Section 3.4 of this report.

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**Chief Executive's recommendation**

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See Section 3.4 of this report.



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**Summary of issues raised**

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Deputy Donnelly writes in support of Objective RT17.

**Objective RT17**

*Conscious of the fact that planning has an important role to play in promoting and facilitating active and healthy living patterns for local communities, the following criteria will be taken into account in the assessment of development proposals for fastfood/takeaway outlets, including those with a drive through facility:*

- Exclude any new fast-food outlets which offer foods that are high in fat, salt or sugar from being built or from operating within 400m of the gates or site boundary of schools, parks or playgrounds, excluding premises zoned town centre;*
- Fast food outlets/takeaways with proposed drive through facilities will generally only be acceptable within Major Town Centres or District Centres and will be assessed on a case-by-case basis;*
- Location of vents and other external services and their impact on adjoining amenities in terms of noise/smell/visual impact.*

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**Chief Executive's response**

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With respect to proposed **Objective RT17**, as a significant number of submissions have been made on this issue ('no fry zone'), this issue is addressed in its totality in Section 3.4 of this report.

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**Chief Executive's recommendation**

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See Section 3.4 of this report.

### Summary of issues raised

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(Former) Deputy Ferris has submitted 5 distinct submissions, addressing the following topics:

#### 1. Objective RT17

Deputy Ferris writes in support of Objective RT17 or any other compromise wording that would achieve the same effect. Reference is made to zoning ordinances in Detroit that require 500ft set back, unless the proponent of the development can make a sound case about the suitability of the product offering. This has the effect of placing the onus on the developer to provide to the planner that the food offered will not risk the health of children; it is suggested that planning officials may find it more straightforward to apply such a burden of proof on the developer rather than assuming the responsibility themselves of determining what is high in salt, fat or sugar.

It is also suggested that the Council could consider requiring restricted opening hours for food establishments that may otherwise attract children during school hours.

#### 2. 'Formula businesses'

It is suggested that a restriction of 'formula businesses' i.e. franchise type outlets that have standardised services, décor, methods of operations and other feature that make them virtually identical to similarly branded businesses elsewhere, should be included in the plan.

#### 3. Dunlavin plan

- (a) The plan proposes to almost treble the population of Dunlavin from the 2011 population of 793 to 2,134 in 2022 and for 840 houses to be constructed in the same timeframe. There is no deeper analysis into the origin of these projections. Clearly this is higher than just local population growth. Without a proper basis for these figures it is impossible to determine how 'real' these projections are. What is clear is that a population increase of this magnitude in such a short period of time would have a dramatic effect on the town of Dunlavin.
- (b) The plan places a strong emphasis in the need to conserve the traditional character of Dunlavin; however it is difficult to see how this can be achieved with a near trebling of the population in a 6 year period. It is hard to see how 840 new houses wouldn't have a significant social and visual impact. Given the lack of public transport serving the town, new residents would be very car dependent, which would bring new traffic problem on substandard approach roads
- (c) There is a problem with water supply in Dunlavin. The current supply will not meet the needs of any significant increased in population. Water supply issues should be bottomed out before any meaningful plan can be made for the growth of the town
- (d) The new sewage plant only has a capacity of 2,000 which would not be adequate for the population and employment growth planned. The new plant is still at commissioning stage and complaints are being made about odour emanating from same as well as the adjacent meat and bone meal plant. There are also concerns about the impact on water quality in the River Greese from the new plant. Before any meaningful plan for the town can be developed it is essential to establish Irish Water's programme of works for water and sewerage systems in the town
- (e) The plan correctly identified Dunlavin as a potential gateway for tourism. The plan needs a concrete commitment to developing this beyond an observation to an economic and conservation opportunity for the town

- (f) The proposals to site a new all purpose sporting complex adjacent to the existing GAA complex is welcomed, but Deputy Ferris is not convinced that this would be sufficient to meet the amenity needs of the level of population increase envisaged. The plan to construct a footpath along Sparrow Road is welcomed
- (g) The lack of public transportation has not been adequately addressed in the plan; it is not credible to discuss project population increase of the volume planning without making a real attempt to address the public transport deficiency. This will require input to the plan by various transport providers.

#### **4. Avoca plan**

- (a) The plan aims for a target population increase of 118 people by 2022. However, this is to be accompanied by a housing increase of 120 houses. There is clearly something wrong with these numbers. A large influx of single people into the town over this period seems unlikely. If the Council is to zone more land for housing, it is important to have accurate forecasting of population and housing need.
- (b) The existing WWTP is overloaded and has no extra capacity. It is a pity that the plant wasn't upgraded during the 1990s and 2000s when ample finance was available. There is no mention in the plan about the likely timescale assumed for Irish Water to upgrade the capacity. Unless there are plans currently at an advanced stage, it seems that the planned 120 homes may be delayed for some time.
- (c) Avoca is a very attractive village with an active community working hard to attract tourism jobs, the area has a lot to offer tourists including mining heritage and access to walking trails and great views. The development plan doesn't place enough emphasis if these potential growth areas for tourism and employment. The Ballykissangel TV programme is fading from memories and it's not strong enough to sustain tourism into the future, yet the Avoca DP places as much emphasis in it as on the mining heritage which us a clear growth opportunity. The Avoca plan is quite scant compared to some of the others settlement plans and there is not reason why it can't be expanded to include development objectives for mining and environmental tourism.
- (d) There is no mention of the important red kite population in the area and its value for education and eco-tourism, nor the tourism potential for the Avoca River for angling and walking tourism.
- (e) The surrounding area has a considerable population of creative and crafts people with knowledge and skills that could be harnessed as part of a development of a high end natural environmental tourism offering. If this development plan is to be serious about its objectives to promote the area as a sustainable tourism offer then there needs to be stronger engagement between planners and the local community.

#### **5. Enniskerry plan**

- (a) The population and housing projection numbers need more analysis and clarity. The Council's draft plan for Enniskerry is based on a population growth projection of 362 people between now and 2022. This assumes what is referred to as a target population of 2302 people in 2022 but there is no deeper analysis of the target number so it is impossible to determine how real it is. This is not a good basis of urban planning.  
The number confusion goes further when the housing project is examined the plan identifies a need for 470 new homes to house the targeted population increase of 362 people. There is no clear correlation between these numbers.  
Confidence in numbers is important for everybody. Population analysis has wider implications for the planning of future road and schools to serve the area. It is very difficult to assess the plan's assumptions with regard to water and sewerage capacity when the population numbers lack clarity.

- (b) The plan proposes a significant concentration of development at Parknasilloge. There is no clear vision as to how this new area is to be connected with Enniskerry. It will have its own schools, recreational area and other services and may be at risk of becoming almost a separate village centre.

The Council's history of development at Parknasilloge does not inspire confidence. Occupants of the existing Parknasilloge estate complain about the high housing density lack of sufficient space for children to play, lack of definition of amenity spaces and lack of parking. The homes themselves are poorly constructed and poorly supervised during construction leading to insulation problems, faulty roof drainage and ongoing legal action. Of significance to future development in that area are complaints of poor land drainage, high water table and dampness, these issues have to be confronted, addressed and learned from in advance if any further development plans for Parknasilloge.

- (c) The plan is very light of the conservation value of Enniskerry village. Indeed it envisages new streets of modern buildings. This highlights the overall problem with the draft County Development Plan in its entirety, namely the lack of a cohesive approach in drafting. For example, the Dunlavin plan appears to have been written with a different persons with a different approach to conservation and heritage, it would be of benefit to have all plans reviewed by the County heritage Officer and an independent conservation expert.
- (d) The approach taken with regard to tourism is very narrow. There's an inherent assumption that the proposed 144 new jobs envisaged for business units will be superior to any future job creation based on the tourism value of Enniskerry, There is no consideration given to the possibility of diversifying tourism roles into craft culture, local food and specialise retail, the fact that 200,000 visitors to Powerscourt pass through Enniskerry every year is largely ignore in the plan, despite the fact that Enniskerry us the estate town of the Powerscourt estate.

The lack of vision is disappointing. Enniskerry and its environs has a high percentage of creative people amongst its population. Harnessing this creativity and making it a catalyst for development in order to attract sustainable tourist income should be a focus of this plan, as should connecting the village it the successful tourism destination of Powerscourt.

The vast potential of green tourism and strategic location of Enniskerry as the gateway to the Wicklow Mountains barely gets a mention, there needs to be more emphasis on conserving and enhancing natural and historic attributes of Enniskerry, in order to benefit to the wider local economy in a sustainable manner. There is significantly higher economic value for County Wicklow as a whole to take a conservation approach to Enniskerry rather than the suburban town approach taken in this plan.

- (e) The plan envisages a new road from the Fassaroe interchange in Bray to Monastery. This route passes archeologically and environmentally sensitive areas yet no reference has been made to this important considerations. There is also no timescale for this road or consideration of how traffic growth is to be managed through the already congested village centre and periphery. There should be an emphasis on green belt protection in this zone.
- (f) The reference to the sewage plant lacks clarity. The plan is ambiguous about capacity, hinting at a lack of available capacity yet there is a proposal for 470 new homes in the village by 2022.
- (g) While the protection afforded to Knocksink Wood and Ballyman Glen SAC is welcomed, more could be done to link these areas to other established walking routes for example linking Knocksink to Kilgarron Hill.

## 6. Baltinglass Plan

- (a) The plan aims for what is referred to as a 'target' population increase in 786 people by 2022 bringing the population of Baltinglass to 2,572. This is to be accompanied by a planned housing increase of 521 new homes, the basis for these numbers and the relationship between the housing and population projections is unclear.
- (b) The existing WWTP at Lathaleere has limited extra capacity and does not have capacity to treat sewage to the standard acceptable for discharge to the high protected River Slaney. This is of concern to people living downstream and to the conservation of fish life and protected fresh water mussel. There is no mention in the plan about the likely timescale assumed for Irish Water to upgrade the plant. Unless there are upgrade plans currently at an advanced stage, it seems that the planned 521 homes may be delayed by some time.

There is limited water supply at Tinornan and Parkmore supply wells. It is difficult to find this plan credible when there is no water or sewerage treatment capacity for the houses and businesses that it is proposing.

- (c) Baltinglass is an attractive and vibrant country town with a rich heritage and outstanding views, the area has a lot to offer tourists including archaeology, landscape and history. The draft plan does not make enough of these attributes. The town could do with better signage and information boards. A well signposted walking route within the town could be very effective. More footpaths and cycleways are needed and better connections between the two sides of the river.
- (d) This is a commuter town but it is not sufficient just to acknowledge that without putting in place a sustainable plan for local jobs. Tourism is not being developed enough in the area. The Council has a role in promoting the arts and culture but there's no mention of a theatre or a cinema in the plan. The Council has a planning duty to maximise the attractiveness of the area for businesses and development but also for living.
- (e) Public transport services are not good enough for a town that the Council is accepting to be part of the Dublin's commuter belt. It also not good enough that the Council just accepts the lack of any real public transport connectivity with most of the rest of the County. Baltinglass is an important part of Wicklow yet in public transport terms it is being treated as a suburb of Dublin. There needs to be more in the plan about encouraging more transportation links, as well as improved capacity for car commuters on the N81.

### Chief Executive's response

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There are significant number of issues raised in this submission that are not relevant to the County Development Plan, being a land use framework. However all efforts have been made to fully respond to each item raised.

With respect to proposed **Objective RT17**, as a significant number of submissions have been made on this issue ('no fry zone'), this issue is addressed in its totality in Part X (pXX) of this report.

### Formula businesses

With respect to 'formula business', the draft plan includes an objective which would be considered relevant:

- RT16** To promote an appropriate mix and balance of different types of retail within centres and to control the number of bookmakers, off-licences (including off-licences in convenience stores), take-aways, and other uses that can adversely affect the character of a centre.
- The mix and balance of different type of retail (including retail services) is important to attract people to centres, and to ensure centres remain the main meeting point for the community. Too many of certain types of outlet can destroy the balance of a centre.

It is noted however that this objective does not specifically mention 'formula' chain / franchise type business and it is therefore considered that this objective should be enhanced as follows:

- RT16** To promote an appropriate mix and balance of different types **and styles** of retail within centres and to control the number of bookmakers, off-licences (including off-licences in convenience stores), take-aways, **formula businesses (i.e., franchise type outlets that have standardised services, décor, methods of operations and other feature that make them virtually identical to similarly branded businesses elsewhere)** and other uses that can adversely affect the character of a centre.
- The mix and balance of different type of retail (including retail services) is important to attract people to centres, and to ensure centres remain the main meeting point for the community. Too many of certain types of outlet can destroy the balance of a centre.

## **Dunlavin**

- (a) The figures quoted for Dunlavin are 'targets' rather than 'projections' and the background to all targets is set out in Chapters 2 and 3 of the draft County Development Plan, as well as the population working papers that have been presented to the elected members throughout the plan crafting process. Deputy Ferris, not being a county councillor, would not necessarily have had sight of these other documents, which could of course have been made available on request.

This information is not presented in full again in actual Dunlavin plan and perhaps Deputy Ferris was not aware that this information was already set out in the main body of the plan.

The population target for Dunlavin of 2,134 for 2022 and 2,750 by 2028 is considered reasonable given the previous targets adopted in previous development plans, namely a target of 2,000 by 2016 as set out in the 1999 County Development Plan and 2,500 for 2022 as set out in the 2010 County Development Plan. In fact, it can be seen that the current 2022 target is in fact lower than that originally approved in 2010.

The housing unit target for Dunlavin is actually 849 housing units over a 17 year period between 2011 and 2028, and not 840 units between 2016 and 2022 as suggested by Deputy Ferris.

Dunlavin is designed a 'small growth town' in accordance with the provisions of the RPGs and is designated to accommodate approximately 2.7% of the total housing growth targeted for the County up to 2028, which is comparable to growth levels targeted for Ashford and Rathdrum, in the same level of the growth hierarchy. Dunlavin is considered highly suitable to accommodate housing growth, given

- The high level of community and educational services available in the town, including a secondary school;
- The significant investment in wastewater infrastructure recently undertaken which could allow the town absorb a significant proportion of the housing demand in west Wicklow, at

a time when growth in Blessington and Baltinglass are seriously curtailed due to infrastructural difficulties;

- The strong existing town centre, which is suffering vacancy and dereliction, which would benefit from an influx of residents and visitors to sustain existing business and shops;
- Its position as a pole in the west of the County, between the N81 and the M7, and as a service centre to a wider rural hinterland.

The growth targeted is not 'local' indigenous growth, and it is intended that towns like Dunlavin should absorb housing demands from across the County and the region.

It is also important to note that while targets are set out in the County Development Plan, it is very unusual for any town to in fact meet the target set out within the timeframe described. Infrastructure deficits would very often restrict development and one must also bear in mind that the delivery of the housing units would be dependent on the private construction industry and indeed whether there was any demand for houses at this location. It is important however to set targets, as it is on the basis of these targets that decisions about investment in infrastructure can be made, such as water services and educational facilities. If no or little growth is planned, it is very likely that no further investment in such infrastructure, which would also benefit existing residents, would occur.

- (b) As set out above, it is not targeted that over 800 houses will suddenly be 'foisted' upon Dunlavin in a short 6 year period, therefore negatively impacting on its character. Development is very likely to be slow and incremental, and it is not envisaged that more 50 units would be completed in any year. The draft Dunlavin plan clearly sets out development criteria for the roll of any new housing in the town, in order to ensure that development happens incrementally and in a manner that respects the size and form of the existing town. Any significant block of residential zoned land can only be developed after detailed 'action plan' is agreed with the Planning Authority addressing such issues as phasing, tie in with the town centre and the availability of services.

The plan also specifically protects the existing town centre's character, by the designation of it as an 'Architectural Conservation Area' and various other features, built and natural, through the town are also protected, in order to ensure that essential elements of the town's heritage and character are protected.

With regard to potential traffic impacts arising from new development, it is a normal part of the development management process that any such impacts are assessed before permission is considered, in order to ensure that the local road network can accommodate the new development proposed, without resulting in hazards or congestion in the town.

- (c) It is acknowledged in the draft plan that the water supply requires augmentation. However, the lack of a current water supply should not dictate that planning for the future of the town should not occur. The 'plan' must come first, and then the service / infrastructure providers, who are charged with this job, shall deliver the services. Irish Water is required in their investment plans to take into account the Core Strategy of the development plan, its population growth targets and its growth priorities.
- (d) The new WWTP has a design capacity of 2,400pe which can be expanded to 3,600pe. It is considered that this would provide for sufficient capacity to grow the town to 2,134 in the first instance and to 2,750 in the longer term, including wastewater generated by non-residential development. It is a matter for Irish Water now to decide whether any new development can connect to this plant at the application stage and it goes without saying, that where capacity

is deficient, permission for connection will not be approved. Again, it is important to ensure that water infrastructure does not become the only determinant of growth in any settlement – the service providers must follow the plan, not the other way around.

The new plant has been designed to meet all environmental requirements and will result in an improvement in environmental quality of the River Greese compared to the previous situation. All EPA requirements with respect to odour or any other emissions will be enforced by the EPA and are a matter for Irish Water.

The issue of odour from the existing meat plant is not a matter for a land use framework such as the County Development Plan.

- (e) The County Development Plan is not a tourism or economic plan and its role is to set a framework within which such activities can occur. It is a matter for the tourism and employment agencies, such as County Tourism, Fáilte Ireland, Enterprise Ireland and the Wicklow LEO / Enterprise Unit, through the LECP and other programmes, to implement actions in these areas.
- (f) The draft plan for Dunlavin includes a detailed assessment of all open space and sporting requirement for the enlarged town, in accordance with the agreed open space and amenity standards adopted by the Council, that is, the provision of 2.4ha of open space per 1,000 population. The growth of the town to 2,750 persons would therefore require the provision of 6.6ha of open space in various forms; the draft plan in fact makes provision for 14.89ha of open space. Therefore it is considered that the sporting complex proposed, along with all the other new open spaces proposed, will adequately service an enlarge population.
- (g) It is agreed that Dunlavin, as a typical small country town away from a major centre of population, is lacking in public transport facilities. It is unrealistic to assume that high frequency public transport would be rolled out to a location such as Dunlavin, even if the population were increased beyond the 2,750 targeted. What is suggested is growing Dunlavin to a modest size in recognition of the infrastructural deficiencies it will always face. It is considered that Dunlavin will remain only a local service centre, with most journeys for school, shopping and community services being drawn from the immediate locality; short journeys that are suited to private car use or cycling / walking and which would never justify a local public transport network. It is further hoped, especially given that large amount of public owned land in the town that is zoned for employment use, that local employment will develop in the town, making it more self sufficient and this not requiring of as much movement to Dublin or other larger settlements.

That said, the NTA is currently development a new long term transport strategy of the Greater Dublin Region, of which Wicklow forms part, which must address the Core Strategy and growth priorities of the County Development Plan, and therefore must address transport issue in the N81 towns of Blessington, Baltinglass and Dunlavin.

## **Avoca**

- (a) The current population of Avoca is 717 persons and there are 282 housing units in the town. This includes vacant units and holiday homes. It is targeted to grow the town to a 2022 population of 835 persons (i.e. by 118 persons), this will require a total housing stock of 369 units on the basis of a vacancy rate of 6.5% and a household size of 2.41 (i.e.  $835 / 2.41 + 6.5\%$ ). Therefore the growth in the number of houses proposed is 87 units. It is not suggested that the new population of 118 persons will occupy these 87 units and therefore the plan is accommodating only single or 2-person households. The vast majority of new houses are



required to allow for the fact that household size is falling and additional houses will be required to house these smaller family units.

This is 87 houses over an 11 period i.e. c. 8 per year, and not necessarily single person houses, but a range of houses accommodating a range of household sizes, but with an average size of 2.41 persons.

Deputy Ferris perhaps does not understand what is meant by 'headroom' which is the extra housing capacity allowed for to account for some lands not being released to the market or not delivering the amount of houses envisaged by the zoning. In the case of Avoca, the plan has been crafted to ensure that there would be enough housing land to accommodate 120 houses, but only 87 are in fact required.

- (b) It is acknowledged in the draft plan that the wastewater infrastructure requires improvements if development is to occur. However, the lack of adequate wastewater services should not dictate that planning for the future of the town should not occur. The 'plan' and its targets must come first, and then the service / infrastructure providers, who are charged with this job, shall deliver the services in accordance with these targets. Irish Water is required in their investment plans to take into account the Core Strategy of the development plan, its population growth targets and its growth priorities.

It is a matter for Irish Water now to decide whether any new development can connect to this plant at the application stage and it goes without saying, that where capacity is deficient, permission for connection will not be approved. Again, it is important to ensure that water infrastructure does not become the only determinant of growth in any settlement – the service providers must follow the plan, not the other way around.

- (c) The plan should be updated to take account of the issues raised. The recommended amendments to the Avoca plan are included in **Section x** of this report.
- (d) The plan should be updated to take account of the issues raised. The recommended amendments to the Avoca plan are included in **Section x** of this report.
- (e) This would not be a matter for a land use framework, but for the LECP.

## **Enniskerry**

- (a) The figures quoted for Enniskerry are 'targets' rather than 'projections' and the background to all targets is set out in Chapters 2 and 3 of the draft County Development Plan, as well as the population working papers that have been presented to the elected members throughout the plan crafting process. Deputy Ferris, not being a county councillor, would not necessarily have had sight of these other documents, which could of course have been made available on request.

This information is not presented in full again in the actual Enniskerry plan but was already set out in the main body of the plan.

The population target for Enniskerry of 2,302 for 2022 and 2,500 by 2028 is considered reasonable given the previous targets adopted in previous development plans, namely a target of 2,500 by 2016 and 3,000 by 2022 as set in the 2010 County Development Plan. In fact, it can

## **SECTION 3.2**

be seen that the current 2028 target is in fact lower than the current 2016 target. The overall target for Enniskerry has in fact been reduced in recognition of the environmental constraints presented by the location and topography/landscape of the town.

Given the 2022 population target of 2,302, the number of housing units required to house that population is 1,017 (this is based on an average household size of 2.41 and a vacancy rate of 6.5% i.e.  $2302/2.41 + 6.5\%$ ). In 2011, there were 642 housing units (including vacant units) in the town. Therefore the housing growth required to meeting the target is 375 units.

The plan does not state that there is a 'need' for 470 units. The need to meet the population target is 375 units. However, in order to provide for 'headroom', enough land is zoned to theoretically accommodate 470 units; this is to address the fact that some land may not be released to market or some lands may not deliver the type of densities envisaged.

It should be noted that it would be very unusual for any town to in fact meet the target set out within the timeframe described. Infrastructure deficits would very often restrict development and one must also bear in mind that the delivery of the housing units would be dependent on the private construction industry and indeed whether there was any demand for houses at this location. It is important however to set targets, as it is on the basis of these targets that decisions about investment in infrastructure can be made, such as water services and educational facilities. If no or little growth is planned, it is very likely that no further investment in such infrastructure, which would also benefit existing residents, would occur.

- (b) The draft plan envisages that the new development area at Parknasilloge will form part of the wider town, given that it is located in a gap site between existing housing areas and the town centre, adjoining the town's GAA grounds. The objectives set out in the plan are not crafted around this area being a stand alone development with no connection to the wider town and this is not what is envisaged.

Enniskerry is more than just the 'village centre'; it is a substantial town with residential areas stretching out from the town centre for distance of 600 – 1000m in all directions, and this development in Parknasilloge is no different from this existing pattern.

With regard to physical connections to the town centre, it is a normal requirement of the planning process, that excellent road, foot and cycle connections between new development areas and the existing built up area be required and it is not essential that the exact location and design of any such routes to determined at the development plan stage. There is direct road connection between these lands and the town centre which will provide for the majority of movements and the potential to provide additional linkages will be explored, while particular regard will have to be paid in ensuring the negative impacts do not arise on protected lands at Knocksink between the site and the town centre.

The plan requires the maintenance of the GAA grounds in this development area and in the event that the GAA decided to relocate, that these lands would be maintained in active open space use for the entire community of Enniskerry. Clearly these lands in their current or possible future uses form a core component of the village and the new housing area, being directly adjoining, clearly therefore cannot be considered dislocated from the core town services in this regard.

It is normal requirement that residential open space, that is for the purpose of serving local residents, be provided with any new housing area. The provision of such spaces is not for the

purpose of setting the new residents 'apart' from the wider town, but for providing casual space for local adults and children to congregate and play.

The schools objective in the plan for this area relates to the reservation of land for the existing school in the town to expand or relocate, so there is no suggestion of there being a new separate 'stand alone' school serving this development and not the wider area.

The plan includes provision of community space and employment with the development area, but not new shops or retail services that might compete with the existing town centre or form the basis of a new stand alone 'village'.

With regard to the existing Local Authority development in this area, this is not a matter for the development plan. The consent for this development, in terms of the house design, the layout etc would have been given by the members through the Part 8 process, following an assessment of compliance of the development with various planning and technical design standards and consultation with the public. Any construction faults would be matter for the Housing Department, rather than that the County Development Plan process.

With regard to land characteristics e.g. drainage that may arise in the Parknasilloge area, they would be technical design issues that any developer of the lands would have to address in any application.

- (c) Again it appears that only the text regarding heritage in the actual Enniskerry plan document has been considered and not the appendix to the plan, or additional text and objectives set out in the 'Introduction' to all the Level 5 town plans or indeed that entire chapter on heritage in the main plan. The centre of Enniskerry is designated an 'Architectural Conservation Area' with the design elements that contribute to its value being set out in some detail in Section 6.10 of the Town Plan document. Further objectives with regard to ACAs are contained in Section 10.2.3 of the main plan. It is considered that these objectives, along with the vast number of additional objectives with regard to heritage and protected structures, significantly protect that which is of heritage value in Enniskerry.

While it is a practical reality that not one person can write every single section of a draft plan, given the timeframes within which it has to be produced and the breadth of areas it has to cover, all plans are coordinated and crafted to be generally similar in tone and detail. Furthermore, all plans, particularly the heritage aspects of same, have either been drafted or overseen by the Heritage Officer who is an integral part of the plan team. It would have been helpful if Deputy Ferris had pointed out where she felt there was a discrepancy or weakness in the plan, so it could be evaluated and amendments suggested if necessary.

- (d) The County Development Plan is not a tourism or economic plan. It is land use framework, and tourism and employment 'planning' and strategising is carried out by tourism agencies such as Failte Ireland, the County Tourism Board, the LEO and the LECP. While all of the suggestions made are laudable, none are relevant to the land use plan.
- (e) The draft plan is accompanied by a Strategic Environmental Assessment and Appropriate Assessment which evaluates the impacts of all objectives against environmental criteria, including archaeology and impacts on designated areas such as SACs. Subject to the mitigation measures contained in the plan, these studies have not predicted that the road from Fassaroe to Monastery would result in significant adverse impacts. It should be noted that in order to construct this road, planning consent must be secured, either by the Local Authority or a private developer. Such a consent process will require a detailed assessment of any impacts associated with the development.

There is no timescale associated with this road, as it forms part of the future development at Fassaroe, for which there is no defined timescale.

With regard to traffic impacts, one of the functions of this route is to provide an alternative route into Enniskerry from the N11 avoiding the '21 bends', which is a hazardous route. This clearly therefore brings a safety benefit. The proposed new route also provides for an alternative route for those only intending to access north Enniskerry or travelling on to south Dublin via the Scalp and therefore removing traffic from Enniskerry town centre. Traffic that might use this new route to access west or south Enniskerry instead of the '21 bends' will arrive at the same location in the town centre, i.e. the junction at the bridge and therefore there is no new traffic congestion or management issue arising.

With regard to greenbelt protection, the lands between Fassaroe and Enniskerry is currently unzoned and a designated greenbelt. It is intended to prepare a new Bray MD plan post the adoption of the County Development Plan, which will look at these lands and how they are to be managed in the future.

- (f) While the WWTP has a capacity of 6,000pe, its actual available capacity fluctuates due to inputs of sludge from other locations. It will be a matter for Irish Water to determine if there is a sufficient capacity for additional development when permission to connect to the plant is sought. Any lack of a WWTP capacity should not dictate that planning for the future of the town should not occur. The 'plan' must come first, and then the service / infrastructure providers, who are charged with this job, shall deliver the services. Irish Water is required in their investment plans to take into account the Core Strategy of the development plan, its population growth targets and its growth priorities.
- (g) There is a difficulty in proposing new walking routes or links through protected sites, as such proposals may not pass through the rigorous Appropriate Assessment test.

### **Baltinglass**

- (a) The background to all target figures quoted for Baltinglass is set out in Chapters 2 and 3 of the draft County Development Plan, as well as the population working papers that have been presented to the elected members throughout the plan crafting process. Deputy Ferris, not being a county councillor, would not necessarily have had sight of these other documents.

This information is not presented in full again in actual Baltinglass plan but is set out in the main body of the plan.

The population target for Baltinglass is 2,572 in 2022, which is considered reasonable given the previous targets adopted in previous development plans, namely a target of 3,000 by 2016 and 3,500 by 2022 set out in the current County Development Plan. In fact, it can be seen that the current 2022 target is in fact significantly lower than that originally approved in 2010.

Given the 2022 population target of 2,572, the number of housing units required to house that population is 1,136 (this is based on an average household size of 2.41 and a vacancy rate of 6.5% i.e.  $2,572 / 2.41 + 6.5\%$ ). In 2011, there were 769 housing units (including vacant units) in the town. Therefore the housing growth required to meeting the target is 367 units.

The plan does not state that there is a 'need' for 521 units. The need to meet the population target is 367 units. However, in order to provide for 'headroom', enough land is zoned to

theoretically accommodate 521 units; this is to address the fact that some land may not be released to market or some lands may not delivery the type of densities envisaged.

- (b) It is acknowledged in the draft plan that the water and wastewater infrastructure requires improvements if development is to occur. However, the lack of adequate water and wastewater services should not dictate that planning for the future of the town should not occur. The 'plan' must come first, and then the service / infrastructure providers, who are charged with this job, shall deliver the services. Irish Water is required in their investment plans to take into account the Core Strategy of the development plan, its population growth targets and its growth priorities.

It is a matter for Irish Water now to decide whether any new development can connect its network at the application stage and it goes without saying, that where capacity is deficient, permission for connection will not be approved. Again, it is important to ensure that water infrastructure does not become the only determinant of growth in any settlement – the service providers must follow the plan, not the other way around.

- (c) The County Development Plan is not a heritage plan per se or tourism plan. It is a land use framework which ensures the protection of identified features or items of heritage interest and allows heritage and tourism projects to be developed, but is not the vehicle for delivery such projects. The plan clearly supports such projects, as set out in Objective BAL2. It is agreed that improved signage as well as the development of walking routes would be good for the town, but this would be a matter for tourism and roads agencies and not for a land use plan, but such objectives are supported in the plan under Objectives BAL4 and BAL 5. It is agreed more generally that more footpaths and cycleways are needed in the town as well as additional connections across the river and these are provided for in the development plan under Objectives BAL6, BAL7 and BAL8.
- (d) The County Development Plan is not the 'jobs plan' for the County. It is not the function of a land use framework to put in place a plan for local job development – this would be more a matter for the LEO, the LECP and the Economic Development Unit of the Council. The plan supports jobs creation through the zoning of land for new employment development and the crafting of appropriate objectives and standards were permission to be sought for such developments.

The County Development Plan furthermore is not a social or cultural plan and therefore would have no role in the delivery of a theatre or cinema in the town. The plan can ensure that there is sufficient zoned land in the town were such a project to come forward and provides objectives and standards that would apply to such developments. Again, this would be considered more a matter for the Community, Cultural and Social Department of the Council, perhaps through the LECP or other programmes.

- (e) With respect to public transport, it is agreed that services to Baltinglass are poor. However, the County Development Plan is not a transport delivery plan, but a land use framework that can aid put in place a development structure that would support and facilitate the delivery of enhanced public transport. The public transport agency for County Wicklow is the National Transport Authority, which draws up its own strategies and programmes, which must be consistent with County Development Plans. The Council executive is in regular contact with the NTA with respect to enhanced transports services to West Wicklow, from both Dublin and other location to the south and east of Baltinglass.

With respect to improving capacity on the N81, this is an ongoing programme between the TII (former NRA) and the Roads & Transportation Department of the Council. It is an objective of

the County Development Plan that this programme is continued and facilitated (Section 9.1.4 of the County Development Plan)

### **Chief Executive's recommendation**

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#### **AMENDMENT 19**

#### **Chapter 6 Centres & Retailing, Section 6.3**

**RT16** To promote an appropriate mix and balance of different types and styles of retail within centres and to control the number of bookmakers, off-licences (including off-licences in convenience stores), take-aways, formula businesses (i.e. franchise / chain type outlets that have standardised services, décor, methods of operations and other feature that make them virtually identical to similarly branded businesses elsewhere) and other uses that can adversely affect the character of a centre.

The mix and balance of different type of retail (including retail services) is important to attract people to centres, and to ensure centres remain the main meeting point for the community. Too many of certain types of outlet can destroy the balance of a centre.

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**Summary of issues raised**

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Deputy Harris writes in support of Objective RT17.

**Objective RT17**

*Conscious of the fact that planning has an important role to play in promoting and facilitating active and healthy living patterns for local communities, the following criteria will be taken into account in the assessment of development proposals for fastfood/takeaway outlets, including those with a drive through facility:*

- *Exclude any new fast-food outlets which offer foods that are high in fat, salt or sugar from being built or from operating within 400m of the gates or site boundary of schools, parks or playgrounds, excluding premises zoned town centre;*
- *Fast food outlets/takeaways with proposed drive through facilities will generally only be acceptable within Major Town Centres or District Centres and will be assessed on a case-by-case basis;*
- *Location of vents and other external services and their impact on adjoining amenities in terms of noise/smell/visual impact.*

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**Chief Executive's response**

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With respect to proposed **Objective RT17**, as a significant number of submissions have been made on this issue ('no fry zone'), this issue is addressed in its totality in Section 3.4 of this report.

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**Chief Executive's recommendation**

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See Section 3.4 of this report.

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**Summary of issues raised**

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Cllr Lawless writes in support of Objective RT17.

**Objective RT17**

*Conscious of the fact that planning has an important role to play in promoting and facilitating active and healthy living patterns for local communities, the following criteria will be taken into account in the assessment of development proposals for fastfood/takeaway outlets, including those with a drive through facility:*

- *Exclude any new fast-food outlets which offer foods that are high in fat, salt or sugar from being built or from operating within 400m of the gates or site boundary of schools, parks or playgrounds, excluding premises zoned town centre;*
- *Fast food outlets/takeaways with proposed drive through facilities will generally only be acceptable within Major Town Centres or District Centres and will be assessed on a case-by-case basis;*
- *Location of vents and other external services and their impact on adjoining amenities in terms of noise/smell/visual impact.*

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**Chief Executive's response**

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With respect to proposed **Objective RT17**, as a significant number of submissions have been made on this issue ('no fry zone'), this issue is addressed in its totality in Section 3.4 of this report.

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**Chief Executive's recommendation**

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See Section 3.4 of this report.



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**Summary of issues raised**

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Cllr McLoughlin writes on behalf of members of Greystones MD in support of Objective RT17.

**Objective RT17**

*Conscious of the fact that planning has an important role to play in promoting and facilitating active and healthy living patterns for local communities, the following criteria will be taken into account in the assessment of development proposals for fastfood/takeaway outlets, including those with a drive through facility:*

- *Exclude any new fast-food outlets which offer foods that are high in fat, salt or sugar from being built or from operating within 400m of the gates or site boundary of schools, parks or playgrounds, excluding premises zoned town centre;*
- *Fast food outlets/takeaways with proposed drive through facilities will generally only be acceptable within Major Town Centres or District Centres and will be assessed on a case-by-case basis;*
- *Location of vents and other external services and their impact on adjoining amenities in terms of noise/smell/visual impact.*

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**Chief Executive's response**

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With respect to proposed **Objective RT17**, as a significant number of submissions have been made on this issue ('no fry zone'), this issue is addressed in its totality in Section 3.4 of this report.

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**Chief Executive's recommendation**

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See Section 3.4 of this report.

**Summary of issues raised**

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1. Population expansion of Greystones
  - (a) The population expansion of Greystones of 6,000 from 17,208 in 2011, should be conditional of the road from Delgany to Blacklion (Objective R03) being completed. This has been an objective of the plan since 1989 when the population target was 16,000. This road serves a number of substantial schools and its narrow width and lack of adequate footpaths put children pedestrians in danger. The Council has no plans to complete this road, and the capital investment plan agreed in 2015 does not provide funding for its completion.
  - (b) As Transport Ireland is planning on providing a worse rail and bus service south of Bray, it does not seem appropriate to plan for any expansion in Greystones. The TI's draft strategy for 2035 plans no improvements in Greystones DART service while the incompetent bus section of the strategy plans to halve the present bus service. This will produce a modal shift from public transport to the private car, the opposite of what is planned for the rest of the GDA
  - (c) The TI's predecessor, the NRA, concluded in 2010 that the N11 is not suited to cater for current traffic volumes. Since then they have started 3 studies of the N11, 2 at the request of the Minister. The first resulted in disagreement about solutions and the latter two never produced a report. It is a mistake to plan for population expansion with a planner worsening if public transport and no plan for the overcrowded N11.
2. Footpaths

There should be objectives to link up settlements as follows:

  - Employment Objective EMP12 Map 5.06 has the necessary objective to provide to join the path from Greystones to the Kilpedder overbridge. This may not be enough to enable the Council to compulsorily purchase the land for this path. If not then a separate objective for this path should be included elsewhere to enable a CPO;
  - A footpath / cycleways should be provided for Kilpedder to Newtownmountkennedy, separate from the N11;
  - Footpaths should link Kilcoole to Newtownmountkennedy, Newcastle to NMKKY and Kilcoole to Newcastle.
3. No fry zone

CLlr Mitchell supports objective RT17
4. Coastal erosion and protection of Bray Head

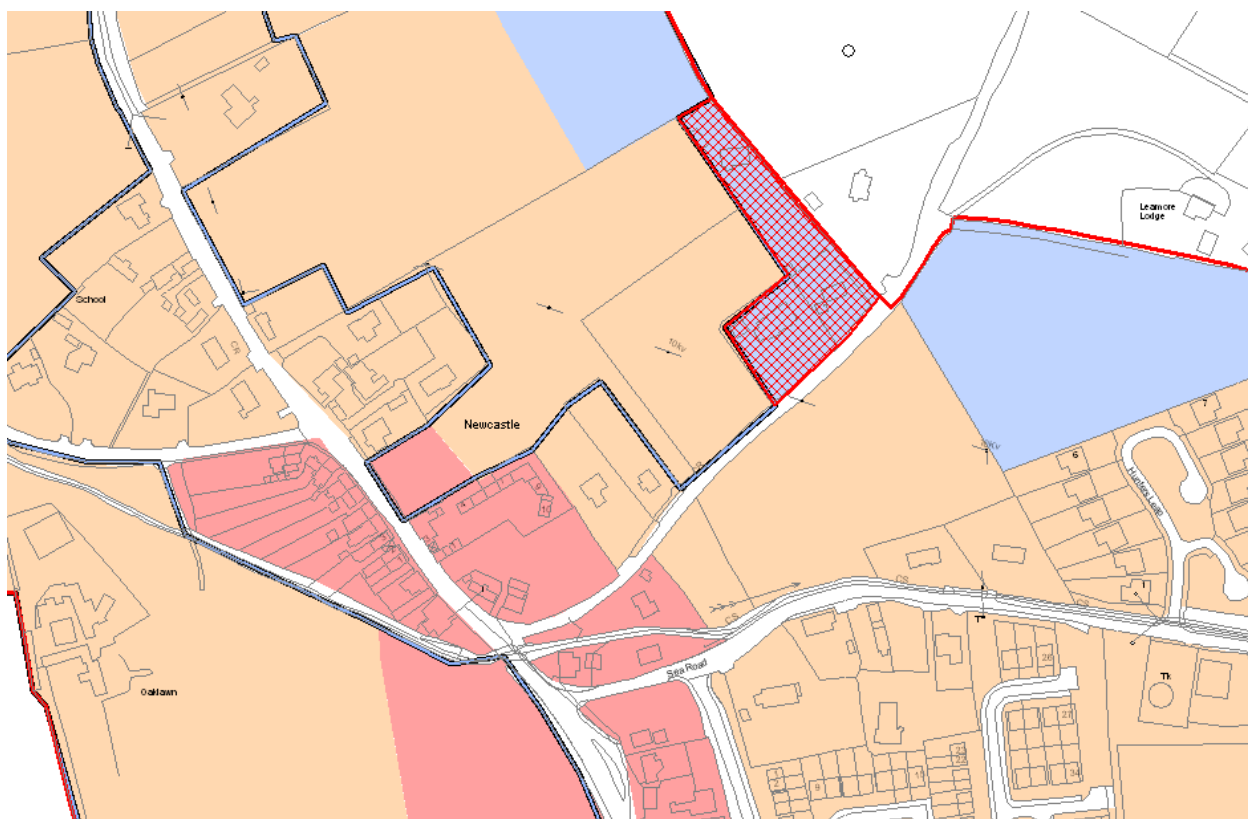
There should be an objective to reduce the rate of erosion of Greystones north beach including the consideration of the land drainage scheme – dealing with the surface water in the area by piping it out under the beach would reduce erosion considerably. This will preserve the DART, coastal walks and area for a longer time. Otherwise a hard rock armour solution will have to be put in place within 10 years.
5. Erosion

The suggestions of bringing the rail line further inland should be considered with rapid erosion and increasing sea levels.
6. Newcastle

A minor adjustment should be made to the Newcastle plan to include the already developed land in the secondary development zoned, rather than tertiary. This small parcel has houses on

it and would be best considered for development at the same time as the planned school next to it.

(lands shown hatched in red on the map below)



### Chief Executive's response

1. (a) Firstly, this would be considered more a matter for the Greystones LAP than the County Development Plan, which deals with more strategic, county wide issues and road improvements - this is a local road objective, rather than regional or strategic. It is a specific objective already of the Local Area Plan. Secondly, it is correct that there is no funding allocated at this time for either the design or construction of this road, which would likely entail significant purchase of private lands. It is envisaged that the completion of this road would occur through the incremental development of the lands over which the road would cross, as it would have the function of opening up development land. The parts of the road that have been completed to date have occurred in this manner. Finally, to consider restricting all further development in Greystones until this road is completed would be considered unreasonable, as there are significant tracks of zoned land in the settlement that are not near or dependent on this route. It should also be noted that this question was raised at previous stages of the plan making process, and the requested amendment was not made. For these reasons, no change is recommended.

(b) & (c) With respect to the strategy quoted, Cllr Mitchell is referring to the National Transport Authority's draft 'Transport Strategy for the Greater Dublin Area' which was published for consultation in December 2015. This strategy has now been adopted by the Minister for Transport. The executive of Wicklow County Council is currently engaging with the NTA and

other bodies such as the Regional Authority to clarify the detail of this strategy and its implications for future development in the County.

It is acknowledged that if Bray and Greystones are to grow in accordance with the targets set out in Core Strategy (which are derived directly from the Regional Plan and in fact the Regional Plan would expect even higher growth in Greystones) then the public transport network and the N11 in the north of the County would require enhancement. However, the lack of adequate services at present or uncertain plans about improvements should not dictate that planning for the future growth of these towns should not occur. The 'plan' must come first, and then the service / infrastructure providers, who are charged with this job, shall deliver the services. The NTA/TII is required in their investment plans to take into account the Core Strategy of the development plan, its population growth targets and its growth priorities.

Therefore no changes are recommended.

2. It is an objective of the County Development Plan to improve existing or provide new footpaths and cycleways on existing public roads (TR9). While it is agreed that footpaths / cycleways between the location and settlements mentioned would be of benefit to locals in the area and well as tourists, it is not considered appropriate to identify in this strategic plan specific proposals for a number of reasons; it would be impractical to list every such local project in the County Development Plan, which is meant to be a higher level strategic plan, not bogged down with minutiae; identifying the footpaths mentioned in the submission between the locations / settlements in the Greystones MD area would be unfair without listing all such links that may be desirable throughout the entire County; and the delivery of such projects would be a matter for annual funding decisions rather than the County Development Plan.  
Therefore no changes are recommended.

3. With respect to proposed **Objective RT17**, as a significant number of submissions have been made on this issue ('no fry zone'), this issue is addressed in its totality in Section 3.4 of this report.

- 4 & 5 With regard to coastal erosion and protection programmes, it is not considered appropriate to identify specific locations or specific measures in the objectives of the plan, without studies having been carried out and the nature of the programme / project determined. However, it is agreed that an existing objective of the plan (Objective CZM7) should be amended to support and facilitate any future coastal protection programmes or projects that may be developed during the lifetime of the plan (see recommendations to follow). The County Development Plan does not however deliver any such projects, but sets the land use framework within which such projects may be developed in the future.

With regard to the issue of the railway line, without it being an objective of the NTA or of Iarnrod Eireann, it is not considered appropriate to include an objective for the relocation of the railway line in the County Development Plan.

6. Newcastle:  
The lands in question are shown in the 'tertiary zone' in the draft Newcastle plan. There are three existing detached houses on these lands and they are located at the eastern boundary of the plan area. The logic behind re-designating this land as 'secondary zone' is not clear as the secondary zone is the area identified for housing estates and employment type development, yet there is no free land associated with these sites. If the desire is to ensure that 'infill' type houses could be built in the gardens of these houses, then their location in the tertiary zone would facilitate such a form of development.

It should be noted that no school is 'planned' to be developed on the land adjacent to these houses – it is simply a requirement of the plan that any development in the secondary zone

adjacent must include the reservation of land for the possibility of its development for educational use.

Therefore no change is recommended.

### **Chief Executive's recommendation**

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#### **AMENDMENT 56**

#### **Chapter 11, Section 11.2**

#### **General Coastal Zone Management Objectives**

**CZM7** To facilitate the provision of new or the reinforcement of existing coastal defences and protection measures where necessary along the full coastline of the County and in particular to support the implementation of the measures identified in the Murrough Coastal Protection Study<sup>1</sup> and any other similar studies that are produced during the lifetime of the plan. ~~and where considered necessary.~~

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<sup>1</sup> 2007, WCC/RPS

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**Summary of issues raised**

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Deputy Timmins writes in relation to Objective RT17.

He indicates that he has received representations seeking a defined exclusion zone with respect to fast food outlets obtaining planning permission in proximity to educational facilities and that he is supportive in principle of this restriction.

However he would like to see a detailed response to this issue to ensure that there are no unintended consequences. In particular he would like a view on the implications for any school buildings that maybe subject to a planning application in the proposed exclusion zone if a fast food takeaway is already established. In addition he questions what the impact may be on other such outlets as fast food e.g. deli counters and wraps.

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**Chief Executive's response**

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With respect to proposed **Objective RT17**, as a significant number of submissions have been made on this issue ('no fry zone'), this issue is addressed in its totality in Section 3.4 of this report.

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**Chief Executive's recommendation**

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See Section 3.4 of this report.

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**Summary of issues raised**

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Senator Van Turnhout writes in support of Objective RT17.

**Objective RT17**

*Conscious of the fact that planning has an important role to play in promoting and facilitating active and healthy living patterns for local communities, the following criteria will be taken into account in the assessment of development proposals for fastfood/takeaway outlets, including those with a drive through facility:*

- *Exclude any new fast-food outlets which offer foods that are high in fat, salt or sugar from being built or from operating within 400m of the gates or site boundary of schools, parks or playgrounds, excluding premises zoned town centre;*
- *Fast food outlets/takeaways with proposed drive through facilities will generally only be acceptable within Major Town Centres or District Centres and will be assessed on a case-by-case basis;*
- *Location of vents and other external services and their impact on adjoining amenities in terms of noise/smell/visual impact.*

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**Chief Executive's response**

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With respect to proposed **Objective RT17**, as a significant number of submissions have been made on this issue ('no fry zone'), this issue is addressed in its totality in Section 3.4 of this report.

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**Chief Executive's recommendation**

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See Section 3.4 of this report.

## Section 3 Summary of Issues raised and Chief Executive's response and recommendation on these issues

### SECTION 3.3 General Submissions – Volume 1 Chapters 1- 12

#### SECTION 3.3.1 CHAPTER 1 INTRODUCTION TO WICKLOW COUNTY DEVELOPMENT PLAN 2016-2022

#### PLAN TOPIC: INTRODUCTION TO WICKLOW COUNTY DEVELOPMENT PLAN 2016-2022

| No.  | Name                      | Summary of issues raised   |
|------|---------------------------|--|
| C190 | Wicklow Planning Alliance | <p>This submission set out that the 'Introduction' explains as follows:</p> <ul style="list-style-type: none"> <li>▪ The Act requires WCC to prepare a CDP</li> <li>▪ The CDP should be consistent with such national plans, policies and strategies as the Minister determines relate to proper planning and sustainable development.</li> <li>▪ The CDP in the main focuses on 'big picture' planning issues. The plan is not a 'spending plan'.</li> <li>▪ The CDP should provide for and control the physical, economic and social development of the county, in the interests of the overall common good and in compliance with environmental controls.</li> <li>▪ WCC is a planning authority within the GDA.</li> <li>▪ The CDP should be consistent with the transport strategy of the NTA.</li> <li>▪ The CDP should be consistent with the conservation and protection of the environment.</li> <li>▪ The Local Government Reform Act 2014 put into effect reforms set out in the Government's 'Putting People First – Action Programme for Effective Local Government' which was published in 2012. 'Putting People First' sets out a programme for the overall reform of the local government system.</li> </ul> |
| C96  | Keep Ireland Open         | <p>It is stated that this submission is focussed on issues surrounding access to the countryside and directly related issues. However, this submission is over 60 pages long and addresses every chapter and section of the entire draft County Development Plan and proposes hundreds of layout and text changes. It is not therefore considered reasonable to try to synopsise this entire submission in this report, and the submission with respect to Chapter 1 is set out here verbatim:</p> <p><b>1.4 Statutory Content of Plan</b><br/> <i>2<sup>nd</sup> para 1<sup>st</sup> sentence We submit that you should substitute down to with on 1<sup>st</sup> line consistent with DoECLG and DAHG Guidelines and relevant strategies, guidelines, plans, policies and objectives of other Ministers. Development proposals shall be subject to National guidelines and policy. Taken from Carlow 1.1 2<sup>nd</sup> para.</i></p>  |



|  |  |  |
|--|--|--|
|  |  | <p>2<sup>nd</sup> sentence</p> <p><b>Notes</b></p> <p>1 We are of the opinion that the Plan fails in some instances to comply with this requirement. These are referred to in the course of our Submission. We would ask you to make the appropriate amendments to the Draft.</p> <p>2 We are aware that the wording in the Planning Acts uses the phrase have regard to whereas we are suggesting to be consistent with as the former is open to misinterpretation. There is no obligation to use the wording in the Planning Acts.</p> <p>3<sup>rd</sup> para</p> <p>4<sup>th</sup> para We submit that on the 2<sup>nd</sup> last line you should substitute to be consistent with for have regard to.</p> <p><b>Notes</b></p> <p>1 We are aware that the wording in the Planning Acts uses the phrase have regard to whereas we are suggesting to be consistent with as the former is open to misinterpretation. There is no obligation to use the wording in the Planning Acts.</p> <p>2 We are of the opinion that the Plan fails in some instances to comply with this requirement. These are referred to in the course of our Submission. We would ask you to make the appropriate amendments to the Draft.</p> <p>5<sup>th</sup>, 6<sup>th</sup> para &amp; last paras</p> <p>We submit that you should include additional paras:</p> <p>1 Mention the <b>Two year Review</b> required by Sec 15(2) of the <b>2000 Planning Act</b>. See <b>Wexford</b> 1.5 2<sup>nd</sup> para.</p> <p>2 Actively Strive to secure the <b>financial resources</b> to implement the pols and objs. Taken from Laois 1.7 &amp; Kerry 1.3 2<sup>nd</sup> para (7).</p> <p>3 Sec 10(1D) of the Planning and Development Act 2000 (amended) requires that the Written Statement includes a separate statement which demonstrates that the development objectives in the Development Plan are consistent, as far practicable, with the <b>protection and conservation of the environment</b>. Taken from Galway 1.9 1<sup>st</sup> para.</p> |
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### Chief Executive's response

The submission from WPA summarises the contents of Chapter 1. No change to the draft plan is necessitated.

With respect to the submission from KIO, all of the points raised have been considered and no amendments are recommended. In particular, it is considered that the wording used in the draft plan is consistent with that in the Act and that all statutory obligations have been met. The Chief Executive is particularly reinforced in this view having regard to the submission from the Minister, which does not indicate that statutory obligations have not been met in the draft plan.

### Chief Executive's response

No change

## PLAN TOPIC: HIGHER LEVEL STRATEGIES

| No.  | Name               | Summary of issues raised  |
|------|--------------------|---|
| C58  | Delgany Tidy Towns | The submitters put forward that the assumption in the regional plan that Delgany and Greystones have high quality transport links is a false statement, and until transport links are considerably improved, the Greystones – Delgany area should be excluded from the development objectives of the Dublin Metropolitan Area.  |
| C180 | David J Walsh      | <ul style="list-style-type: none"> <li>▪ It is put forward that the plan is based on a false premise that Wicklow enjoys the type of GDA transport infrastructure on which the plan and the overarching RPGs and NSS are based. It is suggested that this will cause extreme difficulties in meeting the objectives set out in the draft plan.</li> <li>▪ In particular, there are poor transportation links to Dublin from Wicklow and it is most unlikely that the transport links can be much improved within the timescale of the County Development Plan. The County is stuck with a single link railway link and only one main road.</li> <li>▪ It is suggested that there is a serious error in the statement regarding Greystones – Delgany which states:<br/><i>Greystones is a strong growth town located within the metropolitan area of the GDA, served by high quality transport links to surrounding towns and Dublin area. The town is located on the DART/rail line and has good quality bus links and has easy access onto the M/N11 road.</i><br/>It is suggest that this is not the case.</li> <li>▪ It is suggested that it will not be practical for the plan to be consistent with higher order plans while at the same time being true to Wicklow County's environmental and heritage objectives and sustainable development.</li> <li>▪ The exclusion of Greystones - Delgany and possibly Bray from the Dublin Metropolitan Area should be seriously considered when the RPGs are reviewed. Consistency with the LECP rather than that the RPGs would be preferable. The objectives of the LECP should take preference over those of the Dublin Metropolitan Plan</li> <li>▪ It is suggested that the followings statement should be added to the plan<br/>Whereas the Council will endeavour to be consistent with the NSS and RPG guidelines and objectives the current transport infrastructure in Wicklow County will, make this exceedingly difficult, at least with respect to the area of the County included in the Dublin Metropolitan Area. The LADP for this area will have to be moderated in order to cope with local restrictions while meetings as far as possible all objectives of the LECP.</li> </ul> |

## Chief Executive's response

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### Greystones – Delgany

- Bray is designated a 'Metropolitan Area Consolidation Town' and Greystones – Delgany is designated a 'Large Growth Town II' in the Regional Planning Guidelines for the Greater Dublin Area. It is a requirement of the Planning Act that development plans are 'consistent' with the higher order strategies such as the NSS and the regional plan. It should be noted that the Eastern & Midlands Regional Assembly and the Minister for the Environment have made submissions on the draft plan indicating that they are supportive of the Core Strategy and Settlement Strategy set out in the plan. It is requirement also that LECPs are consistent with the Regional Planning Guidelines and the County Development Plan, not the other way around.
- It is outside the remit of this County Development Plan to change the regional plan and the issue raised may therefore be more appropriately raised when public input is sought during the review of the Regional Planning Guidelines for the Greater Dublin Area.
- The suggestion that these towns and the County entirely, should be removed from the GDA due to inadequate transport infrastructure is not supported. Bray has excellent transport to the GDA with further enhancement proposed through the extension of LUAS to the town. It is also considered that, relative to other towns within the County, and to other Large Growth Towns II in the region, Greystones – Delgany has high quality transport infrastructure. The DART and mainline rail serves Greystones, as does Dublin Bus with almost 60 buses passing through the centre of Greystones each day.
- Given the submission is from Delgany Tidy Towns / Delgany residents, it is possible that it is the transport services in Delgany that are a primary concern. In this regard, the No. 184 bus passes through Delgany on weekdays more than 30 times in both directions between Bray / Greystones and Newtownmountkennedy (buses in both directions every 30 minutes approximately). These services also link up to the DART (less than 10 minute journey time), where there are 45 northbound services daily. For the mid east counties, this would constitute a good public transport service (Bray and Greystones being the only towns outside of County Dublin served by DART).
- The plan does acknowledge the key transport deficiencies in the County, for example the limitations of rail track capacity constraining an increase in frequency of services. As these transport deficiencies need to be addressed in order to ensure growth is sustainable into the future, this issue should be further expanded on.
- Therefore no change is recommended.

### Chief Executive's recommendation

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No change

| No. | Name                   | Summary of issues raised  |
|-----|------------------------|---|
| C44 | Common Ground          | <p>Common Ground is a members based group located in Bray that was formed three years ago and now has 200 plus members. It is indicated that it came together to create a community that will have a positive impact on the people of north Wicklow, through the sharing of ideas, skills, crafts and food.</p> <p>They propose that the Vision Statement be extended to include the statement that Wicklow be declared a TTIP (Transatlantic Trade &amp; Investment Partnership) Free Zone, as has recently happened in County Clare when Clare County Council passed a motion to declare the County a TTIP Free Zone.</p>   |
| C90 | Irish Heart Foundation | <p>It is submitted that the inclusion of '<b>Promotion of healthy environments</b>' is added as the 12<sup>th</sup> goal of the County Development Plan.</p> <p>It is submitted that</p> <ul style="list-style-type: none"> <li>- Development plans are a central means of implementing national policies in communities across Ireland. For this reason it is crucial that the Wicklow Development Plan reflects the Government's 2013 health and wellbeing framework, <i>Healthy Ireland 2013-25</i> which is seeking cross-sectoral working to achieve a healthy population. Under this national framework, planning authorities have a responsibility to promote healthy communities.</li> <li>- In policy at local level, under the <i>Local Area Plans - Guidelines for Planning Authorities</i> issued under section 28 of the Planning and Development Act 2000-2012, there is also an onus on local authorities to incorporate a focus on active and healthy living in their communities.</li> <li>- While it is noted that the CE in his first report indicated that the issue of public health will be implicitly linked to the overarching goals of the plan, the IHF continues to believe that it is insufficient to have public health and the creation of health environments as an implicit objective within the Development Plan.</li> <li>- Such an objective would ensure that the subsequent Local Area Plans will include a focus on promoting good health for local communities. Including a specific health objective would ensure that land use decisions, the planning process, etc within the draft strategy will be 'health checked'. This 'health checking' should include a commitment to invest money in infrastructure which promotes public health and reject proposals which will negatively impact the health of the community in Wicklow.</li> <li>- The IHF believes that given the increased emphasis on public health in national and local policy the Wicklow Development Plan should more fully recognise the wide potential for planning to improve health outcomes and to reduce health inequalities within the community. To-date the development planning process seems to have adopted a relatively narrow view of public health, primarily limited to the promotion of active travel and the provision of open spaces. The physical and built environments, including infrastructure planning, availability and accessibility of healthy</li> </ul> |

|      |   |  |
|------|---|--|
|      |   | <p>foods, transport networks and the design of streets, can all affect the health and well being of individuals and communities.</p> <ul style="list-style-type: none"> <li>- The IHF recognises that the national guidance on including health priorities in development plans is relatively weak. The Chief Executive's report (p.115) also refers to the lack of guidance on public health and health impact assessment within development plans. The IHF will continue to advocate at a national level for clear guidelines for local authorities to follow in this regard.</li> </ul>   |
| C113 | Maritime Business Development Group         | <p>(a) It is suggested that 'maritime infrastructure' be incorporate into Point 7 as follows:<br/> <i>"To protect and improve the county's transport, water, waste, energy, communications <b>and maritime infrastructure</b> whilst having regard to our responsibilities to respect areas protected for their important flora, fauna and other natural features."</i></p> <p>(b) It is suggested that the wording of Pont 3 be amended as follows: -<br/> <b>Transport</b><br/> <i>To integrate land use planning with transportation planning, with the <del>dual</del> aim of reducing the distance that people need to travel to work, shops, schools and places of recreation and social interaction, <b>facilitating the sustainable transportation of goods</b> <del>facilitating</del> and the delivery of improved public transport.</i></p> |
| C193 | Wicklow Town & District Chamber of Commerce | Verbatim submission to that of Maritime Business Development Group above.  |

### Chief Executive's response

#### TTIP

The **Transatlantic Trade and Investment Partnership** is a proposed [trade agreement](#) between the [European Union](#) and the [United States](#). The agreement is under ongoing negotiations and its main three broad areas are: market access; specific regulation; and broader rules and principles and modes of co-operation.

The [European Commission](#) says that the TTIP would boost the EU's economy by €120 billion, the US economy by €90 billion and the rest of the world by €100 billion. However there has been criticism of the agreement, as it is suggested it involves reducing the regulatory barriers to trade for big business, thereby impacting negatively on areas such as food safety law, environmental legislation, banking regulations and the sovereign powers of individual nations<sup>1</sup>.

It is not clear how one County could 'opt out' of such an agreement if it is made by the EU and is binding on member states. Therefore it is considered that to include such as statement in the Wicklow County Development Plan is not relevant to the plan. Therefore it is not recommended that such a statement be included in the County Development Plan.

#### Healthy Environments

While there is no disputing that all government agencies should work towards improving the health of our citizens, there seems to be some confusion as to the role of the County Development Plan, which is a land use framework, in achieving such aims.

<sup>1</sup> Lee Williams [What is TTIP? And six reasons why the answer should scare you](#). [The Independent](#). 6 October 2015.

The tools that would need to be utilised to improve public health are much more extensive than those available to planning and to a land use framework. It is considered that those aspects of the built environment that can be impacted by the County Development Plan, that would contribute to an improvement to health and well being, are already fundamentally addressed throughout the plan. For example, the plan promotes:

- compact settlements and the delivery of new foot and cycleways, that provide opportunities for people to walk and cycle to their places of work, school and leisure;
- improved planning of town centres, street and the public realm in terms of their appearance, the services available in them and their accessibility;
- the development of facilities for outdoor exercise, sport and recreation;
- the development of enhanced community and social facilities, and access thereto, in order to improve access to health services and to encourage social interaction and mental wellbeing.

It appears that the desire to include the goal suggested is to ensure:

- that the subsequent Local Area Plans will include a focus on promoting good health for local communities,
- that land use decisions, the planning process, etc will be 'health checked',
- that money will be invested in infrastructure which promotes public health,
- proposals which will negatively impact the health of the community in Wicklow will be rejected.

It is not clear that including such an objective would in fact lead to the delivery of these aims as (a) there is no requirement in the Planning Act or other Ministerial guidelines on development plans that 'good health' should be explicitly addressed and no guidance on how exactly this might be done through a land use framework, (b) there is no statutory footing on which to carry out 'health checks' of applications and no basis on which to refuse permission for failing such a check, and indeed no advice / guidelines on how such a check might be carried out, and (c) no certainty that national or local funding would be made available for infrastructure that promotes public health.

Therefore no changes are recommended.

### **Maritime Business Development Group**

The suggestions made are considered reasonable and reflective of Wicklow's maritime location

### **Chief Executive's recommendation**

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## **AMENDMENT 2**

Chapter 2      Vision and Core Strategy, Section 2.3      Vision and Goals

### **Point 3 Transport**

To integrate land use planning with transportation planning, with the ~~goal~~ aims of reducing the distance that people need to travel to work, shops, schools and places of recreation and social interaction, **facilitating the sustainable transportation of goods** ~~facilitating~~ and the delivery of improved public transport.

### **Point 7 Infrastructure**

To protect and improve the county's transport, water, waste, energy, communications **and maritime infrastructure**, whilst having regard to our responsibilities to respect areas protected for their important flora, fauna and other natural features.

| No.  | Name                      | Summary of issues raised   |
|------|---------------------------|--|
| C3   | Ardale Property Group     | Ardale Property Group supports the proposed settlement hierarchy, which identifies Wicklow – Rathnew as a Large Growth Town I and Delgany as a Large Growth Town II and the associated Core Strategy map which identifies same.  |
| C48  | Mary Rose Craig           | Objects to the designation of Enniskerry as a ‘town’   |
| C59  | Donard / Glen Focus Group | <p>It is suggested that Donard should be designated a ‘village’ and not a ‘rural town’ for the following reasons:</p> <ul style="list-style-type: none"> <li>▪ Donard contains c. 200 residents and a small village centre with 2 pubs, 2 churches, 1 small shop and a community hall. The population and facilities of the settlement are not in line with what is expected for a level 6 rural town.</li> <li>▪ The town is designated Level 4 Small Town under the Retail Hierarchy (expected to contain a supermarket, 2 convenience shops, 10-20 small shops).</li> <li>▪ The targeted intensive, large scale growth will compromise the character and heritage of the settlement.</li> <li>▪ The population of the settlement has stagnated since 2006 – the population targets are excessive.</li> </ul>  |
| C99  | Knockree Properties Ltd   | <p>It is put forward that having regard to the facts that</p> <ul style="list-style-type: none"> <li>▪ Kilcoole has been subsumed into the Greystones – Delgany – Kilcoole linked settlement;</li> <li>▪ Kilcoole is larger than Newtownmountkennedy, a Level 4 town;</li> <li>▪ Kilcoole is by far the largest of the Level 5 towns;</li> </ul> <p>its confinement to Level 5 in the County settlement hierarchy is not tenable.</p>  |
| C108 | Barry & Tracy MacDevitt   | It is put forward that the designation of Enniskerry as a Level 5 small growth town is misjudged given that Enniskerry will be squeezed in between some of the biggest population growth centres across two counties. This will bring significant increased pressure on the already inadequate infrastructure in Enniskerry.   |
| C180 | Wicklow Planning Alliance | <p>This is a very substantive submission, and it would not do it justice to try to synthesise all the issues raised, but in short:</p> <ol style="list-style-type: none"> <li>1. It is contended that the County Development Plan is not consistent with the RPGs by targeting substantial growth in Newtownmountkennedy, Kilpedder, Ashford and Kilmurray</li> <li>2. It is contended that the County Development Plan undermines the NTA Transport Strategy for the GDA by <ul style="list-style-type: none"> <li>- Targeting Newtownmountkennedy for significant growth</li> <li>- Targeting employment growth at the sites set out in Objective EMP12 and Maps 5.01-5.08</li> <li>- Targeting residential, tourism and community development at the site in Ballinahinch shown on Maps 4.01, 7.04 and 8.01</li> <li>- Putting the car at the top of hierarchy of transport users and pedestrians at the bottom</li> </ul> </li> <li>3. It is put forward that it is incorrect to state through the Core Strategy that Wicklow has easy access to the commercial and</li> </ol> |

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|  |  | <p>employment centres in the GDA, considering the significant congestion on the N11</p> <p>4. With respect to the Core Strategy</p> <ul style="list-style-type: none"> <li>- The objective should be to consolidate growth into no more than 3 main towns and thus create the mass necessary for investors and workers to commute from Dublin to Bray, Wicklow Town and Arklow</li> <li>- The proposed expansion of Newtownmountkennedy subverts consolidation</li> <li>- The hinterland area of the County needs a different development strategy than the GDA settlement and the growth towns – these areas should be targeted for local growth and therefore the loosening of growth control in hinterland towns should not be allowed</li> <li>- The spatial distribution set out in the CS exacerbates the need for vehicular travel, long journeys to work, school and college and congestion. It put pressure in infrastructure such as water, roads, schools and health care facilities</li> </ul> |
|--|--|--|

### Chief Executive's response

#### Donard

In accordance with the RPGs, the classification of towns into the different levels of the settlement hierarchy below Level 4 is to be carried out at a local level through the County Development Plan process. The categories suggested by the RPGs are 'small town' and 'village'. In assessing where each settlement should place in the hierarchy, a detailed assessment of every small town, village and hamlet was carried out, which included an evaluation against the descriptions provided in the RPGs and the infrastructure and services available in each location. The outcome of this analysis was that Donard fitted more correctly in Level 6 of the hierarchy, than Level 7 and would therefore be suitable for the kind of development forms and level allowed in Level 6. This is not to say that it is considered to be the 'same' in terms of size and current level of services as the other Level 6 towns, but it is best placed at this location in the hierarchy.

The introductory section to Level 6 settlements in Volume 2 recognises these settlements are the smallest 'towns' in the County which provide important economic and social services to their populations and rural hinterland, but have a more rural character and catchment than the 'small growth towns'. The plan further states that such towns *normally* have a reasonable range of infrastructural services and are suited to accommodating some urban generated housing demand, with necessary controls in place to ensure that local demand can also be met.

There appears to be a perception in some settlements that the 'classification' of the settlement as a 'town' in the settlement hierarchy somehow diminishes its rural, village like character and would therefore impact on its heritage and tourism potential or that the settlement could now become 'over developed' due to this classification. This is not considered to be the case at all, and it is strictly a planning hierarchy model, that allows for development objectives to be crafted for a group of towns of similar characteristics. There are a significant number of policies and objectives included in the plan to ensure that identity, character and heritage are protected and that development, if it were to happen, will occur in a manner and in such a pace that the settlement can absorb. It should also be noted the amount of new housing targeted for Donard over the 17 year period between 2011 and 2028 is only 35 additional units.



It is considered that the growth levels targeted for Donard as a Level 6 'town', once controlled in an appropriate manner, would help to re-invigorate the core area while also respecting the existing built and natural character of the area.

Having regard to the concerns raised regarding the capability of the area to accommodate a level of retail growth envisaged with a Level 6 settlement it is considered that the level of growth envisaged for the area would be accommodated solely within the primary zoned lands as demand arises from population growth, maximizing the use of existing disused buildings adding further to the reinvigoration of the core area.

## **Enniskerry**

The settlement hierarchy, and the classing / grouping of towns in to the various levels in the hierarchy, was carried out on the basis of compliance with the guidance set out in the Regional Planning Guidelines for the Greater Dublin Area. Enniskerry, with a population of c. 2,000 persons in 2011, and a range of retail and service infrastructure it considered to fall into the 'Small Town' category. As set out in the RPGs:

### ***"Small Towns"***

*"The classification of small towns is, as previously in the 2004 Regional Planning Guidelines, largely synonymous with the centres identified by the NSS as yielding population between 1,500- 5,000 people and are located within the Hinterland area. Planning authorities shall designate towns appropriate to this category within the Development Plan for the County.*

*Relatively small and locally financed businesses are expected to locate in Small Towns; however, other economic investment opportunities should be considered and supported where sustainable and in keeping with the size and services of the town. Retail is likely to be mainly in the convenience category, with a small supermarket and possible local centres serving only the town and its local catchment area. Small Towns would likely contain facilities such as a primary schools, secondary school, health clinic and sports facilities.*

*Within this category of settlement are a range of types, with local commuter type towns located close to other larger centres and small commercial towns, remote from core commuter areas and having strong trading tradition serving a large rural hinterland. Such economically active independent towns, with less dependence on commuting for population growth, should be recognised in the Development Plans for their key local importance and be supported in this role. Towns of this type include Baltinglass, Co. Wicklow, Oldcastle in County Meath and Enfield/Johnstown Bridge in Kildare. It is important that the investment in social infrastructure in such locally significant towns is at a higher level, equivalent to larger size centres in recognition of their role as key centres for a very large rural hinterland and for surrounding smaller villages and towns.*

*Levels of growth in all small towns shall be managed in line with the ability of local services to cater for any growth, responding to local demand and in line with the recommendations for small towns described in the DoEHLG Guidelines - Sustainable Residential Development in Urban Areas.*

### ***"Villages"***

*"Within both the hinterland area and the rural part of the metropolitan area are a large number of villages set within a rural landscape. These villages, with a population of up to 1,000 people, serve smaller rural catchment areas and provide local services, with some smaller scale rural enterprises in a number of such villages. Such villages need levels of growth to be managed so that they cater for local need and do not expand rapidly, putting pressure on services and the environment and creating the potential for higher levels of commuting. For the GDA there are two sub types of villages - commuter*

*villages and key villages and Development or Local Plans should evaluate and recognise the type of villages contained within a particular area.*

*Commuter villages tend to be located close to Dublin or close to major routes to the City or other major growth towns. The nature of development to date reflects their status and many experience the pressures of sudden growth. The future growth of these villages should be curtailed or safeguarded so that they do not act as catalyst to facilitate continuing expansion of unsustainable growth patterns. Key villages should be considered as 'rural service centres'. These types of villages tend to be located remote from major towns or centres and play a key local role for services for the local rural and adjoining village populations. The future development of such villages as a key local centre for services and local enterprise development should be supported, without resulting in growth beyond local need or creating unsustainable commuting patterns."*

Clearly, the 'small town' description more accurately describes Enniskerry. The Planning Authority regularly receives submissions that Enniskerry should be called a 'village' instead of a 'town' and it appears that this reflects a desire that the 'image' or 'ambiance' and indeed overall size of the settlement should not be allowed to change. This is considered somewhat unrealistic, as Enniskerry has changed and grown over time, and the vast majority of Enniskerry residents would not be there if new housing areas had not been allowed to develop in the town over the last 40 years. The development plan clearly is committed to protecting the heritage and tourism value of Enniskerry, through measures such as the ACA designation, and where development is allowed to occur, the development management process will ensure that it is done in a sympathetic manner that does not diminish the overall town. Through ongoing infrastructure projects, by both WCC and other agencies, works will continue on improving services in the town, and the Local Authority is accurately aware of the need to enhance roads, footpath and car parking in the area. However, just simply changing the name of the settlement from 'town' to 'village' would not somehow enhance the processes that the Local Authority would employ to ensure the continued protection of the core of the town and its valued attributes.

Therefore no changes are recommended.

### **Kilcoole**

While it is noted that Kilcoole currently bigger than Newtownmountkennedy and is the largest of the Level 5 towns, it is not agreed that it has been subsumed into Greystones – Delgany; in the preparation of the Greystones - Delgany and Kilcoole LAP, all that was done was prepare 2 stand alone LAPs for adjacent settlements at the same time and present them in the same document and to ensure the greenbelt separating them would be defined from both sides. The LAP clearly sets out, reflecting the desires of the public and their elected representatives, that Kilcoole is a standalone settlement, is not some kind of 'suburb' of Greystones and is to be planned in that light.

Furthermore, it is not considered to be in the gift of the Local Authority to redesignate Kilcoole a higher place in the settlement hierarchy, as Levels 1-4 are set out by the regional plan, and it is only levels below this that there is scope for the Local Authority to make decision of hierarchy place. Therefore the highest level that Kilcoole can 'achieve' is level 5. The regional plan does acknowledge that Kilcoole is one of a group of settlements throughout the region below level 4 that have a slightly higher status amongst the level 5 settlements, for example by virtue of larger size or wider function or being located on a rail line, but the regional plan falls short of indicating that these settlements should be designated higher than level 5.

Therefore no changes are recommended.

## Wicklow Planning Alliance

1. The draft plan has been prepared in accordance with the Planning and Development Act 2000 (as amended), which requires that the plan includes a Core Strategy that is consistent, as far as practicable, with national and regional development objectives set out in the National Spatial Strategy and Regional Planning Guidelines for the GDA 2010-2022. It should be noted that the Minister for the Environment and the Eastern & Midlands Regional Assembly have made submissions on the draft plan indicating that they are supportive of the Core Strategy and Settlement Strategy set out in the plan. As such, the Core Strategy and Settlement Strategy have been validated.

In accordance with RPG guidelines, the majority of growth is allocated to the larger settlements of Bray, Wicklow-Rathnew, Arklow and Greystones-Delgany and in particular, nearly 60% of all housing growth in the County between 2011 and 2028 is targeted to occur in these towns. Newtownmountkennedy is designated a 'moderate growth town' in the RPGs, and is targeted therefore to absorb a very modest proportion (approximately 4.5%) of the total housing growth in the County between 2011-2028. It is inaccurate to state that Kilpedder, Ashford and Kilmurray are targeted for 'significant' growth when the growth allocated to these settlements are 0.06%, 2.7% and 0.01% of the County total respectively.

2. With respect to the NTA Strategy, it must be acknowledged that this had not been adopted, or even published in draft form, when the draft County Development Plan was being crafted. The draft plan published does however acknowledge that such a new strategy was in train and that the amendments would be made to the County Development Plan through the adoption process if required to ensure consistency between the two documents. Secondly, although the NTA strategy has been adopted, there are many aspects of it that the CE is concerned are not consistent with the Regional Plan or indeed with the Core Strategy of the Wicklow County Development Plan, which it is required to be.

Thirdly, and critically, it must be remembered that the settlement strategy and growth priorities for Wicklow are set by the NSS and the RPGs, based on a range of factors, including transportation and movement, and the availability of public transport is not the only determinant of the appropriate location for growth.

The settlement strategy is required to be based on sound spatial planning principles, and where an area / town is otherwise identified as suitable for growth but is deficient in public transport services, the transport authorities must do their job and ensure the transport infrastructure is provided. On the basis of the criteria set out in the NTA Strategy, growth should really only occur in Greystones and Bray, where there are good transport services. This is not in accordance with the RPGs or the Wicklow Core Strategy and is unreasonable that Wicklow residents and people who want to live in Wicklow can only do so in two towns, even if they are native to or work somewhere else in the County.

With regard to the specific issues raised:

- The County Development Plan does not target Newtownmountkennedy for significant growth
- It is agreed that the proposed employment zones (Objective EMP12 and Maps 5.01-5.08) do not meet sustainable transport criteria and it is for this reason (amongst others) that it is recommended that these zonings be omitted other than 5.08, which is amended substantially
- It is agreed that the site at Ballinahinch does not meet sustainable transport criteria and it is also proposed to be omitted

- It is not agreed that the thrust of the Core Strategy put the needs of car drivers above pedestrian and cyclists; it is current reality that modern life in a dispersed, very rural county like Wicklow is very dependent on vehicular transport and in particular the private car. A key emphasis of this plan therefore is to particularly encourage the use of walking and cycling for local movements within settlements and to encourage the provision of additional public transport and places where different modes of transport can link up. Ultimately it must be remembered however that the County Development Plan is not the transportation strategy for the County, and it is simply the land use framework to support more sustainable modes of transport
3. The issues with respect to congestion on the N/M11 are noted and it's a key priority of both Wicklow County Council and the various transport agencies to address this issue. However as set out above, currently transport deficiencies should not dictate the settlement strategy for the County – this should be based on a range of relevant factors, including transport. This exercise is one that is carried out at the regional level, and there is no doubt that the next regional plan will have to consider very carefully, given infrastructural deficiencies, where the growth priorities should be.
  4. The suggestion raised with respect to directing more growth into the 3 largest towns is noted, but this is not the development strategy for Wicklow as set out in the regional plan. The regional plan sets out the priority growth towns, of varying size, and this strategy has been translated into the draft County Development Plan. The growth strategy in the draft plan sees nearly 50% of all new housing for the entire County up to 2028 directed towards the three largest towns mentioned, with Greystones, Newtownmountkennedy and Blessington targeted to absorb a further 20% of the total. It is considered that the growth strategies for the 4 largest towns would provide for the critical mass needed to sustain employment and reverse commuting flows.

With respect to Newtownmountkennedy, a very modest level of growth is targeted, and this is in recognition of the designation of the towns as moderate growth town (which public representatives fought for for many years) and as its role as a major service centre to a wide rural catchment. It is considered much more sustainable in traffic terms for example for shoppers or employees to from Roundwood, Annamoe and Laragh for example to access services in Newtownmountkennedy, rather than using the N11 as a local route to access local services in Greystones or Wicklow Town.

In previous County Development Plans, some 'local growth only' restriction were applied in towns from level 4 and down (i.e. from moderate growth towns, including Newtownmountkennedy and Blessington). A very careful review of these controls was carried out by the members of Wicklow County Council in the plan crafting process and there was consensus that the current control were stymieing development and resulting in decline of towns. The revised controls were carefully crafted, and detailed consideration of possible consequences of slightly loosening the restriction was carried out. It must be remembered also that County Wicklow was alone in the region in having such 'local only' objectives in towns and they are not advocated by the regional plan; the regional plan advocates that outside the growth towns, the scale and type of development should be that commensurate with local needs, but not that there should be some legal restriction on who can buy houses or operate business.

## Chief Executive's recommendation

### AMENDMENT 14

#### Section 5.5 'Objectives for Economic Development', p92

Amend **Objective EMP12** as follows:

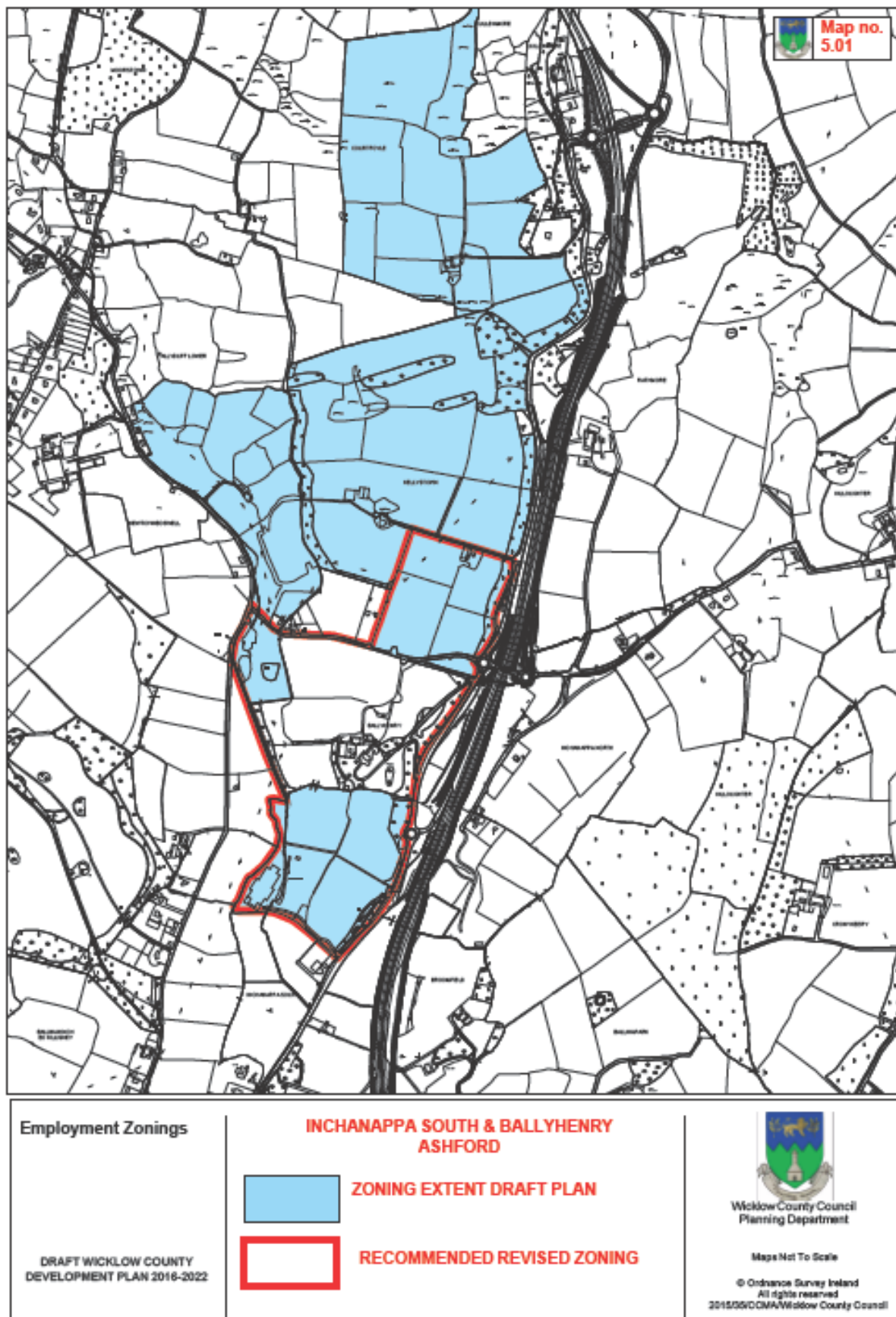
**EMP 12** ~~To provide for employment development at the following locations as shown on maps 5.01-5.08.~~

| Location                                   | Map No.           | Size (ha)        | Zoning Objective   |
|--|-------------------|------------------|--|
| <del>Mountkennedy Demesne, Kilpedder</del> | <del>5.01</del>   | <del>34.7</del>  | <del>To provide for a data centre facility<sup>2</sup> and associated related industries set in open parkland with extensive landscaping, a high architectural standard of layout and building design with low site coverage. Employment types other than those strictly related to data storage shall show a clear process related requirement to locate in proximity to a data centre.</del>   |
| <del>Rath East / Knockloe, Tullow</del>    | <del>5.02</del>   | <del>4.4</del>   | <del>To provide for a light industrial development</del>   |
| <del>Kilmurray South</del>                 | <del>5.03</del>   | <del>0.76</del>  | <del>To provide for transport purposes development</del>   |
| <del>Kilmurray North</del>                 | <del>5.04</del>   | <del>0.8</del>   | <del>To provide for a warehousing / storage / distribution and commercial vehicle park</del>   |
| <del>Scratenagh crossroads</del>           | <del>5.05</del>   | <del>8.09</del>  | <del>To provide for light industrial uses / business park uses with extensive landscaping and a high architectural standard of layout and building design.</del>   |
| <del>Kilpedder Interchange</del>           | <del>5.06</del>   | <del>27.7</del>  | <del>To provide for employment uses including industrial, transport, distribution, warehouse or retail warehouse developments of good architectural design, layout and landscaping including substantial screening from N11. The provision of transport and retail facilities will not be at the expense of facilities in existing settlements. Any redevelopment of the (former) Dan Morrissey / SM Morris sites shall include significant proposals to address the unsightly appearance of these sites. In addition, any development on these lands shall connect the footpath from Greytsones towards the pedestrian bridge at Kilpedder.</del>   |
| <del>Rathmore, Ashford</del>               | <del>5.07</del>   | <del>10.53</del> | <del>To provide for employment uses</del>  |
| Inchanappa South and Ballyhenry, Ashford   | 5.01 <sup>8</sup> | 160<br>62.25     | To provide for the development of and expansion of the existing film studios in Ashford on the lands shown on Map 5.01 in accordance with the following requirements: <ul style="list-style-type: none"> <li>- the development of these lands shall be strictly limited to facilities for the production of film, TV, animation etc and any associated spin offs such as visitor facilities; in particular residential development or other non film related commercial activities are not to be permitted</li> <li>- the agreement of a master plan for the entire area <del>any application in advance of the agreement of this plan shall set out which shall include:</del></li> </ul> |

<sup>2</sup> ~~A data centre is a facility used to house computer systems and associated components, such as telecommunications and storage systems. It generally includes redundant or backup power supplies, redundant data communications connections, environmental controls (e.g., air conditioning, fire suppression) and security devices.~~

|  |  |  |  |
|--|--|--|--|
|  |  |  | <p>(a) <del>the phasing</del> a detailed phasing plan which shall be linked to the conclusions and recommendations of a Traffic and Transport Assessment, which shall clearly set out the traffic generation model for the entire development and its constituent phases, and a detailed evaluation of the capacity of all roads serving the site, including all N11 junctions and the N11 itself and their abilities to accommodate the development without impacting on the carrying capacity of the national road for strategic inter-County traffic;</p> <p>(b) sequence of development, that shall be generally from south to north;</p> <p>(c) the infrastructure plans for the servicing of the site;</p> <p>- this zoning shall be for the lifetime of this plan only.</p> |
|--|--|--|--|

**Ashford Film Studio Zoning – Map 5.08 (change to **Map 5.01**)**



**SECTION 3.3**

## **AMENDMENT 10**

### **Chapter 4, 'Housing', p78 - 'Special Zoning Newtownmountkennedy', p78**

Omit Objective **HD24 and Map 04.01**

~~**HD24** To provide for low density residential development with associated leisure, tourism and recreational facilities on lands measuring c. 28ha Ballinahinch Lower, Co. Wicklow, as shown on Map 04.01.~~



| No.  | Name                    | Summary of issues raised   |
|------|-------------------------|--|
| C99  | Knockree Properties Ltd | <p>This submission includes very detailed analysis of national, regional and local population trends and projections which would not be possible to synopsise fully for this report. However, the submission raises the following fundamental questions / issues with respect to population:</p> <ol style="list-style-type: none"> <li>1. It is noted that the population target for Wicklow has been reduced and pushed back 6 years. It is put forward that no analysis of population growth patterns or projections is presented to justify this. It is put forward that without clear exposition of the data and assumptions on which the revised population projections are based, the public cannot comment on same and therefore that the statutory right of participation has been infringed.<br/>It is submitted that the population targets allocated to towns and villages in the settlement hierarchy are therefore based on an unjustified county population target.</li> <li>2. The target population for Kilcoole to 2022, of 5,000 population was set by Wicklow Co. Council. This was on the basis that Kilcoole was designated by the Co. Council as a small growth town and the Regional Guidelines indicate that small growth towns should be within the limits 1,500 – 5,000 population. Thus, in the case of Kilcoole, the 2022 target population can, in fact, also be regarded as a limit, which does not reference the size of the town or its propensity to grow. That limit has now been set for the much later horizon year of 2028.<br/>It is suggested that this is entirely inappropriate. The target population figure of 5000 includes 15% headroom, so the real population for Kilcoole is 4,347. The town had reached over 4000 population by 2011. It had significantly surpassed its target growth rate in the years 2006 to 2011. The 5000 population target to 2028 will clearly limit the propensity of the town to grow.</li> <li>3. While County Wicklow has failed to reach the population target to 2016, Kilcoole's population has grown strongly and has almost reached the 2016 target levels. The town has a propensity to reach upward revision of its 2022/2028 target.</li> <li>4. Given that Kilcoole has been subsumed in the Greystones – Delgany – Kilcoole linked settlement, which is designated a 'growth town' there is no longer any need to constrain the Kilcoole target population to the 5,000 limit set for small growth towns</li> <li>5. Greystones – Delgany – Kilcoole is on the southern edge of the metropolitan area of the GDA. Therefore allocation of population growth to the settlement is in accordance with the principles of the PRGs.</li> </ol> |
| C150 | Tom Redmond             | <p>This submission relates to lands to the south of the existing Newcastle settlement boundary and is essentially seeking zoning of same for housing (please see section X of this report which addresses this request in full). However, in conjunction with this request, it is also requested that the population target for Newcastle of 1,750 by 2022 be increased, as it is considered 'too conservative' and additional growth would support local businesses and community activities.</p>   |

|      |                           |  |
|------|---------------------------|--|
| C190 | Wicklow Planning Alliance | <p>With respect to population, it is put forward that:</p> <ul style="list-style-type: none"> <li>▪ The RPG population distribution principles are flouted in the draft plan, in order to ensure that population growth is allocated to all 21 towns in the County</li> <li>▪ The County Development Plan blames its failure to manage growth on other agencies such as TII and Irish Water; this however ignores the fact that IW is new and before this WCC was responsible for water services and the fact that the County Development Plan zoning proposals simply subvert the TII's work by allowing more cars onto the N11 and its express acceptance of the continuing car dependency for access to the GDA.</li> </ul> |
|------|---------------------------|--|

### Chief Executive's response

#### Knockree Properties

- It is not correct that no analysis or justification for the County population figures utilised in the plan have been presented. While an overview of the headline figures is provided in Chapters 2 and 3 of the draft County Development Plan, the detailed analysis, which is not repeated in the main plan text so as to make it readable, is contained within the population working papers that were prepared and published at the first stage of plan making (1<sup>st</sup> CE's report). The submitter may not have had sight of these other documents, which are available on line, and which could of course have been issued in other formats on request.
- It is not strictly correct that the 5,000 population target for Kilcoole was set out the basis of that being the upper limited identified in the Regional Planning Guidelines for the Greater Dublin Area for small growth towns. Were a target of higher than 5,000 considered reasonable for any of the small growth towns, it is considered that this would have been possible to propose without a major infraction of the RPGs arising, as the population ranges shown therein or clearly meant to be indicative.
- A target in an around this figure has been set for Kilcoole since at least 1999, prior to the RPGs (target for 4,500 for 2016 in 1999 County Development Plan), with a slight expansion in the 2010 development plan to 5,000 in 2022, given the additional growth allocated to Wicklow in the 2010 regional plan. This target figure was considered acceptable in 2010 and furthermore, it was considered the 'upper limit' that the town should be allowed to grow to by both the elected representatives of Wicklow County Council and the executive. In particular, the decision makers were influenced and impacted by what was considered by many to be the excessively high growth rate experience in Kilcoole in the 2002-2010 period. This viewpoint has not changed and therefore the target was maintained at 5,000. As with all targets in the County Development Plan, in agreement with the regional planning office, they have been pushed forward to 2028, in recognition of the almost complete lack of development during the period 2010-2016.
- The purpose of the County Development Plan and its Core Strategy, are to set out a land use framework to support, manage or control development, as the case may be. It is not the role of the plan to allow excessive or uncontrolled development to occur in any location just because there has been significant growth in that area in the past or because are landowners willing to develop their land for housing or bring it to the housing market. This submission seems to be suggesting that because significant development has happened in the past in Kilcoole, this is a good enough reasons for substantial growth to be allowed to continue freely in the future, because there is obviously a demand for housing in the area. This fails to reflect that one of the key role of a land use framework is to 'direct' development into the right locations and not to let to open market run rampant in the wrong locations. While this may have happened in the Country in the past, the consequences of such actions have been deeply felt in the recession,

and the amendments in the Planning Act in 2010 are aimed at ensuring it does not happen again.

### **Newcastle**

- It should be noted that the population target of 1,750 in 2022 quoted in this submission relates to the target set out in the existing County Development Plan 2010-2016. Revised targets are included in the new draft plan, which are growth to 1,065 in 2022 and 1,200 in 2028.
- This downward revision is in light of the revised Core Strategy, and the reduction in 'headroom between towns' allowed for in the previous plan, which does not accord with DoECLG or RPG targets. It also reflects the fact that the 1,750 target in the previous plan for 2022 would entail a growth in Newcastle's population by 933 persons between 2011 and 2022 i.e. more than doubling the population in 11 years. Given the infrastructure available in the settlement and its position in the hierarchy, and the need to preserve its character, this level of growth is considered excessive.
- A target of 1,200 for 2028 is considered much more reasonable and not insignificant compared to the existing size of the settlement i.e. growth by c. 194 housing units over the next 12 years, or 16 per year, compared to the existing housing stock of 313 units.
- Therefore no change in the Newcastle population target is recommended.

### **Wicklow Planning Alliance**

- The logic for the 'headroom between towns' has been fully explained in the draft plan. It is not considered that this aspect of the regional plan has been 'flouted' particularly having regard to the submission from the Regional Authority which states *'The narrative on the methodology for the population targets for the County is sound and it is recognized that delivery of these targets is in some part predicated on factors outside of the gift of the local authority'*.
- It is not the case that the County Development Plan 'blames' other agencies for the non-delivery of growth, but it is simple recognition of reality that outside service providers are critical to the delivery of development. It is somewhat disingenuous to suggest that Wicklow County Council had all the power in the world prior to the establishment of IW to upgrade all water services, when funding for such upgrades was from the exchequer and has been scarce indeed for many decades.
- It is not considered that the County Development Plan strategy subvert the works of the TII. It is the job of the TII and the other transport agencies such as the NTA to deliver a fit for purpose transport network to the state, in accordance with the development principles set out in the NSS and the RPGs – the transport providers do not and should not dictate the development of the Country. It is the role of the NTA in particular to deliver a funded strategy that expand the public transport network and encourage movements by means other than the private car.

### **Chief Executive's recommendation**

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No change

| No.  | Name                            | Summary of issues raised  |
|------|---------------------------------|---|
| C48  | Mary Rose<br>Craig              | It is put forward that it is appropriate that Enniskerry should not be designated for high growth in housing, particularly given its tourism value to the County.   |
| C45  | Noel Corcoran                   | It is suggested that <ul style="list-style-type: none"> <li>Development / population growth in Enniskerry should be balanced with heritage / traffic and general sustainability consideration</li> <li>The proposed 470 additional residential units would seem to imply a much bigger population growth than is stated in the draft and it seems excessive</li> </ul>  |
| C74  | Enniskerry<br>Forum             | This submission states that there have been a large number of comments made to the Forum in relation to the number of housing units referenced in the plan – 470. There would appear to be a major inconsistency with this number when considered in conjunction with the planned population growth – an increase of 560 persons 2011-2028. It is not understood how you would need 470 housing units to service this increase – this would suggest that many of the housing units would be only for single occupancy which is highly unlikely.<br>This submission includes revised calculations which would suggest that only 120 new housing units should be required to meet the population target of 2,302. |
| C108 | Barry & Tracy<br>MacDevitt      | It is not understood how 470 housing units are required in Enniskerry to serve a population increase of 560.  |
| C190 | Wicklow<br>Planning<br>Alliance | With respect to rural housing: <ul style="list-style-type: none"> <li>The draft plan diminishes existing controls</li> <li>This relaxation in controls would impact on the County's ability to achieve green energy targets</li> <li>A design guide is required for development in rural villages</li> <li>The proposed extension of rural settlement boundaries is opposed, as are the relaxation in controls in these settlements.</li> </ul>   |

### Chief Executive's response

#### Enniskerry

Enniskerry is targeted to accommodate 1.33% of the total housing growth targeted for the County up 2028. This is considered reasonable and fair, given that housing growth is required to be targeted to various settlement throughout the County, particularly those with suitable infrastructure, such as adequate water and sewerage systems, public transport, and education and community facilities, all of which exist in Enniskerry to an adequate degree to allow it to absorb this small proportion of the County's overall growth.

The population target for Enniskerry of 2,302 for 2022 and 2,500 by 2028 is considered reasonable given the previous targets adopted in previous development plans, namely a target of 2,500 by 2016 and 3,000 by 2022 as set in the 2010 County Development Plan. In fact, it can be seen that the current 2028 target is in fact lower than the current 2016 target. The overall target for Enniskerry has in fact been reduced in recognition of the environmental constraints presented by the location and topography/landscape of the town.

Given the 2022 population target of 2,302, the number of housing units required to house that population is 1,017 (this is based on an average household size of 2.41 and a vacancy rate of 6.5% i.e.

2302/2.41 + 6.5%). In 2011, there were 642 housing units (including vacant units) in the town. Therefore the housing growth required to meeting the target is 375 units. (It should be noted that in the previous Enniskerry LAP, adopted in 2009, the predicted household size used for the target year of 2015 was 2.56).

The plan does not state that there is a 'need' for 470 units. The housing needed to meet the 2022 population target is 375 units. However, in order to provide for 'headroom', enough land is zoned to theoretically accommodate 470 units; this is to address the fact that some land may not be released to market or some lands may not deliver the type of densities envisaged.

With respect to the alternative figures supplied by the Forum, these calculations have been carried out on the basis that there will be a future average household size of 3.02 persons in Enniskerry in 2022. This figure is arrived at by dividing the current (2011) population into the current housing stock i.e. it assumes that there will be no decline in average household size between 2011 and 2022. These calculations do not take into account that average household size is in fact predicted to decline by at least c. 0.035 per annum across the County, and that this rate of decline may be accelerated in locations with an ageing population and lack of new housing development (such as Enniskerry) as more young people leave the town to establish elsewhere, leaving many single or double occupancy homes ('empty nesters'). Even assuming the average household size in Enniskerry only falls by this 0.035 average per annum, there would still be a need for at least 230 housing units, not 120. Nevertheless, this is not the manner in which population and housing figures have been calculated – the County average household size figures as set out in Table 2.5 of the draft plan, have been applied consistently across all towns in the County.

It should be noted that it would be very unusual for any town to in fact meet the target set out within the timeframe described. Infrastructure deficits would very often restrict development and one must also bear in mind that the delivery of the housing units would be dependent on the private construction industry and indeed whether there was any demand for houses at this location. It is important however to set targets, as it is on the basis of these targets that decisions about investment in infrastructure can be made, such as water services and educational facilities. If no or little growth is planned, it is very likely that no further investment in such infrastructure, which would also benefit existing residents, would occur.

### **Wicklow Planning Alliance**

- With respect to rural housing, within the open countryside area, residential development will be considered only when it is for the provision of a rural dwelling for those with a housing, social or economic need to live in the open countryside. There has been no material change to the occupancy restrictions for the development of single dwellings in the rural area.
- The change in occupancy and growth controls of the villages and clusters has been employed in order to revitalise these settlements to safeguard their future role in the provision of services and housing for local residents.
- No revisions have been made to the boundaries of these settlements. It should be noted that a full review of boundaries and indicative housing targets is planned at the 2-year review stage.
- Chapter 9 'Infrastructure' includes objectives to facilitate the appropriate development of electricity transmission lines and wind infrastructure within the county.
- Appendix 1 'Development and Design Standards' of the draft plan includes design standards for rural towns and villages.

### **Chief Executive's recommendation**

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No change

| No.  | Name                    | Summary of issues raised   |
|------|-------------------------|--|
| C3   | Ardale Property Group   | The Core Strategy provides for the preparation of LAPs for Wicklow – Rathnew and Greystones – Delgany over the period 2017-2019. It is trusted that this process will advance and any plans prepared will have regard to Ardale’s lands holdings in both Delgany and Rathnew (detailed supplied)   |
| C99  | Knockree Properties Ltd | It is submitted that the shortage of residentially zoned land identified in the plan for Kilcoole is underestimated. This submission includes alternative calculations on the basis of an increased population of 5,000+ in 2022 (draft plan sets this 5,000 for a longer timeframe to 2028).<br>It is suggested that the zoning requirement for Kilcoole should be increase to 29ha plus the requirement to serve an increased population target and that this shortfall should be addressed in an early review of the Greystones – Delgany - Kilcoole plan.  |
| C171 | Target Investments Ltd  | <ul style="list-style-type: none"> <li>▪ This submission makes reference to the acknowledged shortfall in zoned residential land in Bray in the Core Strategy table and the intention to address same through the preparation of a future Bray MD local area plan.</li> <li>▪ With respect to this shortfall, it is put forward that undeveloped lands owned by the submitter at and surrounding Bray Retail Park (on the SCR, location of existing Woodies, crèche etc), measuring c. 4ha, should be considered for residential zoning.</li> <li>▪ Concern is expressed with regard to the zoning status of the land in that the zoning is covered by the Rathdown No. 2 District Plan which is not being continued in the new CDP. While the preparation of the future Bray MD LAP is supported, concerns are raised in relation to the zoning status of the lands in the intervening period.</li> </ul> |

### Chief Executive’s response

#### Kilcoole

The CE is satisfied that the housing growth and zoning figures for Kilcoole are accurate and are based on sound principles. The Core Strategy tables set out the population and housing targets for Kilcoole up to 2025, which is a growth in 837 houses. In order to provide headroom, the tables set out that enough land should be zoned for 1,030 units. It is noted that the current LAP has only zoned enough land for 782 units and therefore the next plan should zone additional lands to accommodate an additional 248 units (approx 11 ha). A growth in the housing stock in Kilcoole by 837 units between 2011 and 2025 is considered high, given the current (2011) housing stock of 1,402 i.e. growth by 60%. This considered a more than adequate amount of housing growth for such a Level 5 town.

Given the capacity of zoned land that is still undeveloped and available in the Greystones - Delgany – Kilcoole LAP area, there is no reasons to bring forward the review of this plan. It is intended that the review of this plan will occur in 2018-2019, given that the previous plan was only adopted in 2013.

#### Bray

The lands in question are located outside of the former Bray Town boundary, and are currently zoned E1 ‘to protect, provide and improve appropriate industrial, warehouse, wholesale and retail warehousing’

in the Rathdown No. 2 District Plan (County Development Plan 2010-2016). This plan has not been continued in the draft County Development Plan 2016-2022 as it is intended to replace same, as well as the existing Bray Town Development plan 2011-2017 and the Bray Environs LAP 2009-2017 with a new combined Bray Municipal District Local Area Plan. It was considered inappropriate and waste of resources to undertake a review of the Rathdown No.2 Plan as part of this County Development Plan process when it was clearly intended to review all zonings in the area again as soon as the County Development Plan was adopted.

The shortfall in residential zoning identified in the Core Strategy is intended to be addressed through the preparation of the future MD plan. The process of preparing this plan will commence once the County Development Plan is adopted. It is considered premature to include new residential zoning designations in the Bray area other than through that process.

The concerns raised that the subject lands will be 'unzoned' until such time as the Bray MD LAP has been adopted are acknowledged however:

- (a) It is not an infrequent occurrence that there are periods between the end of the duration of one plan and the adoption of the next – a recent example would be the gap between the 'end' of the Greystones – Delgany LAP 2006 in 2012 and the adoption of the replacement LAP in 2013. Such 'gaps' do not prevent applications for permission being considered, as ultimately, the development plan is not the only factor that the CE or Director must have regard to in making any decision. As set out in Section 34 (2)(a) of the Act,
  - (2) (a) When making its decision in relation to an application under this section, the planning authority shall be restricted to considering the proper planning and sustainable development of the area, regard being had to—*
    - (i) the provisions of the development plan*
    - (ia) any guidelines issued by the Minister under section 28,*
    - (ii) the provisions of any special amenity area order relating to the area,*
    - (iii) any European site or other area prescribed for the purposes of section 10(2)(c),*
    - (iv) where relevant, the policy of the Government, the Minister or any other Minister of the Government,*
    - (v) the matters referred to in subsection (4), and (vi) any other relevant provision or requirement of this Act, and any regulations made thereunder.*
- (b) The Act also makes provision for 'material contraventions' of the plan (if such a 'material' infraction is considered to arise) and therefore were an acceptable proposal to be made, permission could still be granted further to a material contravention process being invoked.

Therefore no change is recommended.

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**Chief Executive's recommendation**

No change

| No.  | Name                      | Summary of issues raised  |
|------|---------------------------|---|
| C190 | Wicklow Planning Alliance | <p>With respect to transport:</p> <ul style="list-style-type: none"> <li>- The County Development Plan strategy undermines the designation of the N11 as a primary national route and a Strategic radial Corridor and converts it into a commuter run</li> <li>- The County Development Plan adopts a policy of continuing car dependency</li> <li>- Congestion on the N11 is a problem from Exit 11, further south than Kilpedder</li> <li>- New zonings 4.01 and 5.01-5.08 are an egregious exacerbation of congestion on the N11</li> <li>- Even if LUAS is extended to Bray, this will not take traffic off the N11 south of Bray</li> <li>- Agree that more park-and-ride facilities are needed, but currently these are very expensive</li> </ul> |

### Chief Executive's response

- It is not agreed that the County Development Plan strategy undermines the designation of the N11; the purpose of the national road network is to move high volumes of traffic across regions and this includes moving private cars from Wicklow to Dublin. The issue is with the fact that there are not enough jobs in Wicklow and not enough alternative options for transportation from Wicklow to Dublin. This is where the employment and transport agencies have failed Wicklow – it is not a failing of the County Development Plan. Until the transport agencies can deliver an appropriate public transport service to the main towns of Wicklow, Wicklow will remain car dependent, and the draft County Development Plan has acknowledged that, and tried to craft objectives to deal with that reality.
- The congestion on the N11 as far south as Newtownmountkennedy is noted and it is considered that Section 2.4.6, p21 should be amended to reflect this.
- With respect to zonings 4.01 and 5.01-5.08, is agreed that these are unsustainable on traffic grounds and would exacerbate congestion on the N/M11 and therefore it is recommended that 5.01-5.07 be omitted and 5.08 amended.
- It is agreed that even if LUAS is extended to Bray, this will not take traffic off the N11 south of Bray. However, it may encourage commuters to switch from the private car to public transport at Bray, relieving some congestion on the northern parts of the N11. The provision of bus park-and-ride facilities along the N11 should be considered, and it is agreed that such facilities should be low cost, such as the Greystones park-and-ride operated by the Council.

### Chief Executive's recommendation

#### AMENDMENT 4

Chapter 2, Vision & Core Strategy, Section 2.4.6 Transport

#### Roads

*In light of the likely continuing car dependency to access the metropolitan region in the short to medium term, it is the strategy of this plan to facilitate and encourage measures to improve capacity and efficiency of the national routes and facilitate the improved use of the national routes by public transport. The priority for strategic road improvement will be:*



- *the upgrade of the N11 in the north of the County, from the Dublin border as far as ~~Kilpedder~~, Ashford in particular improvements to the M50 / M11 merge which is deficient in capacity, and all interchanges serving Bray;*
- *the upgrade of the N81 between the Dublin border and Hollywood; and*
- *the finalisation of and protection of the Leinster Outer Orbital Route corridor with possible incremental implementation of the road (in line with NTA Strategy).*

| No.  | Name                      | Summary of issues raised   |
|------|---------------------------|--|
| C190 | Wicklow Planning Alliance | <p>It is put forward that:</p> <ul style="list-style-type: none"> <li>▪ The County Development Plan strategy for economic development undermines the aims of the NSS and RPGs particularly because the County Development Plan strategy is choking the N11</li> <li>▪ More self sufficiency in employment will not be achieved by scattering zoning of employment land across the County; it could be achieved by consolidating growth into the three main towns, and perhaps Blessington (with cooperation from neighbouring counties)</li> <li>▪ To attract major employment generating investment, a settlement needs critical mass of educated workforce – the CDP strategy disperses population amongst too many settlements; it is not viable to have so many disparate locations at hierarchy Levels 1 to 5 competing with each other for investment. This explains why Greystones has had difficulties attracting investment.</li> </ul> |

### Chief Executive's response

As set out in earlier parts of this report, it is not agreed that the County Development Plan development strategy is 'choking' the N11 – fundamentally it is the lack of employment in the County and the inadequate road and public transport infrastructure that are giving rise to the congestion on the N11 - there has been no investment in the N11 north of Newtownmountkennedy in over 20 years.

The County Wicklow Economic Hierarchy sets out the economic function and investment target for all settlements in the hierarchy. The priority for employment and economic development generally clearly is the larger growth towns, as identified in the regional plan. As set out in part X of this report, on foot of the submission from the NTA, it is recommended that the plan clearly sets out its jobs growth targets for each settlement, and this clearly shows that the priority for employment growth is in the larger towns, which are targeted to provide for 84% of all new jobs growth (this recommended amendment is set out below).

The jobs growth rate for smaller settlements is much more modest and commensurate with the population growth target and the capacity of each town's infrastructure to sustain and support employment. It is reasonable that all settlements target investment, in order to provide for balanced spatial development and the opportunity for all for work close to where they live, thus reducing commuting and supporting more sustainable communities and improving quality of life.

### Chief Executive's recommendations

#### AMENDMENT 6

#### Chapter 2 'Vision & Core Strategy', Section 2.4.7, p24

Omit existing Table 2.10

**Table 2.10 — County Wicklow employment growth targets**

|                        | 2011         |               |            | 2028                |                   |               | 2011 - 2028           |
|------------------------|--------------|---------------|------------|---------------------|-------------------|---------------|-----------------------|
|                        | Labour Force | Existing Jobs | Jobs ratio | Target Labour Force | Target Jobs Ratio | Jobs Required | Jobs Growth / Decline |
| <b>Levels 1-4</b>      | 38,850       | 17,688        | 46%        | 51,870              | 80%               | 41,329        | 18,340                |
| <b>Level 5 &amp; 6</b> | 9,041        | 4,220         | 47%        | 12,832              | 70%               | 8,984         | 4,764                 |
| <b>Rural</b>           | 17,695       | 5,666         | 32%        | 19,769              | 25%               | 4,942         | -724                  |
| <b>County</b>          | 65,586       | 27,574        | 42%        | 84,472              | 65%               | 55,255        | 22,380                |

Replace with the following expanded table:

**Table 2.10 County Wicklow employment growth targets by settlement**

|                           | 2011         |               |            | 2028                |                   |               | 2011 - 2028      |                   |
|---------------------------|--------------|---------------|------------|---------------------|-------------------|---------------|------------------|-------------------|
|                           | Labour Force | Existing Jobs | Jobs ratio | Target Labour Force | Target Jobs Ratio | Jobs Required | Growth 2011-2028 | % of total growth |
| <b>Bray</b>               | 14,081       | 7,678         | 55%        | 16,665              | 83%               | 13,832        | 6,154            | 28%               |
| <b>Wicklow / Rathnew</b>  | 6,464        | 3,071         | 48%        | 9,999               | 72%               | 7,199         | 4,128            | 19%               |
| <b>Arklow</b>             | 6,271        | 3,580         | 57%        | 9,582               | 86%               | 8,241         | 4,661            | 21%               |
| <b>Greystones/Delgany</b> | 8,259        | 1,808         | 22%        | 9,999               | 33%               | 3,300         | 1,492            | 7%                |
| <b>Blessington</b>        | 2,299        | 984           | 43%        | 3,125               | 65%               | 2,031         | 1,047            | 5%                |
| <b>Newtown</b>            | 1,475        | 567           | 38%        | 2,500               | 57%               | 1,425         | 858              | 4%                |
| <b>Ashford</b>            | 712          | 245           | 34%        | 1,250               | 52%               | 645           | 400              | 2%                |
| <b>Aughrim</b>            | 631          | 165           | 26%        | 833                 | 39%               | 327           | 162              | 1%                |
| <b>Baltinglass</b>        | 857          | 596           | 70%        | 1,250               | 104%              | 1,304         | 708              | 3%                |
| <b>Carnew</b>             | 550          | 318           | 58%        | 833                 | 87%               | 723           | 405              | 2%                |
| <b>Dunlavin</b>           | 381          | 240           | 63%        | 1,042               | 95%               | 985           | 745              | 3%                |
| <b>Enniskerry</b>         | 931          | 206           | 22%        | 1,250               | 33%               | 415           | 209              | 1%                |
| <b>Kilcoole</b>           | 1,950        | 836           | 43%        | 2,083               | 64%               | 1,340         | 504              | 2%                |
| <b>Rathdrum</b>           | 786          | 438           | 56%        | 1,458               | 84%               | 1,219         | 781              | 4%                |
| <b>Tinahely</b>           | 459          | 270           | 59%        | 625                 | 88%               | 552           | 282              | 1%                |
| <b>Avoca</b>              | 344          | 99            | 29%        | 375                 | 36%               | 135           | 36               | 0%                |
| <b>Donard</b>             | 86           | 39            | 45%        | 125                 | 57%               | 71            | 32               | 0%                |
| <b>Kilmacanogue</b>       | 383          | 362           | 94%        | 417                 | 118%              | 492           | 130              | 1%                |
| <b>Newcastle</b>          | 392          | 234           | 60%        | 500                 | 75%               | 373           | 139              | 1%                |
| <b>Roundwood</b>          | 374          | 126           | 34%        | 500                 | 42%               | 210           | 84               | 0%                |
| <b>Shillelagh</b>         | 204          | 46            | 22%        | 292                 | 28%               | 82            | 36               | 0%                |
| <b>Total</b>              | 47,886       | 21,908        | 46%        | 64,703              | 70%               | 44,899        | 22,991           | 103%              |
| <b>Total rural</b>        | 17,695       | 5,666         | 32%        | 19,769              | 25%               | 4,942         | -724             | -3%               |
| <b>County total</b>       | 65,581       | 27,574        | 42%        | 84,472              | 59%               | 49,841        | 22,267           | 100%              |

*Note: The Jobs Ratio for target for settlements in Levels 1-5 is calculated by increasing the existing jobs ratio by 50%; in Level 6 settlements by 25% and assuming a Jobs Ratio decline in the rural area from 32% to 25%.*

| No.  | Name                      | Summary of issues raised  |
|------|---------------------------|---|
| C190 | Wicklow Planning Alliance | <p>It is put forward that:</p> <ul style="list-style-type: none"> <li>▪ The retail strategy allows for significant retail growth in Bray, Greystones, Newtownmountkennedy, Wicklow and Arklow which is untenable and would result in competition between these settlements</li> <li>▪ New zoning will impact adversely on core retail locations, contributing to the further decline, waste and physical ruin of town centres</li> <li>▪ Only three places should be targeted for substantial retail growth – Bray, Wicklow and Arklow, and perhaps Blessington.</li> </ul> |

#### Chief Executive's response

- The Retail Strategy for the County has been crafted to be consistent with higher order plans such as the NSS, the regional plan and the regional retail strategy for the GDA. The amount of retail floor space growth allowed by the strategy has been carefully calculated to match the spending power of existing and future residents in the catchment of each settlement and it is not intended that settlements will vie for the spending generated in other towns i.e. that they will compete with each other. The strategy clearly sets out that different settlements will have different retail functions and that there will be some forms of retail that will only be available in larger towns, but for general convenience needs, such as day to day shopping, the nearest large towns should meet all local needs.
- It is not clear what is meant in the reference to 'new zoning' as no new retail zones are proposed in the draft plan.

#### Chief Executive's recommendation

No change

## PLAN TOPIC: LEVEL 7 - LARGE VILLAGES

## BALLINACLASH

| No. | Name          | Summary of issues raised  |
|-----|---------------|---|
| C38 | Seamus Clarke | <p>Request that lands marked pink on the attached map are included within the settlement boundary and are zoned for residential use. The lands shown on the attached map measure c.1.1 acres.</p> <p>In support of this request, the following points are raised:</p> <ul style="list-style-type: none"> <li>▪ Lands are served by main drainage and water supply</li> <li>▪ Road network is suitable</li> <li>▪ Suitable site on main approach to village.</li> <li>▪ Potential for medium density residential use – c. 6-8 single dwellings</li> <li>▪ Future development to be in manner that complements the village</li> </ul>   |
| C39 | Seamus Clarke | <p>Request that the lands marked blue on the attached map are included within the settlement boundary and are zoned for residential use. The lands shown on the attached map measure c. 6 acres.</p> <p>In support of this request, the following points are raised:</p> <ul style="list-style-type: none"> <li>▪ Lands are served by main drainage and water supply</li> <li>▪ Road network is suitable</li> <li>▪ Suitable site on main approach to village</li> <li>▪ Potential for low density residential use</li> <li>▪ Land suitable for private site development for local people to build single dwellings at location at the edge of the settlement</li> <li>▪ Future development to be in manner that complements the village</li> </ul> |



| No. | Name          | Summary of issues raised  |
|-----|---------------|---|
| C70 | Emma Driver   | In the interest of public health and safety and the safe preservation and protection of the environment it is suggested that no further development be granted in Glenealy until such time as an efficient, functioning and sustainable public sewage system is constructed and maintained. |
| C98 | John Kinsella | Submission includes a proposed Feasibility Report and Conceptual Plan for the possible development of a new village centre for Glenealy village, as shown on drawing below.<br>The submission includes proposals for the future growth and development of a village.                        |



## Chief Executive's response

### Emma Driver

Chapter 9: Infrastructure includes objectives relating to waste water services. It is an objective of the Council to ensure that all zoned lands are serviced by public wastewater facilities in order that each settlement can fulfil its growth target and role and function as set out in the Core Strategy:

"W15 In order to fulfil the objectives of the Core Strategy, Wicklow County Council will work alongside and facilitate the delivery of Irish Water's Water Services Investment Programme, to ensure that all lands zoned for development are serviced by an adequate wastewater collection and treatment system and in particular, to endeavour to secure the delivery of regional and strategic wastewater schemes."

The objectives of the plan are based around a strategy that requires all new development within settlements to connect to public water services infrastructure and to only allow the development of private wastewater treatment plants in limited cases and under strict environmental conditions, e.g. for single rural houses or commercial/employment generating development.

The draft plan includes objectives to prevent pollution and environmental damage. Objectives are included to implement the provisions of EU and national environmental legislation and policy including the Water Framework Directive, the Eastern and Midland River Basin Management Plans and Wicklow Ground Water Protection Scheme.

It is considered that the issues raised in the submission are addressed by the objectives within the draft plan.

#### John Kinsella

Under the draft plan, Glenealy is designated Level 7 Large Village. There are 12 settlements designated as Large Villages, with a combined growth target of approximately 300 units.

As set out in Chapter 3 of the draft plan, a review is to be undertaken of all Large Villages as part of the 2-year statutory review. This will include a review of the boundaries and indicative housing growth targets for all villages. The issues raised in the submissions will be considered in this review. However, it would appear that the level of development is well beyond what would be envisaged for a village.

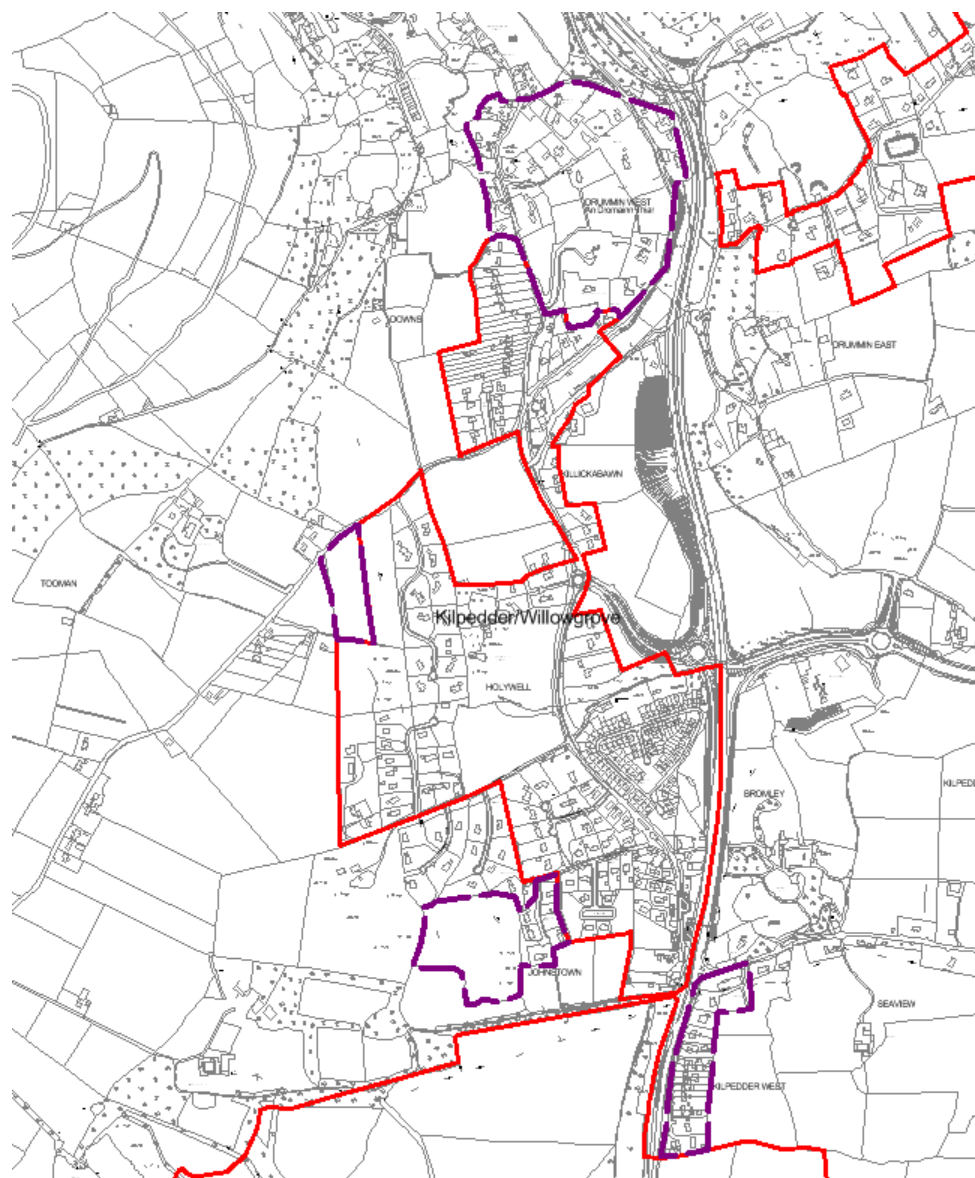
#### **Chief Executive's recommendation**

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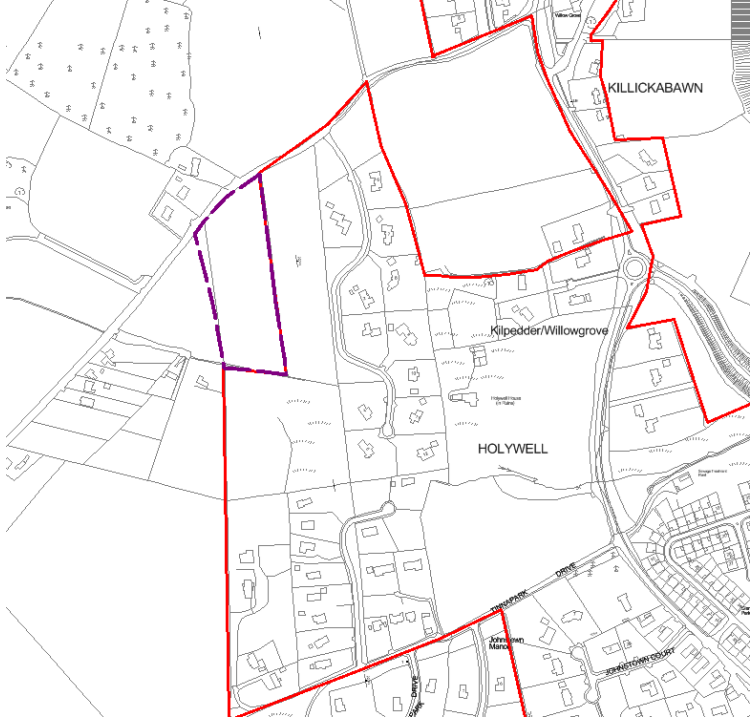
No change

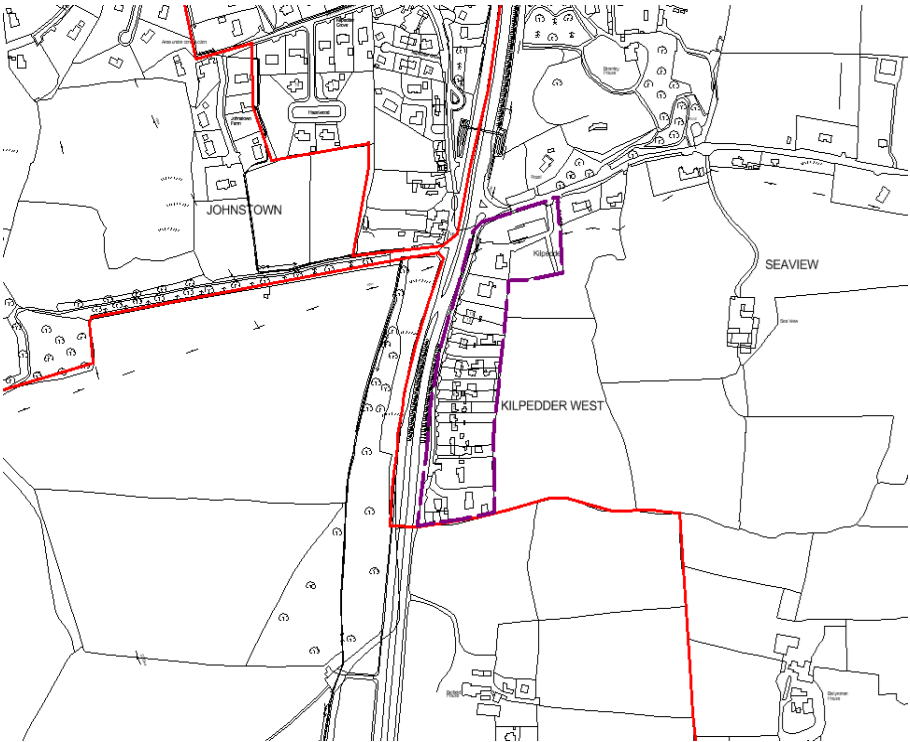


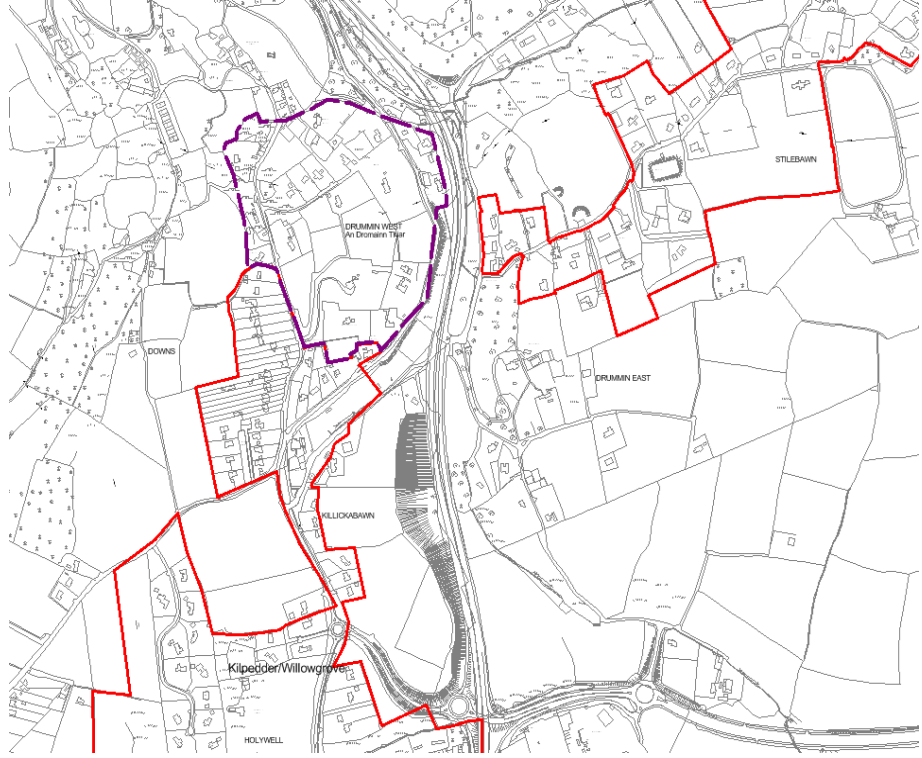
Four submissions have been received in relation to lands at Kilpedder/ Willow Grove. It is requested that the settlement boundary of Kilpedder/Willow Grove be extended to include the subject lands. The lands, the subject of the submissions, are shown on the following map. The submissions are described in detail below.



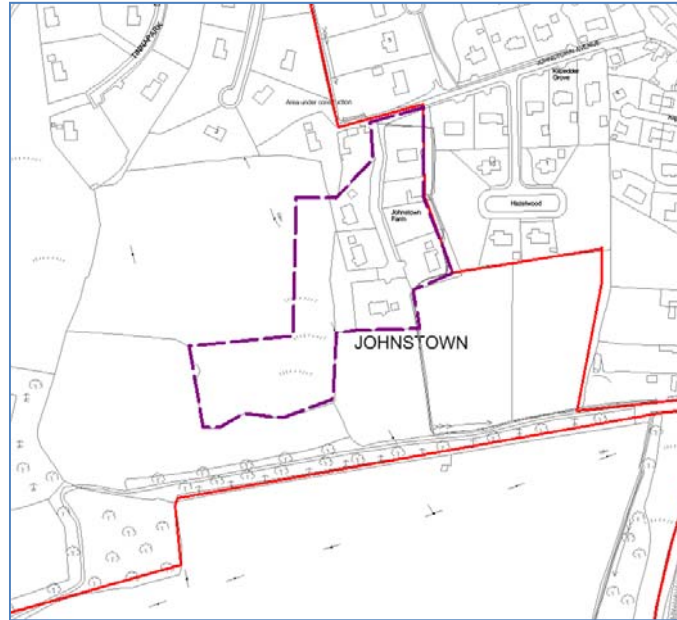
*Draft CDP2016-2022 settlement boundaries outlined in red. Lands the subject of a submission outlined in purple dash*

| No.  | Name               | Summary of issues raised   |
|------|--------------------|--|
| C135 | Elizabeth O'Reilly | <p>This submission relates to lands measuring c. 2 ha at Tinnapark Demesne. It is put forward that the lands are flat with good road frontage and are suitable for inclusion in settlement boundary – the lands abut other small settlement areas and one off housing developments in Willow Grove and Tinnapark area; there is access to roads, bus routes and village amenities.</p>  |

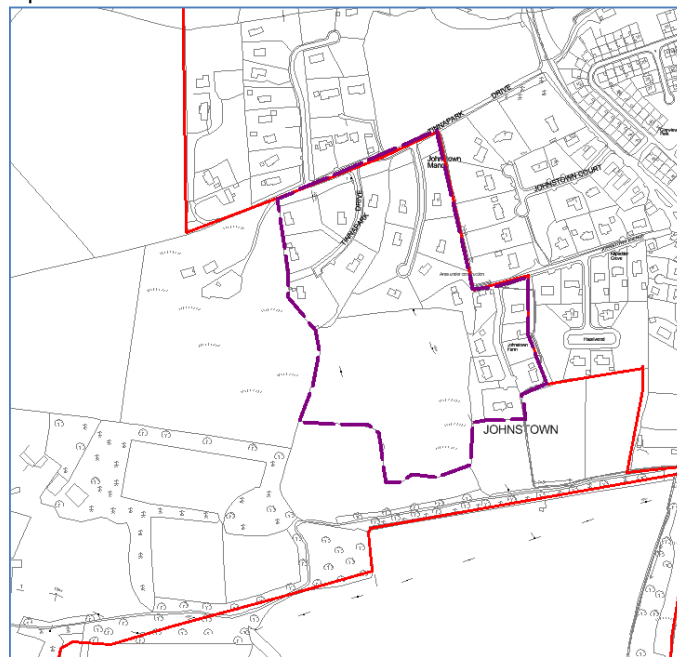
|     |               |  |
|-----|---------------|--|
| C87 | Michael Hogan | <p>J Requests that the area known as Sunnybank at Kilpedder West be included within the village area of Kilpedder/Willow Grove.</p> <p>It is put forward that:</p> <ul style="list-style-type: none"> <li>▪ Sunnybank comprises a commercial car showrooms and ancillary workshops (operating as Derek Burtons) together with its adjoining residential slip road (cul de sac) comprising of some 23 residences</li> <li>▪ Sunnybank was originally part of the main village of Kilpedder and continues to have strong links with the village, e.g. pedestrian footbridge and road layout changes give direct pedestrian/ traffic access, location of Kilpedder southbound bus stop on Sunnybank side of the N11.</li> </ul>  |
|-----|---------------|--|

|     |                     |  |
|-----|---------------------|--|
| C16 | BBA<br>architecture | <p>This submission requests that the boundary of Kilpedder/ Willowgrove be extended northwards as shown on an attached map.</p> <p>It is put forward that the residents in this area are part of the Kilpedder local community and the proposal is in accordance with the proper planning and sustainable development of the area.</p>  |
|-----|---------------------|--|

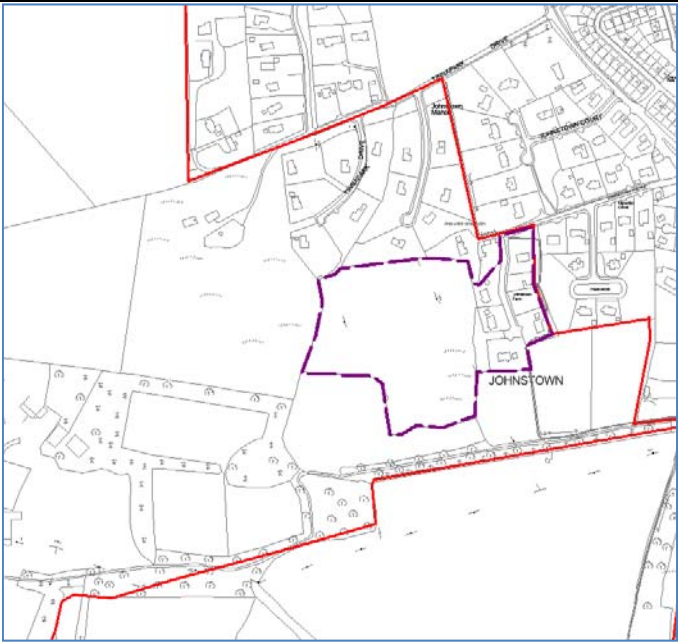
|     |  |   |
|-----|--|---|
| C65 | Sinead Doyle,<br>Ronan Doyle,<br>Colm Doyle,<br>Kate Doyle | <p>This submission requests that the boundary of Kilpedder/ Willowgrove be extended as shown on the map below. Three options are put forward for the extension of the boundary.</p> <p>It is put forward that the four houses owned by the submitters would then be included within the settlement boundary, along with lands for the future development of an additional four houses for their children.</p> |
|-----|--|---|



Option 1



Option 2

|  |  |  |
|--|--|--|
|  |  |  <p>Option 3</p> |
|--|--|--|

### **Chief Executive's response**


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Under the draft plan, Kilpedder/Willowgrove is designated Level 7 Large Village. There are 12 settlements designated as Large Villages, with a combined growth target of approximately 300 units. As set out in Chapter 3 of the draft plan, a review is to be undertaken of all Large Villages as part of the 2-year statutory review. This will include a review of the boundaries and indicative housing growth targets for all villages. The issues raised in the submissions will be considered in this review. However, it is unlikely that all of the lands proposed in these submissions could be sustainably accommodated within the designation of this settlement as a village.

### **Chief Executive's recommendation**

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No change

| No. | Name       | Summary of issues raised  |
|-----|------------|---|
| C89 | Ken Hudson | <p>This submission requests the zoning of lands measuring c. 5.8 acres at Cronakip, Redcross for 'housing'.</p> <p>It is put forward that:</p> <ul style="list-style-type: none"> <li>▪ The land is currently zoned 'corridor'</li> <li>▪ The road frontage is now the R772, previously the N11</li> <li>▪ There are no further road works planned for the area</li> <li>▪ There has been a planning ban in the area for the last 25 years</li> <li>▪ Need to sell lands due to financial circumstances</li> <li>▪ Gifting of lands for traveler accommodation is not acceptable</li> </ul>  <p><i>Lands the subject of the submission outlined in purple dash</i></p> |

### Chief Executive's response

The proposal to zone the subject lands for 'Housing' use is not recommended. The lands are within the rural area, remote from any settlement boundary. The zoning of lands would have no rational or justification in the Core Strategy and would be contrary to Ministerial policy and guidelines, particularly in relation to sustainable housing and rural housing. They are located outside of any development boundary and do not accord with the key housing and zoning principles set out in Chapter 4 of the plan, namely that new housing development is required to locate on suitably zoned/designated land within settlements.

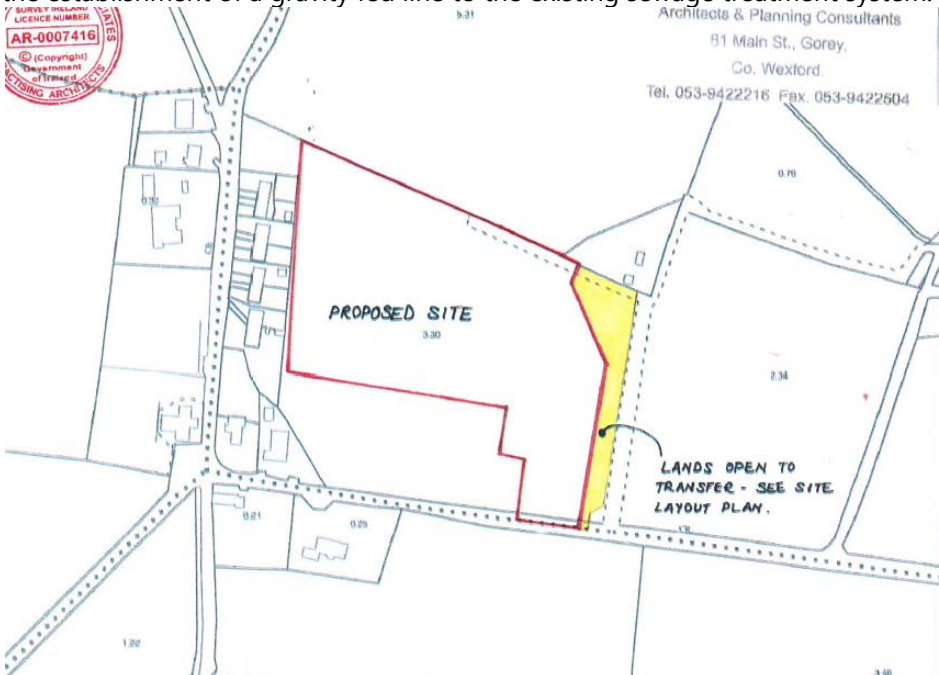
The proposal is not in accordance with the principles of proper planning and sustainable development and the plan is not recommended to be amended.

### Chief Executive's recommendation

No change



BALLYCOOG

| No. | Name         | Summary of issues raised   |
|-----|--------------|--|
| C32 | Martin Byrne | <p>This submission relates to lands measuring c. 2.2ha at Ballintemple, Ballycoog. The submitter is proposing concept for 11 dwellings and a child care facility and associated site and ancillary works with connection to the existing wastewater treatment system.</p> <p>The submitter is offering to transfer an area of land (outlined in yellow on the below map) to the local authority, which can be taken in charge to allow for a wayleave for sewage and surface water pipe lines from existing and future proposed properties within Ballycoog village. It is put forward that this will aid the establishment of a gravity fed line to the existing sewage treatment system.</p>  <p><i>Extract from submission</i></p> |

### Chief Executive's response

The subject lands are located within the village boundary.

The submission puts forward a proposal for the development of 11 houses and childcare facility. Such proposals can be considered as part of the normal development management process and are not matters for the development plan making process.

Any future proposal will be considered in light of the housing targets included in the development plan. There are 25 settlements designated within the draft plan as Small Villages, with a combined growth target of approximately 190 units. Ballycoog has a 2011 housing stock of 14 and an indicative housing growth target of 10 units up to 2022. Where a development results in the indicative growth figure being exceeded the following policy shall apply:

*"Where permission is sought for development that would result in the indicative growth figure for any settlement being exceeded during the lifetime of the plan, the principal considerations shall be that (a)*



*the settlement has the form and infrastructural capacity to accommodate the additional development proposed and (b) the total housing growth target for the small villages as a group shall not be exceeded.”* The number of houses permissible within the lifetime of the plan is therefore in the range of approximately 10 units.

As set out in Chapter 3 of the draft plan, a review is to be undertaken of all Small Villages as part of the 2-year statutory review. This will include a review of the boundaries and indicative housing growth targets for all villages.

The submitter proposes a transfer of lands for the provision of water services infrastructure within the village. This is not a matter of consideration for the County Development Plan and is not a matter for Wicklow County Council. Wicklow County Council no longer has responsibility for water services infrastructure. Irish Water is now responsible for the operation of public water and wastewater services, including:

- Management of national water and wastewater assets;
- Maintenance of the water and wastewater system;
- Investment and planning; and
- Managing capital projects.

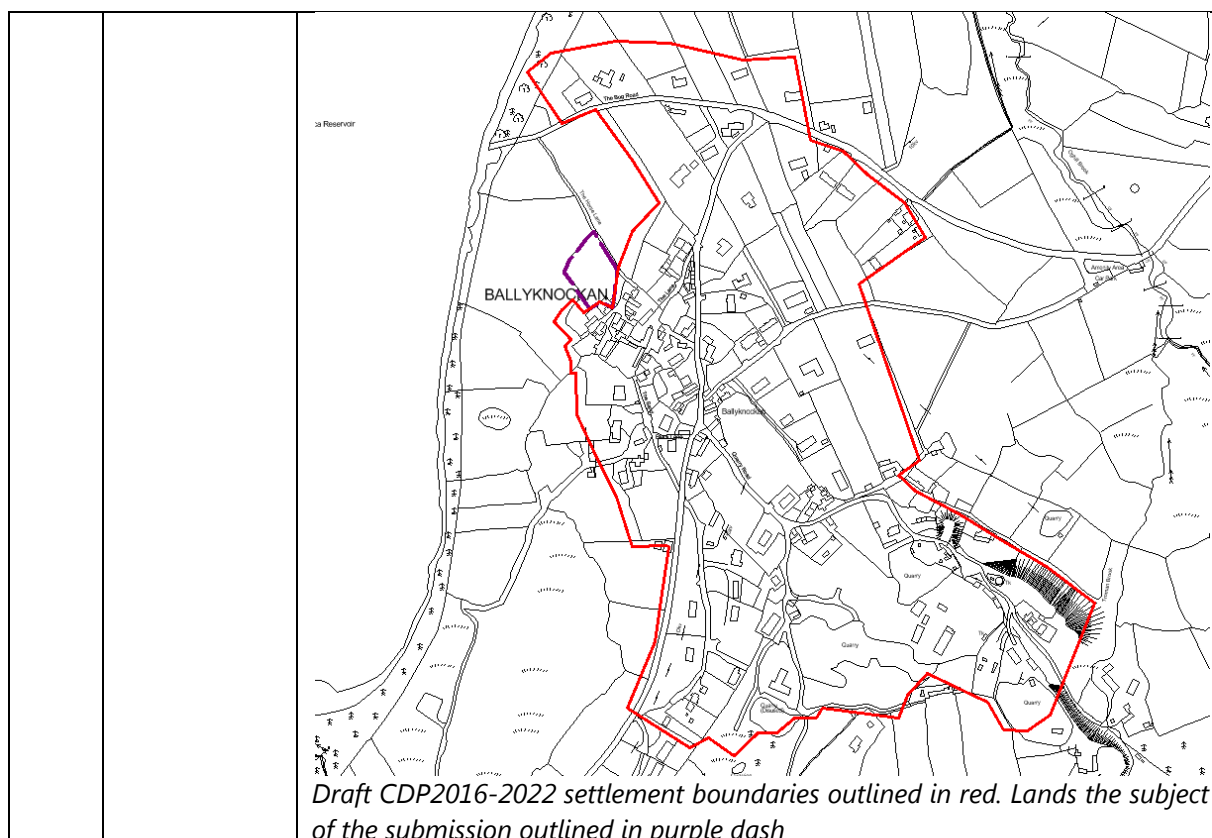
### **Chief Executive’s recommendation**

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No change

### **BALLYKNOCKAN**

| <b>No.</b> | <b>Name</b>     | <b>Summary of issues raised</b>   |
|------------|-----------------|---|
| C49        | Creedon family  | <p>This submission relates to the lands in the ownership of the Creedon Family at Ballyknockan, Blessington, Co. Wicklow which encompasses a disused granite quarry. The subject lands are within the ‘development boundary’ of Ballyknockan small village in the draft County Development Plan.</p> <p>It is requested that that the subject lands should be designated for a small-scale Integrated Tourism/Leisure/Recreational Complex incorporating a heritage centre displaying the workings of the old granite quarry located above the historic Blessington Lakes / Poulaphouca Reservoir area.</p> |
| C138       | Frances Osborne | <p>This submission relates to lands measuring c. 0.37ha as shown on the map below. It is requested that these be included in the village boundary.</p> <p>The rationale for this request is put as follows:</p> <ul style="list-style-type: none"> <li>▪ to enlarge the settlement boundary of the small village</li> <li>▪ there are no sites available to apply for planning permission in the existing boundary.</li> </ul>  |



### Chief Executive's response

#### Creedon family:

As this submission is more specifically related to tourism rather than 'settlement' objectives, it is considered in **Section x** of this report.

#### Frances Osborne:

Under the draft plan, Ballyknockan is designated Level 8 Small Village. There are 25 settlements designated as Small Villages, with a combined growth target of approximately 190 units.

As set out in Chapter 3 of the draft plan, a review is to be undertaken of all Small Villages as part of the 2-year statutory review. This will include a review of the boundaries and indicative housing growth targets for all villages. The issues raised in this submission will be considered in this review. However, it would appear that these lands are too close to the reservoir to accommodate effluent disposal systems.

### Chief Executive's recommendation

No change

## RATHDANGAN

| No.  | Name                         | Summary of issues raised  |
|------|------------------------------|---|
| C147 | Rathdangan Community Council | <p>The submission includes a '5 Year Plan' 2014-2018 for Rathdangan Rathdangan Community Council indicate that the following issues are of relevance to their area:</p> <ul style="list-style-type: none"><li>▪ They will be submitting a planning application for a play area / amenity area.</li><li>▪ They are involved in the upkeep of the local graveyard.</li><li>▪ They will be seeking funding for future works and would welcome input and support from WCC as those applications are submitted. They would welcome feedback on submissions made on the Community Awards scheme for the development of the amenity area.</li><li>▪ Request continued liaison with the Environmental Officer.</li><li>▪ Welcome engagement with the Heritage Officer.</li><li>▪ Are interested in dialogue about future development of housing in the village.</li></ul> |

### Chief Executive's response

The issues raised in the submission are noted; however the majority of these matters are outside the remit of the development plan, including issues relating to the funding of schemes, and interaction with the Council's Heritage Officer, Environment Section and Community, Cultural and Social Development Section.

Objectives relating to the future development of Small Villages such as Rathdangan, including the growth targets for the village, are set out in Chapter 3: Settlement Strategy of the plan. If the group wishes to interact on these specific provisions, this was the opportunity to make their thoughts known. If the dialogue they seek about housing is in fact about future planning application, they should engage with that process as it arises.

Objectives relating to community developments such as playgrounds and burial grounds are set out in Chapter 8: Community Development of this plan.

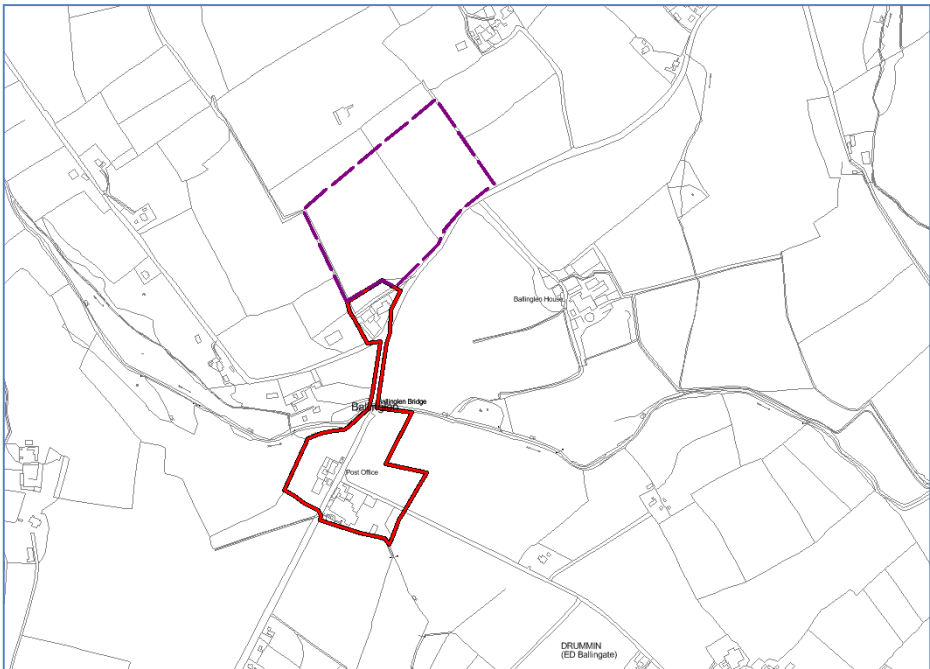
Development proposals can be considered through the Development Management process.

### Chief Executive's recommendation

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No change

BALLINGLEN

| No. | Name       | Summary of issues raised  |
|-----|------------|---|
| C64 | John Doyle | <p>This submission requests that cluster boundaries be extended as shown on the map below., It is put forward that this will facilitate the growth of the cluster as the other lands in the boundary as at risk of flooding and therefore</p>  <p><i>Draft CDP2016-2022 settlement boundaries outlined in red. Lands the subject of the submission outlined in purple dash</i></p> |

### Chief Executive's response

A review is to be undertaken of all Large and Small Villages as part of the 2-year statutory review. It is recommended that the review be extended to include Rural Clusters. The issues raised in the submission can be considered as part of the forthcoming review.

### Chief Executive's recommendation

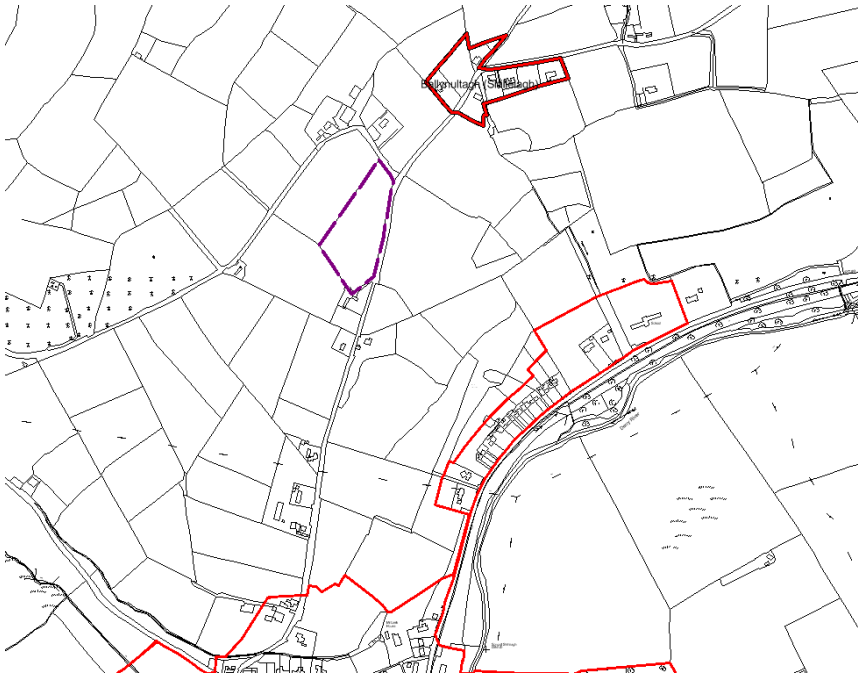
No change to the boundary of Ballinglen Rural Cluster at this stage.

### AMENDMENT 7

#### Chapter 3, Section 3.2, p44

Add the following text (in red): "Rural cluster boundaries are set out on the attached maps. All boundaries and the indicative housing growth targets for rural clusters will be reviewed as part of the 2-year statutory review of the plan."

## BALLYNULTAGH

| No.  | Name          | Summary of issues raised   |
|------|---------------|--|
| C101 | Thomas Lawlor | <p>This submission relates to lands of c. 1.87ha/ 4.6 acres at Ballynultagh, Shillelagh. It is requested that these lands be included in the boundary of Ballynultagh rural cluster.</p>  <p><i>Draft CDP2016-2022 settlement boundaries outlined in red. Lands the subject of the submission outlined in purple dash</i></p> |

### Chief Executive's response

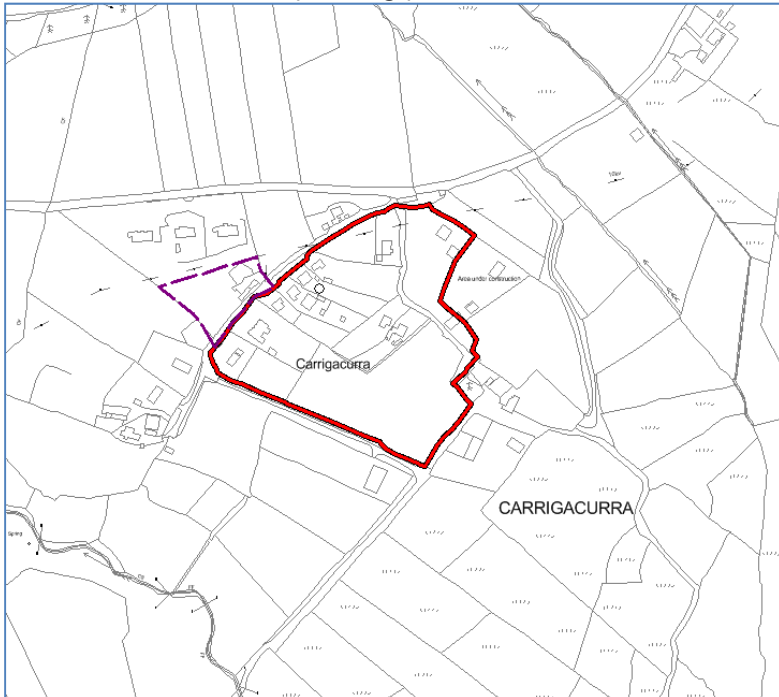
The proposal to include the subject lands within the settlement boundary of the Ballynultagh cluster is not acceptable, for the following reasons:

- The lands are not adjoining the existing cluster.
- The lands are within the rural area, located c.600m from Shillelagh and c. 170m from Ballynultagh.
- The capacity of the lands (8-9 half acre sites on c. 4.6 acres) is in excess of the 4 unit indicative growth target for the entire cluster.
- The designation of a substantial area of additional lands, in such close proximity to Shillelagh undermines the Settlement Strategy which aims to direct new housing into larger established settlements.
- The proposal does not accord with the key housing and zoning principles set out in Chapter 4 of the plan, including the application of the 'sequential approach' to zoning/designation of new lands whereby 'leapfrogging' to peripheral lands is to be resisted.
- The proposal is not in accordance with principles of proper planning and sustainable development and it is not recommended.

### Chief Executive's recommendation

No change

## CARRIGACURRA

| No. | Name            | Summary of issues raised  |
|-----|-----------------|---|
| C52 | Catriona Cullen | <p>It is requested that the settlement boundary of Carrigacurra be extended to include lands shown on the map below. In support of this request it is put forward that the site is in the middle of the townland of Carrigacurra with houses all around and that there is an old original building on the site which could be renovated with planning permission.</p>  <p><i>Draft CDP2016-2022 settlement boundaries outlined in red. Lands the subject of the submission outlined in purple dash</i></p> |

### Chief Executive's response

A review is to be undertaken of all Large and Small Villages as part of the 2-year statutory review. It is recommended that the review be extended to include Rural Clusters. The issues raised in this submission can be considered as part of the forthcoming review.

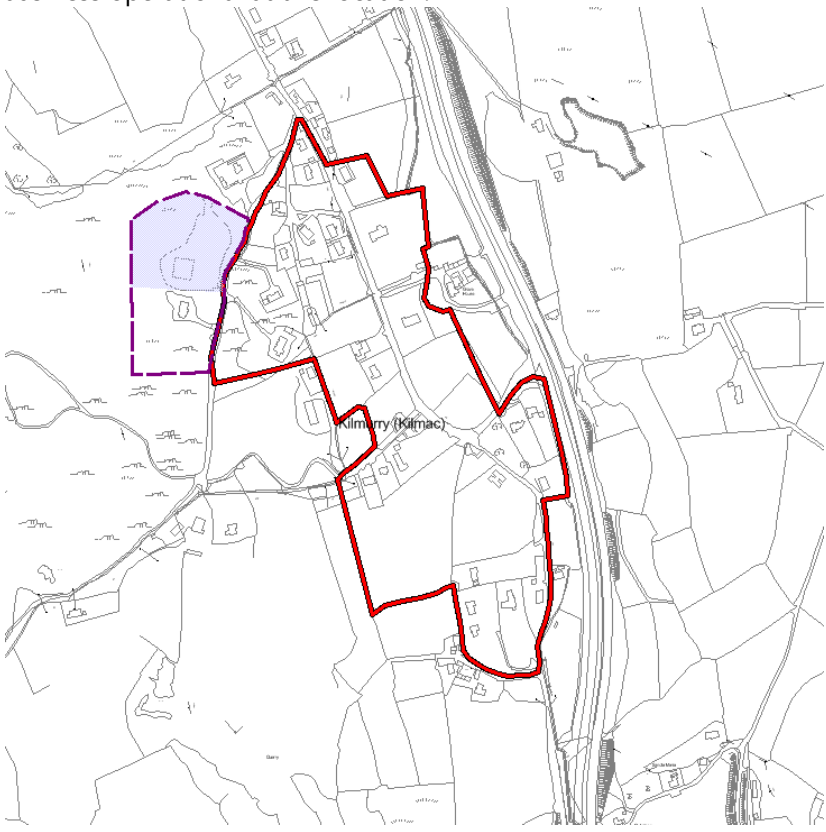
### Chief Executive's recommendation

## AMENDMENT 7

### Chapter 3, Section 3.2, p44

Add the following text (in red): "Rural cluster boundaries are set out on the attached maps. All boundaries and the indicative housing growth targets for rural clusters will be reviewed as part of the 2-year statutory review of the plan."

## KILMURRAY (KILMACANOGUE)

| No. | Name           | Summary of issues raised   |
|-----|----------------|--|
| C69 | Richard Draper | <p>The submission relates to the lands in the ownership of Richard Draper encompassing the concrete products yard and commercial buildings that are within the current settlement boundary of the rural cluster of Kilmurray (Kilmacanogue) as shown on the map to follow.</p> <p>This area of land is shown omitted from the settlement in the draft plan - the existing designation allowed for the development one dwelling (which is no longer applicable).</p> <p>The submitter requests the following:</p> <ul style="list-style-type: none"> <li>▪ The subject lands should continue to be within the settlement boundary for the rural cluster of Kilmurray (Kilmacanogue)</li> <li>▪ The lands shown in light purple on the attached map should be zoned for employment uses – light industrial and warehousing.</li> </ul> <p>It is put forward that removing the settlement boundary from around the subject lands is unacceptable as there are two existing houses and a long standing family business operational at this location.</p>  <p><i>Draft CDP2016-2022 settlement boundaries outlined in red. Lands the subject of the submission outlined in purple dash</i></p> |

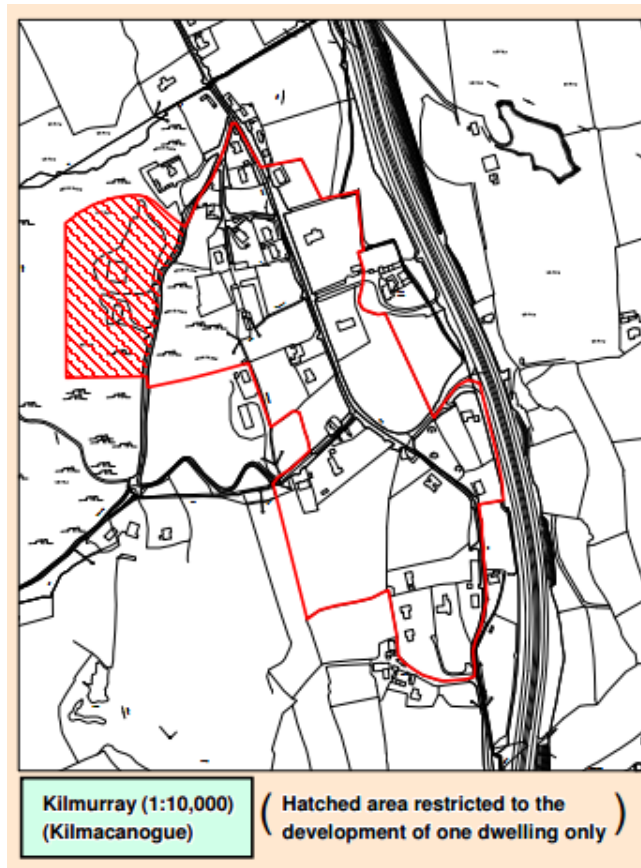
### Chief Executive's response

Under the current County Development Plan 2010-2016, the lands are within the settlement boundary of the Kilmurray (Kilmacanogue) Rural Cluster and are restricted to the development of one dwelling only. The current designation is shown on the map below.

The subject lands (c. 3.25ha/c. 8 acres) were designated within the settlement boundary for the first time in the County Development Plan in 2010 with the condition that development be restricted to

one dwelling only. In 2012, the landowner received permission for a dwelling (PRR12/6054). The landowner has received the benefit of the designation. The designation is therefore no longer necessitated.

The extension of the boundary on the subject lands is not acceptable. The lands are not required for the future growth and development of the cluster. Under the draft CDP, the indicative growth target for each rural cluster is stated to be in the order of 4-5 units. There are sufficient lands designated within the settlement boundary designated under the draft plan to accommodate this growth. Furthermore, the lands in question are extremely elevated and exposed to views on the slope of the Great Sugarloaf and any development here would further impact on the scenic amenity of the area.



*Extract from 2010 County Development Plan*

The proposal to zone the lands for 'Employment uses – Light industrial and Warehousing' is not recommended. Lands within rural clusters are not zoned. Rural clusters are 'unstructured' settlements considered suitable for very limited new rural development with the main purpose of the designation being to direct rural generated housing into clusters rather than the open countryside. The proposed zoning of lands for employment use within this rural area is not justified under the Core Strategy or the employment hierarchy and is contrary to sustainable planning principles which aim to direct new employment generating development on zoned land into the established towns and villages.

The following objectives are included within the draft plan, to facilitate the development of appropriate employment generating developments within the rural area. The proposed zoning is not therefore necessitated.



## **Rural Employment Objectives**

**RUR1** *To permit the development of employment generating developments in rural areas, where it is proven that the proposed development requires to be located in a rural area (e.g. dependent on an existing local resource) and will have a positive impact on the location.*

**RUR2** *To permit the development of small-scale commercial / industrial developments in rural areas that are not dependent on an existing local resource, subject to compliance with all of the following criteria:*

- *The proposed development shall be a small-scale industrial / commercial scheme or service and the number employed shall be appropriate in scale to the location and its characteristics, including proximity to the workforce and customers;*
- *the proposed development shall be located on the site of a redundant farm building / yard or similar agricultural brownfield site; and*
- *the nature and scale of the proposed development and the proposed process or activity to be carried out, shall be appropriate to and compatible with, the character of the rural environment of the site at which the development is proposed, and shall not be detrimental to the rural amenity of the surrounding area. In the assessment of planning applications, cognisance shall be taken of the location of the site vis-à-vis the proximity of the site to the national and regional road network.*

**RUR3** *To encourage, where appropriate, home-based economic activity<sup>3</sup> in rural areas including the provision of small-scale individual enterprises. Proposals which involve the change of use and/or new development for purposes of home-based employment will generally be considered favourably where it can be demonstrated that the nature and scale of the proposed development and the proposed process or activity to be carried out, shall be appropriate to and compatible with the character of the rural environment.*

## **Chief Executive's recommendation**

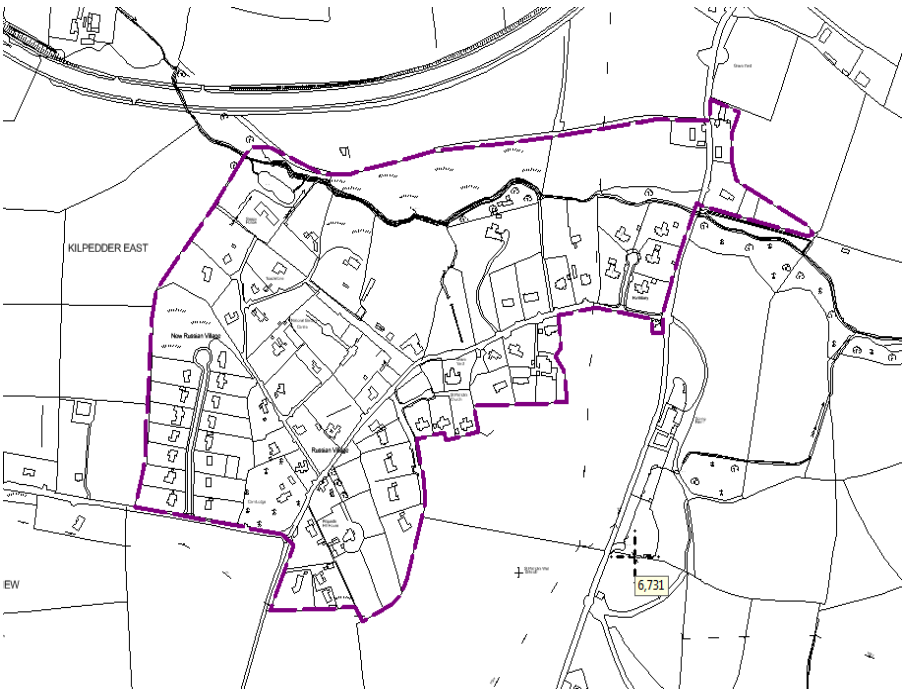
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No change

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<sup>3</sup> Home based economic activity is defined as small scale commercial/industrial activity carried out by the residents of a house which is subordinate or ancillary to the use of the dwelling as a place of residence.

KILQUADE

| No. | Name             | Summary of issues raised  |
|-----|------------------|---|
| C14 | BBA architecture | <p>This submission suggest that Kilquade be given a status / settlement boundary as a village (suggested boundary shown on map below). In support of this submission, it is put forward that there are 60 dwellings in the settlement, a church and a large garden centre and that the proposal is in keeping with the proper planning and sustainable development of the area.</p>  <p><i>Lands the subject of the submission outlined in purple dash</i></p> |

**Chief Executive's response**

While the lands at Kilquade do contain housing, a church and garden centre, it should be noted that these facilities can typically be found within the open countryside. The area does not have the range of services and facilities that are typically found within a strong village.

It is also noted that the only undeveloped lands within the proposed boundary shown are the lands north of the river, which have no physical or functional connection to the putative 'services' of this area (i.e. church and garden centre). These lands appear also to be partially at risk of flooding, and are clearly marked on OS maps as marshy.

The lands are located in close proximity to the growth towns of Greystones, Kilcoole and Newtownmountkennedy, where there are substantial amounts of undeveloped zoned and serviced land to provide for the housing needs of the area. Considering the close proximity of these lands to these higher order settlements which fulfil the needs of the local residents, it is not necessary to designate Kilquade as a 'village'.

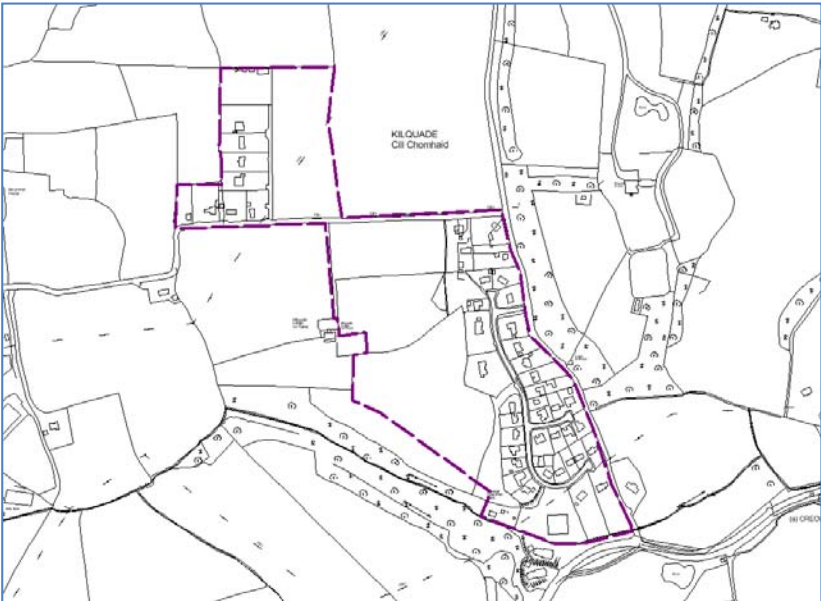
The proposed designation of a new 'village' at this location would undermine the Settlement Strategy whereby new housing development is to be directed into existing settlements, and is not in accordance with key housing principles set out in Chapter 4 of the plan.

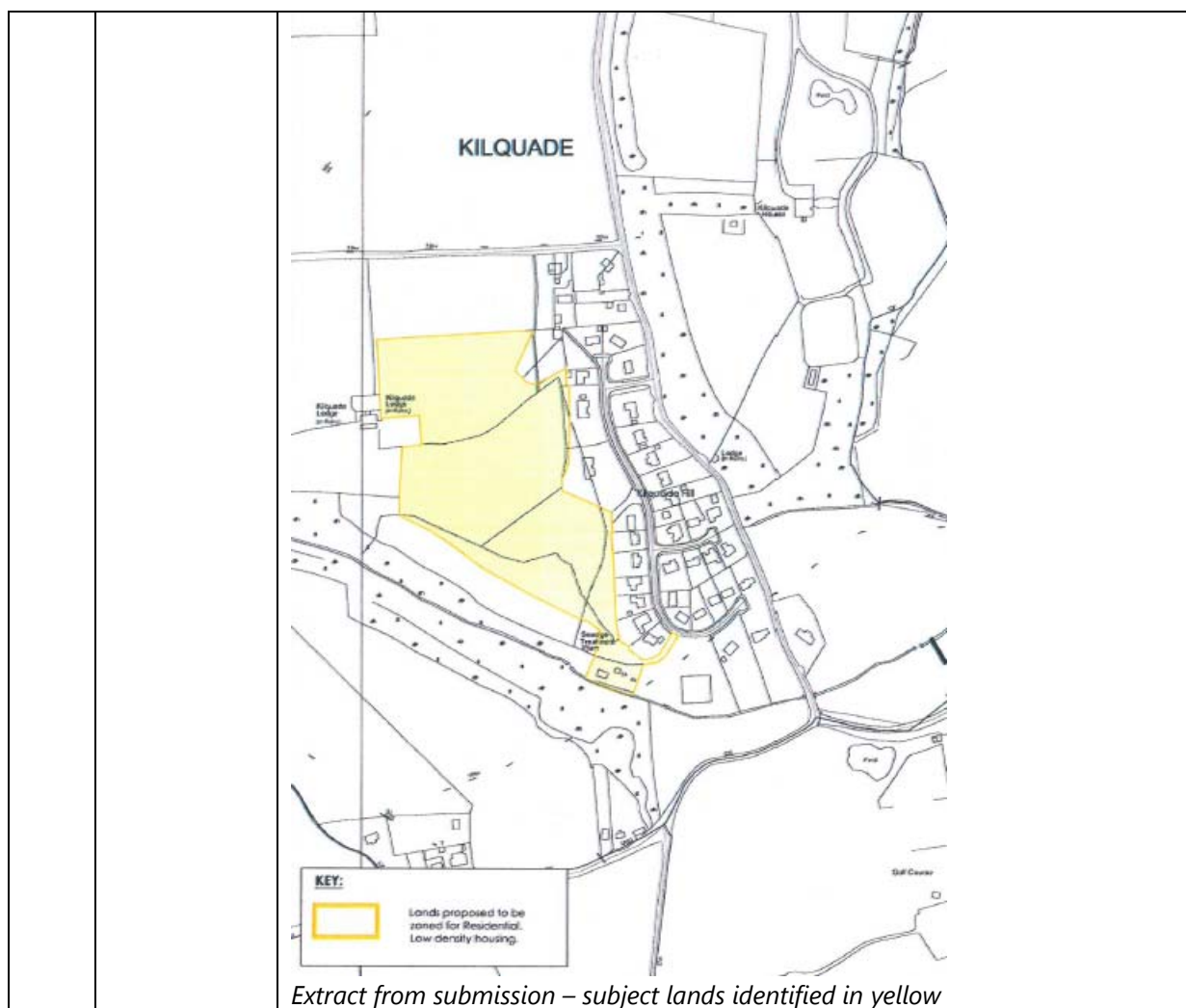
The proposed designation is not in accordance with the principles of proper planning and sustainable development and is not recommended.

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**Chief Executive's recommendation**

No change

| No.  | Name             | Summary of issues raised   |
|------|------------------|--|
| C15  | BBA architecture | <p>This submission suggests that that Kilquade Hill be given a status/settlement boundary as a village in the plan (suggested boundary shown on map below). In support of this submission, it is put forward that there are close on 50 dwellings in the settlement and that the proposal is in keeping with the proper planning and sustainable development of the area.</p>  <p><i>Lands the subject of the submission outlined in purple dash</i></p>  |
| C195 | York Securities  | <p>York Securities is the owner of the lands at Kilquade Hill, Kilcoole. It is proposed to rezone the lands from 'rural' use to 'residential low density housing'.</p> <p>The lands comprise c.17.5 acres currently grazed as agricultural lands and 1.25 acres at the southern end of Kilquade Hill which formally contained a sewerage treatment plant to cater for Kilquade Hill.</p> <ul style="list-style-type: none"> <li>– The lands are serviceable with mains water supply and mains sewerage.</li> <li>– Will consolidate the existing Kilquade Hill development</li> <li>– Provides much needed additional housing and will cater for residents of Kilcoole/Greystones area wishing to trade up to larger family houses.</li> <li>– Open space can be provided to cater for the existing Kilquade Hill development and the proposed.</li> <li>– Site is adjacent to Kilcoole and Greystones and abuts the LAP boundaries. Suggest the boundaries of the LAP be extended to include Kilquade Hill and the proposed lands.</li> </ul> <p>A sketch of proposed layout is included with the submission.</p> |



### Chief Executive's response

The submission from BBA Architecture puts forward that Kilquade Hill should be designated a 'village'. The submission from York Securities puts forward that lands at Kilquade Hill should be rezoned from 'rural' use to for 'residential low density housing'. The submissions relate to the same lands and raise similar issues.

The proposals put forward are not acceptable for the following reasons:

- Kilquade Hill is a housing estate dating back to the 1980's. There are no services or facilities within the area and as such it does not have the characteristics of a 'village'.
- The lands are located in close proximity to the growth towns of Greystones, Kilcoole and Newtownmountkennedy, where there are substantial amounts of undeveloped zoned land to provide for the housing needs of the area including services and facilities. There is no justification for the designation of new 'village' at this location. The proposal for a new village at this location would undermine the settlement strategy and settlement hierarchy for the county as set out in Chapters 2 and 3 of the plan.
- The zoning of lands for housing would have no rational or justification in the core strategy. The lands are outside a settlement boundary. The proposal does not accord with the key housing and zoning principles set out in Chapter 4 of the plan, namely that new housing development is be located on lands within settlements.

- Proposed revisions to the Greystones-Delgany and Kilcoole LAP boundary are outside the remit of the CDP. Such proposals can be considered during the review of the next LAP.

The proposals are not in accordance with the principles of proper planning and sustainable development and should not be accepted.

#### **Chief Executive's recommendation**

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No change

## PLAN TOPIC: WICKLOW COUNTY HOUSING STRATEGY

| No.  | Name                  | Summary of issues raised  |
|------|-----------------------|---|
| C3   | Ardale Property Group | This submission is from the owners of lands at Delgany and Rathnew. With respect to the Housing Strategy, the submitter is generally satisfied with the provisions of the Housing Strategy with the exception of some restrictive objectives.   |
| C184 | Richard Webb          | This submission raises the following issues with respect to the Housing Strategy: <ul style="list-style-type: none"> <li>▪ There appears to be no mention of a Traveller housing policy.</li> <li>▪ No guidelines for energy efficiency</li> <li>▪ No analysis of lands owned by the Council</li> </ul> |

**Chief Executive's response**

It is noted that **Ardale Property Group** is generally satisfied with the Housing Strategy. They indicate that they are not supportive of certain objectives that are restrictive to housing development – these are considered in greater detail under the other headings within this section.

In response to the issues raised by **Richard Webb**:

1. 'Section 4.4: Housing Objectives' of Chapter 4: Housing, includes the following objective to implement the Wicklow County Housing Strategy: *HD4 To implement the provisions of the Wicklow Housing Strategy and in particular, to require that 10% of all zoned land developed for residential use, or for a mixture of residential and other uses, shall be devoted to social housing.* The Wicklow County Housing Strategy is included within Appendix 3 of the draft plan. The Housing Strategy contains the Council's policy with regard to Traveller Accommodation. However, it must be remembered that the 'Housing Strategy' that forms part of the County Development Plan is not the Local Authority's housing delivery programme or traveller accommodation plan – these are stand alone documents outside of the County Development Plan.
2. Chapter 4: 'Housing' outlines the key housing principles that are to guide new housing development across the county. It is stated that one of the key principles for the creation of 'sustainable communities' is the promotion of the efficient use of land and energy including the minimisation of greenhouse gas emissions.  
The following parts of the plan include objectives that support this key principle:
  - Chapter 9 'Section 9.5 Climate Change and Energy' including for example objectives CCE1-5, CCE10, CCE19, CCE20, CCE21, CCE22, CCE24, CCE25
  - Appendix 1 Development & Design Standards, 'Section 1 Mixed Use and Housing Developments in Urban Areas' and 'Section 10: Energy and Telecommunications'
  - Appendix 7 Climate Change Audit
3. An analysis of Wicklow County Council owned land that is zoned / designated for housing is included within Appendix 3: Housing Strategy, of the draft plan.

**Chief Executive's recommendation**

No change

| No.  | Name                      | Summary of issues raised  |
|------|---------------------------|---|
| C3   | Ardale Property Group     | <p>This submission is from the owners of lands at Delgany and Rathnew.</p> <ul style="list-style-type: none"> <li>▪ Zoning: This submission supports the detail provided under Section 4.3.2 and the policy of the CDP that prioritises new residential development into designated centres.</li> <li>▪ Phasing: This submission generally welcomes Section 4.3.3 on Phasing. While they are generally supportive of the provision, they wish to outline that such a provision should not restrict development and rather should provide for development at appropriate locations. It may be the case that Housing Objectives HD6, HD7 and HD8 relating to phasing, would be construed as restrictive in nature.</li> <li>▪ Density: They are supportive of Section 4.3.4</li> </ul>  |
| C190 | Wicklow Planning Alliance | <p>With respect to Chapter 4 'Housing Principles':</p> <ol style="list-style-type: none"> <li>1. The 'Introduction' in paragraph 4.1 and the key principles in paragraph 4.3.1 should make express reference to the need to cater for children and young people, Travellers and Climate Change.</li> </ol> <p>The CDP is full of contradictions; on the one hand para 4.3.1 on page 70 mentions 'sustainable communities' and lists principles that include "the efficient use of land and of energy, and minimize greenhouse gas emissions"; "Provide a mix of land uses to minimize transport demand"; "Prioritise walking, cycling and public transport, and minimize the need to use cars"; but the CDP's wide spatial distribution is not consistent with any of these principles.</p> <ol style="list-style-type: none"> <li>2. Para 4.3.6 dealing with the 'Design of New Developments' should include a reference to Climate Change, require district heating systems and prohibit reliance on oil or gas or any other fossil fuel as a primary source of energy for heating.</li> <li>3. On pages 70 and 71 the CDP sets out some good zoning principles, for example, it promotes the "sequential approach", walkable neighbourhoods and a sustainable transportation pattern; it encourages infill and emphasises that development should be contiguous to existing developed areas but then it goes on to undermine and contravene all of these principles by its proposed zonings, for example in Newtownmountkennedy (HD24).</li> </ol> |

### Chief Executive's response

#### Ardale Property Group:

The submitter has indicated that they are in support of the key housing principles outlined within respect to 'zoning' and 'phasing'. They indicate that objectives HD6, HD7 and HD8 in relation to phasing may impose unnecessary restrictions on housing development. In response, it is considered that objectives HD6, HD7 and HD8 are absolutely necessary in order to ensure that the planning authority has the necessary measures to control proposed developments that do not accord with the



principle regarding the phasing of development. Objectives supporting the development of housing in a sustainable manner are included throughout the plan, namely within Chapters 3 and 4.

#### **Wicklow Planning Alliance:**

1. The key housing principles outlined in Section 4.3 relate to all forms of housing. As such, it is not necessary to make express reference to the particular housing needs of particular sectors of the population. The needs of different housing sectors are considered in the County Wicklow Housing Strategy. Objectives relating to climate change are included in various sections of the plan.

The strategy for the spatial distribution of population across the county is set out in Chapter 2: Vision & Core Strategy and Chapter 3: Settlement Strategy. The principles included within Section 4.3.1 for the creation of 'sustainable communities' are applicable to local level plans and do not relate, per se, to the overarching settlement strategy for the county.

2. Appendix 1 Design & Development Standards includes the following sections that contain detailed design standards to promote improved 'energy efficiency' in building – 'Section 1 Mixed Use and Housing Developments in Urban Areas', 'Section 10 Energy and Telecommunications'.
3. This issue raised that proposed zoning HD24 in Newtownmountkennedy does not accord with the zoning principles otherwise set out in the plan is noted and on foot of this submission, and others, it is recommended that Objective HD24 be omitted.

#### **Chief Executive's recommendation**

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#### **AMENDMENT 10**

#### **Chapter 4, 'Housing', p78 - 'Special Zoning Newtownmountkennedy', p78**

Omit Objective **HD24** and Map **04.01**

~~**HD24** To provide for low density residential development with associated leisure, tourism and recreational facilities on lands measuring c. 28ha Ballinahinch Lower, Co. Wicklow, as shown on Map 04.01.~~

| No.  | Name                      | Summary of issues raised   |
|------|---------------------------|--|
| C190 | Wicklow Planning Alliance | <p>It is out forward that Paragraph <b>HD8</b> is not satisfactory for the following reasons:</p> <ul style="list-style-type: none"> <li>- It mentions only the needs of future residents. It ignores how new development impacts on the residential amenity of existing residents and diminishes existing social infrastructure like the ability to walk and cycle in your community.</li> <li>- It takes no account of the cumulative impact on existing residential areas when a number of different developers develop separate sites in the one settlement with no responsibility for community infrastructure and in the absence of a social infrastructure audit by anybody. This is happening in Delgany and Enniskerry.</li> <li>- The public should be entitled to see how every cent of planning levies are spent because some communities are receiving absolutely no community gain notwithstanding that they are bearing most of the impact of development. The CDP is supposed to have the "common good" at its heart and Local Government is supposed to be putting people first.</li> </ul> |

### Chief Executive's response

**Objective HD8** requires that:

*Housing development shall be managed and phased to ensure that infrastructure and in particular, community infrastructure, is provided to match the need of new residents. Where specified by the Planning Authority, new significant residential or mixed use development<sup>4</sup> proposals, may be required to provide a social and community facility/facilities as part of the proposed development or the developer may be required to carry out a social infrastructure audit, to determine if social and community facilities in the area are sufficient to provide for the needs of the future residents. Where deficiencies are identified, proposals will be required to either rectify the deficiency, or suitably restrict or phase the development in accordance with the capacity of existing or planned services.*

It is not considered that it is the role of the developer of new housing to make up for / address historic shortfalls in community services or other infrastructure (such as footpaths and cycleways) in a town or even in a particular part of any town; the manner in which such shortfalls are addressed is through the roads and community infrastructure delivery programmes of the Council, which are funded through collection of levies from all new developments and from Councils own funding streams.

Developers, through Objective HD8 and other provisions of the plan, and through the application of normal development standards, are required to deliver that infrastructure that is required to service their development, on top of paying development levies. Furthermore, in some instances, such as where large blocks of lands are to be developed as phased 'action areas' additional requirements, separate from the payment of levies, are often imposed, such as the reservation of lands for new schools, or the provision of roads within the development site that would address wider traffic circulation consideration than may be necessitated by their development alone.

<sup>4</sup> This is determined to be any proposed development in: (a) settlement Levels 1 to 4 of 150+ residential units, (b) settlement Level 5 of 75+ residential units and (c) settlement Level 6 of 30+ residential units.

A very good example of this would be in Delgany, where the developer of 'Delgany Wood' was required to construct the 'Delgany by-pass' through their lands; similarly a current development at Blacklion is completing the Blacklion link road. However, as there is no development occurring between these two sections of new road, there is a central 'unimproved' section which is causing issues. It is not the role of the developer of either of these two new estates to address this middle section, as they would not have the legal interest to do so. It is the role of the Local Authority to address this infrastructural shortfall. It would also have been in the power of the Local Authority to refuse permission for both of these developments, in the knowledge that this central part of the route would remain unimproved; however, a decision was taken that it would be in the best interests of society and indeed those in need of new housing to allow for its incremental development as part of individual housing developments.

With regard to development levies, there is full transparency about how they are collected and how they are spent – these financial records are available to any member of the public to access. It is however correct that levies collected in one area are not necessarily 'ring fenced' for that area, as this would be contrary to the provisions of the Planning Act.

Therefore no change is recommended.

#### **Chief Executive's recommendation**

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No change

**PLAN TOPIC:     EXISTING RESIDENTIAL AREAS - OBJECTIVES HD10, HD11**

| <b>No.</b> | <b>Name</b>               | <b>Summary of issues raised</b>   |
|------------|---------------------------|---|
| C3         | Ardale Property Group     | Supports Objective HD10   |
| C190       | Wicklow Planning Alliance | It is suggested that paragraph HD11 be amended to delete "normally" in the last line - the CDP should not use words or phrases like "normally" or "as far as practicable" because such wording creates ambiguity and uncertainty and also expectations on the part of landowners. |

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**Chief Executive's response**

**Wicklow Planning Alliance:**

Objective HD11 is as follows:

*"In existing residential areas, the areas of open space permitted, designated or dedicated solely to the use of the residents will normally be zoned 'RE' as they form an intrinsic part of the overall residential development; however new housing or other non-community related uses will not normally be permitted on such lands."*

It is important that the objective is worded so as to ensure that sufficient flexibility is afforded to allow for 'exceptions', where the planning authority considers that a proposal is acceptable and generally compliant with the policies promoting the development of sustainable housing.

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**Chief Executive's recommendation**

No change

**PLAN TOPIC:     UNIT TYPES/ SIZES/ LOCATIONS – OBJECTIVE HD13**

| <b>No.</b> | <b>Name</b>                 | <b>Summary of issues raised</b>  |
|------------|-----------------------------|--|
| C3         | Ardale    Property<br>Group | Concerns expressed over Objective HD13. It is put forward that this objective is too restrictive and should be excluded from the plan. The submitter considers that the Planning Authority should have flexibility to assess each application on a case by case basis and should not be constrained in considering potential sites for development based on an objective relating to access. |

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**Chief Executive's response**

Objective HD13 is as follows:

*"New apartment developments dependent on access through existing established areas of predominantly single family homes will not be permitted."*

It is recommended that the wording of the objective should be revised to ensure that sufficient flexibility is afforded to allow for 'exceptions' where the planning authority may consider that a proposal is acceptable.

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**Chief Executive's recommendation**

**AMENDMENT 8**

**Chapter 4, 'Housing', Section 4.4, p74**

**Amend HD13 as follows:**

**HD13** New apartment developments dependent on access through existing established areas of predominantly single family homes will **generally** not be permitted.

| <b>No.</b> | <b>Name</b>               | <b>Summary of issues raised</b>  |
|------------|---------------------------|--|
| C190       | Wicklow Planning Alliance | <ul style="list-style-type: none"><li>▪ It is suggested the relaxation on current housing occupancy controls or any relaxation on current growth controls in rural locations should be deleted.</li><li>▪ With respect to Objective HD19, it is suggested that the distances for Level 8 Small Villages should be reduced.</li></ul> |

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**Chief Executive's response**

In order to revitalise rural villages and to support local schools, shops and other services, the draft plan contains a revised set of occupancy controls which aim to safeguard their future role and function by allowing for a wider range of persons who would be eligible to build / buy in these locations, thereby stimulating housing development in the settlement. These proposed revisions were crafted following careful and detailed consideration of this issue by the members of the County Council.

The CE is happy to support the members' position on these controls at this time, particularly in light of the numerous other controls and criteria that would apply to new development in such smaller settlements, in particular the management of the overall scale of development to be allowed in each location.

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**Chief Executive's recommendation**

No change

**PLAN TOPIC: HOUSING IN THE OPEN COUNTRYSIDE – OBJECTIVE HD21**

| <b>No.</b> | <b>Name</b>            | <b>Summary of issues raised</b>  |
|------------|------------------------|--|
| C163       | Niall Smyth            | This submission is in support of H21 and the changes to rural housing in the countryside – important for the maintenance of a vibrant rural community. In support of the wording attached to points 1 and 12   |
| C23        | Anna Boch & Alun Owens | <p>These submitters welcome the changes to HD21 but suggested more clarity is offered with regard to the circumstances which will allow consideration of residential development in the open countryside. In particular, the following questions are raised:</p> <ul style="list-style-type: none"> <li>▪ While it states housing need, social need or economic need, are all three of these needs required to be considered or just one?</li> <li>▪ Also, the requirement that those whose principal occupation is in agriculture requires them to own and farm 'substantial lands' discriminates against small scale specialist intensive rural activities such as organic holdings.</li> <li>▪ Where someone whose principal occupation is in a rural resource based activity, how is the need to live in the immediate vicinity assessed?</li> <li>▪ Do all circumstances need to be fulfilled, for example a person who was in a permanent native resident of a rural area but the family home is now within development boundary merely need to show a housing need? This seems much less onerous or is it in conjunction with other criteria?</li> <li>▪ For many years building a home in the open countryside in Wicklow has been fraught with different interpretations of compliance with the criteria depending on varying factors and the new development plan offers an opportunity to provide clear guidelines and direction for genuine applicants.</li> </ul>   |
| C2         | Alphaplan Design       | <ul style="list-style-type: none"> <li>▪ Submitter is in favour of the wording attached to points 1 and 12.</li> <li>▪ With regard to the proposed Objective HD21 for housing in the open countryside, while the submitter supports the objective in order to preserve open rural areas, the lengths that rural applicants are required to go to are in excess of the requirements of proof of connections to the area.</li> <li>▪ The submitter has prepared extensive lists of requirements for clients which includes birth certs, schools attended, revenue docs etc, with rural planning applications. Most times further information is requested resulting in repeat exercise of submitting same information. This leads to delays in processing of applications. The submitter feels that once there is sufficient information lodged in the original application, that item should be ticked as satisfied. The applicants are willing to enter into Section 47 agreements in any case and therefore a further commitment is evident.</li> <li>▪ With regard to the imposition of a Section 47 for developments in Level 6-9 small villages and settlements, the submitter wishes to state that while the hamlet developments require a commitment for individual one off dwellings for local people, the villages where there are services and where the applicant must connect to existing sewers and watermains and pay development contributions accordingly and where there are established village communities, should not be subject to Section 47 restrictions. The submitter</li> </ul> |

|      |                           |   |
|------|---------------------------|---|
|      |                           | believes that the Section 47 should only apply to one off dwellings in hamlet areas as there are already occupancy rules in place in village areas where a percentage of dwellings must be for locals only etc.   |
| C190 | Wicklow Planning Alliance | <p>The submitter makes reference to pages 77 and 78 and suggests that the following paragraph should be omitted:</p> <p><i>"The protection and conservation of views and prospects should not give rise to the prohibition of development, but development should be designed and located to minimise impact."</i></p> <p>It is put forward that the effect of this is the "privatise" protected views and that there is no point whatsoever in having a protected view if this paragraph remains in the CDP.</p> |

### Chief Executive's response

The submission from **Niall Smyth**, in support of HD21, is noted.

In response to the submission from **Anna Boch & Alun Owens**:

The submitters are suggesting that the policy requires greater clarity with regard to the circumstances which will allow consideration of residential development in the open countryside. With respect to the particular issues identified:

- HD21 indicates that residential development will be considered in the open countryside only when it is for the provision of a rural dwelling to those with a 'housing, social or economic need' to live in the open countryside. It is agreed that it is not clear whether one must display all 3 'needs' or just one or indeed whether having just a 'housing' need and no actual social or economic connection to the area would allow permission to be considered. Therefore it is recommended that a slight wording change is made to HD21.
- Category No.5 is for *"a person whose principal occupation is in agriculture and who owns and farms substantial lands"*. It is suggested that this discriminates against small scale specialist intensive rural activities such as organic holdings. This is agreed. It is much more reasonable to require applicants who are basing their claim for rural housing need on their agricultural occupation, to show that the enterprise is one that supports them in the full time or significant part time capacity – it is considered that the plan should clarify that where an applicant is basing their claim for rural housing need on their rural resource based or agricultural occupation it should be demonstrated that a home in the open countryside is essential to the making of that livelihood and that livelihood could not be maintained while living in a nearby settlement.
- It is considered that the objective relating to those whose family homes are now within a development boundary is very clear and no amendment is recommended.
- It is not agreed that the existing policy is uncertain or ambiguous, as it is clear that the overriding principle is that one must demonstrate a bona fide need for a rural dwelling and such a need cannot be accommodated in a settlement.

It is recommended therefore that objective HD21 be amended as set out below.

In response to the submission from **Alphaplan Design**:

- There is a strong demand for housing in the open countryside within County Wicklow. Each application for a rural house is assessed consistently and in accordance with the objectives for rural housing set out in the development plan. The planning authority has prepared a Pre-planning Guide on Single Rural Houses, which provides guidance on the kinds of information and documentation required to assess a person's 'housing need' as part of a planning



application. The planning authority will only request the submission of Further Information and Clarification of Further Information in cases where insufficient information has been provided, in the first instance, to properly assess an application.

- Occupancy restrictions within levels 6 to 9 settlements are considered to be a necessary measure, imposed to ensure that the housing needs of local people are provided for. The draft plan includes a revised set of occupancy rules from that contained within the current CDP 2010-2016. This set of more 'relaxed' occupancy rules have been introduced in an effort to revitalise the small rural settlements in order to safeguard their role into the future. Section 47 restrictions are a necessary imposition for the enforcement of the occupancy rules.

No change is necessitated on foot of the issues raised.

In response to the submission from **Wicklow Planning Alliance**:

The following paragraph is referred to be WPA:

*"With regard to the preservation of views and prospects, due consideration shall be given to those listed within the area of the National Park; and with respect to all other areas, to generally regard the amenity matters, but not to the exclusion of social and economic matters. The protection and conservation of views and prospects should not give rise to the prohibition of development, but development should be designed and located to minimise impact."*

The point raised by WPA is not that clear, but it may be suggesting that there is no point is designation views if there is a 'let out' clause for those who qualify for rural housing. This is not the case, as Objective NH50 applies to all development types:

**NH50** *To protect listed views and prospects from development that would either obstruct the views / prospect from the identified vantage point or form an obtrusive or incongruous feature in that view / prospect. Due regard will be paid in assessing development applications to the span and scope of the view / prospect and the location of the development within that view / prospect.*

#### **Chief Executive's recommendation**

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### **AMENDMENT 9**

#### **Chapter 4, 'Housing', Section 4.4, p76**

##### **Amend HD21 as follows:**

**HD21** Residential development will be considered in the open countryside only when it is for the provision of a **necessary** rural dwelling, to those with a **definable housing**, social or economic need to live in the open countryside.

Residential development will be considered in the countryside in the following circumstances:

1. A permanent native resident seeking to build a house for his / her own family and not as speculation. A permanent native resident shall be a person who has resided in a rural area in County Wicklow for at least 10 years in total (including permanent native residents of levels 8 and 9), or resided in the rural area for at least 10 years in total prior to the application for planning permission.
2. A son or daughter, or niece/nephew considered to merit the same position as a son/daughter within the law (i.e. when the uncle/aunt has no children of his/her own), of a permanent native resident of a rural area, who can demonstrate a definable social or economic need to live in the area in which the proposal relates and not as speculation.

3. A son or daughter, or niece/nephew considered to merit the same position as a son/daughter within the law (i.e. when the uncle/aunt has no children of his/her own), of a permanent native resident of a rural area, whose place of employment is outside of the immediate environs of the local rural area to which the application relates and who can demonstrate a definable social or economic need to live in the area to which the proposal relates and not as speculation.
4. Replacing a farm dwelling for the needs of a farming family, not as speculation. If suitable the old dwelling may be let for short term tourist letting and this shall be tied to the existing owner of the new farm dwelling were it is considered appropriate and subject to the proper planning and development of the area.
5. A person whose principal occupation is in agriculture ~~and who owns and farms substantial lands~~ and can demonstrate that the nature of the agricultural employment is sufficient to support full time or significant part time occupation.
6. An immediate family member (i.e. son or daughter) of a person described in 5, who is occupied in agriculture and can demonstrate that the nature of the agricultural employment is sufficient to support full time or significant part time occupation.
7. A person whose principal occupation is in a rural resource based activity (i.e. agriculture, forestry, mariculture, agri-tourism etc.) ~~and who can demonstrate a need to live in the immediate vicinity of this activity~~ that can demonstrate a need to live in the immediate vicinity of their employment in order to carry out their occupation. The Planning Authority will strictly require any applicant to show that there is a particular aspect or characteristic of their employment that requires them to live in that rural area, as opposed to a local settlement.
8. A close relative who has inherited, either as a gift or on death, an agricultural holding or site for his/her own purposes and not for speculation and who can demonstrate a definable social and / or economic need to live in the area to which the proposal relates.
9. The son or daughter of a landowner who has inherited a site for the purpose of building a one off rural house and where the land has been in family ownership as at 11th October 2004 for at least 10 years prior to the application for planning permission and not as speculation.
10. An emigrant, returning to their local area, seeking to build a house for his/her own use not as speculation.
11. Persons whose work is intrinsically linked to the rural area and who can prove a definable social or economic need to live in the rural area
12. A permanent native resident that previously owned a home and is no longer in possession of that home (for example their previous home having been disposed of following legal separation / divorce / repossession, the transfer of a home attached to a farm to a family member or the past sale of a home following emigration) and can demonstrate a social or economic need for a new home in the rural area.
13. Permanent native residents of moderate and small growth towns, seeking to build a house in their native town or village within the 60kph / 40mph speed limit on the non national radial roads, for their own use and not as speculation as of 11th October 2004.
14. A person whose business requires them to reside in the rural area and who can demonstrate the adequacy of the business proposals and the capacity of the business to support them full time.
15. Permanent native residents of the rural area who require a new purpose built specially adapted house due to a verified medical condition and who can show that their existing home cannot be adapted to meet their particular needs
16. Persons who were permanent native residents of a rural area but due to the expansion of an adjacent town / village, the family home place is now located within the development boundary of the town / village.

**PLAN TOPIC: CONVERSIONS OF NON- RESIDENTIAL BUILDINGS IN RURAL AREAS – OBJECTIVE HD23**

| <b>No.</b> | <b>Name</b>                   | <b>Summary of issues raised</b>   |
|------------|-------------------------------|---|
| C128       | Joanne Neville & Nigel Harper | <p>Submitter requests a minor amendment is made to the wording of objective HD23 which currently refers to “rural areas” only in the context of the conversion or reinstatement of non-residential or abandoned residential buildings to residential use. In this regard the following wording is suggested:</p> <p>“The conversion or reinstatement of non-residential or abandoned residential buildings back to residential use in the rural <b>and urbanised areas</b> will be supported where the proposed development meets the following criteria:</p> <ul style="list-style-type: none"><li>– the original walls must be substantially intact – rebuilding of structures of a ruinous nature will not be considered;</li><li>– buildings must be of local, visual, architectural or historical interest;</li><li>– buildings must be capable of undergoing conversion / rebuilding and their original appearance must be substantially retained (a structural survey by a qualified engineer will be required with any planning application); and</li><li>– works must be executed in a sensitive manner and retain architecturally important features wherever possible and make use of traditional and complementary materials, techniques and specifications.”</li></ul> |

**Chief Executive’s recommendation**

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Objective HD23 relates specifically to residential buildings within the **rural area**. Policies and objectives are included throughout the plan and within the local plans, to facilitate appropriate proposals for the conversion of buildings to residential use, on suitable sites that are within the ‘urban’ settlements.

No change is necessitated.

**Chief Executive’s response**

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No change

**PLAN TOPIC: SPECIAL ZONING NEWTOWNMOUNTKENNEDY – OBJECTIVE HD24**

| No.  | Name                         | Summary of issues raised  |
|------|------------------------------|---|
| C100 | Richard Lacey                | Submission in relation to Richard Lacey's lands at Ballinahinch Lower, Newtownmountkennedy.<br>The submitter notes that the draft CDP includes a zoning objective for the significant part of these lands for residential purposes. The submitter also notes that Newtownmountkennedy is one of the settlements listed in the Development Plan for which a detailed planning framework will be set through a Local Area Plan rather than in the CDP (as is the case for smaller settlements). In light of this approach adopted in the Draft CDP, the submitter respectfully requests that the special zoning objective for as shown in the draft CDP for lands at Ballinahinch Lower, Newtownmountkennedy, as indicated on Map 4.01 is omitted from the CDP and that the future zoning and planning framework for these lands is addressed in the next review of the Newtownmountkennedy LAP.  |
| C33  | Paul & Margaret Byrne        | All object to HD24 and the zoning of this large tract of land outside the town boundary for the following reasons:<br><ul style="list-style-type: none"> <li>▪ Contrary to good planning and development</li> <li>▪ Land zoned against the recommendation of the planning authority.</li> <li>▪ The proposed roads are inadequate. Traffic on Trudder Road, which will inevitably attract vehicles coming from and going back to the South, would be a serious danger and the access roads are totally insufficient to carry such car movements each day.</li> <li>▪ The site is unserviced.</li> <li>▪ This development will have a visual impact on a beautiful rural valley.</li> <li>▪ There is already adequate land zoned in the village to cater or the demands of the supply of housing.</li> <li>▪ Zoning should be put forward for consideration in the next review of the Newtownmountkennedy development plan and not the county plan.</li> </ul> |
| C53  | Francis & Aisling Cunningham |   |
| C76  | Frank & Louise Fenelon       |   |
| C77  | Una Fenelon,                 |   |
| C190 | Wicklow Planning Alliance    | It is suggested that the Special Zoning for Newtownmountkennedy in paragraph HD24 should be omitted as subverts all basic planning principles.  |

### **Chief Executive's response**

The contents of all of these submissions have been considered, as well as submissions on this topic from the Minister for the Environment, the Eastern and Midlands Regional Assembly, TII and An Taisce. It is recommended that this entire zoning be omitted from the plan.

### **Chief Executive's recommendation**

## **AMENDMENT 10**

### **Chapter 4, 'Housing', p78 - 'Special Zoning Newtownmountkennedy', p78**

Omit Objective **HD24** and Map **04.01**

~~**HD24** To provide for low density residential development with associated leisure, tourism and recreational facilities on lands measuring c. 28ha Ballinahinch Lower, Co. Wicklow, as shown on Map 04.01.~~

| No.  | Name  | Summary of issues raised   |
|------|---|--|
| C159 | Triona Sheeran                              | It is suggested that planning objections for individual houses must state if they are related to other objectors to the same planning permission application. This is to ensure fairness.  |
| C193 | Wicklow Town & District Chamber of Commerce | The following suggestions are made with respect to housing: <ul style="list-style-type: none"> <li>▪ Encourage greater diversity in house types to provide a range of visual and architectural choice.</li> <li>▪ Encourage the use of basements to provide storage space</li> <li>▪ Remove planning levies for basement developments as they are not living areas and have very limited natural light, however they could provide extra space for storage and plant as is done extensively on the continent.</li> </ul> |

### Chief Executive's response

In response to the issue raised by **Triona Sheeran**, this is not a requirement of the planning legislation and therefore Wicklow County Council has no power to request such information.

In response to the issues raised by **Wicklow Town & Chamber of Commerce**:

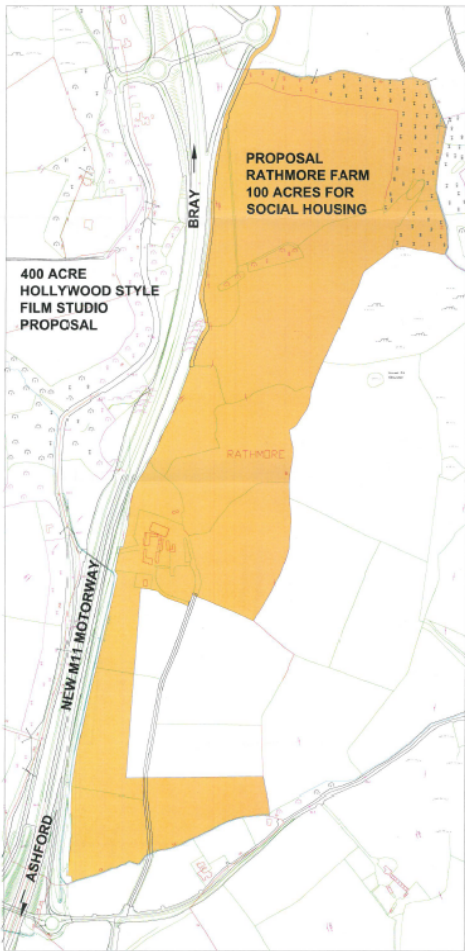
- Objectives are set out in Chapter 4: Housing under the headings 'Unit types/sizes/locations' and 'Housing formats', to support the development of a range of house types throughout the county.
- The objectives set out in Chapter 4: Housing and Appendix 1 'Development and Design Standards', are sufficient to facilitate appropriate proposals for basement developments.
- Development contributions are charged in accordance with the Development Contribution Scheme 2015. Proposals for revisions to the Development Contribution Scheme are considered to be outside the remit of the CDP.

### Chief Executive's recommendation

No change

**PLAN TOPIC: REZONING SUBMISSIONS**

Where rezoning requests have been made in respects to any existing towns or settlements, these submission are assessed in that part of this report dealing with that individual settlement or group of settlement (e.g. all request for zoning in villages or new villages are considered in **Section X** together) The zoning submission detailed to follow does not relate to any town or settlement so is considered separately here.

| No. | Name          | Summary of issues raised  |
|-----|---------------|---|
| C51 | Edward Cullen | <p>It is requested that 100 acres at Rathmore Farm, Ashford be zoned for 'social housing'. In support of this request it is put forward:</p> <ul style="list-style-type: none"> <li>▪ Site is strategically located for this type of development;</li> <li>▪ There is a shortage of social housing at this location and within the county;</li> <li>▪ Opportunity for WCC to give positive lead in the national housing crisis.</li> </ul> <p>PROPOSED SOCIAL HOUSING SUBMISSION 2016 ASHFORD, COUNTY WICKLOW.</p>  <p>100 ACRE PROPOSAL FOR SOCIAL HOUSING.<br/>NEW PROPOSED DRAFT COUNTY DEVELOPMENT PLAN 2016.</p> <p><i>Extract from submission – subject lands identified in yellow</i></p> |

### **Chief Executive's response**

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The proposed rezoning from 'rural' to 'residential low density' is not recommended, for the following reasons:

- The zoning of lands would have no rational or justification in the core strategy.
- The lands are outside a settlement boundary. The proposal does not accord with the key housing and zoning principles set out in Chapter 4 of the plan, namely that new housing development is to be located on lands within settlements.
- The lands would be completely reliant on access by private car and are contrary to the sustainable land use and transportation principles.
- The proposal to rezone lands along the length of the eastern side of the M11, from Junction 14 to Junction 15 could compromise the capacity and efficiency of the national road/ associated junctions. The proposal is not acceptable given the absence of any transport assessment and evidence base as required by the DoECLG Spatial Planning and National Roads Guidelines.
- The proposal may interfere with protected view no. 15 of Wicklow Head and Coastline, from Coyne's Cross on N11 towards Wicklow.

The proposed zoning is not in accordance with the principles of proper planning and sustainable development and should not be accepted.

### **Chief Executive's recommendation**

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No change

## PLAN TOPIC: ECONOMIC VISION AND GOALS

| Number | Name                      | Summary of issues raised   |
|--------|---------------------------|--|
| C44    | Common Ground             | 1. It is requested that the vision statement in the plan be extended to include the statement that Wicklow is declared as a TTIP (Transatlantic Trade and Investment Partnership) Free Zone.   |
| C190   | Wicklow Planning Alliance | 2. It is contended that the policies and objectives of the plan in relation to economic development ignore the principles of 'Goal No. 4' which sets out to <i>"support a shift towards a low carbon and climate resilient economic activity reduction energy dependence and sustainable use of resources and leading the Smart Green economy"</i> . |

## Chief Executive's response

1. The **Transatlantic Trade and Investment Partnership** is a proposed trade agreement between the European Union and the United States. The agreement is under ongoing negotiations and its main three broad areas are: market access; specific regulation; and broader rules and principles and modes of co-operation.

The European Commission says that the TTIP would boost the EU's economy by €120 billion, the US economy by €90 billion and the rest of the world by €100 billion. However there has been criticism of the agreement, as it is suggested it involves reducing the regulatory barriers to trade for big business, thereby impacting negatively on areas such as food safety law, environmental legislation, banking regulations and the sovereign powers of individual nations<sup>5</sup>.

It is not clear how one County could 'opt out' of such an agreement if it is made by the EU and is binding on member states. Therefore it is considered that to include such a statement in the Wicklow County Development Plan might well be 'lip service' only and would have no real impact. Therefore it is not recommended that such a statement be included in the County Development Plan.

2. The 'Goal No. 4' referred to in this submission is a goal from the LECP which states *"To support a shift towards low carbon and climate resilient economic activity reducing energy dependence and sustainable use of resources and leading the Smart Green economy"*.

It is considered that the strategies and objectives of the overall County Development Plan, including the economic development chapter, provide the land-use framework that will support the achievements of this goal. It is not considered that the objectives of the plan ignore the principles of Goal Number 4. The plan includes numerous objectives aimed at facilitating a shift towards a low carbon and climate resilient economic activity, a reduction energy dependence and sustainable use of resources, such as

**EMP1** *To support all forms of employment creation, especially where this can mitigate long distance commuting, subject to the proper planning and sustainable development of the area and compliance with all other objectives of this plan.*

**EMP2** *To normally require new employment generating developments to locate on suitably zoned or identified land in settlements.*

<sup>5</sup> Lee Williams [What is TTIP? And six reasons why the answer should scare you.](#) *The Independent*. 6 October 2015.



- EMP4** *To permit proposals for employment generating development where it can be demonstrated that the development complies with the relevant development standards and is not detrimental to residential amenity or to environmental quality, and is acceptable with regard to its impact on the character and visual amenity of the area.*
- EMP5** *To promote the development of employment generating uses at locations which comply with sustainable transportation objectives*
- EMP7** *To encourage the redevelopment of brownfield sites for enterprise and employment creation throughout the County*
- EMP9** *To promote and support the enhancement of the built, natural and social environment to attract and sustain employment creation initiatives.*
- EMP 17** *To encourage and facilitate the development of 'green' industries, including industries relating to renewable energy and energy-efficient technologies, waste recycling and conservation.*
- AGR1** *To facilitate the development of environmentally sustainable agricultural activities, whereby watercourses, wildlife habitats, areas of ecological importance and other environmental assets are protected from the threat of pollution, and where development does not impinge on the visual amenity of the countryside.*
- AGR4** *To ensure that agricultural developments do not cause increased pollution to watercourses.*
- AGR5** *To permit the development of new, appropriately located and designed agricultural buildings, which are necessary for the efficient and environmentally sound use of the agricultural practice.*
- FTY2** *To promote afforestation in co-operation with relevant agencies, including the Forest Service (Department of Agriculture, Food and the Marine) and forestry operators and to ensure that afforestation is undertaken in a manner that is consistent with the principle of 'sustainable forest management'.*
- FTY7** *To encourage the development of forestry for timber biomass which can be used as a renewable energy source.*
- FSH1** *To support the sustainable development of the fisheries and aquaculture industry in co-operation with the Department of Agriculture, Food and the Marine and the Inland Fisheries Ireland. The Council will not permit development that has a detrimental impact on the environment. In particular, development that has a detrimental impact on the environmental/ecological/ water quality of seas, rivers and streams, will not be permitted.*
- CCE1** *To have regard to the EU and national legislation and strategies on climate change in the decision making process, in order to contribute to a reduction and avoidance of human induced climate change.*
- CCE2** *To support the government programme for the development of national climate change legislation.*
- CCE3** *To implement the 'National Climate Change Adaptation Framework - Building Resilience to Climate Change' by supporting the preparation of a Climate Change Adaptation Plan.*

- CCE4** *To support the development of a Wicklow County Adaptation Strategy and to support the land use aspects of the strategy.*
- CCE5** *To have regard to climate change mitigation and adaptation in assessing all large scale development including all critical transport and energy infrastructural developments.*
- CCE6** *To encourage the development of wind energy in accordance with the County Wicklow Wind Strategy*
- CCE8** *To facilitate the development of off-shore wind energy projects insofar as onshore facilities such as substations/connections to the grid may be required.*
- CCE9** *To facilitate the development of solar generated electricity.*
- CCE10** *To positively consider all applications for the installation of PV cells at all locations, having due regard to architectural amenity and heritage.*
- CCE13** *To facilitate the development of projects that convert biomass to gas or electricity.*
- CCE15** *To facilitate the development of small-scale electricity generation installations*
- CCE21** *Through coordinated land-use and transport planning, to reduce the demand for vehicular travel and journey lengths.*
- CCE22** *Through sustainable planning and investment in transport infrastructure, including roads and public transport systems, to reduce journey; times, length, congestion and to increase the attractiveness of public transport.*
- CCE23** *To facilitate the development of services and utilities for alternative vehicles types.*
- CCE24** *To require all new buildings during the design process to incorporate sustainable technologies capable of achieving a Building Energy Rating in accordance with the provisions S.I. No. 273 of 2012 European Communities (Energy Performance of Buildings) Regulations 2012 and the Building Control (Amendment) Regulations 2014.*
- CCE25** *To facilitate retrofitting of existing building with heat saving devices and installations, where permission is required for such works.*

It is possible that that this submission may be making reference to the inclusion of a number of proposed employment zonings under objective EMP12. It is agreed that such zonings would be in conflict with the provisions of Goal 4 and as set out below under Topic 2 it is recommended that these zonings be removed from the plan with the exception of the Film Studio lands at Ashford (where it is recommended that this zoning be reduced in size).

### **Chief Executive's recommendation**

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As per Topic below it is recommended that 'Objective EMP12' and the associated zonings detailed in Maps 5.01-5.08 be removed from the plan with the exception of the Film Studio lands at Ashford.

| Number | Name                      | Summary of issues raised   |
|--------|---------------------------|--|
| C68    | DPM Farms Ltd             | 1. It is suggested that lands at Killadreenan, Newtownmountkennedy be zoned for economic and employment uses in the form of light industry.  |
| C158   | Sexton family             | <p>2. It is requested that the zoning applied to the subject lands known as Sexton's Garden centre at the Glen of the Downs be changed as follows:</p> <p>Tourism and Recreation Themes and Products (T30)</p> <p><b>From:</b> "To support the development of craft/artisan centres at established tourist facilities. In particular the Council will support the development of an Arts, Crafts and interpretive centre at Sexton's Garden Centre, Glen of the Downs".</p> <p><b>To:</b> "Sexton's Garden Centre Lands should be supported as an area to continue to be developed as a key retail and tourism attraction in a sustainable manner".</p> <p>It is contended that this zoning objective in being less specific would:</p> <ul style="list-style-type: none"> <li>▪ Support the substantial numbers of existing retail jobs on site</li> <li>▪ Create the possible opportunity, subject to a comprehensive and detailed planning application for a major tourist attraction showcasing the best Wicklow arts, crafts, food and other local producers and</li> <li>▪ Establish sustainability as key consideration for this highly sensitive location.</li> </ul> <p>It is also put forward that the proposed zoning would be consistent with and support a number of the objectives set out in the Wicklow Economic Think Tank Action Plan.</p> |
| C184   | Richard Webb              | 3. It is put forward that the proposed zoning provisions set out under objective EMP12 are contrary to the details set out under Section 5.4 'The Role of Land Use Planning in Economic Development', the provisions of Regional Planning Guidelines and the requirements of the NRA/TII in regard to development close to national routes and junctions.  |
| C190   | Wicklow Planning Alliance | 4. It is considered that all of the zonings set out under EMP12 are entirely contrary to and inconsistent with the principles set out in national plans, policies and strategies relating to proper planning and sustainable development.  |

### Chief Executive's response

1. The Economic Chapter of the Draft County Development Plan has been crafted taking increased regard to national and regional policy, in particular the principles of the NSS and the RPGs to consolidate development into designated settlements and to appropriately manage rural development. In this regard, a full review of all employment zonings was carried out as part of the plan review process and it was determined that a significant amount of zoned land is available in the towns of the County and that there is no need for additional ex-urban employment zoning.

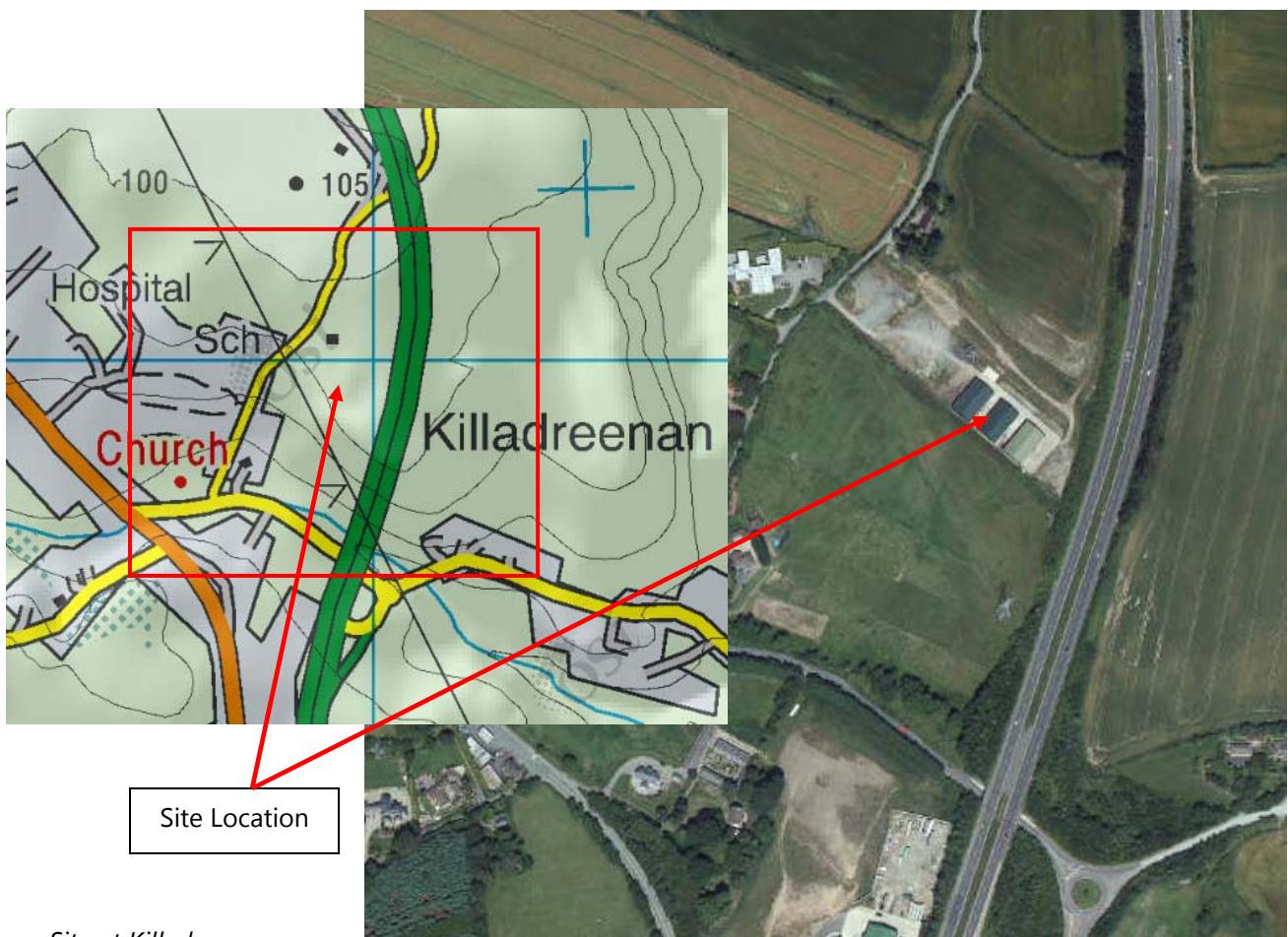
Such zoning is unsustainable on many fronts, but in particular

- the distance from population bases, markets and town centres results in almost complete car dependency,
- the distance to settlement results in a lack of infrastructure including mains water and sewerage;
- landscape impacts can be significant.

The subject lands located at Killadreenan (detailed in figure X below) have an extensive planning history most notably planning reference no. 09/889 where permission was refused by An Bord Pleanála for industrial uses on this site for the following reasons:

- The proposed industrial activity does not have any local resource, process or workforce related need to be situated in this rural area.
- The proposed industrial activity would seriously injure the amenities of property in the vicinity by way of noise impacts. The development would, therefore, be contrary to the proper planning and sustainable development of the area.
- The proposed development would result in a significant risk to the receiving and surrounding environment and would, therefore, be prejudicial to public health.

It is not considered that there is any specific locational requirement for the zoning of these lands in a rural area, particularly given the site's proximity to Newtownmountkennedy where there are lands zoned for employment/industrial uses. The proposal would therefore set an undesirable precedent for similar types of development and would be contrary to the proper planning and sustainable development of the area.



*Site at Killadreenan*

2. With regard to the request from Sextons, as this zoning is set out in the 'tourism' chapter of the plan the response and recommendation of the Chief Executive has been set out in detail under the tourism section of this report. **Please refer to section X**

- 3 & 4. The Economic Development chapter in the draft County Development Plan 2016-2022 has built on the previous plan and has endeavoured to continue successful strategies and to revise less successful strategies. The new chapter has also been crafted taking increased regard to the national and regional policy, in particular the principles of the NSS and the RPGs to consolidate development into designated settlements and to appropriately manage rural development. In this regard, a full review of all employment zonings was carried out as part of the plan review process and it was determined that a significant amount of zoned land is available in the towns of the County and that there is no need for additional ex-urban employment zoning.

Therefore it was the CE's recommendation in 2015 that all of the employment zones set out in Objective EMP13 of the 2010 County Development Plan be omitted from the draft plan.

Objective EMP12, which is essentially a restatement of EMP13 with some amendments, was however included in the adopted draft plan following a resolution of the members.

Further to the issues raised in the submissions above, and submissions on the same topic from the Minister for the Environment, the Eastern & Midlands Regional Authority, Transport Infrastructure Ireland and An Taisce, it is recommended that Objective EMP12 be significantly amended as set out below.

The CE considers that the employment sites set out in Objective EMP12 (with the exception of 5.08 Ashford studios) are located outside of identified settlements and development areas of the county; are piecemeal and random in nature and are in conflict with Objective EMP2 which seeks to locate new employment generating development in settlements and overall the strategic emphasis of the plan based around the major population settlements as the key focus for economic growth.

It is also considered that proposed zonings 5.01-5.07 in Objective EMP12 would appear to be significantly at variance with the requirements of the Development Plans Guidelines (2007) which seek, *inter alia*, a spatially sequential and evidence-based approach to development zoning and also to the '*Spatial Planning and National Roads Guidelines*' (2012) which seek to ensure the avoidance of any adverse impact on the national road infrastructure from inappropriate new development.

With respect to **Ashford Film Studios** (5.08) it is considered that the proposed zoning can be supported having regard to the existing successful development of the site, the location of the site adjacent to a settlement, and the availability of services, but it is considered that the justification for such an extensive zoning has not been demonstrated and the intensity/extent of future development remains insufficiently defined. It is therefore recommended that the zoned area be reduced and focuses on development in the immediate locality of the existing studio structures on the site.

## Chief Executive's recommendation

### AMENDMENT 14

#### Section 5.5 'Objectives for Economic Development', p92

Amend Objective EMP12 as follows:

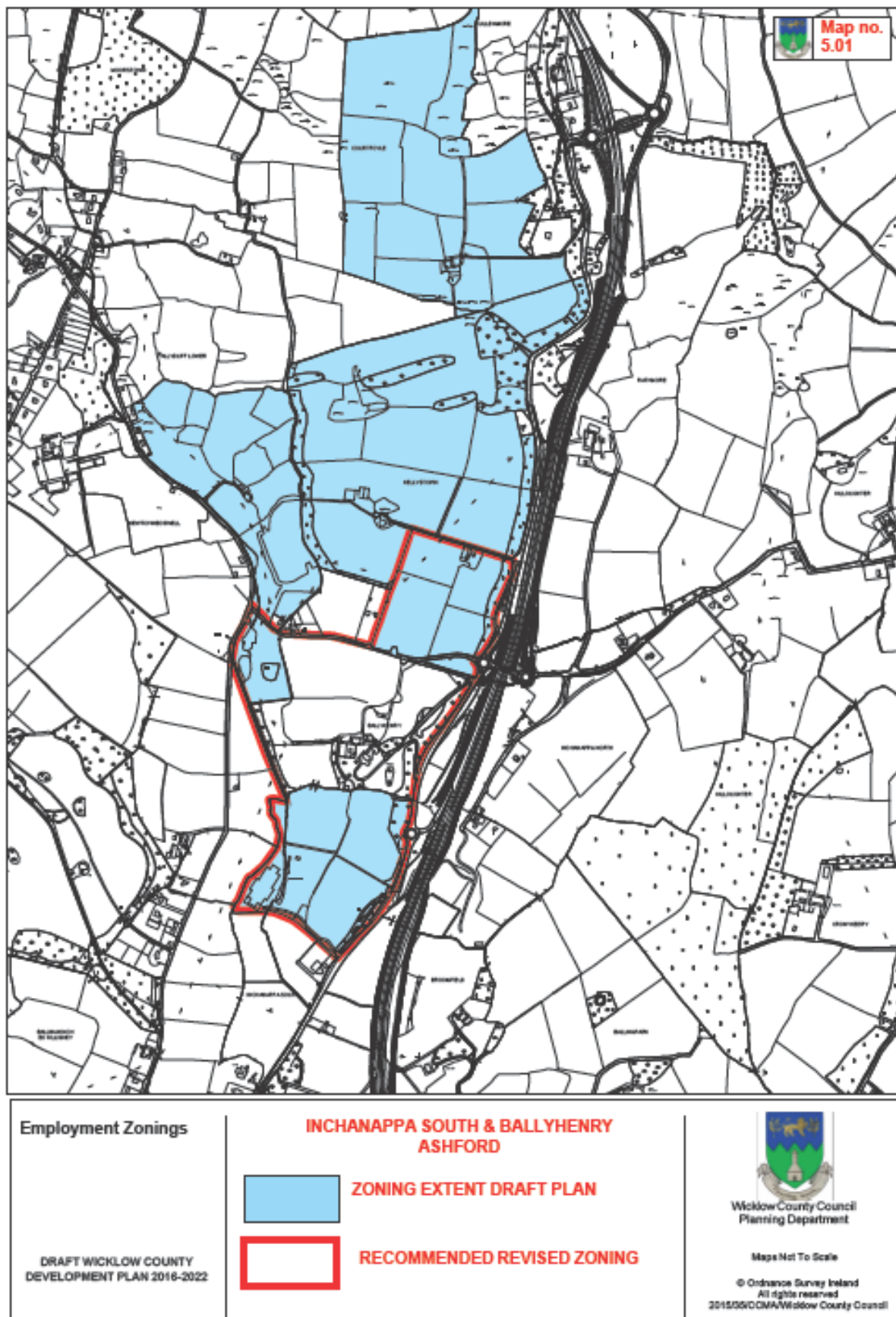
**EMP 12** ~~To provide for employment development at the following locations as shown on maps 5.01-5.08.~~

| Location                                 | Map No.            | Size (ha)    | Zoning Objective   |
|--|--------------------|--------------|--|
| Mountkennedy Demesne, Kilpedder          | 5.01               | 34.7         | <del>To provide for a data centre facility<sup>6</sup> and associated related industries set in open parkland with extensive landscaping, a high architectural standard of layout and building design with low site coverage. Employment types other than those strictly related to data storage shall show a clear process related requirement to locate in proximity to a data centre.</del>   |
| <del>Rath East / Knockloe, Tullow</del>  | 5.02               | 4.4          | <del>To provide for a light industrial development</del>   |
| <del>Kilmurray South</del>               | 5.03               | 0.76         | <del>To provide for transport purposes development</del>   |
| <del>Kilmurray North</del>               | 5.04               | 0.8          | <del>To provide for a warehousing / storage / distribution and commercial vehicle park</del>   |
| <del>Scratenagh crossroads</del>         | 5.05               | 8.09         | <del>To provide for light industrial uses / business park uses with extensive landscaping and a high architectural standard of layout and building design.</del>   |
| <del>Kilpedder Interchange</del>         | 5.06               | 27.7         | <del>To provide for employment uses including industrial, transport, distribution, warehouse or retail warehouse developments of good architectural design, layout and landscaping including substantial screening from N11. The provision of transport and retail facilities will not be at the expense of facilities in existing settlements. Any redevelopment of the (former) Dan Morrissey / SM Morris sites shall include significant proposals to address the unsightly appearance of these sites. In addition, any development on these lands shall connect the footpath from Greytsones towards the pedestrian bridge at Kilpedder.</del>   |
| <del>Rathmore, Ashford</del>             | 5.07               | 10.53        | <del>To provide for employment uses</del>  |
| Inchanappa South and Ballyhenry, Ashford | 5.01 <sup>18</sup> | 160<br>62.25 | <p>To provide for the development of and expansion of the existing film studios in Ashford on the lands shown on Map 5.01 in accordance with the following requirements:</p> <ul style="list-style-type: none"> <li>- the development of these lands shall be strictly limited to facilities for the production of film, TV, animation etc and any associated spin offs such as visitor facilities; in particular residential development or other non film related commercial activities are not to be permitted</li> <li>- the agreement of a master plan for the entire area <del>any application in advance of the agreement of this plan shall set out which shall include:</del> <ul style="list-style-type: none"> <li>(d) <del>the phasing</del> a detailed phasing plan which shall be linked to the conclusions and recommendations of a Traffic and Transport Assessment, which shall clearly set out the traffic generation model for the entire development and its constituent phases, and a detailed evaluation of the capacity of all roads serving the site, including all N11 junctions and the N11 itself and their abilities to accommodate the development without impacting on the carrying capacity of the national road for strategic inter-County traffic;</li> <li>(e) sequence of development, that shall be generally from south to north;</li> <li>(f) the infrastructure plans for the servicing of the site;</li> </ul> </li> <li>- this zoning shall be for the lifetime of this plan only.</li> </ul> |

<sup>6</sup> ~~A data centre is a facility used to house computer systems and associated components, such as telecommunications and storage systems. It generally includes redundant or backup power supplies, redundant data communications connections, environmental controls (e.g., air conditioning, fire suppression) and security devices.~~



**Ashford Film Studio Zoning – Map 5.08 (change to **Map 5.01**)**



**SECTION 3.3**

| No.  | Name                                | Summary of issues raised  |
|------|-------------------------------------|---|
| C113 | Maritime Business Development Group | <p>1. It is suggested that Section 5.4 'The Role of Land Use Planning in Economic Development' (viii) Supporting key sectors for growth – <b>Maritime</b> be altered as follows</p> <p><b>Change text from</b></p> <p><b>Maritime</b> - The maritime sector in Wicklow benefits from a host of assets capable of supporting a range of maritime activities including: maritime services, shipping services, repair and maintenance services, tourism. A proactive approach is required if the potential economic opportunities for these assets are to be identified and realised.</p> <p><b>Change text to</b></p> <p><b>Maritime</b> - The maritime sector in Wicklow benefits from a host of assets <i>and activities capable of expansion and development including: Shore-side services, shipping services, repairs and maintenance, fishing, tourism and leisure, servicing of the offshore renewable energy industry, maritime financial services etc. The County Wicklow Economic Think Tank Action plan and the Local Economic and Community Plan support the identification and realisation of the economic opportunities within the maritime sector.</i></p> |
| C152 | Roadstone Ltd                       | <p>2. It is put forward that a greater balance should be placed in the policies on the important role of the extractive industries to the local, regional, national economy and wider society.</p> <p>In this regard it is suggested that the draft policies EX1 to EX4 be revised to include greater balance in relation to:</p> <ul style="list-style-type: none"> <li>• The important role of the extractive industries to the national, regional and local economy and wider society;</li> <li>• The protection of aggregate resources within County Wicklow from sterilisation by other development or land use.</li> <li>• Securing long-term future supply of aggregates and value-added products including concrete products, asphalt etc.</li> </ul>   |
| C190 | Wicklow Planning Alliance           | <p>3.</p> <p>1) The Wicklow Planning Alliance does not agree with the provisions of EMP7 which allow for a 'relaxation' of normal development standards in certain circumstances that would encourage the redevelopment of brownfield sites. It is contended that the plan and Wicklow County Council should exercise its powers under the derelict sites legislation and proactively collect all fines and charges it is entitled to collect.</p> <p>2) It is suggested that objective EMP11 should be amended to require that all new developments be of passive standard.</p> <p>3) In regard to objective EMP21 it is suggested that the Wicklow County Campus offers huge potential in achieving the development of the film industry in Wicklow.</p>  |
| C193 | Wicklow Town &                      | <p>4. It is suggested that the wording in Section 5.4 (viii) supporting key sectors for growth – Maritime be altered as follows:</p>  |



|  |                              |   |
|--|------------------------------|---|
|  | District Chamber of Commerce | <p>From:</p> <p>The maritime sector in Wicklow benefits from a host of assets capable of supporting a range of maritime activities including: maritime services, shipping services, repair and maintenance services, tourism. A proactive approach is required if the potential economic opportunities for these assets are to be identified and realised.</p> <p>To:</p> <p>The maritime sector in Wicklow benefits from a host of assets and activities capable of expansion and development including: shore-side services, shipping services, repairs and maintenance, fishing, tourism and leisure, servicing of the off-shore renewable energy industry, maritime financial services etc. The County Wicklow Economic Think Tank Action Plan and the Local Economic and Community Plan support the identification and realisation of the economic opportunities within the maritime sector.</p> |
|--|------------------------------|---|

### Chief Executive's response

#### 1. Response to Issues 1 and 4

It is considered that the enhanced list of maritime activities set out in these submissions can be included in the plan. However, it is not considered appropriate to make reference to other plans supporting the maritime sector, as that is a matter for those plans, which can obviously change over time.

#### 2. Issue 2

The importance of extractive industry within the County is agreed and it is considered that the 'Strategic Objective' for this industry set out in Chapter 5, as well objectives EX1 – EX3, with some minor wording enhancements would provide the necessary support and guidance for the future development of the extractive industry within the County.

**Strategic Objective** *To **support and** facilitate the exploitation of County Wicklow's natural aggregate resources in a manner which does not unduly impinge on the environmental quality, and the visual and residential amenity of an area.*

#### 3. Issue 3

**Objective EMP7:** The reservations put forward regarding the consideration of a relaxation of development standards for the redevelopment of 'Brownfield Sites' for enterprise and employment are noted however it is the view of the CE that such consideration would only be afforded to such development proposals where it can be demonstrated that the resulting development would be of the highest standard and no adverse impacts would arise from the redevelopment of such lands. It is considered that this is reasonable and provides a stimulus for the redevelopment of such sites, which is in the interests of reducing the need to develop on greenfield sites.

In regard to the issue of enforcing the provisions of the Derelict Sites Act it should be noted that Wicklow County Council has and continues to address such sites within the County in accordance with the provisions of the Act and is proactive in remedying sites where possible and collecting levies where appropriate.

**Objective EMP11:** The proposal that this objective include a requirement that all new developments be of a passive standard is considered to be overly onerous, is a function of the building regulations rather than the County Development Plan.

**Objective EMP21:** The zoning and objectives for Clermont provide sufficient scope for the development of film related activities should such proposals come forward over the lifetime of this plan.

#### **Chief Executive's recommendation**

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#### **AMENDMENT 12**

##### **Chapter 5 'Economic Development' Section 5.4 (viii), p89**

**Maritime** - The maritime sector in Wicklow benefits from a host of assets ~~and activities~~ capable of ~~supporting a range of maritime activities~~ ~~expansion and development~~ including: ~~shore-side services~~ ~~maritime services~~, shipping services, repair and maintenance ~~services~~, fishing, tourism and leisure, servicing of the off-shore renewable energy industry, maritime financial services etc. ~~A proactive approach is required if the potential economic opportunities for these assets are to be identified and realised.~~ Wicklow County Council supports the identification and realisation of the economic opportunities within this sector.

#### **AMENDMENT 16**

##### **Chapter 5 'Economic Development' Section 5.6, p99**

**Strategic Objective** To ~~support and~~ facilitate the exploitation of County Wicklow's natural aggregate resources in a manner which does not unduly impinge on the environmental quality, and the visual and residential amenity of an area.

| No.  | Name                      | Summary of issues raised   |
|------|---------------------------|--|
| C190 | Wicklow Planning Alliance | <ul style="list-style-type: none"> <li>▪ The Wicklow Planning Alliance is critical of the current status and workings of the college and contends that the building and lands should be devoted to enterprise development, education, training and research in particular sustainable living.</li> <li>▪ It is contended that the campus should aim to offer services work spaces to start up enterprise in the form of incubator spaces.</li> <li>▪ The use of the existing building and lands should also form a key component for expanding the film industry in Wicklow while also promoting the development of new methods of recycling.</li> </ul> |

### Chief Executive's response

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These concerns relate to the operational management of the Wicklow County Campus, which is not a matter for a land use framework like the County Development Plan. The purpose of the plan to set out a strategy and objectives that work towards creating the right environment within which the college can grow and foster potential enterprise ancillary to the college activities.

How the lands and campus develops would be more a matter for the LECP and the Economic Development SPC, and the LECP does include a number of actions for these lands.

### Chief Executive's recommendation

---

No change

| No.  | Name                                | Summary of issues raised  |
|------|-------------------------------------|---|
| C11  | Dave Ballesty                       | 1. Wicklow Harbour: The provisions of the plan in relation to Wicklow Harbour and the expansion of the harbour for both commercial and amenity/recreation and tourism is welcomed.<br>Harbour events: It is suggested that an objective be included in the plan that promotes the development of a means for assessing the economic benefit to the county's towns and village of hosting such events.   |
| C83  | Ashley Hayden                       | 2. It is suggested that the County Development Plan include an objective which promotes and supports the development of a Marine Protected Area between Bray Head and Wicklow Head as an element of resource management ownership. In time this can act as a significant economic and tourism resource within the County for sea angling.   |
| C113 | Maritime Business Development Group | 3. It is suggested that the County Development Plan should include a strong commitment to protecting and maintaining the County's harbour infrastructure including access, services and operability to allow for the future sustainable development of the County's maritime assets for commercial and leisure and tourism activities. It is further suggested that any objective or policy which would adversely affect this objective or be an impediment to the achievement of this objective should be discouraged. |
| C127 | Murrough Community Cooperative      | 4. It is suggested the plan must promote the conservation of the Murrough and the development of coastal protection measures as a key to achieving the economic objectives of the plan.   |

### Chief Executive's response

1. The objectives of the plan, in particular objectives TR39 and TR40 (Chapter 9 Infrastructure'), promote development of harbours in the county, and include specific reference to the future development of Wicklow Harbour. The inclusion of these objectives in the plan aims to facilitate and complement the actions and objectives of the Wicklow Local Economic and Community Plan and the Wicklow Economic Think Tank.

In regard to the issue of the plan including a method for monitoring the economic benefit of harbour events, it is not the role of a land use plan to monitor or quantify the economic benefits of initiatives and events, but to put in place a framework that allows for development that might generate economic benefits. This would be considered more a role for the Economic Development Section of the Council, through the LECP.

It should be noted that it is an objective of the LECP to realise the potential benefits of the county's maritime assets (objective 8.3) with a stated action to "Create a County Wicklow Maritime Strategy which will explore how the development and expansion of our harbours and ports to deliver commercial, tourism and leisure activities can be supported".

2. The potential economic benefits of a marine protected area and potential attraction for sea angling is noted; however such a designation is outside the remit of the County Development Plan and would be more matter for the Department of the Marine.
3. While the objectives of Chapter 5 'Economic Development' do not make specific reference to the development of harbours within the County it is considered the overarching strategy and objectives of this chapter adequately facilitate the future expansion and further development of port activities within the County. This is further supported in Chapter 9 'Infrastructure' under

Section 9.1.6 '**Ports, Harbours, Marinas and Aviation**' where objective TR39 specifically promotes and facilitates the expansion of port activities.

**TR39** *To promote and facilitate through appropriate transport planning and land-use zoning the expansion of port activities at Wicklow and Arklow. In particular, to provide for a Port Access Road at Arklow.*

4. The Murrough wetlands have the benefit of being a designated Special Area of Conservation (SAC) and a Special Protection Area (SPA) where it is an objective for this area to remain at 'favourable conservation status' (NPWS Conservation Objectives). The objectives set out in the plan under Chapter 10 Heritage, in particular objectives NH1-NH4 re-enforce this designation by placing a further emphasis on the conservation and enhancement of bio-diversity in such a designated area.

Chapter 11 'Coastal cell management' sets out further objectives in relation to the protection and promotion of activities along the coastline of the County. The Murrough falls within Coastal Cell 6 where the following objective applies:

**Objective CZ6 1.** *No development will be permitted that has an adverse impact on the environmental and ecological quality of The Murrough cSAC. The Planning Authority will have particular regard to the impact that all developments have on the integrity of the cSAC, including development that is within the cSAC and development that is not within a designated area, but which is likely to have an effect thereon. Applicants will be required to demonstrate beyond all reasonable doubt that a proposed development does not adversely impact on the integrity of the designated area.*

It is considered that the strategies and objectives of the plan adequately promote the protection and conservation of the Murrough Wetlands.

#### **Chief Executive's recommendation**

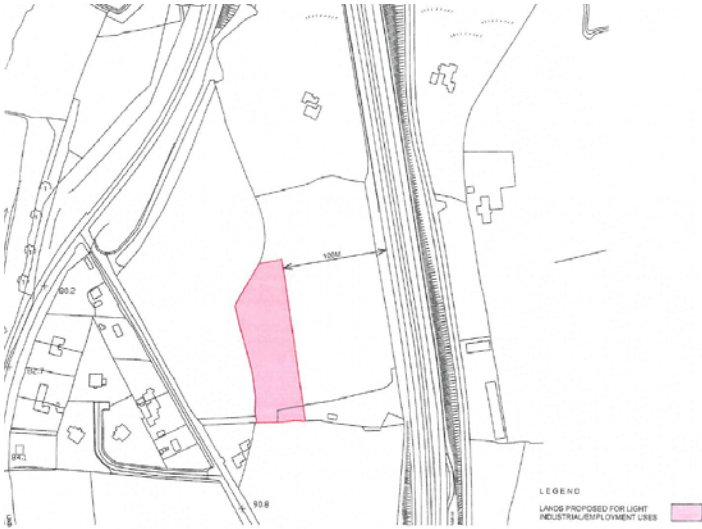
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No change

## Section 3 Summary of Issues raised and Chief Executive's response and recommendation on these issues

### SECTION 3.3.5 CHAPTER 5 ECONOMIC DEVELOPMENT

#### PLAN TOPIC: ZONING

| No.  | Name          | Summary of issues raised   |
|------|---------------|--|
| C182 | Warmridge Ltd | <p>This submission relates to parts of the landholding owned by Warmridge Ltd that were once part of an old golf course and subsequently by a timber storage and manufacturing facility. The lands that are the subject of this submission are currently a disused yard and measure 0.68 Ha / 1.7 acres (as shown on map below)</p> <p>It is requested that these lands be zoned for light industry / employment for the following reasons:</p> <ul style="list-style-type: none"> <li>- The lands have a history of indigenous industry, employment generating potential and strategic location with good access onto local, regional and national road infrastructure.</li> <li>- Warmridge Ltd would intend to grant Abwood a long lease to use the site if rezoned (subject to planning permission) to allow them to expand their current operations;</li> <li>- Abwood is a local indigenous company that has been manufacturing timber products since the 1980's. The company once employed 80 people during the boom but this has reduced to 20 due to the economic downturn and lack of available premises. The company is now in a position to expand again;</li> <li>- The subject lands were part of a proposed Employment uses zoning in the draft CDP 2004-2010;</li> <li>- The development of these lands for light industry / employment would accord with the principles of the draft County Development Plan.</li> </ul>  <p>Lands identified in submission</p> |

|  |  |  |
|--|--|--|
|  |  |  <p>2016 aerial view of land</p> |
|--|--|--|

#### **Chief Executive's response**

The CE does not support the proposed rezoning of the site from unzoned / 'rural' lands to 'Light Industry/Employment'. The Economic Chapter of the draft County Development Plan has been crafted taking increased regard to national and regional policy, in particular the principles of the NSS and the RPGs to consolidate development into designated settlements and to appropriately manage rural development. In this regard, a full review of all employment zonings was carried out as part of the plan review process and it was determined that a significant amount of zoned land is available in the towns of the County and that there is no need for additional ex-urban employment zoning.

The proposed zoning is not considered to be in accordance with proper planning and sustainable development, for the following reasons:

- The lands are within the rural area, remote from any settlement. The proposal does not accord with sound planning policy, to channel industrial/employment development into serviced settlement centres and to restrict development in rural areas. There is a substantial amount of serviced lands zoned for employment use in the nearest settlement, Newtownmountkennedy, that would be more suitable for such use.
- The lands are located along Timmore Lane, a narrow local road, unsuitable for additional employment generating traffic, including Heavy Goods Vehicles.
- The site is at a prominent location on an exposed site adjacent to the N11 route. The development of the site for industrial type uses, would be detrimental to the rural character of this area and injure the visual amenities of the area, including views from the N11, the primary tourist route in the County;
- There are a number of objectives within the draft plan, to support the development of appropriate rural industries at appropriate locations within the rural area. As such, the proposed zoning is not necessitated.

Note: There is a long history of planning applications and unauthorised development associated with these lands. The lands are not correctly described as 'disused yard' as there is no planning permission for a commercial yard / manufacturing facility on these lands; such unauthorised use has been made of these lands in the past but ceased following legal action taken by the Council.

**Chief Executive's response**

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No change



## PLAN TOPIC:

## COUNTY WICKLOW RETAIL STRATEGY

| No. | Name                  | Summary of issues raised  |
|-----|-----------------------|---|
| C37 | Claire Chambers       | <p>This submission raised the following issues:</p> <ul style="list-style-type: none"> <li>Regarding Chapter 6 Table 6.1: The principle of developing larger shopping in major town and district centres is having a disastrous effect on those areas categorised as level 4 and 5. Shops are closing in these places and the appearance of what had formerly been a local hub is showing signs of decay with retail units closed, boarded or shuttered up, e.g. Rathdrum, Rathdangan, Roundwood.</li> <li>Parking is an issue county wide particularly in small towns. Residents thus drive to larger retail units outside their areas, thereby leading to increased traffic, fuel consumption etc.</li> </ul> |
| C1  | Thomas Allen          | <p>This submission raised the following issues:</p> <ul style="list-style-type: none"> <li>Bray - traffic management issues across the town.</li> <li>Bray town – need for increased footfall within town. Florentine Centre needs to be completed. No need for the town centre on the Golf Club Lands.</li> <li>Need for additional car parking facilities throughout the town – opportunity to provide multi storey car parks, e.g. Methadone clinic site, Herbert Road car park are suitable sites.</li> <li>We have the opportunity to improve the town and bring it back to its former glory.</li> </ul>   |
| C3  | Ardale Property Group | <p>Submission on behalf of owners of sites at Delgany and Rathnew. Welcomes the designation of Rathnew as a Level 4 Local Centre/Small Town and of Delgany as a Level 4 Neighbourhood Centre. Support is confirmed for strategy as set out in draft plan.</p>   |

### Chief Executive's response

#### Claire Chambers:

- The County Wicklow Retail Strategy defines the role and function of centres throughout the county. The Strategy indicates that Level 2 and 3 centres (Bray, Wicklow, Greystones, Arklow, Blessington, Baltinglass, Rathdrum and Newtownmountkennedy) are to be the primary shopping destinations within the county, particularly meeting the comparison shopping needs. By contrast, Level 4 and 5 centres, such as Small Towns and Neighbourhood centres, are to provide mainly for the local day to day shopping needs of residents. The objectives of the plan aim to ensure that the nature and scale of development allowed in any centre does not compromise the role or function of any other centre within the hierarchy.
- It is acknowledged that many smaller towns have suffered decline in recent years. There are many objectives within the draft plan that aim to facilitate investment within such towns, including objectives that aim to promote the vibrancy and viability of towns, promote regeneration, improve the public realm, improve accessibility, reduce vacancy levels, promote quality design, and promote the development of active street frontages with a mix of uses.

- It is acknowledged that lack of on street parking is an issue within some small towns. In towns where an issue is identified, the local plan includes objectives to address this issue, for example the plans for Aughrim, Avoca, Carnew, Tinahely, Laragh and Roundwood all include specific objectives to provide additional car parking facilities. In addition, Chapter 9 of the plan includes objectives to ensure that new developments are accompanied by appropriate car parking provision.

**Thomas Allen:**

- It is outside the remit of the CDP to include specific local objectives relating to traffic management and parking within Bray. Such objectives are particular to and included within the Bray Town Development Plan 2011-2017, which will be reviewed upon the adoption of the new CDP.
- It is an objective of the Retail Strategy of the draft plan to facilitate the major expansion of retail floorspace within Bray so that it becomes a major shopping destination. The retail core of the town is tightly constrained and is not sufficient to provide either the individual unit size or the overall floor area required for the major enhancement that is required. The delivery of large scale retail development on both the Florentine site and the Golf Club Lands is part of the strategy to achieve the major expansion of retail floorspace that is required within the town.

**Ardale Property Group:**

The submission on behalf of Ardale Property Group is noted.

**Chief Executive's recommendation**

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No change

| No. | Name                 | Summary of issues raised   |
|-----|----------------------|--|
| C94 | Kavcre la Touche Ltd | <p>On behalf of owners of the La Touche Hotel, Greystones.</p> <ul style="list-style-type: none"> <li>▪ Caution against the over provision of mixed use zoning generally within the county. Would welcome an acknowledgement in the development plan that single use zoning may be appropriate in certain circumstances. For example, the town centre is in need of rejuvenation and redevelopment in some cases e.g. at derelict and brownfield sites, however the provision of mixed uses is not appropriate in every instances and may lead to dead spaces and vacant units. (TC zoning objective, Greystones-Delgany and Kilcoole LAP 2013-2019 referenced).</li> <li>▪ There is an opportunity to embrace the benefits of single use development within the proposed Town and Settlement Plans, in the forthcoming new 'Bray Municipal Local Area Plan' and in the existing LAPs to be reviewed during the CDP lifetime.</li> </ul> |

#### Chief Executive's response

- In the context of promoting active and healthy town centres, town centre zonings promote the aggregation of a mix of uses. The rationale for promoting a mix of commercial, employment, community, cultural, residential, leisure and transportation uses within town centre lands is at the heart of the planning goal to create sustainable, compact settlements. It would not be desirable or practical to dis-aggregate town centre lands into separate single use zonings. A proposal for a single use development within town centre lands would be considered on its merits, in the context of the overall objective for town centre lands.
- Prime sites within town centres may be designated as 'opportunity sites', which includes site specific objectives relating to the design and use of the site. Should it be an objective of the planning authority to promote a site for a particular use, it may be appropriate to designate the site as an 'opportunity site'.

#### Chief Executive's recommendation

No change

**PLAN TOPIC: RT16 – MIX AND BALANCE OF RETAIL TYPES**

| No.         | Name                                  | Summary of issues raised   |
|-------------|---------------------------------------|--|
| C97<br>C172 | KFC UK & Ireland<br>Tesco Ireland Ltd | <p>KFC UK &amp; Ireland submit that RT16 should be deleted. In addition, concerns are raised with the associated section of Appendix 1.</p> <p>Tesco Ireland Ltd raises concerns with RT16 and associated section of Appendix 1.</p> <p>Both companies raise the following issues with the policy:</p> <ul style="list-style-type: none"> <li>▪ RT16 and Appendix 1 restricts the over-concentration of fast food outlets / takeaways and off-licences (including those in convenience stores) that can be developed within a designated centre (e.g. town centre, neighbourhood centre etc). It is difficult for operators to avoid selecting sites that may be in close proximity to existing outlets and new market entries are at a competitive disadvantage.</li> <li>▪ It is necessary to specify what an "over concentration" of a particular use is. By not defining what constitutes an "excessive concentration" (in either number of units compared to other uses or a defined area in which the assessment will be made), it introduces a high level of uncertainty into the site selection and investment process. The objective should be revised to give greater certainty. Reliance on the subjective judgement of planners leads to inconsistent decisions.</li> <li>▪ The above concerns are particularly pertinent considering RT17 puts severe restrictions on the number of locations where a new fast food/ takeaway outlet can open.</li> </ul> |
| B6          | Anne Ferris                           | It is suggested that a restriction of 'formula businesses' i.e. franchise type outlets that have standardised services, décor, methods of operations and other feature that make them virtually identical to similarly branded businesses elsewhere, should be included in the plan.   |

### Chief Executive's response

Objective RT16 is as follows:

*"To promote an appropriate mix and balance of different types of retail within centres and to control the number of bookmakers, off-licences (including off-licences in convenience stores), take-aways, and other uses that can adversely affect the character of a centre. The mix and balance of different type of retail (including retail services) is important to attract people to centres, and to ensure centres remain the main meeting point for the community. Too many of certain types of outlet can destroy the balance of a centre."*

Appendix 1: Development & Design Standards includes guidance with respect to the following uses: Take aways, fast food outlets, amusement centres, night clubs / licensed premises, betting offices, charity outlets, discount outlets, cash-for-gold shops and convenience stores incorporating off-licences etc. The guidance states that the planning authority will prevent an excessive concentration of these uses, to maintain an appropriate mix of uses, to protect the amenities in an area and to ensure that the quantum of these uses is not disproportionate to the overall size and character of the area. It states that each application shall be considered on its merits.

The CE notes the issues raised and advises that the excessive concentration of the uses listed can be detrimental to the vitality and viability of shopping areas. Clustering of such uses can undermine the primary retailing function of these areas and reduce their general attractiveness. Problems relating to the clustering of such uses include the proliferation of dead frontages during daytime hours and increasing numbers of customers around such uses that can lead to disturbance, increased noise and anti-social behaviour.

The objectives of the draft plan are therefore considered necessary in the interests of safeguarding the amenity, vitality and viability of shopping areas.

It is stated in the draft plan that each application for such uses shall be considered on its merits. The plan does not include prescribed standards regarding the amount or proportion of such uses to be permitted within a shopping area. This is considered reasonable and allows for flexibility and the consideration of issues on a case by case basis, in the context of all the considerations relating to the proposed development and site.

It is noted that Objective RT16 does not specifically mention 'formula' chain / franchise type business and it is therefore considered that this objective should be enhanced.

The CE agrees that RT17 is likely to impose even stronger restrictions on the number of locations where a fast food operator may locate (above and beyond the clustering restrictions imposed by RT16). The CE does not support RT17 in its current form and has recommended an amendment to the wording of the objective. RT17 is considered in [Section x](#) of this report.

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### **Chief Executive's recommendation**

#### **AMENDMENT 19**

Chapter 6, 'Centres & Retailing', Section 6.3, p123

**RT16** To promote an appropriate mix and balance of different types **and styles** of retail within centres and to control the number of bookmakers, off-licences (including off-licences in convenience stores), take-aways, **formula businesses (i.e. franchise / chain type outlets that have standardised services, décor, methods of operations and other feature that make them virtually identical to similarly branded businesses elsewhere)** and other uses that can adversely affect the character of a centre.

The mix and balance of different type of retail (including retail services) is important to attract people to centres, and to ensure centres remain the main meeting point for the community. Too many of certain types of outlet can destroy the balance of a centre.

| No.  | Name              | Summary of issues raised   |
|------|-------------------|--|
| C172 | Tesco Ireland Ltd | <ul style="list-style-type: none"> <li>▪ Tesco Ireland Ltd requests that the existing 20% cap on comparison goods within large foodstores be omitted from the new CDP. If considered necessary, it is suggested that the cap should be replaced with an objective requiring the submission of a retail impact statement addressing the primacy of the town centre zoned lands and the potential impacts therein.</li> <li>▪ It is put forward that the cap is contrary to Retail Planning Guidelines for planning authorities (2012) or the Retail Planning Strategy for the Greater Dublin Area, which indicate that there is no cap on the amount of non grocery or comparison space delineated for a relevant store.</li> <li>▪ The draft plan indicates that a substantial increase in comparison space is required across the county. It is suggested that the omission of RT25 could allow for an increase in the provision of lower/middle order comparison floorspace as part of the development of new or expanding foodstores. This would also be unlikely to impact on the primacy of town centre locations which usually provide a higher order offer, which would not be available in our client's stores.</li> <li>▪ Concerns relating to the impact on the primacy of town centres could be addressed as part of the development management process through the submission of a retail impact statement with such applications.</li> <li>▪ It is suggested that the cap could be a disincentive to investment in the county.</li> </ul> |

### Chief Executive's response

RT25 states the following:

*"The planning application drawings should clearly delineate the floorspace to be devoted primarily for the sale of convenience goods. To prevent any adverse impact on town centres, the Planning Authority will generally limit the proportion of comparison goods floorspace within large convenience goods stores to a maximum of 20% of the retail floor area. Any proposal in excess of the 20% limit shall be considered on its merits and in particular having careful regard to the impact of a proposal on the vitality and viability of the town centre."*

The 'Retail Planning Guidelines for planning authorities' (DoECLG, 2012) indicate that there is no cap on the amount of non-grocery or comparison space delineated for a large convenience store. Notwithstanding this, an objective has been included in the draft plan stating that the planning authority will **generally** limit the proportion of comparison goods floorspace within large foodstores to 20% of the floor area.

The objective allows proposals to be considered on a case by case basis and does allow for the proportion of comparison space to be above 20%, where this is appropriate. As such, sufficient flexibility is afforded to ensure that the objective allows for the imposition of no cap, where appropriate.

The CE notes that there is a growing trend on behalf of the operators of large foodstores to provide an increasing proportion of comparison goods floorspace within their stores. Large foodstores, due to their site requirements, are commonly found on sites outside of town centres. These stores, offering substantial amounts of comparison goods, can be an attractive draw for customers from a wide catchment, who may wish to avail of free parking and extended opening hours.

The CE is mindful of the potential adverse effects that such outlets may have on the vitality and viability of town centres and as such has adopted a precautionary approach which restricts, in the first instance, the amount of comparison floorspace, and thereafter allows the removal of the restriction, where it is proven by the developer, that an increase in the floorspace is acceptable, in that it will not adversely affect the viability and vitality of the town centre.

For these reasons, it is recommended that RT25 objective should be retained. A revision should be included to clarify that the 20% limit on comparison goods floorspace applies to proposals on sites that are located outside of town centre areas.

### **Chief Executive's recommendation**

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#### **AMENDMENT 22**

Chapter 6, 'Centres & Retailing', Section 6.3, p125

#### **Retail – Large Convenience Goods Stores**

**RT25** To allow for the development of large convenience goods stores on suitably zoned land and to determine proposals having regard to the 'Retail Planning Guidelines for Planning Authorities' (DoECLG, 2012).

Convenience retail floorspace caps shall be applied in accordance with 'Section 2.4.1 Convenience retail floorspace caps' of the Retail Planning Guidelines (DoECLG, 2012). The guidelines indicate a cap of 3,000m<sup>2</sup> net for County Wicklow.

The planning application drawings should clearly delineate the floorspace to be devoted primarily for the sale of convenience goods. To prevent any adverse impact on town centres, the Planning Authority will generally limit the proportion of comparison goods floorspace within large convenience goods stores **that are located outside of Core Retail Areas**, to a maximum of 20% of the retail floor area. Any proposal in excess of the 20% limit shall be considered on its merits and in particular having careful regard to the impact of a proposal on the vitality and viability of the town centre.

**PLAN TOPIC: RT28 RETAIL – SMALL TOWNS AND VILLAGES**

| <b>No.</b> | <b>Name</b>           | <b>Summary of issues raised</b>   |
|------------|-----------------------|---|
| C3         | Ardale Property Group | Submission on behalf of owners of sites at Delgany and Rathnew. Ardale Property Group is supportive of objective RT28 |

**Chief Executive's response**

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Noted

**Chief Executive's recommendation**

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No change



| No.  | Name           | Summary of issues raised  |
|------|----------------|---|
| C159 | Triona Sheeran | No residential property should be significantly devalued as a result of commercial or large retail units built or renovating. |

### Chief Executive's response

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The general development standards for retail include the matters that the planning authority should consider in the assessment of proposed retail developments. It is considered that impact on residential amenity should be included as one of the criteria considered. This should address the issues raised in the submission.

### Chief Executive's recommendation

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## AMENDMENT 11

### Chapter 4: Housing

Introduce new objective as follows:

#### Protection of Residential Amenity in Transitional Areas

While the zoning objectives indicate the different uses permitted in principle in each zone it is important to avoid abrupt transitions in scale and use at the boundary of adjoining land use zones. In these areas it is necessary to avoid developments that would be detrimental to amenity. In zones abutting residential areas, particular attention will be paid to the use, scale, density and appearance of development proposals and to landscaping and screening proposals in order to protect the amenities of residential properties.

## AMENDMENT 78

### Volume 3, Appendix 1: Development and Design Standards

#### Amend Section 1: Mixed Use and Housing Development in Urban Areas

Include the following:

#### Protection of Residential Amenity in Transitional Areas

While the zoning objectives indicate the different uses permitted in principle in each zone it is important to avoid abrupt transitions in scale and use at the boundary of adjoining land use zones. In these areas it is necessary to avoid developments that would be detrimental to amenity. In zones abutting residential areas, particular attention will be paid to the use, scale, density and appearance of development proposals and to landscaping and screening proposals in order to protect the amenities of residential properties.

## AMENDMENT 80

Volume 3, Appendix 1: Development and Design Standards  
Amend Section 5: Retailing, p37, as follows:

### Section 5      Retailing

#### General development standards for retail

In dealing with applications for planning permission for retail development, the Planning Authority shall have regard to the DoECLG 'Retail Planning Guidelines for Planning Authorities' (2012) and the accompanying 'Retail Design Manual' (2012).

The key criteria to be considered in the assessment of proposed retail / retail services developments will include:

- extent to which the development supports the long term strategy for town centres as established in the Core Strategy, the Retail Strategy<sup>7</sup> or local plan; including for example, compliance with retail hierarchy and effect on the role and function of centres, effect of the proposed development on the additional floorspace allocations, compliance with 'sequential approach', evidence of the need for additional retail evaluated against the population of the catchment area to be served by the proposed retail development and the availability of existing retail within that zone etc.
- potential to increase employment opportunities and promote economic regeneration including impact on the rural area;
- potential to increase competition within the area and thereby attract further consumers to the area;
- extent to which the development responds to consumer demand for its retail offering and does not diminish the range of activities and services that an urban centre can support;
- potential adverse impacts on one or more town centres, either singly or cumulatively with recent developments or other outstanding planning permissions (which have a realistic prospect of implementation) sufficient to undermine the quality of the centre or its wider function in the promotion and encouragement of the arts, culture, leisure, public realm function of the town centre critical to the economic and social life of the community;
- impact on vacancy rates;
- access arrangements both by public transport, foot and private car so that the proposal is easily accessible by all sections of society;
- physical and functional links with an existing city/town centre so that there is likely to be commercial synergy; and
- the quality of the design and public realm improvement.
- **Impact on residential amenity and privacy – regard shall be paid to 'objective x: Protection of Residential Amenity in Transitional Areas' of Chapter 4: Housing.**

## PLAN TOPIC:

## TOURISM GENERAL

| No.  | Name                            | Summary of issues raised   |
|------|---------------------------------|--|
| C1   | Thomas Allen                    | It is considered that an increased emphasis on promoting tourism in Wicklow and along the entire east coast is needed in order to compete with the success of the Wild Atlantic Way in the west of Ireland.  |
| C189 | Wicklow Head Preservation Group | The Wicklow Head Preservation Group submission outlines the current natural heritage assets and amenities in this area which act as an attractor for tourism. It is considered that these assets could be expanded and should be supported in the County Development Plan. |

**Chief Executive's response**

1. It is considered that the County Development Plan, as a land use framework and not a tourism plan, provides the required support to tourism strategies and proposals, to be developed by the Tourism agencies such as Failte Ireland, Wicklow County Tourism and the Economic Development Unit of the Council. The plan very clearly supports the development of the tourism product along the east coast, with objectives such as:

**Strategic Objectives**

- To facilitate the expansion of existing and the development of new tourism and recreation related development.
- To facilitate Failte Ireland and Wicklow County Tourism initiatives for the development of tourism in the County including the Kildare-Wicklow Destination 'Grand Tour' and 'Ireland's Ancient East' initiative.
- To identify strategic sites capable of accommodating new tourism ventures while also ensuring the preservation of the natural landscape of the area.
- To ensure the effective management and enhancement of the appearance of the key settlements within the County.
- To protect Wicklow's principal strengths and capitalise on the distinct tourism and recreational attractions that are on offer – scenic beauty, woodlands and waterways, coastal areas and beaches, and built and natural heritage.
- To facilitate the development of alternative tourism products within the County such as eco tourism, craft / artisan centres.
- To preserve the character and distinctiveness of scenic landscapes as described in the Landscape Categories of the County set out in chapter 10.
- To ensure a focus on high quality tourism and recreation products.
- To protect the environmental quality of the County.

- T29** To support the development of new and existing walking, cycling and driving routes / trails, including facilities ancillary to trails (such as sign posting and car parks) and the development of linkages between trails in Wicklow and adjoining counties. In particular, to encourage and facilitate:
- on-road cycling routes across the Wicklow Mountains (in particular across the Sally Gap) and along coastal routes;
  - the development of a new walking route from Bray Head, via the Sugarloaf Mountains, joining up with The Wicklow Way;
  - hill walking trails in West Wicklow;

- the expansion of the 'Blessington Greenway' walk around the Phoulaphuca reservoir;
- the development of a lakeshore walk around the Vartry reservoir;
- the extension of the old Shillelagh branch railway walk from Aughrim to Shillelagh; and
- the development of a walking route along the disused Great Southern and Western Railway line (Naas to Tullow branch) through Dunlavin and Baltinglass subject to consultation and agreement with landowners.

**T33** To promote, in co-operation with landowners, recreational users and other relevant stakeholders, on the basis of "agreed access", the more extensive use of the coastal strip for such activities as touring, sight-seeing, walking, pony trekking, etc. as a tourism and recreational resource for the residents of County Wicklow and other visitors.

**T34** To promote and encourage the recreational use of coastline, rivers and lakes for activities such as game fishing, boat sailing etc. Where such recreational uses involve the development of structures or facilities, the Planning Authority will ensure that the proposals will respect the natural amenity and character of the area, listed views and prospects onto and from the area in question. Where possible, such structures should be set back an appropriate distance from the actual amenity itself and should not adversely affect the unique sustainable quality of these resources.

2. Chapter 7 of the County Development Plan sets out a number of objectives relating to the development of tourism in the County in a sustainable manner including the development of existing, and improvement of, natural heritage assets and walks. It is considered that these objectives would adequately facilitate the further development of natural heritage areas and walking routes such as those located at Wicklow Head.

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#### **Chief Executive's recommendation**

No change

**PLAN TOPIC: INTEGRATED TOURISM, LEISURE AND RECREATION**

| No.  | Name                        | Summary of issues raised  |
|------|-----------------------------|---|
| C30  | Willie Burke                | 1. This submission supports the development of lands at Ballinahinch, Newtownmountkennedy as an Integrated Tourism and Leisure/Recreational complex. The submission makes reference to map 9.02 from the existing 2010-2016 County Development Plan in relation to these lands.   |
| C49  | Creedon family              | 2. This submission relates to the lands in the ownership of the Creedon Family at Ballyknockan, Blessington, Co. Wicklow which encompasses a disused granite quarry.<br>The subject lands are within the 'Development Boundary' of Ballyknockan Small Village in the County Development Plan (CDP) 2010-2016.<br>It is requested that that the subject lands should be designated for a small-scale Integrated Tourism / Leisure / Recreational Complex, incorporating a heritage centre displaying the workings of the old granite quarry located above the historic Blessington Lakes / Poulaphouca Reservoir area. |
| C81  | Glendalough Estates Ltd     | 3. It is suggested that Glendalough House, Annamoe, Co. Wicklow be included under objective T20 as an Integrated Tourism, Leisure and Recreational complex on the entire 600ha site.  |
| C148 | Rathsallagh County Club Ltd | 4. This submission relates to the ITLR designation on lands identified on Map 7.06 at Rathsallagh House Dunlavin. It is stated that in order to create a multi-faceted ITLR project at Rathsallagh, a variety of low intensity uses will probably be introduced such as trekking routes, nature trails, cycle routes alongside the Golf Course however it is contended that none of these uses are economically viable on their own account.<br>It is submitted therefore that the second and third bullet point requirements of objective T22 be omitted.  |
| C190 | Wicklow Planning Alliance   | 5. Wicklow Planning Alliance suggests that all the tourism related zonings as set out under objective T19 'tourist accommodation' (Baltyboys and Annamoe Fish Farm) and T20 'ITLR zonings' be removed from the plan.<br>T20 Zonings: <ul style="list-style-type: none"> <li>• Druids Glen Golf Club, Woodstock Demesne</li> <li>• Ballinahinch Lower, Newtownmountkennedy</li> <li>• Brook Lodge, Macreddin West, Aughrim</li> <li>• Rathsallagh House, Dunlavin</li> <li>• Castletimon, Brittas Bay (Map 07.07);</li> <li>• Jack White's Cross (Map 07.08)</li> </ul>  |

### Chief Executive's response

Chapter 7 provides a general description of 'Integrated Tourism, Leisure Recreational complexes' describing these areas as medium to large-scale leisure and recreational developments that will often include accommodation facilities. The plan further states that these areas will normally include some of the following uses: Hotel and associated facilities, restaurants / cafes, conference centre, golf course, equestrian centre, trekking centre, fitness centre, indoor/outdoor water facility, fishing facility,

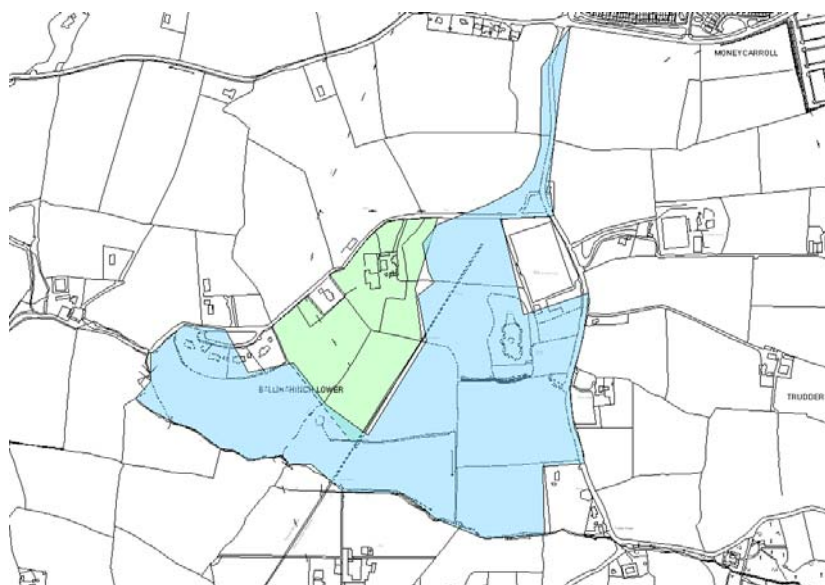
indoor/outdoor ski centre, museums/art galleries, nature trails, walking routes and associated facilities. They may also include tourist related residential and retail facilities that are ancillary to the main tourist attraction.

It is considered that the use of the words “the main tourist attraction” are key in identifying and assessing proposals for new, or the expansion of existing, ITLR complexes within the County. It is within this context that each of the above proposals will be measured and assessed below.

## 1. Ballinahinch

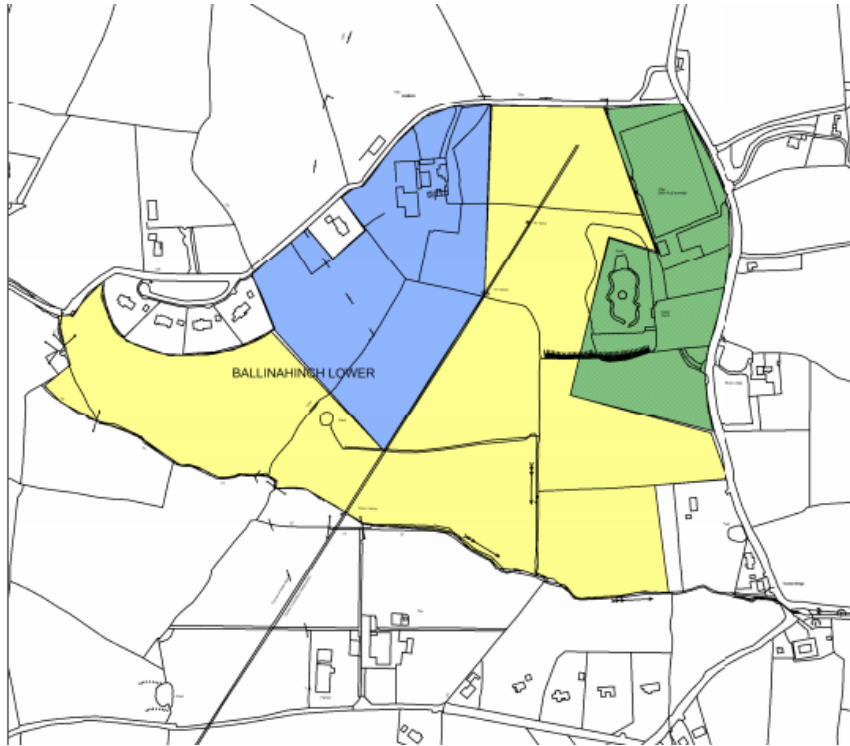
In the 2010 County Development Plan, two distinct zoning were applied to the Ballinahinch lands:

- (a) Zoning of c. 8ha for ‘new / extended residential care facilities’ (shown in green on the map below)
- (b) Zoning of c. 30ha for ‘integrated tourism / leisure complex’ (shown in blue on the map below).



These previous zonings are supported in the submission from Mr. Bourke.

During the adoption process of the new draft County Development Plan, the zoning of these lands was changed to:



- (a) *Blue = nursing home / continuing community care*
- (b) *Green – integrated tourism and leisure uses*
- (c) *Yellow – low density housing*

Therefore there is no change to the nursing home / medical zoning provided, but a significant portion, c. 22 ha, has been rezoned for housing, with the tourism and leisure area reduced from 30ha to 6ha, which includes the existing GAA grounds of c. 2.25ha.

Given this reduction in area, it is not considered that an ITLR facility of the type envisaged by the policy could be provided on these lands. The previous proposition for this area, including a planning permission granted, was for a substantial ITLR development (ski slope, hotel etc) covering an area of approximately 30ha. This is the type of size / scale considered necessary to provide for example a hotel complex, golf course/ outdoor facilities and other tourism services.

Assuming the GAA grounds stay in situ, it is not clear how an ITLR, with both accommodation and a significant tourism attraction could be provided on the remainder of this small site.

With respect to the ITLR zoning at this location, and taking into account submissions relating to the other aspect of the proposed zoning for nursing home and residential use, it is recommended that all zoning of this parcel of land be omitted from the plan. It is strongly recommended that a review of the suitability of these lands for any use be carried out as part of the review of the Newtownmountkennedy LAP.

It should also be noted that the deletion of this zoning would not necessarily preclude consideration of either a nursing home or tourism related use on these lands, as there are various objectives set out in the draft plan relating to such uses were they to be proposed on land not specifically zoned for that use i.e.

- T4** *To only permit the development of a tourism or recreational facility in a rural area in cases where the product or activity is dependent on its location in a rural situation and where it can be demonstrated that the proposed development does not adversely affect the character, environmental quality and amenity of the rural area or the vitality of any settlement and the provision of infrastructure therein. The natural resource / tourist product / tourist attraction that is essential to the activity shall be located at the site or in close proximity to the site, of the proposed development. The need to locate in a particular area must be balanced against the environmental impact of the development and benefits to the local community.*
- T11** *To positively consider the development of new hotels in all parts of the County, with particular preference for locations in larger settlements (Levels 1-6 of the County settlement hierarchy). In other, more rural locations (villages / rural areas), it must be demonstrated that*
- *the area proposed to be served by the new development has high visitor numbers associated with an existing attraction / facility;*
  - *a need for new / additional hotel type accommodation for these visitors has been identified having regard to the profile of the visitor and the availability and proximity of existing hotels in the area; and*
  - *the distance of the location from a significant settlement is such that visitors to the area / attraction are unlikely to avail of existing hotel facilities.*
- T21** *To consider applications for the development of further ITLR facilities having regard to:*
- *accessibility from the east and west transport corridors;*
  - *accessibility to major towns and/or centres of population;*
  - *proximity to designated tourism/visitor areas;*
  - *the existence of other such facilities or major tourist accommodation sites in the vicinity;*
  - *the adequacy of the site area and site features to accommodate a range of integrated tourist / leisure / recreational activities; and*
  - *the Planning Authority will support the development of integrated tourism/leisure/recreational complexes on estate holdings with large estate houses that are directly attached to villages or towns.*
- T22** *To require all applications for development at identified or new ITLR sites to comply with the following requirements:*
- *Development shall be carried out on the basis of an integrated, comprehensive master plan and business plan, to be agreed at the outset of the development with the Planning Authority;*
  - *the development as a whole shall be held in the single ownership of the developer. In the event that certain elements of the development will require to be sold / leased to make the project viable, this shall be stated at the outset and measures proposed to operate / manage / market the entirety of the facility as a single entity;*
  - *any holiday home / self catering type accommodation proposed as part of the facility shall accord with Objective T14; and*
  - *all development shall be so designed to respect the character of the area and any existing heritage features on the site, including demesne houses or other protected features.*
- CD19** *Residential and day care facilities shall in general be required to locate in existing towns or villages and shall be located close to shops and other community facilities required by the occupants and shall be easily accessible to visitors, staff and servicing traffic; locations outside of delineated settlement boundaries shall only be considered where:*
- *the site is located in close proximity to a settlement and would not comprise an isolated development;*



- *there are excellent existing or potential to provide new vehicular and pedestrian linkages to settlement services; and*
- *the design and scale of the facility is reflective of the semi rural location.*

## **2. Ballyknockan**

While the proposal put forward for the redevelopment of this site for tourism and recreational purposes might be acceptable subject to normal planning criteria it is not considered that the designation of these lands as an ITLR is necessary.

The purpose of the Integrated Tourism and Leisure designation is to identify sites suitable for medium to large-scale leisure and recreational developments. Having examined the planning history of the site namely planning reference no. 14/1980 (application withdrawn) which sought permission for a small scale (3 no.) holiday home development and having regard to the details of this submission and what may be proposed on the subject lands in the future, it is not considered at this time that the subject lands would fall within the category of an Integrated Tourism, Leisure and Recreational complex.

The subject lands are located within the existing village boundary for Ballyknockan where the general tourism objectives of the Draft County Development Plan would be applicable and would facilitate the development of such a proposal albeit subject to normal planning criteria. Therefore no change is recommended.

## **3. Glendalough**

Objective ITLR1 recognises existing and proposed complexes in the County with objectives ITLR2 and ITLR3 facilitating the development of further complexes subject to certain criteria. Given the current County Development Plan and Draft Development Plan objectives relating to the development of tourism ventures within the County it is not considered that the current 'lack' of an ITLR designation at Glendalough House has precluded the granting of permission for tourism use on these lands to date.

It is considered that any tourism proposals at this location can be evaluated in light of the proposed objectives in the draft plan and an ITLR designation is not necessary, especially taking into account Objectives T20 and T21. It is therefore not considered necessary to designate Glendalough House as an ITLR complex at this time.

## **4. Rathsalragh**

This submission is suggesting that bullet points 2 and 3 (highlighted below) from Objective T22 be omitted.

**T22** *To require all applications for development at identified or new ITLR sites to comply with the following requirements:*

- *Development shall be carried out on the basis of an integrated, comprehensive master plan and business plan, to be agreed at the outset of the development with the Planning Authority;*
- *the development as a whole shall be held in the single ownership of the developer. In the event that certain elements of the development will require to be sold / leased to make the project viable, this shall be stated at the outset and measures proposed to operate / manage / market the entirety of the facility as a single entity;*

- *any holiday home / self catering type accommodation proposed as part of the facility shall accord with Objective T14; and*
- *all development shall be so designed to respect the character of the area and any existing heritage features on the site, including demesne houses or other protected features.*

These objectives relate to such ITLR sites being owned / managed a single entity, and in particular that any holiday homes allowed would be strictly used for tourism uses only and not as independent homes. It is considered that these requirement are necessary in order for any development not to become a hotch potch of stand alone tourism attractions or homes, unrelated to each other, with independent services and infrastructure such as signage, entrances and effluent disposal systems; thus degrading the overall tourism package and potentially given rise to adverse environmental and visual impacts.

It is possible that this submission has been prompted by the fact that the existing Golf Course and Hotel have become separate entities with the lands comprising of the golf course now being in separate ownership. While this may be the case the designation of the ITLR zoning at this location is centered around the historic Rathsallagh House hotel with associated Golf Course as a single tourism asset with both assets working in synergy.

It is not considered appropriate to amend an excellent objective that has worked very well in Wicklow and which has allowed for the development of high class tourism facilities, properly developed and managed, because of a legal transaction that has occurred on one site indentified.

5. In regard to the provision of housing at Baltyboys and Annamoe fish farm both of these sites comprise of lands located in an unserviced rural area designated an Area of Outstanding Natural Beauty. The proliferation of housing in the area is impacting on the scenic amenities of the area and the provision of additional non-essential rural houses would further consolidate the erosion of the rural character of the area. It is unclear how the provision of a low-density housing development would benefit the development of tourism in the area as such the proposal would appear purely speculative rather than based on special planning criteria. Therefore it is considered that Objective T19 should be deleted.

In regard to the provision of ITLR designations within the County and as set out in the proposed draft plan the planning authority is supportive of the established hotels and ancillary tourism offer in Druids Glen, Brook Lodge and Rathsallagh House where the existing businesses carried out on these premises is centered around a particular tourism asset i.e. a hotel/demesne house. The plan is therefore supportive of the inclusion of these three locations being designated as integrated tourism and leisure resorts.

The Chief Executive is not supportive of the inclusion of the ITLR designations at Newtownmountkennedy and Castletimon. Neither of these sites is considered to fall within the parameters that would justify such a designation. Each of these sites appears to be purely speculative in nature with no established tourism attraction located on site that would act as the key anchor for the development of an ITLR complex. With regard to Jack White's, further to submission A14 from the TII, it is also recommended that this site be omitted.

### AMENDMENT 30

Chapter 7 'Tourism & Recreation', Section 7.4 - Tourism & Recreation Objectives, p136

**T20** To support development at existing / proposed integrated tourism / leisure / recreational complexes at the following locations:

- Druids Glen Golf Club, Woodstock Demesne (Map 07.03);
- ~~Ballinahinch Lower, Newtownmountkennedy (Map 07.04);~~
- Brook Lodge, Macreddin West, Aughrim (Map 07.05);
- Rathsallagh House, Dunlavin (Map 07.06);
- ~~Castletimon, Brittas Bay (Map 07.07);~~
- ~~Jack White's Cross (Map 07.08)~~ (on foot of submission A14 from TII)

### AMENDMENT 29

Chapter 7 'Tourism & Recreation' Section 7.4 - Tourism & Recreation Objectives, p135

~~**T19** To provide for holiday home development (subject to Objective T14) at the following locations:~~

- ~~• Baltyboys Golf Club (up to 4 units on a site of 1.3ha as shown on Map 07.01)~~
- ~~• Annamoe Fish Farm, (on a site of 1.2ha as shown on Map 07.02)~~

**A: Coastal/Marine activities**

| No.  | Name                                | Summary of issues raised   |
|------|-------------------------------------|--|
| C11  | Dave Ballesty                       | 1. The plan should promote and develop a Wicklow 'Blueway' similar to the land greenways being developed that would link Bray/Greystones, Wicklow, Arklow and ports in Wexford by water based activities.<br>It is contended that the promotion of such a 'blue way' would act as an attractor for touring boats and overnight stays in coastal areas within the County.   |
| C20  | Ciara Biddle                        | 2. The plan should support the development of Wicklow Harbour as a tourism and commercial attraction.  |
| C83  | Ashley Hayden                       | 3. This submission outlines the importance of developing and Marketing Ireland's Tourism Angling Product into the future.<br>The overall submission while touching also on the economic and heritage benefits of providing a Marine Protected Area between Bray Head and Wicklow Head through appropriate resource management contains significant detail in relation to the development of the tourism angling product and how this can form a significant component as an attractor for tourism in itself with significant spin off tourism development.   |
| C113 | Maritime Business Development Group | 4. The Maritime Business Group suggests that the County Development Plan should place a strong commitment to protecting and maintaining the County's harbour infrastructure including access, services and operability to allow for the future sustainable development of the County's maritime assets for commercial and leisure and tourism activities.  |
| C127 | Murrough Community Cooperative      | 5. This submission focuses on issues relating to coastal protection in County Wicklow and the potential economic/tourism benefits such protection measures could have on the County.<br>In line with Failte Irelands focus on promoting the development of Wicklow as a key tourist destination it is put forward that the conservation of the Murrough is key to the County fulfilling its tourism potential while also reflecting the vision, goals and objectives of the County Wicklow Economic and Community Development Plan.<br>It is suggested that the plan should therefore promote the conservation of the Murrough and the development of coastal protection measures as a key to achieving the economic objectives of the plan. |

**Chief Executive's response**

- Chapter 7 'Tourism and Recreation' sets out the overall strategy and general objectives relating to the future development of tourism in the County. The strategy of the plan aims to protect Wicklow's principal strengths and capitalise on the distinct tourism and recreational attractions in the County including waterways, coastal areas and beaches. In particular, it is the stated objective of the draft plan to *'promote and encourage the recreational use of coastline, rivers and lakes for activities such as game fishing, boat sailing etc.* (Objective T34 Tourism and Recreation Themes and Products). It is considered reasonable to amend this objective to include a reference to the term 'Blueways'.

2. There are a number of objectives in the draft County Development Plan and other local plans that address the development of Wicklow harbour e.g. Objective TR39 of Chapter 9 promotes and facilitates through appropriate transport planning and land-use zoning the expansion of port activities at Wicklow and Arklow. With particular reference to Wicklow Harbour/Port, the Wicklow-Rathnew Development Plan provides a significant level of detail relating to the future development and expansion of commercial and tourist related activities at the port such as:

*The **vision** for the port, harbour and quay area is for it to continue to sustainably develop as an international cargo port alongside the development of the recreational potential of the harbour and to encourage the redevelopment of the quays as an extension of the existing town centre. It is important for the town to connect with the port, harbour and quays to exploit their assets without compromising their historical and environmental amenity.*

*The **strategy** for Wicklow Port, Harbour and Quays is therefore to facilitate the existing and future sustainable economic development of the port and associated activity, whilst allowing for expansion and improvement of amenity and recreational opportunities, for the development of a wider mix of uses including residential, retail / commercial and community uses, and providing for the highest level of protection of sensitive / vulnerable environmental / ecological assets such as the beach, river and sea.*

#### **Port Objectives**

- *Port 1 To support and facilitate existing and future commercial port activities on the north quay and to resist developments that would undermine the commercial potential of the area.*
- *Port 2 To support and facilitate maritime activity on the south quay and to encourage new developments that provide for an improved mix of uses including commercial, retail and residential uses and to particularly encourage tourism and leisure related developments.*
- *Port 3 To ensure that all proposals for development have cognisance of Natura 2000 sites in the area and that no development is allowed which would have a significant adverse effect on the conservation interests of these sites.*
- *Port 4 To require any new developments in the port area to meet a high standard of design that respects the unique historical, environmental, visual and recreational amenities of the area.*
- *Port 5 To support and facilitate the development of new infrastructure necessary for the continued operation and development of the port.*

#### **Harbour Objectives**

- *Harbour 1 To facilitate the enhancement of the public realm around the harbour area and to facilitate the provision of appropriate information signage in the harbour area.*
- *Harbour 2 To facilitate the improvement of pedestrian/cyclist/transport movement and access to the Harbour area, by facilitating the provision of appropriate directional and information signage that increases access to and the legibility of the routes between attractions and facilities on the port, harbour and quays.*
- *Harbour 3 To facilitate appropriate tourism and leisure development in the harbour area including the provision of new clubhouses, pontoons / marinas, shops, cafes and other leisure and tourism related developments subject to a higher quality of design, having regard to the protection of Natura 2000 sites, as well as the existing environmental, visual and residential amenities in the area.*
- *Harbour 4 To protect the unique historical character and recreational value of the harbour.*

In addition to the above section 7.3.4 Tourism & Recreation Themes & Products of the Wicklow Rathnew Development Plan provides the stated objective 'To encourage and facilitate tourism and leisure related uses in the harbour area including hotel / accommodation facilities and leisure uses to complement the marina and associated boating uses and activities' (objective TTP1). It is

considered therefore that the promotion of the harbour is adequately addressed in this and other development plans.

3. This submission is about the marketing of Wicklow's angling tourism product and the protection of the fishing resource. Neither of these is issues for a land use plan, but would be more appropriately addressed in a County tourism plan and marine management plan (which would be a matter for the Department of the Marine).
4. There a significant number of objectives in the draft County Development Plan and in various local development plans adopted that address the concerns raised by the Maritime Business Development Group, for example:

#### **Draft County Development Plan**

- EMP22** *Port Activities - To support and facilitate existing and future commercial port activities within the County and to resist developments that would undermine the commercial potential of these areas.*
- T34** *To promote and encourage the recreational use of coastline, rivers and lakes for activities such as game fishing, boat sailing etc.*
- TR39** *To promote and facilitate through appropriate transport planning and land-use zoning the expansion of port activities at Wicklow and Arklow. In particular, to provide for a Port Access Road at Arklow.*
- TR40** *To promote and facilitate through appropriate transport planning and land-use zoning the expansion or development of recreational facilities and marinas at Bray, Greystones, Wicklow and Arklow harbours.*

#### **Wicklow Town & Environs Plan**

- Port 1** *To support and facilitate existing and future commercial port activities on the north quay and to resist developments that would undermine the commercial potential of the area.*
- Port 2** *To support and facilitate maritime activity on the south quay and to encourage new developments that provide for an improved mix of uses including commercial, retail and residential uses and to particularly encourage tourism and leisure related developments.*
- Port 5** *To support and facilitate the development of new infrastructure necessary for the continued operation and development of the port.*
- Port 6** *To consider the feasibility of the preparation of a Port and Environs Masterplan, to facilitate the continued development of the Port, Quays and Harbour, to be prepared by Wicklow Port Company in close conjunction with the Planning Authority. Any approved Masterplan must adhere to the overall zonings, policies and objectives of the Development Plan.*
- Harbour 3** *To facilitate appropriate tourism and leisure development in the harbour area including the provision of new clubhouses, pontoons / marinas, shops, cafes and other leisure and tourism related developments subject to a higher quality of design, having regard to the protection of Natura 2000 sites, as well as the existing environmental, visual and residential amenities in the area.*

#### **Greystones LAP**

*Harbour Action Plan Objectives - To provide a high quality integrated harbour/marina mixed development linked to a linear coastal public park and any future heritage park. The development shall provide leisure, recreational, open space and marine facilities, and mixed form residential, commercial, civic and social amenities, centred around the harbour and marina. Optimisation of the use of natural daylight and views, conservation of energy and environmental sustainability should be key elements of the conceptual proposals for the development. The development shall provide a link to the coastline with public access and coastal protection works provided to preserve the landscape from further erosion in the future.*

*TOUR2: To promote the development of tourism and recreation related developments in a sustainable manner at suitable locations that are of an appropriate scale and design. It is an objective of the Council to particularly promote tourism and recreation related developments that are associated with / which provides access to / which increase awareness of the following tourism products or themes: (i) The area's coastal amenity, including the existing cliff walk, Greystones harbour and marina, the former medieval settlement at Rathdown, and Kilcoole marshes, linking the Murrough and the East Coast Nature Reserve near Newcastle, (ii) Kindlestown Wood and local recreational trails linking it with Glen of the Downs Nature Reserve, (iii) Delgany Heritage Trail, (iv) Early Christian, Medieval, Victorian and Edwardian built heritage, (v) Golfing, (vi) Entertainment / cultural venues, e.g. restaurants, craft shops, art galleries, family entertainment venues etc.*

#### **Arklow Town & Environ Plan**

*AHMP2 To promote and facilitate through appropriate transport planning and land-use zoning the expansion or development of recreational facilities and marinas at the harbour in Arklow.*

*AHMP4 To support and facilitate the development of marine and shipping activity in Arklow, particularly the recreational use of the existing harbour/marina and the development of a roll on-roll off port at the existing Roadstone jetty.*

It is not within the remit of the County Development Plan, which is a land use framework, to protect and maintain harbour infrastructure including access, services and operability, although the plan of course supports such actions.

5. The draft County Development Plan includes an objective to facilitate the provision/reinforcement of coastal defences and protection measures as identified in the Murrough Coastal Protection Study<sup>8</sup> and where considered necessary (Chapter 11. Objective CZM7). The implementation of any coastal protection works is not a function of the land use framework, and is an operational and funding matter for the Council. Therefore no changes are recommended on foot of this submission. Please also see Section XX of this report that address coastal protection works more directly.

#### **Chief Executive's recommendation**

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#### **AMENDMENT 33**

#### **Chapter 7 Tourism & Recreation, Section 7.4, p138**

Amend Objective T34 as follows:

- T34** To promote and encourage the recreational use of coastline, rivers and lakes **and the development of 'blueways'<sup>9</sup> in the County** ~~for activities such as game fishing, boat sailing etc.~~ Where such recreational uses involve the development of structures or facilities, the Planning Authority will ensure that the proposals will respect the natural amenity and character of the area, listed views and prospects onto and from the area in question. Where possible, such structures should be set back an appropriate distance from the actual amenity itself and should not adversely affect the unique sustainable quality of these resources.

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<sup>8</sup> 2007, WCC/RPS

<sup>9</sup> Blueways are recreation and tourism initiatives centred on outdoor activity along the environs of waterways. Blueways provide opportunities to enjoy a wide range of activities such as canoeing, cycling and walking.

## B: Recreational Walking Routes

| Number | Name          | Summary of issues raised   |
|--------|---------------|--|
| C141   | Yanny Petters | It is suggested that a number of existing walking routes and mass paths should be developed and interlinked to facilitate off road walking in the interests of safety, healthy recreation and tourism. |

### Chief Executive's response

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It is the stated objective of the draft plan to *'support the development of new and existing walking, cycling and driving routes / trails, including facilities ancillary to trails (such as sign posting and car parks) and the development of linkages between trails in Wicklow and adjoining counties'*, (Chapter 7 Objective T29).

It is considered that this objective provides adequate scope for the development and expansion of existing/new walking routes within the County.

**Note:** The specific walking routes detailed in this submission are dealt with under **Section 3.8** of this report.

### Chief Executive's recommendation

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No change



| No.  | Name            | Summary of issues raised   |
|------|-----------------|--|
| C25  | Brabazon family | <p>This submission relates to lands at Belmont Demesne, Templecarrig Road, Bray. It is suggested that the current designation in the County Development Plan should be altered to broaden the extent of objective T28 as follows:</p> <p><b>From:</b><br/>T28 - To facilitate and promote the development of small-scale tourist enterprises that are developed in conjunction with established rural activities such as agriculture. Such enterprises may include open farms, health farms, heritage and nature trails, pony trekking etc. In particular, to consider the development of Belmont Demesne, Delgany (an area of 80.79ha as shown on Map 07.10) as an outdoor adventure / equestrian centre.</p> <p><b>To:</b><br/>T28 – “To facilitate and promote the development of small-scale tourist enterprises that are developed in conjunction with established rural activities, such as agriculture. Such enterprises may include open farms, health farms, heritage and nature trails, pony trekking etc. In particular, to consider the development of Belmont Demesne, Delgany, (an area of 80.79 ha. as shown in Map 7.10) as an outdoor adventure/equestrian centre, <b>for small scale enterprises related to the primary activities of agriculture/woodland management and for occasional, small-scale events.</b>”</p> |
| C158 | Sexton Family   | <p>It is suggested that the zoning applied to lands known as Sexton’s Garden Centre at the Glen of the Downs (objective T30) be changed:</p> <p><b>From:</b><br/><i>To support the development of craft/artisan centres at established tourist facilities. In particular the Council will support the development of an Arts, Crafts and interpretive centre at Sexton’s Garden Centre, Glen of the Downs.</i></p> <p><b>To:</b><br/><i>“Sexton’s Garden Centre Lands should be supported as an area to continue to be developed as a key retail and tourism attraction in a sustainable manner”.</i></p> <p>It is contended that this zoning objective in being less specific would:</p> <ol style="list-style-type: none"> <li>1. Support the substantial numbers of existing retail jobs on site</li> <li>2. Create the possible opportunity, subject to a comprehensive and detailed planning application for a major tourist attraction showcasing the best Wicklow arts, crafts, food and other local producers and</li> <li>3. Establish sustainability as key consideration for this highly sensitive location.</li> </ol> <p>It is also put forward that the proposed zoning would be consistent with and support a number of the objectives set out in the Wicklow Economic Think Tank Action Plan.</p>                        |

## Chief Executive's response

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### Belmont

It is not fully clear what may be meant by 'small scale enterprises associated with agriculture/woodland management' but it seems to suggest that a range of small independent businesses could be allowed to establish on the estate, so long as they were somehow *associated* with agriculture and woodland management. This is clearly not what is envisaged by this objective, which relates to small scale agricultural spin off type developments on existing farms.

With respect to the phrase 'occasional, small scale events', this request would appear to be prompted by the fact that Wicklow County Council and An Bord Pleanála have recently determined that the carrying out of events, such as weddings on the estate and in 'Arthur's Barn' specifically, does not constitute exempted development (such events have been going on on the estate and are the subject of enforcement action). The inclusion of such text in the County Development Plan would suggest that the Council is supportive of such events, when no such position has been adopted and in fact, the executive would advise that the principal concern with such events occurring has arisen because they are considered to give rise to traffic hazard as the entrances to the estate are hazardous and the local roads not adequate to accommodate significant increases in traffic flows. Furthermore, the inclusion of such text would not overcome the fact that planning permission would still be required for such uses. Therefore the change requested is not recommended.

It is noted that the wording specifically relating to Belmont appears to narrow the scope of potential activities in this area i.e. it relates specifically to only outdoor adventure and equestrian activities. In this regard it is considered that objective T28 should be amended to exclude the reference to Belmont Demesne as an outdoor/equestrian centre, which would potentially leave more options open to the estate for future projects.

### Sextons

With regard to the proposal put forward by the Sexton Family, a very significant change in the objective is proposed, from the provision of an arts / crafts interpretative centre ancillary to an existing established garden centre, to the potential redevelopment of the site as a much more intensive tourism and retail destination, more akin to a location like Avoca Handweavers or Rathwood.

The original proposal for these lands and in fact the reason for this site being included within the tourism chapter of the existing County Development Plan for some additional development was the potential for linkages from the site to the Glen of Downs walking routes. The reality is however that the site cannot be connected to any tourist attraction in this area, being located on the edge of the N11 with no pedestrian accessibility to the Glen of the Downs wood. The proposal is therefore not linked to any tourist attraction and in essence aims to become a tourist attraction in itself at this location.

Such a proposal is not supported as a development of this type and scale, in an area removed from any settlement or tourist attraction would be contrary to the Retail Planning Guidelines, the Regional Planning Guidelines for the location of retailing facilities and the 'Spatial Planning and National Roads' Guidelines' (DoECLG 2012). The development would therefore create an undesirable precedent for similar types of development and would be contrary to the proper planning and sustainable development of the area.

## Chief Executive's recommendation

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### AMENDMENT 31

Chapter 7 'Tourism & Recreation' Section 7.4 - Tourism & Recreation Objectives, p137

T28 To facilitate and promote the development of small-scale tourist enterprises that are developed in conjunction with established rural activities, such as agriculture. Such enterprises may include open farms, health farms, heritage and nature trails, pony trekking etc. ~~In particular, to consider the development of Belmont Demesne, Delgany for such activities, on an area of 80.79 ha. (As shown in Map 7.10).~~

**Omit Map 07.10**

### AMENDMENT 32

Chapter 7 'Tourism & Recreation' Section 7.4 - Tourism & Recreation Objectives, p138

T30 To support the development of craft/artisan centres at established tourist facilities. ~~In particular, the Council will support the development of an Arts, Crafts and Interpretive Centre at Sexton's garden Centre, Glen Of The Downs (Map 07.11)~~

**Omit Map 07.11**

**PLAN TOPIC: TOURISM AND RECREATION INFRASTRUCTURE**

| No. | Name            | Summary of issues raised  |
|-----|-----------------|---|
| C37 | Claire Chambers | This submission relates to objective T24 and the issue of signage and the proliferation of large road signage at the entrance to towns and villages which can be unsightly and detract from the tourism experience in an area.<br>It is suggested that these signs should be limited and/or replaced with finger post signage which can be more attractive. |

**Chief Executive's response**

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It is agreed that the proliferation of large road signage at the entrance to towns and villages can be unsightly and detract from the tourism experience in an area. For the most part such signs are for advertising rather than information or directional purposes and are unauthorised. The Council's roads and planning enforcement departments are very active in pursuing the removal of such signs.

The draft plan promotes and facilitates improvements to tourism and recreational infrastructure, such as signage and includes a number of design standards relating to the erection of varying forms of signage which should be adhered to.

In regard to tourism signage specifically it is a stated objective of the draft plan to cooperate with Wicklow County Tourism, Bord Failte and other appropriate bodies in facilitating the development and erection of standardised and branded signage for tourism facilities and tourist attractions. (Chapter 7 Objective T25)

**Chief Executive's recommendation**

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No change

| No.  | Name   | Summary of issues raised  |
|------|--|---|
| C6   | Arklow Heritage / Nature Walks Development Company Ltd | <p>The following requests are made specifically relating to the development of tourism in the Arklow area:</p> <ul style="list-style-type: none"> <li>that an objective be included in the plan to C.P.O a 3m wide 65m length strip of lands along the north wall opposite the Gate Lodge at the entrance to Shelton Avenue, Ferrybank Arklow. It is stated that this will provide access to the currently landlocked Arklow Marsh</li> <li>that a number of tourist information boards be erected at Shelton Avenue at Ferrybank detailing local assets such as a) Shelton Abbey History b) Cistercian Abbey/graveyard history c) Ancient Railway Line history d) The marsh wildlife conservation area.</li> <li>that a suitably designed Viking settlement crannog be erected on Arklow Marsh as a tourist attraction.</li> <li>that a suitably designed sculptured monument depicting Arklow's Viking heritage be erected at the Bridgewater roundabout.</li> <li>provide a footbridge access to the old Avoca/Arklow harbour railway line bed from the proposed flood protection levee at Arklow Bridge.</li> <li>provide a walkway from the proposed marsh flood protection levee from the bridge to Shelton avenue on and onto to the Dublin Road end of the levee.</li> <li>to remove the redundant pipeline along the Marsh from the closed down IFI Factory.</li> <li>clean up the canal alongside the section of Shelton Avenue owned by WCC and encourage the breeding of trout in this area.</li> <li>provide a new access bridge from the Arklow Car park onto the Marsh tying in with a new boardwalk.</li> <li>extend the coastal erosion protection levee and walkway on top from the north beach area to Porters Rocks.</li> </ul> |
| C109 | Sean Mag Leannain                                      | <p>This submission outlines a number of very specific Hollywood Village and environs based tourism assets that it is contended should be identified in the plan as part of the tourism chapter.</p>   |

### Chief Executive's response

1. The issues raised in this submission relate specifically to Arklow, while the County Development Plan is concerned with County wide issues. It is considered that the suggestions put forward would be more appropriately directed to Arklow specific local plans, whether that be a future Arklow Town & Environs Local Area Plan, or other Arklow specific community or tourism plans.

This submission does not really appear to be requesting any specific policy changes, but instead is requesting that the Council undertake certain works / actions in the Arklow area. These are not matter for a land use framework, but are operational matters for the Council which would be subject to statutory consent processes and the availability of funding.

It should also be noted that it would very unusual and perhaps unwise to include an objective that specified lands will be subject to a CPO where no investigation into the project such a CPO would be facilitating has been carried out, the need for such land take has not been evaluated and no such process has been instigated.

Therefore no change is recommended.

2. The plan includes an entire chapter on tourism, with the key aim of facilitating the growth and improvement of this sector, in a sustainable manner. The draft plan aims to avoid addressing the development of specific places or features other than those with a strategic or regional dimension, as this is a high level strategic plan that provides strategies, policies and objectives relevant to the entire County. The further development of local initiatives or village development schemes might fall within the remit of the Community, Cultural and Social Development section of Wicklow County Council where funding might be available for projects. Furthermore, tourism specific projects might be better directed towards County Tourism or other tourism agencies for development and funding. Therefore no change is recommended.

#### **Chief Executive's recommendation**

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No change

## PLAN TOPIC: COMMUNITY DEVELOPMENT AND LAND USE PLANNING

| No.  | Name                    | Summary of issues raised  |
|------|-------------------------|---|
| C80  | Friends of the Murrough | This submission is concerned with the targeted population increase for Wicklow Town and the necessary infrastructure required to be in place prior to development including access to open space. It is suggested that whilst land has been zoned for recreation and active sport, this does not meet the need for space to walk and engage with the natural environment. It is put forward that research has shown that access to quality green space protects from illness, particularly for children and those living in deprived areas. |
| C196 | Ian McGahon             | This submission is generally in support of the objectives on community development but suggests the plan needs to be stronger in supporting disadvantaged groups with reference to specific groups (e.g. travellers, unemployed, homeless, etc).  |

## Chief Executive's response

- The submission seeking the necessary community infrastructure including open space to be in place prior to the population increase is noted. It is the role of the development plan to support and facilitate the delivery of such social / community infrastructure and the plan includes numerous objective in this regard; for example Objective HD8 seeks that

*"Housing development shall be managed and phased to ensure that infrastructure and in particular, community infrastructure, is provided to match the need of new residents. Where specified by the Planning Authority, new significant residential or mixed use development proposals, may be required to provide a social and community facility/facilities as part of the proposed development or the developer may be required to carry out a social infrastructure audit, to determine if social and community facilities in the area are sufficient to provide for the needs of the future residents. Where deficiencies are identified, proposals will be required to either rectify the deficiency, or suitably restrict or phase the development in accordance with the capacity of existing or planned services."*

The actual delivery of such infrastructure is outside the remit of the County Development Plan, the delivery is achieved through certain Local Authority projects (Part 8 projects) and also through the development contribution scheme, whereby the monies gathered from residential and commercial developments are put into community infrastructure.

- The health benefit of access to the natural environment and walkways is acknowledged and Section 10.3.6 of the draft Plan addresses 'Green Infrastructure' and land use planning with a strategy in place to identify 'Green Infrastructure' in a plan area and to facilitate incorporating the 'Green Infrastructure' into any proposed development where appropriate.
- The issues raised by Keep Ireland Open are considered in [Section x](#) of this report.
- With regard to supporting disadvantaged groups, the County Development Plan supports and facilitates the delivery of infrastructure and facilities for disadvantaged groups however providing the actual support to the groups or the actual delivery of the infrastructure / facilities is outside the remit of the County Development Plan. The Wicklow Local Economic and Community Plan (LECP) which is a separate plan, sets out the objectives and actions needed to

promote and support community development by itself directly and in partnership with other community development stakeholders.

**Chief Executive's recommendation**

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No change



| No.  | Name          | Summary of issues raised   |
|------|---------------|--|
| C11  | Dave Ballesty | It is suggested that any new school development should have parking restricted within 1km and the children should walk to school or walk part of the way. This allows them to part take in outdoor activities for good health.   |
| C196 | Ian McGahon   | With regard to education, it is put forward that the experience in Greystones, where school facilities are being placed so far away from new housing developments, is bad planning. New educational facilities must be placed near where the new population growth is. |

### Chief Executive's response

- In all local plans, provision is made for zoned 'Community & Education' lands, which would be suitable for the development of new school. The location of such lands, particularly where it is known that new school sites are required, is very carefully considered having regard to the catchment that the school is intended to serve. All efforts are made to locate such zoned sites in close proximity to residential areas and in locations that can be served by foot and cycle way and public transport.
- The final location, layout and design of new public schools are generally determined by the Department of Education and new schools shall be required to comply with the guidance set out in the 'Code of Practice for Planning Authorities and provision of schools' (DoEdS, 2008) and any other relevant statutory guidance. Under the County Development Plan objectives, complete foot and cycleways to schools site from the residential areas in the school catchment and adequate car parking and short term set down areas are key criteria in assessing applications for new schools. The plan recognises the need to reduce the need to travel by private car, and increase the use of sustainable and healthy alternatives, which can bring multiple benefits to both our environment and communities. The draft Plan includes land use policies to produce settlements of such form and layout that facilitates and encourages sustainable forms of movement and transport, prioritising walking and cycling.
- It is not possible to restrict parking for one type of user. This is not a matter for the County Development Plan, but is covered by Road Traffic Acts. If this suggestion was taken up all parking would have to be prohibited within the proposed 1km area.
- In the case of Greystones mentioned, a number of new schools have been developed in the Blacklion area. These locations were deemed suitable having regard to (a) the significant areas of housing immediately to the east and south of the sites, (b) the planned new road infrastructure in the area (currently under construction) that would make these sites highly accessible to further residential areas to the south, (c) the fact that the lands immediately surrounding the schools is designated for significant new residential growth and (d) the existing spatial distribution of school in the town. It is noted that these new schools are distant from the major new housing areas of Charlesland and Eden Gate, and lands have been zoned for additional schools in this area (primary and secondary) and it is understood that plans for a new primary are well progressed.

### Chief Executive's recommendation

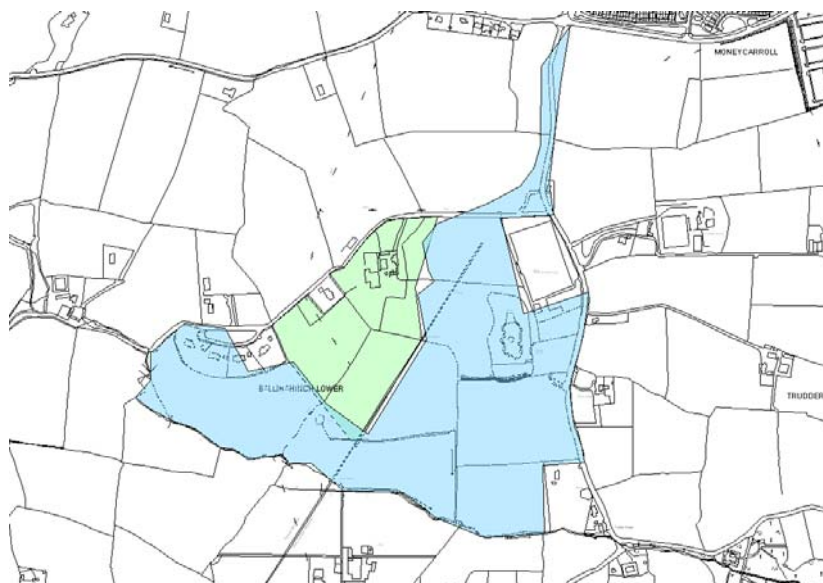
No change

| No. | Name                  | Summary of issues raised   |
|-----|-----------------------|--|
| C30 | Willie Burke          | The 'New/Extended Residential Care Facility' zoning at Ballinahinch, Newtownmountkennedy should be retained and it is suggested that the lands should be included in the Newtownmountkennedy Local Area Plan boundary.   |
| C43 | Combin Properties Ltd | This submission is from the owner of lands in Carnew where they are seeking the zoning of land from 'Strategic Land Bank' to 'Community/Educational/Institutional' with a Specific Local Objective 'to support the specific development of a nursing home and assisted living units' and under Section 8.3 of the Draft Plan, to amend Objective CD17 to include the subject lands with a corresponding map: 'To provide for new or extended residential care facilities for the elderly at...Gorey Road, Carnew (these lands should include assisted living units) (c. 2.3 ha)' |

### Chief Executive's response

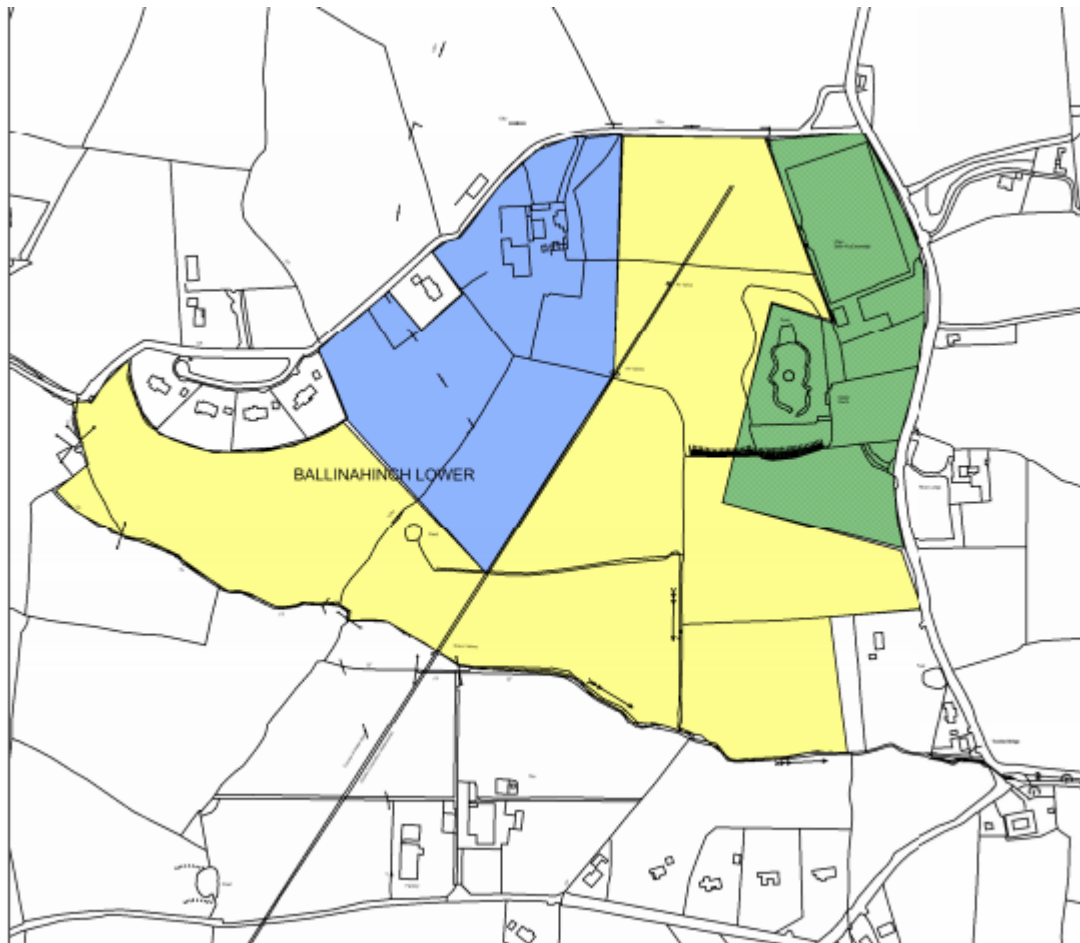
With respect to the submission from Mr. Burke, in the 2010 County Development Plan, two distinct zoning were applied to the Ballinahinch lands:

- (a) Zoning of c. 8ha for 'new / extended residential care facilities (shown in green on the map below)
- (b) Zoning of c. 30ha for 'integrated tourism / leisure complex' (shown in blue on the map below).



These previous zonings are supported in the submission from Mr. Bourke.

During the adoption process of the new draft County Development Plan, the zoning of these lands was changed to:



- (c) Blue = nursing home / continuing community care
- (d) Green – integrated tourism and leisure uses
- (e) Yellow – low density housing

Therefore there is no change to the nursing home / medical zoning provided, but a significant portion, c. 22 ha, has been rezoned for housing, with the tourism and leisure area reduced from 30ha to 6ha.

Taking into account the issues raised in this submission and also the issues raised by the Minister for the Environment (see submission A1) and others, it is recommended that the zoning set out in the draft plan be omitted.

With respect to nursing home / continuing community care zoning, it is recommended that this be omitted, as it is footloose zoning, without any justification, and did not result in any development although it has been zoned for such use for some time. In the event that such a project were to come forward for these lands, they could be adequately assessed against the criteria set out in Objective CD19 of the draft plan, which allow for such facilities at such rural location, where certain criteria are met.

The submission with regard to the rezoning of land in Carnew has been dealt with under the Carnew Town Plan in **Section 3.3.17**

**AMENDMENT 10**

**Chapter 4, 'Housing', p78 - 'Special Zoning Newtownmountkennedy', p78**

Omit Objective **HD24 and Map 04.01**

~~**HD24** To provide for low density residential development with associated leisure, tourism and recreational facilities on lands measuring c. 28ha Ballinahinch Lower, Co. Wicklow, as shown on Map 04.01.~~

**AMENDMENT 34**

**Chapter 8, 'Community Development', p154**

Omit Objective **CD17 and Maps 08.01 – 08.04**

~~**CD17** To provide for new or extended residential care facilities for the elderly at the following locations as shown on maps 8.01–8.04:~~

- ~~• Ballinahinch Lower, Newtownmountkennedy (c. 8ha as shown on Map 8.01)~~
- ~~• Blainroe / Kilpoole Lower (c. 2.5ha as shown on Map 8.02)~~
- ~~• Coolgarrow, Woodenbridge (1.5ha as shown on Map 8.03)~~
- ~~• Killickabawn, Kilpedder (c. 6ha as shown on Map 8.04)~~

(Please see submission also from TII and An Taisce, as a result of which it is proposed to omit the entirety of Objective CD17)

| No.  | Name   | Summary of issues raised  |
|------|--|---|
| C11  | Dave Ballesty                                  | Wicklow County Council's support of clubs is welcomed and a commitment to continuing the local sports partnership funding and consideration for funding for sports officers, similar to Dublin City is sought.  |
| C184 | Richard Webb                                   | The section on children's play (8.3.3 Leisure and Recreation) should make reference of the need to create child-friendly communities.   |
| C188 | Wicklow & District schools boys / girls League | This submission is seeking support and c.10 acres of land in Wicklow from WCC to develop a Wicklow Centre of Excellence to develop a sport and recreation facility for children. It is set out that this would be a facility for locals, tourists and it would provide employment and that a Disability and Ladies Football Development Strategy could also be developed in time. |

### Chief Executive's response

- The submission welcoming the support of clubs is noted. Continuing the local sports partnership funding is outside the remit of the County Development Plan and is a matter for consideration by the Community, Cultural and Social Development Section of Wicklow County Council through the annual budgetary process.
- The issue relating to referring to creating 'child friendly communities' is noted, but this is already covered in the Plan. The draft Plan facilitates the development of child friendly communities with children focused land use objectives (i.e. childcare facilities, pre-schools and after school services) and the plan acknowledged that children also require opportunities to socialise, play and exercise. In addition to this, Objectives CD25, CD26, CD27, CD28, CD29, CD30 and CD31 of the draft Plan focus on the provision of child friendly communities. Further to the County Development Plan, Wicklow County Council's Play Policy makes a clear commitment to play as a right and to ensuring that children and their needs are considered when it comes to policy making and that provision is made to meet their needs.
- Zoning of land for specific purposes within the designated settlements is done at town plan or LAP level. The draft Plan facilitates the development of recreational facilities for children (objectives CD29, CD32, CD34) however the delivery of such facilities is outside the remit of the County Development Plan. This would be a matter for consideration by the Community, Cultural and Social Development Section of Wicklow County Council through the annual budgetary process.

### Chief Executive's recommendation

No change

| No.  | Name                             | Summary of issues raised  |
|------|----------------------------------|---|
| C34  | Campaign for Greystones dog park | This submission is seeking support from the Council for the provision of a Dog Park of c. 0.5 –2 acres in Greystones.   |
| C56  | Denis & Catriona Daly            | <p>This submission seeks the amendment of Objective CD43 as follows:</p> <p><i>'In existing residential areas, the areas of open space permitted, designated or dedicated solely to the use of the residents will <del>normally be zoned 'RE' as they form an intrinsic part of the overall residential development.</del> be assigned a unique use zoning objective and delineation in the Local Area Plans at initial preparation or at the next statutory review stage. Non-community uses on such lands will not normally be permitted.'</i></p> <p>It is put forward that the maintenance of these areas is by and large carried out by the residents committees which demonstrate how committed and proud the residents are of these amenities. A separate use zoning and delineation of these plots is critical to their preservation, provides clarity on the curtilage, protects the open space use and provides certainty for prospective purchasers of a property bearing in mind that these green areas can often be the deciding factor as to where people choose to live.</p> |
| C90  | Irish Heart Foundation           | Welcomes the support for allotments (objective CD44) as a means of providing better access to healthy food.   |
| C168 | Bernadette Stokes                | Seeking support from the Council for the provision of a Dog Park of c.2 acres in Greystones.  |
| C191 | Wicklow SPCA                     | Seeking support from the Council for the provision of a Community Dog Park at the Wicklow SPCA premises in Rathdrum.  |

### Chief Executive's response

- The expressed need for a public dog park in Greystones and Rathdrum is noted and should such a proposal be forthcoming, the existing and draft County Development Plan would facilitate such a development subject to proper planning and sustainable development. The physical provision of such a park by the Local Authority is not a role of a land use plan. This would be a matter for consideration by the Community, Cultural and Social Development Section of Wicklow County Council through the annual budgetary process.
- With respect to open space in existing residential areas, such lands have already been identified and designated legally as private open space dedicated to the residents during the taking in charge process. It should be noted that all existing residential areas within Level 5 town plans have been identified with a pale yellow colour over the entire estate. The plans do not identify any private open space areas within estates, as such spaces form an intrinsic part of the estate and are not 'stand alone' public spaces, separate from the estate. The inclusion of these private open space lands as part of existing residential lands does not mean these lands can be developed for future residential development, which is possibly the main concern. Such lands are identified during the taking in charge process, mapped and dedicated to the residents of the development. It is therefore not considered necessary to identify all private open space lands within all estates in the County. This is clearly set out in Objective HD11 of the draft plan (Chapter 4) which states:

**HD11** *In existing residential areas, the areas of open space permitted, designated or dedicated solely to the use of the residents will normally be zoned 'RE' as they form an intrinsic part of the overall residential development; however new housing or other non-community related uses will not normally be permitted on such lands.*

There is also a danger in attempting to identify each piece of open space on a development plan map, as this can have the effect of inadvertently poisoning the status of open spaces not identified on plans. Therefore no change is recommended.

- The submission from the Irish Heart Foundation on allotments is noted.

#### **Chief Executive's recommendation**

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No change

## PLAN TOPIC: PUBLIC TRANSPORT

| No.  | Surname                 | Summary of issues raised   |
|------|-------------------------|--|
| C11  | Dave Ballesty           | 1. In light of the capacity limitations of the M50 it is suggested that Wicklow County Council should put forward the case for a quality bus corridor along the M50/N11 with park and ride sites provided alongside local bus connections to towns and villages in close proximity to this route.  |
| C73  | John C Dwyer            | 2(a) It is suggested that strategic options need to be considered in providing a long term solution to public transport in the County, which should include the identification of an alternative route to the present coastal rail line. It is suggested that these route options should be reserved and be capable of accommodating a double tracked system.<br>2(b) The plan should include an objective relating to the provision of twin tracked system for the existing DART services between Bray and Greystones.<br>2(c) Proposals for the extension of the Luas line to Bray should include an option for extending the line as far as Bray Civic Offices. |
| C80  | Friends of the Murrough | 3. It is suggested that infrastructure should be aligned with the delivery of housing  |
| C125 | Denis Muldoon           | 4. This submission puts forward the case for the relocation of the train station in Avoca and the re-opening of the station to the public in order to stimulate growth in the area and make Avoca more accessible.   |

**Chief Executive's response**

1. The purpose of the County Development Plan is to put in place the necessary policy framework to encourage and facilitate the improvement of public transport in the County. The existing capacity issues with the M/N11 in the north of the County are noted and in recognition of this the plan has included a number of objectives, in particular objectives TR1, TR2, TR6 and TR7 (detailed below), which specifically aim to facilitate the improvement of public transport within the County, including the provision of park and ride facilities. However, it does not specify that the solution to capacity issue on the M11/M50 is the provision of bus lanes on the route and the designation of park and ride facilities along same, as it is considered imprudent to do so until this option has been studied, compared to other options, and deemed the optimal solution. The carrying out of such a study would be matter for the NTA in conjunction with the TII. It should be recognised that neither the plan itself nor Wicklow County Council is a public transport provider and therefore cannot force providers to deliver services in any particular area.

In this regard the provisions of the plan are considered to adequately facilitate improvements to and provide sufficient scope within which proposals by relevant transport bodies could improve the carrying capacity of the N11/M50.

**TR1** *To cooperate with NTA and other relevant transport planning bodies in the delivery of a high quality, integrated transport system in the Greater Dublin Area.*



**TR2** *To promote the development of transport interchanges and 'nodes' where a number of transport types can interchange with ease. In particular:*

- *to facilitate the development of park and ride facilities at appropriate locations along strategic transport corridors;*
- *to enhance existing parking facilities at and/or the improvement of bus links to the train stations in Bray, Greystones, Wicklow and Arklow;*
- *to promote the linkage of the LUAS extension/Bus Rapid Transport to Bray DART;*
- *to encourage the improvement of bicycle parking facilities at all transport interchanges;*
- *to improve existing and provide new footpath / footway linkages to existing / future transport interchange locations; and*
- *to allow for the construction of bus shelters, particularly where they incorporate bicycle parking facilities.*

**TR6** *To improve the capacity of the N11 / M11 from Rathnew to the County boundary at Bray in a manner capable of facilitating greater free flow of public transport.*

**TR7** *To promote the delivery of improved and new bus services both in and out of the County but also within the County by:*

- *facilitating the needs of existing or new bus providers with regard to bus stops and garaging facilities (although unnecessary duplication of bus stops on the same routes / roads will not be permitted);*
- *requiring the developers of large-scale<sup>10</sup> new employment and residential developments in the designated metropolitan and large growth towns in the County that are distant (more than 2km) from train / LUAS stations to fund / provide feeder bus services for an initial period of at least 3 years;*
- *promoting the growth of designated settlements to a critical mass to make bus services viable and more likely to continue;*
- *in larger settlements that can sustain bus services, to require new housing estate road layouts to be designed to have permeable 'bus only' linkages between different housing estates; and*
- *to work with Bus Eireann to improve services in south and west Wicklow.*

2(a) and (b). Objective TR3 of the plan sets out the Council's objective to continue to work with Iarnrod Eireann on the improvement of mainline train and DART services into Wicklow and in particular, to facilitate all options available to increase capacity through Bray Head and along the coastal route south of Greystones.

Such measures could include the identification of alternative route corridors to the existing coastal rail line; however until such a time as detailed feasibility studies have been carried out on such a project and potential route options identified, it is considered premature to include same as an objective of this plan.

2(c) Objective TR2 promotes the development of transport interchanges and 'nodes', including the linkage of the LUAS extension/Bus Rapid Transport to Bray DART. The reasons why Bray station is identified as the link point in Bray and not Bray Civic Office is due to the facts that (a) this would allow link up with mainline rail services and existing bus hub and (b) this has already been deemed as the optimal connection point when the Luas route selection process was carried out a number of years ago.

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<sup>10</sup> Large-scale residential development is taken to be any single development that would increase the housing stock in the settlement by 10% or more and a large-scale employment development is taken to be one with a working population of 200 persons or more.

The LUAS to Bray project was suspended some years ago; however, it is now included in the NTA's latest draft Transport Strategy for the GDA, apparently showing a route from Cherrywood, down the M11 and straight through the Bray station, (the previously designed project showed a different route through Rathmichael, and Old Connaught to Fassaroe, with a spur to Bray station). This revised project will have to go through a route selection process including public consultation, and this may be more appropriate method of the submitter making his suggestion.

3. The Core Strategy of the plan sets out the medium to longer term strategy for the spatial development of the County and is required to be consistent with higher level strategies such as the National Spatial Strategy and the Regional Planning Guidelines. In accordance with these higher level strategies the plan aims to concentrate development in established urban areas and designated development centres, maximising existing infrastructure while also working toward building a critical mass in which new and expanded infrastructure can be justified and provided. The overall strategy and objectives of the plan aim to ensure growth within development centres is accompanied by an appropriate level of infrastructure capable of meeting the needs of the projected population.

Once the Core Strategy provides the detail of where housing development is targeted to occur, it is the role of the transport agencies to ensure that adequate public transport is provided – a situation cannot be allowed to arise where the utility / service providers dictate where development should occur, and inevitably making their decisions based on financial and economic considerations, rather than social, environmental and spatial factors. Development must be plan lead and reflect both Government spatial policy and the needs of society.

4. As set out in Section 9.1.2 of the Draft Plan, Wicklow County Council is not itself a public transport provider, and cannot force providers to deliver services in any particular area; a County Development Plan can however put in place the necessary policy framework to encourage and facilitate improvements to public transport. In this regard, the draft plan includes the following objectives regarding the Dublin – Rosslare railway line and the possible reopening of stations such as Avoca:

**TR3** *To continue to work with Iarnród Éireann on the improvement of mainline train and DART services into Wicklow and in particular, to facilitate all options available to increase capacity through Bray Head and along the coastal route south of Greystones.*

**TR4** *To ensure that possibilities for improvement of the Dublin – Rosslare line, including the re-opening of closed stations, are maintained and to ensure that land uses adjacent to former stations are appropriate and would facilitate future improvements. In particular:*

- to resist any development within 20m of the railway line;*
- to resist demolition or removal of any former train station structures or apparatus, other than for safety reasons; and*
- to require any development proposals in the vicinity of former train stations to be so designed to facilitate future access to the station and to reserve adequate space for future car parking.*

#### **Chief Executive's recommendation**

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No change

**PLAN TOPIC:****CAR PARKING**

| <b>No.</b> | <b>Surname</b> | <b>Summary of issues raised</b>  |
|------------|----------------|--|
| C11        | Dave Ballesty  | It is put forward that parking at amenity car parks should be free of charge during off peak seasons in order to encourage the use of these amenities. |

**Chief Executive's response**

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This is not a County Development Plan issue. The operation and management of amenity car parks falls within the remit of the environment section of Wicklow County Council and is tendered/reviewed on an annual basis with an upper charge limit set. The pay parking system is a procedural matter implemented by the executive of Wicklow County Council. At the time of preparing this report no proposals to review the existing charges were in place however this may be carried out at the end of the current tender period as deemed necessary.

**Chief Executive's recommendation**

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No change

| No.  | Surname                                     | Summary of issues raised   |
|------|---|--|
| C11  | Dave Ballesty                               | 1. The inclusion of objectives that facilitate the development of harbours in the County, in particular Wicklow Harbour are welcomed.  |
| C20  | Clara Biddle                                | 2. This submission is supportive of the objectives of the plan that will facilitate the redevelopment of Wicklow Harbour.  |
| C83  | Ashley Hayden                               | 3. The overall submission while touching also on the economic and heritage benefits of providing a Marine Protected Area between Bray Head and Wicklow Head through appropriate resource management, contains significant details in relation to the development of the tourism angling product and how this can form a significant component as an attractor for tourism in itself with significant spin off tourism development.<br>A key component in attracting anglers to the County and thus improving tourism numbers will be the improvement of existing coastal facilities in the County. |
| C113 | Maritime Business Development Group         | 4. The plan should set out a strong commitment to protecting and maintaining the County's harbour infrastructure including access, services and operability to allow for the future sustainable development of the County's maritime assets for commercial, leisure and tourism activities.  |
| C193 | Wicklow Town & District Chamber of Commerce | 5. Objectives TR39 and TR40 support the expansion of sustainable expansion of Wicklow port to the North and East of the existing commercial harbour area in the interest of employment, shipping, leisure and tourism activities. Wicklow Town and District Chamber of Commerce are supportive of these objectives and consider that any development, policy or strategy which would adversely affect this objective or be an impediment to this objective should be prevented.  |

### Chief Executive's response

1 - 4:

Chapter 9 Section 9.1.6 "Ports, Harbours, Marinas and Aviation" recognises the importance of harbour activities within the County. This section of the plan places a particular emphasis on Wicklow Port and the potential of this area for significant development/expansion in the short term given the high quality connections, both rail and road, that are available since the completion of the Wicklow Port Access Road.

Objective TR39 further emphasises the plan's recognition of Wicklow Harbour by promoting and facilitating through appropriate transport planning and land-use zoning the expansion of port activities at Wicklow.

Objective TR40 promotes and facilitates through appropriate transport planning and land use zoning Bray, Greystones, Wicklow and Arklow harbours. It is considered that this objective alongside the expansion of harbour activities set out under objective TR39 will adequately facilitate the development/expansion of coastal amenities in the County that may in time influence the development of sea angling and other maritime activities within the County.

It is considered that the above objectives will adequately facilitate the future development of harbour and maritime activities within the County.

5. The Wicklow Town & District Chamber of Commerce submission is noted. It is considered that the objectives detailed above, alongside the provisions of Chapter 5 'Economic Development' provide sufficient support for the future expansion of port and harbour activities.

#### **Chief Executive's recommendation**

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No change

| No.  | Surname                 | Summary of issues raised  |
|------|-------------------------|---|
| C70  | Emma Driver             | 1. This submission makes reference to the existing sewage deficiencies in the Glenealy area and requests that no further development be granted in the area until such time as the wastewater treatment system has been upgraded. |
| C80  | Friends of the Murrough | 2. It is suggested that infrastructure needs to be aligned with the delivery of housing.  |
| C184 | Richard Webb            | 3. Section 9.2.3 Wastewater – it is suggested that the plan should facilitate the use of wetland treatments systems in rural areas that conform to EPA guidelines on small scale treatment systems                                |

### Chief Executive's response

1. As set out in Section 9.2.3 'Waste Water', Irish Water is responsible for providing public wastewater collection, treatment and disposal infrastructure. In accordance with Objective WI15 Wicklow County Council will work alongside Irish Water and facilitate the delivery of Irish Water's 'Water Services Investment Programme', to ensure that all lands zoned for development are serviced by an adequate wastewater collection and treatment system. It is matter for IW to determine in the assessment of any planning application, if capacity is available for that development.
2. The high level goals and objectives of the Draft Plan aim to ensure the delivery of infrastructure in a tandem with new development within the County. While Wicklow County Council is not a service provider in regard to water and wastewater, the objectives of the plan aim to facilitate development a balanced manner where residential development occurs alongside the delivery of key infrastructure.

As set out above, once the Core Strategy provides the detail of where new development is targeted to occur, it is the role of the state service providers, such as IW to ensure that adequate infrastructure is provided – a situation cannot be allowed to arise where the utility / service providers dictate where development should occur. Development must be plan lead and reflect both Government spatial policy and the needs of society.

3. Objective WI6 sets out the Councils position in regard to individual wastewater treatment systems. Where a proposal is put forward for an alternative type of treatment system in a rural area the applicant must in accordance with WI6 meet a number of criteria as set out in the plan. It is considered that the criteria set out provide adequate scope for proposals to use alternative wastewater treatment technologies.

**WI6** *Permission will be considered for private wastewater treatment plants for single rural houses where:*

- *the specific ground conditions have been shown to be suitable for the construction of a treatment plant and any associated percolation area;*
- *the system will not give rise to unacceptable adverse impacts on ground waters / aquifers and the type of treatment proposed has been drawn up in accordance with the appropriate groundwater protection response set out in the Wicklow Groundwater Protection Scheme (2003);*

- *the proposed method of treatment and disposal complies with Wicklow County Council's Policy for Wastewater Treatment & Disposal Systems for Single Houses (PE ≤ 10) and the Environmental Protection Agency "Waste Water Treatment Manuals"; and*
- *in all cases the protection of ground and surface water quality shall remain the overriding priority and proposals must definitively demonstrate that the proposed development will not have an adverse impact on water quality standards and requirements set out in EU and national legislation and guidance documents.*

#### **Chief Executive's recommendation**

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No change

| No   | Surname        | Summary of issues raised   |
|------|----------------|--|
| C152 | Roadstone Ltd  | <p>It is suggested that the installation of permanent continuous noise and air quality monitoring equipment at quarries or other extractive sites would be excessive and would not be in accordance with environmental management practice for the sector across the country.</p> <p>It is suggested that these objectives should be revised as follows:</p> <p><b>WE11</b> <i>To require activities likely to give rise to air emissions to implement measures to control such emissions, <del>to install air quality monitors</del> to undertake air quality monitoring and to provide an annual air quality audit.</i></p> <p><b>WE15</b> <i>To require activities likely to give rise to excessive noise to install noise mitigation measures <del>and monitors</del>. to undertake noise monitoring and to provide an annual monitoring audit <del>The provision of a noise audit may also be required as appropriate</del></i></p> |
| C159 | Triona Sheeran | <p>It is suggested that noise control be introduced to all new builds or adaptations to builds to include industrial noise guidelines, night time noise, noise decibel standards not exceeding 40 decibels on an ongoing basis. No night time activities neighbouring residential housing.</p>   |

### Chief Executive's response

The proposals put forward by Roadstone in relation to air and noise emissions are considered to be reasonable. It is therefore recommended that the wording of objectives WE11 and WE15 be amended accordingly.

With regard to construction noise and night time activities, the County Development Plan includes objectives and controls in relation to noise which are considered to address the issues raised. However, in the main these objectives relate to 'operational' noise i.e. noise generated by ongoing operations and process, once construction is complete, rather than construction noise (unless there is a specific concern that a particular form of development would result in undue construction noise). The plan does not set out limits on construction noise or general noise nuisance as this is covered by separate legislation and very straight forward processes are available for action to be taken by the Local Authority or indeed private individual to address noise nuisance.

### Chief Executive's recommendation

#### AMENDMENT 41

#### Chapter 9 'Infrastructure', Section 9.3.4 – Emission to air, p184

**WE11** *To require activities likely to give rise to air emissions to implement measures to control such emissions, ~~to install air quality monitors~~ to undertake air quality monitoring and to provide an annual air quality audit.*



## AMENDMENT 42

### Chapter 9 'Infrastructure', Section 9.3.5 – Noise Pollution, p184

**WE15** *To require activities likely to give rise to excessive noise to install noise mitigation measures ~~and monitors.~~ to undertake noise monitoring and to provide an annual monitoring audit ~~The provision of a noise audit may also be required as appropriate~~*

| No   | Name                      | Summary of issues raised   |
|------|---------------------------|--|
| C37  | Claire Chambers           | 1. This submission is supportive of the Section 9.5.3 Energy in particular the section relating to Solar Energy.   |
| C184 | Richard Webb              | 2. With respect to Solar Energy, the following suggestions are made:<br>a) The plan should include objectives that support solar PV energy for both domestic and commercial buildings.<br>b) It is considered that some form of guidance is required for solar PV farms given the potential significant visual impacts and the potential expansion of this industry over the lifetime of the plan.   |
| C190 | Wicklow Planning Alliance | 3.<br>a) The submission puts forward the case that in order for the County Development Plan to be consistent with the provisions of the White Paper on Energy the plan should set out a wide range of solutions for replacing fossil fuels as a primary source of energy for all new buildings. In this regard it is suggested the plan should include an objective that no new building should be reliant on oil or gas or any other fossil fuel as a primary source of energy for heating.<br><br>b) In regard to renewable energy it is suggested that the County Development Plan should:<br><ul style="list-style-type: none"> <li>▪ Publish guidelines for solar farms</li> <li>▪ Promote district heating systems in all in new developments</li> <li>▪ Require that all new buildings achieve the standard to qualify as 'passive'.</li> <li>▪ To maintain existing housing occupancy and growth controls in rural areas so as to not permit a spatial distribution that will effectively sterilise wide areas against the siting of electricity transmission lines and wind turbines.</li> <li>▪ Promote the use of electric vehicles and vehicles using gas and bio fuels</li> </ul> |

### Chief Executive's response

1. Noted.
2. a) Objective CCE9 aims to facilitate the development of solar generated electricity, while objective CCE10 sets out the plans support of applications for the installation of PV cells at all locations , having due regard to architectural amenity and heritage.  
  
b) It is agreed that some guidance is required in regard to the provision of Solar PV farms. It is therefore proposed that Chapter 9 be amended to include more detailed wording relating to the provision of Solar PV farms.
3. a) The plan places a strong emphasis on reducing energy demand for all buildings where objective CCE19 that requires all *"new buildings during the design process to incorporate sustainable technologies capable of achieving a Building Energy Rating in accordance with the provisions S.I. No. 243 of 2012 European Communities (Energy Performance of Buildings) Regulations 2012 and the Building Control (Amendment) Regulations 2014"*. The introduction of

requirements or standards beyond the requirements of the above regulations is outside the remit of the County Development Plan. In particular, it is considered onerous, unfeasible and simply not possible given the electricity infrastructure system available in this county to require that no new building can connect to system that uses fossil fuels to generate energy.

b)

- It is proposed that Section 9.5 (Solar Energy) be amended to include additional guidance on the development of 'Solar Farms' in the County.
- **District heating** is a system for distributing heat generated in a centralised location for residential and commercial heating requirements such as space heating and water heating. The heat is often obtained from a cogeneration plant burning fossil fuels but increasingly also biomass, although heat-only boiler stations, geothermal heating, heat pumps and central solar heating are also used. District heating plants can provide higher efficiencies and better pollution control than localised boilers.  
The use of such system would certainly be supported by the Local Authority, but it is considered too onerous to seek the installation of such system for all new development. It is considered however that a new objective should be included in the plan supporting the use of such systems.
- With regard to 'passive' houses, the construction of such houses, or indeed houses that integrate energy saving technologies, is clearly supported in the plan. However, it is considered too onerous to require all building to meet 'passive' standards, particularly as this standard is not required by law in Ireland (having regard to the provisions of the Building Regulations). It is considered unreasonable for buildings in Wicklow to be alone faced with such a requirement, when it is not required nationally and would only serve to make construction in Wicklow more expensive and dissuade development. The reality is however that buyers are increasingly requiring much higher standards in new builds than ever before and builder are reacting to the market and providing such energy efficient homes already.
- In accordance with the provisions of the '*Sustainable Rural Housing - Guidelines for Planning Authorities*', the draft plan sets out criteria aimed at appropriately managing housing in rural areas. It is correct that a relaxed rural housing policy can result in unmanaged spread of housing across the entire rural zone, thus rendering the exploitation of natural assets, whether that is wind energy or natural stone, more problematic as required separation distances, to avoid impacts, cannot be achieved. However, national guidelines do not explicitly require rural housing management for the purposes of protecting these assets and maintaining their exploitability, but rather the main purpose of these criteria is to protect the scenic landscape of the Country and direct non rural natives to development centres where existing services and infrastructure can be availed of in a sustainable manner.  
It is considered however that Wicklow generally has a strong rural housing policy and other than the amendments recommended in Section X of this report (Chapter 4 – Housing) no further changes are recommended to the rural housing objectives.
- Objective CCE23 '*To facilitate the development of services and utilities for alternative vehicles types*' addresses this issue.

## AMENDMENT 46

### Chapter 9, 'Infrastructure', Section 9.5, p192

#### (2) Solar Energy

The principal application of solar energy is use in heating. Therefore this aspect of solar power is addressed in Section 5 to follow. However, **as technology advances**, solar power **is increasingly being can also be** used to generate electricity through the use of photovoltaic (PV) cells. Photovoltaic systems use semiconductor materials to convert light into electricity. This technology is widely used in consumer products such as solar calculators, watches or garden lights, and is increasingly used as a cost-effective solution in Ireland for stand-alone applications where a grid connection is too expensive (e.g. parking meters, caravans or remote holiday homes). Solar PV can also be used to provide free solar electricity to houses as well as for commercial and industrial applications. It is now possible to connect solar PV systems to the grid, opening up a new era for solar PV in Ireland. **Applications are also being made for commercial scale ground mounted solar PV 'Solar Farms' and such developments are supported, subject to suitable locations being selected and environmental criteria being satisfied.**

#### *Solar Energy Objectives*

- CCE9** To facilitate the development of solar generated electricity.
- CCE10** To positively consider all applications for the installation of **building mounted** PV cells at all locations, having due regard to architectural amenity and heritage.
- CCE11** To support the development of commercial scale ground mounted solar PV 'Solar Farms' subject to compliance with emerging best practice and available national and international guidance<sup>11</sup>.

## AMENDMENT 47

### Chapter 9, 'Infrastructure', Section 9.5.3, 'Heating', p196

#### Heating Objectives

- CCE26** To support the development of district heating systems, particularly those generating heat from renewable sources.

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<sup>11</sup> It should be noted that there is currently (2016) no national guidance available on the appropriate location and design of solar farms. However there are a number of excellent examples of such guidance provided in other jurisdictions and these will be utilised in the assessment of any applications; for example 'Planning guidance for the development of large scale ground mounted solar PV systems' produced by BRE National Solar Centre and Cornwall Council in the UK

| No.  | Surname                         | Summary of issues raised  |
|------|---------------------------------|---|
| C55  | Clive Dalby                     | <p>1. a) It is suggested that the Wind Energy Strategy should make reference to micro-generation turbines for private individual dwellings and state that such development proposals with a rotor diameter of less than 10m are exempt from the requirements of the plan in relation to shadow flicker analysis as this would make such projects unfeasible.</p> <p>b) It is suggested that the department guidelines which set out the steps required in developing a wind strategy, in particular the identification of locations where low speed would not render exploitation viable is too general and should not be used as a mechanism for restricting potential for wind within the County.</p> <p>c) It is contended that the plan should not restrict the development of wind farm projects on upland areas that are deemed scenic or high amenity. It is considered that such proposals in time will be viewed as another part of the open countryside once the general public get used to viewing such structures in the landscape.</p> |
| C92  | Irish Wind Energy Association   | <p>2. The IWEA supports the policies and objectives contained within the draft plan which encourage and assist the continued provision and development of renewable energy and specifically wind energy development within the County.</p> <p>It is requested however that the wording of objective CCE6 be re-worded to ensure compliance with National Guidelines and ensure that optimum sites for wind farm developments can be selected and supported through the planning process.</p>  |
| C164 | South Wicklow Wind Action Group | <p>3. SWWAG requests that in updating the Wind Energy Strategy full account is taken of risks posed by industrial wind turbines to community health and that it be a requirement that applicants for permission <b>as part of the pre-application process</b> conduct a health study and prove to the community that no adverse impacts on human health will arise in the event of permission being granted</p>   |
| C184 | Richard Webb                    | <p>4. It is put forward that the wind energy objectives should prioritise community energy projects.</p>  |

### Chief Executive's response

1.

- a) It is important to note that subject to certain conditions, one can build a small scale wind turbine within the curtilage of a house without planning permission and therefore the standards set out in the County Development Plan would not apply. However, one of the limitations is that the rotor diameter cannot exceed 6m and the separation distance to the next property must be 3 – 4 times the diameter of the blade (depending on the overall height of the structure).

Once the turbine exceeds the size limits of the exemption, planning permission is required and the standards of the County Development Plan set in, which require an assessment of shadow flicker for a distance of 10 times the rotor diameter or a simple 500m if the rotor diameter is 50m or less. It is clear that such a requirement is clearly aimed at very large scale turbines and not those of a domestic scale. It is agreed that it would be very onerous to require a 500m zone of assessment for a turbine with a 10m diameter – it would be more reasonable to set the zone

of impact assessment as a simple '10 times the rotor diameter' for all turbine sizes (this would also be more consistent with the Ministerial guidelines).

This is considered reasonable as it is assumed that the 6m limit for the exemption was set on the basis on research that showed that it is beyond that diameter that impacts become more significant to the degree that a full impact assessment, through the planning application process, is required.

- b) The plan, and more specifically the draft Wind Energy Strategy set out in the plan, does not restrict the development of wind energy projects in low wind speed areas. The strategy identifies key characteristics of lands within the County and using these criteria identifies lands as being most/least or not favoured areas for wind energy development. It may well be that there are areas within the 'most favoured' zone that do not have the wind speeds to currently viably generate power, but these areas are not somehow excluded, as it is accepted that technology can change over time, thus making the generation of power possible lower speed areas.

The confusion may arise because the strategy document sets out that wind speeds was utilised as a factor in previous strategies (in accordance with guidelines), but it is made clear that this is no longer the case for the current strategy.

- c) The draft Wind Energy Strategy does not specifically restrict the development of wind energy projects in any particular area within the County. The Strategy identifies key characteristics of lands within the County and using these criteria identifies lands as being most/least or not favoured for wind energy development. The identification of lands within these categories does not specifically mean that a planning application in a most favoured area will be granted or an application in a less favoured area would be refused but is purely used as a guidance tool to identify lands where there are less/more obstacles to the development of such wind projects.

- 2. It is agreed that aspects of CCE6, particular the new requirement that wind farms be at least 1,000m from any dwelling, would not accord with Ministerial guidelines.

The Minister has reminded the Local Authority in his submission that in December 2013, the DECLG issued Circular PL 20-13 to planning authorities to advise them that, pending conclusion of the review process for the 2006 Wind Energy Development Guidelines, they should defer changing their existing Development Plan policies relating to wind energy development and therefore the Council must omit Objectives CCE6 (distance to residential) and Objective CCE7 (limitation on permission duration) as they are considered premature pending the conclusion of the initiated review process and ensure the continuance of existing development plan policy in the Draft Plan.

Furthermore in 2014 the executive of Wicklow County Council carried out an assessment of the potential impact on the development of wind energy in the County were a 500m or 1,000m 'sterilisation zone' applied around all dwellings. This assessment found that using a radius of 500m (and excluding Natura 2000 sites as a given) very few exploitable sites would remain in the County and those that were of adequate size, already had permission for wind farms. When this exercise expanded to 1,000m as currently proposed in the draft plan, no sites suitable for wind developments remained in the County. The Chief Executive does not believe that this is an appropriate policy to apply within Wicklow or nationally, given Ireland's renewable energy targets.

It is therefore proposed that objective CCE6 be amended by omitting the final bullet point requiring wind farms to be a least 1,000m from any residential dwellings.

3. Firstly, it should be made clear that there is no legal requirement for any applicant for permission to engage in any 'pre-application' process and legally they cannot be required to do so. Furthermore, even if such a pre-planning engagement occurred with the Planning Authority, the purpose of which is very limited (as set out in Section 247 of the Act below). It is not possible for a Planning Authority to require any particular studies be carried out at the 'pre-application' stage.

**247.**—(1) *A person who has an interest in land and who intends to make a planning application may, with the agreement of the planning authority concerned (which shall not be unreasonably withheld), enter into consultations with the planning authority in order to discuss any proposed development in relation to the land and the planning authority may give advice to that person regarding the proposed application.*

(2) *In any consultations under subsection (1), the planning authority shall advise the person concerned of the procedures involved in considering a planning application, including any requirements of the permission regulations, and shall, as far as possible, indicate the relevant objectives of the development plan which may have a bearing on the decision of the planning authority.*

Any planning application for a wind turbine development exceeding 5 turbines or having a total output greater than 5 megawatts is required to undergo Environmental Impact Assessment. The environmental report must include an environmental assessment of the impact of the proposed development on 'Human Beings' as required by Section 171A of the EIA Directive. The assessment must include examination, analysis and evaluation and it must identify, describe and assess in an appropriate manner, in light of each individual case and in accordance with Articles 4 to 11 of the EIA Directive, the direct and indirect effects of a proposed development on human beings, which the EPA advises should include assessment of the following factors: *Economic Activity, Social Patterns, Land-use, Employment, Health & Safety and Settlement Patterns.*

With regard to 'health' the EPA advises:

*The physical environment is one of a number of recognised determinants of health which is often at the forefront of community concerns. Health can be affected by a number of direct and indirect environmental pathways, such as air, water or soil. Populations can be affected either by direct contamination or by induced effects on disease vectors, food chains and exposure to risks. EIA typically deals directly with the environmental pathways and the extent to which these are affected by known contaminants, irritants or change inducing factors (e.g. nutrient enhancement or temperature change). The evaluation of effects on these pathways is carried out by reference to accepted standards (usually international) of safety in dose, exposure or risk. These standards are in turn based upon medical and scientific investigation of the direct effects on health of the individual substance, effect or risk. This practice of reliance upon limits, doses and thresholds for environmental pathways, such as air, water or soil, provides robust and reliable health protectors for analysis relating to the environment. Where anxieties about human health are understood to be of particular concern the scope of the EIS ensures that observance of and reliance upon conformity with recognised national and international standards is adequately related to the specific Health and Safety topic that are of local concern.*

In assessing the impact on human beings the overall assessment should clearly demonstrate that people, as individuals or communities, should experience no diminution in their quality of life from the direct or indirect impacts arising from the construction and operation of a development or project. However, there is no requirement within the provisions of the Planning and Development regulations or the EIA guidelines for a developer to produce a 'health' study

or 'health impact assessment' and therefore it would not be consistent with the provisions of the law and Government policy to require one to be produced for application in Wicklow.

With regard to wind energy projects specifically, while consultation with the public is recommended by the Minister in advance of making a formal application, it is made clear that this is not mandatory:

*Planning authorities should encourage developers to engage in public consultation with the local community. While it is not a mandatory requirement, it is strongly recommended that the developer of a wind energy project should engage in active consultation and dialogue with the local community at an early stage in the planning process, ideally prior to submitting a planning application. (Section 4.4, Wind Energy Guidelines, DoECLG).*

Therefore no change is recommended.

4. It is considered that the plan should include a positive statement of support for community wind energy projects.

#### **Chief Executive's recommendation**

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#### **AMENDMENT 86**

##### **Appendix 6 'Wind Energy Strategy', p11**

All applications for wind turbines ~~with a rotor diameter of 50m or less shall include a detailed assessment of shadow flicker impacts on all residences within 500m from any turbine. Applications providing for a rotor diameter in excess of 50m~~ shall include a detailed assessment of shadow flicker on all residences within a minimum radius of 10 times the diameter of the rotor e.g. a wind turbine with a rotor diameter of 65m will be required to carry out an assessment of impacts on all residences within a minimum 650m radius of any turbine.

#### **AMENDMENT 43**

##### **Chapter 9, 'Infrastructure', Section 9.5.3, p192**

**CCE6** To encourage the development of wind energy in accordance with the County Wicklow Wind Strategy and in particular to allow wind energy exploitation in most locations in the County subject to:

- consideration of any designated nature conservation areas (SACs, NHAs, SPAs, SAAOs etc) and any associated buffers;
- impacts on Wicklow's landscape designations;
- impacts on visual, residential and recreational amenity;
- impacts on 'material assets' such as towns, infrastructure and heritage sites;
- consideration of land cover and land uses on or adjacent to the site;
- best practice in the design and siting of wind turbines, and all ancillary works including access roads and overhead cables; and
- ~~Wind farms shall be at least 1,000m from any residential dwellings.~~



**AMENDMENT 45**

**Chapter 9, 'Infrastructure', Section 9.5.3, Wind Energy Objectives, p192**

Add new objective

**CCE9** To support community-based wind energy projects

## PLAN TOPIC: BUILT HERITAGE - ARCHAEOLOGY

| No.  | Name          | Summary of issues raised   |
|------|---------------|--|
| C152 | Roadstone Ltd | <p>This submission refers to Objective BH2 of the draft plan which states:</p> <p><i>"Any development that may, due to its size, location or nature, have implications for archaeological heritage (including both sites and areas of archaeological potential /significance as identified in Schedule 10.01 &amp; 10.02 and Maps 10.01 &amp; 10.02 of this plan) shall be subject to an archaeological assessment. When dealing with proposals for development that would impact upon archaeological sites and/or features, there will be presumption in favour of the 'preservation in situ' of archaeological remains and settings, in accordance with Government policy. Where permission for such proposals is granted, the Planning Authority will require the developer to have the site works supervised by a competent archaeologist."</i></p> <p>It is submitted that the proposed text could be interpreted inflexibly and that the policy should acknowledge that in some scenarios preservation <i>in situ</i> is not possible. In support of this request the following case is made:</p> <p>The National Policy on archaeology is set out in <i>Frameworks and Principles for the Protection of the Archaeological Heritage</i> 1999. The policy states that (section 3.3):</p> <p><i>"Whenever the archaeological heritage is affected, or proposed to be affected, by development the approach to be followed must be preservation in-situ or preservation by record through archaeological excavation and recording."</i></p> <p>In section 3.4, the policy states that there should be a presumption in favour of avoiding developmental impacts on the archaeological heritage and preservation <i>in situ</i> must always be the first option to be considered and must also be presumed to be the preferred option. However, the policy elaborates that requests for authorisation or approval to undertake development which would involve the removal of archaeological sites and monuments can be granted once the relevant bodies and authorities have satisfied themselves that the proposed development:</p> <ul style="list-style-type: none"> <li>(i) cannot be re-located,</li> <li>(ii) cannot be re-designed to avoid removal of the site or monument (or portions of such),</li> <li>(iii) is really necessary.</li> </ul> <p>This approach to the protection of the archaeological heritage is further elaborated in a series of codes of practice in respect of archaeology that have been agreed with the National Roads Authority, Eirgrid, Bord Gais Eireann, Coillte, The Railway Procurement Agency, Iarnrod Eireann, Bord na Mona, ESB Networks and the Irish Concrete Federation.</p> <p>The Irish Concrete Federation (of which Roadstone is a member) and the Department of the Environment Heritage and Local Government agreed a code of practice in respect of archaeology in 2009. In the code of practice (referenced in policy EX4), preservation by record is recognised as an</p> |

|      |                |  |
|------|----------------|--|
|      |                | <p>appropriate mitigation method in certain circumstances.</p> <p>The Code of Practice states that the Minister will:<br/> <i>"Agree that where unexpected archaeological discoveries are made during testing, monitoring of topsoil removal or the operational phase, the most practical method of archaeological mitigation is to excavate and record except where the Minister is of the opinion that the site is of such significance that it should be preserved in situ."</i></p> <p>The Code of Practice states ICF members will:<br/> <i>"Where it cannot be reasonably avoided, excavate and record all known monuments or archaeological sites or parts of such, that are impacted by the construction works, in accordance with agreed methodologies and allow sufficient time for such recording to be carried out to the satisfaction of the Minister."</i></p> <p>It is requested that the text of objective BH2 should be revised as follows:<br/> <i>"Any development that may, due to its size, location or nature, have implications for archaeological heritage (including both sites and areas of archaeological potential /significance as identified in Schedule 10.01 &amp; 10.02 and Maps 10.01 &amp; 10.02 of this plan) shall be subject to an archaeological assessment. When dealing with proposals for development that would impact upon archaeological sites and/or features, there will be presumption in favour of the 'preservation in situ' of archaeological remains and settings, in accordance with Government policy. <b>Although preservation in situ is favoured, preservation by record may be acceptable if this is not possible or feasible.</b> Where permission for such proposals is granted, the Planning Authority will require the developer to have the site works supervised by a competent archaeologist."</i></p> <p>2. Record of Monuments and Places - there are a number of national monuments listed as being located within Roadstone sites at Fassaroe and Arklow. A submission has been made to the National Monuments Section to remove these sites from the Record of Monuments and Places. Should these sites be removed from the list Record of Monuments and Places at a future date, the county development plan should be amended accordingly.</p> |
| C176 | Carmel Vickers | <p>This submission draws attention to the presence of a Dolmen site in Parknasilloge opposite Kilgarron Park in Enniskerry and the necessary protection that this monument should be afforded.</p>   |

### Chief Executive's response

- With regard to Archaeology Objective BH2, the issues raised by Roadstone Ltd are acknowledged; however, it is not recommended to add in the proposed wording to facilitate the removal of such sites/features. The current wording of the objective is not strictly requiring sites/features to remain in situ, the objective states that there will be 'a presumption in favour of the preservation in situ'. Each planning application on a site with a recorded monument or within the buffer of a monument will be assessed on its merits through the development management process in consultation with the Heritage Officer, The Heritage Council, the Arts Council, An Taisce, Bord Failte and the Department of Environment.

- The Record of Monuments and Places is maintained by the National Monuments Service of the Department of Arts, Heritage and the Gaeltacht. It is the responsibility of the NMS to update this record and where there are any changes to the record Wicklow County Council update their database subsequently.
- The Dolmen Site monument at Parknasilloge is on the Record of Monuments and Places. It is just outside the Enniskerry Town Plan area however it is mapped on the Enniskerry Town Plan Heritage Map. (Record No. WI007-021 Megalithic tomb-unclassified). All archaeological monuments are protected by the provisions of the National Monuments Acts 1930-2004. These provisions are reinforced by the archaeological heritage protection policies as set out in the Plan (BH 1 & BH2).

#### **Chief Executive's recommendation**

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No change

(Submissions relating to Avoca Mines and Sloan Terrace, Bray are dealt with separately to follow)

| No. | Name  | Summary of issues raised  |
|-----|---|---|
| C10 | Avoca Tidy Towns                              | The <b>Avoca Courthouse</b> building in Avoca Village needs protection and assistance.  |
| C12 | Barniskey Church Committee                    | Requests that the Council give consideration to adding <b>Barniskey Church</b> to the RPS in order to preserve this historical building   |
| C31 | Deirdre Burke                                 | 1. Submission seeks the addition of ' <b>Tallon's Farm</b> ', Emoclew Road, Arklow to the RPS. It is put forward that this is one of the oldest intact original houses in the area and that the gate posts are from the 17 <sup>th</sup> century.<br>2. Submission seeks the addition of ' <b>Tom Kavanagh's House</b> ', Golf Links, Arklow to the RPS. This is an example of a rural vernacular building.   |
| C57 | Des Davis                                     | The owner makes a submission requesting that his property, the former <b>Pretty Bush National School</b> c. 1950 (RPS 13-18) be removed from the RPS for the following reasons;<br><ul style="list-style-type: none"> <li>- The house is no longer recognisable as a former schoolhouse; the windows, fascia, exterior and roof have been altered in recent years while a previous two story dwelling attached to the property was demolished in 1970's.</li> <li>- It is situated on a busy road that it is proposed to widen at this point and install a footpath. This would cause the boundary wall to be moved back by a metre which would affect the setting of the house.</li> <li>- The house is in poor condition and needs extensive repairs.</li> <li>- Access to the rear of the property is currently restricted by the flat roofed extension.</li> </ul>  |
| C86 | Historic Building Consultants                 | This submission raises the following issues with respect to the RPS:<br>1. With regard to the <b>bridge at Ballyteige</b> (RPS 34-04), the submission asserts that the current text description in the RPS is incorrect as this is not the only 'Jack arch' bridge in County Wicklow (as stated in the RPS). It is also put forward that the current photo used in the RPS is incorrect and should be replaced with a correct one.<br>2. With regard to the <b>Pillar box at Church Road</b> in Greystones, it is put forward that the pillar box on the south western side of Church Road (c. 150m to the south of the junction with Church Lane) is the oldest and rarest letter box in Greystones, being one of a small number of a particular type of 'Anonymous' (without VR cipher) pillar boxes produced between 1879 and 1883. It is suggested that this pillar box be added to the RPS with the following text: 'Anonymous pillar letter box dating from c. 1880.' |
| C91 | Irish Post Medieval Archaeology Group (IPMAG) | The IPMAG states that its role is to highlight and promote the cultural study and protection of post 1550's historical archaeology in Ireland.<br>With regard to the RPS, the following issues are raised<br>1. The group states that all the buildings associated with the Vartry Reservoir in Roundwood are important as an industrial archaeological complex and should be added to the RPS. It is suggested that the following are the 'structures of note' which should be considered for addition to the RPS - a <b>draw off tower</b> constructed c.1865; an iron lattice girder bridge and gate tower, a <b>bell-mouthed overflow shaft</b> , several causeways intersecting the reservoir, facilitating the passage of   |

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|      |                               | <p>roads and a three-arch bridge, known as <b>'Waters Bridge'</b></p> <ol style="list-style-type: none"> <li>It is stated that some, but not all of the buildings associated with the Vartry Reservoir are included on the register of the National Inventory of Architectural Heritage. It is suggested that a full survey should be carried out in order to record each structure associated with the Vartry Reservoir. Such a survey can inform an assessment of the full industrial importance of Vartry Reservoir complex of buildings.</li> <li>IRPMAG recommends that adequate provision is made in the Plan to protect and preserve the buildings associated with the Vartry Reservoir for its historical and archaeological value and future value to the cultural tourism of the region.</li> </ol>  |
| C105 | Stephen Loughran              | <p>The owner of <b>'The Rectory' Annamoe</b> makes a submission to support the proposed deletion of this building from the RPS.</p> <p>In relation to this building he points out that it was erroneously referred to in the RPS as a 'rectory' of construction 1870's, whereas his research has shown that it was built as a doctors dispensary c. 1908. He states that the building has been entirely refitted internally including ceilings, wall plaster, timber joinery and chimneys.</p>   |
| C124 | Gerard Moore                  | <p>This submission relates to <b>Ballykean House</b>, Redcross, which is included in the RPS 30-04.</p> <p>This submission gives a historical description of the background to Ballykean house and traces the evolution of the demesne landscape associated with the house. The submission states that the house and demesne at Ballykean have survived more or less intact for almost 200 years. Comparison between the 1838 Ordnance Survey Map and present day maps and aerial photographs show that the house, its outbuildings, and the layout of the gardens, drives, tree planting and other features within the vicinity of the house are fundamentally unchanged.</p> <p>It is requested that the description of the protected structure, as set out in the RPS, be augmented to include the curtilage and attendant grounds of the house, defined as extending to include the townland of Ballykean (Penrose). This would ensure that the integrity of the 18<sup>th</sup> century demesne and the surviving elements of the 17<sup>th</sup> century demesne would be protected from inappropriate change.</p> |
| C128 | Joanne Neville & Nigel Harper | <p>This submission is from the owners of the <b>former schoolhouse in Roundwood</b> (RPS Ref No. 18-16). The following issues are raised with respect to this structure:</p> <ol style="list-style-type: none"> <li>The wording of the draft Plan should comply with the wording of Part IV of the PDA 2000 (as amended) in relation to the role and purpose of protected structures. The submission states that where 'character' and 'special interest' are referred to, this is at odds with the specific wording of the PDA 2000 and with the 'Architectural Heritage Protection Guidelines for Planning Authorities'. It is suggested that in the interests of consistency with the national legislation, the following text in the Draft Plan (chapter 10 Heritage) be amended as follows:<br/>From :<br/><i>"A 'protected structure' is a structure or a specific feature of the</i></li> </ol>   |

|      |                            |   |
|------|----------------------------|---|
|      |                            | <p>structure as may be specified that a Planning Authority considers to be of special interest from an architectural, historical, archaeological, artistic, cultural, scientific, social or technical point of view”.</p> <p>“The placing of a structure on the RPS seeks to ensure that the character and interest of the structure is maintained and any changes or alterations to it are carried out in such a way as to retain and enhance that character and interest.”</p> <p>“Objective BH 9; To protect the character and special interest of protected structures.”</p> <p>To:</p> <p>“The Record of Protected Structures is for the purpose of protecting structures, or parts of structures, which form part of the architectural heritage and which are of special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest, every development plan shall include a record of protected structures, and shall include in that record every structure which is, in the opinion of the planning authority, of such interest within its functional area”</p> <p>“A ‘protected structure’ is any structure or specified part of a structure, which is included in the RPS”.</p> <p>2. Protected structures should be afforded the same level of policy support in the Draft Plan as they are in the current Wicklow CDP. In this regard, objective BH 10 is welcomed, however it is recommended that the following text from the current CDP 2010-2016 should also be included in the Draft County Development Plan:</p> <p><i>The key to protecting such structures (or groups of structures) is to find ways to protect their physical integrity and maintain their viability. In this regard, there will be presumption in favour of the active use of heritage buildings, even if this means some modern interventions, rather than preserving them forever in the past, which can ultimately result in the structure being unusable and falling into dereliction.</i></p> |
| C137 | Charlie O'Reilly<br>Hyland | Request that the photograph in the RPS of <b>Hollywood House</b> (RPS 24_13) be updated with a more recent image.   |

### Chief Executive’s response

- Part of the former **Avoca Courthouse** building has already been proposed as an addition to the Record of Protected Structures in recognition of its historical significance and in order to afford it greater protection. No action is recommended as this building is already proposed for addition to the RPS. The provision of assistance or funding for protected structure is not within the remit of the County Development Plan.
- **Barniskey Catholic Church** appears to have been built c. 1910 and is a substantial local landmark that contributes positively to the character of the local area. It is recommended to add Barniskey Church to the RPS.
- The submission seeks that **Tallon’s Farm** on Emoclew Road is included on the RPS. It is noted from the historical OS maps that the original house, called ‘Emoclew Cottage’, road-side barn

and farm outbuildings are in place for over 150 years. From a site visit, the structures are unremarkable, in poor condition (apart from the barn which is a relatively modern mid century structure), and not of a scale that would lend them to an economically sustainable reuse in an urban setting. This group of buildings is not included on the National Inventory of Architectural Heritage. The Council does not have any further historical or architectural information available on the special interest or otherwise of these particular structures therefore it is not recommended to be included on the RPS.

- The submission seeks that **Tom Kavanagh's house** in Arklow Golf links is included on the RPS. Following a site inspection it is noted that the structure is of a standard traditional 2 storey residential design from the 19<sup>th</sup> century, with a single storey side extension and a number of small out buildings. It is currently inhabited and in a relatively good state of repair. It is on the edge of the golf links and it would not appear to be under threat from development of the area. It is noted that this building is not included on the National Inventory of Architectural Heritage. The Council does not have any further historical or architectural information available on the special interest or otherwise of this particular structure therefore it is not recommended to be included on the RPS.
- **Pretty Bush National School** (RPS 13-18) appears to have suffered considerable loss of character both through neglect and inappropriate interventions over the years. Very little if any features of special interest remain. The Council is of the opinion that the protection of this structure is no longer warranted and that it should be removed from the RPS.
- The submission on **Ballyteige Bridge** is noted and it is recommended to make the changes to the text description and photo.
- The submission on **Pillar Box** on Church Road, Greystones is noted and it is recommended to add this to the RPS.
- With regard to the submission from the IPMAG:
  - It is noted that Waters Bridge and the Valve Tower (draw off tower) including the iron girder bridge and associated gate tower are included on the NIAH register (16309007 & 16401801 respectively) and rated as regionally important. It is accepted that these features , as well as the bell mouthed overflow shaft and the causeway and other structures associated with the Vartry Reservoir are a unique and significant component of Wicklow's built heritage and are worthy of addition to the RPS.
  - The Council would welcome the carrying out of a comprehensive survey of the features and structures associated with the Vartry Reservoir; however it is not within the remit of the Plan to carry out this survey. It is a stated objective in the Plan (BH7) to support the work of the NIAH and to make this information widely accessible.
  - The Plan acknowledges the presence and significance of features and structures relating to industrial heritage and includes objectives for the protection of these whether or not they are included in the RPS (BH22). Additionally the Plan (BH23) seeks to facilitate access to and appreciation of areas of historical and cultural heritage, through the development of appropriate trails and heritage interpretation, in association with local stakeholders and site landowners, having regard to the public safety issues associated with such sites.
- With regard to '**The Rectory' Annamoe**, the error in the original description of this building is noted. It should also be noted that the proposed deletion of this building from the RPS is not a recommendation of the Chief Executive; it was an agreed Elected Members' amendment to the



proposed draft County Development Plan. The Chief Executive is of the opinion that despite significant internal alterations, this building continues to contribute positively to the local architectural character of Annamoe. It is recommended that this building be re-instated on the RPS, with the description amended and the scope of the protected structure limited to the external features.

- The submission with regard to Ballykean house is noted and it is recommended to amend the current description.
- With regard to the submission from the owners of the former Schoolhouse in Roundwood:
  - the points regarding consistency of wording with the Planning Act and National guidance are noted and agreed in principle. While s.57 of the Planning Act refers to the 'character of protected structures' this is not specifically referenced in relation to the RPS. It is recommended however that the Plan retain a specific objective in relation to the protection of Protected Structures.
  - the points in relation to the active use of protected structures are noted and agreed that inclusion of this text would help to clarify the Council's objectives in relation to this issue.
- With regard to Hollywood House (RPS 24-13) it is recommended to insert the updated photo to replace the existing.

#### **Chief Executive's recommendation**

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All recommendations of the RPS are displayed together at the end of this section.

| No.  | Name                                    | Summary of issues raised  |
|------|---|---|
| C122 | Mining Heritage Trust of Ireland (MHTI) | <p><b>(1)</b> MHTI welcomes the continued inclusion of mining heritage related structures in the RPS however wishes to propose the following additions to the RPS (further information is submitted as an appendix with maps showing locations and curtilage):</p> <ul style="list-style-type: none"> <li>a. Masonry support structures (stanchions) for an endless wire ropeway which was installed to drive pumps in a shaft at Connary mine (power being supplied by a water turbine installed close to the Avonmore River). The stanchions would have carried metal sheave wheels for the wire rope. Four of the stanchions remain. The system is unique in Ireland.</li> <li>b. Foot print of inferred mineral assay office at Cronebane. An assay office was a key part of many mines and at Avoca highly important due to the low and variable grades of copper ores. The curtilage of the building includes buried waste products of the assaying process, especially a large volume of clay crucibles. A boundary stone for the mining sett was also found here which is now displayed in the old Courthouse, Avoca.</li> <li>c. Ochre pits close to Baronet's shaft and at Tigroney. These shallow pits would have been used to precipitate iron oxide from mine waters or water discharged from the copper precipitation works. The ochre pits are stone lined and interlinked with diversion channels so that one pit could be drained and the ochre extracted whilst the other(s) were in operation.</li> <li>d. Engine pool at Connary mine used to store water to feed the boilers of a steam engine. This is an unusual design as it is concrete lined and probably dates from the late C19th. Extant engine pools are rare in Ireland.</li> <li>e. Precipitation launders at Tigroney. These were used in the late C19th to precipitate copper metal from mine waters using scrap iron. A later installation was erected here in the second half of the C20th. Now mostly covered by mine spoil, parts were exposed during 'landscaping' works by Irish Rail.</li> <li>f. Ballymoneen engine house which housed a 22.5" rotative steam engine. Overgrown by ivy and is missing the front wall.</li> </ul> <p><b>(2)</b> MHTI is concerned about the proposed removal of spoil heaps and disturbed ground from the description of mining features on the RPS at Avoca, and makes the following points in relation to this:</p> <ul style="list-style-type: none"> <li>• Spoil and disturbed land is a consequence of mining and an integral part of the historic mining landscape. Removing the spoil and disturbed land by, for example, inappropriate remediation methods would leave any mining structures divorced from their reason for existence and severely damage their visual integrity and cultural authenticity. This is a view is shared by many Government agencies in other countries, especially in the UK. The European Landscape convention, to which Ireland is a signatory, recognises the importance of high quality landscapes and the National Landscape Strategy for Ireland 2015 – 2025 recognise the importance of</li> </ul> |

|  |  |  |
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|  |  | <p>'degraded' landscapes, both of which are likely to be included in the National Landscape Character Assessment.</p> <ul style="list-style-type: none"> <li>• Wicklow County Council already accepts the importance of mining spoil in the draft County Development Plan (Chapter 10: Heritage, page 205): "Much evidence remains at each of these sites of former mining activity in the form of engine houses, machinery, adits, spoil heaps and drainage channels". The removal of mining spoil from the RPS would contradict the value of the above statement.</li> <li>• Spoil and disturbed land associated with mining are also important natural habitats for both flora and fauna. In many cases the mine sites have not be surveyed in detail but we do know that rare bryophytes are found on several sites.</li> <li>• The use of the county for film locations is important for the economy of County Wicklow. Historic mine sites have been used for a number of films and TV productions, including <i>St. Patrick</i>, <i>Reign of Fire</i>, <i>Ballykissangel</i>, <i>The Vikings</i> and <i>Penny Dreadful</i>, to name a few. The loss of visually important sites through the removal of the protection of mine waste could result in a loss of income from the film industry.</li> <li>• Many historic mine sites in County Wicklow are used by artists and none-more so than the Avoca mines. The removal of the protection to mine spoils and degraded lands by delisting from the RPS would threaten their use by artists.</li> <li>• Historic mine sites could have valuable tourism potential, as exemplified by the geologically similar mine site at Parys Mountain in North Wales. Here the local authority has worked with voluntary stakeholders to establish walking trails and self-guided Apps. The MHTI understands that Wicklow County Council is considering a tourism strategy for the Avoca Mines, but the removal of the protection afforded to the sites by delisting the spoil and disturbed land would undermine the strategy before it is put in place.</li> <li>• Mine spoil tips are a valuable source for minerals, especially secondary minerals resulting from the weathering of sulphide ores. Often spoil tips are the only accessible source of minerals from the mined ore bodies and thus are indispensable for many forms of scientific research (geology, mineralogy and physical processes to name a few).</li> <li>• There are inconsistencies with the proposed draft RPS, where mining spoil and disturbed land is excluded from the Avoca mines but retained for other mines, such as Glendalough. The MHTI is concerned that removal of these at Avoca this may set a worrying precedent for historic mines across the country with the consequent loss of their protection.</li> <li>• Whilst it is recognised that in certain circumstances it might be necessary to treat historic mine waste to reduce environmental threats, it must be recognised that mine sites are important 'degraded' landscapes and remedial activities should be sympathetic with their protection where possible. This is best achieved by protecting such sites and allowing for any works on the lands to be assessed under the planning system rather than giving the landowner unrestricted control to do what they like with the sites.</li> <li>• The MHTI believe that the best way to protect mining heritage in the</li> </ul> |
|--|--|--|

|    |                          |   |
|----|--------------------------|---|
|    |                          | <p>county is to list the specific mining structures, their curtilage and associated disturbed lands. Maps are provided showing suggested locations and the boundaries or curtilages and associated land. The MHTI hopes that this list and maps will form the basis of the listing of mining structures on the RPS in the 2016-2022 County Development Plan.</p> <p><b>(3)</b> MHTI notes that during the lifetime of the existing County Development Plan (2010-2016) a number of mining structures on the RPS have experienced degradation that threaten their integrity. Examples include the partial collapse of the old crusher house at Baravore; the future loss of the visual integrity of the crusher houses at Baravore due to the planting of trees; the further collapse of stonework on the crusher house at Hero mine, Glendasan, and unauthorised disturbance of protected spoil at Tigroney mine, Avoca.</p> <ul style="list-style-type: none"> <li>a. Request a specific policy be included in the Heritage chapter of the CDP and that there be more active enforcement by the council especially when structures are in public ownership.</li> <li>b. Recognises that it may not be feasible to visit every structure on the RPS but recommends that a periodic inspection be carried out by the council.</li> </ul> <p><b>(4)</b> County Geological Sites - MHTI welcomes the inclusion of some important Wicklow mining heritage sites on the list of County Geological Sites (CGS), however notes that CGS have not statutory protection. For this reason MHTI recommends that Cronebane and East Avoca pits should also be re-instated as protected structures on the RPS.</p> |
| C9 | Avoca Heritage Committee | <p><b>(5)</b> The Avoca Heritage Committee is concerned about alleged proposals from the Minister for Communications, Energy and Natural Resources to rescind the protected structure status of features relating to mine heritage on the RPS at Avoca. The submission contests the assertions that the mine site is contaminated and hazardous to human health and that the inclusion of spoil heaps on the RPS limits their essential remediation. In support of their position the Avoca Heritage Committee points out the DCENR has authorised TV crews to film on spoil heaps on a number of occasions, most recently for 'The 'Vikings' and 'Penny Dreadful'. The committee further contends that DCENR has been responsible for carrying out unauthorised works at Tigroney which have damaged the archaeology of the site and urges the Council to maintain the protection offered to all the sites on the RPs for their heritage value which plays an important part of the local tourist resource.</p>  |

*Submissions in relation to the Avoca Mines have also been made by the Minister for Communications, Energy & Natural Resources and the Geological Survey of Ireland. While these submissions are addressed in full in Section X of this report, the comprehensive response to the public submission cannot be made unless reference is also made to these submissions.*

#### **Minister for Communications, Energy & Natural Resources**

#### **Issues raised:**

1. The Minister acknowledges the comprehensive Draft Plan. Moreover the Minister wishes to acknowledge the provisions made in the plan as they affect the former Avoca Mining Area, having regard to the detailed submission made in an earlier stage of the process.
2. The Minister suggests the following amendment to the draft plan:  
Objective T32, suggested amendment (new text underlined):  
**T32** To support the development of Avoca Mines as a tourist attraction. The development of a mining heritage centre could incorporate a range of projects incorporating tourism, nature exploitation, scientific and ecological research, adventure, craftwork and environmental projects. Any development shall accord with the principle of sustainable tourist development and shall particularly ensure the preservation and enhancement of mining heritage having regard to the public safety and environmental management issues associated with such sites  
Rationale: The long term realisation of heritage and tourism potential on the site will require cooperation between the Department, Wicklow County Council and the local community. This policy should be amended to reflect that partnership approach. Furthermore, this brings the policy more closely in line with Policy BH23
3. On the related issue of protected structures and the definition of curtilages please note that following on from the Department's submission of August 2015, it is the intention of the Minister to seek Section 57 Declarations with respect to all protected structures in the department's ownership in the coming months. The Minister is not seeking the definition of these at this time.

## Geological Survey of Ireland

### Issues raised:

1. It is requested that under the proposed RPS amendments /additions AMD4, AMD5, AMD6 and ADD6 to ADD16 inclusive, concerning the Ballymurtagh, Connary Upper, East Avoca and Tigrone West Avoca Mine Areas, it be stated that these areas, including the spoil heaps, have been recognized as County Geological Sites (Avoca - Connary, Cronebane, Tigrone East, Tigrone West, West Avoca, Sroughmore) in the CDP and should retain due consideration and protection from inappropriate development.
2. The reason for the amendment under DEL3, Cronebane and East Avoca, that 'These features are included as a County Geological Site in the CDP and afforded more appropriate protection' is duly noted and welcomed.

## Chief Executive's response

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### Geological Survey of Ireland

With regard to the Avoca Mines area generally, these areas are clearly identified in the County Development Plan as 'County Geological Sites' in Schedule 10.10 and Map 10.10. Objective NH25 states that it is an objective of the Council to '*Protect and enhance 'County Geological Sites' (Schedule 10.10 and Map 10.10 of this plan) from inappropriate development at or in the vicinity of a site, such that would adversely affect their existence, or value*'.

However, it is in fact proposed to omit specific reference to the spoil heaps in the RPS following input from the Exploration and Mining Division of the DCENR. It is unclear if the GSI (which falls under the remit of the DCENR) is now seeking for the spoil heaps to be retained as part of the RPS entry. As there appears to be conflicting requests from the two arms of the DCENR, clarification was sought from both the EMD and the GSI. The DCENR has responded by stating '*In relation to the first bullet point the letter from GSI dated of 12th February, DCENR can confirm that it does not support the*

*designation of spoil piles in Record of Protected Structures and therefore supports the proposed amendments to the Record of Protected Structures’.*

### **Minister for Communications, Energy & Natural Resources**

The suggested amendment to Objective T32 is not supported. The rationale put forward for the proposed additional text is totally unrelated to the text suggested, and has nothing to do with partnership and community engagement. The requested text appears to be an attempt to ensure that public safety and environmental management are placed on as high a footing as the heritage and tourism related aspects of the future development of the mine area. It is understood that the Department’s main priority at this time is to address the public health and safety risks and environmental issues associated with the former mine, but heritage protection and future tourism potential are not high priorities. There is a concern that prioritisation of safety and environmental matters could result in the loss of heritage, for example through the removal or capping of mine working, shafts and adits. This is not considered in the best interest of the heritage of the County and therefore no amendment is recommended.

It is noted that the items listed on the RPS at the former mines do not have curtilage defined in the plan and that the Department intends to have the curtilage legally clarified by way of Section 57 declaration in due course. However, on foot of public submission (see below) it is recommended that curtilage of these structures be defined in the RPS.

### **Public submissions**

- (1) The Council is committed to safeguarding structures relating to former mining activity at Avoca, and to working with organisations such as MHTI to record and promote awareness of this aspect of Wicklow’s heritage. The recommendations from MHTI (a - e) regarding the addition of specified mining structures to the RPS are noted and agreed. Regarding recommendation ‘f. *Ballymoneen engine house which housed a 22.5” rotative steam engine. Overgrown by ivy and is missing the front wall*’, this structure is already on the RPS in the CDP, reference 35-02.
- (2) Noted. The Council concurs that the best way to protect mining heritage in the county is through the identification in the RPS of specific structures and their curtilage. The Council welcomes the detailed information provided by MHTI in this regard and proposes to take this information on board in setting out the curtilage of structures on the RPS.
- (3) The enforcement of the provisions of the Planning Acts is carried out by the Council on an ongoing basis as part of its legal remit and subject to available resources. The inclusion of a policy on ‘active enforcement’ is not considered appropriate in a County Development Plan (which is a land use framework, not an operational plan), nor is the singling out of buildings in public ownership. The recommendation regarding the periodic inspection of structures on the RPS is noted, and again is something that the Council undertakes as part of its legal remit and subject to available resources.
- (4) Regarding the reinstatement of Cronebane and East Avoca Pits on the RPS, the significance of these features lies in the naturally occurring geological features - namely the mineralisation and rock sequences that have been exposed due to mining operations in the area. As these are the features of interest it is considered that the designation as a County Geological Site is more appropriate for these areas. The inclusion of sites as County Geological Sites in the CDP affords them protection through the development management role of the Council.
- (5) Noted. The Council is committed to safeguarding the structures relating to mining heritage at Avoca which contribute to the local heritage resource and tourist potential.

### **Chief Executive’s recommendation**

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All recommendations of the RPS are displayed together at the end of this section.

**PLAN TOPIC: No. 1 & 2, SLOAN TERRACE, BRAY (PROPOSED ADDITION TO RPS)**

| No.  | Name            | Summary of issues raised  |
|------|-----------------|---|
| C61  | David Doolin    | These 8 submissions are all in support of the proposed addition of No.'s 1 and 2 Sloan Terrace to the RPS, which are recommended in the NIAH. The following points are made; Sloan Terrace dates from c. 1880 and is a fine example of Victorian architecture. The houses have been in the same ownership for up to 80 years and together with the curtilage remain very much original to the period. In particular, the highly decorative wrought iron gates and railings are one of the finest remaining examples of Victorian ironmongery in the Bray area.<br><b>Note</b> - C115 Hilary Martin is the owner of No. 2 Sloan Terrace. |
| C112 | Tina Maher      |   |
| C115 | Hilary Martin   |   |
| C123 | Joseph Mooney   |   |
| C173 | Vincent Tighe   |   |
| C175 | Roisin Venables |   |
| C177 | Mary Wafer      |   |
| C181 | Tim Walsh       |   |
| C116 | Maurice Martin  | These two submissions are from the co-owners of No. 1 Sloan Terrace. They object to the proposed addition of this property on the RPS for the following reasons; the building has been neglected for over 40 years and is currently in a very dilapidated state and suffers from wet rot, dry rot and subsidence. The current owners have recently inherited the property and have no available funds to renovate it. It is their intention to sell the property and they are concerned that Protected Structure status may hinder this sale.   |
| C117 | Noel Martin     |   |

**Chief Executive's response**

With regard to No.'s 1 & 2 Sloan Terrace, the points made regarding the features of special interest of numbers 1 & 2 Sloan Terrace are noted, namely with regard to the significance of the surviving Victorian facades, railings and decorative ironwork. Numbers 1 & 2 Sloan Terrace have been given a rating of 'regional significance' in the NIAH, with the following appraisal put forward for each: *One of a pair of well preserved houses which has retained much of its original character. A very typical design which adds greatly to the 19th-century streetscape.*

The alleged dilapidated state of No. 1 is noted. It is apparent however, that regardless of the internal condition of the building, its front facade and setting, along with the associated front railings, gate and pillars and decorative iron work contribute positively to the streetscape, and together with the neighbouring house (number 2) are an important component of Bray's architectural heritage and worthy of preservation. It is recommended that numbers 1& 2 be added to the RPS as proposed, but that the description be amended to restrict the scope of the protected structure to the front facade and enclosed gardens only.

**Chief Executive's recommendations RPS**

**AMENDMENT 83**

**RPS 1**

Add Barniskey Church to the County RPS.

**RPS 2**

Delete Pretty Bush Former National School from the County RPS (Ref. No. 13-18).

**RPS 3**

Amend Ballyteige Bridge on the County RPS.

Amend text

**From:** RPS 34-04: Ballyteige Bridge, North-west of Aughrim, Bridge Ballyteige Td. The only jack-arch bridge in County Wicklow,

**To:** 'RPS 34-04 : Ballyteige Bridge, North-west of Aughrim , Bridge Ballyteige Td. Jack-arch bridge and insert correct photo.

#### **RPS 4**

Add Pillar Box at Church Road, Greystones to the RPS with the following text description: *Anonymous pillar letter box dating from c. 1880.*

#### **RPS 5**

Add Waters Bridge, Vartry Reservoir, Roundwood to the County RPS (NIAH Ref 16309007)

Description: Three-arch road bridge, set within a long causeway spanning the Lower Vartry Reservoir, and two wrought iron gateways with piers at each end. The bridge is in rock-faced granite constructed c.1868. The causeway is battered and has rubble-built parapets with rough rounded coping. Architectural, historical and technical interest.

#### **RPS 6**

Add Valve Tower, Vartry Reservoir, Roundwood to the County RPS (NIAH Ref 1640180)

Description: Stone-built 'valve' tower, iron girder bridge and tower-like gateway sited within the Vartry Reservoir, constructed c.1865. The valve tower was built to give access to underground draw-off pipes, which stretch from the reservoir itself through a dam to the treatment plant on the other side.

#### **RPS 7**

Add Bell Mouthed Overflow Shaft, Vartry Reservoir, Roundwood to the County RPS.

Description: Bell Mouthed Overflow Shaft, Vartry Reservoir, constructed in ashlar granite to facilitate the movement of excess water from the lower reservoir. Diameter of 72ft and dept of 39ft. Architectural, historical and technical interest.

#### **RPS 8**

Amend The Rectory, Annamoe on the County RPS, to limit description to external features of building.

#### **RPS 9**

Amend Sloan Terrace on the Bray RPS.

#### **RPS 10**

Amend Ballykean House description on the County RPS

#### **RPS 11**



Amend Hollywood House photo on the County RPS.




**RPS 12**

Amend and add structures to the Avoca Mines RPS on the County RPS.

**RPS 13**




Define curtilages of the protected structures at Avoca Mines (as set out in the maps to follow).

Amend the Record of Protected Structures as follows:



| Amd No. | Ref.                        | NIAH Ref | Building Address                              | Structure                         | Townland               | Description   | Photograph   |
|---------|-----------------------------|----------|---|-----------------------------------|------------------------|---|--|
| RPS 1   | County RPS XX-XX            | n/a      | Barniskey Catholic Church                     | Church                            | Barranisky West Td     | T- Shaped, single story Roman Catholic Church built c. 1910 with natural slate roof and porch extension to front.   |   |
| RPS 2   | <del>County RPS 13-18</del> | n/a      | <del>Pretty Bush Former National School</del> | <del>School, now a dwelling</del> | <del>Knockroe Td</del> | <del>A small National School of circa 1950. The building is gable-ended with painted, rough cast walls, a flat-roofed porch at the north end and five windows to the front.</del> |  |
| RPS 3   | County RPS 34-04            | n/a      | Ballyteige Bridge North-west of Aughrim       | Bridge                            | Ballyteige Td          | <del>The only</del> Jack-arch bridge <del>in County Wicklow</del>   |   |
| RPS 4   | County RPS XX-XX            | n/a      | Pillar Box, Church Road, Greystones.          | Post Box                          | Rathdown Lwr Td        | Anonymous pillar letter box dating from c. 1880   |  |

|              |                  |          |   |  |               |  |   |
|--------------|------------------|----------|---|--|---------------|--|---|
| <b>RPS 5</b> | County RPS XX-XX | 16309007 | Waters bridge, Vartry Reservoir, Roundwood.               | Road bridge  | Togher Mor Td | Three-arch road bridge, set within a long causeway spanning the Lower Vartry Reservoir, and two wrought iron gateways with piers at each end. The bridge is in rock-faced granite constructed c.1868. The causeway is battered and has rubble-built parapets with rough rounded coping. Architectural, historical and technical interest |    |
| <b>RPS 6</b> | County RPS XX-XX | 16401801 | Valve Tower, Vartry Reservoir, Roundwood.                 | Stone-built 'valve' tower, iron girder bridge and tower-like gateway | Togher Mor Td | Stone-built 'valve' tower, iron girder bridge and tower-like gateway sited within the Vartry Reservoir, constructed c.1865. The valve tower was built to give access to underground draw-off pipes, which stretch from the reservoir itself through a dam to the treatment plant on the other side                                       |    |
| <b>RPS 7</b> | County RPS XX-XX | n/a      | Bell Mouthed Overflow Shaft, Vartry Reservoir, Roundwood. | Overflow Shaft   | Togher Mor    | Constructed in ashlar granite to facilitate the movement of excess water from the lower reservoir. Diameter of 72ft and dept of 39ft. Architectural, historical and technical interest.  |   |
| <b>RPS 8</b> | County RPS 18-11 |          | The Rectory, House, Annamoe                               | House  | Drummin       | Three- bay, two-storey house c. 1908 built originally as a dispensary. <del>of circa 1870</del> with Cement-rendered walls, inset doorcase with round-headed arch, half-hexagon bows on the ground floor, paired, round-headed windows and a triple, round-headed window on the first floor. External features only.                     |  |

### SECTION 3.3

|               |                   |          |                                    |                                 |               |   |   |
|---------------|-------------------|----------|------------------------------------|---------------------------------|---------------|---|---|
| <b>RPS 9</b>  | RPS XX-XX         | 16301032 | 2 Sloane Terrace, Meath Road, Bray | House                           | Bray Td       | <p><b>Front facade of house and railings.</b> Semi-detached two-storey house, built c.1880 with slate roof and timber sash, one over one windows. The front door is timber panelled, flanked by pilasters with a semi circular fanlight above. The house is slightly set back behind decorative wrought-iron railings which sit on a low rendered wall. This is one of a pair of well preserved houses, the front facade of which remains very much intact and is of special interest. <del>which remains very much intact.</del> A very typical design which adds greatly to the 19th-century streetscape.</p> |   |
| <b>RPS 9</b>  | County RPS XX-XX  | 16301033 | 1 Sloane Terrace, Meath Road Bray  | House                           | Bray Td       | <p><b>Front facade of house and railings.</b> Semi-detached two-storey house, built c.1880 with slate roof and timber sash, one over one windows. The front door is timber panelled, flanked by pilasters with a semi circular fanlight above. The house is slightly set back behind decorative wrought-iron railings which sit on a low rendered wall. This is one of a pair of well preserved houses, the front facade of which remains very much intact and is of special interest. <del>which remains very much intact.</del> A very typical design which adds greatly to the 19th-century streetscape</p>  |    |
| <b>RPS 10</b> | County RPS 30 -04 |          | Ballykean House                    | Country House & Demesne Grounds | Ballykeane Td | <p>A fine, late-18th Century house with two storeys at the front and three storeys at the rear. The façade is of five</p>   |   |

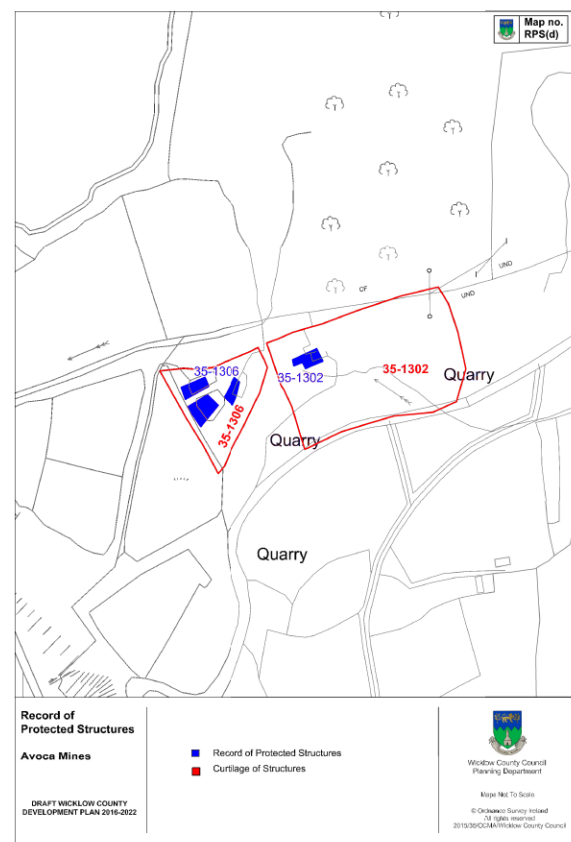
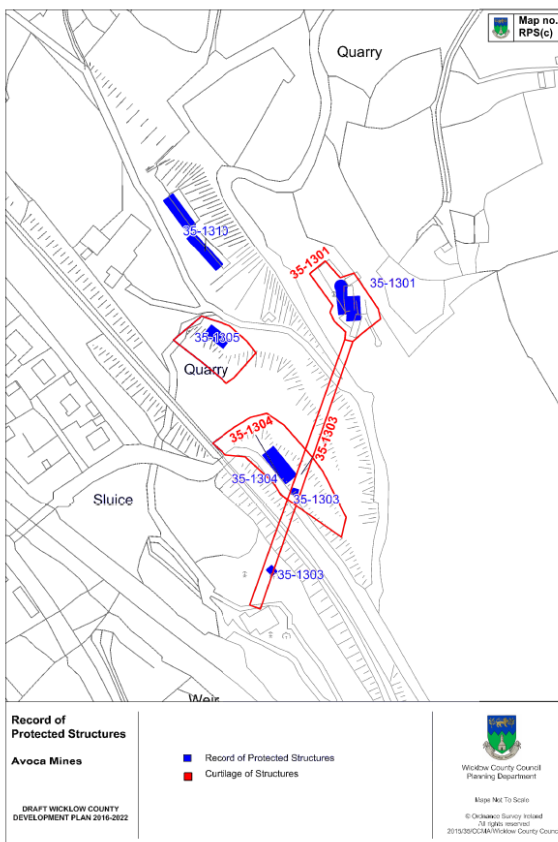
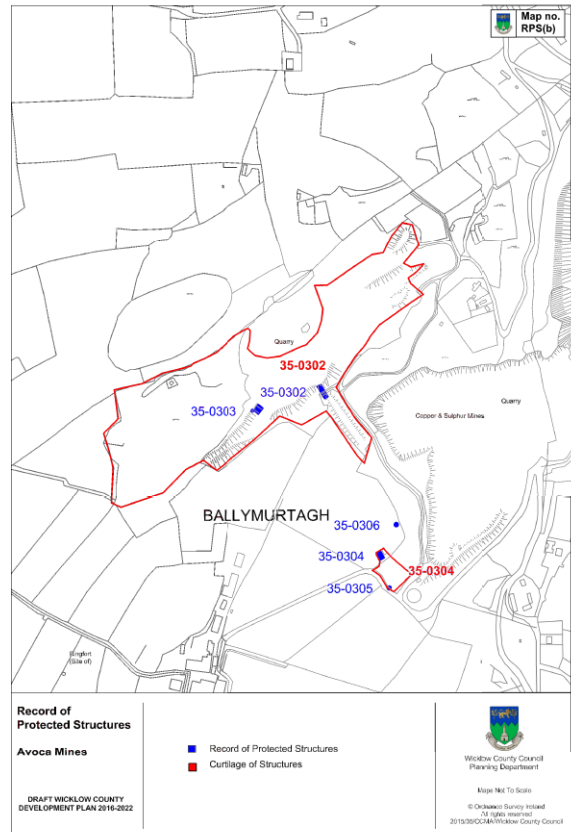
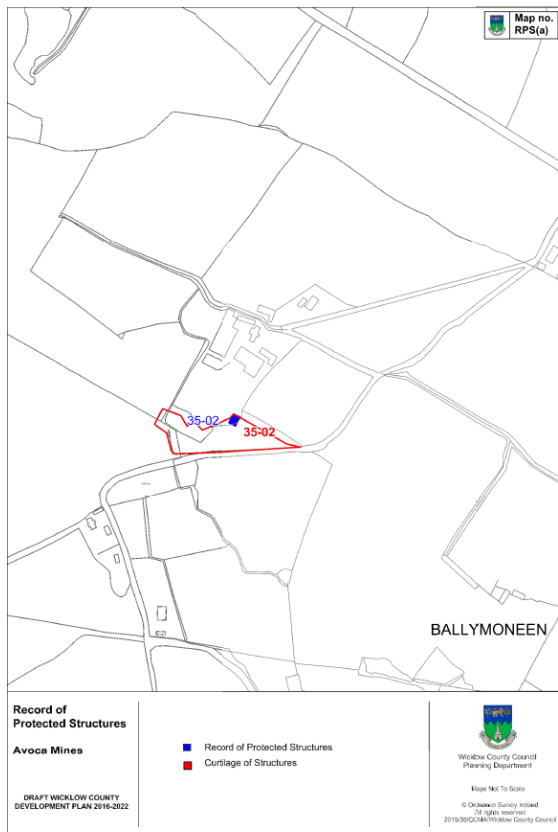
### SECTION 3.3

|               |                    |  |                           |  |                 |  |   |
|---------------|--------------------|--|---------------------------|--|-----------------|--|---|
|               |                    |  |                           |  |                 | bays and two storeys with rough-cast walls and parapet, handsome round-headed doorcase with side lights in cut stone, delicate leaded lights. The demesne grounds include the original outbuildings, the historically designed landscape and field boundaries and the straight tree lined stretch of road that runs from the R754 in a north west direction. <del>—and sash windows with Georgian panes.</del> |                                    |
| <b>RPS 11</b> | County RPS 24-13   |  | Hollywood House, Glenealy | Country House                                | Ballydowling Td | A late-18th Century house of five bays and two storeys with 19th Century plaster enrichments. It has a pedimented breakfront with a tetrastyle, ionic porch, lined and rendered walls, architraves to the windows, a wide doorcase with sidelights and a Wyatt window over the porch. There is a full-height bow on the right-hand return façade.  |  <p>(Note This is a new Photo)</p> |
| <b>RPS 12</b> | County RPS 35-0701 |  | Sroughmore, Avoca         | Four masonry support structures (stanchions) | Sroughmore Td   | Support bases for footprint of an Ariel wire ropeway which extended from the Avonmore river to Connary. The rope was driven by a water turbine and operated pumps at Connary. The stanchions would have carried metal sheave wheels for the wire rope. Four of the stanchions remain. The system is unique in Ireland.   |   |
| <b>RPS 12</b> | County RPS 36-1308 |  | Tigrone East, Avoca       | Footprint of Assay House                     | Tigrone East Td | Foot print of inferred mineral assay office at Cronebane. The curtilage includes the surrounding area  |   |

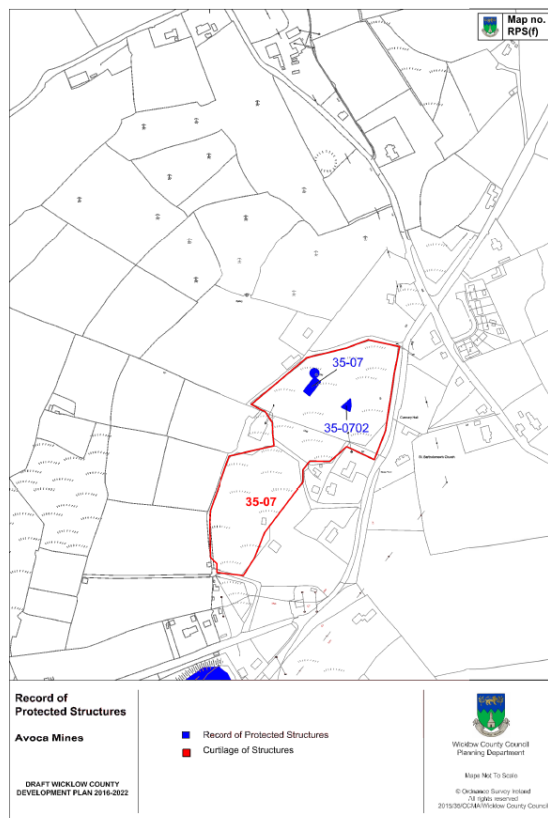
### SECTION 3.3

|               |                    |  |                      |                          |                  |   |  |
|---------------|--------------------|--|----------------------|--------------------------|------------------|---|--|
|               |                    |  |                      |                          |                  | containing archaeological artefacts such as assay crucibles and a mineral sett boundary stone.  |  |
| <b>RPS 12</b> | County RPS 35-1306 |  | Tigroney West, Avoca | Ochre precipitation pits | Tigroney West Td | A series of linked pits used for the precipitation of ochre (iron oxide) from mine waters and oxidised ores. Ochre pits close to Baronets shaft and at Tigroney. The ochre pits are stone lined and interlinked with diversion channels so that one pit could be drained and the ochre extracted whilst the other(s) were in operation. |  |
| <b>RPS 12</b> | County RPS 35-0702 |  | Sroughmore, Avoca    | Engine Pool              | Sroughmore Td    | Triangular shaped concrete lined engine pool which acted as a reservoir for a steam engine at whim shaft, Connary. This is an unusual design and probably dates from the late C19th. Extant engine pools are rare in Ireland.   |  |
| <b>RPS 12</b> | County RPS 35-1305 |  | Tigroney West, Avoca | Precipitation launders   | Tigroney West Td | Areas of partially exposed copper precipitation launders at Tigroney. The Tigroney mine was one of the pioneers of copper precipitation in the 18 <sup>th</sup> & 19 <sup>th</sup> centuries.   |  |

## RPS 13 - curtilages of the protected structures at Avoca Mines









## **AMENDMENT 49**

### **Section 10.2 Built Heritage**

#### **Section 10.2.3 Architectural Heritage**

##### **Record of Protected Structures**

Amend the paragraph text in chapter 10 'Record of Protected Structure' as follows:

~~Part IV of the Planning & Development Act requires every development plan to include a record of protected structures (RPS). A 'protected structure' is a structure or a specific feature of the structure as may be specified that a Planning Authority considers to be of special interest from an architectural, historical, archaeological, artistic, cultural, scientific, social or technical point of view.~~

A 'protected structure' is any structure or specified part of a structure, which is included in the RPS. The purpose of the RPS is to protect structures, or parts of structures, which form part of the architectural heritage and which are of special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest. Every development plan shall include a record of protected structures, and shall include in that record every structure which is, in the opinion of the planning authority, of such interest within its functional area.

The placing of a structure on the RPS seeks to ensure that the character and interest of the structure is maintained and any changes or alterations to it are carried out in such a way as to retain and enhance that character and interest. The inclusion of a structure in the RPS confers certain responsibilities upon the owner of the structure and requires that planning permission be sought for any changes or alterations to the structure. The definition of a 'structure' or 'a specified part of a structure' for the purpose of the RPS includes "the interior of the structure; the land lying within the curtilage of the structure; any other structures lying within the curtilage of that structure and their interiors; and all fixtures and features which form part of the interior or exterior of the structure". From the date of notification of an intention to include a structure in the RPS, the owner has a duty to protect that structure from endangerment. The Council may, on receipt of a written request from the owner or occupier of a protected structure, issue a declaration under Section 57 of the Planning and Development Act 2000 (as amended), outlining certain works it considers would not materially affect the character and interest of the protected structure and which are, therefore, exempted from the requirement for planning permission. Any works that would materially affect the character and interest of a structure require planning permission. In general works to a protected structure should comply with the guidelines as set out in the Architectural Heritage Protection Guidelines from the Department.

The key to protecting such structures (or groups of structures) is to find ways to protect their physical integrity and maintain their viability. In this regard, there will be presumption in favour of the active use of heritage buildings, even if this means some modern interventions, rather than preserving them forever in the past, which can ultimately result in the structure being unusable and falling into dereliction.

The Wicklow RPS for the County is set out in the Appendix to this plan. The County Wicklow RPS also includes all structures currently listed within Bray Town Development Plan, Wicklow Town –Rathnew Development Plan and the Arklow Town and Environs Development Plan. The policies and objectives set out in this County Plan shall apply to all protected structures in these local plans.

## **AMENDMENT 50**

### **Section 10.2 Built Heritage**

#### **Section 10.2.3 Architectural Heritage**

##### **Record of Protected Structures**

Amend the wording of the Record of Protected Structure Objective BH9 as follows:

To ~~protect the character and special interest of protected structures~~ ensure the protection of all structures (or parts of structures) contained in the Record of Protected Structures.

**PLAN TOPIC: BUILT HERITAGE - ARCHITECTURAL HERITAGE - ARCHITECTURAL CONSERVATION AREAS (ACAs)**

| <b>No.</b> | <b>Name</b>               | <b>Summary of issues raised</b>  |
|------------|---------------------------|--|
| C190       | Wicklow Planning Alliance | Bray has the potential to be the most beautiful town in the County. It has a stunning location extensive promenade and several terraces of architectural significance and character. It is astounding that it has no Architectural Conservation Areas. |

**Chief Executive's response**

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It is agreed that Bray has the potential to be the most beautiful town in the County. The current Bray Town Plan has identified two areas *to be considered as* ACAs, Sidmonton Square and King Edward Road; however there are no adopted ACAs within the plan area. As set out in objective SS6 of the draft plan, a new Local Area Plan will be prepared for the Bray Municipal District Area following the adoption of this County Development Plan. During this plan preparation process, the areas identified to be considered as ACAs, along with the promenade and others areas of significant architectural character, will be considered for designation as ACAs.

**Chief Executive's recommendation**

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No change

**PLAN TOPIC: NATURAL HERITAGE AND LANDSCAPE - WOODLANDS, TREES AND HEDGEROWS**

| No.  | Name                                     | Summary of issues raised  |
|------|--|---|
| C170 | Sugarloaf Crescent Residents Association | The Sugarloaf Crescent Residents Association is seeking a preservation order for a large tree located in the Temple sports field close to their estate. The submission states that the tree is the last remaining mature tree present, the other having been felled a number of years previously. It is stated that the tree is in land owned by the Meath Estate which is leased to Bray MD and in turn sublet to Wolf Tone & District Youth Club.   |
| C187 | Ian & Michelle White                     | <p>The owners of 36 Ledwidge Crescent wish to have a tree, located in their garden, which is one of a group of trees subject to a Tree Preservation Order, removed from the TPO for the following reasons:</p> <ol style="list-style-type: none"><li>1. The building works currently underway, next door at St. Peter's Primary School will cause damage to the tree, and possibly the tree has already been damaged.</li><li>2. It is their opinion that the tree is too large to remain close to a residential house and a school and that it casts too much shade on their house and also causes a nuisance in relation to clearing up dead leaves from their garden.</li><li>3. The tree due to its size creates a shelter for anti social behaviour.</li><li>4. The removal of this tree would not affect the amenity value of the TPO area given that there are other trees located in the communal area.</li></ol> |

**Chief Executive's response**

- There is provision in the Planning and Development Act (s. 205) to make Tree Preservation Orders in the interests of amenity or the environment, for individual trees or groups of trees considered worthy of preservation. The tree in the Temple sports field is a large oak tree that upon visual inspection would appear to be in fair condition. The urban setting, and location within a playing field which is readily visible from neighbouring houses, enhances the amenity value of this tree. It is acknowledged that this tree is worthy of a Tree Preservation Order (TPO). However the Planning Act does not allow for a TPO to be made through the Development Plan process as Section 205 of the Planning Act has its own separate process. It is recommended to consider this issue during the preparation process for the Bray Municipal District Local Area Plan, which is due to commence following the adoption of the County Development Plan.
- It is Council policy to protect trees, in particular native and broadleaf species, which are of conservation, and/or amenity value. The tree in the garden of 36 Ledwidge Crescent is a large oak, one of several in the group of TPO trees here that would appear to have been planted historically in a formal arrangement, at least one century prior to the construction of the neighbouring houses in this estate. All construction works in the vicinity of TPO's and other trees is required to have cognisance of potential impacts upon neighbouring trees and therefore the assertion that damage has or is likely to have been caused to this tree can only be taken as speculative. The points regarding the overshadowing of natural light and nuisance caused by dead leaves are noted but not considered adequate justification to cease the protection of this tree.

**Chief Executive's recommendation**

No change

| No.  | Name                                    | Summary of issues raised   |
|------|---|--|
| C122 | Mining Heritage Trust of Ireland (MHTI) | <p>With regard to County Geological Sites:</p> <p><b>a.</b> Some of the sites in the CGS have been recommended as candidate Geological Natural Heritage Areas (namely Hero mine Glendasan and the Glendalough mines) in the geological audit report (<i>The Geological Heritage of County Wicklow: An audit of County Geological Sites in Wicklow by Meehan et al, 2014</i>). It is recommended that this should be acknowledged in Chapter 10 of the Plan.</p> <p><b>b.</b> Suggests that the Avoca mines collectively (currently a CGS) should be a candidate Geological Heritage Area for the following reasons; the most extensive mine site in Ireland; unique exposures of volcanogenic sulphide mineralisation and excellent site for geological research; site of many rare minerals including Kilmacoite ("silver-blende" or "bluestone"), a combination of silver, lead, and zinc ores; excellent cross section of supergene or gossan zone of oxidised orebody, the best example in Ireland; high probability of rare acid loving extremophile lifeforms in the underground workings. These lifeforms are valuable species for research in connection with the development of life on Earth and on other planets.</p> |

#### Chief Executive's response

(a) The Council notes that a total of 25 County Geological Sites are considered to be of national importance as best representative examples of particular geological formations or features (as per *The Geological Heritage of County Wicklow: An audit of County Geological Sites in Wicklow* by Meehan et al, 2014). They have been provisionally notified to the National Parks and Wildlife Service (NPWS) by the GSI and recommended for designation as Natural Heritage Areas (NHAs) once due survey and consultation with landowners is complete. In the interests of clarity those sites recommended as candidate Natural Heritage Areas (cNHAs) should be indicated on Schedule 10.10 'County Geological Sites' in Chapter 10.

(b) The Avoca Mines collectively are already recommended in *The Geological Heritage of County Wicklow: An audit of County Geological Sites in Wicklow* by Meehan et al, 2014 as candidate NHAs.

#### Chief Executive's recommendation

#### AMENDMENT 54

Revise schedule 10.10 (as below) to indicate those County Geological Sites which are recommended as geological NHAs, i.e. Candidate NHA (cNHA)

#### Schedule 10.10 County Geological Sites

|    | Site Name                       | Site Description   | Recommended candidate NHA | Geological Feature  |
|----|---------------------------------|--|---------------------------|---|
| 1  | Powerscourt Waterfall           | A large corrie with a notable waterfall in the corrie backwall                                       |                           | Important for both the glacial feature and for the rocks influence in forming the waterfall       |
| 2  | Bray Head                       | Coastal headland with extensive natural exposure and sea cliffs, plus railway cuttings               | •                         | The Cambrian trace fossils found on Bray Head are a type locality for some species, and important |
| 3  | Greystones Beach                | A 2 km long coastal section exposing several units of glacial till                                   | •                         | A particularly impressive exposure into deep glacial tills, with several unique elements exposed  |
| 4  | Rocky Valley                    | This site comprises a very small, disused quarry on side of the Rocky Valley                         | •                         | Palynological data provide the most reliable age so far obtained for the Bray Group rocks         |
| 5  | Slieveroe lane and rail cutting | A lane and a short section of railway cutting  | •                         | Graptolite fossils from black slates and a rich assemblage of brachiopods and trilobites          |
| 6  | Mottee Stone                    | A large erratic boulder, perched at approximately 250m above sea level on a prominent hill           |                           | An important site in terms of imagining the power of glaciation                                   |
| 7  | Powerscourt Deerpark Cave       | A small cave, which may have been enlarged by excavation, within a stream bed                        | •                         | This cave is the only known natural cave in Wicklow   |
| 8  | Avoca - Connary                 | Connary mine site is on high ground surrounded by rolling farmland and private dwellings             | •                         | Mining last took place in Connary in the 19th Century; subsequently, open shafts were capped      |
| 9  | Avoca - Cronebane               | Cronebane is centred on Cronebane open mine pit  | •                         | The site covers the area of the 19th-century Cronebane mine site, of which little remains         |
| 10 | Avoca - Tigroney East           | A narrow site containing a deep open pit, as well as extensive mine-waste covered ground             | •                         | Tigroney East was the site of intensive mining in the 18th, 19th, and the 20th century            |
| 11 | Avoca - Tigroney West           | This site includes a flat area and a steep, partly wooded section hosting huge volumes of mine waste | •                         | Tigroney West contains the largest and best-preserved engine house at Avoca                       |
| 12 | Avoca - West Avoca              | West Avoca occupies a hillside site above the Avoca River and a large grassy site on the river bank  | •                         | The West Avoca site incorporates two major 19th-century mine sites, Ballygahan and Ballymurtagh   |
| 13 | Glendasan - St. Kevins          | St. Kevin's mine site is on the north bank of the Glendasan River                                    |                           | The St. Kevin's site is unusual in Glendasan as it was the focus of extensive 20th-century mining |
| 14 | Glendasan - Foxrock             | Foxrock mine site is located on the north side of the Glendasan River                                |                           | The Foxrock site is one of the most prominent mine sites in the Glendasan valley                  |

### SECTION 3.3

|        |                           |   |   |  |
|--------|---------------------------|---|---|--|
| 1<br>5 | Glendasan -<br>Hero       | The site, in two parts, is on the south bank of the Glenealo River                                  | • | This is one of the best preserved and studied 19th-century ore processing sites in the country       |
| 1<br>6 | Glendasan -<br>Ruplagh    | The site is spread over an area in excess of 8 hectares in moorland                                 |   | The Ruplagh site is the western-most mine site in the Glendasan valley                               |
| 1<br>7 | Glendasan -<br>Luganure   | The site comprises two 19th century mine sites on the northern slopes of Camaderry Mountain         |   | The Luganure–Hawkrock site is one of the most substantial 19th century mine sites in the valley      |
| 1<br>8 | Ballyknockan<br>Quarries  | Inactive granite quarries are surrounded by a dispersed village                                     |   | The economic importance of the stone quarrying industry to the growth of Dublin was significant      |
| 1<br>9 | Glasnamullen              | A long stream section with rock exposures in the bed and banks                                      |   | The site is a rare piece of evidence of faulting in eastern Ireland from the Miocene                 |
| 2<br>0 | Athdown<br>Moraine        | The Athdown Moraine is a large body of sands and gravels deposited at the end of the last Ice Age.  |   | The Athdown Moraine includes a distinctive hummocky topography at Athdown                            |
| 2<br>1 | Blessington<br>Delta      | A large accumulation of sands and gravels which has been quarried extensively                       | • | A high, striking example of a dry sand and gravel ridge, standing proud of the surrounding landscape |
| 2<br>2 | Britonstown               | Two interlocking glacial meltwater channels, formed by water escaping from Glacial Lake Blessington |   | A site with good teaching potential on glacial meltwater erosion, as the feature is accessible       |
| 2<br>3 | Dunran<br>Channel         | A deep channel that was formed by meltwater erosion on the eastern flank of the Wicklow Mountains   |   | The Dunran channel is up to 80m deep and has a U-shaped profile, typical of meltwater channels       |
| 2<br>4 | Enniskerry<br>Delta       | A large accumulation of sands and gravels which has been quarried extensively historically          |   | An excellent example of a deglacial, ice marginal, meltwater-deposited feature                       |
| 2<br>5 | Glen Of The<br>Downs      | A deep channel that was formed by meltwater erosion on the northeastern flank of the mountains      | • | The Glen of the Downs is considered to have formed completely in the late-glacial Period             |
| 2<br>6 | Glenmacnass<br>Valley     | The Glenmacnass Valley is a deep glacial valley in the central Wicklow Mountains                    | • | A stunning example of a glaciated U-shaped valley, with steep sides, a flat floor, and a waterfall   |
| 2<br>7 | Glenmalure                | The Glenmalure valley is one of the longest glacial valleys in the country                          | • | The Glenmalure mines are of interest as the oldest of the lead mines along the edge of the granite   |
| 2<br>8 | Lough Ouler               | Lough Ouler rests within a deep glacial corrie, situated in the centre of the Wicklow Mountains     |   | This is a fine example of a corrie, with bounding moraine feature                                    |
| 2<br>9 | Woodenbridge<br>Wellfield | The Woodenbridge Wellfield is the public water supply source for the Arklow area                    |   | These are very productive bored wells which are among the top-yielding wells in the country          |
| 3<br>0 | Lough<br>Nahanagan        | Lough Nahanagan rests within a deep glacial corrie, situated in the                                 | • | The post-glacial period in Ireland is called the Nahanagan Stadial following dating of               |

### SECTION 3.3

|        |                                       |   |   |  |
|--------|---------------------------------------|---|---|--|
|        |                                       | centre of the Wicklow Mountains   |   | the moraines   |
| 3<br>1 | Manger-Saundersgrove                  | The Manger-Saundersgrove site includes a number of elevated fields under pasture                    |   | The fields comprise a 'delta' feature composed of deep glaciofluvial and glaciolacustrine sediments  |
| 3<br>2 | Snugborough                           | A deep hollow along a hedgerow, which separate two fields, which is a 'pingo rampart'               |   | The feature is an excellent example of a periglacial feature, formed in permafrost                   |
| 3<br>3 | Tober Demesne                         | A spring emerges from deep glaciofluvial gravels and flows into a man-made 'fish pond' feature      |   | One of the largest springs in County Wicklow   |
| 3<br>4 | Toor Channel                          | A deep channel formed by meltwater erosion on the northwestern flank of the Wicklow Mountains       | • | The Toor Channel is up to 40m deep and has a U-shaped profile, typical of meltwater channels         |
| 3<br>5 | Glen Ding                             | A deep channel formed by meltwater erosion on the northwestern flank of the Wicklow Mountains       |   | Glen Ding is up to 50m deep and has a U-shaped profile, typical of meltwater channels                |
| 3<br>6 | Upper Lockstown Delta and Kings River | A large accumulation of sands and gravels which has been quarried extensively                       | • | This is an excellent example of a deglacial, ice marginal, meltwater-deposited feature               |
| 3<br>7 | Wicklow Service Area                  | This is a long cutting behind a new Motorway Service Station  |   | This fresh and large exposure of Bray Group rocks gives a detailed picture of rock structure         |
| 3<br>8 | Aughrim Quarry                        | The site consists of two abandoned quarries cut into the western side of a hill                     |   | The quarries at Tinnakilly are among the best exposures of a certain suite of minor granitoids       |
| 3<br>9 | Avoca - Sroughmore                    | The Sroughmore site is a hillside pasture field on the northwestern side of the Connary mine site   | • | Sroughmore contains two concrete structures that are the remains of a 19th-century aerial ropeway    |
| 4<br>0 | Ballydonnell                          | The Ballydonnell floodplain occupies the floor of one of three basins that make up the Upper Liffey |   | One of the best sites in Wicklow for studying environmental change since the last ice age            |
| 4<br>1 | Ballyrahan Quarry                     | A small long-abandoned quarry developed in a minor granitoid intrusion                              |   | The site contains the best exposure of microtonalite; unique tungsten-tin mineralization in Wicklow  |
| 4<br>2 | Camaderry Appinite                    | Extensive, large-scale outcrops on the upper part of the southern face of Camaderry Mountain        |   | The site provides excellent exposure in the most significant appinite intrusion in southeast Ireland |
| 4<br>3 | Glendalough                           | A deep glacial valley in the central Wicklow Mountains, including mining sites within               | • | A superb example of a glacial valley; the many, accessible mine features add considerable interest   |
| 4<br>4 | Cloghleagh Mine                       | A small, probably quarried, escarpment of rock includes a small mine adit                           |   | The site contains a fault zone with minerals which can be seen close up in the buttress of rock      |
| 4<br>5 | Devil's Glen                          | A deep ravine, oriented east-west, bounded by woodland, and stretches a distance of almost 3km      |   | The location has good potential as a teaching site on glacial meltwater erosion                      |

### SECTION 3.3



|        |   |   |   |  |
|--------|---|---|---|--|
| 4<br>6 | Glencullen River                        | A narrow, steep-sided wooded valley in the northeast Wicklow Mountains                              |   | The valley formed along a geological fault and is a meltwater channel                            |
| 4<br>7 | Goldmines River                         | The site consists of a c. 1.5km-long section of river, typically 2-3 m wide                         |   | This is the site of Wicklow's gold rush or 1798 when placer gold was discovered in the gravels   |
| 4<br>8 | Great Sugar Loaf                        | A prominent, scree covered, quartzite conical mountain peak   |   | The steep upper slopes are blanketed with extensive patches of loose angular quartzite boulders  |
| 4<br>9 | Greystones (Appinite)                   | A section of rocky coastline on the scenic and popular Greystones waterfront                        |   | The igneous rocks at Greystones are unique because the contact zone is crowded with inclusions   |
| 5<br>0 | Kilmacurra Quarry                       | Kilmacurra Quarry is a large, partly flooded quarry developed in a diorite intrusion, now abandoned |   | The quarry provides good exposure of diorite on quarry faces and in loose blocks                 |
| 5<br>1 | Hollywood Glen                          | A deep channel formed by meltwater erosion on the northwestern flank of the Wicklow Mountains       | • | Hollywood Glen is up to 60m deep and has a U-shaped profile, typical of meltwater channels       |
| 5<br>2 | Kippure                                 | A landmark mountain on the South Dublin-Wicklow county boundary, capped with a prominent tower      |   | This site is excellent for observing the effects of long-term (millennial scale) peat erosion    |
| 5<br>3 | Lough Dan, Lough Tay and Cloghoge River | Scenic lakes occupying depressions in the floors of two adjoining U-shaped valleys                  |   | Classic example of U-shaped glacial valleys in one of Wicklow's most scenic glacial landscapes   |
| 5<br>4 | Lough Bray                              | The Lough Bray site consists of two lakes that occupy two of the most accessible corries in Ireland | • | This is a fine example of two corries and an arête, with bounding moraine features               |
| 5<br>5 | Lough Dan, North End (Granite contact)  | Here the granite-schist contact zone is clearly visible on the mountain slopes flanking the valley  |   | This is an excellent educational site, used by third level student groups, and is accessible     |
| 5<br>6 | Luggala                                 | The site consists of several large outcrops flanking the public road above Lough Tay                |   | The occurrences of coticule at Luggala are relatively abundant and accessible                    |
| 5<br>7 | Lugnaquilla                             | Lugnaquilla is the highest mountain in County Wicklow, and Leinster                                 | • | This site is of special interest with fine glacial features and the Leinster Batholith slate cap |
| 5<br>8 | Mullaghcleevaun                         | The site comprises eroded peatland, exposed granite blockfields, perched boulders, granite sand     |   | An excellent site for observing the results of long-term (millennial scale) peat erosion         |
| 5<br>9 | River Dargle Valley                     | A stretch of the river meandering from a wide and flat valley into cascades                         |   | This is an important County Geological site partly because of its dramatic gorge landform        |
| 6<br>0 | The Scalp                               | The Scalp comprises a deep channel that was formed by meltwater erosion                             | • | The Scalp channel is up to 70m deep and has a U-shaped profile, typical of meltwater channels    |
| 6      | Upper River                             | A wide river floodplain in the  |   | The site is very important to the  |

### SECTION 3.3

|        |                          |  |   |   |
|--------|--------------------------|--|---|---|
| 1      | Liffey                   | upper Liffey catchment as well as flanking terraces  |   | understanding of past environmental changes in Wicklow                                  |
| 6<br>2 | Wicklow-Greystones Coast | An uninterrupted shingle beach extending for over 17km long between Greystones and Wicklow | • | The shingle ridge (beach) is a feature understood to have formed around 5,000 years ago |

**PLAN TOPIC: NATURAL HERITAGE AND LANDSCAPE - BIODIVERSITY**

| <b>No.</b> | <b>Name</b>   | <b>Summary of issues raised</b>  |
|------------|---------------|--|
| C152       | Roadstone Ltd | <p>With regard to objective NH8 which seeks<br/><i>"To protect non-designated sites from inappropriate development, ensuring that ecological impact assessment is carried out for any proposed development likely to have a significant impact on locally important natural habitats or wildlife corridors",</i></p> <p>it is requested that given that there are no clear criteria to determine the appropriateness of a development, it is recommended that this policy should incorporate the option of providing mitigation and/or compensatory measures as per policy NH6 and NH18. This policy should acknowledge that not all non-designated sites will be capable of being retained in all instances, but that mitigation and compensatory measures can provide an adequate or improved replacement habitat, if appropriate.</p> |

**Chief Executive's response**

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Noted. It is recommended to amend NH8.

**Chief Executive's recommendation**

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**AMENDMENT 52**

**Chapter 10 'Heritage', Section 10.3 Natural Heritage and Landscape**

**10.3.2 Biodiversity**

**Biodiversity Objectives**

**NH8** To protect non-designated sites from inappropriate development, ensuring that ecological impact assessment is carried out for any proposed development likely to have a significant impact on locally important natural habitats or wildlife corridors. **Ensure appropriate avoidance and mitigation measures are incorporated into development proposals as part of any ecological impact assessment.**

**PLAN TOPIC: NATURAL HERITAGE AND LANDSCAPE - RECREATIONAL USE OF NATURAL RESOURCES**

| No.  | Name                            | Summary of issues raised  |
|------|---------------------------------|---|
| C27  | Bray Head Residents Association | The submission relates specifically to the preservation and enhancement of Bray Head in accordance with the Special Amenity Area Order (SAAO) 2007 and the following issue is raised - it is suggested that the plan should include a requirement that an environmental impact assessment be submitted where it is deemed that a proposed development could have a significant effect on the environment. It is further stated that this objective is currently set out in the existing County Development Plan 2010 – 2016 under objective CZ2 and is a requirement of the Bray Head SAAO policy 1.7.1.  |
| C31  | Deirdre Burke                   | This submitter is concerned with the impact on the wildlife of the Arklow Marsh if the area is opened up to walkers. It is put forward that if the walk goes ahead it will increase dumping and anti-social behaviour in the area. She is requesting that a protection status is put on the reed beds and marsh.  |
| C114 | Ronan Markey                    | It is suggested that a plan be drawn up to preserve and protect Brittas Bay beaches as public amenity and wildlife habitat and to halt the problem of coastal erosion.  |
| C157 | Marion Rueter                   | This submitter is seeking the amendment of objective NH42 as follows:<br><i>"To facilitate a study to determine the best feasible <del>the development of the coastal</del> walking and cycling route between Bray and Arklow, <del>as well as links between this route and the coast road</del>, in consultation and agreement with landowners."</i><br>It is put forward that this will provide a recreational, car free route for residents and tourists, linking the coastal towns for tourism and financial benefit. It is suggested the route should not be limited to the seashore and that a complex range of issues will need to be addressed before the route is decided. It is considered important by the submitter for this to be planned properly from the start. |
| C185 | Harry Webster                   | It is suggested that Objective NH42 be taken out of the plan. It is put forward that this objective should not be included in the plan until after there has been consultation and agreement with all landowners, companies, commercial interests and clubs affected.   |

**Chief Executive's response**

- With regard to the concerns raised by the Bray Head Association, it would appear that there may be some confusion in regard to the law around Environmental Impact Assessments.

It is a requirement of the EIA Directive 2011/92/EU (2011) that projects likely to have significant effects on the environment are subject to a comprehensive assessment of environment effects prior to development consent being given. A planning authority in assessing planning applications is required by law to comply with and incorporate the requirements of the EIA directive. It is considered unnecessary to include a provision in the development plan that the Local Authority will comply with the law with regard to EIA, and furthermore, if a statement to this effect were provided in the section of the plan dealing with Bray Head only, it would give the impression that the EIA directive would somehow be applied differently or perhaps more rigorously around Bray Head, which is simply not the case. It is therefore considered misleading to the public to include the provision requested.

It is noted that such a provision was included in previous plans and all efforts are made in every successive plan, to clear out meaningless or aspirational text, in order make the plan more

**SECTION 3.3**

readable and meaningful. This is all that has happened here and not some watering down of the protection afforded to Bray Head under the existing SAAO.

- With regard to the issue of the opening up of the Arklow Marsh to walkers, this matter has also been raised in submissions on Tourism and Recreation and on Arklow Town. The opening up of the Arklow Marsh to walkers is not specifically mentioned in the Plan. This issue relates specifically to Arklow, while the County Development Plan is concerned with County wide issues. It is considered that this issue would be more appropriately dealt with through the review of the Arklow Town and Environs Development Plan where objectives for such infrastructure can be reviewed as part of the town plan making process or other Arklow specific community or tourism plans. In the interim it is important to note that Arklow Town Marsh is already afforded a protection status as a proposed Natural Heritage Area (pNHA) (Site No. 1931), and as per objectives in relation to the use of natural resources for recreation (NH 39), any such initiative would be 'subject to the highest standards of habitat protection and management and all other normal planning controls' and that there are a number of objectives in the plan to protect such designated sites as well as objective NH12 of the draft plan seeks *"To support the protection and enhancement of biodiversity and ecological connectivity within the plan area in accordance with Article 10 of the Habitats Directive, including ...features which act as stepping stones, such as marshes ..., other landscape features and associated wildlife where these form part of the ecological network and/or may be considered as ecological corridors or stepping stones that taken as a whole help to improve the coherence of the Natura 2000 network in Wicklow."*
- With regard to the submission seeking a plan for the preservation and protection of Brittas Bay beaches, this is not considered an issue for the County Development Plan, which is a land use framework and not a management plan for any specific area. The Brittas Bay beaches, being designated an EU Natura 2000 site, fall under the general management of the NPWS, who are tasked with drawing up and implementing management plans. Other legislation and programmes such as the Water Frameworks Directive, implemented by WCC and the EPA, also contribute to the environmental management of this area. The plan supports these programmes and provides for a land use framework, including the coastal management provisions set out in the Chapter 11, to support the achievement of the objectives of the environmental management programmes.
- Two submissions have been received with regard to objective NH42, one seeking its omission and the other seeking its amendment to ensure that a study is carried out in consultation and agreement with the landowners in advance of any such route being provided. NH42 sets a framework for the future development of the coastal walking and cycling route between Bray and Arklow, but it does not state an exact route or the process by which a route could be determined. The actual development of such a route would be the responsibility of another section of the Council (the Community, Cultural and Social Development / Municipal Districts) or another third party body, such as the NTA or a tourism agency, and they would be required to invoke relevant statutory provisions to develop such a route, which would undoubtedly involve detailed consultation and negotiation, especially where land take or use of private land would be required. This is the case with all objectives relating to the delivery of new infrastructure, and therefore it is not considered necessary to state that such agreements and negotiations will take place for just this one objective.

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#### **Chief Executive's recommendation**

No change

**PLAN TOPIC: NATURAL HERITAGE AND LANDSCAPE - PUBLIC RIGHTS OF WAY**

Refer to **Section 3.8** for Public Rights of Way

**PLAN TOPIC: NATURAL HERITAGE AND LANDSCAPE - WICKLOW'S LANDSCAPE**

| <b>No.</b> | <b>Name</b>             | <b>Summary of issues raised</b>  |
|------------|-------------------------|--|
| C80        | Friends of the Murrough | 1. It is suggested that in Section 10.3.9 'Landscape' and Table 10.4 'Wicklow Landscape Categories', the 'Coastal Areas of Outstanding Natural Beauty' (2b Southern Coastline) be amended to include a reference to the cliffs from the Glen Turn to Wicklow Head  |
| C152       | Roadstone Ltd           | 2. It is suggested that the wording of Policy NH49 of Chapter 10 be amended as follows:<br>From:<br><i>"To resist development that would significantly or unnecessarily alter the natural landscape and topography, including land infilling / reclamation projects or projects involving significant landscape remodelling, unless it can be demonstrated that the development would enhance the landscape and / or not give rise to adverse impacts."</i><br>To:<br><i>"To ensure development would not significantly or unnecessarily alter the natural landscape and topography, unless it can be demonstrated that appropriate mitigation measures can be provided through the planning, design and construction of the development. In the case of the extractive industry these mitigation measures will include operational landscaping during extraction, if required, and restoration following cessation of extraction. "</i> |
| C158       | Sexton family           | 3. It is requested that the existing Garden Centre lands at the Glen of the Downs be removed from the 'Little Sugar Loaf Area of Outstanding Natural Beauty' landscape category and be re-designated as a 'Corridor zone'.   |

**Chief Executive's response**

1. The Draft Plan sets out the following description for the Southern Coastal Area:

*2(b) - The southern coastline comprises of lands south of Wicklow Town extending as far as south of Arklow Rock. This area comprises of the main sandy beaches of Brittas and Clogga Beach and provides for a continuous prospect and numerous views from the coast road out to sea. Sand dunes are dominant in sections of the area forming a number of important environmental designations such as Maherabeg Dunes and Buckronev Brittas Dunes and Fen (NHA and SAC) and Arklow Rock/Askintinny NHA. These areas are important not just from a landscape or habitat perspective, but also are increasingly important for recreational activities, the development and promotion of which must be managed appropriately.*

The Glen Turn and Wicklow head are included in this area, and therefore it is recommended that reference to same be included in the text.

2. The concerns raised in relation to objective NH49 and the potential impact of this objective on quarrying activities within the County are noted however the purpose of this objective is to resist proposals for unnecessary land filling/reclamation projects within the rural area unrelated to existing quarrying activities within the County. Over the past number of years a number of planning applications for speculative land filling have been submitted to the planning authority with little or no justification for such proposals. The purpose of this objective is to set out the planning authority's view that such proposals should be resisted unless there is a strong

**SECTION 3.3**

justification for such proposals and it can be demonstrated that such proposals would enhance the landscape and not give rise to adverse impacts. Therefore no change is recommended.

3. Following an examination of the subject site including a site inspection and an analysis of the landscape sensitivity of this area it is considered that the impact of the N11 on the landscape in this area is very limited with lands close to the route on either side being of a highly scenic value and of high environmental / ecological sensitivity, and therefore the 'corridor area' should be narrow and limited to the road and its immediate edges. The existing landscape designations for this area are therefore considered appropriate and should not be amended.

#### **Chief Executive's recommendation**

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#### **AMENDMENT 84**

#### **Volume 3      Appendix 5 Landscape Assessment, p31**

Amend the wording for the Southern Coastal Cell 2(b) as follows:

*2(b) - The southern coastline comprises of lands south of Wicklow Town beginning at the **Glen Turn, encompassing Wicklow Head** and extending as far as south of Arklow Rock. This area comprises of the main sandy beaches of Brittas and Clogga Beach and provides for a continuous prospect and numerous views from the coast road out to sea. Sand dunes are dominant in sections of the area forming a number of important environmental designations such as Maherabeg Dunes and Buckronev Brittas Dunes and Fen (NHA and SAC) and Arklow Rock/Askintinny NHA. These areas are important not just from a landscape or habitat perspective, but also are increasingly important for recreational activities, the development and promotion of which must be managed appropriately.*



| No.  | Name         | Summary of issues raised  |
|------|--------------|---|
| C124 | Gerard Moore | The submission is with regard to Ballykean House demesne. It is requested that the prospect of the demesne as seen from the R754, which represents a view over an unusually intact demesne of the 17 <sup>th</sup> & 18 <sup>th</sup> century, together with the late 18 <sup>th</sup> century country house, be registered as a listed prospect in Schedule 10.15 of the CDP. The appropriate length along which this protection should extend would be that part which clearly affords the clear prospect of the house and demesne, which extends from a point just to the west of the junction with the road to Ballykean House, at grid reference 725661 684454 through to a point just before a group of houses on the northern side of the road, at grid reference 725960 684917. |

### Chief Executive's response

The suggested prospect has been surveyed and it is not considered that it is a good candidate for a listed prospect for the following reasons:

- While this is an attractive area, it is not a location where one would necessary stop to 'admire' the view as something special and spectacular – it is view over open, working countryside and the hills beyond;
- There are limited 'gaps' in the roadside boundary from which to get glimpses of the particular view mentioned i.e. that of Ballykean House;
- The suggested justification i.e. the view and setting of Ballykean House is not considered sufficient rationale to 'protect' such a wide area, particularly as Ballykean House is barely visible in the view (being c. 1.5km away), and development in the lands between the road and the house (which might be curtailed if such a designation was implemented) would not necessarily interfere with the limited views or setting of Ballykean House.

It should be noted that it is proposed in this report to extend the description of Ballykean House (which is on the RPS) to include its grounds, which would afford it a good deal of protection.

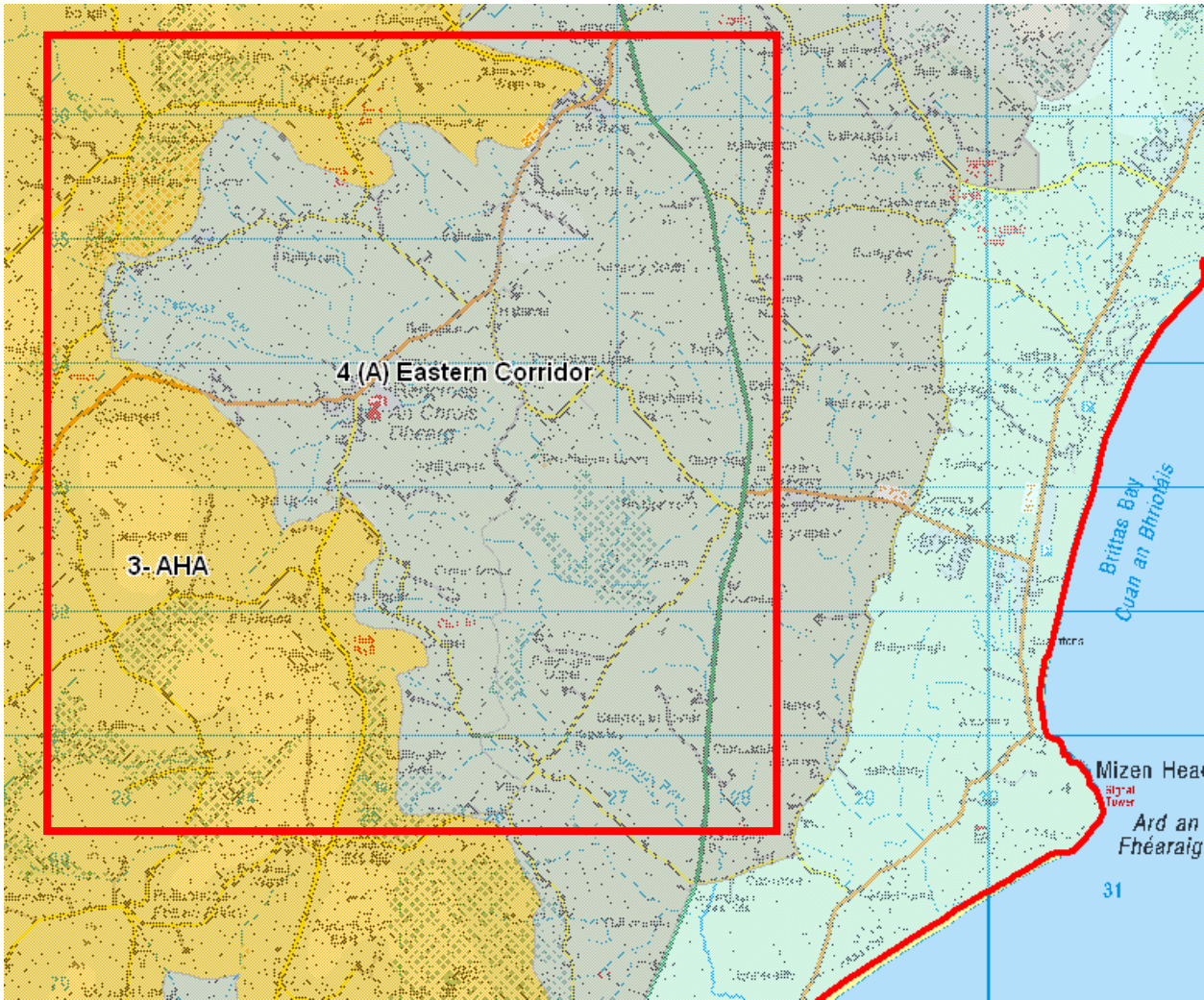
Further to the survey of this area on foot of this submission, it was noted that the lands to the west of the R754 are included in the landscape 'corridor area' although they are clearly out of the zone of influence of the N11. It is therefore recommended that this area be redesignated an 'area of high amenity'. This is considered to somewhat address the issue raised in this submission, which essentially is seeking enhanced protection of the landscape around the house.

### Chief Executive's recommendation

#### AMENDMENT 85

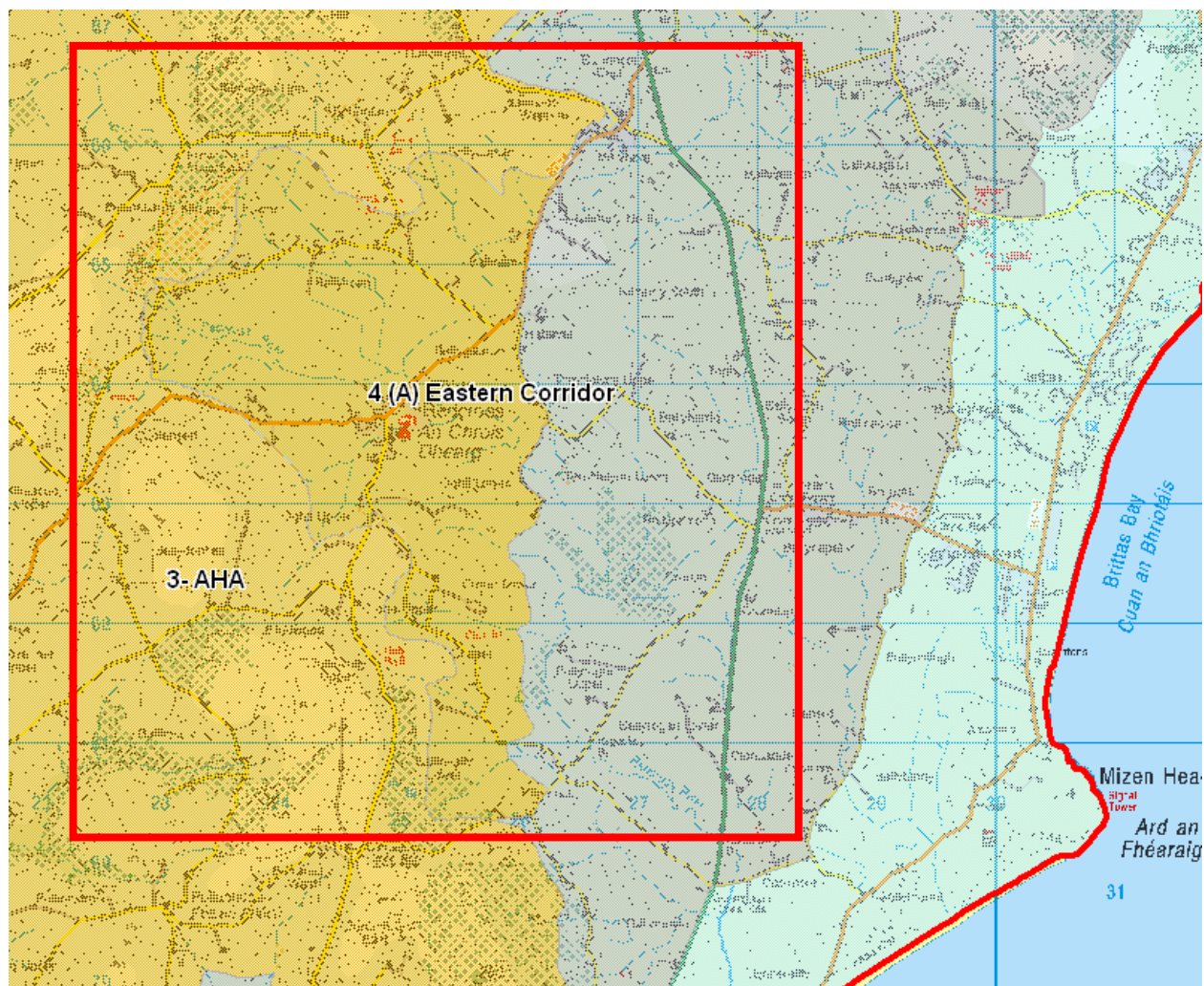
#### Volume 3 Appendix 5 Landscape Assessment Map

Change from:





Change to:



## PLAN TOPIC:

## INTRODUCTION

| No.  | Name  | Summary of issues raised  |
|------|---|---|
| C113 | Maritime Business Development Group         | Both of these submissions raise the same issues. It is put forward that the sentence in the introduction, ' <i>For the avoidance of doubt, any objectives set out in this chapter shall override any other objectives set out in this plan</i> ' may conflict with other objectives e.g. economic objectives. |
| C193 | Wicklow Town & District Chamber of Commerce |   |

**Chief Executive's response**

The coastal areas of County Wicklow are amongst the most sensitive and valuable resources in the County, both in terms of habitats, scenic beauty, tourism, recreation and as settlement areas. Given the pressure on these coastal areas, it is considered necessary to include such a sentence in order to provide clarity that where any development is proposed that the coast is protected and that the development will be carefully managed.

**Chief Executive's recommendation**

No change

**PLAN TOPIC: COASTAL ZONE MANAGEMENT OBJECTIVES**

| No.  | Name  | Summary of issues raised   |
|------|---|--|
| C113 | Maritime Business Development Group         | <p>Both of these submissions raise the same issues.</p> <ul style="list-style-type: none"> <li>It is suggested that objective CZM1 be amended as follows:<br/> <i>"To ensure that there is no <b>unauthorised</b> removal of sand dunes, beach sands or gravels through application of the provisions of the Foreshore (Amendment) Act (1992), in close co-operation with the Department of Communications, Energy &amp; Natural Resources and the Department of Environment, Community and Local Government."</i> The Murrough is constituted of gravel and this paragraph introduces restrictions on the removal of such material.</li> <li>It is suggested that objective CZM1 be amended as follows:<br/> <i>"To protect both public and private investment by prohibiting any new building or development (including caravans and temporary dwellings) within 100m of 'soft shorelines' i.e. shorelines that are prone to erosion <b>excepting infrastructural development that incorporates intrinsic coastal protection.</b>"</i> This paragraph prohibits any new building or development within 100m of 'soft shorelines'.</li> </ul> |
| C193 | Wicklow Town & District Chamber of Commerce |  |

**Chief Executive's response**

- With regard to CZM1, it is not recommended to include the word "unauthorised". In any case unauthorised works are not permitted. This objective prioritises the protection of the sands and gravel and where an application is made for the removal of such material it will be assessed on its merits in conjunction with the relevant Department responsible for the Foreshore.
- With regard to CZM3, it is not recommended to amend this objective to incorporate wording facilitating the provision of coastal protection works, as objective CZM7 *'facilitates the provision/reinforcement of coastal defenses and protection measures as identified in the Murrough Coastal Protection Study and where considered necessary'*.
- It is also proposed on foot of submission B9 to expand CZM7 as follows:  
**CZM7** *To facilitate the provision of new or the reinforcement of existing coastal defences and protection measures where necessary along the full coastline of the County and in particular to support the implementation of the measures identified in the Murrough Coastal Protection Study<sup>12</sup> and any other similar studies that are produced during the lifetime of the plan. ~~and where considered necessary.~~*

**Chief Executive's recommendation**

No change

<sup>12</sup> 2007, WCC/RPS

**PLAN TOPIC: CELL 3 BRAY HEAD TO GREYSTONES (RATHDOWN)**

|      |   |   |
|------|---|---|
| C113 | Maritime Business Development Group         | Both of these submissions raise the same issues. It is suggested that the following objective be added to Cell 3 Objective CZ3<br><i>'Reduce the rate of erosion on Greystones North Beach and Cliffs by measures including land drainage'.</i> |
| C193 | Wicklow Town & District Chamber of Commerce |   |

**Chief Executive's response**

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With regard to coastal erosion and protection programmes, it is not considered appropriate to identify specific locations or specific measures in the objectives of the plan, without studies having been carried out and the nature of the programme / project determined. However, it is agreed that an existing objective of the plan (Objective CZM7) should be amended to support and facilitate any future coastal protection programmes or projects that may be developed during the lifetime of the plan (see recommendations to follow) – as set out above

**Chief Executive's recommendation**

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No change

**PLAN TOPIC: CELL 6 KILCOOLE - WICKLOW TOWN (THE MURROUGH) AND CELL 7 WICKLOW TOWN AND ENVIRONS**

| <b>No.</b> | <b>Name</b>                    | <b>Summary of issues raised</b>   |
|------------|--------------------------------|---|
| C11        | Dave Ballesty                  | This submission welcomes the aspiration to develop an outer break water to protect Wicklow harbour from north easterly winds, thus enhancing the economic and social potential of the harbour for both local and those visiting the harbour. It is suggested that the development of the potential of the harbour should not be held up awaiting the breakwater development.  |
| C80        | Friends of the Murrough        | <ul style="list-style-type: none"> <li>It is put forward that the Murrough and the cliff walk are important amenities for the existing and future population of the county and need protection. Both are now under threat and the council needs to adopt appropriate policies or to allocate necessary funds or time to undertake necessary protection works. It is critical that management plans be put in place to ensure best practice in mitigating the effects of climate change and storm damage and maintaining public access. Such plans would of course also benefit businesses currently sited along the Murrough: businesses that, if willing, could positively contribute to enhance the area.</li> <li>A proposal is put forward to include an objective to apply for a Special Amenity Area Order (SAAO) for part of the Murrough. Considerable work was undertaken in preparing for a Special Amenity Area Order in 2008 however following opposition from the council and a change in government this never came to fruition. Such a designation would significantly contribute to the protection of the Murrough and provide an appropriate forum for valuable public participation in necessary works. In the interest of expediency an SAAO could proceed more rapidly if the area covered was reduced from the original aspiration and it is now proposed that the County Development Plan be amended to include an SAAO for the land to east, seaward side of the railway including the council land behind and beside the Sewage Treatment Plant bounded by Broadlough and the Avenue. A map has been included showing the area referred to. The submission also goes into detail of disputing many of the points raised by the Planning Department in correspondence on the potential making of the Murrough SAAO in 2010.</li> </ul> |
| C127       | Murrough Community Cooperative | <ul style="list-style-type: none"> <li>This submission provides a detailed description of the Murrough marshlands including its flora, fauna and history. The impact of global warming, rising sea levels and the rapid erosion of the beach from storm surgers is of concern. It is put forward that the Murrough needs to be saved and a plan put in place to prevent further coastal erosion. The railway line running along the coast should be used to carry rock boulders and other materials to the areas needing protection works. Saving the Murrough reflects the LECP vision and goals. The Murrough is an important tourist attraction that should be developed as such.</li> <li>A walkway from Greystones to Wicklow should be built as part of the coastal protection works.</li> </ul>  |
| C192       | Wicklow Swimming Club          | <p><b>Cell 6 Kilcoole to Wicklow (The Murrough): Objective CZ6</b></p> <ul style="list-style-type: none"> <li>Wicklow Swimming Club fully endorses and supports proposals to</li> </ul>   |

**SECTION 3.3**

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|--|--|--|
|  |  | <p>change the status of The Murrough and its associated hinterland to Special Area Amenity Order in order to provide for increased protection for the natural habitat.</p> <ul style="list-style-type: none"> <li>▪ The recommendations of Shane Beacom, Marine Engineer, (report attached to submission) should be implemented to correctly reinstate the shoreline, construction of breakwaters, shingle substrate and walkways which have been eroded over recent years.</li> <li>▪ The Murrough is an important walk-way, natural wetland and active beach as well as many other water-based sports. Full access to the bathing areas at the current end of the rock armour (not the temporary defense works recently carried out) must be reinstated, ideally by way of in-situ concrete ramps and steps.</li> <li>▪ The historic Victorian promenade along the sea front provided an ideal bathing location. Access to the bathing waters is an important civic amenity and permanent access to the bathing waters should be re-established in line with the 2007 report by RPS Consulting Engineers recommending the installation of breakwaters parallel to the shore.</li> <li>▪ Ladder access and egress from the new pier to Wicklow Bay is inadequate and this needs to be address. A metal platform, similar to that seasonally installed on the harbour side, should be installed on the north-facing, bay elevation. Additional ladders, extending sufficiently below the low-water mark should be installed at intervals not exceeding 300m around the perimeter of the New Pier.</li> </ul> <p><b>Cell 7 Wicklow Town &amp; Environs: Objective CZ7</b></p> <ul style="list-style-type: none"> <li>▪ Wicklow Harbour is an important natural and civic amenity that should be protected and promoted. It is an important lifeguard-supervised bathing area and the location for local and national swimming and water-based events that is growing in popularity and admiration.</li> <li>▪ With regard to Objective CZ7(3), there is a lack of changing facilities (similar to 'the shelters' which were once a feature of the Victorian Promenade), public toilets and water supplies for showering. This presents a substantial challenge to the effective running of many water based clubs including Wicklow Swimming Club. Such facilities need to be provided. The area that is currently used to house the lifeguard hut is an obvious location for such facilities.</li> <li>▪ In order to facilitate the public using the seasonal platform and raft within the harbor, they should be installed no later than 1<sup>st</sup> May and run to the end of September each year.</li> <li>▪ The Promenade, shoreline and environs are insufficiently served by public lighting. This facilitates anti-social behaviour, particularly in winter months and consideration must be given to addressing this in a substantive manner.</li> <li>▪ Lighting along the new pier would greatly enhance this amenity and allow for year-round and better use of this facility.</li> <li>▪ An improved life-guard station is an urgent requirement. The existing portacabin has no water or drainage facilities and is not secure.</li> </ul> |
|--|--|--|



In addition to these submissions, a petition was submitted in relation to the Murrough specifically and the issues raised are considered in **Section 3.6** of this report.

### **Chief Executive's response**

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- The submissions referring to the protection and enhancement of the Murrough and the coastline are noted. The draft plan recognises the importance of the Murrough and the plan facilitates the protection and enhancement of this amenity in an appropriate manner. This is further addressed in the Wicklow Town – Rathnew Development Plan 2013 – 2019. Objective CZM7 in the draft plan is 'to facilitate the provision/reinforcement of coastal defences and protection measures as identified in the Murrough Coastal Protection Study and where considered necessary'.  
Coastal Zone Management Cell 6 addresses the Murrough coastal area in detail with 9 objectives to manage development in this zone. The Murrough is also within the 'Northern Coastal Area of Outstanding Natural Beauty' with objectives in place to protect the landscape of this coastal area. There are also numerous objectives for the protection and enhancement of the coast for heritage, tourism and amenity. The actual construction of coastal protection works, allocation of funds or the drafting of management plans is outside the remit of the County Development Plan. These issues will be referred to the appropriate section of the Council to be considered at the next budgetary cycle.
- It is not considered appropriate at this time to identify the Murrough wetlands as an area that will be pursued for a Special Amenity Area Order (SAAO) as no detailed research has been carried out as to the merits and consequences of such a designation on the Murrough. Should funding become available for such research however whether or not there is an objective in the plan in relation to same, a SAAO could be pursued if that is the will of the Minister or the members.  
It should also be remembered that the Murrough is a designated EU Natura 2000 site and the NPWS are tasked with providing management plans for such areas. When such a plan is prepared and implemented, it will likely address the concerns of the submitters. It is considered a duplication of the work and the resources of the Council and the NPWS for a SAAO to be pursued at this time.
- The submissions seeking the development of the cliff walk and a walkway from Greystones to Wicklow are noted. Objective NH42 is to '*facilitate the development of the coastal walking and cycling route between Bray and Arklow, as well as links between this route and the coast road, in consultation with landowners*'. Coastal Cell Objectives CZ2(3), CZ3(2), CZ4(2), CZ5(6), CZ6(7), CZ7(3), CZ8 (8) and CZ11(2) further facilitate the development of a walkway along the coast. The actual delivery of this objective is outside the remit of the County Development Plan.
- With regard to the provision of facilities at the harbour and beach, objective CZ7 (3) is '*to facilitate the development and enhancement of visitor and recreational facilities along the coastal area, particularly walking routes, car parking areas, signage, changing / toilet facilities and water based clubs*'. The delivery of such facilities is outside the remit of the County Development Plan.

### **Chief Executive's recommendation**

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No change

**PLAN TOPIC: CELL 10 MIZEN HEAD TO ARKLOW AND CELL 11 ARKLOW ENVIRONS**

| No. | Name   | Summary of issues raised  |
|-----|--|---|
| C5  | Arklow & District Chamber of Commerce                  | This submission seeks the inclusion of an initiative for the completion of the coastal protection work at the Arklow North Beach to include the groins which were planned but not installed when the rock armour was put in position. This would encourage the natural reinstatement of the beach and sand dunes. This would benefit the commercial and residential needs of the south Wicklow community. |
| C6  | Arklow Heritage / Nature Walks Development Company Ltd | The submission seeks the inclusion of an initiative to extend coastal erosion protection Levee and walkway on top from north beach area to Porters Rocks.   |

**Chief Executive's response**

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- Objective CZM7 is 'to facilitate the provision/reinforcement of coastal defences and protection measures where considered necessary'. It is recommended that this be expanded as follows:

**CZM7** *To facilitate the provision of new or the reinforcement of existing coastal defences and protection measures where necessary along the full coastline of the County and in particular to support the implementation of the measures identified in the Murrough Coastal Protection Study<sup>13</sup> and any other similar studies that are produced during the lifetime of the plan. ~~and where considered necessary.~~*

Objective NH42 is 'to facilitate the development of the coastal walking and cycling route between Bray and Arklow, as well as links between this route and the coast road, in consultation with landowners. The funding, development and delivery of such initiatives is outside the remit of the County Development Plan.

**Chief Executive's recommendation**

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No change

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<sup>13</sup> 2007, WCC/RPS

**PLAN TOPIC:     GENERAL COASTAL MANAGEMENT ISSUES**

| <b>No.</b> | <b>Name</b>   | <b>Summary of issues raised</b>   |
|------------|---------------|---|
| C11        | Dave Ballesty | <ul style="list-style-type: none"><li>▪ There are water cleaning systems available that take litter out of sea water, e.g. "seabins". An objective seeking to place a water-based litter gathering system in all the ports would be welcome.</li><li>▪ A decision needs to be taken about the long term protection of the current coast-line, which it seems is only protected by the rail line north of Wicklow.</li></ul> |
| C83        | Ashley Hayden | With regard to the promotion of tourism angling, the submission is seeking WCC to adopt and support the vision of establishing a Marine Protected Area between Bray Head and Wicklow Head as an element of resource management ownership for the benefit of the county and country. A number of documents on tourism angling by Ashley Hayden have been submitted in support of this proposal.                              |

**Chief Executive's response**

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- The issue raised about 'seabins' is noted; however this is outside the remit of the County Development Plan and would be a matter for the Department of the Marine / Department of Environment/ EPA.
- The County Development Plan facilitates the protection of the coastline and foreshore however the management of this is outside the remit of the County Development Plan as a land use framework. This would be a matter for the Department of the Marine / Department of Environment.
- This submission is about the marketing of Wicklow's angling tourism product and the protection of the fishing resource. Neither of these are issues for a land use plan, but would be more appropriately addressed in a County tourism plan and marine management plan (which would be a matter for the Department of the Marine). Note this issue has also been addressed under the Tourism section of this report.

**Chief Executive's recommendation**

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No change

## PLAN TOPIC: IMPLEMENTATION OF WORKS OBJECTIVES

| No. | Name  | Summary of issues raised  |
|-----|---|---|
| C5  | Arklow & District Chamber                             | <p>Arklow &amp; District Chamber submit that there are a number of key infrastructural works which would provide benefits for the commercial and residential needs of the community of South Wicklow. They request that it be an objective of the plan to complete the works.</p> <p>The works include:</p> <ul style="list-style-type: none"> <li>- Completion of the planned Lamberton over bridge Intersection and run a link road on to the Vale Road R747 in order to provide ingress access for Arklow West and relieve traffic traversing the town unnecessarily.</li> <li>- Continue with the plan to complete an access roadway from Roadstone to the Wexford road at Meadowvale for commercial and residential traffic. This would give more direct access to the Arklow harbor area. This is an objective in the current plan under TR39.</li> <li>- Consideration should be given to the extension of Arklow Town borders west of the M11 to meet the medium term population targets.</li> <li>- Retain the objective of a possible airport south of Arklow.</li> <li>- Completion of the coastal protection works at the North Beach to include the groins which were planned but not installed when the rock armour was put in position. This would encourage the natural reinstatement of the beach and sand dunes.</li> </ul>   |
| C6  | Arklow Heritage/ Nature Walks Development Company Ltd | <p>Request the following be included in the plan:</p> <ol style="list-style-type: none"> <li>1. C.P.O approximately 3 x 65 metre along by the north wall opposite the Gate lodge at the entrance of Shelton Avenue Ferrybank, Arklow in order to access the landlocked 50 acres of Marsh/Woodland, including Shelton Avenue, owned by WCC and which is already in the Arklow town plan for development with a view to opening it up for the benefit and enjoyment of the Arklow public/tourists.</li> <li>2. Erect suitably designed Local Heritage Tourist Information Boards outside the entrance gates to Shelton Avenue at Ferrybank covering – a) Shelton Abbey Estate history, b) Cistercian Abbey/graveyard history, c) Ancient Railway line history, d) Marsh Wildlife Conservation Area History.</li> <li>3. Provide suitably designed Viking Settlement Crannogs on the Arklow Marsh Woodland for viewing by those using our proposed nature walks on the Marsh/Woodlands.</li> <li>4. Provide suitably designed Sculptured Monuments depicting our Viking Heritage at the Bridgewater Roundabout.</li> <li>5. Provide footbridge access to the old Avoca/Arklow Harbour railway line bed from the proposed flood protection levee at Arklow Bridge.</li> <li>6. Provide a walkway (similar to the one at north beach levee) from the proposed Marsh Flood Protection Levee from the bridge to Shelton Avenue and on to the Dublin Road end of the levee.</li> <li>7. Have removed or cleaned up and securely fenced off for the protection of the public the redundant pipeline along the Marsh from the closed down NET/IFI fertilizer factory.</li> <li>8. Clean up the canal alongside the section of Shelton Avenue owned</li> </ol> |

|     |               |  |
|-----|---------------|--|
|     |               | <p>by WCC and encourage the breeding of trout in it for the benefit of the public and tourists.</p> <p>9. Provide a new access bridge from the Arklow Carpark onto the Marsh to tie in with a new Boardwalk along 400 metres of the old rail-bed proposed by us to Arklow Municipal District of WCC.</p> <p>10. Extend Coast erosion protection Levee and walkway on top from north beach area to Porters Rocks.</p>   |
| C11 | Dave Ballesty | <p>This submission includes a number of suggestions for the inclusion of objectives for a range of infrastructural works, relating to Wicklow harbour, coastal erosion, maritime facilities, coastal rail line, parking facilities, cycle routes, quality bus corridors, park and rides etc. It is suggested that the undertaking of such works could have commercial, tourism and amenity benefits for visitors and residents of the county.</p> <p>A number of suggestions are put forward for the inclusion of new objectives to support non-development related initiatives such as funding of sports programmes, the development of an app to provide visitor feedback on sporting events, to establish a water-based litter gathering system in ports, to facilitate the development of a 'Blue Way' initiative along the coast.</p> |

### Chief Executive's response

The submitters request that a list of works objectives be included in the plan. These are considered in **Section 3.3.43** of this report.

In so far as the issues raised relate to the future implementation of objectives included in the plan and the completion of works, the following points are of relevance:

Wicklow County Council is fully committed to securing the implementation of objectives included in the Wicklow County Development Plan 2016-2022. This implementation requires the cooperation and participation of all stakeholders. This implementation will be achieved by:

- application of the objectives in the assessment of planning applications;
- investment in infrastructure underpinning the development objectives by private or public bodies, subject to the availability of funding;
- integrating the objectives of the plan with lower order plans such as LAPs and action area plans;
- ongoing monitoring of the objectives of the plan and identifying any needs for adjustment of objectives over the plan lifetime and during future reviews.

The submission from Dave Ballesty includes a number of suggestions for the inclusion of objectives that do not relate to physical development. It should be noted that the development plan is only concerned with the delivery of physical development projects. It is outside of the remit of the plan to include objectives for matters that do not relate to physical development works. Such initiatives may be within the remit of the Draft Local Economic and Community Plan 2016-2022 which contains objectives and actions to promote and support economic development, and promote and support local and community development, by WCC and in partnership with other economic and community development stakeholders.

### Chief Executive's recommendation

No change

## Section 3 Summary of Issues raised and Chief Executive's response and recommendation on these issues

### SECTION 3.3 GROUP C General Submissions – Volume 2 Plans

#### SECTION 3.3.13 LEVEL 5 TOWN PLANS INTRODUCTION

PLAN TOPIC: LEVEL 5 INTRODUCTION  
GENERAL OBJECTIVES FOR LEVEL 5  
ZONING

| No.         | Name                               | Summary of issues raised   |
|-------------|------------------------------------|--|
| C46         | Dervla Cotter                      | <p>It is noted in this submission that</p> <p><i>"Town Plans shall only include objectives that are settlement specific and achievable, and avoid those that are aspirational or are best dealt with in the annual budget, road works programme, etc. The role of land use plan is to put in place framework within which development can occur, but does not decide what works actually get done by either private individuals or public bodies. The delivery of objectives will be determined by the initiation of private development or by the allocation of public funding through the annual budgetary process, which is a separate process to any land use plan."</i></p> <p>It is put forward that this statement gives elements of contradiction, along with an apparent indication that development of zoned lands can/may be permitted prematurely or without addressing significant issues raised during planning processes regarding infrastructural and other deficits. The failure to adequately allow for/identify necessary works / allocate budgetary responsibilities etc. required to facilitate development of zoned lands is a recurrent theme in the town plan / area action plans for <b>Enniskerry</b>. This is contrary to the generally accepted principles governing proper planning and development in relation to advance planned infrastructural provision particularly where it is proposed to urbanise what are essentially farmlands located around a small central core, while significantly increasing the housing stock thereby totally transforming a scenic rural area and associated rural infrastructure.</p> |
| C54<br>C134 | James Curran<br>Frank O'Gallachoir | While both of these submission refer to the zoning of a specific site in Baltinglass, the raise an issue with lack of clarity with regard to zoning colours and zoning description for Level 5 town plans.   |

#### Chief Executive's response

The section quoted by Dervla Cotter does not imply that development, such as new housing, will be allowed to proceed in the absence of necessary infrastructure, as she appears to be suggesting. In particular, Objectives HD2, HD3 and HD8 will be applied:

- HD2** *New housing development, above all other criteria, shall enhance and improve the residential amenity of any location, shall provide for the highest possible standard of living of occupants and in particular, shall not reduce to an unacceptable degree the level of amenity enjoyed by existing residents in the area.*
- HD3** *All new housing developments (including single and rural houses) shall achieve the highest quality of layout and design, in accordance with the standards set out in the **Development and Design Guide** appended to this plan, which includes a **Wicklow Single Rural Houses Design Guide**.*
- HD8** *Housing development shall be managed and phased to ensure that infrastructure and in particular, community infrastructure, is provided to match the need of new residents. Where specified by the Planning Authority, new significant residential or mixed use development proposals, may be required to provide a social and community facility/facilities as part of the proposed development or the developer may be required to carry out a social infrastructure audit, to determine if social and community facilities in the area are sufficient to provide for the needs of the future residents. Where deficiencies are identified, proposals will be required to either rectify the deficiency, or suitably restrict or phase the development in accordance with the capacity of existing or planned services.*

Where new development is proposed, a detailed assessment of existing or necessary infrastructure to service that development is carried out, and permission is not granted unless there are (a) proposals by the developer to rectify any infrastructural deficiency identified, or (b) levies to be generated that can be used to address the deficiency or (c) local authority own resources have been committed to addressing the issue. No inference should be made that development will be allowed to happen in advance of necessary infrastructure being in place.

It is not the role of the developer to address any historical or legacy infrastructural deficiencies in a settlement – they are only tasked with looking at the infrastructure needs generated by their new development. Such legacy issues are addressed by the Local Authority, through any funding stream it can access, and it may be the case that funding would not be available in any development plan cycle to carry out all works objectives listed in any plan. It is considered only fair that this be flagged to the public, and for it to be made clear that the County Development Plan is not a ‘works’ or ‘spending’ plan for the next 6 years.

### **Zoning colours and legend.**

It is noted that the ‘MU – mixed use’ colour used on some plan maps appears very similar to that used for ‘LSS – Local Shops and Services’. This is proposed to be amended and all zoning colours reviewed, as well as legends updated.

### **Zoning description**

In error, the zoning objective ‘LSS – local shops and services’ was omitted from the zoning table. It is proposed to be added as set out to follow.

## Chief Executive's recommendation

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### AMENDMENT 58

#### Volume 2, Level 5 Town Plans

#### Level 5 Town Plans Introduction, Section 2 - Zoning & Land Use

Add the following text:

| Zoning | Objective   | Description  |
|--------|---|--|
| LSS    | To provide for small scale local neighbourhood shops and services | To facilitate the limited development of small scale local neighbourhood shops and retail services and other local service uses that meet only the retail or service needs of residents in the immediate catchment and are not of such a scale or type that would detract or draw trade from lands designated town centre. |

#### All Level 5 maps – improve colour distinction and legends



Please note that any submission that brought up issues that are relevant to all Level 5 settlements or issues that are addressed in the 'Introduction to Level 5 Plans' are dealt with separately at the start of this section of the report.

**PLAN TOPIC:** BRAMBLE GLADE ESTATE

| Number | Name                            | Summary of issues raised   |
|--------|---------------------------------|--|
| C26    | Bramble Glade Residents         | <p>The following comments/observations are made in relation to the private open space lands within the Bramble Glade Estate and the adjoining lands to the south currently zoned 'RE' - existing residential:</p> <ol style="list-style-type: none"> <li>1. It is considered that the existing open space area located in the centre of the Bramble Glade estate should be identified correctly as an open space area and not an 'existing residential' area.</li> <li>2. It is put forward that the lands to the immediate south of the Bramble Glade estate be identified correctly as 'private open space' in recognition of the Section 38 agreement on these lands with the original builder of the existing estate.</li> </ol> |
| C145   | Jenny & Michael Purcell         |  |
| C146   | Brendan Rae                     |  |
| C151   | River Vartry Protection Society |  |
| C186   | Matthew Weiss                   |  |

**Chief Executive's response**

1. The subject lands have already been identified and designated legally as private open space dedicated to the residents during the taking in charge process for this development.

It should be noted that all existing residential areas within Level 5 town plans have been identified with a pale yellow colour over the entire estate. The plans do not identify any private open space areas within estates, as such spaces form an intrinsic part of the estate and are not 'stand alone' public spaces, separate from the estate.

The inclusion of these private open space lands as part of existing residential lands does not mean these lands can be developed for future residential development, which is possibly the main concern. Such lands are identified during the taking in charge process, mapped and dedicated to the residents of the development. It is therefore not considered necessary to identify all private open space lands within all estates in the County.

This is clearly set out in Objective HD11 of the draft plan (Chapter 4) which states:

**HD11** In existing residential areas, the areas of open space permitted, designated or dedicated solely to the use of the residents will normally be zoned 'RE' as they form an intrinsic part of the overall residential development; however new housing or other non-community related uses will not normally be permitted on such lands.

There is also a danger in attempting to identify each piece of open space on a development plan map, as this can have the effect of inadvertently poisoning the status of open spaces not identified on plans. Therefore no change is recommended.

2. This issue has been noted and in recognition of the section 38 agreement set out in relation to these lands it is considered reasonable to identify these lands as 'open space'.

### **Chief Executive's recommendation**

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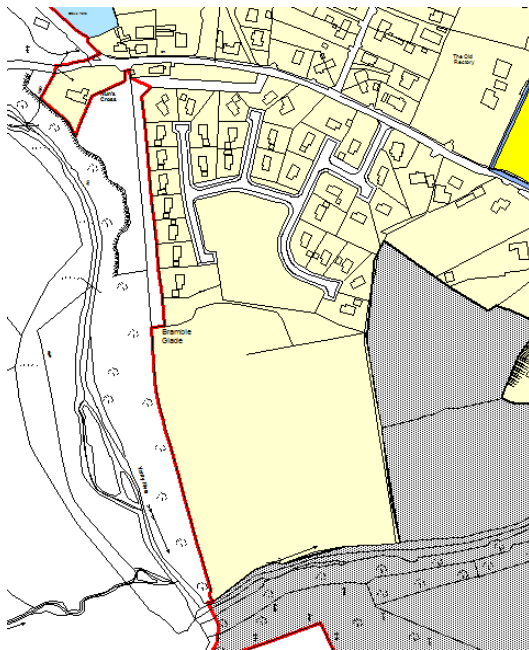
## **AMENDMENT 59**

### **VOLUME 2 – PLANS**

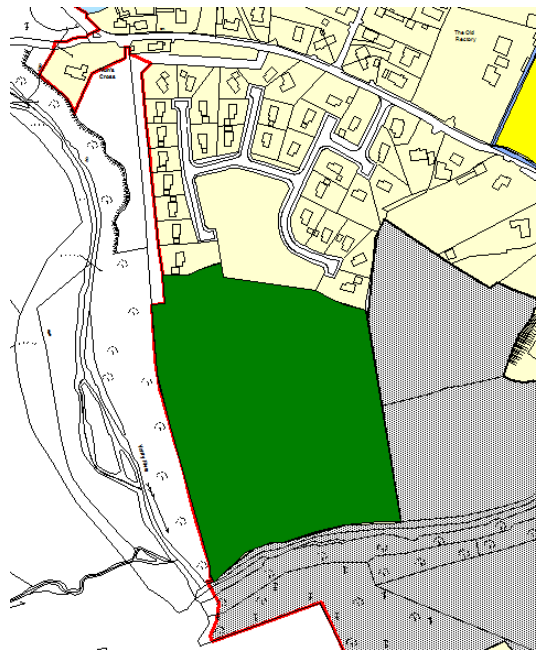
#### **Level 5 town plans - Ashford Town Plan**



Change the zoning of lands currently identified as 'existing residential' to the south of the Bramble Glade estate to 'open space'.

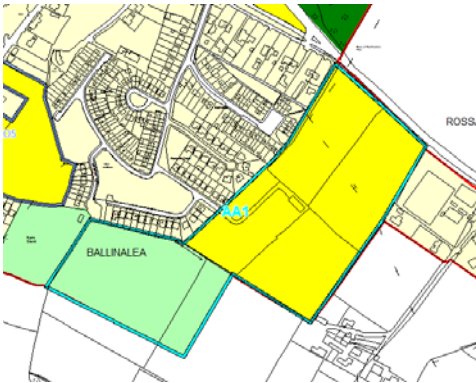
#### **Change From:**

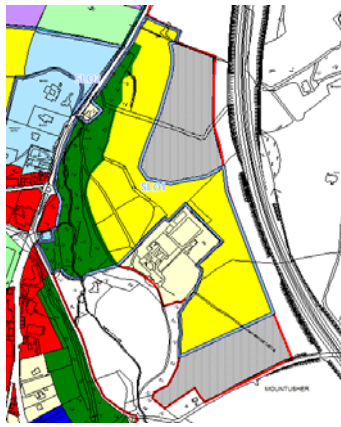



#### **Change To:**



| Number | Name                            | Summary of issues raised  |
|--------|---------------------------------|---|
| C136   | C & B O'Reilly Hyland           | <p>A. It is requested that the existing town centre site at Ballinalea measuring c. 1,300sqm be re-zoned R20 (residential) in keeping with the adjoining lands and surrounding developments.</p>   |
| C151   | River Vartry Protection Society | <p>B.</p> <ol style="list-style-type: none"> <li>1. It is contended that the lands located at Ballinahinch within the ownership of Wicklow County Council and south of the existing Ballinahinch Park development are located within a flood plain and should not be zoned for further development.</li> <li>2. It is considered that the density of development proposed in the plan for Ashford is excessive and would represent development that would be out of character with existing developments in this area, in particular the Ballinahinch area.</li> </ol>  |

|      |                             |   |
|------|-----------------------------|---|
| C166 | Patrick and Eugene Stephens | <p>C. It is requested that Action Area 1 be altered as follows:</p> <ol style="list-style-type: none"> <li>1. The north eastern section of lands measuring 2.26ha identified as R20 within Action Area 1 be zoned Active Open Space</li> <li>2. The eastern section of lands within Action Area 1 currently zoned active open space be zoned for affordable housing</li> <li>3. The remaining residential lands within Action Area 1 measuring 5.03ha remain zoned R20 new residential.</li> <li>4. The lands adjoining Ashford Rovers football club remain zoned Active Open Space.</li> <li>5. The submission does not set out any particular reasons for the proposals put forward. It should be further noted that the proposals do not result in a decrease or increase in the amount of Residential or AOS lands within the action area.</li> </ol>  |
| C167 | Brian Stokes                | <p>D.</p> <ol style="list-style-type: none"> <li>1. It is proposed that the following objective be included under the heading SLO1 of the Ashford Town Plan: <p><b>S14</b> <i>For the purpose of this plan, the minimum set back of all new development (other than employment development) from the M11 shall be 50m. Where housing development is proposed within 100m of the M11, the developer shall be responsible for designing, providing and maintaining suitable noise and light pollution mitigation measures. The design of noise and light pollution mitigation measures shall comply with NRA best practice guidance.</i></p> </li> <li>2. It is requested that the density of the lands bordering the existing town park located within SLO1 be increased from R20 to R25.</li> <li>3. It is requested that the spelling of Inchinappa be</li> </ol>  |

|      |              |   |
|------|--------------|---|
|      |              | <p>corrected.</p> <p>4. It is requested that the extent of Opportunity Site No. 2 be increased in size by 0.3ha and the objective to provide for a multi use games area of at least 300sqm be removed.</p>  |
| C186 | Mathew Weiss | <p>E. It is requested that the property known as 'River Run Studio' be included within the plan and zoned as 'existing residential' as previously set out in the Ashford Local Area Plan 2008.</p>        |

### Chief Executive's response

- A. The subject lands adjoin the entrance to the Ballinalea estate comprising a partly used factory/commercial units. In the 2008 LAP for Ashford, a larger site of c. 0.37ha / 0.9 acres was zoned for 'Town Centre Activities'; however given the impact a site of this size could potentially have on the existing core retail area for Ashford, a decision to reduce the extent of the Town Centre zoning was made during the adoption of Variation No. 5 (Ashford LAP review) in 2014, and this revised zoning has been carried into the latest version of the plan. The area shown zoned for 'town centre' activities is proposed now at 0.09ha / 0.22 acres and the concept would be to facilitate perhaps a small sized local convenience store. Having considered the submission and having reviewed the proximity of this area to the actual town centre, it is considered unlikely that such a proposal would come forward or indeed be needed in the area and therefore it is considered the request to re-zone these lands for residential purposes is reasonable. Given the

extent of the rezoning proposal and that TC zoning allows for residential development in any case, it is not considered that this change will significantly alter the zoning allocations in the plan.

- B. The Ashford Town Plan has been subject to a Strategic Flood Risk Assessment as part of the plan crafting process in accordance with the 'The Planning System and Flood Risk Management - Guidelines for Planning Authorities' published in 2009 by the Department of the Environment, Heritage and Local Government and Office of Public Works (Flood Risk Guidelines). During the preparation of Variation No. 5 Ashford Town Plan adopted in October 2014 a detailed flood risk assessment of these lands was carried out by JBA Consulting which indicated that the subject lands were not located within the flood zone and that the zoning of the subject lands was not in contravention of flood risk guidelines.

In regard to the issues raised relating to the average density proposed for the plan area it is considered that a density of 20 units/ha (8/acre) is reasonable given the character of Ashford, the nature of existing development in the area and the topography of the lands within the plan area. It should be further noted that this average density represents a significant decrease from the average 28 units/ha provided for in the 2008 Ashford Local Area Plan.

Furthermore, given the population and housing targets for Ashford as set out in the Core Strategy, any reduction in density would also give rise to a need to zone more greenfield land for development, therefore further extending the town into the scenic landscape surrounding it, which significantly adds to its character. This is not recommended.

- C. The subject lands are located within Action Area 1. As set out in the introduction to Level 5 plans 'SECTION 2 ZONING AND LAND USE' under the heading 'action area plans' and specific local objectives: *"The position, location and size of the land use zonings shown on plan maps are indicative only and may be altered in light of eventual road and service layouts, detailed design and topography, subject to compliance with the criteria set out for the Action Areas"*.

In light of the above it is not considered necessary to alter the zonings within Action Area 1 as the exact location, layout and use of lands within this area can be decided through an Action Area Plan agreement with Wicklow County Council prior to any application being submitted on the subject lands.

- D. 1. The objective requested was in fact included in the 2014 town plan for Ashford. It is therefore recommended that it be included in SLO1 as an additional bullet point

2. Given the character of Ashford, the nature of existing development in the area and the topography of lands within the plan area, it is considered that an average density of 20 units per hectare is the most suitable density for the plan area. It should also be noted that the previously permitted Phase 1 of the development of lands at Inchanappa provided for an average density of c. 20/ha. It is considered that this reinforces the Planning Authority's view that this is the most suitable density for a settlement like Ashford.

3. Noted

4. Opportunity Site No. 2 comprises the lands immediately north of the former Garda Station. It is requested that this OP be extended to include the land to the south-east of the Garda Station. The lands south of the GS are zoned 'Open Space' in the draft plan.

This OS zoning came about following to carrying out of the Strategic Flood Risk Assessment of the County Development Plan, wherein it is identified that the lands to the south of the GS are at high risk of flooding (1:100). In accordance with the flood risk management guidelines these lands have been zoned as open space, as they would not pass the 'Justification Text' for any other use. It is therefore not considered appropriate to zone these lands 'town centre'.

For information, the lands to the north of the GS, which form OP2, do not display the same risk of flooding (risk of 1:1000) and therefore passed the Justification Test to be zoned for town centre type uses, where only water compatible uses would be acceptable in principle.

In regard to the removal of the objective requiring a MUGA to be provided as part of the development of Opportunity Site 2, the Planning Authority considers the provision of this piece of infrastructure would complement the new public park north of this area by providing for additional facilities while also softening the integration of the new developments with the new park and surrounding woodland. It is considered that the proposals in the draft plan in this regard are justified.

- E. The subject lands appear to be the lands / garden associated with the residential property 'River Run Studios'. These lands are located outside the draft plan area, the boundary having been revised in 2014. The lands were previously included in the 2008 LAP, and were bundled together with a larger block of land in the area as 'Action Area 2'. This former AA2 has been broken up, part of the lands identified as 'open space', part zoned 'Strategic Land Reserve' and some removed from plan area altogether. It is considered reasonable to include these lands in the 'RE' zone, being a small area of land, associated with a residential property, between residential areas. This designation would only potential allow for small scale infill development, which would not conflict with the Core Strategy figures, which allow for c. 70 infill units across the town on TC and RE lands.



## Chief Executive's recommendation

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### AMENDMENT 60

#### VOLUME 2 – PLANS

##### Level 5 town plans - Ashford Town Plan

Change the zoning of lands at Ballinalea identified as 'Town Centre' to 'RE existing residential'.

**From:**



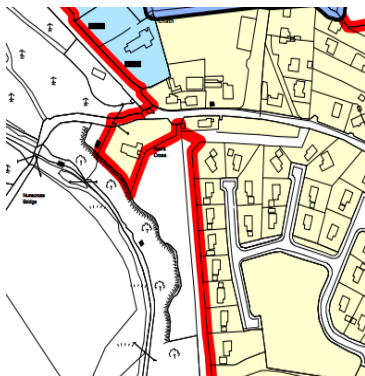
**To:**



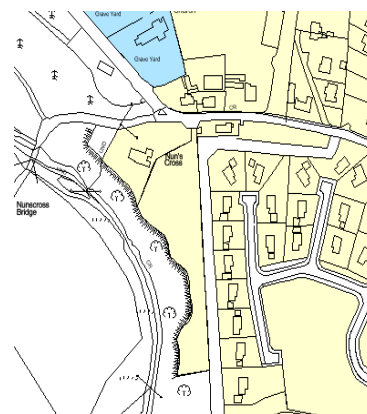
### AMENDMENT 61

Amend the land use Zoning Map at Nun's Cross.

**From:**



**To:**





## AMENDMENT 62

### VOLUME 2 – PLANS

#### Level 5 town plans - Ashford Town Plan

##### Amend SLO1 as follows:

*SLO 1: Inchinappa House This SLO is located on part of the grounds of Inchinappa House that adjoin the M/N11 to the east, the R772 to the west and bounded by Inchinappa House and outbuildings to the south. The overall SLO measures c. 16.2ha, as shown in Figure 4. This Specific Local Objective shall be delivered as a residential and open space/public park area in accordance with the following criteria:*

- *The lands zoned 'AOS' in this SLO shall be developed as a 'community park' open to all (not just residents of this action area) comprising woodland walks, landscaped areas, seats etc and a playground, teenage zone and adult gym (minimum 0.4ha in area) at an easily accessible and safe location.*
- *Only 50% of the proposed residential element may be developed prior to the open space lands being laid out in manner to be agreed with Wicklow County Council and devoted to the public*
- *The design and layout of the overall SLO, in particular the residential element, shall address and provide for passive supervision of the community park and amenity walks. At no point should the design or layout allow for housing backing onto this proposed public open space area.*
- *A pedestrian walk linking the residential area of this SLO to land designated as Opportunity Site 2 shall be provided as part of the development.*
- *The minimum set back of new housing development from the M11 in this SLO shall be 50m. Where housing development is proposed within 100m of the M11, the developer shall be responsible for designing, providing and maintaining suitable noise and light pollution mitigation measures.*

**PLAN TOPIC:     SPECIFIC LOCAL OBJECTIVES**

| <b>Number</b> | <b>Name</b>                     | <b>Summary of issues raised</b>   |
|---------------|---------------------------------|---|
| C7            | Ashford Residents Group         | It is suggested that the density of SLO3 be reduced to 7 units per hectare and that SLO4 be removed from the plan and placed within the Strategic Land Reserve as these lands are completely landlocked.  |
| C151          | River Vartry Protection Society | It is put forward that the density of development proposed in the plan for Ashford is excessive and would represent development that would be out of character with existing developments in this area, in particular the Ballinahinch area at SLO3.  |
| C174          | C. K & L Tottenham              | <p>This submission requests that a lower density of 12 units/ha be applied to lands located within SLO3 and that additional lands currently unzoned and outside the plan area be zoned to make up for the loss in unit numbers in the area (a specific land parcel is proposed to make up this shortfall).</p> <p>The land identified adjoins SLO3 and extends north west towards SLO4. It is requested that all of these lands would be zoned low density 10 units per hectare totalling 13.96ha. It is put forward that the proposed changes to the plan if adopted would provide for a total of 247 units.</p> |

**Chief Executive's response**

**SLO3** - The Planning Authority is of the opinion that the average 20 units/ha density proposed for the subject lands is appropriate given the proximity of these lands (SLO3) to the town centre, to existing and proposed community facilities and the planning and community gain that would arise from the completion of the proposed new road linking the R763 and the R764 improving safety at the existing junction of these roads.

Given the above it is considered that a lower density type development would be contrary to the proper planning and sustainable development of the area.

As it is recommended that the density remains at 20/ha, there is no necessity to zone additional lands to the north of SLO3 to make up for any shortfall in number arising from a reduction in density. Therefore the request to zone additional lands to the north of the SLO3 is not supported.

**SLO4** - The key rationale for the zoning of the SLO4 lands in this plan and in previous plans relates to the 'infill' nature of the lands and the 'planning gain' that would be achieved for the area in terms of providing a car park for the school, which did would once developed reduce the need for users to travel through the Nun's Cross junction.

As with all zoning objectives, it is a matter for the landowner of SLO4 to make arrangements with adjoining landowners and / or purchase additional lands where infrastructure outside of the site is required in order to allow the zoned lands to proceed.

**Chief Executive's recommendation**

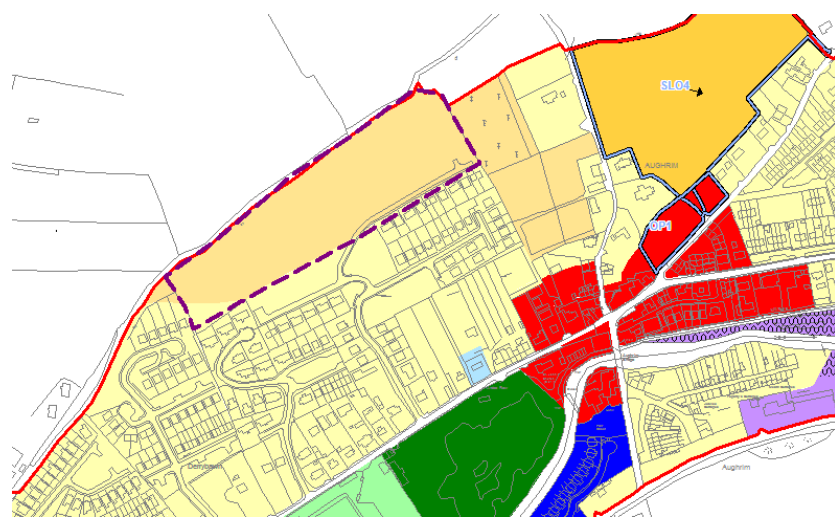
No change

None

Please note that any submission that brought up issues that are relevant to all Level 5 settlements or issues that are addressed in the 'Introduction to Level 5 Plans' are dealt with separately at the start of this section of the report.

**PLAN TOPIC:** REZONING SUBMISSION – LANDS NORTH OF RATHMORE, AUGHRIM LOWER

| No. | Name               | Summary of issues raised  |
|-----|--------------------|---|
| C19 | Paschal Bermingham | Submission from owner of lands (c.4.28ha) at North Rathmore, Aughrim Lower.<br>The lands are zoned R10 in draft plan.<br>The owner confirms that he is satisfied with the proposed zoning and requests that it be maintained in order that low density housing can be constructed on the site once mains sewage capacity is available. It is indicated in the submission that the site is within Aughrim boundary, has direct access into the existing road and mains services in Rathmore development. |



*Draft CDP 2016-2022 - Lands the subject of the submission identified in purple dash*

#### **Chief Executive's response**

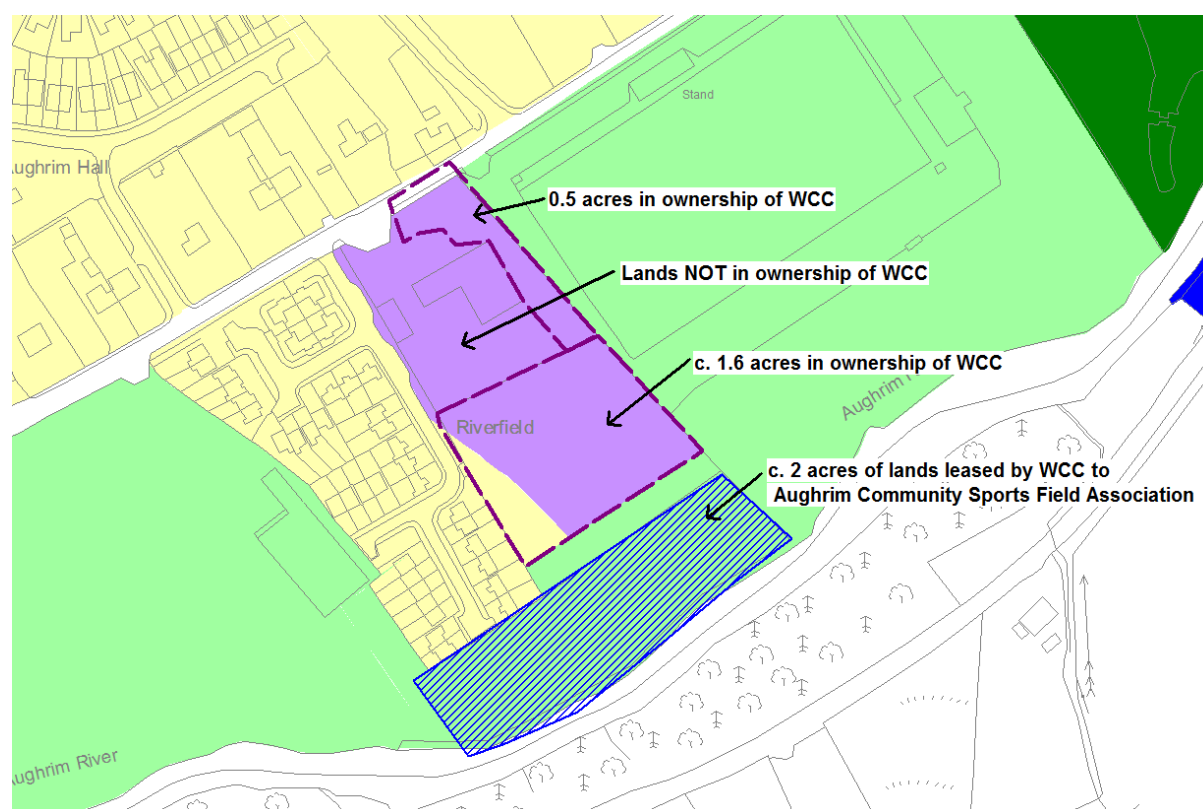
Noted

#### **Chief Executive's recommendation**

No change

**PLAN TOPIC: REZONING SUBMISSION – AOS AT REDNAGH ROAD**

| No. | Name   | Summary of issues raised  |
|-----|--|---|
| C8  | Aughrim Community Sports & Leisure Association Ltd (Liam O'Loughlin) | <p>The Association has developed a community sporting facility at Rednagh Road on c.9 acres. They have leased a further 2 acres from Wicklow County Council which has been developed into a small playing pitch. Alongside this land is a further 3 acres of Council owned land which is currently zoned Employment (E).</p> <p>Request this parcel of 'E' land be rezoned for Active Open Space (AOS). The Association has made enquiries in past and is need of additional land for community use. Upwards of 40% area zoned as AOS is not available to local community as it is owned by GAA</p> |



*Draft CDP 2016-2022 – No map of the subject lands is included with the submission. Based on the information provided, it appears that the submitter is requesting the rezoning of the lands identified in purple dash, which measure 1.6 acres and 0.5 acres.*

## Chief Executive's response

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Active Open Space (AOS) is to be provided in the plan area in accordance with the Wicklow Local Authorities 'Play Policy' and 'Sports and Recreation Policy' which requires that AOS should be provided at a rate of 2.4ha per 1,000 population. Based on the 2022 population target of 1,758 people, the plan should provide c. 4.5ha of AOS in the following manner – 3ha outdoor sport and recreation, 1.13ha casual play and 0.37ha equipped play space. Even taking the longer term 2028 population target of 2,000 persons, and assuming Aughrim also serves a rural catchment of up to 3,000 persons, the requirement would be 7.2ha.

Table 2.2 of the draft plan includes information on the current and future planned outdoor sport and recreation provision in the area. A total of c. 9ha is zoned for AOS use on the grounds of the GAA and Aughrim Community Sports & Leisure Association. This is well in excess of the policy requirements. A further 3.4ha is zoned for open space use at Rednagh Park and additional land is reserved for a Multi Use Games Area at SLO2 in Aughrim Lower.

Having regard to the above, it is considered that sufficient land is zoned for AOS use to provide for the needs of Aughrim and its hinterland into the future. No additional land is required to be zoned.

WCC currently lease c.2 acres of AOS zoned land to Aughrim Community and Leisure Association. In 2013 the Association approached WCC to enquire about leasing the employment land to the north of the leased land. At the time the CE considered that it was not possible to accede to the club's request having regard to the obligation of the Council to provide land for other uses such as employment and enterprise. The position of the CE on this matter has not changed. The CE considers that the lands should retain an Employment zoning. This is particularly so, in light of the current availability of lands zoned for sporting and recreation facilities, well in excess of the policy standards.

The zoning of these lands has been carried forward from the current 2010 plan. An irregular shaped piece of residential zoned land measuring c. 0.09ha (0.22acres) is within the site. The irregular zoning appears to date to a planning application by WCC in 2001 for the now constructed Riverfield Development. It is recommended that the zoning be regularised.

## Chief Executive's recommendation

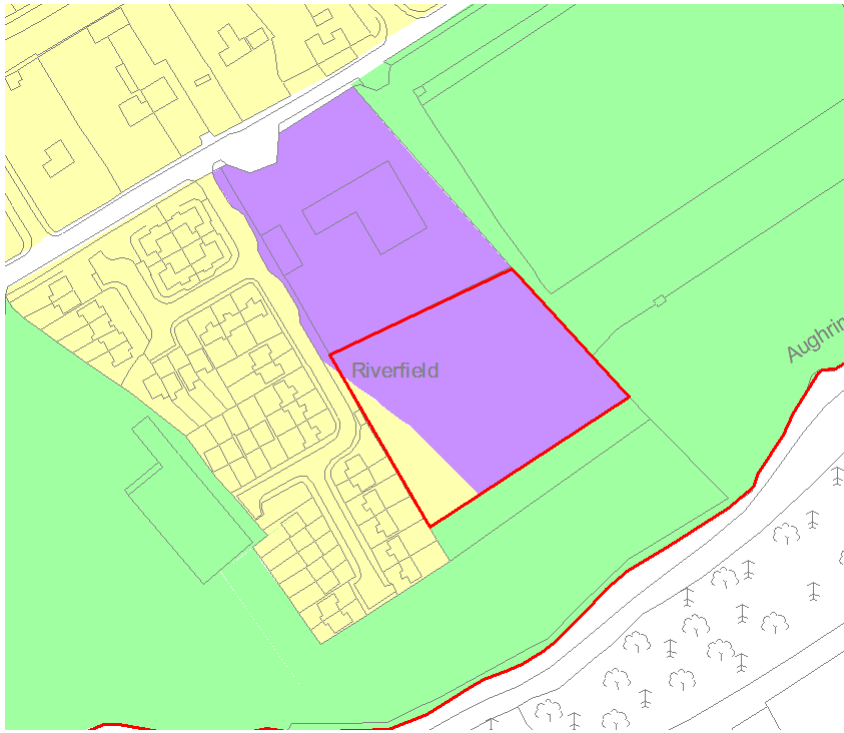
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### AMENDMENT 63

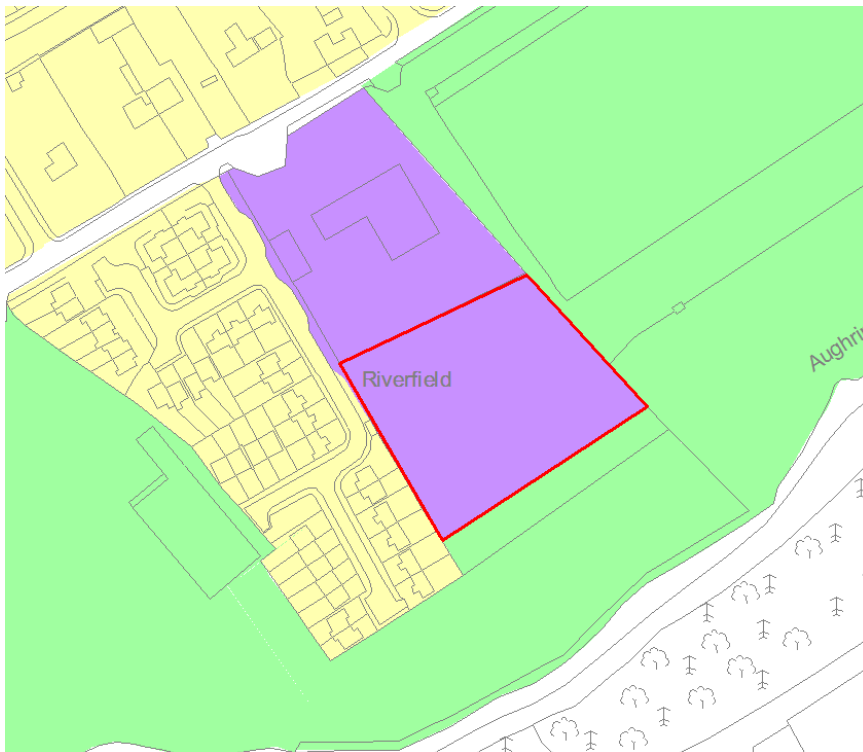
#### Volume 2 – Level 5 Town Plans - Aughrim

Rezone 0.09ha (0.22acre) from Residential to Employment

From:

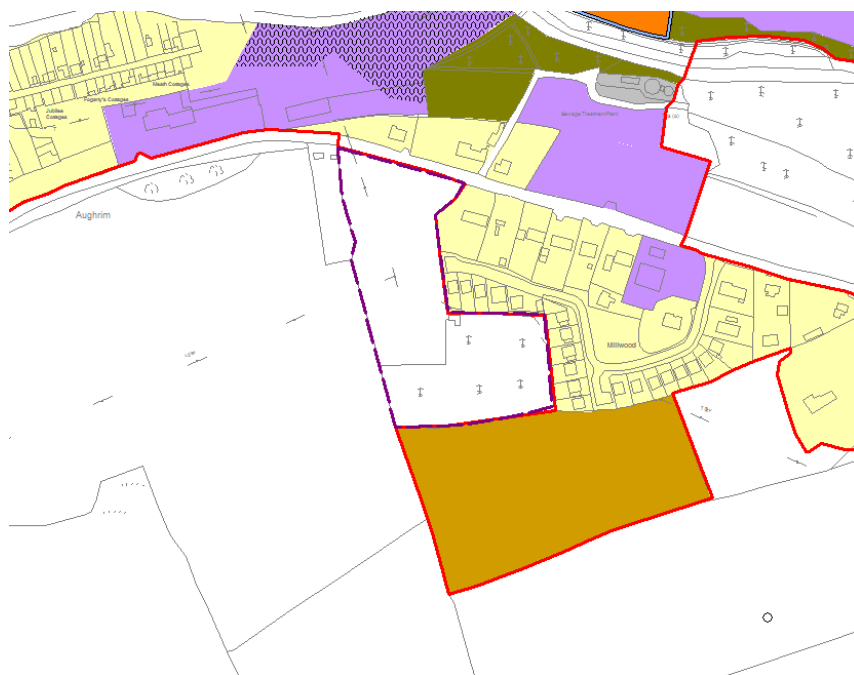


To:



| No. | Name       | Summary of issues raised   |
|-----|------------|--|
| C72 | John Dunne | <p>This submission relates to lands measuring c.1.94ha at Killacloran, south east of the village centre, on the R747. The lands are proposed for 'rural/ agriculture' use in the draft plan. It is requested that the lands revert to a 'Residential' zoning as per the current County Development Plan 2010-2016.</p> <p>Reasons:</p> <ol style="list-style-type: none"> <li>1. Site is appropriate for infill development – an underutilised site between the existing and proposed residential areas in Killacloran and the town core, and has been zoned residential since the Aughrim land zoning objective plan c. 2004.</li> <li>2. It is within easy access to the largest commercial/employment town in the area (Arklow) via the R747 regional road.</li> <li>3. It is immediately accessible to the proposed redevelopment of the Mill, the river walk and the Aughrim River amenity.</li> <li>4. Its development would provide for the urgent need for pedestrian access to the town core via development levies in tandem with good design practice.<br/>The site is located in close proximity to the existing aeration wastewater treatment plant, and both it and the existing water supply would benefit from development levies from this site.</li> <li>5. A Traffic Impact Assessment has been produced by Atkins Global Engineering in relation to the development of this site. This concludes that the traffic flows and impacts generated by the proposed residential development would be small relative to the background traffic flow forecasts from the area, and that the road junctions in the vicinity of the proposed development would operate well below capacity both with and without the development in place, and that there is sufficient capacity to accommodate future traffic growth well into the future. This traffic impact assessment, prepared in 2006, is attached as part of the submission.</li> </ol> |





*Draft CDP 2016-2022 - Lands the subject of the submission identified in purple dash*

### **Chief Executive's response**

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Under the current Wicklow CDP2010-2016, the lands are zoned R1 'Proposed Residential'. The estimated capacity of the lands is c. 30 - 40 units. Under the draft plan, these lands have been de-zoned from residential to rural use.

In response to the issues raised in the submission:

1. The lands have been zoned for residential use in the 2004 CDP and the current 2010 CDP. However, during the review of the current 2010 CDP it has been found that there is an oversupply of land zoned for residential use in Aughrim. As such, there is a need to reduce the housing capacity of land zonings. The lands in question are considered to be more suitable for down zoning than other land parcels within the town.
2. While Aughrim 'settlement' is generally accessible to Arklow, the real matter of consideration is whether or not the subject lands are accessible to Aughrim town centre, rather than accessible to Arklow. The lands are located on the R747 regional road, and while they are physically, in close proximity to the town centre, there are significant traffic issues that severely compromise accessibility to the centre. These issues are considered below.
3. The proposed link to the village via the mass path/Mill site/future Railway Walk, is not considered an acceptable or safe route and furthermore it is not considered that this path links up with existing paths sufficiently close to the town centre to eliminate pedestrians taking the direct route from the site to the bridge, from where there is no safe crossing.
4. No zoning decision can be justified on the basis of financial gains that may result from the imposition of development levies, irrespective of any infrastructure that may benefit at some stage in the future. All decisions must be based on sound and justifiable planning reasons.
5. The traffic impact assessment relating to the impact of a housing development on the capacity of road junctions etc, does not address the fundamental traffic issues concerning the development of the lands.

The lands are separated from the town core by the R747 regional road. The R747 is a major arterial cross county route in south Wicklow, that is identified under the draft plan as having a possible future role in the development of LOOR (Leinster Outer Orbital Route). The route is heavily trafficked carrying a large number of heavy vehicles. While the site is located within the 60km/hour speed limit area, traffic does not generally slow to lower than 60km/hour.

There is no safe pedestrian / cyclist crossing between the proposed lands and the town core. Having regard to the role of the route, the Roads Section is not supportive of proposals for a pedestrian crossing or traffic lights. In the absence of a safe pedestrian crossing, the CE considers that the development of the lands for potentially up to c.40 units, which would generate considerable pedestrian traffic, is not acceptable and could potentially endanger public safety by reason of traffic hazard.

In 2001 WCC refused permission for the development of 44 houses on the site (PRR00/3310) for the following reasons: (i) haphazard expansion at a location separated from the village core and the development envelope of the settlement, (ii) endanger public safety due to traffic hazard caused by interference with free flow and safety of R747, (ii) endanger public safety due to traffic hazard caused by lack of pedestrian path linking site to the village core / link via mass path is not acceptable.

The lands adjoining the site were the subject of a number of planning applications (PRR04/1968, PRR05/2672, PRR05/3603) for c. 48 units, which were refused citing traffic hazard and the risk to the public safety of a pedestrians caused by the lack of a safe pedestrian crossing across the heavily trafficked regional road. Permission was subsequently received for 4 units.

For the reasons set out above, the proposal to zone the lands for residential use should not be accepted.

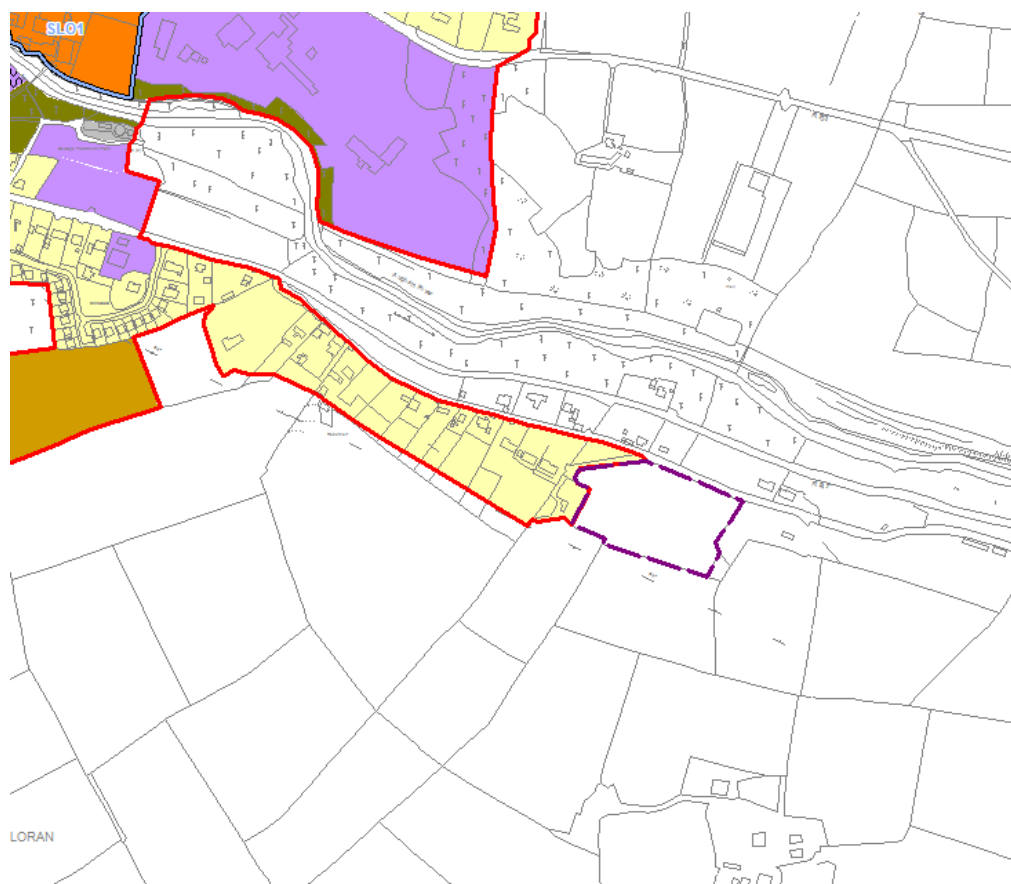
#### **Chief Executive's recommendation**

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No change

**PLAN TOPIC: REZONING SUBMISSION – C.4 ACRES/ 1.6HA AT KILLACLORAN**

| No. | Name          | Summary of issues raised   |
|-----|---------------|--|
| C85 | Michael Healy | <p>This submission relates to lands measuring 4 acres (1.6ha) at Killacloran, south east of the village centre. It is requested that the lands revert to an 'Existing Residential' zoning as per current County Development Plan 2010-2016, as are now proposed to be excluded from the plan boundary i.e. unzoned land, rural use.</p> <p>Reason:</p> <p>Land located at end of cul de sac / a public road taken in charge by WCC – the road is surfaced and serviced by watermain, main sewerage and public lighting. The junction at the main road was renovated and improved in 2012.</p> <p>This site was the only part of the entire farm holding that had a residential zoning. The site has held important equity relative to the remaining land holding. The dezoning will leave the owner in an untenable position with his lending institutions.</p> <p>There have been planning permissions granted along this lane in recent years.</p> <p>The lane has traditionally been part of Aughrim Village and sites have been made available for local needs at Killacloran Lane since the first development plan was introduced.</p> <p>It is not proposed that the land be for high density development.</p> |



*Draft CDP 2016-2022 - Lands the subject of the submission identified in purple dash*

## Chief Executive's response

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Under the current Wicklow CDP2010-2016, the lands are zoned RE Existing Residential. Under the draft plan, these lands have been de-zoned from residential to rural use, for the following reasons:

- (1) During the review of the current CDP, it was found that there is an oversupply of land zoned for residential use in Aughrim - the capacity of the current land zonings is 95 units in excess of the requirements. As such, there is a need to reduce the housing capacity of land zonings. The lands in question are considered to be more suitable for down zoning than other land parcels within the town for the following reasons:
  - The lands are separated from the town core by the R747 regional road. The R747 is a major arterial cross county route in south Wicklow. The significant role of the route is noted in draft plan which states that it is an objective *"to improve the R747 (Arklow – Aughrim – Tinahley – Baltinglass), including re-alignment or by-passing of existing sections where necessary, having particular regard to the role this route may plan in a future LOOR (Leinster Outer Orbital Route)"*. The route is heavily trafficked carrying a large number of heavy vehicles travelling at high speeds.
  - There is no safe pedestrian /cyclist crossing between the proposed lands and the town core. Having regard to the role of the route, the Roads Section is not supportive of proposals for a pedestrian crossing or traffic lights. In the absence of a safe pedestrian crossing, the CE considers that the development of the lands is not acceptable and it could potentially endanger public safety by reason of traffic hazard.
- (2) The site is located at the end of a cul de sac that is deficient in width and pedestrian facilities. The site is unsuitable for the development of a large number of units and could potentially endanger public safety by reason of traffic hazard.
- (3) There are no permissions for development of the site. In 1998 Michael Healy was refused outline permission for 22 single storey dwellings and ancillary works for the following reasons:
  1. Traffic hazard – deficient sightlines at junction of the lane serving the site and route R747, deficient access lane, no footpath on access lane and greater part of R747, no public lighting along the route.
  2. No public watermain near site and site is at too high an elevation to be supplied by public supply
  3. Surface water drainage issues
  4. Gradients of proposed internal roads are unacceptable
- (4) On lands directly opposite the site, an application by Michael Healy was refused in 2006 for the development of two dwellings (PR06/6332), for the following reasons:
  1. Suburban sprawl in an agricultural area
  2. Design
  3. Substandard access road serving the site, which is inadequate in design and construction to accommodate the additional traffic movements likely to be generated by the proposed development.
  4. Endanger public safety by reason of serious traffic hazard because of inadequate sightlines at the junction of the access road with the R747
  5. Traffic hazard due to traffic turning movements generated by the proposed development interfering with the free flow and safety of traffic on the R747.

- (5) While a limited number of single houses have been granted over the last number of years, it should be noted that the subject lands measure c. 4 acres and as such have an estimated theoretical capacity of approximately 10-15 units. The subject lands are not suitable for the development of a large number of units.

**Chief Executive's recommendation**

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No change

**SECTION 3.3.17 CARNEW**

Please note that any submission that brought up issues that are relevant to all Level 5 settlements or issues that are addressed in the 'Introduction to Level 5 Plans' are dealt with separately at the start of this section of the report.

PLAN TOPIC: ZONING

| No. | Name                  | Summary of issues raised   |
|-----|-----------------------|--|
| C43 | Combin Properties Ltd | <p>This submission relates to lands to the south of Carnew Primary Care Centre located off the Gorey Road (the R725) to the east of Carnew. The draft Carnew Town Plan has designated lands measuring c. 0.37ha to the immediate rear of the near complete primary care centre within the Strategic Land Reserve. The remaining lands within the ownership of Combin Properties are located outside the plan boundary and are unzoned (c. 1.93ha).</p> <p>It is requested that the above lands be included within the plan area, zoned Community/Educational/Institutional and designated as a 'specific local objective' within the plan to provide for a nursing home and/or assisted living units.</p> <p>The submission also requests the inclusion of these lands as a residential care facility under objective RD17 of Chapter 8 Community Development.</p> |
| C84 | Michael Healy         | <p>This submission relates to the lands measuring c. 0.8ha to the immediate south-east of the Primary Care Centre. These lands are to the rear (south) of an existing residential property on the Gorey Road, and are not included in the plan boundary of the draft plan.</p> <p>It is requested that the subject lands be included in the plan and zoned for Community/Educational purposes. It is stated that the intention for the development of these lands would be to provide a nursing home type development of elderly housing in this area.</p>   |

### Chief Executive's response

It is considered that the proposal for a community/residential care type facility within the plan area has significant merit and would help consolidate the existing health based community facilities in this part of the plan area. Both submissions propose the inclusion of lands, either zoned SLB in the case of submission C43 or outside the plan area in the case of submission C84, within the plan boundary and that a Community/Educational/Institutional zoning apply to these lands.

Both of these lands adjoin the near complete primary care centre and are situated within close proximity to the existing Carnew Community Care facility.

In regard to the proposal put forward for assisted living units it is considered that such a development should be centred around an established nursing home/residential care facility and therefore the

provision of such units would be seen to be a more long term proposal for this area once a nursing home/car facility has been established and may be more appropriate in future plans for Carnew once such a facility is up and running. There is also a concern that facilitating or encouraging such a form of development, which essentially comprises stand alone dwellings (albeit they may be managed by a nursing home or other care facility), would be seen as a tacit approval for housing in general on lands zoned CEI, which is not the case.

Given the similarities between the proposals put forward on both of these lands it is considered reasonable to zone 1ha of lands to the rear and immediate east of the near complete primary care centre and to designate this area a 'specific local objective'.

In regard to the request for the subject lands forming part of submission C43 to be included under objective CD17 (Residential care objectives) of Chapter 8 'Community Development' it is not considered necessary to include these lands under this objective given the location of the subject site and the proposals to include these lands within the Carnew Town Plan area.

### **Chief Executive's recommendation**

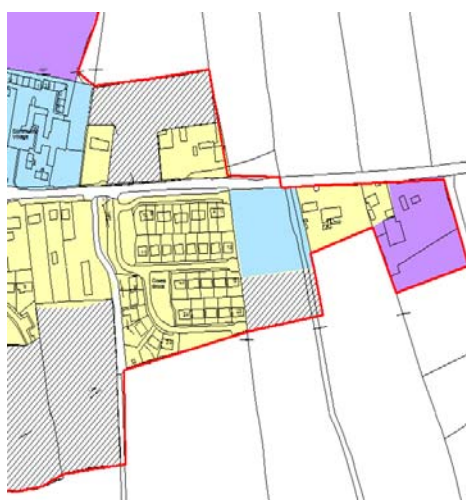
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#### **AMENDMENT 64**

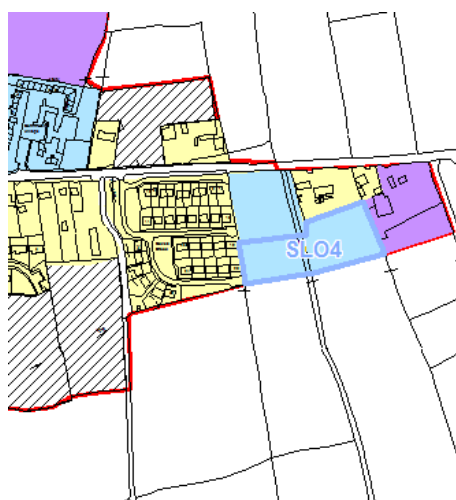
A. Amend the Carnew Zoning Map as follows:

1. Lands to the rear of the near complete primary care centre currently located within the Strategic Land Reserve be zoned CE measuring c. 0.435ha
2. The adjoining lands to the immediate east currently outside the plan boundary measuring 0.565ha be zoned CE

**Change From:**



**Change to:**



B: Add a new specific local objective within the plan area SLO4 and include the following wording:

*This SLO is located to the south and south east of the new Primary Care Centre in the east of the town on the Gorey Road. It measures c. 1ha in total and may be developed as a new community development to specifically deliver a health or care related scheme, including nursing home use, but excluding any stand alone housing units, whether or not they are linked to the primary health and care use.*

Please note that any submission that brought up issues that are relevant to all Level 5 settlements or issues that are addressed in the 'Introduction to Level 5 Plans' are dealt with separately at the start of this section of the report.

**PLAN TOPIC: ACTION AREA 1**

| No. | Name            | Summary of issues raised   |
|-----|-----------------|--|
| C40 | Gladys Coleborn | <p>This submission raises a number of concerns relating to the development of Action Area 1 and in particular relating proposed new road access connecting the Logatryna Road to Kilcullen Street, in particular:</p> <ol style="list-style-type: none"> <li>1) It is contended that new road along the rear and side of the Coleborn property will impact negatively on the privacy of the property and cause noise pollution arising from the increased traffic.</li> <li>2) The level of the proposed road and the impact this will have on the views and the enjoyment of the living spaces from the existing Coleborn property.</li> <li>3) The boundary treatments being proposed and the height of such boundaries</li> <li>4) The location of the pedestrian footpath along this roadway.</li> </ol> |

### Chief Executive's response

In regard to the issues raised in this submission it should be noted that the indicative road lines and pedestrian routes are just that and are subject to detailed design at planning application stage.

It is noted that permission has been granted on the subject lands identified as Action Area 1 in the Draft Dunlavin Town Plan namely Planning Ref. 08/1358 which has subsequently been granted an extension to the appropriate period and is due to expire on the 25/07/19.

During the detailed design and consultation for this planning application all issues relating to overlooking, overshadowing, noise, road configuration and impacts on existing properties would have been taken in consideration prior to any decision being made. It is noted that from the detailed planning drawings and landscaping plan submitted as part of this application that the proposed access road will provide for planting to the southern and western boundary of the Coleborn property, while the footpath issue highlighted is located on the southern side of the access road. It is also noted that the proposed single storey crèche development to serve this development is to be located to west of the rear boundary of the Coleborn property, with planting also proposed along the rear boundary.

### Chief Executive's recommendation

No Change



**SECTION 3.3.19 ENNISKERRY**

Please note that any submission that brought up issues that are relevant to all Level 5 settlements or issues that are addressed in the 'Introduction to Level 5 Plans' are dealt with separately at the start of this section of the report.

**PLAN TOPIC: CONTEXT**

| No.  | Name           | Summary of issues raised   |
|------|----------------|--|
| C24  | Aidan Booth    | Enniskerry is referred to as a "Small Growth Town". Enniskerry is not a town and the topography and natural beauty of the area is such that significant new development is difficult to accommodate.   |
| C60  | Brian Donnelly | Enniskerry is a village and not a town.  |
| C144 | Margaret Price | This submission has a number of concerns with regard to the designation of Enniskerry as a town as opposed to a village, the increased housing, population density, the impact on the local economy and on the environment and heritage of Enniskerry Village. The necessity of developing such a unique historic village in such an overpowering manner, out of context with the village is queried given the availability of resources in other areas. |

**Chief Executive's Response**

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As Enniskerry is designated a 'Small Growth Town', not a village, in the Core Strategy, this nomenclature must be retained, as the town plan must be consistent with the Core Strategy of the County Development Plan. Having regard to proper planning and development, given Enniskerry's existing population, existing services, existing public transport and location to surrounding settlements it has been designated as a Small Growth Town. Within the settlement hierarchy Enniskerry would not fit in with the 'village' designation, the largest of village designations is a 'large village' which generally have a population of less than 500 persons and in 2011 Enniskerry population was 1940 persons, which is extensively higher than the large villages in the County and in line with the Level 5 settlements.

**Chief Executive's Recommendation**

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No change

**PLAN TOPIC: OVERALL VISION AND DEVELOPMENT STRATEGY**

| <b>No.</b> | <b>Name</b>                         | <b>Summary of issues raised</b>   |
|------------|-------------------------------------|---|
| C35        | Gillian Carey                       | Any development should be sensitive to Enniskerry tourism potential. With the development of Fassaroe and Kilternan so close to Enniskerry, it is important to keep Enniskerry as a rural village as the traders depend on the seasonal tourist business. Additional dwellings within the village do not necessarily increase local trader's business.  |
| C45        | Noel Corcoran                       | <ul style="list-style-type: none"> <li>There needs to be improved communication between Wicklow County Council and Dun Laoghaire Rathdown County Council with regard to traffic and the developments at Fassaroe, Cherrywood and Kilternan and the impact on Enniskerry and north Wicklow.</li> <li>The development of Enniskerry should be balanced with heritage, traffic and general sustainable considerations.</li> <li>The green bowl around the village should be protected.</li> </ul>  |
| C48        | Mary Rose Craig                     | <ul style="list-style-type: none"> <li>Enniskerry, with Powerscourt Demesne, is an important tourist attraction. It has an important role in enhancing the tourist experience in County Wicklow today and into the future. Wicklow County Council should recognize Enniskerry's unique character.</li> <li>Enniskerry should have a greenbelt around it to protect it from the surrounding large developments like Fassaroe, Stepside, etc.</li> <li>How was the boundary for Enniskerry decided, as there are areas included that should not be and areas that should be included. It would appear that the zonings are to favour developers.</li> </ul> |
| C63        | Siobhan Downes                      | Enniskerry is a scenic Victorian village and is an important tourist destination. The proposed development of the village will be devastating for tourism and local business, as it will no longer be the destination that it is today. The increase traffic congestion will cause problems for the older residents in the village accessing the local services. Enniskerry should stay the way it is now with the preservation of the existing landscape for health and wildlife.  |
| C74        | Enniskerry Forum<br>(Stephen Byrne) | <p>Enniskerry Forum is a voluntary community group that exists to support and work with the wider community.</p> <ul style="list-style-type: none"> <li>The existing objective 'to strengthen and enhance as appropriate all objectives of the existing town plan particularly those relating in heritage including views, traffic and transportation and community development' is important as the Enniskerry community seek that these objectives are met in any future decision in relation to land use.</li> <li>The preservation of the greenbelt around the village is essential.</li> </ul>   |
| C108       | Tracey & Barry<br>MacDevitt         | <ul style="list-style-type: none"> <li>The plan recognizes the importance of the landscape in Enniskerry and the beauty of this landscape.</li> <li>The existing objective 'to strengthen and enhance as appropriate all objectives of the existing town plan particularly those relating in heritage including views, traffic and transportation and community development' is important.</li> <li>The village and Powerscourt is one of the prime attractions for visitors in the County. The development proposed for Enniskerry</li> </ul>  |

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|      |                         | <p>will negatively impact the integrity, character and uniqueness of the Village. It will result in traffic and parking chaos.</p> <ul style="list-style-type: none"> <li>▪ The preservation of a greenbelt around Enniskerry is essential to the ongoing existence of the village and to keep its status as a major tourist destination. The proposed development at Fassaroe is of concern as it may subsume Enniskerry and impact on the unique Village Character. Hence a greenbelt is important.</li> <li>▪ There appears to be a lack of joined up planning as there are significant developments proposed at Cherrywood, Carrickmines, Kilternan and Fassaroe with little concern of the impacts these will have on Enniskerry Village.</li> <li>▪ Enniskerry being designated a Level 5 Growth Town is a misjudgment. This will bring an increased pressure on the inadequate infrastructure of Enniskerry.</li> </ul> |
| C110 | Ruth Magee              | <p>Enniskerry should be treated as a unique heritage / tourist village. The Department of Tourism puts an onus on Local Authorities to preserve and protect such areas into the future. Failte Ireland has specified that the East Coast of Ireland is promoted. National Geographic has put Powerscourt Gardens as No.3 in the world to visit. European guidelines recommend that local councils preserve the integrity of heritage/Victorian Villages and that they are not treated in the same way as urban locations. Wicklow County Council is failing to address these issues.</p>   |
| C129 | Pat & Sheila Nolan      | <p>A greenbelt should be around Enniskerry as it is essential to the ongoing existence of the village. The proposed development at Fassaroe is of concern as it may subsume Enniskerry and impact on the unique Village Character.</p>   |
| C132 | Joe O'Brien             | <ul style="list-style-type: none"> <li>▪ The Council should undertake an environmental impact study of the village/environs, green belt existing agricultural land in the district and designate Enniskerry as a "Special Case", treating it as an "exception" keeping development to an absolute minimum. The scale of development proposed is totally out of line as Enniskerry is a unique heritage town of National and possibly International importance, it is on the doorstep of the Wicklow Mountain National Park and is beside Powerscourt Estate.</li> <li>▪ For future nationwide generations, any development that threatens/compromises the delicate fabric of the town and agricultural hinterland should be resisted.</li> </ul>   |
| C169 | Julie & Carl Strickland | <p>Enniskerry's identity, sense of place and character must be protected. There must be joined up strategic planning and consultation between different government departments so there is a holistic view to protect the village into the future. All aspects of development in the village must incorporate planning to harness the beauty of the area so that it is an asset into the future and creating a viable destination from Dublin.</p>   |
| C178 | Mike Walker             | <ul style="list-style-type: none"> <li>▪ The vision for the village is welcomed however there are concerns over the credibility of some of the objectives within the plan.</li> <li>▪ Enniskerry is described as a Level 5 Small Growth Town and under the National Spatial Strategy such towns should have good public transport links and be within 10km of Large Growth</li> </ul>  |

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|  |  | <p>Towns. Enniskerry has two public bus routes none of which terminate in Wicklow, Greystones or Arklow. According to this definition does Enniskerry qualify as a Small Growth Town? Having regard to this, and the sensitive natural and built heritage assets of the area Enniskerry should be classed a village with housing development reflecting this, and its architectural heritage. The National Spatial Strategy designates the north of County Wicklow as a 'stronger rural area' and urban generated housing should be directed into the urban centres and minimised in the rural area and that any development within the villages of the stronger rural area should be respectful of their character.</p> |
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### Chief Executive's response

- It is agreed that the tourism product and the identity and character of Enniskerry is critical to its future as a tourist attraction and Wicklow County Council is supportive and fully facilitates this. The importance of Powerscourt as a tourism asset to Enniskerry and the County is also recognised and WCC fully supports this. WCC recognises the economic importance of the Town Centre and also fully supports this and the future economic development of the town centre area for the benefit of the locals as well as visitors. The actual development and promotion of tourism and business, rather than its facilitation, is outside the remit of a land-use plan and is managed by organisations such as Fáilte Ireland, the County Tourism Board, Wicklow Enterprise Office, etc.
- WCC consulted with Dun Laoghaire Rathdown County Council during this plan making process and will continue to consult with them throughout the process. During the lifetime of this County Development Plan, further detailed consultation will happen with the drafting the Bray Municipal District Local Area Plan.
- It is important to note that the Regional Planning Guidelines have designated the north east of the County, along with the adjoining Local Authorities to the north, as the 'Metropolitan Area', with the strategy to physically consolidate the growth of the metropolitan area of Dublin. Enniskerry has been designated a 'Small Growth Town 1' in the RPGs on the edge of the Metropolitan Area and it is a requirement for the County Development Plan and the Enniskerry Plan to be consistent with the RPGs. It is not possible for WCC to designate Enniskerry as a 'special case', or an 'exception' keeping development to an absolute minimum or as a 'village' within the settlement hierarchy strategy. The plan has been drafted with the vision to ensure that the settlement can sustainably develop while maintaining the tourism potential of the area, along with protecting built and natural heritage (as well as the protection of Enniskerry's identity) while accommodating the natural rise in the household formation of the area.
- The nearby plan boundary of Bray Environs and Dun-Laoghaire Rathdown Local Authority are separated from Enniskerry by topography, tree screening and a river. 'The need to maintain the rural greenbelt between towns' is a key written 'Land Use Zoning Principle' of the draft County Development Plan therefore it is not considered necessary to incorporate a 'greenbelt zoning' around the settlement of Enniskerry. This issue will be further considered as part of the Bray Municipal District Local Area Plan process.  
The plan boundary for Enniskerry has developed over a number of plans, the current draft plan boundary has been brought forward from the current plan with minor amendments to consolidate the boundary on peripheral lands. The plan has zoned lands based on the principles of proper planning and sustainable development and the lands have been zoned from the

centre out. Generally land ownership is not a consideration in crafting the boundary for a plan area and no evidence has been presented to support the contention that the zonings are to favour developers, or what lands should be included and what should be included.

- It is noted that it is important *"to strengthen and enhance as appropriate all objectives of the existing Enniskerry Town Plan, particularly those relating to heritage including views, traffic and transportation and community development"*. The submission states that this is an objective of the plan; however to clarify this issue, this sentence is not a specific objective in the current plan, this was a recommendation of the First Chief Executive's Report that has been fully implemented in the crafting of the objectives of the draft plan.
- The draft Enniskerry Town Plan, along with the draft County Development Plan, has been the subject of a Strategic Environmental Assessment and an Appropriate Assessment, with any recommendations from the environmental studies incorporated into the draft plan.
- The concept of the 'green bowl' around the town centre is noted. There are no objectives included in the draft plan that would alter the settlement's topography or would encourage tree removal, both of which create this 'green bowl effect'.

#### **Chief Executive's recommendation**

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No change

**PLAN TOPIC: RESIDENTIAL DEVELOPMENT**

| <b>No.</b> | <b>Name</b>                         | <b>Summary of issues raised</b>   |
|------------|-------------------------------------|---|
| C24        | Aidan Booth                         | The submitter questions why Enniskerry was isolated as the only town with a deficit in zoned lands while all others have an excess. Some of the excess zoned lands in other settlements should be allocated Enniskerry's increase in population allocation given the acknowledged difficulties in finding additional land for zoning in Enniskerry. The future population allocation is considered excessive and will have a negative impact on the existing residents, the landscape and the existing tourism sector for the village.  |
| C45        | Noel Corcoran                       | The allocated 470 new dwellings seem excessive. The green bowl around the village should be protected.  |
| C48        | Mary Rose Craig                     | <ul style="list-style-type: none"> <li>Enniskerry is not suitable for development of this scale proposed. The location in a hollow creates serious connectivity problems. Enniskerry's topography, geology, poor road network, poor public transport service and existing infrastructure are not suitable to such an increase. To designate it as a town for development to satisfy future housing allocations is considered ridiculous. There is serious traffic congestion in the village at the moment without any of the proposed future housing. The population growth for the county should be allocated to the larger settlements as opposed to a scattergun approach. The town should be the subject of an environmental assessment prior to any significant development being permitted.</li> <li>New housing should be limited to a single storey.</li> </ul> |
| C74        | Enniskerry Forum<br>(Stephen Byrne) | With regard to the future housing allocation of c.470 units and a projected population increase of c.560 persons, these two figures are inconsistent. The 470 figure seems excessive.   |
| C108       | Tracey & Barry<br>MacDevitt         | It is unclear why a housing increase of 470 units is required to accommodate a projected 560 persons.   |
| C129       | Pat & Sheila Nolan                  | The scale of the proposed future development in Enniskerry does not appear to have taken into account the traffic, noise and congestion impact on an existing small throughway of a village, or the impact on the existing residents.   |
| C144       | Margaret Price                      | <p>With regard to the future housing allocation of c.470 units and a projected population increase of c.560 persons, these two figures are inconsistent. Should the 470 units be developed this may double the population figure of the village which seems excessive. The existing infrastructure deficit cannot service this increase. Increasing the population in this manner would ruin the character, identity and heritage of the area.</p> <p>The document "Cities of Tomorrow Challenges, visions, ways forward" European Commission, Directorate General for Regional Policy, is referenced here with a number of areas highlighted for relevance to the development of Enniskerry. Namely the impact of Urban Sprawl, the compact and green city theories with the importance for efficient and sustainable use of resources.</p>                            |
| C169       | Julie & Carl Strickland             | New housing should not be built in areas that will diminish the attractiveness of Enniskerry.   |
| C178       | Mike Walker                         | <ul style="list-style-type: none"> <li>Enniskerry is a planned estate town with high quality architectural heritage that is an asset to the county. It is not a</li> </ul>  |

**SECTION 3.3**

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|  |  | <p>suitable location for self-contained suburban housing estates poorly integrated and of insufficient design. How do WCC ensure high design standards will be achieved in the future.</p> <ul style="list-style-type: none"> <li>▪ The draft plan indicates that Enniskerry currently has a housing stock of 642no. houses and that this would increase by up to 475 no. by 2022. This represents a 73% increase in the housing stock over an 11 year period that may not be sustainable in the context of urban generated demand, highly sensitive natural and built heritage, limited public transport, existing difficulties with congestion and inadequate sewage treatment works.</li> </ul> |
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### Chief Executive's response

- The 1<sup>st</sup> Chief Executive's Report of the County Development Plan, presented a table on the existing plan zonings and Enniskerry was the only growth town to require additional land to be zoned to meet future population targets. Enniskerry required lands for an additional 64 units. Enniskerry currently has a Local Area Plan in place from 2009 – 2015 and this was extended to 2016, therefore the current plan for Enniskerry is in place for longer than the standard 6 years like all other growth towns. The 2009 Local Area Plan allocated zonings up to the 2016 population target with 30% headroom. This draft plan requires the zoning of land up to 2022, with an additional 3 years zonings headroom (up to 2025) in place of the previous guideline of a 30% 'headroom'. In addition, house hold sizes are decreasing entailing a greater number of houses even if population did not increase. The calculations for this number of houses are shown below. Hence new zoned land is required in Enniskerry. It is also proposed to rezone a significant portion of residential land at Knocksink to Passive Open Space following the carrying out of the Appropriate Assessment of the impact of development on the SAC site at Knocksink, and to rezone land within the Town Centre from high density development following the Strategic Flood Risk Assessment, increasing the requirement for additional lands to be zoned.
- It is not considered appropriate or in line with proper planning to allocate Enniskerry's future population target to other settlements with surplus zoned lands, this would be contrary to proper planning and would not be consistent with the Core Strategy of the County Development Plan. It would also not cater for new household formation for existing residents of the town.
- With regard to the population figures, in 2011, Enniskerry plan area had a population of 1,940 persons with a housing stock of 642 units. For this draft plan with planning up to 2022, there is a population target of 2,302 persons with a housing requirement of 1,017 units (the 2022 allocation figures are based on an average household size of 2.41 persons per household and an excess factor of 6.5%). This is a growth requirement of 375 units from 2011 to 2022 for an increased population of 362 additional persons (based on a predicted household size of 2.41). Headroom of the equivalent of +3 years zoning is added to give the figure of 470 units required. It is important to note that the 2011 census figures for Enniskerry shows a higher than average household size while in the 2022 allocations the County Wicklow average household size is used for calculating the housing growth requirements. This is a standard approach that is applied across all towns as it is important to be consistent in the approach to ensure proper planning and sustainable and balanced growth throughout the County.

| Enniskerry's Population and Housing |      |            |  |               |               |                           |  |
|-------------------------------------|------|------------|--|---------------|---------------|---------------------------|--|
|                                     | Year | Population | Household size                         | Excess Factor | Housing Units | Additional Units Required | Additional Units Required + 3 years headroom |
| CSO                                 | 2011 | 1,940      | 3.2 (2.79 national average hsehd size) | 6.5%          | 642           |                           |  |
| Core Strategy                       | 2022 | 2,302      | 2.41 (national average hsehd size)     |               | 1,017         | +375                      | + 470  |

It should be noted that it would be very unusual for any town to in fact meet the target set out within the timeframe described. Infrastructure deficits would very often restrict development and one must also bear in mind that the delivery of the housing units would be dependent on the private construction industry and indeed whether there was any demand for houses at this location. It is important however to set targets, as it is on the basis of these targets that decisions about investment in infrastructure can be made, such as water services and educational facilities. If no or little growth is planned, it is very likely that no further investment in such infrastructure, which would also benefit existing residents, would occur.

- It is not considered feasible to restrict housing to single storey design throughout the settlement, nor would this be consistent with the current housing stock in Enniskerry. With regard to the design, layout and height of any development that may be permitted, Chapter 4 on housing, Appendix 1 of Volume 3, Development and Design Standards and the draft Town Plan itself clearly sets out the development standards, principles and design guidelines for the design and assessment of any development proposal in Enniskerry. Limited development is envisaged for the town centre/core area, and thus there should be little impact on the historic core of the town. The Town Centre is also designated an ACA therefore where development is proposed, it will have to be consistent with the character of the area.
- The reference to the document 'Cities of Tomorrow Challenges' is noted.

#### Chief Executive's recommendation

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No change



**PLAN TOPIC: SOCIAL AND COMMUNITY DEVELOPMENT**

| <b>No.</b> | <b>Name</b>                         | <b>Summary of issues raised</b>   |
|------------|-------------------------------------|---|
| C24        | Aidan Booth                         | There is insufficient undeveloped community/education and active open space lands zoned for the population of the village.  |
| C46        | Dervla Cotter                       | The proposed equipped playground proposed for AA1 (Parknasilloogue) should not be located at this peripheral location and should be at the Bog Meadow, enhancing the existing recreational facilities here. The playground in Ashford should be the example to follow here. Given the high property taxes in Enniskerry, it is reasonable to request Wicklow County Council to locate the playground in a central location. |
| C74        | Enniskerry Forum<br>(Stephen Byrne) | There is a deficit of amenities in the village. Any new development must be accompanied by appropriate amenities, e.g. playground at an appropriate and safe location.  |
| C108       | Tracey & Barry<br>MacDevitt         | There is a deficit of amenities in the village. Any new development must be accompanied by appropriate amenities, e.g. playground at an appropriate and safe location.  |
| C120       | Liz McMahon                         | The Bogmeadow, river bank, woods and walkways are all important amenity assets for the village. There is a need to ensure that the amenities in the village grow along with the population growth   |
| C194       | Joe Wilson                          | Enniskerry has high quality amenities with Knocksink Wood, Ballyman Glen, Bog Meadow and the GAA grounds, these amenities need to be enhanced with walkways providing links and connections between the existing amenities. These amenity assets need to grow in line with the population growth also. Access for walkers to the Wicklow Mountains should be improved.  |

**Chief Executive's response**

- With regard to the amount of zoned community and education lands, in excess of the required amount has been zoned for the future population projection. In accordance with the County Sports and Recreation Policy (and the Development and Design Standards), active open space should be provided for at a rate of 2.4ha per 1,000 population. In the Enniskerry Plan there is a target population of 2,302, this equates to a requirement of 5.52ha of Active Open Space and the plan has allocated 5.75ha (existing and proposed). With regard to education, the Dept of Education advises that 12% of the population are of primary school going age; therefore Enniskerry will have 276 primary school pupils which will be accommodated in the exiting St. Mary's & St. Gerards NS and the Powerscourt NS and when deemed necessary on the new educational lands in AA1. The Enniskerry Town Plan is also in line with the Communities Facility Hierarchy Model (Table 8.1 of the CDP Vol 1) wherein the social and community facilities considered necessary for a settlement of 2,000 – 7,000 persons are set out: Enniskerry is a 'Level 3 settlement' in the Communities Facility Hierarchy Model where the following facilities are considered necessary and are either existing or provided for in the plan: Community/Parish Hall, Multi-purpose Community Space/Meeting Rooms, Local /Town Park(s) and Open Spaces/Nature Areas, Outdoor Multi-Use Games Area – Synthetic/Hardcourt, Playgrounds, Playing Pitches and Library. It is important to note that it is not within the remit of a land-use plan to deliver these facilities, rather to allow for and facilitate their development.
- All Action Area Plans and the Specific Local Objective have a community use and/or open space element to be provided.

- With regard to the suggestion seeking the provision of specific walkway connections and links between amenities, it is acknowledged that while these suggestions are supported in principle, given Enniskerry's environmental sensitivities (such as protected EU sites), topography and location of existing development, it is not considered feasible without further detailed study to actually set out where and how these may be provided in this plan. This will be considered at the development management stage through Action Area agreements or a planning application proposals. It is important to note that it is a requirement as part of the Green Infrastructure Strategy (Chapter 10) at the development management stage that *'connectivity between proposed open spaces and adjoining existing open space or natural features should be considered in the site design'*.
- The issue of improved access for walkers to the Wicklow Mountains is noted. It is an objective of the draft CDP to (T29) *'support the development of new and existing walking, cycling and driving routes / trails, including facilities ancillary to trails (such as sign posting and car parks) and the development of linkages between trails in Wicklow and adjoining counties'*, however it is not within the remit of a land-use plan to deliver such walkways, rather to allow for and facilitate their development.

#### **Chief Executive's recommendation**

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No change

**PLAN TOPIC: SERVICE INFRASTRUCTURE - WATER SERVICES**

| <b>No.</b> | <b>Name</b>      | <b>Summary of issues raised</b>  |
|------------|------------------|--|
| C24        | Aidan Booth      | With regard to water services it is noted that the plan states that the water supply system is likely to have adequate capacity to accommodate the levels of growth targeted in this plan however currently there is low water pressure with an unreliable water supply. There are also concerns with regard to the wastewater system capacity.  |
| C28        | Jim Brogan       | This submission queries the legibility of Enniskerry Map No. 3 Indicative Flood Zones and the source of the information presented on this map.   |
| C45        | Noel Corcoran    | <ul style="list-style-type: none"> <li>Any development on the sloping fields around Enniskerry could have a negative impact on the water tables and flooding of the village.</li> <li>With regard to the wastewater treatment for the village, it is noted that there is insufficient capacity for the future development of the village. Clarification is needed to know whether the development of AA3 can go ahead without the wastewater treatment deficit being addressed. The majority of the AA3 lands have no gravity access to the sewerage system.</li> <li>There are no details or provisions made for dealing with the existing surface water flooding in the area around the AA3 lands. This will need to be addressed prior to any development of the AA3 lands with the additional surface water also needing addressing.</li> </ul>                                |
| C74        | Enniskerry Forum | <ul style="list-style-type: none"> <li>There is an existing surface water flooding issue in this area around the AA3 lands and from Texaco Garage to Knocksink. This will need to be addressed prior to any development of these lands. A wider flood impact study should be implemented in any area of potential development.</li> <li>The existing infrastructure deficit cannot service the population increase. Sanitary services in the village and surrounds are under considerable pressure in recent years. Any new development will have to come with significant investment in sanitary services.</li> </ul>   |
| C144       | Margaret Price   | <ul style="list-style-type: none"> <li>With regard to water services there is the lack of infrastructure for the existing population. Annually in April/ May there are water shortages and cut-offs. Increasing the population in the area will only add to this pressure on local resources.</li> <li>Surface Water Flooding is a serious issue in the Kilmolin and Parknasillouge area of the Glencree Road and additional development here will only add to this flooding. Development at Parknasillouge could impact on the residents and economic activity of the village centre with water flowing downhill</li> <li>No Environmental Impact Assessments have been carried out in relation to the proposed developments and consideration should be given to assessing the nature of additional flood risk of over developing the sites proposed for development.</li> </ul> |

### Chief Executive's response

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- Enniskerry is serviced by the Killegar Water Storage Reservoir and has a design capacity of 3,200pe which is considered adequate to accommodate the levels of growth proposed. The concerns with regard to the water pressure are noted; however the operations of water services are a matter for Irish Water.
- The submission querying the flood risk map was responded to at the time of receipt with a copy of a 'zoomed-in' copy of the Indicative Flood Zones provided. It was also clarified that the OPW are the source of this information through the CFRAM project along with the carrying out of a Strategic Flood Risk Assessment in line with the Flood Risk Management Guidelines (2009). Following our clarification no specific submission was received.
- With regard to waste water, the existing Waste Water Treatment Plant has a capacity of 6,000pe however this plant acts as an interim sludge hub where waste from other smaller plants is imported, dewatered and thickened at this plant. There is capacity for some new development to happen and when the capacity is reached this matter will be considered by WCC in consultation with Irish Water.
- With regard to surface water flooding Wicklow County Council is responsible for the management of storm and surface water infrastructure. It is acknowledged that there may be increases in the frequency and severity of flooding in the future with increased demands on infrastructure and the management of storm and surface water infiltration will be of increasing importance. It is acknowledged in the draft County Development Plan that over the lifetime of this plan the effective management of this issue through Sustainable Urban Drainage Systems will be required. All new developments need to address surface water management and are required to minimise surface water discharges through Sustainable Urban Drainage Systems. It is also an objective of the draft Plan to (WI11) *'Ensure the implementation of Sustainable Urban Drainage Systems (SUDS) and in particular, to ensure that all surface water generated in a new development is disposed of on-site or is attenuated and treated prior to discharge to an approved surface water system'* and (FL8) *'To require all new developments to include proposals to deal with rain and surface water collected on site and where deemed necessary, to integrate attenuation and SUDS measures'*.

### Chief Executive's recommendation

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No change

**PLAN TOPIC: SERVICE INFRASTRUCTURE - TRANSPORTATION AND MOVEMENT**

| <b>No.</b> | <b>Name</b>              | <b>Summary of issues raised</b>  |
|------------|--------------------------|--|
| C13        | Barry noel               | The proposed western route option for the Northern Access Road will cut through farmland and enter onto an old private laneway which leads to Rannock House. This is a narrow laneway and is not suitable as a public road to access the Fassaroe lands. There are several gardens backing onto the laneway. This laneway was gated in the past, however it is open now with an excess of traffic using it, including traffic to the Enniskerry Soccer Club pitches. The submitter resides at the junction of the private laneway and the Ballyman road and given the close proximity of their dwelling to the road, cracks have appeared in the walls, as a result from the increase in traffic on the private laneway  |
| C35        | Gillian Carey            | With regard to car parking, the Bog Meadow area needs to be developed as a car park with a foot bridge over the River, separate to the roadway, to the car park in the Powerscourt Arms. This should be built into any permission granted to develop the Hotel Car Park. The footbridge would be an enhancement to the area. The lands behind the old Powerscourt National School and Magee's Pharmacy should be used as a car park. Several car parks can serve the commercial area better than one large car park.   |
| C74        | Enniskerry Forum         | Traffic congestion and parking is a serious issue in the Village. Visitors are welcomed from an economic point of view but the traffic congestion and lack of parking associated with the visitor traffic needs to be addressed to enhance the visitors' experience. Further development in the village centre will only increase this congestion and need for additional parking.   |
| C108       | Tracey & Barry MacDevitt | <ul style="list-style-type: none"> <li>▪ Parking and traffic congestion is a significant issue in the village at the moment impacting on business and residents. The visitors and tourists to the village increase this congestion however they are welcomed as they bring important business to the village. Any additional development will have to address parking and traffic in the village so as to not impact on the visitors/tourists experience.</li> <li>▪ With regard to the proposed northern access road between Fassaroe and the Ballyman Road, there are serious concerns as to whether the Ballyman Road could accommodate the proposed increase of traffic from Fassaroe. The roads in the village itself are not able to accommodate the existing traffic let alone any additional traffic from Fassaroe along with the additional traffic from the proposed development in Enniskerry.</li> </ul> |
| C120       | Liz McMahon              | Parking and traffic congestion is a significant issue in the village at the moment especially at peak times of school, mass, weddings and funerals. Any additional development will increase the pressure and congestion in the village.   |
| C183       | Kevin Warner             | Walking is important to the residents of Wicklow and to visitors/tourists to the county. This activity needs to be facilitated by means of elaborate networks of good undisputed walking paths in all areas – similar to other European countries. They are a vital piece of infrastructure, essential for the economy, tourism, good health and recreation.   |
| C194       | Joe Wilson               | Parking and traffic congestion are a significant issue in the village. At Kilgarron Hill and around the Clock Tower there is heavy traffic congestion at times, made worse with the on-street car parking. Proper  |

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|  |  | traffic management is needed prior to further development in the village. The additional traffic will only intensify the problems if they are not addressed appropriately. |
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### Chief Executive's response

- The objective to provide a link between Enniskerry and the N11 at Fassaroe is a long-term objective, which was included in previous plans for Enniskerry. This possible future road would have the dual function of providing an alternative access route to Enniskerry from the N11 and allowing a link to the proposed transport links at Fassaroe. The route options shown on the draft Land Use map are indicative and the details of the design/route of this road and traffic management in the area will be subject to a separate process either by the Local Authority or a private developer, which will be open to public input, where consent must be secured. Such a consent process will require a detailed assessment of any impacts associated with the development.

There is no timescale associated with this road, as it forms part of the future development at Fassaroe, for which there is no defined timescale.

With regard to traffic impacts, one of the functions of this route is to provide an alternative route into Enniskerry from the N11 avoiding the '21 bends', which is a hazardous route. This clearly therefore brings a safety benefit. The proposed new route also provides for an alternative route for those only intending to access north Enniskerry or travelling on to south Dublin via the Scalp and therefore removing traffic from Enniskerry town centre. Traffic that might use this new route to access west or south Enniskerry instead of the '21 bends' will arrive at the same location in the town centre, i.e. the junction at the bridge and therefore there is no new traffic congestion or management issues arising.
- There is an existing car park at Bog Meadow that is suitable for general public use and is directly adjacent to the core town services around the square. There are a number of smaller car parks around the town owned by private establishments. Furthermore, on street car parking is available. The key problem with car parking in Enniskerry is not the location or the quantity, but the unavailability of on-street spaces for short-term use (due to long stay usage) and the temporary traffic blockages caused by on-street parking on both sides of narrow streets. This can only be solved by the introduction of some sort of parking management and therefore it is not considered appropriate to seek to provide a new town car park to the rear of the pharmacy when these lands would be more appropriately zoned for town centre development. Parking management is not within the remit of a Development Plan. The Transportation and Roads Section of Wicklow County Council is working with the National Transport Authority on an Accessibility Scheme for Enniskerry Village which will address the parking and traffic movement in the town centre and is proposed to increase the car parking at Bogmeadow. This is in the early stages and is due to be published as part of a Part 8 in 2016. The draft Plan fully facilitates the enhancement of the parking in the town however it is outside the remit of the plan to deliver.
- The issue of increasing walking routes is noted. It is an objective of the draft CDP to (T29) 'support the development of new and existing walking, cycling and driving routes / trails, including facilities ancillary to trails (such as sign posting and car parks) and the development of linkages between trails in Wicklow and adjoining counties', however it is not within the remit of a land-use plan to deliver such walkways.

### Chief Executive's recommendation

No change

**PLAN TOPIC: BUILT AND NATURAL HERITAGE**

| <b>No.</b> | <b>Name</b>      | <b>Summary of issues raised</b>   |
|------------|------------------|---|
| C13        | Barry Noel       | The protected view number 36 of The Scalp from the Ballyman Road should be retained; however, the location for the view as shown on the development plan map is at the wrong location. The view of The Scalp cannot be seen from this location as it is the lowest point in the townland. A map is included showing where the view should be located along with a copy of 'An Audit of County Geological Sites in Wicklow' showing the view and a copy of a letter from UCD referring to The Scalp.   |
| C46        | Dervla Cotter    | <ul style="list-style-type: none"> <li>It is noted that the Powerscourt and Dargle Lodge are designated a Natural Heritage Area however it is unclear why the Henry Gratton, Tinnehinch Estate/other lands along the Dargle valley are not included as a NHA. The whole Dargle Valley should be designated a NHA, including the AA3 lands given their scenic location adjacent to the Powerscourt Gates and St. Patricks Church. It would appear that the AA3 lands are not designated as a NHA as zoning them for development would be considered inappropriate.</li> <li>The view of the Sugarloaf from the AA3 lands should be included in the list of protected views, especially given that it is a requirement to maintain the view with the development of the AA3 lands.</li> </ul>   |
| C48        | Mary Rose Craig  | The view of the Sugarloaf from the Cookstown road needs to be protected.  |
| C74        | Enniskerry Forum | <ul style="list-style-type: none"> <li>The unique character of Enniskerry needs to be preserved and enhanced as it is a key attraction for visitors, which in turn is important for the economic benefit of the village. Any future development that expects the support of locals needs to ensure that it protects the character of the village. The character needs to be protected in relation to the larger scale developments that are happening at Fassaroe and in Dun Laoghaire Rathdown.</li> <li>The centre of the village needs to be preserved; it is acknowledge that this is contrary to proper planning where you should develop from the centre out however the existing character of the centre is key to the unique character of the overall village. The clock tower is currently being restored and the long term value of this project is dependent on the rest of the village being preserved.</li> <li>It is requested that an Environmental Impact Assessment is requested for all multiple units applications in Enniskerry. Having regard to the village location adjacent to the Dargle Valley and other natural beauty, it is important to ensure that flora and fauna area catered for.</li> <li>Enniskerry has a unique topography and geology and is inherently not stable geologically and should be the subject of environmental studies to determine its suitability before any significant development is permitted.</li> </ul> |
| C110       | Ruth Magee       | The view of the sugarloaf from the AA3 lands should be included in the list of protected views, especially given that it is a requirement to maintain the view with the development of the AA3 lands.   |
| C162       | Albert Smith     | It is noted that one Public Right Of Way is identified for inclusion in   |

**SECTION 3.3**

|      |                |   |
|------|----------------|---|
|      |                | the Enniskerry area. Given that Enniskerry recognised as being a gateway to the Wicklow Mountains, it is a serious omission not to include more. In the 1980s and 1990s a programme to identify and describe walking routes in North Wicklow listed 110 walkways / bridle paths and none of these have been listed. England, Wales, Scotland and Scandinavia should be used as an example.  |
| C176 | Carmel Vickers | There is a dolmen site / Megalithic tomb, Chambered Grave in Parknasilloge, opposite Kilgarron Park, that needs to be protected.  |
| C178 | Mike Walker    | <ul style="list-style-type: none"> <li>There is a European designated SAC within the village boundary and adjacent to land zoned for residential development. An appropriate assessment screening has been prepared for the plan, but because it covers the whole county, it lacks detail. It is not clear that it complies with the requirement to base such assessments on the best available scientific evidence. In particular the geology of the area and the risk of both pollution of ground water and flooding brought on by climate change related projected greater rainfall.</li> <li>How will the significant number of large trees around the village be conserved and protected.</li> </ul>   |
| C183 | Kevin Warner   | <ul style="list-style-type: none"> <li>The varied stand of trees at the top of the field in AA1, which include magnificent lime, horse chestnut, Scots pine, oak, beech and others, should be subject to a Tree Preservation Order.</li> <li>The Councils proposal for the inclusion of only 9 Rights of Way is disregarding its duty as this does not appeal to tourists to come for walking and is denying the locals access to the countryside for recreation. The significant number of visitors to Powerscourt should be taken advantage of and be attracted to walking in the Enniskerry area. The following Right of Way should be included: <ul style="list-style-type: none"> <li><u>- An access route to the Wicklow Way.</u></li> </ul> <p>There is an urgent need for an attractive walking path that would provide off-road access from Enniskerry to the Wicklow Way. Visitors arrive in Enniskerry intent on walking the Wicklow Way, only to discover that it is over 5 km away up a busy road with hardly any footpath. The best means of providing this access is probably via Knocksink Woods to Ballybrew and on to Curtlestown via the Old Road.</p> <li><u>- A safe walking route from Powerscourt House and Gardens to Powerscourt Waterfall.</u></li> </li></ul> <p>WCC should discuss with Powerscourt Estate to ensure the provision of a safe and more attractive walking route. The best option would be to follow the River Dargle through the grounds of the estate. At the least Powerscourt Estate should facilitate a safe off-road path parallel to the road at least as far as Tinahinch Bridge, and preferably to the junction of the roads to Roundwood and the Waterfall. The off-road walkway between the Upper and Lower lakes in Glendalough should be a model for this.</p> <li><u>- The mass path to Killegar graveyard and ruined church</u></li> <p>This is clearly in continuous use for centuries and undisputed.</p> <li><u>- The Wicklow Way</u> from the Dublin border to the Carlow border.</li> <li><u>- The 110 walking paths deemed to be rights-of-way</u> by Wicklow County Council in a landmark survey of just the north-east corner of </li> |



|      |            |  |
|------|------------|--|
|      |            | the county around 1987 to 1990.<br>- All of the <u>routes splendidly marked and maintained by the OPW in the Glendalough area and in particular the Spink route.</u> |
| C194 | Joe Wilson | The dolmen site/ Megalithic tomb, Parknasilloge Chambered Grave, opposite Kilgarron Park, needs to be protected and attended to.                                     |

### Chief Executive's response

- It is not within the scope of the land-use plan, nor within the power of Wicklow County Council to designate Natural Heritage Areas. The National Parks & Wildlife Service (NPWS) is responsible for the designation of conservation sites in Ireland.
- The view of the Sugarloaf from the AA3 lands is on the list of protected views, however it was excluded in error in the publication of the draft plan. A list of 3 views in Enniskerry was omitted in error and it is recommended to include this list in Chapter 10 Schedule 10.14 and to map.
- The location of the protected view number 36 of The Scalp has been further investigated and it is proposed to amend the location of the view on the plan maps to reflect the submission received.
- With regard to the protection of the unique character of the town, Enniskerry town centre is designated as an architectural conservation area (ACA) which also includes a number of protected structures. This facilitates the conservation and protection of the town's heritage and is in place to preserve the architectural quality and heritage of the town. It is also important to note that limited development is expected in the town centre given the existing development.
- With regard to the request that an Environmental Impact Assessment is required for all multiple units applications in Enniskerry, this is considered over-burdensome for applicants, unreasonable, unnecessary and contrary to the provision of national and EU law with respect to EIA. Wicklow County Council does not have the legal power to require these via a County Development Plan. EIA is a statutory requirement for certain projects and it is then on a case by case basis, during the development management stage as to whether an EIA is required where not deemed statutory.
- The draft County Development Plan and the draft Enniskerry Town plan have been the subject of a Strategic Environmental Assessment and a Habitats Directive – Appropriate Assessment in line with the relevant legislation and best practice with any recommendations taken on board in the drafting of the plans. It is refuted that the Appropriate Assessment carried out has not gone to a sufficient level of detail in Enniskerry and in fact, the level of investigation and analysis carried out for Enniskerry would exceed that carried out for other settlements in the County, given that the SAC runs directly through the built up part of the town.
- With regard to the protection of trees, objective NH17 is to encourage the preservation and enhancement of native and semi-natural woodlands, groups of trees and individual trees, as part of the development management process, and require the planting of native, and appropriate local characteristic species, in all new developments.
- All issues raised with respect to public right of way are addressed in **Section 3.8** of this report.
- The megalithic tomb in Parknasilloge is a protected site under the National Monuments Acts and albeit it is not within the plan area it is mapped on the Enniskerry Town Plan Heritage Map. (Record No. WI007-021, Megalithic tomb - unclassified). The maintenance of this site is not under the remit of the County Development Plan. This issue has also been addressed under the Heritage Section.

## Chief Executive's recommendation

### AMENDMENT 55

#### Volume 1, Chapter 10 Map 10.14 Views of Special Amenity Value or Special Volume 1, Chapter 10 Schedule 10.14 Views of Special Amenity Value or Special Volume 2, Enniskerry Town Plan, Heritage Objectives Map

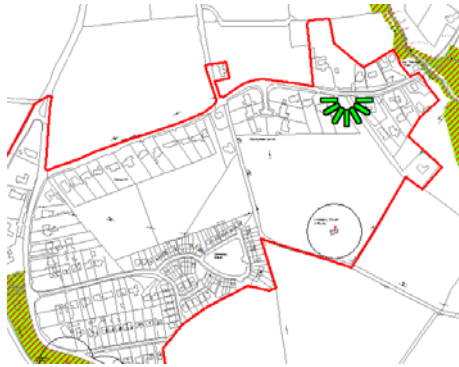
Include the following views (No.'s 37 – 39 are within the Enniskerry Town Plan) on Schedule 10.14 Views of Special Amenity Value or Special Interest in Chapter 10 and to show on the associated map, along with the Enniskerry Town Plan Heritage Map.

| No. | Origin of view                              | Description  |
|-----|---|--|
| 37  | Summerhill House Hotel                      | View towards the Cookstown Valley and Ballyman Glen  |
| 38  | The lands near Monastery house              | View south towards Djouce Mountain   |
| 39  | From Cookstown road                         | View towards the Great Sugarloaf Mountain  |
| 40  | From the Glencree road                      | View towards Carrigollgan  |
| 41  | From the approach road, Carnew              | Views to Carnew mart/graveyard towards the spire of the Catholic Church and Carnew Castle. |
| 42  | From the main street, Carnew                | Views looking westward across the Derry river valley towards south Wicklow                 |
| 43  | From the Gorey road, Carnew                 | Views southwards towards Slieveboy and Slievegower uplands areas located in County Wexford |
| 44  | Main Street Newtownmountkennedy             | View river valley  |
| 45  | St. Catherines School (Newtownmountkennedy) | View to southwest  |
| 46  | Old N11, Newtownmountkennedy                | View to the northwest  |
| 47  | Kilcoole Road, Newtownmountkennedy          | View to the south  |
| 48  | The R755-0 at Rathdrum Catholic Church      | View across and along the Avonmore river, Rathdrum   |
| 49  | The R752-90 above Rathdrum Mills            | View across the Avonmore river valley, Rathdrum towards the town of Rathdrum               |
| 50  | Coast road, Wicklow Town                    | View / panorama towards Wicklow Golf Course, Brides Head, Wicklow Head and the coastline   |
| 51  | Looking westwards from bridge in Ashford    | View of River Vartry and riverside trees   |

## AMENDMENT 68

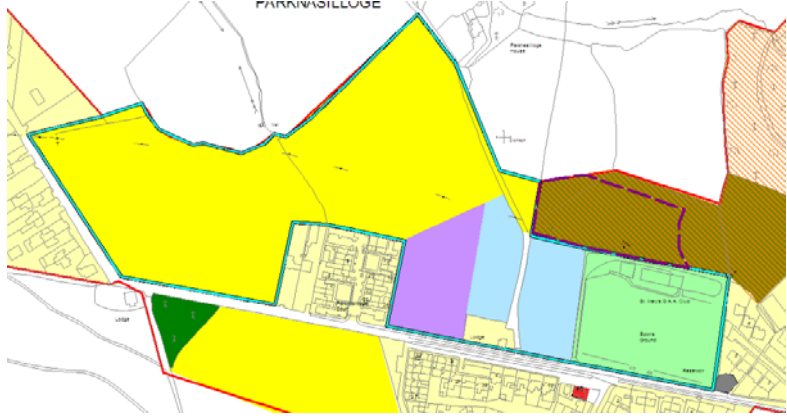
### Volume 2, Enniskerry Town Plan, Heritage Objectives Map

Amend the location of protected view number 36 (View from the L5507 Ballyman Road, Enniskerry of the Scalp and the Scalp Valley from Ballyman) from the following location:



To the following location:



| No. | Name                    | Summary of issues raised  |
|-----|-------------------------|---|
| C22 | Bluetone Properties Ltd | <p>Bluetone Properties Ltd is the owner of the lands proposed for Action Area 1 designation to the west of Enniskerry town centre. The submission requests the following:</p> <ul style="list-style-type: none"> <li>It is noted that the extent of the lands designated for development has been reduced and the potential number of dwelling units has been reduced from 210 units to 156 units. It is put forward in this submission that such a reduction is not warranted given the existing deficient of zoned land in the village and the location and suitability of these lands for development. An ecological report and Natura Impact Report (NIR) for these lands has been submitted indicating the location of the springs and designating the lands as either 'high', 'moderate' or 'low' ecological sensitivity. The report indicates that some of the lands that have been zoned 'POS' and 'Conservation Area' to the rear/north of the GAA field are of a 'low' ecological sensitivity and there is no justification for its down zoning on environmental or ecological grounds. Lands identified as of a high environmental sensitivity would be retained for 'POS'.</li> </ul>  <ul style="list-style-type: none"> <li>The draft Action Area Plan should not prescribe a requirement for employment and community land use zonings and that the land uses should be set out and approved as part of the AAP process instead of the plan process. With regard to educational land use, this land bank appears to have been chosen given its proximity to the existing primary school however an audit should be carried out to determine the optimal location for the educational zoning in the town. With regard to the employment land use zoning, these lands are economically unviable as there is no market demand for such space at this peripheral location and will compete with the existing town centre.</li> <li>The existing GAA ground should be excluded from the AA boundary as there is no plan to relocate it within the AA.</li> </ul> |
| C24 | Aidan Booth             | <ul style="list-style-type: none"> <li>The increased traffic movements associated with the development of AA1 with 156 dwellings and an additional c.234 vehicles driving through the village to Parknasillogue will increase traffic congestion in the village centre and at road junctions, increase the danger with the traffic movements and have a negative impact on</li> </ul>   |

|      |                  |  |
|------|------------------|--|
|      |                  | <p>the safety of other road users in the village.</p> <ul style="list-style-type: none"> <li>▪ The development of AA1 lands at Parknasillogue would extend the village in a linear fashion.</li> <li>▪ Should AA1 be retained in the adopted plan it is important to ensure that there is (a) a designated green pathway from Kilmolin and Kilgarron down to Knocksink which would allow residents to walk there and back away from the busy main road and traffic, (b) The maximum height of the housing units should be sensitive to the views of the Scalp and Dublin Bay. The development would obscure the views of the Scalp/Dublin Mountains and views out towards Dublin Bay (c) the proposed density is in keeping with the surrounding low density and (d) disruption to local residents during any development work should be kept to a minimum.</li> <li>▪ The development of community and employment uses at AA1 Parknasillouge will detract from the existing village centre and will result in 2 village centres being created.</li> </ul> |
| C35  | Gillian Carey    | <ul style="list-style-type: none"> <li>▪ It is requested that the dwellings are set back from the road so as to not impinge on the views of the Wicklow Mountains for those travelling along the road. This area needs to be treated sensitively.</li> <li>▪ The submitter questions the need for a new commercial centre at Kilgarron when the existing village centre can often have vacant units.</li> </ul>  |
| C45  | Noel Corcoran    | The Conservation Area and Open Space zoning to the rear of the Church / GAA field is welcomed.   |
| C60  | Brian Donnelly   | With regard to Action Area 1 (Parknasillogue) there is already a lack of recreational green space for the population at present without the loss of these lands. There will be a displacement of water from the scale of the proposed development. There should be a height restriction put in place to preserve views. The proposed development should be in keeping with the character of the surrounding area and existing dwellings. There should be efficient transport links to the LUAS at Ballyogan. The density is considered excessive.  |
| C74  | Enniskerry Forum | There is a need to maintain and enhance the visual sensitivity of this area. A previous decision from An Bord Pleanala is referenced where the design and height of the proposed development was not considered appropriate given the area of outstanding natural beauty with excessive scenic views and visually sensitive location.  |
| C120 | Liz McMahon      | <ul style="list-style-type: none"> <li>▪ Careful planning will be needed to avoid continuous high density housing all along this L1010 road into Enniskerry blocking the views and beauty of the area. The views of the sea and mountains needs to be kept and any development proposed here should be carefully designed to ensure maximum views are maintained.</li> <li>▪ It is suggested to include an objective that at AA1 from Kilmolin to the GAA site that a green walk-way, cycle track could be developed along its northern field perimeter to the GAA field and possibly to the Village centre in time, preserving the existing trees along the boundary with new trees and stone walls constructed. This route would pass along the Parknasillogue Chambered Grave; this is unclassified and untended and could benefit from such a route being developed alongside it.</li> </ul>   |
| C144 | Margaret Price   | <ul style="list-style-type: none"> <li>▪ It is requested that this area is rezoned to farmland, in line with its current use and in recognition of its beauty and distinctive</li> </ul>   |

### SECTION 3.3

|      |                         |  |
|------|-------------------------|--|
|      |                         | <p>attributes.</p> <ul style="list-style-type: none"> <li>It is important to note the An Bord Pleanála's reason for refusal for a previous application close to the AA1 lands (PRR10/2230) "Having regard to the location of the site between the road and an area of outstanding natural beauty and with excessive scenic views to the north and east as far as Bray Head and the Irish Sea...it is considered that the design approach would not represent the most appropriate method of extending the house on this extensive site at this visually sensitive location..... The proposed development would seriously injure the amenities of the area and of property in the vicinity and would, therefore, be contrary to the proper planning and sustainable development of the area." This is an important decision for Enniskerry with the Bord recognising the visual sensitivity of the area. Tourism is a key to the village's success and survival. Extensive development of the area would destroy it as an amenity which creates employment for many.</li> <li>Should the proposed 156 dwelling go ahead they should be the subject of an Environmental Impact Study.</li> </ul>   |
| C169 | Julie & Carl Strickland | <ul style="list-style-type: none"> <li>Traffic/ Road Safety: The main road to access these lands are at Kilgarron Hill which is a traffic safety risk during wintery conditions. This road is reduced down to one lane with parking is not adequate for the additional cars from the 156 dwellings. This will cause further congestion and hazards to pedestrians and cyclists. This area is used as a walking area for existing residents and if it were to be developed the residents will have to resort to driving further afield, increasing the traffic even further.</li> <li>The only green amenity area in the plans is to retain the existing GAA field (where dogs are not allowed). There are no new communal village green areas included on the current plan, only concrete and playground areas for the use of children. This seems unbalanced. We are going directly from living in the country to quite dense suburbia.</li> <li>With regard to a restriction of height, An Bord Pleanála refusal reason on PRR10/2230 is referred to and it is expected that this ruling will be respected for future decisions. The houses nearest the road (the highest land) should be bungalows. This will keep a sense of space and be in keeping with the character of the area.</li> <li>There should be a cap of 100 units on the number of units so that it is not possible for additional units to be built on this land in the future. The submission questions the logic of low density and agricultural plans for Cookstown and Monastery, but not for Parknasillogue.</li> <li>Building should be on a phased basis starting on land closer to the village.</li> <li>With regard to walking and connectivity, currently local people from Kilmolin walk to Knocksink and the GAA field across the fields avoiding the main road. There should be a green public link path / natural strip around the edges of the development to provide a buffer between the agricultural land and development, to retain some views through the new development and to provide a network of walks for locals and tourists. There is a unique opportunity here to develop a link path from Enniskerry to the</li> </ul> |

|      |              |   |
|------|--------------|---|
|      |              | <p>Wicklow way without having to walk along the road.</p> <ul style="list-style-type: none"> <li>Can the rationale that prompted the exclusion of the land behind St Mary's and St Gerard's school and north of the GAA ground being down-zoned to open space be explained. This would have been close to the village and a good link from Parknasillogue to the village.</li> <li>Should AA1 be developed, this will be a sudden change from agricultural to suburbia.</li> <li>The view from the Glencree road, across the fields to the sea and mountains is the broadest view in Enniskerry and any development of these lands should incorporate views from the public road to the sea and mountains. Photos of the area have been submitted.</li> </ul>   |
| C183 | Kevin Warner | <p>The zoning of the sloping field behind <b>St. Mary's Church to Passive Open Space and Conservation Area is welcomed and it requested to retain this zoning in the adopted plan for the following reasons;</b></p> <ul style="list-style-type: none"> <li>- An Bord Pleanála have previously refused permission for housing in this area for reasons including that it would detract from the backdrop to the Church, which is the first neo-Gothic church to be built in Ireland and for its proximity to Knocksink Woods (SAC).</li> <li>- The geology in this area has an inordinate number of springs which are unmapped and unknown, particularly so in this field. The building of two houses above the field some years ago disrupted groundwater to such an extent that severe flooding resulted and the effects of this development can still be seen in the lower part of the field to this date.</li> <li>- This area is an important amenity integral to the walking paths in Knocksink Woods and at Bog Meadow. The submitter is in support of a proposal for the construction of a walkway under the high bridge near the front of St. Mary's Church that would link Bog Meadow to Knocksink Woods. This would be an important amenity that could be enhanced further if WCC ensured walking access across the field in AA1 (Parknasillogue) from Kilgarron Hill. 2 points of access to the pathways should be incorporated above and below the GAA pitch. This arrangement would establish a very attractive network of walking paths around the village.</li> </ul> |
| C194 | Joe Wilson   | <ul style="list-style-type: none"> <li>Any development here will need to ensure the beauty and views of the area are maintained. With the new residential zoning in Powerscourt it is important to ensure that the housing along the L1010 is at an appropriate low density and design. It is important that the Village is not overcome with large housing estates.</li> <li>It is suggested that at AA1, at the top of Kilmolin a green walkway, cycle track is developed along its northern field perimeter to the GAA site and onto Knocksink. This route would be safer and more pleasant than walking/cycling on the road. Existing trees on the boundaries could be preserved and new stone walls and native trees planted.</li> </ul>   |

#### Chief Executive's response

- The draft plan proposes to zone a portion of land to the north of the GAA field as 'POS' and 'CA' from its current zoning for development within the Action Area boundary. The Knocksink Wood candidate Special Area of Conservation (SAC) adjacent to the subject lands has been selected for protection due to the presence of, inter alia, *petrifying springs with tufa formation* (a

priority annexed habitat under the Habitats Directive). It was considered that there were significant risks to the conservation interest of the cSAC associated with allowing development within the relevant lands.

The submission identifies that there is a tufa springs inner catchment at the subject lands and requests the zoning of lands adjacent to this catchment. The submission includes evidence (hydrogeological and ecological studies) which was previously unseen that provides a sensitivity rating of the lands in question (low, medium and high sensitivity) and much supporting documentation. The sensitivity rating is informed by, inter alia, information contained within the Hydrogeological Characterisation Study which identifies an inner catchment, or zone of contribution. Further material submitted identifies that: *The detailed hydrogeological mapping defines the zone of contribution of the Tufa Springs and the calculation of recharge area provides confidence that the zone of contribution is significantly conservative. On this basis the risk of impact to the identified tufa springs from lands outside of the zone of contribution is considered to be insignificant.* The information submitted appears to be internally consistent and of a quality which can inform a decision regarding the zoning of lands identified by the submission as having low ecological sensitivity. From an Appropriate Assessment perspective, zoning of the low ecological sensitivity lands would not have an adverse effect on the integrity of the cSAC. From a Strategic Environmental Assessment perspective, the change would be likely to increase the extent to which the Plan provides for the replacement of semi-natural lands with artificial surfaces; however, residual environmental effects would be unlikely to be significant. Therefore it is recommended to include the areas of 'low ecological sensitivity', which is 1ha in area, within the Action Area boundary and to zone for residential development, in line with the criteria set out in the Action Area objective. Please refer to the SEA and AA for a further assessment of this amendment.

- The submission (ecological reports and NIR) from the owners of AA1 identifies that some of the Action Area lands, that are already included in the Draft Plan, is of moderate sensitivity. This rating is based upon ecological sensitivities separate to the qualifying features of the SAC. It is considered that various Draft Plan provisions relating to the protection and management of the environment will ensure the appropriate mitigation of any potential effects arising at these lands.
- AA1 is the largest plot of undeveloped lands within the settlement with the potential to provide dwellings for up to 376 persons in the future (plan figure for 2022). The future population allocation to Enniskerry will provide the impetus for new services such as an enterprise area and a new school. With regard to the 1.2ha CE zoning for educational use, in consultation with the Department of Education there is a requirement to zone land for education use in the plan and these lands have been deemed suitable given their location close to existing and future residential lands, local pupil catchment and given the location of the existing schools within the town. With regard to the employment zoning, 1ha is required to be developed for this use and shall comprise of office/studio/surgery type development of the highest architectural quality and layout, with 0.4ha of this area being reserved for local service and incubator businesses. It is considered necessary to retain this zoning, as there are very few opportunities (sites / buildings) in Enniskerry for employment creation (other than in the town centre), there is high out commuting and it is an objective to increase the jobs ratio by 50% by 2028. This cannot be achieved with the development of new employment sites / buildings. Having regard to Enniskerry's location close to the higher order settlement of Bray, it is unlikely that the town can act as an attractor for large scale employers and therefore it is a strategy for Enniskerry to provide for enhanced opportunities for the creation of new, small scale enterprises. The Town Centre is a key employment asset and the development of existing tourism and retail



attractions is facilitated however there are limited employment opportunities in the town centre hence this site in AA1 is vital for employment development in the settlement.

- The uses envisaged as part of the employment and community zones within AA1 are to provide office/studio/surgery type employment development, a school, a playground and a community centre for the existing and future population of the settlement. The type of development that is envisaged and permissible here is not to detract from the existing town centre. It is not considered that retail usage is appropriate at this location given the proximity to the existing neighbourhood shop at Kilgarron and the proximity to the existing town centre. Retail use at this location would undermine the viability and vitality of the town centre and furthermore would contravene the sequential development requirements of the Retail Planning Guidelines.
- The existing GAA grounds are included as 2 ha of Active Open Space in Action Area 1 and it is not recommended to omit these lands from the AA1. In the event of the relocation of the GAA to an alternative location, the quantum of AOS shall, as a minimum, shall be maintained within the overall action area. Given the scale of development proposed within AA1, it is important that this quantum of AOS is maintained in this area. Additional open space will be required to be provided on the lands, as the GAA grounds does not 'count' as part of the Open Space that must be provided in the new residential element of the development, which is required a rate of 15% of the total site area.
- With regard to the potential increased traffic generated from the development of the AA1 lands and the impact on the existing traffic and congestion in the town centre, the concerns are noted. Given the scale of development proposed in AA1, as part of the development management process a traffic impact assessment is not mandatory however the need for such assessments will be considered during the assessment of the action area proposal and at the planning application stage. Should such an assessment be required it will address the impact on the existing traffic movements; however it is important to note that the Transportation and Roads Section of Wicklow County Council are currently working with the National Transport Authority on an Accessibility Scheme for Enniskerry Village which will address the parking and traffic movement in the town centre. Should this accessibility scheme progress and be developed it may not warrant a detailed traffic assessment for the development of the AA1 lands. This will all be considered as part of the development management process.
- AA1 is along a main access road into the town and it is considered to be an infill development between the existing developments at Parknasillogue, Kilgarron, the GAA field and Knocksink.
- The concerns with regards to the visual impact, phasing of development, incorporating green pathways, maximum heights, density and ensuring minimum disruption during construction are all noted and will be addressed as part of the development management process. There are a number of objectives within the County Development Plan that address all of these issues to ensure that there is the minimum negative impact from any proposed development and that the assets of the existing site are protected and incorporated into the scheme where feasible. The concerns with regard to the possible loss of the views of the Scalp/Dublin Mountains and towards Dublin Bay with the development of the AA1 lands, from the main road are noted. It is not possible to see Dublin Bay from this area however there is a long distance view toward the Irish Sea. There are long distance views north and east of the Mountains and the Irish Sea which can be seen intermittently from the L1011 road and are visible from numerous areas along the road and around the Enniskerry area however they are not considered appropriate views to be classified as a 'protected view'. Wicklow has an abundance of mountainous and coastal views from all over the east of the county and it is considered not practical or reasonable to list all of these views for protection.

- PRR10/2230 was an application for a small scale development of demolition of existing sunroom to side and construction of a new 104 sqm first floor extension and associated alterations, this application was granted by WCC after seeking further information and appealed to the Bord. The Bord considered that the *"design approach was not the most appropriate method of extending the house on this extensive site at this visually sensitive location"*, and that *"the mass and bulk of the proposed additional storey at this location would be contrary to the provisions of the development plan for extensions and would, therefore, be contrary to the proper planning and sustainable development of the area"*. The Bord acknowledges that these lands are zoned for development and once the design is appropriate they are happy to permit development at this location. Permission was granted by WCC and ABP on the neighbouring site, PRR14/1466 for a dwelling with a consideration that *"the proposed development would not seriously injure the visual amenities of the area or the residential amenity of property in the vicinity"*. Permission was also granted by WCC and ABP on a neighbouring site, PRR15/828 for a dwelling with a consideration that *"the proposed dwelling can be successfully integrated within the landscape setting....this development can be positively absorbed without any negative impacts on the visual setting and the amenities of the surrounding area."*

### Chief Executive's recommendation

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## AMENDMENT 65

### Volume 2, Enniskerry Town Plan, Section 6.9 Action Area Plans and Specific Local Objectives

#### 6.9 Action Area Plans and Specific Local Objectives

##### Action Area Plan 1

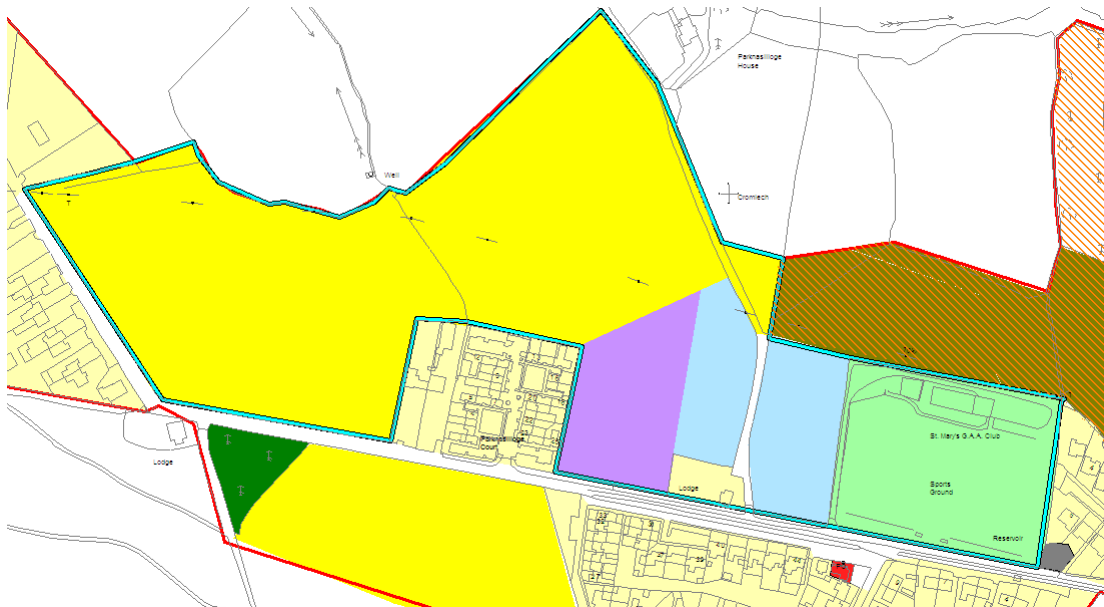
This action area is located west of Enniskerry town centre and immediately north of Kilgarron housing development, in the townland of Parknasilloogue. This action area measures **c. 13.5ha** ~~c. 12.5ha~~. This action area shall be developed as a residential, open space, employment and community zone in accordance with the following criteria:

- A minimum area of 2ha shall be reserved as Active Open Space (this is the size of the area currently occupied by Enniskerry GAA). In the event of the relocation of the GAA to an alternative location, this quantum of AOS shall, as a minimum, be maintained within the overall action area. Any alternative AOS shall be maintained available for general public use, shall be suitably sized to allow for organised sporting activities i.e. pitches, courts etc and shall be so located within the action area so as to be easily accessible by the wider community. (Any proposals to redevelop the existing GAA grounds will only be considered when the Planning Authority has been satisfied that suitable alternative lands have been secured for this sporting facility).
- A minimum of 1.2ha shall be reserved for education use.
- A minimum of 0.4ha shall be provided for a community uses, including a community centre of not less than 500sqm and an equipped playground of not less than 400sqm.
- A minimum of 1ha shall be provided for employment uses. Generally, this shall comprise office/studio/surgery type development of the highest architectural quality and layout. A minimum of 0.4ha of this area shall however be reserved for local service and incubator businesses.
- The car park associated with the employment area shall be so located and designed to facilitate tourist use during non-business hours and shall at all times remain available and open for this use
- A maximum of 156 residential units may be provided on the remainder of the site (**8.8ha** ~~c.7.8ha~~).

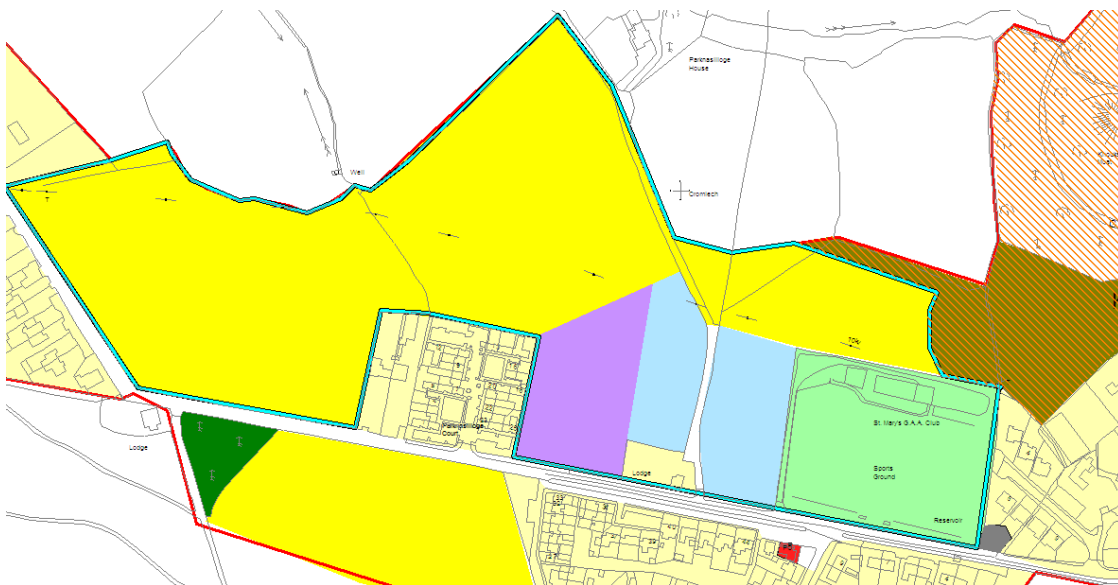
- The development shall be delivered in phases such that adequate education, community and employment facilities are provided for each phase; in particular, the school site shall be provided in Phase 1 accompanied by no more 25% of the residential development and the employment facilities shall be provided no later than Phase 2 accompanied by no more than an additional 50% of the residential units.
- A maximum of two vehicular access points onto Local Primary Road L1010 (Enniskerry – Glencree) shall be permitted.
- To achieve a sense of place and allow for visual diversity any residential application should provide for a number of identifiable and distinct housing estates (not exceed 60 units), each containing different house designs within an overall unified theme.
- Full geotechnical and archaeological assessment of the lands shall be undertaken prior to any development taking place.

## Volume 2, Enniskerry Town Plan, Land Use Zoning Objectives Map

**From**



**To**



**PLAN TOPIC: ACTION AREA PLAN 2 KILGARRON**

| <b>No.</b> | <b>Name</b>                         | <b>Summary of issues raised</b>   |
|------------|-------------------------------------|---|
| C35        | Gillian Carey                       | The proposed Action Area 2 (Kilgarron) was not adopted previously after being proposed as part of the previous plan following the public concerns. If this were to be approved and go ahead, the traffic, in conjunction with the increased traffic from the development of Action Area 1 (Parknasilloge) will increase causing further hazards at the bottom of the hill coming into the village square.   |
| C41        | Eamonn Coleman                      | <p>This submission is from the owner of AA2 lands and they are in favour of the proposed development at these lands as given their location close to the centre of the village - it will be sustainable ensuring a compact village form with residents close to existing services in the village. The design parameters, including the height requirements and house types required are welcomed. It is requested that the Town Plan is less specific with regard to the amount of land to be developed for housing and the amount of land to be left as agricultural land. 0.7ha of land may not be suitable for the development of 28 dwelling units including the provision of public open space to serve these dwellings. It is suggested that it may be more suitable to state the maximum number of dwellings and a height restriction as this will imply that the higher lands cannot be developed and that the area with the existing mature trees can be used as the public open space for the development. Revised wording is suggested here.</p> <p>It is requested that given there is one owner and given the small scale of proposed development, that there is no requirement to submit an Action Area Plan for agreement prior to the submission of a planning application. These lands could be the subject of one planning application with an objective included in the plan stating such.</p> |
| C45        | Noel Corcoran                       | The proposed Action Area 2 would have a negative impact on the heritage of the village and would increase the traffic hazard at the crossroads in the village. The development of these lands would require the demolition of an end of terrace dwelling in an ACA. This will also add to the car parking congestion in the village.  |
| C74        | Enniskerry Forum<br>(Stephen Byrne) | The development of AA2 lands will impact on the natural structure and shape of the village and the additional housing will result in more traffic coming onto Kilgarron Hill which is a traffic hazard already. Kilgarron Hill is an important route for pedestrians and cyclists and the construction traffic as well as the traffic from the development will impact on the existing users of this road. Parking here is a hazard. Given the lack of public transport, all new development will require private transport. Any development at this location should be preceded with a detailed and comprehensive safety analysis, vehicle movement study and assessment of the increased traffic on Kilgarron Hill.   |
| C129       | Pat & Sheila Nolan                  | <ul style="list-style-type: none"> <li>The AA2 site is unsuitable for development from a visual and practical point of view. It is important to preserve the surrounding green backdrop (the bowl) of the village. Any 2 storey structure here will be visibly detracting from the green</li> </ul>   |

**SECTION 3.3**

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|  |  | <p>bowl around the village centre. The proposed building lines and heights will be visible from many angles/positions and would overlook and destroy the privacy and the ambient light of many houses nearby, especially the cottages and houses directly below which are included in the Area of Architectural Conservation and in so doing, affect their traditional setting. With regard to access to the AA2 lands, the narrow and hidden entryway does not allow cars to enter or exit simultaneously, it comes out onto a busy junction, therefore would be dangerous and unsuitable. The cars using Kilgarron Hill would add to the danger and the cars parking here would also obscure sight lines for those exiting the AA2 lands.</p> <ul style="list-style-type: none"> <li>▪ There is a serious surface water flooding issue at AA2 with run-off onto the road.</li> </ul> |
|--|--|--|

### Chief Executive's response

- It is noted that the owners of the site welcome the proposed zonings; however they are seeking the objectives and requirements be less specific with regard to the amount of land to be developed for housing and the amount of land to be left as agricultural land. Retaining the majority of the lands here as agricultural, undeveloped lands is important to ensure an appropriate balance between the amount of land developed and the amount of land retained in its green / open state. The proposed amounts of lands zoned for residential and open space also help to ensure a minimal visual impact on the town.
- It is noted that a Specific Local Objective would be more appropriate given that there is only one landowner. It is recommended to amend the draft plan accordingly here. The position, location and size of the land use zonings shown in Action Areas are indicative and may be altered in light of eventual road and service layouts, detailed design and topography, subject to compliance with the criteria set out for the Specific Local Objective. Given the level of criteria required for the development of these lands an Action Area, the submitters comments are noted with regard to a maximum number of units and it is recommended to omit this wording from the Specific Local Objective.
- With regard to the potential traffic impact from the development of these lands, given the location of the proposed entrance in the town centre area, where traffic speeds are necessary low due to road alignment, on-street parking and sometime congestion, it is considered that an entrance that meets traffic safety criteria could be provided here. It is not considered necessary to add in an objective to include an appropriate transport assessment as during the Action Area agreement or during the development management process, if deemed necessary an appropriate traffic assessment will be requested at the planning application stage.
- Development here would not add to parking congestion, as the development standards in this County Development Plan require adequate parking for residential developments to be accommodated within the site.
- Having regard to the location of these AA2 lands in the town centre, it is a proper planning proposal for a housing development and given the objectives proposed restricting the maximum number of dwellings, along with other design objectives it would be considered to be a positive development for the area.
- The house potentially required for demolition to facilitate access along Kilgarron Road is not on the list of protected structures and is not considered to make such a contribution to the heritage of the area as to warrant is preservation strictly on the basis of its inherent features. While it dates back to the 1840's, it is a relatively ordinary cottage, which appears to have been the subject to various alterations over its history. The remaining three cottages in this terrace will preserve the architectural character of this particular streetscape in line with the ACA.

- With regard to the potential visual impact of the development of these lands, it is a requirement that any development proposal shall be accompanied by a Visual impact Assessment which shall have particular regard to views of the site from the town square and the approach roads to the north of the town and where adverse visual impacts are identified, suitable mitigation measures shall be proposed.
- With regard to drainage issues, it is normal requirement of the planning permission process that any drainage issues are addressed, and if not addressed planning permission could not be granted.

### Chief Executive's recommendation

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## AMENDMENT 66

### Volume 2, Enniskerry Town Plan, Section 6.9 Action Area Plans and Specific Local Objectives

#### 6.9 Action Area Plans and Specific Local Objectives

##### Delete Action Area Plan 2 and replace with SLO2

##### ~~Action Area Plan 2~~

~~This action area is located south of the town centre, in the townland of Kilgarron. This action area measures c.2.5ha. This...~~

##### Specific Local Objective 2

This ~~action area~~ **Specific Local Objective** is located south of the town centre, in the townland of Kilgarron. This action area measures c.2.5ha. ~~This action area~~ **These lands** shall be developed as a residential area in accordance with the following criteria:

- Access to the site shall strictly be from local road LP-1010 (Enniskerry - Kilgarron) and no opening, entrance or otherwise (including for construction purposes) shall be made along the Forge Road.
- Development proposals shall be accompanied by a detailed tree survey of the entire ~~action~~ area, including all trees along site boundaries. Development proposals shall include measures to protect and re-enforce existing mature trees and proposals for new tree planting.
- The finished floor level of any development shall not exceed 90.00mOD (for the avoidance of doubt, this being the existing ground level at the south-east of the existing jumping arena); the top ridge height of any structure shall not exceed 98.00mOD.
- A maximum of 0.7ha of the ~~action~~ area shall be developed for residential. The site shall be developed at 'town centre' type densities (i.e. 40 units/ha max), ~~with a maximum of 28 residential units~~ and shall generally comprise terraces and courtyards of dwellings, as opposed to detached format housing; Commercial development is not permitted within the ~~action~~ area.
- The design of any development proposed shall have due regard to the protection of the privacy and amenity of the houses on the north side of the ~~action~~ area and in particular, the design shall include significant screening and planting proposals.
- Any development proposals shall be accompanied by a Visual Impact Assessment which shall have particular regard to views of the site from the town square and the approach roads to the north of the town and where adverse visual impacts are identified, suitable mitigation measures shall be proposed.
- The remainder of the site, zoned open space, is not designated for a particular purpose (either housing or amenity use), shall be retained in its current agricultural use.

**PLAN TOPIC: ACTION AREA PLAN 3 COOKSTOWN**

| <b>No.</b> | <b>Name</b>    | <b>Summary of issues raised</b>   |
|------------|----------------|---|
| C46        | Dervla Cotter  | <p>The current plan seeks that 2.15ha is developed with a potential c.40units in total and the draft plan seeks that 6.7ha is developed at a mixed density with a potential c.100units in total. This draft density is considered too excessive given the existing surrounding low densities and rural character. It is requested that AA3 is amended to 10 units/ha or 6.7ha to be developed at 4 units/ ha, as a lower density would be more appropriate here given the infrastructure deficits, heritage and poor roads servicing these lands.</p> <ul style="list-style-type: none"> <li>▪ The development of the AA3 lands is considered to be leapfrogging and does not encourage infill opportunities in the village centre. No infill development lands have been identified for development within the village apart from Action Area 2 (Kilgarron). There is no justification for the development of AA3, especially at such a higher density. This zoning on the fringe contravenes the plan's own phasing objectives encouraging infill opportunities and the development of areas contiguous to existing developed areas.</li> <li>▪ AA3 is accessed from the Cookstown Road LP-1020 and there are no proposals to upgrade this road/footpaths or to increase driver/pedestrian safety with the proposed increased traffic movements resulting from the development of AA3. The increase in traffic movements on the Cookstown Road along with the existing heavy traffic increases the risk and hazards for pedestrians and other users of this road. The omission of any objective to upgrade this road is of great concern. A comprehensive road traffic study should be commissioned to ascertain the current traffic and pedestrian safety issues here and the potential impact of additional traffic movements from the development of the AA3 lands (including construction traffic) with all recommendations implemented in advance of the development of AA3 lands. Without the current traffic and pedestrian safety issues being addressed the development of AA3 would be considered premature, inappropriate and inconsistent.</li> </ul> |
| C47        | Anthony Cotter | <ul style="list-style-type: none"> <li>▪ The current plan seeks that 2.15ha is developed with a potential c.40units in total and the draft plan seeks that 6.7ha is to be developed at a mixed density with a potential c.100units in total. This draft density is considered too excessive and the majority of the AA3 lands have no gravity access to the town's sewerage system. It is requested that the AA3 zoning is rescinded or it is amended to 6.7ha to be developed at 4 units/ ha.</li> <li>▪ No infill lands have been identified for development within the village apart from Action Area 2 (Kilgarron). Infill sites would address the zoning deficit. There are a number of potential infill sites around the village centre.</li> </ul>   |
| C110       | Ruth Magee     | <p>The current plan seeks that 2.15ha is developed with a potential c.40units in total and the draft plan seeks that 6.7ha is to be developed at a mixed density with a potential c.100units in total.</p>  |

**SECTION 3.3**



|      |                                   |   |
|------|-----------------------------------|---|
|      |                                   | <p>This draft density is considered too excessive as this area is an area of outstanding natural beauty. This proposed increase in zoning will impact on the visual amenity and character of the area as well as increasing the traffic congestion and increasing local flooding in the area. The zoning of AA3 is contrary to proper planning where the protection of the heritage and landscape of an area is required.</p>   |
| C143 | Powerscourt Estates & P. Berridge | <p>This submission is on behalf of the owners of the Action Area 3 lands.</p> <ul style="list-style-type: none"> <li>▪ The zoning and amenity area is welcomed however there are concerns with regard to the delivery of the requirements of the AA. This submission is seeking minor alterations to the land use zoning map and Action Area 3.</li> <li>▪ With regard to the sheltered housing requirements, this submission is seeking that this should constitute part of the required 10% provision of social housing, which will be required in any development, pursuant to Part V of the Planning and Development Act 2000 – 2015, as modified by the Urban Regeneration Act 2015. It is considered inequitable to expect any development to carry a social housing contribution in excess of the national standard of 10%.</li> <li>▪ The inclusion of the public right of way at this location is noted and it is stated that the western portion of this right of way is in the ownership of the Powerscourt Estate and the Estate is prepared to transfer the title of the relevant walkway to Wicklow Co. Council.</li> <li>▪ With regard to the open space zoning, 23% of the lands are zoned for open space. The question arises as to how this will be delivered for public use. The lands would have to be acquired by Wicklow Co. Council and maintained and failing such delivery, the land will simply lie fallow. With regard to the residential development on 6.7 ha, this will carry a requirement for min. 15% public open space. This will be delivered as part of the development however the overall target provision amounts to almost 40% of the entire holding. It is respectfully suggested that this would be entirely excessive and unsustainable use of serviced, urban lands.</li> <li>▪ The reference in the objectives for AA3 to retain the balance of the lands in agricultural use, for possible future development, would appear to be redundant, as the entire AA3 area is zoned for either residential development or for open space.</li> <li>▪ This submission seeks that the AA3 lands are all zoned residential. The Plan should not include a map interpreting AA3 criteria. It is suggested that the zoning of the subject lands is overly prescriptive and it should not show any sub-zonings for residential development at prescribed densities or for open space. The AA3 criteria should include: <ul style="list-style-type: none"> <li>· A target overall dwelling yield.</li> <li>· A requirement to reserve a 0.4 ha. site for sheltered housing which will count toward meeting Part V requirements on the overall lands.</li> <li>· A requirement for an amenity along the southern and western area boundaries.</li> <li>· A requirement that the lands should be developed in accordance</li> </ul> </li> </ul> |

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|  |  | <p>with a masterplan to be proposed by any prospective applicants and agreed with Wicklow Co. Council and which masterplan should reflect the AA3 criteria.</p> <ul style="list-style-type: none"> <li>· The public open space to serve proposed development should be concentrated on the south/west boundaries, delivering and providing a setting for the public right of way.</li> </ul> |
|--|--|--|

### Chief Executive's response

- These lands in Action Area 3 are zoned for residential development and it is proposed to retain this zoning which allow for an increase in the potential number of dwellings with a higher density than in the previous plan. When evaluating lands for possible future residential development, the planning authority in seeking to consolidate development reviewed the existing zoned lands and considered if any of these zoned areas could accommodate an increased density especially on the lands in closest proximity to the town centre. Given the future population target for Enniskerry, it is considered appropriate to increase the density of this existing zoning rather than zoning new lands for development in the town. This is considered the best option given the lands proximity to the town centre, the flat topography of the site and the fact that an entrance could be provided on the local road obviating the need to fell any mature trees on the regional road opposite the Powerscourt entrance thereby preserving the character of this approach into the town.
- With regard to infill development, the plan has allocated 45 potential residential infill units in the existing town centre and in existing residential areas as well as the zoning of Action Area 2 at Kilgarron with a potential of 28 units. There is not sufficient capacity in infill lands to cater for the increased housing requirement identified in this County Development Plan.
- During the development management process in assessing the action area proposals and any subsequent planning application, any development at this location would be required to show or provide adequate improved road and footpath infrastructure to meet the needs of residents; however, it should be noted that the speed limit restriction commences at the eastern side of proposed Action Area and there is an existing footpath along the entire length of the opposite side of Cookstown Road. With regard to the potential traffic impact from the development of these lands, it is not considered necessary to add in an objective to include an appropriate transport assessment as during the development management process, if deemed necessary an appropriate traffic assessment will be requested.
- With regard to waste water any new developments at this location would be required to show or provide adequate wastewater infrastructure to meet the needs of residents. There are adequate capacities in local pipework to accommodate this level of development.
- The issue of the protection of the listed view is addresses under the Enniskerry Built and Natural Heritage section above. Given that 6.7ha of this 9.4ha field is proposed for low density development, it will be possible to design and locate structures so that this view is not impeded
- With regard to the voluntary / sheltered housing, this is a facility that is needed in the town in addition to the requirements of the Urban Regeneration Act 2015. This site is an ideal location for this community gain given its proximity to the centre of the town and the existing services, including footpaths to the town centre. For clarification, it is recommended to include in the criteria for the action area that this housing is within the 6.7ha of land zoned for housing.
- All issues raised with respect to public right of way are addressed in **Section 3.8** of this report.
- With regard to the Open Space zoning within the Action Area, it is not a requirement that this is delivered for public use, the draft plan states 'The remainder of the site not designated for a particular purpose (either housing or amenity use) shall be retained in open space for possible future development purposes.' 6.7ha is zoned for housing development and of the land zoned for development, the appropriate amount of public open space will be required in line with the objectives of the County Development Plan. The Action Area agreement and planning

### SECTION 3.3

application process will determine the layout and design of the open space within this Action Area.

### **Chief Executive's recommendation**

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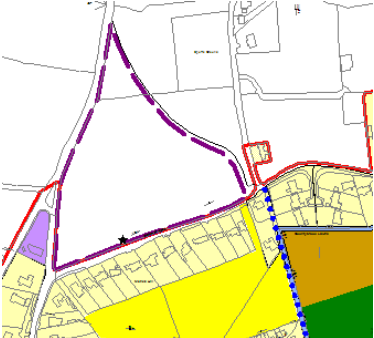
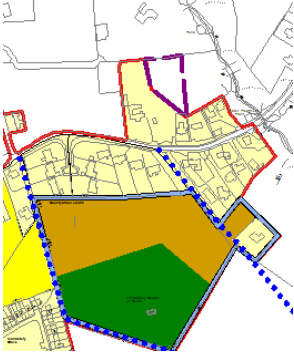
#### **AMENDMENT 67**

### **Volume 2, Enniskerry Town Plan, Section 6.9 Action Area Plans and Specific Local Objectives, Action Area Plan 3**

#### **Action Area Plan 3**

This action area is located south of the town centre, in the townland of Cookstown. This action area measures c. 9.4ha. This action area shall be developed as a residential, open space and community space in accordance with the following criteria:

- A maximum of 6.7ha may be developed for housing, this shall comprise of a maximum of 3 ha at a maximum density of 10/ha with the remainder at a maximum density of 20/ha.
- **Within the 6.7ha for housing**, a minimum area of 0.4ha, shall be provided for voluntary / sheltered housing, of a type to be agreed with the Local Authority, in addition to any Part V obligations under the Wicklow Housing Strategy. Permission will not be considered for private housing until sufficient progress has been made on this element.
- Access to the site shall be from local road LP-1020.
- An amenity zone shall be established along the full southern and western boundaries of the action area, which shall comprise an amenity walk area along the existing tree lined field boundaries connecting through the development to regional road R760 (Enniskerry – Kilmacanogue) and to the existing pedestrian route along the Dargle.
- The remainder of the site not designated for a particular purpose (either housing or amenity use) shall be retained in open space for possible future development purposes.
- Any development shall be so designed to maintain maximum views of the Sugarloaf from Cookstown Road.

| No.  | Name                  | Summary of issues raised  |
|------|-----------------------|---|
| C111 | James & Breda Maguire | <p>This submission seeks the rezoning of c.5ha of agricultural land to residential with 20 units/ha on the Ballyman Road/R117 Road (see red hatched area on map) and to include an objective for a road connection (see large blue dots on map) between the proposed Northern Access Road to the R117.</p> <p>A number of reasons have been put forward to zone these lands, namely that the lands are serviced with the necessary infrastructure and the road connection and could alleviate a number of traffic problems in the area. From a planning point of view these lands are considered easy to develop and that this limited zoning will not undermine the population projections for Enniskerry.</p>  |
| C119 | Gerard McGlinchey     | <p>This submission seeks the rezoning of c.0.2ha of agricultural land to residential just off the Ballyman Road (see red hatched area on map). These lands are beside Brookville house. It is stated that the main house is within the village boundary and the site is on the mains sewer and water and within 500m of a bus stop. The Ballyman Road has been recently improved.</p>   |
| C160 | Sarah Slazenger       | <p>This submission is from the owners of the new residential zoned land in the Powerscourt Estate. The residential zoning is welcomed and considered appropriate with the location and local services nearby.</p>   |

## Chief Executive's response

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The zonings of the draft town plan are consistent with the draft County Development Plan Core Strategy. It is important to note that:

- The population target for Enniskerry must be consistent with the CDP and RPG and there is no scope for deviation from this;
- Based on this population target, an appropriate amount of land has been zoned for housing to meet the requirements of the target population, (having regard to expected household size and assuming a range of densities);
- Enough land has been zoned in the plan to meet the target for 2022 (the lifetime of the plan) plus an additional 3 years beyond the life of the plan up to 2025 as recommended in Ministerial guidelines on development plans ('headroom').
- In accordance with the guidelines from the DoE (Core Strategy guidelines) the most appropriate lands have been selected for development.
- The zonings of the lands on the Ballyman Road/R117 Road (c.5ha) from rural/outside the plan area to 'R20' within the plan area would increase the residential development potential within the settlement (by c.100 units) and allow for the population of the settlement population to extend beyond that allocated under the Regional and County population allocations and would therefore be considered not consistent with the Regional and County Strategy. Given the location of these lands outside of the centre of Enniskerry at the periphery of the settlement, it would be unsustainable to zone these lands for significant development and would facilitate 'leapfrogging' development, with developments being provided on the rural fringe of the settlement, poorly connected to the main settlement and away from the existing and proposed services. Any development proposed here will be considered in line with the rural development objectives of the County Development Plan at the development management stage to ensure the proper development of the area. Therefore no change is recommended. The road proposed is not considered necessary at this time, and would be premature pending the decision on the location of the road linking Ballyman Road to Fassaroe.
- The zonings of the lands just off the Ballyman Road (c.0.2ha) from rural/outside the plan area to 'Residential' within the plan area would increase the residential development potential within the settlement and allow for the population of the settlement population to extend beyond that allocated under the Regional and County population allocations and would therefore be considered not consistent with the Regional and County Strategy. Given the location of these lands outside of the centre of Enniskerry at the periphery of the settlement, it would be unsustainable to zone these lands for development and would facilitate 'leapfrogging' development, with developments being provided on the rural fringe of the settlement, poorly connected to the main settlement and away from the existing and proposed services. The existing RE zonings along Ballyman Road is for the most part confined to existing properties and some small areas of undeveloped land with road frontage between properties (which might be suitable for small infill development). No lands are as such zoned for new development along the north side of the road in an effect to prevent the spread of Enniskerry north of Ballyman Road. In this regard, the proposed zoning (which is not along the public road but to the rear of Brookville) would undermine this objective. Any development proposed here will be considered in line with the rural development objectives of the County Development Plan at the development management stage to ensure the proper development of the area. Therefore no change is recommended.
- The submission from the owners of the Powerscourt Estate is noted.

## Chief Executive's recommendation

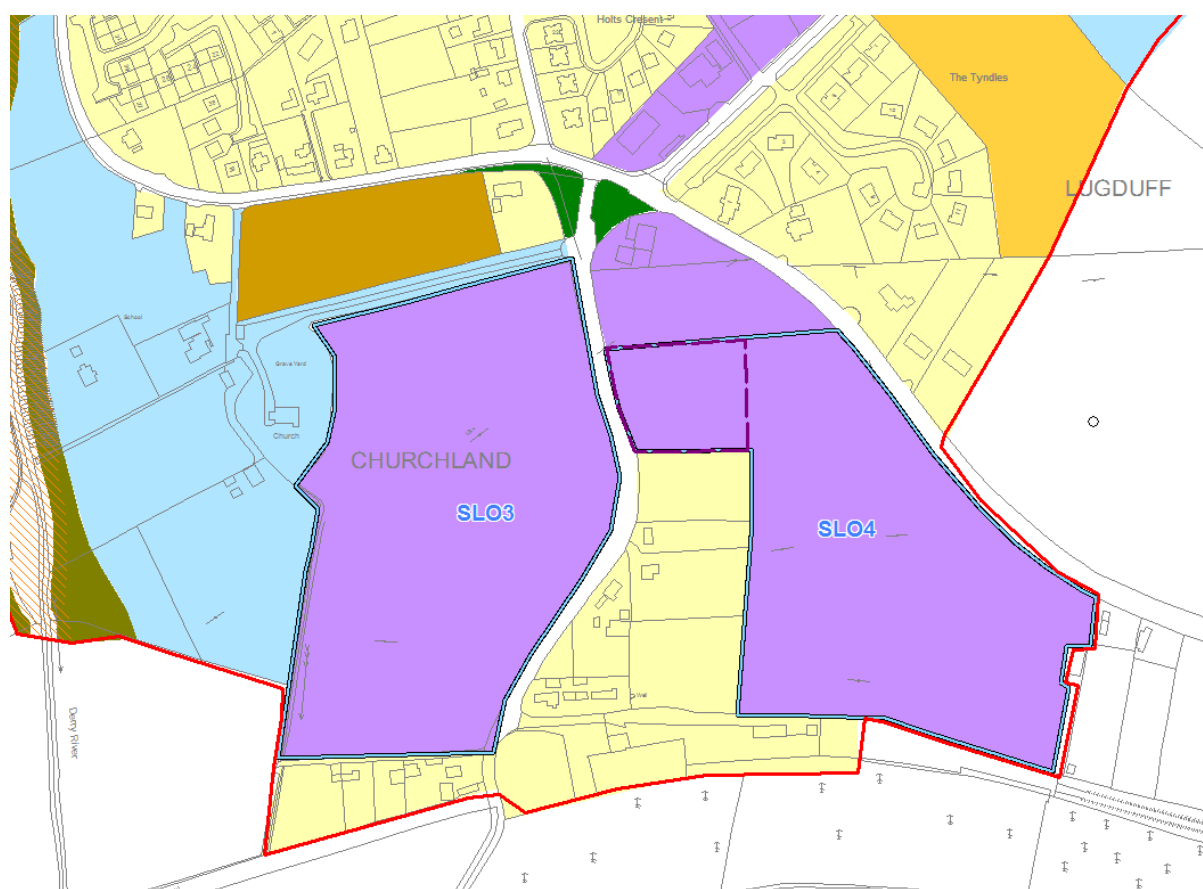
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No change

Please note that any submission that brought up issues that are relevant to all Level 5 settlements or issues that are addressed in the 'Introduction to Level 5 Plans' are dealt with separately at the start of this section of the report.

PLAN TOPIC: REZONING SUBMISSION – LANDS C.0.7HA AT LUGDUFF

| No. | Name             | Summary of issues raised   |
|-----|------------------|--|
| C17 | BBA Architecture | Request that the lands shown on the attached plan be zoned residential (R15) max 15 units/ha. Suggest that this will consolidate existing residential zoning in this location in Tinahely and that the proposal is in accordance with the sustainable development of the area. |



Draft CDP 2016-2022 - Lands the subject of the submission identified in purple dash

### Chief Executive's response

Under the current Wicklow County Development Plan 2010-2016, the lands are part of Action Area 4 for employment and community purposes. An action plan was approved for this area on 6<sup>th</sup> November 2009.

The submitter is requesting rezoning c. 0.7ha of the Action Area land from employment use to R15 use. Based on a density of 15 units per hectare, the site has potential to accommodate up to approximately 11 units.

The CE does not recommend that the land should be rezoned for residential use.

During the review of the current CDP, it was found that there is an oversupply of land zoned for residential use in Tinahely - the capacity of the current land zonings (CDP2010-2016) is 232 units in excess of the Core Strategy requirements. In order to address this issue, the draft plan has designated a number of sites as Strategic Land Bank. There is no need for additional land to provide for additional housing.

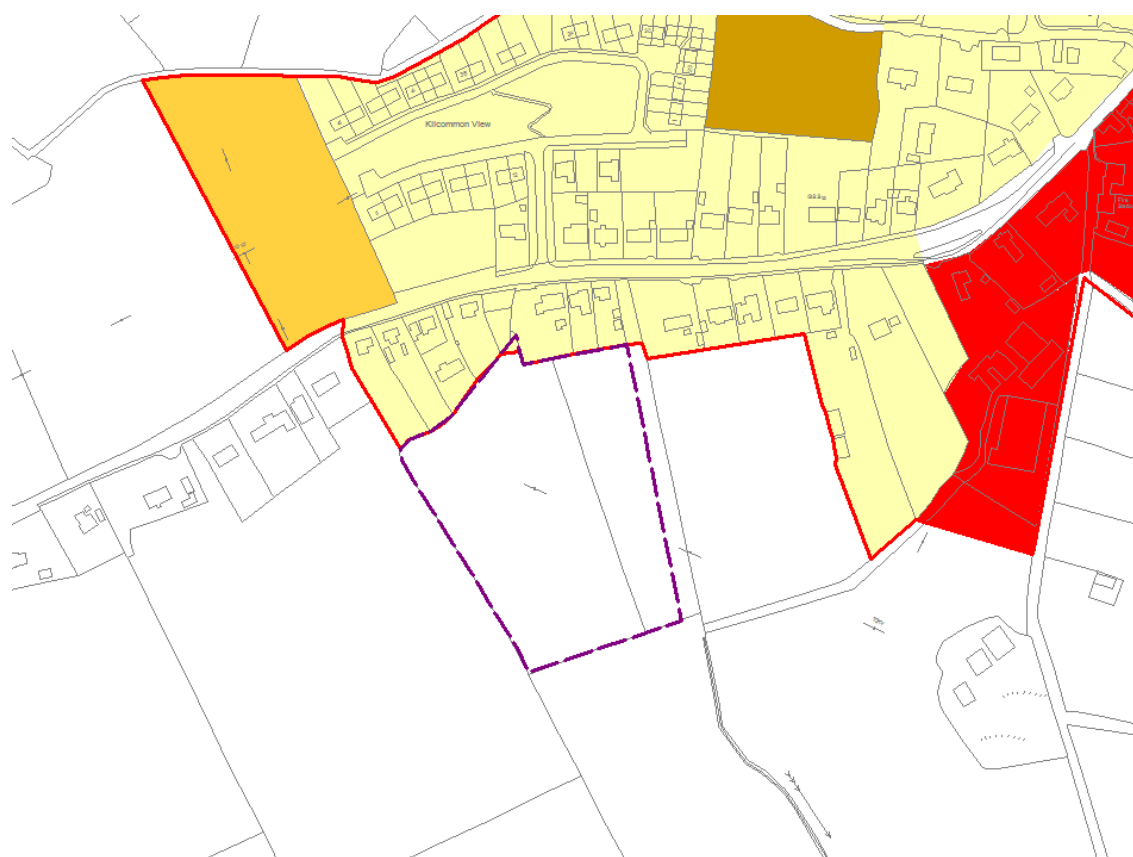
It should be noted that under the draft plan a small site (0.4ha), located directly to the south of the lands in question, has been re-zoned from AA4 use to RE 'Existing Residential' use. The CE does not support rezoning of additional lands for residential use.

#### **Chief Executive's recommendation**

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No change

| No.  | Name           | Summary of issues raised  |
|------|----------------|---|
| C126 | Anthony Murphy | <p>Request that the lands shown in the map below be zoned for 'Community Development'.</p> <p>It is put forward that:</p> <ul style="list-style-type: none"> <li>- There is need for specific residential, day care and nursing home facilities for the elderly in the area.</li> <li>- The site is located in close proximity to town centre facilities</li> <li>- There are two access points for safe and clear access. There are excellent existing vehicular and pedestrian linkages to services.</li> <li>- The scale of a facility would be reflective of the semi rural location.</li> <li>- There is need for additional accommodation for people downsizing.</li> <li>- Residents from Tinahely now travelling to Carnew Community Care, Tullow Nursing home, Arklow Nursing home and Rathdrum care facilities for accommodation not provided in Tinahely.</li> </ul> |



Draft CDP 2016-2022 - Lands the subject of the submission identified in purple dash

### Chief Executive's response

The draft plan includes objectives to provide for the social and community development of the town. Lands are zoned throughout the town for community and education uses including 2.83ha zoned at Lugduff for the provision of housing and care facilities for the elderly. In addition, it should be noted that such facilities are not precluded from locating on lands zoned for other uses; for example, residential or town centre zonings can also accommodate elderly care facilities. It is considered that sufficient lands are zoned within the plan area for the provision of residential and day care facilities.



The site is currently located within the rural area, outside the settlement boundary of the town. Chapter 8: Community Development of the draft plan includes objectives for the development of residential and care facilities. Objective CD19 indicates that these facilities can be considered on lands outside of the delineated settlement boundaries where:

- the site is located in close proximity to a settlement and would not comprise an isolated development
- there are excellent existing or potential to provide new vehicular and pedestrian linkages to settlement services and
- the design and scale of the facility is reflective of the semi rural location.

It is therefore clear that the objectives of the plan support the development of appropriately sited care facilities notwithstanding whether a site is within a settlement boundary or not.

It is also noted that the subject lands are on a backland site at the edge of the development boundary of the town. The zoning of the lands would involve the 'leapfrogging' over unzoned and undeveloped lands adjoining the eastern boundary of the site, contrary to the proper and sustainable zoning principles.

There is poor justification for the proposed rezoning of the lands and having regard to the above it is recommended that the proposed rezoning does not proceed and there is no amendment to the draft plan.

#### **Chief Executive's recommendation**

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No change

| No.  | Name           | Summary of issues raised  |
|------|----------------|---|
| C161 | Patrick Sliney | There is a need for some form of transport link so people can travel to Dublin - at present it is only once a week. |

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**Chief Executive's response**

The provision of transport services is outside the remit of the County Development Plan.  
The delivery and frequency of public transport services by private and State operators between Tinahely and Dublin is not a matter of consideration for the development plan.  
The County Development Plan puts in place a framework within which physical developments can be undertaken, in the event that the public or private sectors have the finance to develop.

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**Chief Executive's recommendation**

No change

## PLAN TOPIC: R SPECIAL ZONED LANDS – REAR OF METHODIST CHURCH

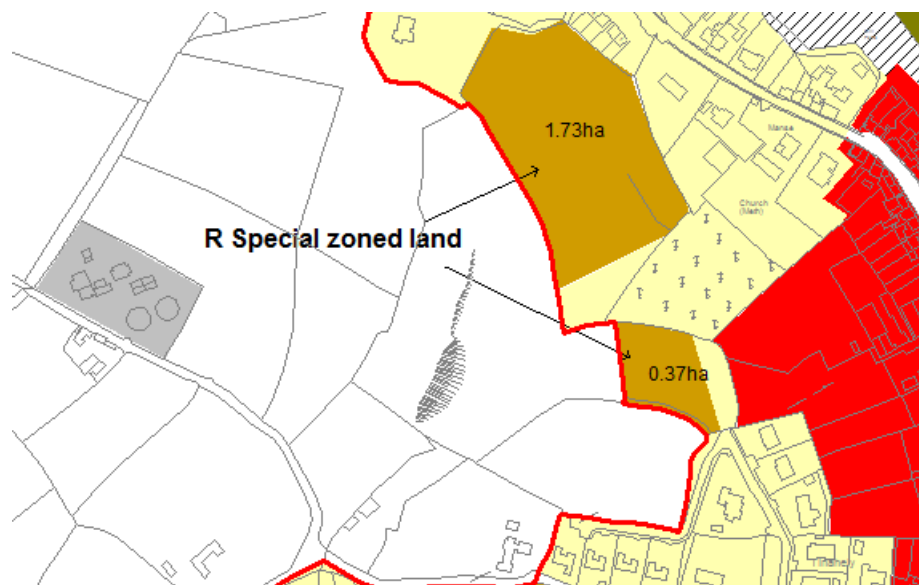
The following issue was raised during a public meeting undertaken as part of public consultation process:

### Summary of issues raised

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Under the draft plan, lands at the rear of the Methodist Church, are zoned as follows:

*TIN1: To provide for residential development for a maximum of 4 additional units on lands zoned 'R Special', spread over two sites 1.73ha and 0.37ha, to the rear of the Methodist Church.*



*Tinahely plan, Draft Wicklow CDP2016-2022*

That part of the land zoning measuring 0.37ha forms part of the 'public open space' that is part of the permitted housing development granted permission under PRR00/2243 (for '11 residential units (outline) and full permission for associated site development works').

### Chief Executive's response

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It is recommended that the draft plan be revised to account for this information. The 0.37ha should be rezoned from R Special to RE Existing Residential. No change is recommended to objective allowing for 4 units, as the 1.73ha can reasonably accommodate this amount of units.

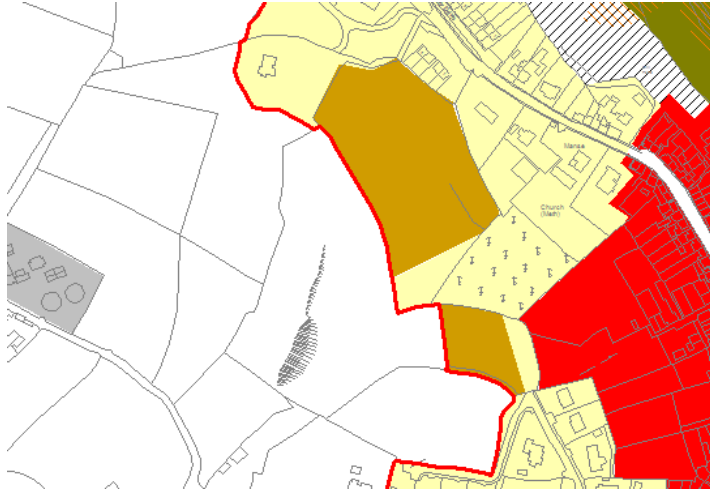
## Chief Executive's recommendation

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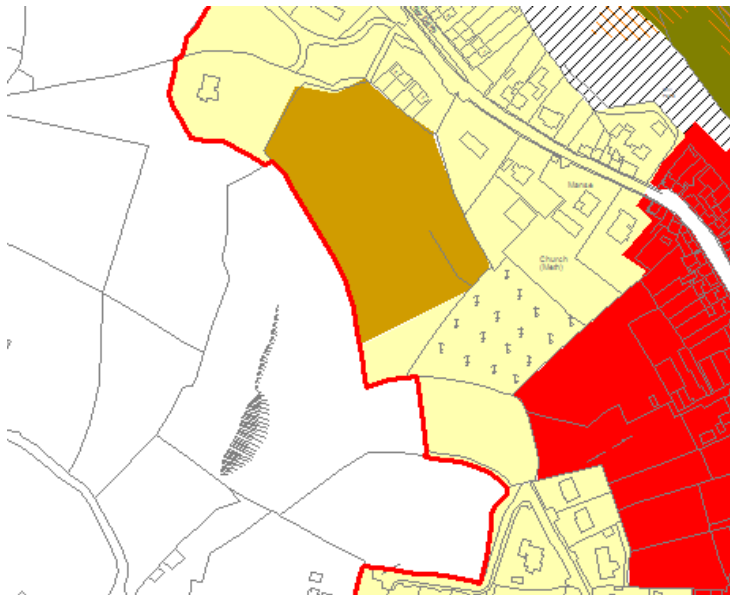
### AMENDMENT 69

1. Amend zoning map as follows:

From:



To:



2. Amend objective TIN1 as follows:

*TIN1: To provide for residential development for a maximum of 4 additional units on lands zoned 'R Special', ~~spread over two sites~~ measuring 1.73ha and 0.37ha, to the rear of the Methodist Church.*

## PLAN TOPIC: LEVEL 6

## INTRODUCTION

## GENERAL OBJECTIVES FOR LEVEL 6

## ZONING

| No.  | Name                          | Summary of issues raised   |
|------|-------------------------------|--|
| C37  | Claire Chambers               | <ul style="list-style-type: none"> <li>The format of the plan is not easy to use compared with earlier drafts.</li> <li>Parking is an issue in all small towns. Residents and tourists are unable to stop. Hence the residents drive to larger retail units outside their area. This results in more traffic and carbon emissions.</li> </ul>  |
| C75  | Alice Feldman                 | <p>Both of these submissions raise the same issue.</p> <ul style="list-style-type: none"> <li>In the 2010 – 2016 CDP, there was a specific plan for <b>Donard</b> that enumerated specific development actions under each of the categories of the plan. In the 2016 – 2022 CDP, the individual plans for each of the listed locations largely refer back to the generic goals and objectives attributed to the Level 6 'Rural Towns' category as a whole. There are only a few actions set out for Donard in the Donard specific plan. So, in contrast to the current plan, there are now only the vaguest of points and details regarding how the Council will actually go about achieving the stated development objectives. This makes it extremely difficult, if not impossible, to adequately evaluate, comment on – and participate in – and trust the content of the Donard Settlement Plan.</li> <li>It would be welcomed, productive and successful to further develop the specificities of the ideas, action and projects in conversation with the residents of the village, and at the very least, present any specific plans that affect these physical locations to the community before any decisions are made or work is commenced.</li> </ul>   |
| C79  | Pauline Flynn                 |  |
| C128 | Joanne Neville & Nigel Harper | <p>This submission is seeking the following provision in the 'Introduction to Level 6 Plans' to be removed from the draft plan:</p> <p><i>"The Planning Authority will resist developments that entail the loss of existing community, education and open space/recreation lands or buildings unless it can be demonstrated that adequate community, education and open space/recreation lands and buildings would be retained in the settlement having regard to the planned future population of the settlement. In particular, developments that would unduly constrain the ability of existing schools to expand will not be permitted."</i></p> <p>The reasoning for this is as follows:</p> <ul style="list-style-type: none"> <li>The main body of the Draft Plan provides guidance on development management issues including <i>inter alia</i> supporting the protection of structures on the RPS, providing a community facilities hierarchy model to guide the provision of same and supporting the locating of residential development in designated 'towns' and 'village' centres. In order to avoid any conflicts, misinterpretations or confusion the information and guidance contained Volume 2 should accord with that provided in the main body of the Draft Plan.</li> <li>The above statement is unnecessary as all of the aspects contained therein are covered in a clear way by the guidance contained in the</li> </ul> |

|  |  |   |
|--|--|---|
|  |  | <p>main body of the Draft Plan. In addition the application of the above may result in the creation of conflicts with the key policies within the main Plan. An example of this is where there is a community facilities hierarchy model in the draft plan which clearly outlines the level of community facilities required based on the population range of a settlement. This provision of the Draft Plan would thus cover the issue of <i>"adequate community, education and open space/recreation lands and buildings"</i>. If a settlement already has community facilities in line with the requirements of the Draft Plan then to seek to resist developments that entail the change of use of a "community building", for which the Draft Plan has acknowledged is not supported by the population range of the settlement, creates a conflict between the Draft Plan and the above provision of Volume 2.</p> <ul style="list-style-type: none"> <li>▪ This statement is also in conflict with the Draft Plan in relation to the guidance provided for Protected Structures as above. In this regard Objective BH10 states: <i>"To positively consider proposals to improve, alter, extend or change the use of protected structures so as to render them viable for modern use, subject to consultation with suitably qualified Conservation Architects and / or other relevant experts, suitable design, materials and construction methods"</i>. Thus under the main Draft Plan a change of use of a community or education building, that would bring it back into active use would be expressly supported by the Planning Authority. As above this is in accordance with the RPS which protects the structure and not the use and is also supported by best conservation practice. However, the above provision of Section 1.4 of the Level 6 Settlement Plans contradicts this and conflicts with the Draft Plan as it would seek to retain a Protected Structure as a community or education building even where this negatively impacts on the protection of the structure due to <i>inter alia</i> vacancy, lack of a requirement for that building to accommodate such a use, the unsuitability of the building for the use having regard to modern building requirements etc.</li> <li>▪ This statement also has the potential to conflict with one of the core principles of the Draft Plan, that: <i>"The priority for new residential development shall be in the designated 'town' and 'village' / 'neighbourhood centres' or 'primary zone' in settlements with development plans, or in the historic centre of large and small villages, through densification of the existing built up area, re-use of derelict or brownfield sites, infill and backland development..."</i> This is the basis of the Sequential Approach which is a core principle in guiding residential development within the County. In this regard Section 2.4.5 of the Draft Plan clearly states that residential development in Level 6 settlements will be directly guided by the population and housing objectives set out in the Draft Plan. Thus the change of use of a Protected Structure, formerly a school house, which has not had a permanent use for over 30 years, in a settlement which already provides community facilities in line with the hierarchy model, to provide a residential dwelling in the historic centre of a village would be compliant with the provisions of the Draft Plan but would still be resisted by the above provision of Section 1.4 of the Level 6 Settlement Plans.</li> </ul> |
|--|--|---|

|      |  |   |
|------|--|---|
|      |  | As the Draft Plan already comprehensively covers the items addressed in Section 1.4 of the Level 6 Settlement Plans, allowing for a case by case assessment of applications, and as the inclusion of this provision in Appendix 2 results in several conflicts within the Draft Plan, the text should be removed in its entirety. |
| C155 | Roundwood & District Community Council | The format of this plan is not user friendly and unwieldy. The maps are too general and the legends for the various uses are not displayed on the maps.   |

## **Chief Executive's response**

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### **Plan format**

The format utilised for all Level 6 settlements was developed when plans were being prepared for the first time for Avoca, Donard and Kilmacanogue in 2011-2012. At that time, it was determined that the 'traditional' land use plan, with numerous and very specific zoning objectives, would not necessarily be suitable to such small places, and may excessively curtail flexibility. These plans worked very well in guiding development in these settlements to date and therefore it was recommended by the executive that this format should be applied to all Level 6 plan in the new County Development Plan.

This format allows for all of the 'generic' type of objectives, that would apply to such settlement, to be extracted from the settlement plan itself and expressed as a 'Part A' to each plan e.g. the Donard plan comprises this 'Part A' plus the Donard specific plan and this is how this plan would be presented to a member of the public and how this plan would be utilised in the assessment of any applications. It is considered that the repetition of the general objectives applicable to all Level 6 settlements in each plan would not add any clarity or necessarily improve readability. It is considered much more direct and to the point to only include those objectives that are relevant to that specific settlement in each of the individual towns.

It is not correct to state that the new format results in less clarity about how the Council is going to achieve the objectives specified for any settlement – the manner in which the Local Authority intends to achieve objectives is not set out in development plans as the development plan is a land-use framework, not any operational or spending plan. In the case of Donard, the new format has not removed any objectives or action that were previous set out in the plan in 2012.

It is not the purpose of a land use framework to set out specific actions and projects that may be undertaken in any area. The plan sets out objectives that may be delivered by public or private agencies, and in general, development works require to go through a planning consent process. It is during that process, where the specific of a project are known that the public are provided with the opportunity to input, either through the Part 8 or the planning application consultation process.

### **Maps**

The maps associated with the Level 6 towns show the three zones and action area boundaries clearly and all contain a legend. The uses allowable in each zone are clearly described in the text of the plan.

### **Car parking**

While the issues surrounding car parking in small towns are noted, it is not the role of the land use framework to address this – this would be matter for the Roads & Transportation Department of the local authority or other transport agencies. The development plan can however set out in general

terms if there is car parking issue in the settlement, where new parking may be required and what it expects of developers in terms of car parking provision. The delivery of enhanced car parking is however outside the remit of the plan.

### **Community lands**

The objective quoted is set out in Section 1.4 – Community & Open Space Objectives of the Intro to Level 6 plans and states:

*The Planning Authority will resist developments that entail the loss of existing community, education and open space/recreation lands or buildings unless it can be demonstrated that adequate community, education and open space/recreation lands and buildings would be retained in the settlement having regard to the planned future population of the settlement. In particular, developments that would unduly constrain the ability of existing schools to expand will not be permitted.*

This objective is considered reasonable and very necessary in the case where such plans do not provide for specific 'OS' or 'CE' zones – all of the zones in the Level 6 plan are 'mixed use' zones and therefore it is essential that open spaces and community uses are protected in such towns. However, as referred to in the submission, the level of 'protection' afforded to such lands will be based on the criteria and quantities set out in the open space and community services models set out in the plan and it will not simply be the case that all existing open spaces or community lands will be 'protected' from development if such protection cannot be justified having regard to availability of such land uses in the settlement and the project population of the area.

This submission appears to be prompted by a recent refusal of permission to convert the old schoolhouse in Roundwood into a private residence (this decision is currently on appeal). This application was refused on the basis that the lands are currently zoned 'Community, Educational and institutional' where residential development is not permitted. It is considered that the proposed change in zoning to 'primary development area' coupled with the objective outlined above, in fact provides more scope for such an application to be successful, as it allows for the applicant state as case as to how their proposals would not unacceptably reduce the community lands available in the settlement or the ability of the adjacent school to expand, which the current zoning does not allow for.

### **Chief Executive's recommendation**

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No change



Please note that any submission that brought up issues that are relevant to all Level 6 settlements or issues that are addressed in the 'Introduction to Level 6 Plans' are dealt with separately at the start of this section of the report.

PLAN TOPIC: AVOCA TRAIN STATION

| No.  | Name          | Summary of issues raised  |
|------|---------------|---|
| C125 | Denis Muldoon | <p>It is put forward that the Old Avoca Station is unsuitable for today's needs, having insufficient parking and vehicle access and that there would be many advantages to the opening of a new modern Avoca station just south of the village beside the GAA park.</p> <p>It is noted in the submission that the objectives of the draft plan support this submission. The relevant objectives are:</p> <p><i>To ensure that possibilities for improvement of the Dublin-Rosslare line, including the re-opening of closed stations, are maintained and to ensure that land uses adjacent to former stations are appropriate and would facilitate future improvements.</i></p> <p><i>In particular -to require any development proposals in the vicinity of former train stations to be so designed to facilitate future access to the station and to reserve adequate space for future car parking.</i></p> |

#### Chief Executive's response

As set out in Section 9.1.2 of the Draft Plan, Wicklow County Council is not itself a public transport provider, and cannot force providers to deliver services in any particular area. A County Development Plan can however put in place the necessary policy framework to encourage and facilitate improvements to public transport.

The operation and management of rail infrastructure is a matter for Irish Rail.

In the event that it becomes a future objective of Irish Rail to re-open the service at Avoca, objectives are included in the draft plan to facilitate this e.g TR4:

*TR4 To ensure that possibilities for improvement of the Dublin – Rosslare line, including the re-opening of closed stations, are maintained and to ensure that land uses adjacent to former stations are appropriate and would facilitate future improvements. In particular:*

- to resist any development within 20m of the railway line;*
- to resist demolition or removal of any former train station structures or apparatus, other than for safety reasons; and*
- to require any development proposals in the vicinity of former train stations to be so designed to facilitate future access to the station and to reserve adequate space for future car parking.*

Any considerations, regarding a possible future re-location of the station and accompanying parking facilities, is a matter in the first event, for Irish Rail.

#### Chief Executive's recommendation

No change

**PLAN TOPIC: AVOCA TIDY TOWNS**

| <b>No.</b> | <b>Name</b>      | <b>Summary of issues raised</b>  |
|------------|------------------|--|
| C10        | Avoca Tidy Towns | <p>The following issues are raised with respect to the draft settlement plan:</p> <ol style="list-style-type: none"> <li>1. Paragraph 2 requires updating to reflect current business offering in town.</li> <li>2. Paragraph 3 requires updating – WCC have recently undertaken roads and accessibility works addressing the previous traffic congestion issues. More signs displaying the 20min parking restriction on Main Street/ directing traffic to Church car park, may be of assistance.</li> <li>3. There has been extensive work done on water supply to Avoca in recent years - what is its current status? Wastewater - what is the current status?</li> <li>4. Avoca Specific Development Objectives – Development of Red Kite Walk is complete. Avoca Tidy Towns hope to develop further longer walks.</li> <li>5. Objectives should be updated as follows:               <ol style="list-style-type: none"> <li>a) "improving the safety of turning movements between the bridge and the main street" – new footpaths, a crossing and new junction layout have all been completed here.</li> <li>b) "improving pedestrian safety" – a new crossing and stop signs have been put in place.</li> <li>c) "reducing traffic congestion on the main street" – footpaths and double yellow lines along both sides of the Main Street are now in place which have considerably reduced traffic congestion.</li> <li>d) "improving the provision of footpaths"- Avoca has footpaths along both sides of the Main Street, a footpath from the church car park to the Avoca Handweavers, a footpath from the Main Street to Avoca Wood, a footpath from the Main Street to the Meetings and footpath from the Main Street to Woodenbridge.</li> <li>e) "provision of pedestrian link between Avoca Handweavers and the town centre" – WCC have already provided a footpath from Avoca Handweavers to the town centre.</li> <li>f) "To encourage and facilitate the extension or redevelopment of the Old School Community Centre for community uses" – Avoca Community Hall Ltd. Committee have completed extensive renovation on the community hall and it is currently running at full capacity.</li> <li>g) "Delaney's property - property hasn't been owned by Delaney's for a number of years and is currently in receivership.</li> <li>h) Courthouse needs protection and assistance</li> <li>i) Possible addition of new objective to allow for development of an equipped play space at a suitable location.</li> </ol> </li> </ol> |

## Chief Executive's response

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1. It is agreed that the plan should be updated to reflect the issue raised.
2. It is noted that congestion has reduced since the undertaking of accessibility works in the town - the plan should be updated. The Roads Section of the Council is responsible for the management of road /parking signage and markings within Avoca - this matter is not within the remit of the County Development Plan
3. A submission in relation to the draft plan has been received from Irish Water. The summary of this submission and the consideration of the issues raised in it, are contained within **Section x** of this report. With regard to queries regarding the current status of water services infrastructure in Avoca:
  - i. works undertaken to water supply infrastructure in Avoca in 2015 involved the replacement of mains in 2015 – this work is now complete;
  - ii. the existing wastewater treatment facilities are inadequate and do not meet the Discharge Licence Emission Limit Values. Irish Water is currently working with Wicklow County Council to assess the works required to bring the discharge into compliance.

Some information is included in the Avoca plan relating to the status of water services infrastructure in the settlement. This information should be updated.

4. The plan should be updated to reflect the issue raised.
5. In response to the issues raised:
  - i. The objectives of the plan should be updated, as appropriate. Numerous objectives are contained in 'Chapter 9: Infrastructure' and the 'Introduction to Level 6 Settlement Plans' to facilitate works for the promotion of a safe and accessible pedestrian, cycling and traffic routes within all towns of the county.
  - ii. It is proposed to add Avoca Courthouse to the Record of Protected Structures. Refer to **Section x** of this report for report on submissions received on the proposed amendments, additions and deletions to the Record of Protected Structures.
  - iii. There is an objective in the current draft plan for the development of an equipped play space – refer objective 1 of the draft plan.

## Chief Executive's recommendation

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### **AMENDMENT 70**

**Amend Volume 2, Level 6 Settlement Plans ' Avoca' as follows:**

#### **Avoca Settlement Plan**

##### **Settlement Profile**

Avoca is a rural town that is located in the south east part of County Wicklow, within a particularly scenic rural setting along the Avoca River. The town is located approximately 10km from the higher order towns of Arklow and Rathdrum, which provide higher order employment and service functions for the town's population. The town currently serves the day-to-day needs of the local population, and is the main service centre for surrounding rural areas including Connary, The Meetings and Woodenbridge.

The town provides a variety of retail and community facilities, including a number of shops and local services, a public house, a takeaway, a café, ~~a betting office~~, ~~a pharmacy~~, ~~hairdressing salon and beauticians~~, a primary school, community hall, post office, credit union, IT centre/~~library~~, ~~heritage centre~~, health centre, Garda station and Catholic Church. Rooster Park sports ground provides the main recreational facility for the town.

The town has a charming centre, with a traditional character, and river and mountainous setting. This charm is diminished somewhat by ~~traffic congestion~~, ~~plus~~ a degree of dereliction and vacancy at prime sites. ~~A Traffic Accessibility Plan was implemented in 2011/2012, through which works were completed to improve pedestrian accessibility and traffic safety throughout the town.~~

~~The town acts as an important tourist draw, after shooting to fame as the fictional home of BBC TV's 'Ballykissangel'. Although the 'Ballykissangel' draw has diminished somewhat in recent years, the Avoca area remains an important destination for tourists, who visit attractions such as the 'Avoca Handweavers' Mill, the 'Meeting of the Waters', and the mining heritage features of the area. The town provides a number of services for the tourist trade, including tourist accommodation and tourist related shops.~~

Avoca and its surrounding area, including The Meetings, Connary, Tigroney and Woodenbridge, has considerable potential to develop as a tourism hotspot. The area has particular potential to be a destination for niche ecotourism and educational tourism products. Attractions in the area include the historic copper mines at Connary and Tigroney, the 'Meeting of the Waters', Avoca Handweavers, Avoca Gallery shop and painting school, walking trails such as the Avoca Red Kite Loop and the Avoca River for river based activities such as kayaking and angling. The development of sustainable tourism and service related industries could yield significant economic benefits in terms of job creation and investment.

The town has developed mainly along the east of the Avoca River in a linear manner. The promotion of a more concentric settlement pattern is constrained by several matters, including geographical constraints, a wide floodplain and lack of transportation links between the town centre and lands west of the R752. These factors have resulted in the growth of the town in a southerly direction towards Kilmagig. The dispersed spatial development of the town has resulted in a lack of connectivity between the main housing and school areas in Kilmagig, and the town centre.

There are a number of facilities located outside the plan boundary, located along the Rathdrum to Arklow road that serve the town, including a recycling facility, playing pitches, tourist facilities, graveyard, and Church of Ireland church and associated buildings.

### Key Infrastructure

**Water supply:** Water supply to Avoca is sourced from a treated surface water supply at Ballard, Ballinaclash. Water is fed by gravity down the Vale of Avoca and stored in a reservoir at Ballymurtagh. The reservoir has sufficient storage capacity to provide for current target levels of future growth. The delivery of a new Mid-Wicklow Regional Water Supply Scheme (Roundwood, Laragh, Rathdrum, Avoca/Ballinaclash, Aughrim/ Annacurragh and Redcross) is being considered by Irish Water and would resolve any water supply constraints in the area into the future. ~~Works were completed during 2015 on the replacement of water mains.~~

**Wastewater:** ~~Avoca is served by a licensed Wastewater Treatment Plant, which is located in Ballanagh. The plant is currently overloaded and has no extra capacity. The plant provides primary treatment only with no preliminary or secondary treatment. Treated effluent is of a poor quality~~

~~and discharges to the Avoca River.~~ Avoca is served by a licenced Wastewater Treatment Plant, which is located in Ballanagh. There are issues around access to the existing treatment plant and treatment processes at the plant. Irish Water is examining ways to resolve these issues and once these are resolved there would be sufficient capacity to meet anticipated demand.

### Avoca Specific Development Objectives

These objectives should be read in conjunction Part 1 of this Volume - 'Introduction to Level 6 Settlement Plans':

1. To facilitate and promote the development of a range of high quality community and recreational facilities that meet the needs of the local population, and in particular to allow for the development of youth-related developments, including an equipped play space.
2. To particularly facilitate and promote tourist developments that are associated with the following tourism products or themes: ~~(i) the area's mining heritage, (ii) walking as a recreational activity, (iii) the 'Ballykissangel' tourist draw, (iv) history pertaining to the theme of handweaving / cloth manufacturing, (v) Thomas Moore~~ (i) the area's mining heritage, (ii) The Meeting of the Waters/ Thomas Moore, (iii) outdoor recreational activities e.g. walking / Red Kite Walk Loop, activities associated with River Avoca etc. (iv) 'the arts' including painting, handweaving etc,
3. In the **Primary Zone**
  - (a) To encourage and facilitate the redevelopment of derelict and underused structures at Nagle's property for a mixed use development. Any proposed development shall be of an exceptionally high quality design and shall include uses that reflect its landmark location within the settlement. Any proposed development shall include proposals for improving pedestrian ~~and traffic~~ safety at the intersection.
  - (b) To promote the safe movement of traffic and pedestrians in and around this area, with particular emphasis on (i) improving the safety of turning movements between the bridge and main street, (ii) improving pedestrian safety, ~~(iii) reducing traffic congestion on the main street, (iv) improving the provision of footpaths, (v) and~~ (ii) facilitating the development of additional car parking facilities by extending the existing Church car park or by providing facilities at an alternative appropriate location, ~~(vi) provision of pedestrian link between Avoca Handweavers and the town centre.~~
  - ~~(c) To encourage and facilitate the extension or redevelopment of the Old School Community Centre for community uses.~~
  - (d) To protect and preserve the public open space area located within the town centre, north of ~~Delaney's property~~ Hendley's shop.
  - (e) To protect and improve the traditional character and natural setting/backdrop of the town centre.
  - (f) To allow for the development of a public toilet at a suitable location.
  - (g) To facilitate the appropriate development of the railway station.
4. In the **Secondary Zone**
  - (a) Preserve the use of Rooster Park (identified at AV1) for recreational and open space use.
  - (b) Any proposal for development on lands identified AV2 located at Kilmagig Upper shall include proposals for the upgrade of access from the public road and shall include proposals for the provision of adequate sightlines, in accordance with the relevant

standards. In the interests of protecting the visual amenity of the area, any future development proposal shall include proposals for (i) the landscaping of any retaining works that are required for sightlines, and (ii) the retention of a line of existing trees along the southern perimeter of the site adjoining the existing public road and existing access laneway.

- (c) Any proposal for development on lands identified AV3 at Knockanree Lower shall include proposals for the appropriate upgrade and widening of the existing access way that adjoins the northern boundary of the Community Centre. In the interests of protecting the visual amenity of the area, any future development proposal shall ensure the design, materials, layout, landscaping and screening proposals integrate the development, as far as is possible, with the natural features and landscape of the site. In this regard, particular attention shall be paid to ensuring that the amenity of views of the site from L-9167-19 at Knockanree are protected, as far as possible.

### SECTION 3.3.23 DONARD

Please note that any submission that brought up issues that are relevant to all Level 6 settlements or issues that are addressed in the 'Introduction to Level 6 Plans' are dealt with separately at the start of this section of the report.

#### PLAN TOPIC: STATUS OF DONARD WITHIN THE SETTLEMENT HIERARCHY

| No.  | Name                      | Summary of issues raised   |
|------|---------------------------|--|
| C59  | Donard / Glen Focus Group | In general all 7 of these submissions suggest that Donard be referred to as a village in the plan. It is put forward that the existing village area does not reflect the characteristics identified as a Level 6 'rural town'.<br>It is also put forward that the level of retail and employment type development envisaged for a Level 6 settlement is not capable of being accommodated in Donard given the infrastructural difficulties within the core area. |
| C75  | Alice Feldman             |  |
| C79  | Pauline Flynn             |  |
| C82  | Claire Harrison           |  |
| C107 | Morna Lynn                |  |
| C142 | John Pilling              |  |
| C179 | Claire Walsh              |  |

#### Chief Executive's response

In accordance with the RPGs, the classification of towns into the different levels of the settlement hierarchy below Level 4 is to be carried out at a local level through the County Development Plan process. The categories suggested by the RPGs are 'small town' and 'village'. In assessing where each settlement should place in the hierarchy, a detailed assessment of every small town, village and hamlet was carried out, which included an evaluation against the descriptions provided in the RPGs and the infrastructure and services available in each location. The outcome of this analysis was that Donard fitted more correctly in Level 6 of the hierarchy, than Level 7 and would therefore be suitable for the kind of development forms and level allowed in Level 6. This is not to say that it is considered to be the 'same' in terms of size and current level of services as the other Level 6 towns, but it is best placed at this location in the hierarchy.

The introductory section to Level 6 settlements in Volume 2 recognises these settlements are the smallest 'towns' in the County which provide important economic and social services to their populations and rural hinterland, but have a more rural character and catchment than the 'small growth towns'. The plan further states that such towns *normally* have a reasonable range of infrastructural services and are suited to accommodating some urban generated housing demand, with necessary controls in place to ensure that local demand can also be met.

There appears to be a perception in some settlements that the 'classification' of the settlement as a 'town' in the settlement hierarchy somehow diminishes its rural, village like character and would therefore impact on its heritage and tourism potential or that the settlement could now become 'over developed' due to this classification. This is not considered to be the case at all, and it is strictly a planning hierarchy model, that allows for development objectives to be crafted for a group of towns of similar characteristics. There are a significant number of policies and objectives included in the plan to ensure that identity, character and heritage are protected and that development, if it were to happen, will occur in a manner and in such a pace that the settlement can absorb.

It is considered that the growth levels targeted for Donard as a Level 6 'town', once controlled in an appropriate manner, would help to re-invigorate the core area while also respecting the existing built and natural character of the area. To further strengthen the protection of the core area it is considered prudent to propose that an architectural conservation area (ACA) be included in the plan for the core area.

ACAs facilitate the revitalisation of the fabric of the area by supporting the aesthetic value, giving a distinctive identity and thus making a positive contribution to local economies and tourist potential. This designation does not prejudice innovative and contemporary design; on the contrary, in principle, design of a contemporary and minimalist style will be facilitated within ACAs provided it does not detract from the character of the area.

In regard to the concerns raised in relation to infrastructure it should be noted that the current water supply is nearing capacity and may require an alternative source to accommodate additional growth; however the wastewater treatment system in place is identified as having adequate capacity for the level of growth envisaged in the plan.

Concerns with existing the road network and the capabilities of the core area to accommodate a significant level of increased growth beyond the lifetime of this plan are noted however the actual growth levels (22 units up to 2022 and 35 up to 2028) envisaged within the lifetime of the plan are not considered to be at a level that would require significant road infrastructural works to be carried out.

Having regard to the concerns raised regarding the capability of the area to accommodate a level of retail growth envisaged with a Level 6 settlement it is considered that the level of growth envisaged for the area would be accommodated solely within the primary zoned lands as demand arises from population growth, maximizing the use of existing disused buildings adding further to the reinvigoration of the core area.

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#### **Chief Executive's recommendation**

#### **AMENDMENT 72**

### **VOLUME 2 – PLANS**

#### **Level 6 Settlement plans – Donard**

#### **Add the following text at the end of the plan**

##### ***Donard ACA***

*Historically, Donard is a monastic settlement established c. 8<sup>th</sup> century and further developed in medieval times by Norman baron, Jordan de Marisco, who built a motte-and-bailey type castle immediately beside the settlement site in 1190. The historic core of the village today comprises of the remains of the monastic enclosure; parts of the motte-and-bailey, the triangular market area and the nineteenth century architecture.*

*The monastic site is rectangular in shape and is made up of a graveyard and the ruins of a medieval church. The church building dates from the fifteenth century and consisted of a single chamber with a bell cote at the eastern end wall. The Norman motte-and-bailey lies immediately to the south of the enclosure.*

*Immediately north of the monastic enclosure is the triangular village green which is a significant open space contributing to the character of the village. This may have been a market place attached to the monastery. There is an Ogham stone present here which has been transported from its original location in a field outside the village.*

*It is reported that the village was burnt during the 1798 rebellion and rebuilt in subsequent centuries. The eighteenth and nineteenth century architecture of Donard is highly significant and consists of a range of standard estate type houses, cottages and lodges. These survive in their original form to an impressive degree and they are arranged along the village streets in both terraced and detached forms,*



as well as the adjoining streets. There are also a number of single storey cottages with metal roofs which may indicate buildings which were formerly thatched.

The village has two significant public buildings. These are the Church of Ireland and the Catholic churches, both are positioned at the edge of the village, a little way outside the historic centre.

Landscape plays an important role in the character of Donard. This includes both the village green and the countryside surrounding the village and is enhanced by the broad-leafed trees, hedgerows and the drystone walls on the entrances to the village. The surrounding wooded lands and the open landscape acts as an attractive rural backdrop.

**The ACA is characterised by:**

- Historic core and layout including the remains of monastic settlement and a triangular village green open space
- One and two storey terraced houses arranged along the village streets
- Buildings with painted roughcast render, pitched roofs, timber doors and windows with varied window sizes contributing to an urban vernacular character
- Use of natural stone in roadside walls and broadleaf tree and hedge planting
- Views of the surrounding wooded lands and rural landscape.

**The following Protected Structures are located within the ACA**

**15-01 Donard Church of Ireland**

**15-02 Donard Demesne (Davidson's house)**

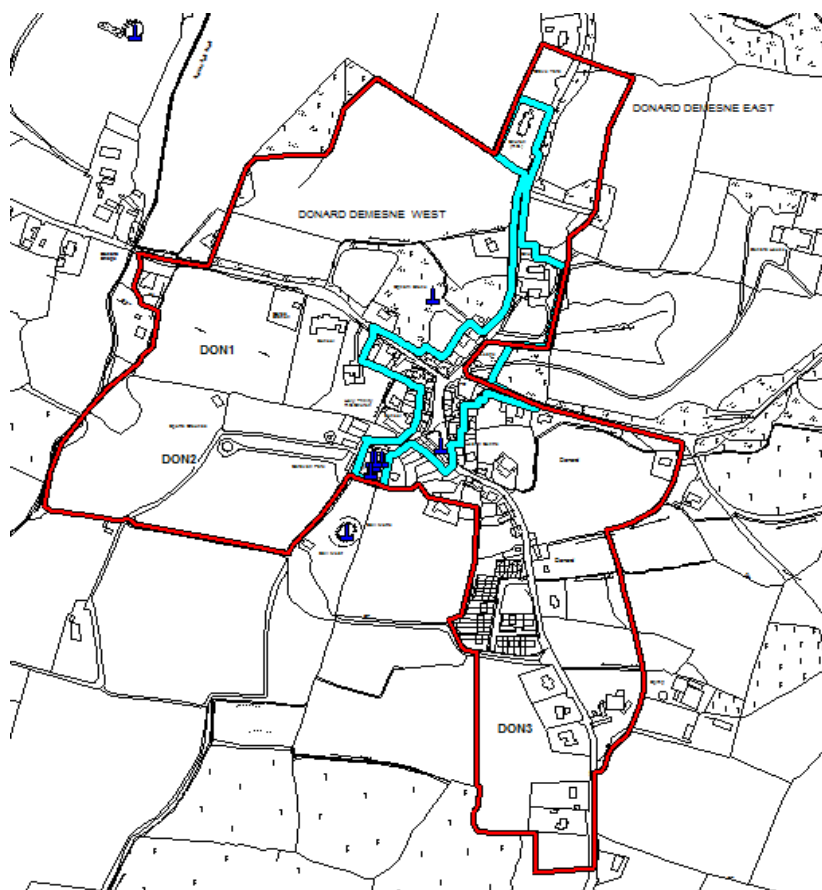
**15-03 Donard House**

**15-04 Donard Catholic Church**

**There 16 buildings on the NIAH for Donard**

**Map 2: Heritage Objectives**

**Add new boundary for proposed ACA**



**PLAN TOPIC: PEDESTRIAN CONNECTIVITY**

| No.  | Name                      | Summary of issues raised  |
|------|---------------------------|---|
| C59  | Donard / Glen Focus Group | Concern is raised in relation to the development of lands within the village and provision of pedestrian connectivity in the area. The area surrounding the existing primary school and the playschool to the west is highlighted as a particular area of concern.<br>Issues are also raised in regard to footpath provision in the town and linkages between the existing council housing scheme to the south and linkages to the north. |
| C82  | Claire Harrison           | There is a need for a looped walk around the plan area in the interests of pedestrian safety  |
| C107 | Morna Lynn                | The provision of footpaths linking the school and the crèche and along the area of lands surrounding the new council yard are required  |
| C142 | John Pilling              | Pedestrian footpaths need to be provided in the village linking existing developed areas to the village core.   |
| C179 | Claire Walsh              | There is a need to develop walks around the village connecting the area to wider walking routes in the surrounding area.  |

**Chief Executive's response**

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Section 1.5 of the Introduction to Level 6 settlements "Service Infrastructure Objectives" promotes the development of a safe and accessible pedestrian, cycling and traffic routes.

The introductory section further states that 'Level 5 Settlement Plans' shall only include objectives that are settlement specific and achievable, and avoid those that are aspirational or are best dealt with in the annual budget, road works programme, etc. The role of land use plan is to put in place framework within which development can occur, but does not decide what works actually get done by either private individuals or public bodies. The delivery of objectives will be determined by the initiation of private development or by the allocation of public funding through the annual budgetary process, which is a separate process to any land use plan.

Where proposals for the development of lands are made, the planning authority will require that such developments provide adequate means of access to the core area of Donard and where possible to neighbouring developments.

In regard to the issues raised relating to the connectivity of the school to the existing crèche it is considered reasonable to amend objective DON1 to require the development of these lands to also include the provision of a new footpath extending the full width of these lands from the existing crèche to the adjoining Garda station.

**AMENDMENT 71**

**VOLUME 2 – PLANS**

**Level 6 Settlement plans – Donard**

Amend Objective 4 'Secondary Zone' as follows:

**4. In the Secondary Zone**

- (a) Any developments on lands identified as DON 1 on the plan map shall include
  - the provision of a continuous footpath along the roadside frontage of the site linking the site and adjoining lands to the west to the primary zone
  - the provision of a link road from Irishtown Road to the GAA fields and the caravan park.
- (b) Where new development is proposed within the secondary zoned lands, direct pedestrian connectivity to the primary zone will be required
- (c) To improve pedestrian connectivity between the existing 'Palladius Park' housing development and the village core area as funding allows.

**PLAN TOPIC:****DERELICT BUILDINGS AND THE CHARACTER OF THE VILLAGE**

| No.  | Name                      | Summary of issues raised   |
|------|---------------------------|--|
| C59  | Donard / Glen Focus Group | 1. Concern raised in relation to the number of derelict buildings within the village core.<br>2. Reference is made to the removal of an old stone wall as part of a planning permission which has yet to be developed. |
| C75  | Alice Feldman             | The plan should protect the heritage of Donard   |
| C79  | Pauline Flynn             |  |
| C82  | Claire Harrison           | The situation with derelict buildings in the area needs to be addressed  |
| C107 | Morna Lynn                | 1. Existing buildings of heritage value should be protected in the town<br>2. There is a need to restore derelict buildings within the village core.   |
| C142 | John Pilling              | The issue with derelict buildings needs to be addressed.   |
| C179 | Claire Walsh              | It is considered that measures should be put in place to maintain the heritage of Donard.  |

**Chief Executive's response**

It is agreed that there are a number of derelict buildings in the primary development area. Unfortunately a land use plan plays no role in addressing dereliction directly, but the Council can use its tools under the Derelict Sites Act where a site's condition is considered to detract or is likely to detract to a material degree from the amenity, character or appearance of land in the neighbourhood of the land in question.

A land use plan can however put in place a framework that encourages development and growth and it is hoped that by facilitating and supporting new housing development in the town (thereby increasing population), a demand for new shops and services will arise in the town centre, thus stimulating the re-use and restoration of existing buildings for more active uses. In order to ensure this is carried out in an appropriate manner it is considered that this core area should be afforded the designation as an ACA (please refer to the response and recommendation to topic 1 above for further details in this regard).

The draft plan places a further emphasis on reinvigorating the primary development area specifically through objective 3 *'To support existing uses and facilitate the development of new uses that add vitality and vibrancy to the primary town core'*

The importance of the natural and built character of the area, including stone walls, is recognised in the plan, in Objective 3 (b) *'To protect and enhance the historic and architectural fabric of the town'* and Objective 4 (b) *'Existing stone walls and mature trees shall be retained other than in extenuating circumstances related to public health and safety. Where stone walls impede sightlines for new development, it will be a requirement to re-instate the wall using the original materials along the required set back distance to serve the new entrance.'*

It is considered that the provisions of these objectives alongside the inclusion of a new ACA designation as detailed in topic 1 will provide adequate protection to the character and heritage of the village while also guiding development in an appropriate manner.

**Chief Executive's recommendation**

No change

**PLAN TOPIC: NEW DEVELOPMENT AND INTEGRATION WITH EXISTING CHARACTER OF THE AREA**

| No.  | Name                      | Summary of issues raised  |
|------|---------------------------|---|
| C59  | Donard / Glen Focus Group | Reference is made to the removal of an old stone wall as part of a planning permission which has yet to be developed. It is considered that this wall should never have been removed. |
| C82  | Claire Harrison           | There is a need for new development to be integrated and sympathetic to the existing surroundings in the plan area.   |
| C107 | Morna Lynn                | Landscaping around new developments is key to integrating these areas with the existing area  |

**Chief Executive's response**

In regard to the removal of a stone wall at Donard Demesne West, it should be noted that planning reference no. 09/946 (subsequently extended by planning reference no. 14/1568 until 14/02/2020) required the removal of this wall in order to achieve appropriate sight lines for the entrance to this proposed development. As part of this permission it is a requirement that the wall removed be re-built at the set back specified in the drawings. As the development has yet to be completed this wall has not been constructed however Wicklow County Council does hold a security bond to ensure such works are completed within the lifetime of the permission and in accordance with the details submitted as part of the application.

As set out in response to the issues raised in Topic 3 above the Donard settlement plan recognises the importance of the natural and built character of the area. Furthermore the 'Development & Design' standards that form part of the County Development Plan clearly set out the following criteria for new development in towns such as Donard:

**Density:** *The key design rule for new multi house development in rural towns and large villages will be consistency with the existing pattern and grain of development. Therefore the density allowable will depend on both the location of the site within the settlement and the character and prevailing density of the settlement itself. Where there is an established town core with a distinctive character and pattern, new development shall 'infill' this existing pattern with regard to plot size and width, building height, building line and set backs etc. On greenfield type sites at the edge of the core (or where the core is undefined), a suitable transitional density will be required between the built up part of the town and its more rural hinterland. Normally housing density in such cases will be in the order of 10-20 units per hectare – in the larger rural settlements the applicable local plan will specify the density allowable at such locations. Clearly if the site is dependent on individual on-site effluent disposal systems, a much lower density will be required to meet environmental and public health standards.*

**Layout:** *The layout proposed should reflect the character and pattern of the area and suburban type layouts shall be avoided e.g. back-to-back semi-detached layout with 11m garden to rear and on-site car parking to front. Consideration shall be given to 'rural cluster' type formats, with houses grouped closely together, other in courtyard formats, surrounded by gardens / open spaces. Where sites have sufficient road frontage, new developments will be expected to address the road and create a new streetscape where possible, paying due regard to traffic safety and possible future road widening needs.*

**House design:** *While high quality, contemporary design is encouraged, particular regard shall be taken in rural towns to the traditional building form and design in that settlement, with particular regard to height, roof style, materials and detailing. A good variety in design even in small developments will be required, including a range of sizes to meet the different needs of all in society. Where permission is sought for multi-house developments in rural settlements, planning permission will only be considered where the applicant / developer can show that the size and design of dwellings are suited to the needs of those eligible to occupy the dwellings.*

The implementation of these standards will ensure that any new development is sympatric to the existing pattern of development and character of the town.

**Chief Executive's recommendation**

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No change

**PLAN TOPIC:****PLAN OBJECTIVES**

| No. | Name            | Summary of issues raised   |
|-----|-----------------|--|
| C75 | Alice Feldman   | It is considered that the objectives in the plan are vague   |
| C79 | Pauline Flynn   |  |
| C82 | Claire Harrison | The objectives of the plan should be promoting moderate housing growth in the plan area to sustain existing services in the area |

**Chief Executive's response**

In preparing 'Level 6' settlements efforts have been made to minimise repetition of County Development Plan objectives unless it is considered necessary to emphasise assets or restate objectives that have particular relevance and importance to a settlement. It is not intended that development standards, retail strategies etc that are included in the County Development Plan will be repeated therefore each 'Level 6' plan will only include objectives that are settlement specific and achievable, and avoid those that are aspirational or are best dealt with in the annual budget, road works programme, etc. This is why the individual plans for the Level 6 settlements as short but it is refuted that they are 'vague'. It must be remembered that the development plan is a land use framework and not the Council's spending or operational plan for an area, and the objectives of the plan require to be expressed in a generalised way so as to apply to a wide range of development projects that might be proposed.

The Donard plan itself comprises of 5 specific objectives relating to the development of lands within the settlement. This is in addition to the objectives set out in the introductory chapter to Level 6 settlements.

Having regard to concerns relating to the level of housing growth envisaged in the plan for Donard, the total housing growth targeted by the County Development Plan for Donard up to 2028 is 35 additional units. Furthermore, it is an objective of the plan that *"No single application shall increase the existing housing stock in the settlement by more than 15% and the maximum size of development that will be considered will be 25% of the number of houses permissible over the life of the plan for that settlement"*. It is considered that the inclusion of this objective will regulate the level of growth within Donard.

**Chief Executive's recommendation**

No change

| No.  | Name                      | Summary of issues raised  |
|------|---------------------------|---|
| C59  | Donard / Glen Focus Group | The image of Donard should be developed as a key village destination in West Wicklow for tourism  |
| C82  | Claire Harrison           | 1. Tourism type developments should be promoted in the Donard area.<br>2. The plan should facilitate the development of a community coffee/craft shop in the area |
| C179 | Claire Walsh              | There is a need to develop walks around the village connecting the area to wider walking routes in the surrounding area.  |

### Chief Executive's response

A County Development Plan is not tourism or community development plan that will deliver tourism or community projects. This would be more the role of the LECP and the plans of the tourism agencies such as Failte Ireland and Wicklow County Tourism. The purpose of the County Development Plan and the Donard settlement plan is to put in place objectives that facilitate and direct development proposals, whether they be housing, economic, community or tourism type developments etc, to appropriate locations with the overall aim of creating the optimum environment in which settlements can grow.

Chapter 7 of the Draft County Development plan sets out the strategic objectives of the plan in regard to tourism within the County. It is an overarching objective of the plan to *"facilitate Failte Ireland and Wicklow County Tourism initiatives for the development of tourism in the County including the Kildare-Wicklow Destination 'Grand Tour' and 'Irelands Ancient East' initiative"*. It is noted that the 'Wilds of Wicklow Driving Route' passes through/in close proximity to the settlement of Donard where potential exists for spin off tourism industry in the area.

In addition it should be noted that the potential of walking tourism in the area is recognised in the Donard area where it is an objective of the plan *"To particularly support recreation and heritage related tourist developments of an appropriate scale and design that would promote the natural and historic assets of the town such as its proximity to Lugnaquilla Mountain, the Wicklow Mountains National Park, archaeological sites and those sites associated with the 1798 rebellion. Initiatives centred on the development of outdoor recreational activities such as horse riding, walking and climbing will be encouraged"*.

It is considered that the provisions of the Draft County Development Plan and the Donard Plan adequately promote and facilitate the development of tourism over the lifetime of the plan.

In regard to the issue of a providing a craft /coffee shop in the area it is an objective of the plan within the primary zone *"to support existing uses and facilitate the development of new uses that add to the vitality and vibrancy of the primary town core"*. It is considered that this objective provides for adequate scope for the development of such facilities within the core area in order to meet any potential future demand.

### Chief Executive's recommendation

No change



**PLAN TOPIC: THE NEW COUNCIL YARD**

| <b>No.</b> | <b>Name</b>               | <b>Summary of issues raised</b>  |
|------------|---------------------------|--|
| C59        | Donard / Glen Focus Group | Concern raised in relation to the location and visual impact of the recently established council yard to the west of Donard. Concern also raised in relation the traffic movements to and from the council yard. |

**Chief Executive's response**

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While this is not a matter for the County Development Plan, it is pointed out that the hedging along the roadside boundary that was removed was in order to ensure adequate sight lines to and from the development could be provided. While the green fencing has been put in place to secure materials within the area a significant level of planting has been carried out along the roadside in order integrate this recent development. In time it is considered that the planting will soften the visual appearance of this use.

**Chief Executive's recommendation**

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No change

| No. | Name                      | Summary of issues raised   |
|-----|---------------------------|--|
| C59 | Donard / Glen Focus Group | A lack of public lighting at the last phase of the Council development 'Palladius Park' is highlighted as an area of concern which should be addressed by the Council. |
| C75 | Alice Fieldman            | The issue of loose dogs within the village is raised as an area of concern and traffic safety.   |

#### **Chief Executive's response**

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The provision of lighting at this development is outside the remit of a County Development Plan/Donard settlement plan. The concerns raised have however been passed onto Wicklow County Council's Housing Section.

In regard to the issue of loose dogs in Donard this is an issue which is outside the remit of a County Development Plan/Donard settlement plan. The concerns raised in this regard have been passed on to the Environment Section of Wicklow County Council.

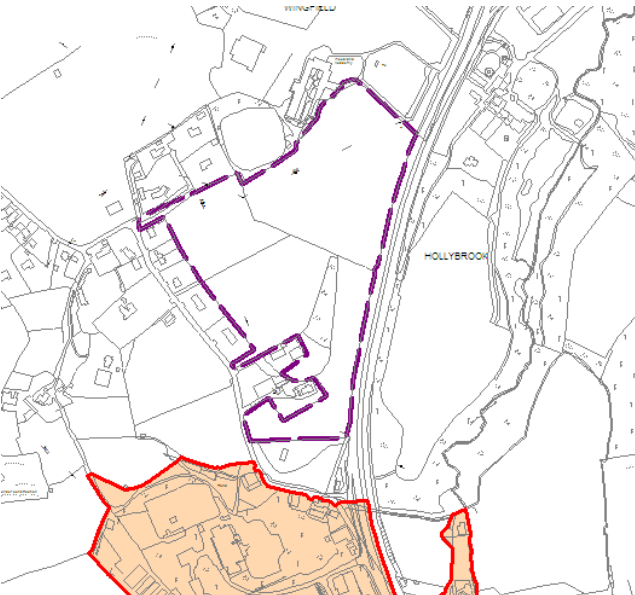
#### **Chief Executive's recommendation**

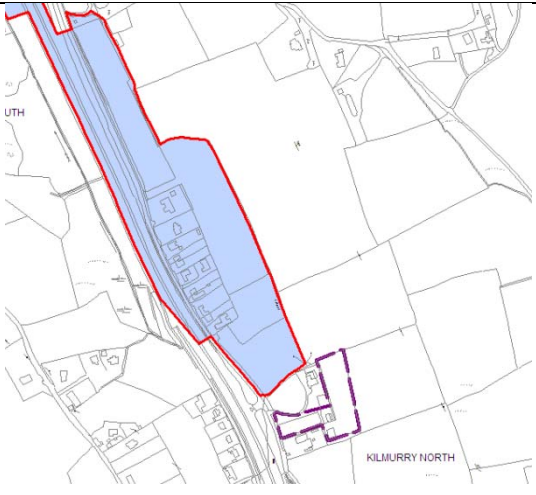
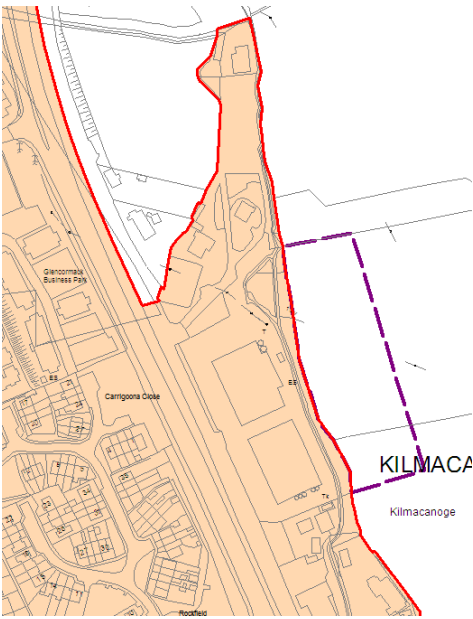
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No change

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**PLAN TOPIC: ZONING SUBMISSIONS**

| No. | Name        | Summary of issues raised   |
|-----|-------------|--|
| C4  | Ardea Ltd   | <p>This submission is from the owners of the land marked in blue on the map below at Hollybrook, Kilmacanogue, measuring 11.6ha. It is requested that these lands be zoned as part of the 'Secondary Development Area' in the Kilmacanogue Settlement Plan. It is put forward that these lands would be suitable for the provision of incubator/start up units for local employers and could be subject to the preparation of an Action Area Plan for the subject lands to ensure sufficient buffers and boundary treatments from the adjacent developments and the N11.</p>  |
| C67 | Denis Doyle | <p>This submission is from the owners of the lands marked in blue on the map below, measuring 0.85ha at Kilmurray North, Kilmacanogue. It is requested that these lands be zoned as part of the 'Tertiary Development Area' in the Kilmacanogue Settlement Plan. It is indicated that the adjoining lands are already occupied and the zoning of this land would allow for future infill development.</p>  |

|     |                |   |
|-----|----------------|---|
|     |                |   |
| C88 | Edmund Holfeld | <p>This submission is from the owners of the lands marked in blue on the map below, measuring 1,08ha at Kilmacanogue North.</p> <p>It is requested that these lands be zoned as part of the 'Secondary Development Area' in the Kilmacanogue Settlement Plan.</p> <p>It is pour forward that the adjoining lands are already developed for light industry and employment and this would allow for a natural extension of the landholding.</p>  |

### Chief Executive's response

All three submissions are seeking the 'rezoning' of lands for inclusion within the Settlement Plan, which would essentially allow for additional housing, employment or other forms of development.

It is considered that the analysis that was carried out in formulating the draft settlement plan and specifically in determining the quantum of land that is required for Kilmacanogue to develop in the future is consistent with the Core Strategy and therefore there is no requirement for any additional lands to be zoned for additional housing in the settlement.

With regard to the provision of new employment lands, it is considered that there would be sufficient opportunities to provide for the required number of future jobs in Kilmacanogue on the lands already designated in the primary and secondary zones. There are also a number of existing retail, retail services and tourism related developments in the settlement, as well as offices and commercial units in the local business park that could accommodate future job growth. The proximity of Kilmacanogue to Bray should also be noted, which is designated a Metropolitan Consolidation Settlement by the Regional Planning Authority, where various employment opportunities exist.

Therefore, it is considered that there is no need to designate additional lands in Kilmacanogue for significant new employment development.

- With regard to the submission seeking the inclusion of 11.6ha of land as 'Secondary Development Area' at Hollybrook, it is not recommended to include these lands in the plan. In the first instance, the lands are not contiguous to the existing settlement, and therefore it is not considered that the development of these lands would be consistent with the principles of consolidation of the existing town, and development extending from centres outwards. Secondly, access to such a large amount of development would be problematic, as (a) access off the N11 would not be feasible, (b) the local road serving the lands to the west is not suitable in width and alignment to serve such a quantum of development, (c) the junction of the local road with the N11 would not be of a standard to accommodate such development and (d) extremely limited public transport would be available to this area. Finally, given the size of these lands, they would have the potential for a significant amount of development, in excess of what would be needed for Kilmacanogue given its current and future size, and therefore this would comprise more of a 'regional' employment function in the north of the County, thereby potentially attracting employment development away from the designated growth town of Bray and growth area of Fassaroe adjacent.
- With regard to the submission seeking the inclusion of 0.85 ha of land as 'Tertiary Development Area' to the south of the existing plan boundary, it is not recommended to include these lands in the draft plan. Again, the lands are not contiguous to the existing settlement boundary and do not form a logical expansion of the settlement.
- With regard to the submission seeking the inclusion of 1.08ha of land as 'Secondary Development Area' at Kilmacanogue North, it is not recommended to include these lands in the draft plan at this time, although they might form a natural and not particularly excessive extension of the existing employment lands adjacent, as it is considered premature pending a solution to the access issue facing the existing properties along the east side of the N11 (direct access on the national road). It is intended after the adoption of the County Development Plan to prepare a new Municipal District plan for the entire Bray MD are (of which Kilmacanogue forms part), which will consider in detail the roads and traffic issues affecting the whole area, and in the event that these can be resolved, it might be possible to reconsider this proposal. Caution should be exercised however as the designation of lands as 'Secondary Development Area' allows for mixed use development, including houses, and is not restricted to employment uses.

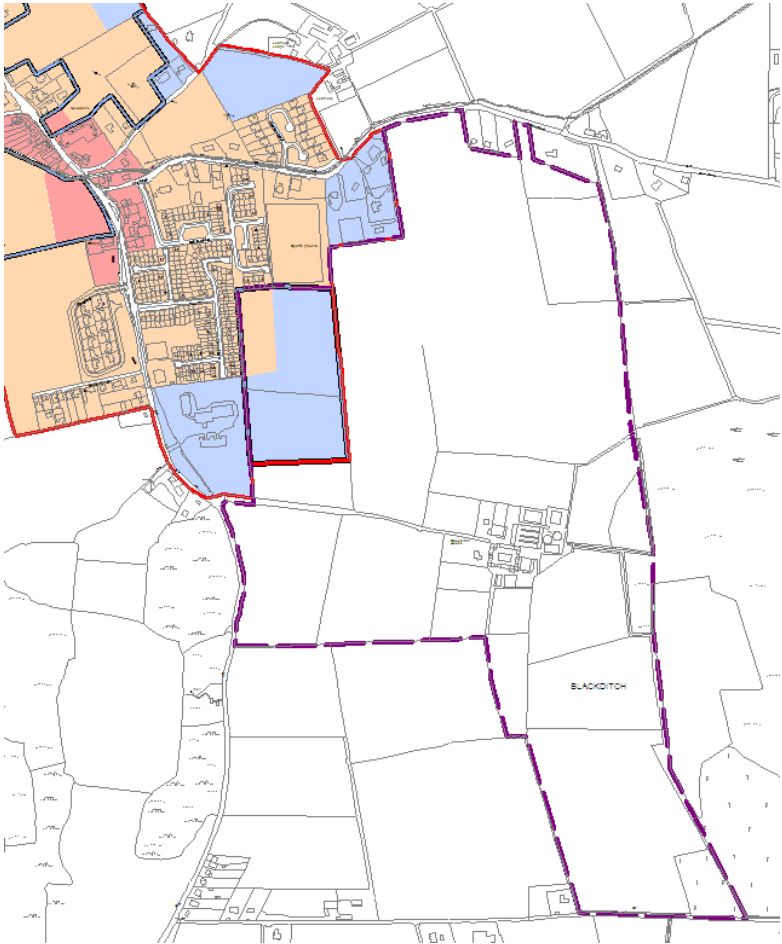
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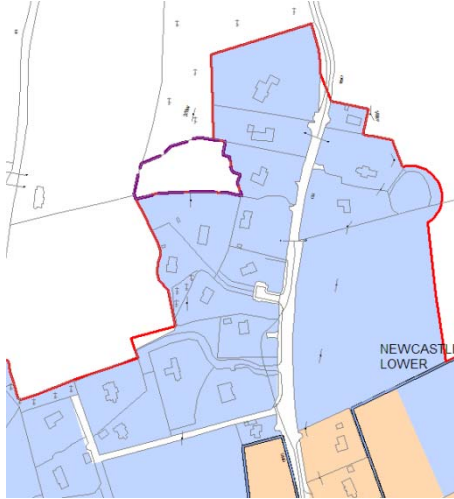
#### **Chief Executive's recommendation**

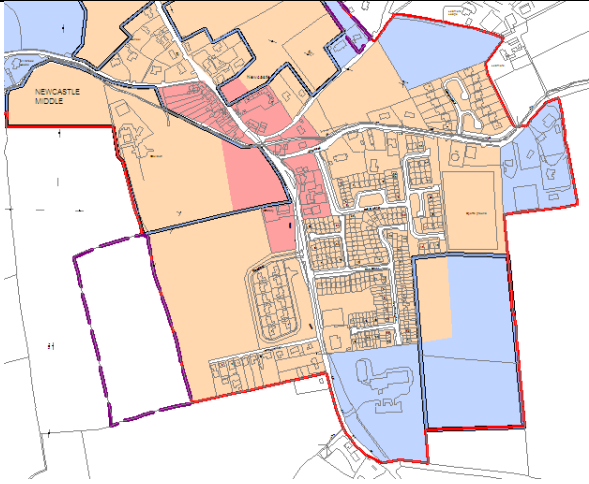
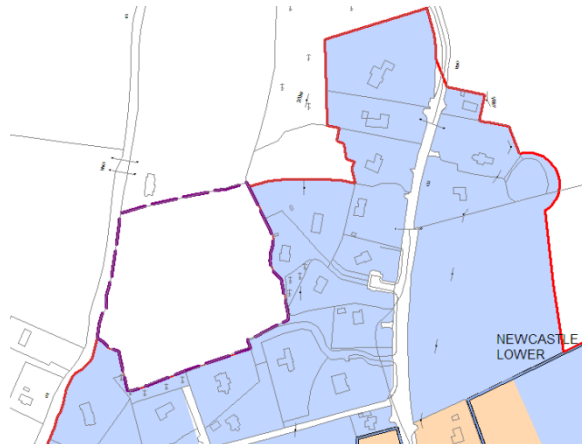
No change

Please note that any submission that brought up issues that are relevant to all Level 6 settlements or issues that are addressed in the 'Introduction to Level 6 Plans' are dealt with separately at the start of this section of the report.

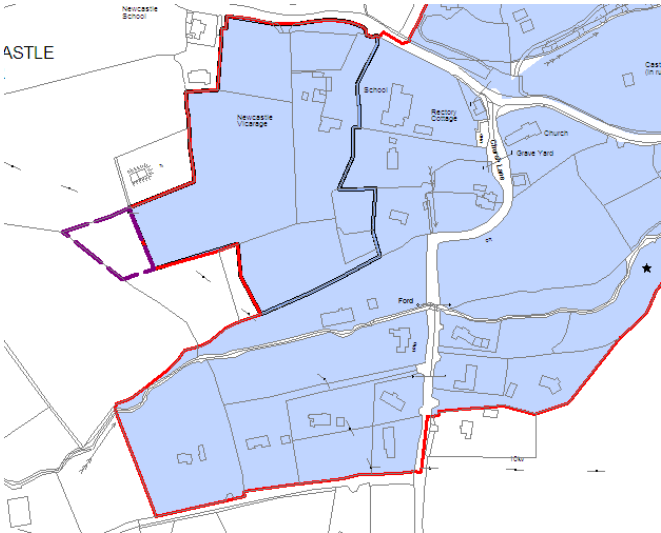
**PLAN TOPIC: ZONING SUBMISSIONS**

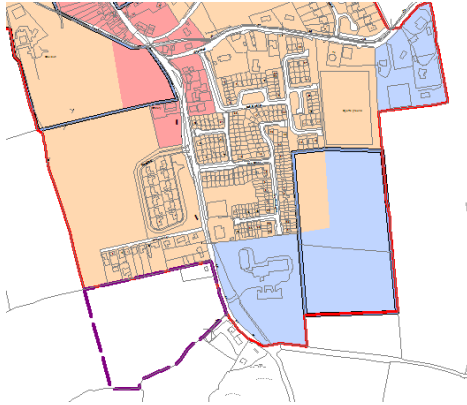
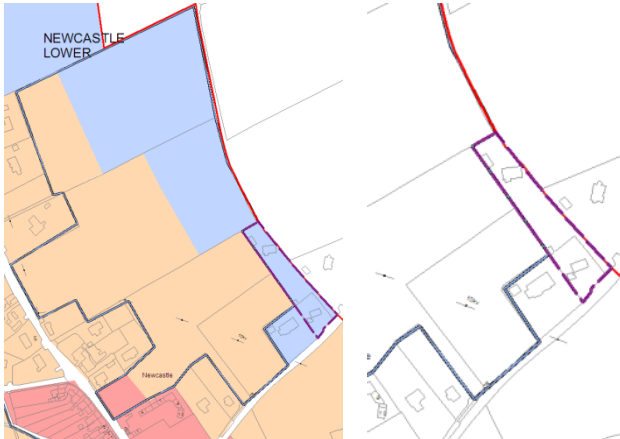
| No. | Name           | Summary of issues raised   |
|-----|----------------|--|
| C21 | Blackditch Ltd | <p>This submission is from the owners of the land marked in blue on the map below at Blackditch, Newcastle, measuring c.80ha.</p>  <ul style="list-style-type: none"> <li>• They are extremely disappointed with the draft plan's proposal to zone their land to predominantly 'Tertiary Development Area', with an unworkable area designated as 'Secondary Development Area'. There should be a more balanced allocation of Secondary and Tertiary Development Area within the landholding.</li> <li>• Local Objective NC4: 'to provide a 1.5 ha of Active Open Space that shall be levelled, drained and developed for the provision of a team sports field. No more than 50% of the total development land within the objective boundary shall be developed prior to the provision of the active open space' is considered completely unworkable. This is complicated by the fact that there are a number of landholders within the area affected by NC4 and it is difficult to see how an</li> </ul> |

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|     |               | <p>equitable apportionment of the cost of provision of a sports field between each of the landholders could be achieved. It is not appropriate that a single landowner should carry the burden of other landholders in terms of public open space provision as is currently proposed. It is considered that the projected population growth for Newcastle of an additional 242 persons by 2022, cannot possibly warrant a second sports field. This objective should be omitted.</p> <ul style="list-style-type: none"> <li>Local objective provisions would be better focused on improving the general amenities of Newcastle Village, such as pedestrian walkways, lighting and the architectural amelioration of the Newcastle Community Centre, which is something Blackditch Ltd would be happy to contribute to.</li> </ul> |
| C36 | Michael Carey | <p>This submission is from the owner of the land marked in blue on the map below, measuring c 0.7ha.</p> <p>It is requested that this land, adjacent to the plan boundary and to the rear of the Carey house, be included in the settlement boundary and designated 'Tertiary Development Area' as this would facilitate the land owner's son and daughter building a house of their own adjacent to the family home.</p>    |
| C66 | Denis Doyle   | <p>This submission is from the owner of the land marked in blue on the map below, measuring c 0.7ha.</p> <p>It is requested that these lands be included in the settlement boundary and zoned R1MD.</p>   |

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| C93  | Peter Johnston        | <p>The submitter is the owner of the property on the northern side of Sea Road, just east of the junction of Sea Road with the R761. The submission concerns Newcastle Specific Local Objective 1 to <i>'Improve and provide roads, footpaths, and cycleways where required and at the following locations: The realignment of the junction of Sea Road / R761'</i>.</p> <p>It is submitted that this objective should be implemented only at the southern side of Sea Road, and that all footpaths or cycleways should be on the south side of the road in the context of a previous non-implementation of road widening and footpath construction as a planning condition of the Castle Manor development.</p> <p>It is put forward that on the southern side of the road only, the top portion of Sea Road should be widened for traffic and pedestrian safety and a footpath should be provided to link the two existing paths and that the northern edge of the road should be reinstated with a kerb.</p> |
| C102 | John & Deirdre Leeson | <p>This submission is from the owner of the land marked in blue on the map below, measuring c. 3.44ha.</p> <p>It is requested that this land, adjacent to the plan boundary, be included in the settlement boundary and designated 'Tertiary Development Area' as this would consolidate the existing pattern of development in the area.</p>   |



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| C104 | Steven Lock                         | These two submissions state the same issues.  |
| C139 | Jean-Luc Oudart                     | With regard to the Secondary Development Area opposite the Racefield Estate, planning specified that there would be a village green type amenity here and there is no provision for this in this draft plan. Light industry use should not be permitted in this area as this was not allowed in the previous plan and should be carried forward.  |
| C149 | Rector & Select Vestry of Newcastle | <p>This submission is from the owner of the land marked in blue on the map below, measuring c. 0.23ha.</p> <p>It is requested that this land, adjacent to the plan boundary, be included in the settlement boundary and designated 'Tertiary Development Area'. In support of this request it is set out that (a) these lands surround the church, school and old rectory, Newcastle Vicarage which was the original historic settlement; (b) this would consolidate the existing pattern of development in the area; and (c) planning permission was granted (PRR12/6781) for access to adjacent lands and a number of planning permission have been granted on the surrounding sites for detached dwellings.</p>                                 |
| C150 | Tom Redmond                         | <p>This submission is from the owner of the land marked in blue on the map below, measuring c. 4.8ha.</p> <ol style="list-style-type: none"> <li>1. It is requested that this land, adjacent to the plan boundary, be included in the settlement boundary and designated 'Existing Residential'. In support of this request it is set out that (a) the lands adjoin the town boundary and would infill between two neighbouring zonings; (b) it is opposite the community centre, adjacent to the school and within a short walking distance of the village centre.</li> <li>2. This submission is also seeking a higher population allocation for Newcastle.</li> </ol> <p>A letter of support with regard to the zoning request, from the Newcastle Residents Association was submitted after the closing date for submissions.</p> |

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| C156 | Fred & Ann Rountree | <p>This submission is from the owners of the land marked in blue on the map below, measuring c. 0.44ha. This land is shown as being in the 'Tertiary Development Area' in the draft plan.</p> <p>This submission is seeking the inclusion of their land into Plan Objective Boundary 'NC2'. It is put forward that this property in its current state has little development potential; however, if it is included in NC2 it may facilitate a coastal view and possibly a rear entrance into the lands designated NC2.</p>  |

### Chief Executive's response

#### Specific Development Objectives

- With regard to the submission Blackditch Ltd re Specific Local Objective 'NC4', wherein they put forward that they consider the objective which seeks the provision of a sports field in conjunction with the development of the 'NC4' lands unworkable given the number of land owners involved and unnecessary given the small scale population projection for the village:
  - a. Newcastle as a Level 6 settlements has an important role to consolidate rural development needs and support the maintenance of essential rural social and community infrastructure, such as local sporting organisations. The designation of these lands for Active Open Space is considered in line with proper planning and development, and necessary to meet the social infrastructure needs of the future population of the settlement and future population of the surrounding rural area. All

open space requirements set out in development plans are based on the County Sports and Recreation Policy which set out that active open space should be provided for at a rate of 2.4ha per 1,000 population of which 1.6ha should be for organised sport. Based on the targeted future population of Newcastle and its rural catchment of c. 2,000 persons, there would therefore be a need for c. 3.2ha of playing fields. At present, there is one playing pitch in the town occupying c. 1.5ha, and therefore there is a need to reserve land for an additional sports pitch.

- b. The Specific Local Objective 'NC4' is considered reasonable and implementable, and is intended to be implemented in much the same way as an 'action area plan' where a number of different landowners are required to come together in advance of making an application for permission to work out how the 'public goods' elements of the zoning are to be delivered and the cost shared between them based on the benefits / returns accruing to each from the development of the land. (Note: According to the land registry, Blackditch Ltd appears to own all of the land in the NC4 area, so the issue of sharing the burden of providing a pitch does not appear to arise.)
- 'Specific Local Objectives' are considered an important planning tool for Level 6 plans as they guide developers as to the aspirations of the plan regarding the development of certain lands where more than one land use is proposed, in a manner similar to Action Areas. They ensure that the necessary social and community infrastructure/employment uses/etc is delivered in conjunction with or prior to the future increase in the population of the settlement.
  - With regard to 'Specific Local Objective 1' and the improvement of Sea Road and the junction of Sea Road / R761, while detailed plan have not been drawn up for such improvements, it is possible that any such project could require works on both the north and south sides of the junction and Sea Road, and therefore it would be illogical and premature at this stage to restrict works to only the south side of this road / junction. In the event that such an improvement project proceeds, initiated by either the Roads Section of the Council or a private developer (as a requirement of development further east along Sea Road), consultation with landowners will be necessary, and public input would be possible either through the Part 8 or planning application process. No change is therefore recommended.

## Land Use Zoning

- The zonings of the draft settlement plan are consistent with the draft County Development Plan Core Strategy. It is important to note that:
  - a) The population target for Newcastle must be consistent with the CDP and RPG and there is no scope for deviation from this;
  - b) Based on this population target, an appropriate amount of land has been zoned to meet the requirements of the target population, (having regard to expected household size and assuming a range of densities);
  - c) Enough land has been zoned in the plan to meet the target for 2022 (the lifetime of the plan) plus an additional 3 years beyond the life of the plan up to 2025 as recommended in Ministerial guidelines on development plans ('headroom').
  - d) In accordance with the guidelines from the DoE (Core Strategy guidelines) the most appropriate lands have been selected for development.
- With regard to Blackditch Ltd seeking a more balanced allocation of Secondary and Tertiary Development Area within their landholding, the draft zonings have been provided on the basis of the land needed to meet the 2022 population and housing targets plus headroom. Increasing the Secondary Development Area would increase the potential housing capacity in Newcastle and would be contrary to the Core Strategy of the draft County Development Plan.

The three Development Areas have also been designated in line with the principles of proper planning and development - developing the settlement at higher densities from the centre out to lower densities at the periphery of the plan boundary. Amending the zones to ensure land owners get a balance of Development Areas would be contrary to proper planning principles.

- With regard to the submission seeking the inclusion of c.0.7ha of land adjacent to the plan boundary to the rear of the Carey house, it is not recommended to include these lands in the draft plan. It is considered that there is sufficient land zoned within the plan boundary to facilitate the development that is proposed here.
- With regard to the submission seeking the inclusion of lands to the west of Racefield as R1MD, this proposal is not recommended. There is no R1MD zoning in the Newcastle plan; and it is not recommended to include these lands in any of the 3 zonings. Given the size of these lands of c. 5.1ha, should it be zoned as part of the Tertiary Development Area it would have the potential for c. 25 units (or 81 units if part of the secondary zone). This would increase the potential housing units for Newcastle and would be contrary to the Core Strategy of the CDP. The zoning of this land would be contrary to the zoning principles of consolidating the existing settlement and would result in extending the settlement into the rural area while leaving undeveloped land in the centre.
- With regard to the submission seeking the inclusion of c. 3.44ha of lands adjacent to the northern plan boundary as Tertiary Development Area, it is not recommended to include these lands in the draft plan. Given the size of these lands of c. 3.44ha, should it be zoned as part of the Tertiary Development Area it would have the potential for c. 17 units. This would increase the potential housing units for Newcastle and would be contrary to the Core Strategy of the CDP. This is not considered a suitable site for development as it is an elevated unscreened site on the periphery of the plan area and any developments on these lands may be a dominant feature in views on the approach from/to Newcastle. The zoning of this land would be contrary to the zoning principles of consolidating the existing settlement and would result in extending the settlement into the rural area while leaving undeveloped land in the centre.
- With regard to the Secondary Development Area opposite the Racefield estate, it is unclear what area the submissions are referring too. The current plan for Newcastle seeks the provision of a 'Village Green' at Action Area 1, north of Racefield and a similar provision for a 'Village Green' is included in the draft plan. No where else in the plan or around the Racefield estate is the current plan seeking the provision of a village green. With regard to permitting light industry use on the secondary lands, such uses may be considered in the Primary or Secondary Development Area; however each application will be assessed on its own merits with the site characteristics and surroundings taken in to consideration. It is also important to note that the plan sets out in Section 2 of the 'Introduction to Level 6 Settlement Plans' that *'notwithstanding the fact that all areas are designated for mixed use development, at locations where different types of land uses adjoin, the Council shall ensure that the amenity and visual integrity of these areas are protected...This is particularly important where there are adjoining residential and employment uses.'*
- With regard to the submission seeking the inclusion of 0.23ha of land within the Vicarage lands, adjacent to the plan boundary to be included within the Tertiary Development Area, it is not recommended to include these lands in the draft plan. These lands do not form a natural extension of the town, and are located in an area where there is already a considerable amount of undeveloped zone tertiary lands available for low density housing. Furthermore, the land in question is elevated and unscreened and therefore is not considered a suitable site for new housing development.

- With regard to the submission seeking the inclusion of c. 4.8ha lands adjacent to the southern plan boundary as 'Existing Residential' it is not recommended to include these lands in the draft plan. There is no 'Existing Residential' zoning in the Newcastle plan and it is not recommended to include these lands in any of the 3 zonings. Given the size of these lands of c. 4.8ha, should it be zoned as part of the Tertiary Development Area it would have the potential for c. 24 units (or 72 units if part of the secondary zone). This would increase the potential housing units for Newcastle and would be contrary to the Core Strategy of the CDP. The zoning of this land would be contrary to the zoning principles of consolidating the existing settlement and would result in extending the settlement into the rural area while leaving undeveloped land in the centre.
- With regard to the submission seeking the inclusion of the Rountree land into Plan Objective Boundary 'NC2' it is not recommended to include these lands in NC2. It is noted that the submitter is of the opinion that the property in its current state has little development potential and if it is included in 'NC2' it may facilitate a coastal view and possibly a rear entrance into the lands designated 'NC2'. It is unclear how this would be achieved given that these lands are already developed with two houses, unless demolition of these houses is being considered. Furthermore, access into the NC2 lands from south would already be feasible as the NC2 lands already adjoin the same laneway at the Rountree lands. Therefore there is no logic in the request and it is not recommended.

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#### **Chief Executive's recommendation**

No change

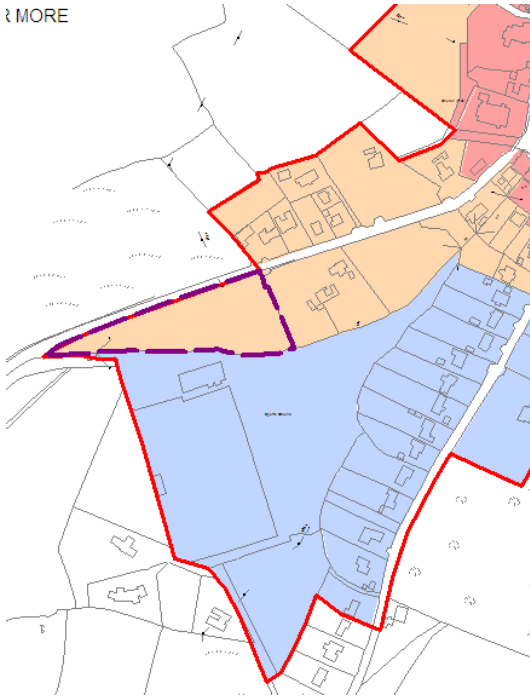
## SECTION 3.3.26 ROUNDWOOD

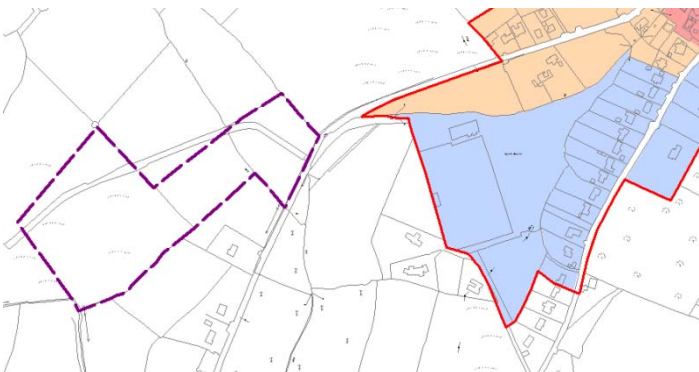
Please note that any submission that brought up issues that are relevant to all Level 6 settlements or issues that are addressed in the 'Introduction to Level 6 Plans' are dealt with separately at the start of this section of the report.

### PLAN TOPIC: GENERAL/ ZONING SUBMISSIONS

| No. | Name            | Summary of issues raised   |
|-----|-----------------|--|
| C37 | Claire Chambers | <p>This submission welcomes a number of the specific development objectives for Roundwood specifically those in relation to roads, footpaths and cycleways improvements.</p> <ul style="list-style-type: none"> <li>• It is suggested the following additional road improvements be included in objective <b>Roundwood 1</b>: <ul style="list-style-type: none"> <li>- Along L5077 from junction with R764 to the old schoolhouse. The road needs to be resurfaced and made safe for both motorists and pedestrians</li> <li>- Junction at R764 /R755. This is currently unsafe and is used for u-turns back down the Main Street. Maybe a mini-roundabout might work here.</li> <li>- Provide footpath along the R755 from Roundwood Caravan Park to the Vartry Ground which links to the Vartry Reservoir Walks.</li> <li>- Provide footpath along the R764 from Kavanagh's Vartry House to Roundwood Park gates.</li> </ul> </li> <li>• It is suggested that objective <b>Roundwood 6</b> be amended as follows: 'To maintain views eastwards from the main street of the Vartry Reservoir, development proposals for the lands between the main street and the Reservoir shall be designed to maintain views with no significant degradation of the views following evaluation and agreement of the principal vistas.' This should be indicated on the plan map as previously.</li> <li>• It is suggested that objective <b>Roundwood 9</b> be amended as follows: 'A Village Green" with a minimum width of 15m with hard and soft landscaping, located between the nearer edge of the footpath of the main street to the eastern edge of the plan boundary at the reservoir buffer. Incorporate some low key parking that would not dominate the view. The combination of development and parking should be no more than 50% of the area. No more than 50% of the lands within the objective boundary shall be developed prior to the provision of the "Village Green"'. </li> <li>• It is suggested that 'Development Uses' in the zones should be defined and indicated by legend on plan.</li> <li>• Parking and traffic control is a key safety and infrastructural issue and should be top priority.</li> <li>• The waste water treatment plant capacity should be upgraded in</li> </ul> |

## SECTION 3.3

|      |               |   |
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|      |               | <p>advance of any further connections in excess of the treatment capacity. Current treatment capacity and estimated future capacity and any upgrades up to 2022 should be confirmed in consultation with Irish Water.</p> <ul style="list-style-type: none"> <li>• The Roundwood Settlement area should be officially identified as far as possible as an important "Gateway" to the uplands for seasonal tourists and year round walkers.</li> </ul>   |
| C95  | Declan Keena  | <p>This submission is from the owners shown in blue on the map below, measuring 1.05ha, which are shown as part of the 'Secondary Development Area' in the draft plan.</p> <p>It is requested that a 'specific local objective' be attached to these lands <i>"to provide for a petrol filling station and ancillary retail facilities"</i>. It is put forward that this is an edge of centre site and would be an ideal location for a filling station use with low density housing and landscaping.</p>  |
| C121 | Robert Miller | <p>This submission is from the owners shown in blue on the map below, measuring 5.48ha.</p> <p>It is requested that the lands be zoned 'Secondary Development Area'.</p> <p>In support of this request, it is put forward that</p> <ul style="list-style-type: none"> <li>- these lands are currently zoned for employment, Active Open Space and Tourism within an Action Area. The Action Area was agreed and planning permission for an</li> </ul>   |

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|      |  | <p>employment facility granted under 08/999 with an extension of permission under 13/8305 until 06/06/2019. These lands have not been developed due to the recession.</p> <ul style="list-style-type: none"> <li>- zoning these lands as 'Secondary Development Area' would address the local employment and recreational needs in Roundwood.</li> </ul> <p>A submission from the Roundwood and District Athletics Club is attached seeking to retain this zoning in order to facilitate the development of an athletics field with running track.</p> <p>There is also a solicitors letter attached stating that the Miller Family have executed a Deed of Transfer for the ownership of lands at Baltynanima, Ballinacor north, Roundwood to the Athletics Club in 2009.</p>  |
| C128 | Joanne Neville & Nigel Harper                                  | This submission is from the owners of the former schoolhouse in Roundwood (RPS Ref No. 18-16) It refers to housing objectives, heritage objectives and general Level 6 Settlement objectives.  |
| C131 | St. Laurence O Toole National School, Roundwood (Jane O'Brien) | This submission is from the principal of school, with the main concern regarding the safety of the pupils. Drop off and collection is causing traffic congestion and parking is an issue as the Lough Dan road is unsuitable for parking. There is also a lack of parking for staff. They are seeking the zoning of land for school parking and that an appropriate car park can be provided in time to address the parking problem.   |
| C155 | Roundwood & District Community Council                         | <p>This submission addresses a wide range of issues as follows:</p> <ul style="list-style-type: none"> <li>• It is put forward that the format of this plan is not user friendly. The format of the previous draft plan and the presentation of the maps was much more succinct, user friendly and greatly aided the consultation process. All sections relevant to Roundwood and other towns and village were contained within one chapter. The maps are too general and the legends for the various development uses are not displayed on the maps.</li> <li>• The submission welcomes a number of the specific development objectives for Roundwood – suggestion made are shown in red for new text and blue strikeout for deleted text:</li> <li>• With regard to <b>Roundwood Objective 1</b></li> </ul>  |



|  |  |  |
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|  |  | <p>The works to improve and provide roads, footpaths and cycleways along the R-765 from junction with R755 towards "Waters Bridge" and along the R755 from Health Clinic to GAA Club have been completed.</p> <ul style="list-style-type: none"> <li>- The road needs to be resurfaced and made safe for both motorists and pedestrians <b>along L5077 from junction with R764 to the old schoolhouse.</b></li> <li>- <b>Junction at R764 /R755 is very unsafe</b></li> <li>- <b>Provide footpath along the R755 from Roundwood Caravan Park to the Vartry Ground which links to the Vartry Reservoir Walks</b></li> <li>- <b>Provide footpath along the R764 from Kavanagh's Vartry House to Roundwood Park gates</b></li> </ul> <ul style="list-style-type: none"> <li>● With regard to <b>Roundwood Objective 9</b></li> </ul> <ul style="list-style-type: none"> <li>- Amend to: <del>A minimum of</del> 500 sqm of commercial floor space <b>may</b> <del>shall</del> be provided, particularly in the form of new street / village green facing ground floor retail /retail services / professional services use.</li> <li>- Amend to: : A Village Green <del>with a minimum width of 15m</del> with hard and soft landscaping, located between the nearer edge of <del>the footpath of</del> the main street to the eastern edge of the plan boundary at the reservoir buffer. No more than 50% of the lands within the objective boundary shall be developed prior to the provision of the "Village Green".</li> </ul> <ul style="list-style-type: none"> <li>● Development Uses in the zones should be defined and indicated by legend on Plan.</li> <li>● Parking and traffic control is a key safety and infrastructural issue and should be top priority.</li> <li>● The waste water treatment plant capacity should be upgraded in advance of any further connections in excess of the treatment capacity. Current treatment capacity and estimated future capacity and any upgrades up to 2022 should be confirmed in consultation with Irish Water.</li> <li>● The Roundwood Settlement area should be officially identified as far as possible as an important "Gateway" to the uplands for seasonal tourists and year round walkers.</li> </ul> |
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## Chief Executive's response

### General

- With respect to Level 6 plans a different approach than previously use has been taken, with a simple zoning format provided with three zones – the primary, secondary and tertiary zones.

This is in recognition of the smaller scale of these settlements and the less well defined distinction between different land uses evident in these towns. The land use zoning objectives and the associated vision for each zone sets out the Council's intentions for the land uses in the zones. It is not considered necessary to define these uses further or to indicate them on the map legend.

- The issue of officially identifying the Roundwood settlement area as an important "Gateway" to the uplands for seasonal tourists and year round walkers is noted; however, this is not an issue for a land use plan. This would be an issue for a tourism or heritage strategy.
- The issues raised by the owners of the former Schoolhouse have been address in **Sections XXX** of this report.
- The issues raised by Wicklow Planning Alliance are considered in **Section x** of this report.

### **Key Infrastructure – Parking**

- It is noted that parking and traffic control is a key safety and infrastructural issue. The draft County Development Plan clearly sets out the parking standards and objectives in Section 9.1.5; however the implementation of parking and traffic control is outside the remit of the plan.
- With regard to parking at the school, Objective 8 (Map Objective RD1) seeks to provide for additional car parking and a set-down area, on the lands across the road from the school. The actual delivery of the car park or any other car park is outside the remit of the County Development Plan.

### **Key Infrastructure - Waste Water Treatment**

- The issue of upgrading the waste water treatment plant capacity in advance of any further connections is a matter for Irish Water. Wicklow County Council works closely with Irish Water to ensure that the County Development Plan and in particular the Core Strategy and housing targets continue to align with both the National Spatial Strategy and the Regional Planning Guidelines and that the provision of water/ wastewater services will not be a limiting factor in terms of targeted growth.

### **Specific Development Objectives**

- With regard to Objective 1, the proposed wording amendments are noted and it is recommended to amend the objective to include these issues raised.
- With regard to Objective 6, the objective seeks 'to maintain views following evaluation and agreement of principal vistas', this evaluation and agreement will be carried out as part of the development management process, where any important vistas will be identified and the manner in which they are to be protected agreed. Therefore it is not considered necessary to include the wording '**with no significant degradation of the views**' in the objective.
- With regard to Objective 9, it is not recommended to make any changes to the draft Plan:
  - Parking will be incorporated into the development of this area in line with parking standards and objectives as set out in Section 9.1.5 of the County Development Plan. The design and layout of the car parking will be considered as part of the development management process with regard to the objective to maintain the agreed views.
  - Objective 6 'to maintain views following evaluation and agreement of principal vistas' is applicable to any proposed development on the 'RD2' lands that are referred to in Objective 9.

- In order to ensure the proper planning of the village centre it is necessary to include clear and precise wording such as 'a minimum of' and 'shall be' with regard to the provision of the commercial floor space.
- In order to ensure the provision of an appropriate size functioning public village green and to preserve the views from the village centre to the reservoir a minimum width of 15m has been sought.

## Land Use Zoning

- The submission seeking the provision of a 'specific local objective' on the Secondary Development Area at Togher More is not recommended. The vision for the Secondary Development area is *'to provide for the sustainable development of a mix of uses including residential, employment, community and recreational uses that provide for the needs of the existing settlement and that allows for the future growth of the settlement'* and *'retail developments will generally not be permitted on these lands'* in order to ensure the primacy of the core area for retail purposes. This site is also not considered suitable for such a development as verified in the decision to refuse permission for such a development (PRR15/1089) as the proposed development would have a significant adverse impact on the vitality and viability of Roundwood Main Street, would set an undesirable precedent for similar types of development on edge of centre locations, create a haphazard/ piecemeal development, create a traffic hazard, and would be contrary to the proper planning and sustainable development of the area. (Note: It was also refused for the reason that it would materially contravene the residential zoning objective for this land)
- The submission seeking the zoning of 5.48ha of land as Secondary Development Area at the Annamoe Road is not recommended. The subject lands are remote from the existing development envelope of Roundwood, it is considered that the proposed zoning would set a precedent for further development along this road and in a ribbon out from Roundwood. This would be contrary to the provisions of the County Development Plan zoning principles which require housing, industry and other development to be located in existing towns and villages that have a basic social, community and physical infrastructure. Sufficient lands have been designated within the plan boundary for employment and recreation.

It is noted that these lands were zoned for employment and recreational uses under the 2010 plan following a decision made in 2007 where the Elected Members voted against the Chief Executives recommendation to not change the plan to include such a zoning amendment.

It is further noted that there was an agreed Action Area and there is an active planning permission on the lands for an employment facility, this includes a 'holding condition' referring to the Active Open Space where *'prior to the commencement of development, the developer shall submit...legal confirmation that the appropriate lands have been transferred to Roundwood Athletics Club.... This agreement shall be registered as a burden against this site in the Land Registry within 3 months of the commencement of development'*. According to the Land Registry that the Active Open Space lands have not been transferred to the Roundwood and District Athletics Club and in the meantime it is noted that the Athletics Club have acquired an alternative site within the plan boundary.

**AMENDMENT 73**

**Volume 2 – Plans**

**Roundwood Settlement Plan**

**Objective 1**

1. Improve and provide roads, footpaths and cycleways where required and at the following locations:

- along the L-5059 between the town centre and St. Laurence O'Toole National School;
- along the R765 from junction with R755 towards 'Waters Bridge'; and
- along the R755 from Health Clinic to GAA Club
- along the R755 from Roundwood Caravan Park to the Vartry Ground
- along L5077 from junction with R764 to the old schoolhouse.
- at the junction of R764 /R755.
- along the R764 from Kavanagh's Vartry House to Roundwood Park gates.

**SECTION 3.3.27      SHILLELAGH**

None

**SECTION 3.3.28      LARAGH-GLENDALOUGH SETTLEMENT AND TOURISM PLAN**

None

## Section 3 Summary of Issues raised and Chief Executive's response and recommendation on these issues

### SECTION 3.3 GROUP C General Submissions – Volume 3 Appendices

#### SECTION 3.3.29 APPENDIX 1 - DEVELOPMENT AND DESIGN STANDARDS

#### PLAN TOPIC: APARTMENTS/ DUPLEX UNITS & OPEN SPACE

| No. | Name                  | Summary of issues raised  |
|-----|-----------------------|---|
| C3  | Ardale Property Group | <ul style="list-style-type: none"> <li>▪ Submitter is generally supportive of Appendix 1.</li> <li>▪ Remind the planning authority re new apartment guidelines published December 2015 – 'Sustainable urban housing: Design Standards for new Apartments – Guidelines for planning authorities'. The 2007 document is referenced in places – this should be reviewed and updated.</li> <li>▪ Section 1 includes standards for mixed use and housing developments in urban areas. Submitter is generally supportive of key provisions, however some concerns with regard to open space requirements as follows: <ul style="list-style-type: none"> <li>- Min 30m<sup>2</sup> private open space per apartment is unrealistic and should be reduced/removed. Supportive of the provision of semi-private open space in form of courtyards, roof gardens etc. within residential schemes.</li> <li>- 50m<sup>2</sup> private open space for 1-2 bed houses and 60-75m<sup>2</sup> for 3-4 bed houses is acceptable.</li> </ul> </li> <li>▪ Welcome the provision to waive public open space requirements of 15% of the site area in town centre locations where the development achieves other overriding aims of the plan. This provision should be extended to village centre locations including VC zones.</li> </ul> |
| C18 | BBA Architecture      | <p>"Suggest that the requirement for duplex apartments to be provided with private open space similar to housing is unworkable and impractical and suggest that this requirement be omitted under Open Space Dwellings (including own door duplexes) Page 11 Section 1 standards of the draft county plan and in other areas in the plan with similar requirements. Suggest that this will encourage building duplexes and be in accordance with the proper planning and development of the area."</p>  |

#### Chief Executive's response

- The plan should be updated to account for the publication of the updated 'Sustainable Urban Housing: Design Standards for New Apartments: Guidelines for planning authorities' (Department of the Environment, Community and Local Government, December 2015). This

issue is addressed in **Section 3.1** of this report, which outlines amendments required to the section of the Appendix relating to unit sizes and formats of apartments.

- The plan does include a standard requiring that all apartments are provided with a minimum of 30m<sup>2</sup> private open space. This should be updated to reflect the new guidelines.
- Regarding the issue raised by BBA Architecture in relation to the amount of private open space provided in duplex developments - duplexes commonly cater for the needs of families and as such should be required to provide a level of private open space that matches that required for a dwelling, rather than that required for an apartment. No change is necessitated.
- It is suggested that a waiver be introduced for the amount of public open space to be provided in Village Centre locations / zones. The plan includes the following guidance regarding residential public open space:

***Residential public open space***

*Public open space in residential developments shall be provided in accordance with the following standards:*

- *Public open space will normally be required at a rate of 15% of the site area – areas within the site that are not suitable for development or for recreational use must be excluded before the calculation is made;*
- *The need to provide public open space in town centre developments may be waived, particularly where public amenity space such as a town park or beach is in close proximity;*

The waiver should not be extended to include village centres or VC zoned areas. Village centre locations generally do not provide an acceptable quantity and quality of public amenity space, to offset against a reduced amount of public open space being provided as part of a residential scheme within these areas.

**Chief Executive's recommendation**

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**AMENDMENT 76**

**Section 1      Mixed Use and Housing Developments in Urban Areas**

Open space (p.11)

**Open space**

- Open space shall be provided in all new developments, the scale of which shall be dependent of the use of the building/site. In commercial developments, this may be limited to a small area utilised by employees for passive use, such as small courtyard area or roof garden. While the provision of such space may not always be possible in built up urban locations, new developments shall endeavour to provide a minimum area equivalent to 5% of the building gross floor area;
- Within apartment developments, private and communal amenity space shall be provided in accordance with Sustainable Urban Housing: Design Standards for New Apartments: Guidelines for planning authorities' (DoECLG, 2015). Care should be taken to ensure that such places

receive adequate sunlight and meet the highest safety standards. The front wall of balconies should be made from opaque material and be at least 1m in height.

- ~~All residential units shall be provided with private open space, either in the form of private balconies, terraces or rear / side gardens. Where necessary to make up for a shortfall in private open space, communal private space, for example, in the form of internal courtyards or roof gardens, shall be provided. Care shall be taken to ensure such spaces receive adequate sunlight and meet the highest safety standards;~~
- ~~All apartments shall be provided with a minimum area of 30sqm private open space, which shall be at least partially made up of a private balcony or terrace. The front wall of balconies should be made from an opaque material and be at least 1m in height. The minimum balcony / terrace sizes shall be:~~

| <b>Apartment size</b> | <b>Minimum balcony / terrace size</b> |
|-----------------------|---------------------------------------|
| <b>One bedroom</b>    | 5sqm                                  |
| <b>Two bedrooms</b>   | 7sqm                                  |
| <b>Three bedrooms</b> | 9sqm                                  |

- Dwellings (including own door duplexes) shall generally be provided with private open space at the following minimum rates:

| <b>House size</b>   | <b>Minimum private open space</b> |
|---------------------|-----------------------------------|
| <b>1-2 bedrooms</b> | 50sqm                             |
| <b>3+ bedrooms</b>  | 60-75sqm                          |

As a general 'rule of thumb', 0.64sqm of private open space shall be provided for each 1sqm of house floor area, subject to the minimum sizes specified above.

- Public open space shall be provided in accordance with the standards set out in Section 6. In particular,
  - public open space will normally be required at a rate of 15% of the site area – areas within the site that are not suitable for development or for recreational use must be excluded before the calculation is made;
  - the need to provide public open space in town centre developments may be waived if the development specifically achieves other overriding aims of this Plan, particularly where public amenity space such as a town park or beach is in close proximity;
  - in greenfield developments, a hierarchy of open spaces shall be provided to provide for the different play needs of different age groups and all efforts shall be taken to ensure that all houses are in visual range of one open area;
  - Spaces less than 10m in width or 200sqm in area will not be counted as useable public open space; nor will space that is excessively sloping or otherwise unsuitable for usage.
- New organised sports areas shall be located in proximity to existing or planned community or neighbourhood facilities such as neighbourhood retail centres, schools etc.



| No. | Name          | Summary of issues raised  |
|-----|---------------|---|
| C78 | Aidan Ffrench | <p>The following suggestions are made:</p> <p><b>1. Open Space – Health, Schools and Nursing Homes</b></p> <p>Plan should include specific access, quantity and quality standards for provision of open spaces within the curtilage of buildings and facilities such as nursing homes, elder care centres, step-down facilities; primary health care centres and schools.</p> <p>The standards should be designed to maximise the proven (evidenced research-based planning) of well-designed private, communal and public opens space. This is in the interest of promoting health and well-being, sustainable place-making, inspiring environments</p> <p><b>2. Trees</b></p> <p>Standard conditions should include:</p> <ul style="list-style-type: none"> <li>▪ Council should insists as a standard, best practice that all tree survey and assessments for planning applications be undertaken in accordance with BS5837:2012 Trees in relation to design, construction and demolition (UK); AT APPLICATION STAGE, by a qualified arboricultural consultant (not a tree surgeon)</li> <li>▪ A qualified arborists to be retained by developer during entire construction period, to supervise tree protection measures (fencing etc.) certify recommended tree works</li> <li>▪ Tree Bonds to be submitted prior to commencement, calculated on basis of Helliwell Tree Evaluation method, plus notional 15% surcharge to take account of ecosystem services by trees (biodiversity, CO2 sequestration etc., etc)</li> </ul> <p><b>3. Green Roofs</b></p> <p>Development of a green roofs policy and minimum design standards which ensure that the multiple benefits (storm water attenuation, energy conservation/building insulation, biodiversity, amenity etc.). Threshold size for mandatory provision should be min. 200 sqm.</p> <p>This should apply to all apartment, commercial, retail, office, industrial, education, developments</p> |

#### Chief Executive's response

1. Design standards for community facilities are included within 'Section 6: Community Development and Open Space'. In addition, the following guidance, applicable to all forms of development, is included within 'Section 1 Mixed Use and Housing Developments in Urban Areas':

*"Open space shall be provided in all new developments, the scale of which shall be dependent of the use of the building/site. In commercial developments, this may be limited to a small area utilised by employees for passive use, such as small courtyard area or roof garden. While the provision of such space may not always be possible in built up urban locations, new developments shall endeavour to provide a minimum area equivalent to 5% of the building gross floor area;"*

2. Trees - the drafting and application of planning conditions is a matter for the Development Management rather than the County Development Plan process.
3. Appendix 1 gives positive consideration to green roofs:  
*"Consideration should be given in the design of new buildings to the provision of green roofs or walls (i.e. roof gardens / planted balconies etc), to aid in both water absorption but also to contribute positively to the environment and visual amenity"*

The determination of engineering standards for green roof technology is not within the remit of the development plan.

#### **Chief Executive's recommendation**

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No change

| No.  | Name          | Summary of issues raised   |
|------|---------------|--|
| C152 | Roadstone Ltd | <p>Appendix 1 sets out the standards that will be applied to different forms of development and the expected contents of planning applications. This includes a section relating to the extractive industries.</p> <p>2.7.1 Information to be supplied with planning applications</p> <p>The text notes that the following information should be included in planning applications related to the extractive industries:<br/>         "Total quantity of material to be extracted (tonnes). (State amount of saleable mineral or aggregate waste and overburden separately)",<br/>         Rate of production in tonnes per annum (mineral or aggregate and extracted waste to be separately identified)",<br/>         "Tonnage of materials to be processed per annum."</p> <p>The rate of mineral extraction varies at quarry sites according to market demand. Such information is commercially sensitive. It is recommended that details of this nature should not be required and that any details should be limited to the anticipated timeframe for the completion of extraction.</p> <p>2.7.2 Quarry Restoration – Provision of Financial Sureties</p> <p>In relation to the conditions attached to permissions for extractive industries, Appendix 1 states:</p> <p><i>"The Planning Authority will require the lodgement of cash deposits for satisfactory restoration, rehabilitation and site aftercare, including monitoring of the worked out pit area, maintenance, repair, strengthening and upgrading of the affected road network, and landscaping and screening of the site during works."</i></p> <p><i>"Conditions attached to the operation, restoration, rehabilitation and aftercare including monitoring, maintenance, repair, strengthening and upgrading of the affected road network, and landscaping and screening of the site. In particular, the Planning Authority will require the annual submission of an 'environmental audit' setting out a summary of all of the environmental monitoring results for the year, a record of movement of heavy vehicles outside the approved opening hours, a full record of any breaches over the previous year for noise, dust, and water quality and a written record of all complaints, including actions taken on each complaint. The Planning Authority will require the lodgement of a cash deposit for the satisfactory undertaking of these activities."</i></p> <p>The requirement for a cash deposit (often a significant sum) imposes unnecessary restrictions on the industry and creates financial difficulties.</p> <p>Operators are compelled to appeal conditions relating to cash deposits. ABP has adopted the following standard condition wording for quarry restoration financial sureties:</p> |

|  |  |   |
|--|--|---|
|  |  | <p><i>"the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security acceptable to the planning authority to secure the provision and satisfactory restoration of the site, coupled with an agreement empowering the planning authority to apply such security or part thereof to the satisfactory restoration of any part of the site".</i></p> <p>Cash deposits are not required for other forms of development under Appendix 1. The imposition is unwarranted and unduly onerous.</p> <p>Appendix 1 should be revised as follows, in line with ABP approach:</p> <p><i>The planning authority will require the developer to lodge a cash deposit, a bond of an insurance company, or other security acceptable to the planning authority to secure the provision and satisfactory restoration of the site, coupled with an agreement empowering the planning authority to apply such security or part thereof to the satisfactory restoration of any part of the site".</i></p> |
|--|--|---|

### Chief Executive's response

It is reasonable that details regarding the rate of mineral extraction should be limited to the anticipated timeframe for the completion of extraction and the maximum amount of material to be extracted per annum so that impacts can be appropriately assessed. The plan should be amended accordingly.

The details regarding the imposition of conditions relating to security for the restoration of a quarry site should be updated. It should be noted that the only acceptable form of security to the planning authority is a cash deposit. Our experience is that other forms of security, e.g. bonds of an insurance company, do not afford the same level of utility and leverage.

### Chief Executive's recommendation

#### AMENDMENT 79

Appendix 1, 'Section 3: Business, Commercial and Employment Developments'

'Extractive Industry', as relates to the information to be included in a planning application (pg.30-31):

#### Proposed method of extraction

- Total **quantity over the life of the quarry including the maximum annual** quantity of material to be extracted (tonnes). ~~(State amount of saleable mineral or aggregate waste and overburden separately);~~
- ~~Rate of production in tonnes per annum (mineral or aggregate and extracted waste to be separately identified);~~ **expected life of the excavation and anticipated timeframe for the completion of the extraction;**
- Proposed method and depth of working, including details of direction of work, phasing, duration of each of the site development works, tipping and extractive operation and restoration;
- Details of plans of plant and machinery for mineral or aggregate extraction;

- Method of transporting material to processing or disposal point (e.g. roadway, conveyor, tramway, etc);
- State the length of time the operation will last from inception to final restoration.

### Conditions attached to permission

Where planning permission is granted for the development of a quarry, the following matters may be addressed through application of conditions:

1. Permissions may be limited to a specified number of years, in order to enable the planning authority to monitor the impact of the development.
2. Conditions to control the extent of development on the site.
3. The planning authority will require the developer to lodge a cash deposit as security for the satisfactory restoration of the site.
4. ~~The Planning Authority will require the lodgement of cash deposits for satisfactory restoration, rehabilitation and site aftercare, including monitoring of the worked out pit area, maintenance, repair, strengthening and upgrading of the affected road network, and landscaping and screening of the site during works.~~
5. ~~Conditions attached to the operation, restoration, rehabilitation and aftercare including monitoring, maintenance, repair, strengthening and upgrading of the affected road network, and landscaping and screening of the site. In particular, the Planning Authority will require the annual submission of an 'environmental audit' setting out a summary of all of the environmental monitoring results for the year, a record of movement of heavy vehicles outside the approved opening hours, a full record of any breaches over the previous year for noise, dust, and water quality and a written record of all complaints, including actions taken on each complaint. The Planning Authority will require the lodgement of a cash deposit for the satisfactory undertaking of these activities.~~
6. Conditions pertaining to the following:
  - Financial matters;
  - Measures to prevent environmental pollution and to protect the amenity of areas in respect of surface water / ground water, gaseous emissions, dust, noise, subsidence, blasting, traffic and roads, transportation impact; archaeological/historical heritage, geological / geomorphological heritage, rights of way;
  - Measures to protect residential and visual amenity;
  - Measures to protect public health and safety.

**PLAN TOPIC: SMOKING AREAS / TENTS – BRAY SEAFRONT**

|      |                     |          |  |
|------|---------------------|----------|--|
| C190 | Wicklow<br>Alliance | Planning | Bray Seafront – there is a need for more active planning control on the erection of big tents for smokers and the sort of advertising that is on the seafront. |
|------|---------------------|----------|--|

**Chief Executive's response**

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Such tents and advertising structures may be unauthorised. There is no need to have policies to obey to law in the development plan. Such developments should be reported to Wicklow County Council's Planning Enforcement Section.

No change is necessitated.

**Chief Executive's recommendation**

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No change

#### SECTION 3.3.30 APPENDIX 2 - RURAL HOUSE DESIGN GUIDE

Any submissions relating to the design of rural housing are addressed in **Section 3.3.4** of this report.

#### SECTION 3.3.31 APPENDIX 3 – HOUSING STRATEGY

Any submissions relating to housing are addressed in **Section 3.3.4** of this report.

#### SECTION 3.3.32 APPENDIX 4 –RECORD OF PROTECTED STRUCTURES

Any submissions relating to the RPS are addressed in **Section 3.3.10** of this report.

#### SECTION 3.3.33 APPENDIX 5 – LANDSCAPE ASSESSMENT

Any submissions relating to landscape are addressed in **Section 3.3.10** of this report.

#### SECTION 3.3.34 APPENDIX 6 – WIND STRATEGY

Any submissions relating to the Wind Energy are addressed in **Section 3.3.9** of this report.

## PLAN TOPIC: CLIMATE CHANGE AUDIT

| No.         | Name                      | Summary of issues raised   |
|-------------|---------------------------|--|
| <b>C184</b> | Richard Webb              | This submission references the lack of guidelines for energy efficiency in housing. It also makes reference to integrating community energy schemes in small scale renewable electricity generation schemes.   |
| <b>C190</b> | Wicklow Planning Alliance | <ul style="list-style-type: none"> <li>▪ This submission makes a number of general references to climate change and how the draft CDP is lacking in references to climate change and lacking in an understanding of climate change. The introduction to the housing chapter and the design standards for new developments should make reference to climate change</li> <li>▪ The submitter suggests that WCC read the judgment of the Court in Urgenda Foundation against the State of the Netherlands. Across the world Governments will be asked to account for failure to take measures to avert the danger to their people posed by Climate Change.</li> <li>▪ The submission makes reference to the White Paper published by the Minister for Communications and Energy whereby by 2050 the carbon footprint must fall by 80 – 95%. The submission states that in order to be consistent with the proposals set out in the White Paper Wicklow County Council should set out in the CDP a wide range of solutions for replacing fossil fuels as a primary source of energy in absolutely all new buildings whether in the residential or commercial sector. The CDP should make it clear that no new building should be reliant on oil or gas or any other fossil fuel as a primary source of energy for heating.</li> <li>▪ The submitter puts forward a number of suggestions for inclusion in the CDP seeking guidelines, and the promotion of energy efficiency and the prohibition of the reliance on fossil fuels.</li> <li>▪ It is suggested that the CDP should be a vision for a low carbon urban future - it could be exciting; a new Industrial Revolution based on modern digital connectivity and clean energy. The CDP should be promoting energy co-operatives like they have in Germany. All over the county we could have thousands of people producing their own energy and selling it to the grid. Wind energy will eventually comprise more than 80% of Ireland's renewable energy but wind energy does not have to be about wind farms owned by big corporations<br/>Wicklow County Council should take inspiration from the "A Vision for Galway 2030" document and from "transitiontownkinsale.org" and from transitiontowntotnes.org</li> <li>▪ Climate Change resilience and sustainability should be central to all Wicklow County Council's work and planning. It should turn the Clermont Campus into a specialist training centre for some of its staff and the public.</li> <li>▪ WCC should follow the lead of Dun Laoghaire and measure Wicklow's carbon emissions.</li> <li>▪ The World Bank has warned that Climate Change is the number one risk to long term growth and economic security. We need to develop the skills and innovation required to meet the challenges posed by Climate Change.</li> </ul> |



### **Chief Executive's response**

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- It is not considered the role of the County Development Plan (which is a land use framework only not the operational plan of the local authority) or indeed Wicklow County Council in isolation to develop possible future climate change scenarios; this is considered a much wider issue that must be developed at a national scale through the national legislation and guidance, and also through the forthcoming 'Wicklow County Climate Change Adaptation Strategy' that Wicklow County Council is required to prepare.
- Climate change has been addressed directly in Chapter 9 of the draft plan and indirectly throughout the entire plan by integrating climate change mitigation and adaptation into the plan objectives. Section 2 of the Climate Change Audit in Appendix 7 of the draft plan clearly presents an appraisal of how the County Development Plan as a land use framework has integrated mitigation and adaptation to climate change into its policies and objectives. Climate change mitigation and adaptation has been integrated into the County Development Plan in a proactive way with the inclusion of relevant policy, a strategic core strategy goal incorporating climate change mitigation and adaptation into land-use planning, land-use policies and objectives that where relevant incorporate objectives that both mitigate against the source of the causes of climate change and adapt to reduce the impacts of climate change. Given the development plan's remit as a land use framework not all sources and impacts are addressed in the plan objectives. It is envisaged that a future 'Wicklow County Climate Change Adaptation Strategy' will have a broader remit in its approach to climate change mitigation and adaptation and will address all aspects of Climate Change, like promotion of climate change adaptation and details of actions required. The Strategic Environmental Assessment also has a key role to play in climate change mitigation and adaptation.
- The issue of seeking a reference to community energy schemes in small scale renewable electricity generation has been addressed in the Infrastructure Section of this report.
- With regard to the issue of including reference to climate change in the housing chapter, this is not considered necessary. The focus of this chapter is to set out the land use policies and objectives relevant to the development of housing in the County. Mitigation against and adaptation to climate change has been integrating throughout the housing chapter with policies, objectives and standards that promote and facilitate energy efficient building design, environmentally sustainable layout and locations. These include a number of the Key Strategic Goals on housing, settlements and communities, a number of housing objectives, the Development and Design Standards with specific reference to Section 1 'Mixed use and housing developments in urban areas' and 'Green issues' and Section 10 'Energy and Telecommunications – Design Standards for improved energy efficiency'. There are also a number of objectives in the infrastructure chapter on heating.
- The references to the judgment of the Court in Urgenda Foundation, the white paper on Climate Change, "A Vision for Galway 2030" and "transitiontownkinsale.org" are noted; however these are considered an issue for the consideration during the crafting of the Wicklow County Climate Change Adaptation Strategy as opposed to this land use plan.
- With regard to the suggestions put forward for inclusion in the plan, these issues have been addressed in the Energy section of the Infrastructure section of this report.

### **Chief Executive's recommendation**

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No change

**PLAN TOPIC: GREEN INFRASTRUCTURE**

| No. | Name          | Summary of issues raised   |
|-----|---------------|--|
| C78 | Aidan Ffrench | <ul style="list-style-type: none"> <li>▪ A Spatial Framework should be prepared as a key component of the GI Strategy, showing existing and proposed green corridors, hubs, links etc., upon which objectives and actions should be implemented, for conservation, development, enhancement of those corridor's GI assets</li> <li>▪ There is a lack of clarity about integration of GI Strategy and potential and actual synergies/links to other County Development Plan elements and policies, such as health, community development, place-making, water management, flood attenuation transport and biodiversity</li> <li>▪ Dun Laoghaire-Rathdown's GI Strategy (Appendix 14, CDP 2016-22) should be referred to as it sets a benchmark for comprehensive, high quality GI documents and trans-boundary issue to Dun Laoghaire-Rathdown, Wexford, Carlow, Kildare which are largely unexplored.</li> </ul> |

**Chief Executive's response**

The Development Plan's role in Green Infrastructure is to facilitate the protection, management and enhancement of urban, peri-urban and rural environmental resources through the identification and provision of multi-functional and interconnected green spaces and networks which in turn enhances the overall benefit. It is also important to recognise the economic, social, environmental and physical benefit of green spaces and networks through the development of and integration of GI planning and development in the development management process.

The Plan recognises the importance of Green Infrastructure in the development of the county and the settlements within the county. The enhancement and protection of green infrastructure is a key housing principle for sustainable communities and it is recognised that the protection of the natural environment in rural areas is essential for meeting green infrastructure aspirations. The draft plan clearly sets out the function of GI in land use planning with the following GI objectives NH30, NH31, NH32, NH33, NH34 NH35, NH36 and NH37.

**Chief Executive's recommendation**

No change

**SECTION 3.3.37      APPENDIX 9 – SEA ENVIRONMENTAL REPORT**

Refer to Section 5

**SECTION 3.3.38      APPENDIX 10 – AA – NATURA IMPACT REPORT**

Refer to Section 5

## PLAN TOPIC: SFRA

| No.  | Name                    | Summary of issues raised  |
|------|-------------------------|---|
| C42  | Liam Collins            | The submission supports the flood defence works currently being carried out along the Dargle River and proposes that a new road link/bridge over the River Dargle be provided linking lands on both sides of the river. It is proposed that this link would be located off the Fassaroe roundabout to the west of the office buildings at the La Valee business and residential development.  |
| C50  | Cudsea Ltd              | This submission relates to the issues of flooding at the Powerscourt Arms Hotel, Enniskerry. It is contended in the submission that the subject site has inappropriately been included within Flood Zone A and B on Map no. 3 of the Enniskerry Town Plan and in the Strategic Flood Risk Assessment and should be removed as the flood risk to this site is not considered to be significant.  |
| C154 | Ronan Group Real estate | This submission relates to lands at St. Valery's zoned H in the Bray Environs LAP, where the site is identified as appropriate for a Hotel development. These lands have been identified as being in Flood Zone A in the SFRA. As part of a previous planning application pertaining to the site a detailed hydrological modeling of the site was undertaken by Kilgallen & Partners. This indicated the extent of the Flood Zone A on the subject development site. A copy of the hydrological modeling report and associated mapping was submitted. It is put forward that it can be seen from this detailed report that the extent of the Flood Zone A is in fact less than that currently indicated in the SFRA. It is submitted that the draft plan should be amended to correct this discrepancy and that the extent of Flood Zone A is amended to reflect the findings of the more detailed site specific hydrological modeling. |

**Chief Executive's response**

- The submission in support of the flood defences is noted. With regard to the provision of a new road link/bridge over the River Dargle, this issue has been addressed in the Transport Section of this report.
- The site in question in Enniskerry is identified in the SFRA within Flood Zone A and Flood Zone B and it is zoned Town Centre. The 'Justification test' was carried out as part of the SFRA as Town Centre zoning is generally considered an 'inappropriate' zoning in Flood Zones A and B and it was determined that the test was passed and the Town Centre zoning was maintained on the entire site in question. Therefore the identification of these lands at being at risk of flooding did not alter the zoning of the land or result in 'down zoning'.

The flood zones were identified following the carrying out of the flood risk assessment using the most up to date information which also included the OPW's Preliminary Flood Risk Assessment Mapping for the area. The information submitted by the landowner is considered to lack in sufficient detail to prompt an amendment the flood zones. It is vital that areas potentially at risk of flooding are identified at the earliest stage, even where development

zoning is being retained, in order to flag this may be an issue that needs to be addressed were permission sought for further development on the lands.

- The 'Bray Town and Environs Flood Risk Identification Map' provided in the SFRA document is a flood risk 'identification' map and is for information purposes only and is not a flood risk **assessment** and was not utilised in any way in the crafting of land use zoning or development objectives in this County Development Plan.

The map shows the OPW's Preliminary Flood Risk Assessment Mapping (PFRAM) dataset.

The current Bray Town and Bray Environs Plans were published prior to the publication of the OPW's PFRAMs and it was considered that the public should be made aware that the OPW had published new flood risk related maps since that time.

All of the development zonings and objectives in the Bray MD area are due to be reviewed as soon as the County Development Plan is adopted and a Bray MD Local Area Plan developed. This LAP will include a detailed Flood Risk **Assessment** which will draw on all latest information, including any from the OPW, more detailed studies carried out, such as the River Dargle Flood Defence Scheme and any private studies commissioned by landowners. Therefore this submission should be made as part of the Bray MD LAP process.

#### **Chief Executive's recommendation**

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No change

**SECTION 3.3.40****APPENDIX 12 – STATEMENT COMPLIANCE WITH MINISTERIAL GUIDELINES**

None

**SECTION 3.3.41****APPENDIX 13 - PLANS, POLICIES, STRATEGIES AND LEGISLATION INFLUENCING THE DEVELOPMENT PLAN**

None

**SECTION 3.3.42****APPENDIX 14 – STATUTORY REQUIREMENTS**

None

## Section 3 Summary of Issues raised and Chief Executive's response and recommendation on these issues

### SECTION 3.3 GROUP C Miscellaneous

#### SECTION 3.43 LARGE TOWNS

##### PLAN TOPIC: BRAY TOWN DEVELOPMENT PLAN AND ENVIRONS (INCL FASSAROE)

| Number | Surname                         | Summary of issues raised   |
|--------|---------------------------------|--|
| C1     | Thomas Allen                    | <ol style="list-style-type: none"> <li>1. It is suggested that               <ol style="list-style-type: none"> <li>a) New roundabouts be introduced at the north and south of Bray Town to relieve traffic congestion</li> <li>b) The traffic lights at Old Connaught Avenue and the Boghall Road are removed and replaced with an alternative that adequately addresses the existing traffic issues in this area.</li> <li>c) A multi storey car park be provided in Bray at the northern and southern ends of the town/main street.</li> </ol> </li> </ol>  |
| C27    | Bray Head Residents Association | <ol style="list-style-type: none"> <li>2. The submission relates specifically to the preservation and enhancement of Bray Head in accordance with the Special Amenity Area Order (SAAO) 2007 where the following issue is raised: I               <ol style="list-style-type: none"> <li>a) It is put forward that the plan should include a requirement that an environmental impact assessment be submitted where it is deemed that a proposed development could have a significant effect on the environment.</li> <li>b) It is further stated that this objective is currently set out in the existing County Development Plan 2010 – 2016 under objective CZ2 and is a requirement of the Bray Head SAAO policy 1.7.1.</li> </ol> </li> </ol> |
| C42    | Liam Collins                    | <ol style="list-style-type: none"> <li>3. The submission supports the flood defence works currently being carried out along the Dargle River and proposes that a new road link/bridge over the River Dargle be provided linking lands on both sides of the river. It is proposed that this link would be located off the Fassaroe roundabout to the west of the office buildings at the La Valee business and residential development.</li> </ol>  |
| C140   | Park Developments               | <ol style="list-style-type: none"> <li>4. This submission relates to lands located on the former Dell Site in Bray, measuring c. 3.75ha. The subject lands fall within the Rathdown No. 2 Plan as set out and defined in the existing County Development Plan. The subject lands currently have a zoning designation of 'E3 Employment' where it is an objective <i>'To protect, provide and improve appropriate employment uses including industrial, warehousing and wholesale warehousing,</i></li> </ol>   |

### SECTION 3.3

|      |                                     |   |
|------|-------------------------------------|---|
|      |                                     | <p><i>business, office and science / technology use'.</i></p> <p>It is proposed that the Rathdown No. 2 Plan be re-instated as part of the County Development Plan and that the subject lands be zoned for residential purposes in order to meet the demand for residential housing within Bray. It is further stated that employment uses would as currently zoned on the subject site would be more appropriately accommodated as part of the Fassaroe development.</p>   |
| C171 | Target Investment Opportunities Ltd | <p>5. This submission relates to lands to the south east of the existing Bray Retail Park. The subject lands measure c. 4ha and are currently zoned E1 in the Rathdown No. 2 plan where the following zoning objective is set out – <i>"To protect, provide and improve appropriate industrial, warehouse, wholesale and retail warehousing"</i>.</p> <p>It is proposed that the subject lands be zoned to provide for residential development in order to facilitate the delivery of housing in the area and for Bray to be capable of achieving its population projection as set out in the Draft Plan.</p> <p>It is also proposed that the residential zoning should be extended to the existing residential units currently located within the E1 zone.</p> |

### Chief Executive's response

At the outset it is important to note that this review of the County Development Plan does not include a review of the existing Bray Town or Bray Environs plans nor does it deal with Bray specific objectives, or zoning in the former Bray Town Council area.

As set out in Note 1 of Table 2.7 of the draft Plan it is intended that a new Bray Municipal Area Local Area Plan shall replace the existing Bray Town Development Plan and the Bray Environs Local Area Plan and shall encompass all settlements in the municipal district including Kilmacanogue and Enniskerry.

It should also be noted that a development plan is not a traffic management or operational plan of the local authority.

With regard to the specific issues raised:

1. It is intended that the new Bray MD Local Area Plan will involve a detailed study of plan area including identifying existing road traffic issues and developing potential solutions which will be implemented through the plan objectives. It will not however be a traffic management plan.

The issues with car parking in Bray are well documented, and there are a number of objectives and proposals contained in the existing Bray Town Development Plan specifically with regard to the provision of new car parks. In the review of the Bray Town Plan, all of these objectives will be reviewed and enhanced where appropriate.



2. With regard to the concerns raised by the Bray Head Association, it would appear that there may be some confusion in regard to the law around Environmental Impact Assessments.

It is a requirement of the EIA Directive 2011/92/EU (2011) that projects likely to have significant effects on the environment are subject to a comprehensive assessment of environment effects prior to development consent being given. A planning authority in assessing planning applications is required by law to comply with and incorporate the requirements of the EIA directive. It is considered unnecessarily to include a provision in the development plan that the Local Authority will comply with the law with regard to EIA, and furthermore, if a statement to this effect were provided in the section of the plan dealing with Bray Head only, it would give the impression that the EIA directive would somehow be applied differently or perhaps more rigorously around Bray head, which is simply not the case. It is therefore considered misleading to the public to include the provision requested.

It is noted that such a provision was included in previous plans and all efforts are made in every successive plan, to clear out meaningless or aspirational text, in order make the plan more readable and meaningful. This is all that has happened here and not some watering down of the protection afford to Bray Head under the existing SAAO.

3. The existing Bray Town Plan includes an objective for the exact road described in this submission and this objective will be reviewed in the process of crafting the forthcoming Bray MD Local Area Plan.
- 4-5. As submission C140 and C171 make similar proposals and zoning requests, a response to the issues raised in both submissions is set out below.

Both sites currently fall within the Rathdown No. 2 Plan with a zoning objective of E3 and E1 (employment). This plan currently forms part of the Wicklow County Development Plan 2010-2016. As set out in the Draft County Development Plan 2016-2022 it is not intended to carry forward the Rathdown No. 2 Plan as it is the Planning Authority's intention to review the existing Bray Town and Bray Environs plans and develop a Bray Municipal District Local Area Plan which will also include the lands currently located within the Rathdown No. 2 Plan. These zoning requests would be more appropriately made during the Bray MD LAP process in late 2016 and it is not recommended that they be considered in isolation from a wider review of the objectives for the Bray MD area.

The concerns raised that the subject lands will be 'unzoned' until such time as the Bray MD LAP has been adopted are acknowledged however:

- (a) It is not an infrequent occurrence that there are periods between the end of the duration of one plan and the adoption of the next – a recent example would be the gap between the 'end' of the Greystones – Delgany LAP 2006 in 2012 and the adoption of the replacement LAP in 2013. Such 'gaps' do not prevent applications for permission being considered, as ultimately, the development plan is not the only factor that the CE or Director must have regard to in making any decision. As set out in Section 34 (2)(a) of the Act,

*(2) (a) When making its decision in relation to an application under this section, the planning authority shall be restricted to considering the proper planning and sustainable development of the area, regard being had to—*  
*(i) the provisions of the development plan*

- (ia) any guidelines issued by the Minister under section 28,*
- (ii) the provisions of any special amenity area order relating to the area,*
- (iii) any European site or other area prescribed for the purposes of section 10(2)(c),*
- (iv) where relevant, the policy of the Government, the Minister or any other Minister of the Government,*
- (v) the matters referred to in subsection (4), and (vi) any other relevant provision or requirement of this Act, and any regulations made thereunder.*

- (b) The Act also makes provision for 'material contraventions' of the plan (if such a 'material' infraction is considered to arise) and therefore were an acceptable proposal to be made, permission could still be granted further to a material contravention process being invoked.

#### **Chief Executive's recommendation**

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No change

| Number | Surname  | Summary of issues raised   |
|--------|--|--|
| C5     | Arklow & District Chamber                              | <p>This submission makes the following suggestions:</p> <ol style="list-style-type: none"> <li>1. To complete the Lamberton over bridge intersection and run a link road on to the Vale Road R747 in order to provide access for Arklow west and relive traffic traversing the town.</li> <li>2. Maintain the planned access roadway linking Roadstone to the south with the N11 at Meadowvale for commercial and residential use.</li> <li>3. The plan should consider an extension of the Arklow Town and Environs boundary beyond the N11.</li> <li>4. The objective relating to the provision of an airport at Arklow South should be maintained.</li> <li>5. Coastal protection works at the North Beach should be completed in order to encourage the natural re-instatement of the beach and sand dunes.</li> </ol> |
| C6     | Arklow Heritage / Nature Walks Development Company Ltd | <ol style="list-style-type: none"> <li>6. It is requested that a number of new pedestrian walkways and linkages be provided in the Arklow area including a new pedestrian bridge linking the existing car park to Arklow Marsh.</li> </ol>   |

### Chief Executive's response

At the outset it is important to note that this review of the County Development Plan does not include a review of the existing Arklow Town and Environs Plan nor does it deal with Arklow specific objectives unless they are of a wider strategic significance beyond Arklow itself, or zoning in the former Arklow Town Council area. The crafting of local policies and objectives is more appropriately dealt with in local plans, and the County Development Plan does not therefore generally include local objectives that are only relevant to one settlement, unless the plan for the settlement forms part of the County Development Plan (which is not the case in Arklow).

It is intended to commence the process of reviewing the existing Arklow Town & Environs Development Plan as soon as the County Development Plan is adopted i.e. late 2016.

With respect to the specific issues raised:

1. The Arklow Town and Environs Plan 2011-2017 and the Draft County Development Plan 2016 include objectives directly relating to a new third interchange at Lamberton, providing a connection to the western distributor road as allowed for in the design of the Arklow bypass.
2. The Arklow Town and Environs Plan, under objective RP5, includes the provision of the road objective described - the Port Access Road linking Roadstone to the M11
3. As set out in the draft County Development Plan and as required by statute, a new development plan for Arklow Town and its environs will be crafted in 2016-2017. Where a new

for the zoning of additional land is identified, all potential options for the optimal location of this new development will be investigated during this process.

4. Objective TR41 facilitates the development of the aviation sector, in particular aerodromes and air strips within the County, subject to clear demonstration of the need and viability of such developments and due regard to environmental and residential impacts of such development, particularly on the coastal area. In addition to this the Arklow Town and Environs Development Plan includes an objective 'AHMP3' which is closely linked to this objective and promotes Arklow as a potential location for an international Airport. This provision will be re-examined as part of the review process for the Arklow plan.
5. The Draft County Development Plan under Objective CZM7 (as proposed to be amended – see submission No. B9) aims to facilitate the provision/reinforcement of coastal defences and protection measures. The North Beach Coastal Protection and Condition study (Feb 2016) prepared by JP Byrne Consulting engineers commissioned by the Arklow MD office/Wicklow County Council has identified specific issues relating to erosion along the north beach and has made a number of recommendations to address these issues. It is intended to seek funding to implement the recommendations of the study from the Office of Public Works. It is most likely that these works will be carried out in a phased manner as funding allocations are made available.
6. The proposals put forward for new pedestrian walking routes are noted however these issues would be more appropriately dealt with through the review of the Arklow Town and Environs Development Plan.

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**Chief Executive's recommendation**

No change

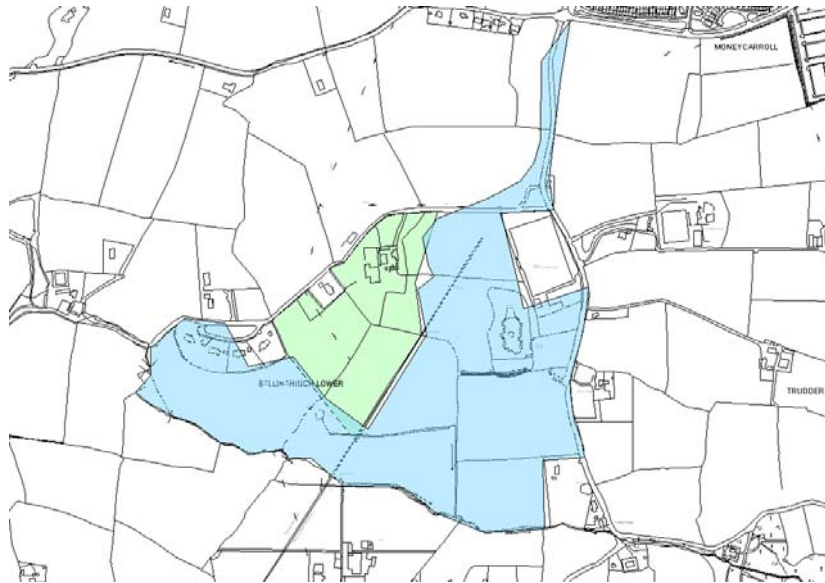
| Number                   | Surname  | Summary of issues raised  |
|--------------------------|--|---|
| C30                      | Willie Burke   | 1. This submission supports the development of lands at Ballinahinch, Newtownmountkennedy for:<br>(a) Medical uses<br>(b) Tourism and recreation uses<br>as set out in the 2010 County Development Plan (maps 15.01 and 9.02 of the 2010 County Development Plan refer) and suggests that these lands be included in the boundaries of the NTMK LAP.  |
| C33<br>C53<br>C76<br>C77 | Paul and<br>Margaret Byrne<br>Francis and<br>Aisling<br>Cunningham<br>Frank and<br>Louise Fenelon<br>Una Fenelon | 2. This submission relates to the proposed zoning at Ballinahinch, Newtownmountkennedy 'Special Housing Zoning HD24' where the following observations are made:<br><ul style="list-style-type: none"> <li>▪ The proposal is contrary to good planning and development</li> <li>▪ The land is proposed to be zoned contrary to the recommendations of Wicklow Planning executive</li> <li>▪ The existing road infrastructure is inadequate to cater for the scale of the proposed development</li> <li>▪ The site is unserviced</li> <li>▪ The proposed development would have a significant visual impact on the area</li> <li>▪ The existing plan for NTMK has provided for adequate lands to cater for the future population growth.</li> <li>▪ Zoning proposals for the area should be more appropriately considered during the review of the NTMK Local Area Plan.</li> </ul> |
| C68                      | DPM Farms Ltd  | 3. It is proposed that lands at Killadreenan, Newtownmountkennedy be zoned for economic and employment uses in the form of light industry.  |
| C100                     | Richard Lacey  | 4. This submission is from the owner of the lands identified as special housing zoning objective HD24. It is requested that this zoning be omitted from the Draft County Development Plan and dealt with through the Local Area Plan process for the Newtownmountkennedy area.  |
| C190                     | Wicklow Planning Alliance  | 5. It is suggested that the Special Zoning for Newtownmountkennedy in paragraph HD24 should be omitted as subverts all basic planning principles.   |

### **Chief Executive's response**

Items 1, 2, 4 and 5 will be dealt together as they relate to the same parcel of land at Ballinahinch.

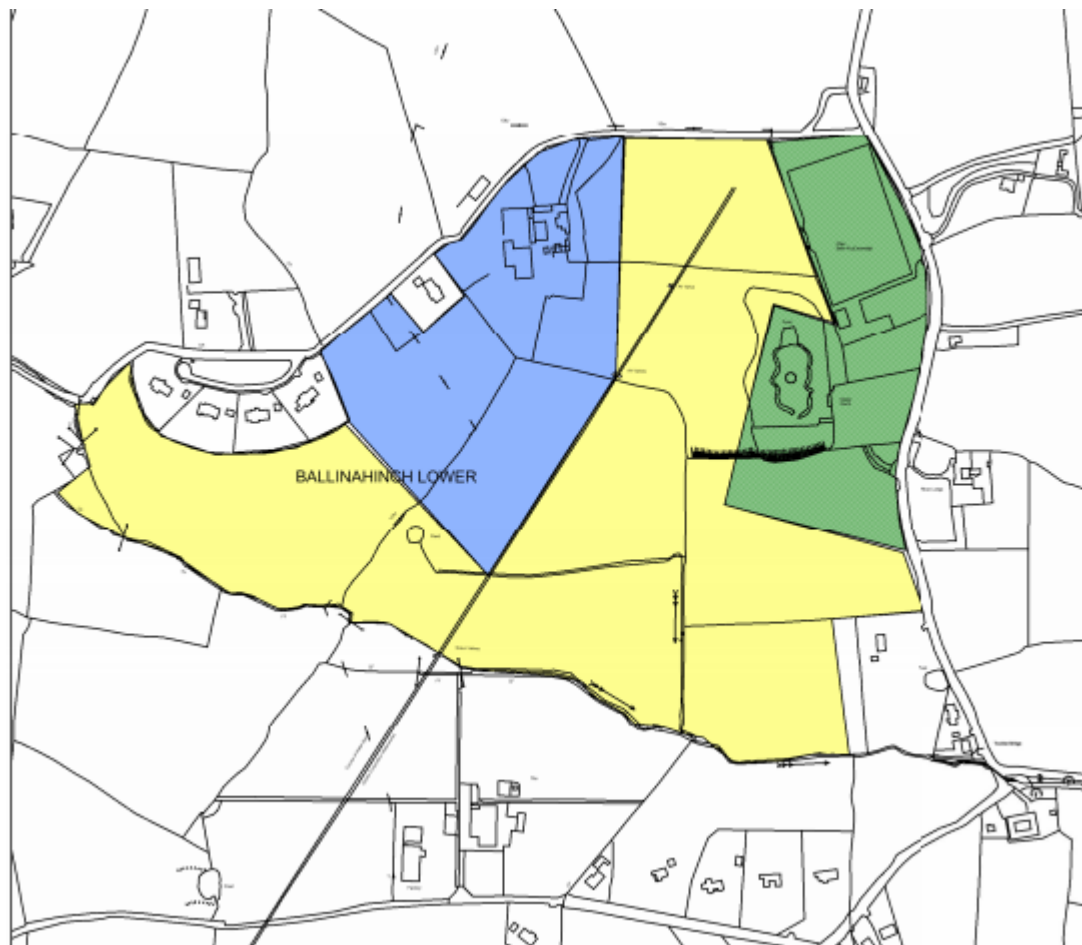
In the 2010 County Development Plan, two distinct zoning were applied to the Ballinahinch lands:

- a. Zoning of c. 8ha for 'new / extended residential care facilities (shown in green on the map below)
- b. Zoning of c. 30ha for 'integrated tourism / leisure complex' (shown in blue on the map below).



These previous zonings are supported in the submission from Mr. Bourke.

During the adoption process of the new draft County Development Plan, the zoning of these lands was changed to:



(a) Blue = nursing home / continuing community care

*(b) Green – integrated tourism and leisure uses*

*(c) Yellow – low density housing*

Therefore there is no change to the nursing home / medical zoning provided, but a significant portion, c. 22 ha, has been rezoned for housing, with the tourism and leisure area reduced from 30ha to 6ha.

With respect to the ITLR zone, given the reduction in area, it is not considered that an ITLR facility of the type envisaged by the policy, could be provided on these lands. The previous proposition for this area, including a planning permission granted was for a substantial ITLR development (ski slope, hotel etc) covered an area of approximately 30ha. This is the type of size / scale considered necessary to provide for example a hotel complex, golf course/ outdoor facilities and other tourism services.

Assuming the GAA grounds stay in situ, it is not clear how an ITLR, with both accommodation and a significant tourism attraction could be provided on the remainder of this small site.

It should also be noted that the deletion of this zoning would not necessarily preclude consideration of either a nursing home or tourism related use on these lands, as there are various objectives set out in the draft plan relating to such uses were they to be proposed on land not specifically zoned for that use i.e.

**T4** *To only permit the development of a tourism or recreational facility in a rural area in cases where the product or activity is dependent on its location in a rural situation and where it can be demonstrated that the proposed development does not adversely affect the character, environmental quality and amenity of the rural area or the vitality of any settlement and the provision of infrastructure therein. The natural resource / tourist product / tourist attraction that is essential to the activity shall be located at the site or in close proximity to the site, of the proposed development. The need to locate in a particular area must be balanced against the environmental impact of the development and benefits to the local community.*

**T11** *To positively consider the development of new hotels in all parts of the County, with particular preference for locations in larger settlements (Levels 1-6 of the County settlement hierarchy). In other, more rural locations (villages / rural areas), it must be demonstrated that*

- the area proposed to be served by the new development has high visitor numbers associated with an existing attraction / facility;*
- a need for new / additional hotel type accommodation for these visitors has been identified having regard to the profile of the visitor and the availability and proximity of existing hotels in the area; and*
- the distance of the location from a significant settlement is such that visitors to the area / attraction are unlikely to avail of existing hotel facilities.*

**T21** *To consider applications for the development of further ITLR facilities having regard to:*

- accessibility from the east and west transport corridors;*
- accessibility to major towns and/or centres of population;*
- proximity to designated tourism/visitor areas;*
- the existence of other such facilities or major tourist accommodation sites in the vicinity;*
- the adequacy of the site area and site features to accommodate a range of integrated tourist / leisure / recreational activities; and*
- the Planning Authority will support the development of integrated tourism/leisure/recreational complexes on estate holdings with large estate houses that are directly attached to villages or towns.*

**T22** *To require all applications for development at identified or new ITLR sites to comply with the following requirements:*

- *Development shall be carried out on the basis of an integrated, comprehensive master plan and business plan, to be agreed at the outset of the development with the Planning Authority;*
- *the development as a whole shall be held in the single ownership of the developer. In the event that certain elements of the development will require to be sold / leased to make the project viable, this shall be stated at the outset and measures proposed to operate / manage / market the entirety of the facility as a single entity;*
- *any holiday home / self catering type accommodation proposed as part of the facility shall accord with Objective T14; and*
- *all development shall be so designed to respect the character of the area and any existing heritage features on the site, including demesne houses or other protected features.*

**CD19** *Residential and day care facilities shall in general be required to locate in existing towns or villages and shall be located close to shops and other community facilities required by the occupants and shall be easily accessible to visitors, staff and servicing traffic; locations outside of delineated settlement boundaries shall only be considered where:*

- *the site is located in close proximity to a settlement and would not comprise an isolated development;*
- *there are excellent existing or potential to provide new vehicular and pedestrian linkages to settlement services; and*
- *the design and scale of the facility is reflective of the semi rural location.*

With respect to nursing home / continuing community care zoning, it is recommended that this be omitted, as it is footloose zoning, without any justification, and did not result in any development although it has been zoned for such use for some time. In the event that such a project were to come forward for these lands, they could be adequately assessed against the criteria set out in Objective CD19 of the draft plan, which allow for such facilities at such rural location, where certain criteria are met.

Taking into account all submissions relating to the zoning of these lands, it is recommended that all zoning of this parcel of land be omitted from the plan. It is strongly recommended that a review of the suitability of these lands for any use be carried out as part of the review of the Newtownmountkennedy LAP.

### **Item 3**

The Economic Chapter of the Draft County Development Plan has been crafted taking increased regard to national and regional policy, in particular the principals of the NSS and the RPGs to consolidate development into designated settlements and to appropriately manage rural development. In this regard, a full review of all employment zonings was carried out as part of the plan review process and it was determined that a significant amount of zoned land is available in the towns of the County and that there is no need for additional ex-urban employment zoning.

Such zoning is unsustainable on many fronts, but in particular

- the distance from population bases, markets and town centres results in almost complete car dependency,
- the distance to settlement results in a lack of infrastructure including mains water and sewerage;
- landscape impacts can be significant.



The subject lands have an extensive planning history most notably planning reference no. 09/889 where permission was refused by An Bord Pleanála for industrial uses on this site for the following reasons:

- The proposed industrial activity does not have any local resource, process or workforce related need to be situated in this rural area.
- The proposed industrial activity would seriously injure the amenities of property in the vicinity by way of noise impacts. The development would, therefore, be contrary to the proper planning and sustainable development of the area.
- The proposed development would result in a significant risk to the receiving and surrounding environment and would, therefore, be prejudicial to public health.

It is not considered that there is any specific locational requirement for the zoning of these lands in a rural area, particularly given the site's proximity to Newtownmountkennedy where there are lands zoned for employment/industrial uses. The proposal would therefore set an undesirable precedent for similar types of development and would be contrary to the proper planning and sustainable development of the area.

#### **Chief Executive's recommendation**

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#### **AMENDMENT 10**

#### **Chapter 4, 'Housing', p78 - 'Special Zoning Newtownmountkennedy', p78**

Omit Objective **HD24 and Map 04.01**

~~**HD24** To provide for low density residential development with associated leisure, tourism and recreational facilities on lands measuring c. 28ha Ballinahinch Lower, Co. Wicklow, as shown on Map 04.01.~~

#### **AMENDMENT 34**

#### **Chapter 8, 'Community Development', p154**

Omit Objective **CD17 and Maps 08.01 – 08.04**

~~**CD17** To provide for new or extended residential care facilities for the elderly at the following locations as shown on maps 8.01–8.04:~~

- ~~• Ballinahinch Lower, Newtownmountkennedy (c. 8ha as shown on Map 8.01)~~
- ~~• Blainroe / Kilpoole Lower (c. 2.5ha as shown on Map 8.02)~~
- ~~• Coolgarrow, Woodenbridge (1.5ha as shown on Map 8.03)~~
- ~~• Killickabawn, Kilpedder (c. 6ha as shown on Map 8.04)~~

(Please see submission also from TII, as a result of which it is proposed to omit the entirety of Objective CD17)

#### **AMENDMENT 30**

Chapter 7 'Tourism & Recreation', Section 7.4 - Tourism & Recreation Objectives, p136

**T20** To support development at existing / proposed integrated tourism / leisure / recreational complexes at the following locations:

- Druids Glen Golf Club, Woodstock Demesne (Map 07.03);
- ~~Ballinahinch Lower, Newtownmountkennedy (Map 07.04);~~
- Brook Lodge, Macreddin West, Aughrim (Map 07.05);
- Rathsallagh House, Dunlavin (Map 07.06);
- ~~Castletimon, Brittas Bay (Map 07.07);~~
- ~~Jack White's Cross (Map 07.08)~~ (on foot of submission A14 from TII)

| No.  | Name                             | Summary of issues raised  |
|------|----------------------------------|---|
| C34  | Campaign for Greystones dog park | <p>These submissions raise the issue that there is a need for a dog park in the Greystones area. It is put forward that as a large green county, Wicklow does not have a dog park - that a dog park is needed within the county and Wicklow residents have no option but to travel to other counties to avail of the facility e.g. Dun Laoghaire Rathdown have 5 dog parks.</p> <ul style="list-style-type: none"> <li>– Huge population of dogs in the area</li> <li>– Facility builds community spirit</li> <li>– potential sites are located within Greystones area, e.g. Burnaby Mill, old council depot, cliff walk, Sisk area</li> <li>– campaigning has been undertaken to date</li> <li>– relatively easy and inexpensive facility to provide</li> <li>– type of land needed – c. 1.5-2 acres, close to parking, unused/derelict land could be used</li> <li>– parks could be improved further by the inclusion of area within the park for smaller dogs</li> </ul> <p>Submission includes a copy of the presentation for the Campaign for Greystones Dog Park, presented at a Greystones MD meeting.</p> |
| C168 | Bernadette Stokes                |   |

### Chief Executive's response

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Wicklow County Council is supportive of the development of dog parks within the county and will consider the development of same as suitable sites become available. The provision of dog parks has been included in Wicklow County Council's three year Capital Programme.

It should be noted that the County Development Plan (CDP) sets out the overall strategy that will guide the future development of the Greystones area. Objectives that are specific to the Greystones area only are contained within the 'Greystones-Delgany and Kilcoole LAP 2013-2019'. Such matters are outside the remit of the CDP and can be considered during the next review of the LAP.

Objectives relating to the county as a whole, as set out in the CDP, are also applicable to development proposals in the Greystones area. A number of objectives are included in Chapter 8: Community Development which aim to facilitate the development of open spaces and recreational facilities, including parks, at appropriate locations throughout the county. It is not considered necessary to include a specific reference to 'dog parks' within the plan – this type of facility would fall under the general category of 'neighbourhood park' or 'local park', for which there are a number of objectives supporting the development of same.

### Chief Executive's recommendation

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No change

**PLAN TOPIC: RATHDRUM LOCAL AREA PLAN 2006 - 2016**

| <b>No.</b> | <b>Name</b>               | <b>Summary of issues raised</b>  |
|------------|---------------------------|--|
| C190       | Wicklow Planning Alliance | This submission notes that future population target and the slight over-provision of zoned land in the current LAP for Rathdrum. The submission also notes the location of Rathdrum in the retail hierarchy. |

**Chief Executive's response**

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- As set out in the County Development Plan, where a surplus or deficit of zoned land is identified for any town that has its own LAP, this will be addressed in the next review of that LAP.

**Chief Executive's recommendation**

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No change

| No.  | Name                            | Summary of issues raised   |
|------|---------------------------------|--|
| C3   | Ardale Property Group           | <ul style="list-style-type: none"> <li>Ardale Property Group is the owner of 2 plots of land in Rathnew, at Tinakelly, Rathnew zoned for Residential (R1 and R2) and Passive Open Space and in Rathnew Village zoned for Village centre and Passive Open Space under the Wicklow Town – Rathnew Town Development Plan 2013 -2019.</li> <li>They are generally in support of the provision in the Plan for Rathnew.</li> <li>They refer to a number of issues in the Core Strategy, Settlement Strategy, Housing Strategy, Retail Strategy and Development and Design Standards.</li> </ul>   |
| C11  | Dave Ballesty                   | This submission refers to a number of different issues including coastal management, recreation, tourism, etc, all mainly in relation to Wicklow Town and environs. Each issue is summarised and responded to under the relevant section in this report.   |
| C20  | Clara Biddle                    | This submission refers to tourism and infrastructure around Wicklow Harbour. Each issue is summarised and responded to under the relevant section in this report.  |
| C80  | Friends of the Murrough         | <ul style="list-style-type: none"> <li>This submission refers to a number of different issues including, tourism, recreation, infrastructure, heritage and coastal management, all mainly in relation to Wicklow Town and environs. Each issue is summarised and responded to under the relevant section in this report.</li> <li>Friends of the Murrough note that the time line for population projections has been moved out to 2028 and the proposals for Wicklow town increased to 25,000. There are concerns over the capacity of the infrastructure to accommodate this population. The objectives that require necessary infrastructure to be in place prior to development need to be implemented and adhered to. Necessary infrastructure includes sewage, roads and public transport but also includes access to open space.</li> </ul> |
| C189 | Wicklow Head Preservation Group | This submission seeks the preservation and development of Wicklow Head as a recreational and environmentally friendly activity area. Wicklow Head is an important amenity for Wicklow Town. The submission sets out a number of proposals for the development of a Sli na Slainte, Viewing Area and a loop walk to include a Pure Mile and the Lighthouse Lane. This submission also refers to tourism and infrastructure issues in relation to Wicklow Head which have been summarised and responded to under the relevant section in this report.  |

### Chief Executive's response

- The submission from Ardale Property Group is noted. The issues referred to on the Core Strategy, Settlement Strategy, Housing Strategy, Retail Strategy and Development and Design Standards are addressed in each relevant section of this report.
- The submissions from Dave Ballesty, Clara Biddle Friends of the Murrough and Wicklow Head Preservation Group are all noted and have been summarised and responded to under the

relevant issue section. The issues will also be taken into consideration during the review of the Wicklow Town – Rathnew Development Plan in 2019.

**Chief Executive's recommendation**

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No change

**Chief Executive's response and recommendation to issues raised by Keep Ireland Open.**

With respect to the submission from KIO, all of the points raised have been considered and no amendments are recommended. In particular, it is considered that the wording used in the draft plan is consistent with that in the Act and that all statutory obligations have been met. The Chief Executive is particularly reinforced in this view having regard to the submission from the Minister, which does not indicate that statutory obligations have not been met in the draft plan.

The submission is aimed at ensuring that access to the countryside is not limited. In response, it should be noted that the plan includes a significant number of objectives to facilitate access to and enjoyment of the countryside, in a manner that appropriately balances the recreational use of the county's resources with the constitutional property rights of landowners, in a manner that is sustainable and protects the integrity of the environment.

In accordance with the legislative requirements, objectives are included within the draft plan for:

- the zoning of land for uses including agriculture, recreation, open space etc.;
- the conservation and protection of the environment including in particular, the archaeological and natural heritage and the conservation and protection of European sites and any other sites;
- the encouragement pursuant to Article 10 of the Habitats Directive, of the management of features of landscape, important for the ecological coherence of the Natura 2000 network;
- compliance with environmental standards and objectives'
- the integration of the planning and sustainable development of the area with the social, community and cultural requirements of the area;
- the preservation of the character of the landscape where, and to the extent that, in the opinion of the planning authority, the proper planning and sustainable development of the area requires it, including the preservation of views and prospects and the amenities of places and features of natural beauty or interest;
- the protection of structures, or parts of structures, which are of special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest;
- the preservation, improvement and extension of amenities and recreational amenities;
- the preservation of public rights of way which give access to seashore, mountain, lakeshore, riverbank or other place of natural beauty or recreational utility, which public rights of way shall be identified both by marking them on at least one of the maps forming part of the development plan and by indicating their location on a list appended to the development plan, and

- (p) landscape, in accordance with relevant policies or objectives for the time being of the Government or any Minister of the Government relating to providing a framework for identification, assessment, protection, management and planning of landscapes and developed having regard to the European Landscape Convention done at Florence on 20 October 2000.

Some of the objectives within the draft plan, supporting access to the countryside, in an appropriate manner include the following:

## **Chapter 7 Tourism and Recreation**

*T1 To promote, encourage and facilitate the development of the tourism and recreation sectors in a sustainable manner.*

*T29 To support the development of new and existing walking, cycling and driving routes / trails, including facilities ancillary to trails (such as sign posting and car parks) and the development of linkages between trails in Wicklow and adjoining counties. In particular, to encourage and facilitate:*

- *on-road cycling routes across the Wicklow Mountains (in particular across the Sally Gap) and along coastal routes;*
- *the development of a new walking route from Bray Head, via the Sugarloaf Mountains, joining up with The Wicklow Way;*
- *hill walking trails in West Wicklow;*
- *the expansion of the 'Blessington Greenway' walk around the Phoulaphuca reservoir;*
- *the development of a lakeshore walk around the Vartry reservoir;*
- *the extension of the old Shillelagh branch railway walk from Aughrim to Shillelagh; and*
- *the development of a walking route along the disused Great Southern and Western Railway line (Naas to Tullow branch) through Dunlavin and Baltinglass subject to consultation and agreement with landowners.*

*T31 To promote and facilitate new and high quality investment in the tourism industry in Wicklow, with particular reference to tourist and recreation activities that relate to one or more of the following themes: Christian and pre-Christian heritage, mining heritage, scenic beauty, houses and gardens, waterways.*

*T33 To promote, in co-operation with landowners, recreational users and other relevant stakeholders, on the basis of "agreed access", the more extensive use of the coastal strip for such activities as touring, sight-seeing, walking, pony trekking, etc. as a tourism and recreational resource for the residents of County Wicklow and other visitors.*



*T34 To promote and encourage the recreational use of coastline, rivers and lakes for activities such as game fishing, boat sailing etc. Where such recreational uses involve the development of structures or facilities, the Planning Authority will ensure that the proposals will respect the natural amenity and character of the area, listed views and prospects onto and from the area in question. Where possible, such structures should be set back an appropriate distance from the actual amenity itself and should not adversely affect the unique sustainable quality of these resources.*

## **Chapter 10 Heritage**

*BH4 To facilitate public access to National Monuments in State or Local Authority care, as identified in Schedule 10.02 of this plan.*

*BH23 To facilitate access to and appreciation of areas of historical and cultural heritage, through the development of appropriate trails and heritage interpretation, in association with local stakeholders and site landowners, having regard to the public safety issues associated with such sites.*

*BH24 To facilitate future community initiatives to increase access to and appreciation of railway heritage, through preserving the routes of former lines free from development.*

*NH7 The Council recognises the natural heritage and amenity value of the Wicklow Mountains National Park and shall consult at all times with National Park management regarding any developments likely to impact upon the conservation value of the park, or on issues regarding visitor areas.*

*NH27 To facilitate public access to County Geological Heritage Sites, on the principle of “agreed access” subject to appropriate measures being put in place to ensure public health and safety and subject to the requirements of Article 6 of the Habitats Directive.*

*NH28 To facilitate the Geological Survey of Ireland, and other interested bodies with the interpretation of geological heritage in Wicklow, and to facilitate the development of a “Wicklow Rock Trail”, Geopark or other similar geo-tourism initiatives.*

*NH31 To protect existing green infrastructure resources and to facilitate, in consultation with relevant stakeholders, the development of green infrastructure that recognises the benefits that can be achieved with regard to the following:*

- *Provision of open space amenities,*
- *sustainable management of water,*
- *protection and management of biodiversity,*
- *protection of cultural heritage, and*
- *protection of protected landscape sensitivities.*

*NH34 To facilitate the development and enhancement of suitable access to and connectivity between areas of interest for residents, wildlife and biodiversity, with focus on promoting river corridors, Natura 2000 sites, nature reserves and other distinctive landscapes as focal features for linkages between natural, semi natural and formalised green spaces where feasible and ensuring that there is no adverse impact (directly, indirectly or cumulatively) on the conservation objectives of Natura 2000 sites.*

*NH35 To identify and facilitate the provision of linkages along and between river corridors within the county and adjoining counties to create inter connected routes and develop riverside parks and create linkages between them to form 'necklace' effect routes including development of walkways, cycleways and wildlife corridors where feasible and ensuring that there is no adverse impact (directly, indirectly or cumulatively) on the conservation objectives of Natura 2000 sites*

*NH36 To promote and facilitate the development of coastal paths linking up with existing recreational paths/strategic walkways/cycleways, creating new linkages between coastal sites and inward linkages to settlements and green spaces in built up areas and extensions to existing facilities where feasible and ensuring that there is no adverse impact (directly, indirectly or cumulatively) on the conservation objectives of Natura 2000 sites.*

*NH38 To facilitate the use of natural areas for active outdoor pursuits, subject to the highest standards of habitat protection and management and all other normal planning controls. NH39 To facilitate access to amenity areas in the County for the benefit of all, on the basis of cooperation with landowners, recreational users and other relevant stakeholder groups to promote "agreed access" on public and privately owned land in the County on the basis of sustainability, consultation and consensus. NH40 To protect and facilitate The Wicklow Way and St. Kevin's Way as permissive waymarked routes in the County. The Council shall work in partnership with relevant stakeholders in relation to management of these routes, and will protect them from inappropriate development, which would negatively infringe upon their use.*

*NH41 To preserve the open character of commonage land and similar hill land and secure access over paths and tracks through consensus with local landowners, particularly in mountain areas.*

*NH42 To facilitate the development of the coastal walking and cycling route between Bray and Arklow, as well as links between this route and the coast road, in consultation with landowners.*

*NH43 To implement the measures set out in the Bray Head SAAO (Special Amenity Area Order) (See Map 10.11).*

*NH45 The Council will utilise its relevant statutory powers for the purpose of preserving in so far as is practical, the character of the routes of the public rights of way detailed in Table 10.1 (Map 10.12). In this regard, the Council will, in the interests of attaining a balance between the needs of the individual*

*owners of holdings over which these listed routes transverse and the common good, engage with such land-owners in circumstances where there are reasonable ground for giving consideration to the re-routing of sections of these means of public access within the same holding.*

*NH46 To carry out further research, where resources permit, regarding the identification and mapping of other potential existing public rights of ways in the county. Such research will be carried out in consultation with, elected representatives, members of the public, relevant public bodies, users of amenity access routes, landowners, farmer representative groups and the Wicklow Upland Council (where appropriate) for consideration for inclusion of any further identified PROWs in this plan by way of variation.*

## **Chapter 9 Infrastructure**

*TR11 To facilitate the development of foot and cycleways off road (e.g. through open spaces, along established rights-of-way etc), in order to achieve the most direct route to the principal destination (be that town centre, schools, community facilities or transport nodes), while ensuring that personal safety, particularly at night time, is of the utmost priority.*

A significant component of the KIO submission is focused on putting forward proposals for the incorporation of objectives from the development plans of other Council areas, into the Wicklow plan. It should be noted that the objectives set out in the Wicklow plan are 'Wicklow specific objectives'. It is not necessarily appropriate or desirable to 'copy and paste' objectives from development plans that are in place in other council areas.

A significant number of proposals are put forward for the inclusion of new objectives relating to matters that are not within the remit of the CDP. The CDP only includes objectives pertaining to physical developments – it is not within its remit to include objectives for non-development related matters, e.g. setting up of stakeholder fora, the implementation of non-planning legislation, the preparation and implementation of strategies that are within the remit of other stakeholders. The CDP is not the appropriate mechanism to include lengthy lists of every environmental / heritage feature or amenity facility within the county.

All issues raised by Keep Ireland Open are considered to be addressed in the draft plan, associated environmental reports and planning legislation, namely the Planning and Development Act 2000 (as amended). The Chief Executive has prepared the following supplementary response to significant issues raised in the submission.

| Summary of issues raised  | Chief Executive's response and recommendation  |
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| <p><b>Overview Issues</b></p> <ul style="list-style-type: none"> <li>▪ The Draft fails to comply with, have regard to or take into account: <ul style="list-style-type: none"> <li>• Planning &amp; Development Acts</li> <li>• The NSS</li> <li>• Plans in adjoining counties</li> <li>• GDA Regional Planning Guidelines</li> <li>• Development Plan Guidelines</li> <li>• Heritage Act 1995</li> </ul> </li> <li>▪ The scope of the submission is limited to access to the countryside and directly related issues.</li> <li>▪ Other county plans - While WCC are only obliged to take into account plans in adjoining counties, you may care to take into account plans in other counties particularly those within the GDA Region.</li> </ul> <p>It is noted that WCC have not included some excellent provisions in the 2010 Plan, these should be reviewed to see if they could be included.</p> <p>It is presumed that WCC will be monitoring the provisions in Draft Kildare Plan which is imminent and that you will liaise with their planners to ensure that the plans are compatible, where appropriate.</p> | <p>The plan has been prepared in accordance with the legislative requirements set out in the Planning and Development Act 2000 (as amended).</p> |

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| <p><b>Format Issues</b></p> <ul style="list-style-type: none"> <li>▪ With regard to the contents sub-sections should be included as well as the main chapters/sections.</li> <li>▪ Development and Design Standards have not been included at the end of each Policy Chapter as in the 2010 Plan and that they are not even included in Vol 1. Even at this late stage it should be reverting to the format in the 2010 Plan. At the very least provisions should be cross referenced.</li> <li>▪ Vol 3 is very unwieldy. It includes a mixture of Appendices &amp; Reports. Reports should be dealt with in another Vol.</li> <li>▪ We submit that you should provide an Index, as recommended in the Development Plan Guidelines (5.15) See Fingal &amp; DLR.</li> <li>▪ With regard to the layout the Plan can be improved by sub-numbering or sub-lettering lists of points and paragraphs. The present layout creates difficulties when referring to particular points.</li> </ul> | <p>It is considered that the plan is presented in an accessible and legible format. No change is necessitated.</p> |
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| <p><b>CHAPTER 1 – INTRODUCTION</b></p> <p><b>1.4 Statutory Content of Plan</b></p> <ul style="list-style-type: none"> <li>▪ 2<sup>nd</sup> para 1<sup>st</sup> sentence - substitute down to with on 1<sup>st</sup> line <i>consistent with DoECLG and DAHG Guidelines and relevant strategies, guidelines, plans, policies and Objective of other Ministers. Development proposals shall be subject to National guidelines and policy.</i> Taken from Carlow 1.1 2<sup>nd</sup> para. The Plan fails in some instances to comply with this requirement.</li> <li>▪ The Planning Acts uses the phrase have regard to whereas it is suggested to be consistent with as the former is open to misinterpretation. There is no obligation to use the wording in the Planning Acts.</li> <li>▪ Include additional paras: <ul style="list-style-type: none"> <li>(1) Mention the Two year Review required by Sec 15(2) of the 2000 Planning Act. See Wexford 1.5 2<sup>nd</sup> para.</li> <li>(2) <i>Actively Strive to secure the financial resources to implement the pols and Objectives.</i> Taken from Laois 1.7 &amp; Kerry 1.3 2<sup>nd</sup> para (7).</li> <li>(3) <i>Sec 10(1D) of the Planning and Development Act 2000(amended requires that the Written Statement includes a separate statement which demonstrates that the development Objective in the Development Plan are consistent, as far practicable, with the protection and conservation of the environment.</i> Taken from Galway 1.9 1<sup>st</sup> para.</li> </ul> </li> </ul> | <p>The contents of Chapter 1 – Introduction is in accordance with the wording expressed in the Planning and Development Act 2000 (as amended). This is appropriate. No change is necessitated.</p> |
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| <p><b>CHAPTER 2 VISION AND CORE STRATEGY</b></p> <p><b>2.2 Strategic Policy Context</b></p> <ul style="list-style-type: none"> <li>▪ 1<sup>st</sup> para 1<sup>st</sup> sentence, this should be re-positioned as an additional para in Chpt 1 1.4. It is a more appropriate place to include this commitment so as to ensure the Plan is consistent with all their provisions not just the <i>Core Strategy</i>.</li> <li>▪ The Plan fails in some instances to comply with the commitment given in the 2<sup>nd</sup> sentence.</li> </ul>   | <p>It is considered that the plan is presented in an accessible and legible format. No change is necessitated.</p>  |
| <p><b>CHAPTER 5 ECONOMIC DEVELOPMENT</b></p> <p><b>5.6 Objective for Rural Economy</b></p> <p><b>Agriculture</b></p> <ul style="list-style-type: none"> <li>▪ We submit that you should include the text in red:</li> </ul> <p>(1) Recognising the increasing demand for recreational space, provision should be made for the <b>recreational use of agricultural land</b>, particularly commonage and other rough grazing land which shall be regarded primarily as a recreational resource. Based on Kilkenny 6.2 Commonage Land &amp; Sligo 4.2.3 P-AGD-1.</p> <p>(2) Farmers will be encouraged to see themselves as <b>custodians and trustees of the countryside</b> and the rural landscape which are valuable to present and future generations. Based on GDARPG 5.4.2 7<sup>th</sup> line, NSS 5.2.3 last pt in 1<sup>st</sup> list of pts on page 101 &amp; Cavan 3.5 EDO6 1<sup>st</sup> sentence.</p> <p>(3) Agriculture is an integral part of the management of large parts of the rural environment and landscape and provides <b>an amenity for enjoyment of the general population</b>. Taken from Leitrim 3.7.2 2<sup>nd</sup> para under Pol 61.</p> <p>(4) The Agriculture sector are trustees of most of rural landscape. Taken from GDARPG 5.4.2 8<sup>th</sup> line.</p> <p><b>Objective AGR1</b></p> <ul style="list-style-type: none"> <li>▪ Add after <i>pollution</i> on 3rd line and <i>protect rural amenities, natural heritage, conservation areas, landscape and scenic views from adverse impacts of agricultural practices and development particularly in high amenity areas and ensure that it is appropriate in nature and scale, and ensure it does not have an undue negative impact on the visual scenic amenity of the countryside and identify mitigating measures where required. Integrate into the landscape, including the minimal use of signage. Developments and practices must be necessary for the efficient use of the farm and must ensure that they are conducted in a manner consistent with the protection of the environment and in line with national legislations and relevant guidelines.</i> Based on Kildare 10.6 RDO4, Carlow 3.5.8 Pol 14 1<sup>st</sup> pt, Kerry 4.8 ES-28 11<sup>th</sup> pt, Louth 3.3 RD 4 &amp; 5 &amp; 3.4 RD 9, Longford 4.4.1.1 AGR 2 2<sup>nd</sup> sentence, Cavan 3.4 EDO6 2<sup>nd</sup> sentence, Limerick 5.6.1 ED 019 (a), Waterford 6.7.1 2<sup>nd</sup> para (a), (d) &amp; (e) &amp; Roscommon</li> </ul> | <p>The objectives set out in 'Chapter 5 Economic Development' pertaining to the county's rural economy relate to agriculture, forestry, fishing and the extractive industry <u>as an economic activity</u>.</p> <p>By contrast, the proposed amendments relate to the recreational use of agricultural lands. The proposals are not relevant to the contents of the chapter and are not in accordance with the 'strategic objective' for the 'Rural Economy', as set out in Chapter 5, i.e.</p> <p><i>To preserve the amenity, character and scenic value of rural areas, and to generally require employment-generating development to locate on zoned / designated land within existing settlements. Notwithstanding this, it is the objective of the Council to support the diversification of the rural economy through the development of appropriate rural based enterprises, which are not detrimental to the character, amenity, scenic value, heritage value and environmental quality of a rural area.</i></p> <p>Matters relating to the recreational use of the</p> |

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| <p>3.4.1 Objective 3.6.</p> <ul style="list-style-type: none"> <li>▪ Include an additional Objective: <i>To promote, at national level, the adoption of a Land Use Strategy.</i> Note All EU countries (including Ireland) are under increasing pressure from the EU to comply with various EU Directives. In response to this Scotland adopted a Strategy in 2011. See the 2014 Report of the Joint Oireachtas Committee on Agriculture, Food and Marine page 10.</li> </ul> <p>▪ <b>Forestry</b></p> <p>Include <b>Text</b>:</p> <p>(1) <i>Recognise the <b>recreational and tourism</b> potential of forestry.</i> Based on <b>NSS</b> 5.2.3 3<sup>rd</sup> pt in 2<sup>nd</sup> list of pts, Roscommon 12.31 1<sup>st</sup> para 1<sup>st</sup> line, Cavan 3.9 2<sup>nd</sup> para 5<sup>th</sup> pt Monaghan 5.6.2 FYO 2 &amp; Kilkenny 6.5 1<sup>st</sup> para.</p> <p>(2) <i>The Council would welcome a revision of the planning regulations that would bring forestry plantations under the control of the planning system as nothing alters a landscape more than large scale forestation, yet such planting is largely outside the control of Councils. Initial forestation is classified as an exempt development under the 2001 – 2013 Planning Regulations , while an EIA is only required for planting of more than 50 hectares.</i> Taken from Leitrim 3.6.3 1<sup>st</sup> para.</p> <p>(3) <i>Coillte's "open forest" policy allows the visitor to access and enjoy woodland areas.</i> Taken from Carlow Chpt 9 Forest Areas. Also Wexford 15.9 last para 2<sup>nd</sup> para.</p> <p>(4) <i>The council has a role both in planning for initial forestation and expansion; planning permission is required where an EIA is required. Applications to the forest service for planting are referred to the council for its observations.</i> Taken from Leitrim 2.6 3<sup>rd</sup> para.</p> <p>▪ Include a Table of:</p> <p><b>Recreational/amenity forests.</b> See <b>Meath</b> 4.6.1 2<sup>nd</sup> para 5<sup>th</sup> pt, *<b>DLR</b> App G Recreation Access Routes (Draft App 8), <b>Carlow</b> Chpt 9 Forested Areas 1<sup>st</sup> &amp; 2<sup>nd</sup> para &amp; <b>Kildare</b> 14.11.3(i).</p> <p>*With Maps</p> <p>▪ <b>Objective FTY1</b></p> <p>FTY2 2<sup>nd</sup> pt This should be replaced by:</p> <p><i>Not to permit Forestry on ridge lines and monitor it in elevated landscapes and being conscious of the potentially negative visual impact of forestry development on landscape quality and on the surrounding area in terms of its nature and scale (including clear-felling activity) protect from injury scenic and exposed/elevated landscapes, scenic routes, views, prospects and vistas(including to water and valley approaches to the hills), in NHAs, Geological sites and in Primary and Secondary Amenity Areas and geological sites. Ensure that exclusion zones are applied to sites</i></p> | <p>countryside and tourism are dealt with in other chapters of the plan.</p> <p>No change is necessitated.</p> <p>It is not necessary to include lists of recreational / amenity forests within the CDP. The CDP is not meant to be an inventory of County assets.</p> <p>The objectives of the current plan are acceptable and address the issues raised.</p> |
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| <p><i>of archaeological importance. The Council will seek to have such planting and felling conducted in a manner which takes into account best practice in forestry planting and felling in the context of landscape design so that it integrates into the landscape. Based on Laois 13.9.5 NH 13 P7, Sth Dublin 4.3.7.xiv Pol LHA 16 1<sup>st</sup> para 2<sup>nd</sup> sentence, Wexford 6.4.8 Objective ED22, Sth Tipp 9.20(i) &amp; (ii) &amp; 2<sup>nd</sup> para 4<sup>th</sup> pt, Roscommon 12.31 1<sup>st</sup> para 2<sup>nd</sup> line, Nth Tipp 4.5.1 4.5.1e) in list of pts &amp; f) in list of pts &amp; Pol ENV 26a) &amp; e), Mayo 4.11.4 3<sup>rd</sup> para, Monaghan 5.6.1 FYO 3, Sligo 4.2.1 FOR-7, Laois 7.13 P46 &amp; Leitrim 3.6.3 Table 3-3 3<sup>rd</sup> para) &amp; 3.O3.09 3<sup>rd</sup> para.</i></p> <p>3<sup>rd</sup> pt</p> <p>▪ <b>Objective FTY3</b> omit <i>timber production</i> on 4<sup>th</sup> line.</p> <p>Note Many forests in the county have major recreational use.</p> <p>There is little evidence that timber production is unduly inconvenienced by recreational users. We submit that the inclusion of timber production might well give an excuse to forestry operators to close off entire forests for recreational use.</p> <p>▪ include additional Objectives:</p> <p>(1) <i>To retain existing rights of way and identify them and established walking routes before planting commences and maintain them as Rights of Way/Walking Routes.</i> Taken from Cavan 3.9 EDP15 &amp; EDO 31, Mayo 3.1.2 Forestry P/ED A 5, Carlow Chpt 7 Public Rights of Way 6<sup>th</sup> pt, Laois 7.13 P45 &amp; Sligo 4.2.1 P-FOR-6.</p> <p>Note If this isn't done walking routes tend to become subsumed into the network of forest roads thus making it very difficult, over time, to establish the existence of these routes.</p> <p>(2) <i>To promote, encourage and support Neighbourhood Schemes by identifying suitable areas and support other initiatives that aim to establish and enhance woodlands for recreational purposes in partnership with local communities.</i> Based on Kildare 10.5.5 FT 9, Westmeath 3.41 O-F3, Meath 10.10 RD OBJECTIVE 4, Leitrim 2.07.08 Pol 7.8b, Monaghan 7.4 RAO 15 &amp; Cork 5.5 ECON 5-8.</p> <p>(3) <i>To engage with Coillte in developing off-road cycling trails at (local) in accordance with Coillte' Off-road Cycling Strategy(2012).</i> Taken from Wexford 15.6 Objective RS28.</p> <p>(4) <i>To seek to identify areas of forestry that could be developed or protected as amenity areas.</i> Taken from Galway 10.2.1 Pol AM9.</p> <p>(5) <i>To prevent forestry from obstructing existing public rights of way, traditional walking routes or recreational and tourism amenities and facilities.</i> Based on Kilkenny 6.5.2 3<sup>rd</sup> pt, Westmeath 3.41 P-F5, Monaghan 16.12 AFP 7, Sligo 4.2.1 P-FOR-5, Nth Tipp 4.5.1 ENV26, Leitrim 4.5.1 3<sup>rd</sup> para, Laois 7.13 P 43 &amp; Kildare 10.5.5 FT 5.</p> <p>(6) <i>To Protect access routes to upland walks and rights of way.</i> Taken from Laois 7.13 P48.</p> | <p>No change recommended. Timber production is an accepted element of the forestry industry.</p> <p>Objectives relating to PROW are included in Chapter 10: Heritage.</p> <p>Not within the remit of the CDP.</p> <p>Not within the remit of the CDP.</p> |
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| <p>(7) <i>To strongly discourage on steep slopes above the 300 metre line planting especially where the land slopes to a water body or where the land contains deep peaty soil. Where possible, existing areas under forestry will be reduced and/or redesigned following clear felling.</i> Taken from Waterford 10.36.5 last pt, Laois 7.13 P47, *Leitrim 3.6.3 Table 3.3 Strategy 2<sup>nd</sup> para) &amp; Sligo 4.2.1 P-FOR-7.<br/>         * mentions particular areas<br/>         Limerick 5.6.2 Pols recommends different height limits for each area.</p> <p>(8) <i>To Discourage new forestry development, except for broadleaf, in proposed/candidate and adopted NHAs in designated Sensitive Rural Landscapes and Visually Vulnerable Areas, along designated Scenic Routes (Broadleaf forestry will be open to consideration in these areas).</i> Taken from Sligo 4.2.1 P-FOR-2.</p> <p>(9) <i>To consider forestation only in areas identified as suitable for such development in the Landscape Character Assessment.</i> Taken from Galway 11.33.2 &amp; Leitrim 3.6.3 last para.</p> <p>10 <i>To request an EIS where the cumulative limits of 50ha is reached the Council will request an EIS.</i> Taken from Limerick 7.2.6 last para.</p>   | <p>Objectives within the current plan relating to Forestry are acceptable and address any issues raised.</p>   |
| <p><b>Extractive Industries Objectives</b><br/> <b>EX1</b> We submit that you should add:<br/>         (1) <i>Applications for new development, including associated processes, shall identify existing public rights of way and established walking routes which may be impacted on are adjacent to the development site. They shall be kept free from development as Rights of Way/Walking Routes. Ensure that tourist, natural or recreational amenities will not be materially affected.</i> Based on Meath 11.14 1<sup>st</sup> para &amp; last pt in list of pts, Kildare 10.8 EI 5 last pt, Wexford 18.16 3<sup>rd</sup> pt, Carlow Chpt 7 Public Rights of Way 6<sup>th</sup> pt, Cavan 3.8 EDO25, Mayo 3.1.2 &amp; Extractive Industry P/ED-EI 3 &amp; 5, Galway 4.6.1 Pol ED18 &amp; Sligo 4.2.4 P-MEQ-2.<br/>         Note Pending a complete listing of public rights of way, walking routes, as prospective rights of way, should be protected.</p> <p><b>EX4</b> We submit that you should substitute <i>comply with/ require adherence to/in accordance with</i> for <i>have regard to</i>. Taken from Offaly 8.13 2<sup>nd</sup> para, Kilkenny 2<sup>nd</sup> pt. Waterford 6.21, Louth 3.8 RD &amp; 3.8.1 last para, Leitrim 4.4.6 1<sup>st</sup> para under Fig, Sth Tipp 5.6.2 5<sup>th</sup> line, Cavan 3.8 3<sup>rd</sup> para 1<sup>st</sup> sentence &amp; 3.8 EDO 21 Longford 4.6 1<sup>st</sup> para, Kerry 13.13 4<sup>th</sup> para, Clare 13.3.11 CDP 13.10(a), Sth Tipp 5.6.2 5<sup>th</sup> line, Longford 4.6 1<sup>st</sup> para &amp; Mayo Vol 1 Chpt 2 Extractive Industries EI-0.<br/>         AND<br/>         include the following additional Guidelines: <i>Environmental Code(ICF 2006); Secs 261 &amp; 261A Planning and Development Acts 2000 – 2013.</i> Taken from Galway 13.10 DMS 37a).</p> | <p>Objectives of the current plan relating to Extractive Industry are acceptable and address any issues raised.<br/>         PROW are dealt with in Chapter 10</p> |

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| <p>Include additional <b>Objectives:</b></p> <p>(1) <i>To positively engage inter-alia with lobby groups, local amenity groups, other local authorities, National Park and Wildlife Service and ensure that all state bodies in on-going development and review of the Council's management and control.</i> Taken from Wexford 6.4.5 Objective ED16.</p> <p>(2) <i>To seek advice from the relevant statutory body and such advice will be considered.</i> Taken from Kerry 7.2.3.1 2<sup>nd</sup> last line.</p> <p>(3) <i>The visual impact of a quarry or a mine is likely to extend beyond the boundaries of the primary visual unit within which the development lies. A detailed landscape and visual assessment must be carried out and used to determine the extent of the area of visual influence and submitted with any planning application and permission will not be granted if it adversely affects the amenity value of adjoining and neighbouring land.</i> Based on Kerry 13.19.3, Waterford 6.21 2<sup>nd</sup> sentence, Leitrim 3.6.7 Pol 69 &amp; Westmeath 3.43 P-E17. Also Meath 10.12 RD POL 24.</p> <p>(4) <i>To require an EIS as part of a planning application where the thresholds outlined in Schedule 5 of the Planning and Development Regulations 2000 are met. The Planning Authority will also exercise its powers under Article 103-subsection (1) to require an EIS for sub-threshold development where it is considered that the development would be likely to have material effects on the environment or heritage. Appropriate mitigation measures and details of re-instatement after use must be included.</i> Based on Longford 4.6 3<sup>rd</sup> para, Waterford 10.36.4 10<sup>th</sup> line, Cavan 3.8 EDP9 1st sentence, Nth Tipp 10.14.1, Galway 11.35.9, Mayo 4.10.4 3<sup>rd</sup> para, Kerry 13.19.4, Roscommon 12.30 2<sup>nd</sup> para &amp; Laois 12.12 3<sup>rd</sup> para.</p> <p>(5) <i>To ensure that if the manufacture of aggregate products (including the processing and delivery concrete and tarmac) is permitted that the activity will not have an adverse environmental impact and that it will have due regard for visual amenities.</i> Based on Kerry 7.2 NR 7-10, Wexford 6.4.5 Objective ED12 &amp; Leitrim 3.6.7 para under Pols.</p> <p>(6) <i>To minimise the impact of extraction through rigorous application of licensing, development management and enforcement requirements for quarries and other developments affecting visual impacts, impacts on amenities and the phasing, re-instatement and landscaping of worked sites.</i> Based on Nth Tipp 4.7 3<sup>rd</sup> para &amp; Carlow Chpt 5 QUARRY INDUSTRIES 2<sup>nd</sup> para 3<sup>rd</sup> pt.</p> <p>(7) <i>To use the Archaeological Code of Practice (DoECLG/ ICF 2009) Guidelines in the archaeological assessment of extractive development application, with best practice adopted.</i> Taken from Westmeath 3.42.5.</p> <p>(8) <i>To refer applications for development to GSI for mineral extraction, quarrying developments/extensions and any developments involving excavations greater than 50,000m or one ha in area.</i> Taken from Louth 3.8 RD 29.</p> <p>(9) <i>To include a report with details of a scheme of rehabilitation and after care which should include:</i><br/> 1<sup>st</sup> pt <i>Anticipated finished landform and surface/landscape treatment (if phased both of each phase),</i><br/> 3<sup>rd</sup> pt <i>Rehabilitation works proposed,</i></p> | <p>Not within the remit of the CDP.</p> <p>Not within the remit of the CDP.</p> |
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| <p>4<sup>th</sup> pt Type and location of any vegetation proposed.<br/>Taken from Kerry 13.13 6<sup>th</sup> para.<br/>(10) <i>To require an Ecological Impact Assessment for proposals in the vicinity of a NHA.</i> Taken from Galway 13.10 DMS 37I) 2<sup>nd</sup> sentence.</p> | Not necessary to include as an objective. |
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| <p><b>CHAPTER 7 - TOURISM AND RECREATION</b></p> <p><b>7.1 Introduction</b><br/>2<sup>nd</sup> para We submit that you should include the names of the main mountains/hills, river valleys, lakes, castles, archaeological sites, wetlands, geological areas, woodlands open to the public, National Monuments, Wicklow Mountains National Park, AONBs &amp; Bray Head SAAO.</p> <p><b>7.3 Strategic Objectives</b><br/>5<sup>th</sup> pt We submit that this should be replaced by: <i>To preserve, protect and conserve Wicklow's principle strengths and capitalise on the distinct tourism and recreational attractions that are on offer - waterways, the coast, beaches forests, areas of scenic beauty, the character and distinctiveness of scenic landscapes of high amenity value, the general amenity of the countryside and natural heritage including areas of important landscape and coastal scenery.</i> Based on Galway 4.14 Pol EDT 1, Kerry 6 Tourism Overall Objective T 6-2, Carlow 8.3 2<sup>nd</sup> para 2<sup>nd</sup> pt &amp; 2010 Plan 9.3 1<sup>st</sup> para 4<sup>th</sup> to 6<sup>th</sup> pts.<br/>7<sup>th</sup> pt We submit that this should be replaced by: <i>To protect, conserve, preserve and enhance the visual integrity, distinctiveness, character, scenic. amenity and recreational values and visual quality of areas of the sensitive, important and outstanding and unspoilt landscapes(including historic and archaeological landscapes), scenic areas, areas of natural beauty or interest, high amenity areas and the environs of geological and geomorphological, archaeological or historic sites as described in the Landscape Categories of the County as set out in Chapter 10, from intrusive and/or unsympathetic developments by prohibiting development, including rural recreational and rural based developments, where it would be injurious or detract from natural and tourism amenities. Resist development such as houses, forestry, masts, extractive operations, landfill, caravan parks and large agricultural/horticultural units which would interfere with the character of highly sensitive and visually vulnerable areas. Ensure, where an overriding need is demonstrated for a particular development in the vicinity of sensitive landscape, that irrespective of its scale, careful consideration is given to site selection. It is of critical importance that development is appropriate in scale and be sited, designed and assimilated into the landscape in a manner which minimises potential adverse impacts on the landscape. Proposed developments, where located within or</i></p> | <p>It is not necessary to include lists of environmental features and heritage items within the plan.</p> <p>The objectives of the current CDP are acceptable and address the issues raised.</p> |
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| <p><i>adjacent to sensitive landscapes, may be required to provide a landscape report detailing how the proposal will impact on the landscape and mitigation measures to be taken. Ensure that new development does not impinge in any significant way on the character, integrity and distinctiveness of highly sensitive areas and does not detract from its scenic value. Enhance and introduce views to or from a Landscape of Greater Sensitivity from public viewpoints. New development will not be permitted if it causes unacceptable visual harm, or introduces incongruous landscape elements. Based on DLR 9.2.2 Pol LHB2 &amp; 16.7.29(Draft 4.1.2.3 &amp; 8.2.7.2), Fingal LANDCAPE CHARACTER ASSESSMENT OBJECTIVE LC 3 &amp; LC 4, Kildare 14.8.1 LA 1, Meath 9.8.5 LC OBJECTIVE 1, Wexford 14.4.3 L06, 7 &amp; 8, Louth 3.10.7 1, Cork 8.2 TO 2-1, Sligo 7.7.4 P-CAP-4, Cavan 8.7 NHEO 24, 25 except last sentence &amp; 8.8.1 NHEO26, Kilkenny 8.2.10 DMS last pt, Westmeath 3.14 P-GT6 &amp; 6.23 P-HAA5, Longford 6.1.1 LCA 1 2<sup>nd</sup> sentence, Donegal 6.1.2 NH-O-5 &amp; 8, Nth Tipp 4.2 Key Landscape Aims (ii) &amp; 4.2.1 ENV 3 (d) &amp; Clare 16.4.5 CDP 16.5.</i></p> <p>Include additional <b>Objectives:</b></p> <p>(1) <i>To recognise the of the Council role in providing amenities and maintaining the quality of our natural environment and will seek to enhance the quality of life for locals and our visitors. Taken from Offaly 2.11 4<sup>th</sup> para.</i></p> <p>(2) <i>To deliver a County Tourism Strategy which will include Objective of promoting rural recreational activities, access to natural geological and archaeological heritage, the coastline, forestry, inland waterways and the countryside generally. Taken from Leitrim 2.2 Pol 1.</i></p> <p><b>7.4 Tourism &amp; Recreation Objectives</b></p> <p><b>General Objectives:</b></p> <p><b>T2</b> <i>We submit that you should add: As environmental heritage is an important amenity upon which tourism depends and that it can be enjoyed and cherished by future generations protect, conserve and enhance them, strictly control all tourism and recreational development that might be detrimental and ensure that enforcement procedures are adhered to and by use of landscape character assessment and that developments are appropriate in scale and balance having regard to pertaining environmental conditions and sensitivity and are sited and designed to the highest quality and standards, be clustered to form a distinct and unified feature in the landscape, utilise suitable materials and colours, and be readily absorbed in its surroundings by taking advantage of existing vegetation and/or topography, and be satisfactorily assimilated into the landscape so that they do not have an undue negative impact on the countryside or general amenities, natural and archaeological heritage features, areas of special amenity, appearance and character of landscapes, NHAs, coastal scenery, rivers, forests, wildlife and environmentally sensitive areas, scenic or visual amenities an along designated Scenic Routes and or degrade or</i></p> | <p></p> <p>It is not the function of the planning authority to prepare and deliver a County Tourism Strategy.</p> <p>Not necessary. The objectives of the CDP are acceptable and address the issues raised.</p> |
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*alter the natural environment. The Council will use its statutory procedures to ensure that natural amenities remain visually unspoilt.* Based on 2010 Plan 9.3.1 TRI, Meath 4.6.8 ED POL 27, Wexford 14.4.3 L08 5<sup>th</sup> line, Carlow 8.3 2<sup>nd</sup> para 2<sup>nd</sup> pt, Galway 4.14 Pol EDT 1 & Objective EDT 1 4<sup>th</sup> pt, Sligo 4.4.2 pol P-TOU-2 & 4, Mayo Vol 1 Chpt 2 Tourism TM-01 & Vol 2 58, Offaly 2.11.10 2<sup>nd</sup> para & 2.12 TP-04, Roscommon 3.5 Pol 3.78, Kilkenny 6.2.4 1<sup>st</sup> & 3rd pts & 7.3 1<sup>st</sup> para 1<sup>st</sup> 3<sup>rd</sup> pt & 5<sup>th</sup> pts, Westmeath 3.14 P-GT3, Limerick 5.5.2 last para, Monaghan 4.4 LPP3, Cork 8.9 TO 9-1b), Sth Tipp 5.6.1 5<sup>th</sup> para (ii), (iii) & (iv) & Laois 8 Tourism pol TM 8/ P05.  
T3 & 4

### **Accommodation Objectives T16**

#### **Integrated Tourism/Recreational Complexes**

We submit that you should include an additional **Objective:**

*To submit an overall Master plan which will include proposals for the preservation/conservation of natural amenities e.g. woodlands, watercourses/waterbodies, designated sites, national monuments and other structures of historic merit. It should be of a high architectural standard of layout, design and landscaping should retain the open nature and rural character of open countryside, of key views and prospects and should ensure that rights of way or walking routes are not impinged.* Based on Nth Tipp 6.11.2 ECON 17 (a) to (c), Cavan 9.8 1<sup>st</sup> to 4<sup>th</sup> pts & Meath 11.6 last pt.

#### **Tourism & Recreation Themes**

We submit that you should include Text: *The growth of rural tourism is critical to the local economy is directly and positively linked to its economic, social and natural resources and its importance to rural economies is growing. This approach promotes enhanced awareness and positive appreciation of local resources, traditions, ways of life and opportunities to optimise the use of amenities and share the benefits throughout the area. Rural tourism can play an important role in enhancing, supporting and diversifying the economy of rural communities and is based on local amenities including archaeological natural heritage. Eco-tourism(including whale/seal watching) involves responsible travel that conserves the environment and improves well-being of local people and contributes to the growth of tourism.* Based on GDARPG 5.4.2 1<sup>st</sup> para 1<sup>st</sup> sentence, Wexford 7.4.5 1<sup>st</sup> para 1<sup>st</sup> & 2nd sentences, Meath 4.6.5 2<sup>nd</sup> para, Kerry 5.14 1<sup>st</sup> para 2<sup>nd</sup> & 3<sup>rd</sup> sentences, Cork 8.9.8, Donegal 3.1.3 1<sup>st</sup> para 7<sup>th</sup> line, Galway 11.3.5 2<sup>nd</sup> sentence, Kilkenny 7.9.3 2<sup>nd</sup> para, Waterford 6.17 1<sup>st</sup> & 2<sup>nd</sup> sentences & Laois 3.3.2 Agri-tourism.

**T28** 1<sup>st</sup> sentence We submit that this should be replaced by: *To encourage, support, facilitate and promote the provision, development and expansion of small-scale tourist enterprises that are developed in conjunction with established rural activities such as agriculture rural tourism including agri-tourism, farmhouse accommodation, open-, pet-farms, pony trekking, walking, cycling, bird watching, heritage and nature trails and geo- & green-tourism.* Based on Meath 4.6.5 2<sup>nd</sup> para 7<sup>th</sup> line, Kildare 5.9 .8 ECD44 1<sup>st</sup> line down to *pet farms*, Wexford 7.4.5

Not necessary. The objectives of the CDP address the issues raised.

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| <p>Objective TM19 &amp; Carlow 8.8 Pol 2 4<sup>th</sup> pt.</p> <p><b>T29</b> We submit that the 1<sup>st</sup> sentence should be re-positional in a proposed additional sub sec: Recreational Walking &amp; Cycling 4</p> <p>AND</p> <p>That you should delete <i>and driving</i> on 1<sup>st</sup> line.</p> <p>Note We consider that active encouragement of driving is not sustainable.</p> <p>2<sup>nd</sup> to 6<sup>th</sup> pts</p> <p>7<sup>th</sup> pt we submit that you should delete <i>and agreement</i></p> <p>Note We consider that it is important not to exclude the possibility of the use of CPOs.</p> <p>Include additional <b>Objectives:</b></p> <p>(1) <i>To co-operate with various stakeholders in promoting and developing recreational potential.</i> Taken from Galway 10.11 Pol RA 1.</p> <p>(2) <i>To support, promote and facilitate the provision and the development of outdoor activities and preserve, improve and extend rural recreational amenities and explore the potential for rural recreational tourism in conjunction with Tourism bodies, WI, FI, National Trails Office and NPW to diversify the range of tourist experience and extend the tourist season.</i></p> <p>Based on 2000 Planning and Development Act Sec 10(2)(j), Roscommon 3.5 Pol 3.64, Westmeath 6.21 P-LLM 2 5<sup>th</sup> line, Galway 4.14.Objective EDT17 &amp; Kerry 5.3 T11 &amp; 12.</p> <p>Include an additional sub sec: <b>Recreational Walking &amp; Cycling Walking</b></p> <p><i>The Irish Trails Strategy brings significant economic benefits and Council recognises the importance of hill walking from a social and an economic point of view and it opens up the countryside.</i> Based on Carlow 8.11.10 1<sup>st</sup> line, Leitrim 3.10.7 1<sup>st</sup> para 1<sup>st</sup> &amp; last sentences &amp; Sligo 8.4 P-CW-6.</p> <p><b>Walking Objectives</b></p> <p>(1) <i>To support, develop, protect, maintain, enhance and promote the development of a regional and local network of trails in partnership with the Irish Trails Strategy and the Walks Scheme in conjunction with the National Waymarked Ways Committee, Coillte, DoTT, Heritage Council, FI, local tourism bodies and other local councils and other national programmes because of their recreational and tourism potential.</i> Based on 2010 Plan AW3 17.8, Kildare 14.12.1 CR 4, Fingal 8.4 RE 36,</p> | <p>Not within the remit of the CDP.</p> <p>The issues raised in this part of the submission relate to the promotion of recreational walking and cycling.</p> <p>Objectives relating to roads and transportation infrastructure that supports walking and cycling are included in Chapter 9: Infrastructure. Objectives relating to the recreational use of the county's resources are set out in Chapter 10: Heritage and Chapter 7: Tourism and Recreation. The Green Infrastructure Strategy includes a number of objectives to support the development of</p> |
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| <p>Kerry 5.5 T-26, Kilkenny 7.3.2 5<sup>th</sup> para 3<sup>rd</sup> line, Galway 4.7 Pol ED45 &amp; Sth Tipp 7.1.4 3<sup>rd</sup> para.</p> <p>Note It should be realised that access on these Ways, unless they are public rights of way, are at the discretion of landowners.</p> <p>(2) <i>To support, improve and expand and upgrade Slí na Sláinte routes in consultation with community groups, local/regional tourism interests and the DOTT. A Table should be included. To which you should add: in view of the obesity and diabetes crisis. Based on DLR 9.4.9 Pol LHB25 1<sup>st</sup> sentence(Draft 4.1.2.14 Pol LHB 15), Fingal 8.4 RE 36, Roscommon 9.25.3 2<sup>nd</sup> sentence, Sth Dublin 2.2.14 1 2pt 1<sup>st</sup> sub pt, Westmeath 7.13 O-REC13 &amp; Louth 6.7.1 1<sup>st</sup> para.</i></p> <p>(3) <i>To research and map existing network of traditional paths used for leisure purposes to determine their legal status. Taken from Carlow 8.11.10 Objective 3 2<sup>nd</sup> pt.</i></p> <p>(4) <i>To support and promote the holding of a Walking Festival to attract visitors and celebrate the diverse landscape and heritage of the county. Based on Roscommon 8.7.1 5<sup>th</sup> para last sentence &amp; Laois 10.7 A COUNTRY WALKING STRATEGY 2<sup>nd</sup> para.</i></p> <p>Note Counties with Festivals include Kilkenny Sligo Laois Mayo Cavan</p> <p>(5) <i>To employ a full time Walks Officer at an appropriate senior level.</i></p> <p>Note Many counties employ one.</p> <p><b>Cycling</b></p> <p>(1) <i>Council recognises the importance of cycling routes from a social and an economic point of view and that they facilitate, access to the countryside. Taken from Leitrim 3.10.8 text 1<sup>st</sup> and last sentences.</i></p> <p>(2) <i>FI's Strategy for the Development of Irish Cycling Tourism (2007) recommends the designation of a cycling network around the country and the improvement of existing routes with better sign posting, road surfaces and greater safety for the cyclist. The NCPF(DOT 2009) includes a policy to construct this National Cycle Network and to expand it to include rural recreational routes, paying special attention to the opportunities of using both the extensive disused rail network and canal / river tow-path networks as cycling / walking routes. The development and expansion of the network will be implemented by various Government bodies including local authorities. This strategy was developed to determine how best to renew the popularity of cycling, how to encourage visitors and how to ensure that cycle tourism can generate visitor spending in rural areas and describes measures to attract both domestic and overseas visitors including some longer more challenging routes. Based on Wexford 15.6 6<sup>th</sup> para &amp; Carlow 5.1 FI Strategy.</i></p> <p>(3) <i>Cycling is a growing in popularity both as a sport and means of transport. Taken from Kerry 5.5 5<sup>th</sup> para 1<sup>st</sup> sentence.</i></p> <p>(4) <i>FI notes that cycle tourism represents a growing and valuable market for rural areas as it offers opportunities for</i></p> | <p>green infrastructure. Objectives relating to Public rights of way are included in Chapter 10. The objectives set out in the plan acceptably address any of the issues raised in the submission.</p> |
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*the development of cycle hire and cycling holiday operations. Cyclists stay longer in an area, and since they cannot carry much provisions, they need to shop locally. Taken from Wexford 15.6 7<sup>th</sup> para.*

*(5) EuroVelo is the European Cycle Route Network and the European Cyclist's Federation is coordinating the development of a network of high-quality cycle routes that connect the whole continent. Taken from Kerry 6<sup>th</sup> para 1<sup>st</sup> sentence.*

### **Cycling Objectives**

*(1) To facilitate and promote the construction of cycleways and integrate these cycleways with the DTO cycling policy for the GDA (September 2006) as may be amended. Based on Sth Dublin 2.2.12 last para & Kildare ST 17 6.5.2.*

*(2) To promote, facilitate and encourage the development and expansion of safe cycling facilities and cycle routes (including adjoining counties). Support the continued development of cycle routes by identifying routes and by laying particular emphasis on those that link existing cycle routes and tourist destinations. Support and implement FI's Strategy for the Development of Irish Cycle Tourism and liaise with the Sports Council, the NTA and other bodies in the development of cycling touring routes particularly in tourist areas and areas of high amenity, implement the relevant policies of the DoTT's NCPF(2009) and the National cycleway Network scoping Study(2010) so that there is an integrated and coherent network. Support the development of the National Cycle Network and enhance and maintain these routes with better sign posting, lighting and road surfaces, including signing/lining and the use of coloured surfaces, separation from vehicular traffic, the provision of cycling maps and the promotion of looped routes. Cycle tracks will be provided with all new roads, where appropriate and practicable. Encourage the development of off-road cycling. Ensure that the upgrading of roads will not impact negatively on the safety and perceived safety of cyclists. Improve driver education and driving standards so that there is a greater appreciation for the safety of cyclists and improve enforcement of traffic laws. Routes should, where possible, follow off-road tracks and quiet country roads. Based on*

*FI's Strategy for Development of Cycling Tourism Executive Summary(2007) 3<sup>rd</sup> pt page 6 & 4.2.3 page 23, DoTT's NCPF(2009) OO Breadth of Interventions page 7 6<sup>th</sup> pt on right hand col & 7<sup>th</sup> & 8<sup>th</sup> pts, Pol 3.4 on page 22 & Pol 6.2 page 26, DLR 12.1.12 Cycling 2<sup>nd</sup> para 1<sup>st</sup> sentence down to *practicable*, Sth Dublin 2.2.13.i 1<sup>st</sup> part, Carlow 5.3.2 pol 8 4<sup>th</sup> & 15<sup>th</sup> pts, Kildare 6.5.2 ST 17 & 14.12.1 CR 9, Wexford 15.6 Objective RS26 & 27, Fingal 4.1 CYCLING & WALKING last para & 4.1 TO 10, Cork 10.2 TM 2-2d), Offaly 4.6 STAP-08 1<sup>st</sup> line, Westmeath 8.13 O-WC8, Longford 5.1.3 PED 5, Donegal 4.1.3 T-P-41 & Kerry 5.4 T-23 & 5.5 2<sup>nd</sup> para.*

*(3) To assign an officer at appropriate senior level as a "Cycling Officer". Taken from DoT's NCPF(2009) Pol 17.3. To which you should add before officer, full-time*

*(4) To support the implementation of the DTO Cycle Policy. Taken from Sth Dublin 2.2.13.i, 2<sup>nd</sup> part.*



- (5) *To support the implementation of the Strategy for the Development of Irish Cycle Tourism - East Coast Midlands.* Taken from Louth 6.7.2 1<sup>st</sup> para & RA 17.
- (6) *To investigate the possibility of developing cycle/greenways utilising existing abandoned road infrastructure for cycle/greenways.* Based on Fingal 8.4 RE 39 & Meath 6.9 TRAN OBJECTIVE8(i).
- (7) *To implement the recommendations and proposals within the NCN Scoping Study(2010).* Taken from Galway 5.4 Objective TI 19.
- (8) *To promote the expansion of cycle facilities and liaise with FI, Sports Council, NTA and other bodies to develop cycle touring routes including those linking with adjoining counties particularly in areas of high amenity.* Based on Carlow 5.3.2 Pol 8 16<sup>th</sup> pt & Kildare 14.12. 1 CR 9.

## Walking & Cycling

- (1) *Development of maintained walking routes and cycleways bring the economic benefits of tourism to rural areas as recreational users, cyclists, walkers and backpackers stay longer in an area, and since they cannot carry much provisions they need to shop locally. International trends suggest that walking and cycling tourism have the potential to grow considerably.* Taken from Cork 8.7.1 1<sup>st</sup> line & 8.7.3 2<sup>nd</sup> sentence & GDARPG 6.3.6 3<sup>rd</sup> para last sentence & 7.7 Walking and cycling provisions 1<sup>st</sup> para 2<sup>nd</sup> sentence.
- (2) *The provision of new Walking and cycling routes and improvement to existing routes represent a way to discover and enjoy the pleasures of rural areas.* Based on Fingal 8.4 CYCLING & WALKING 1<sup>st</sup> line & GDARPG 7.7 Walking and cycling provisions 1<sup>st</sup> para 1<sup>st</sup> sentence.
- (3) *The promotion of walking and cycling requires pedestrian and cycle facilities that form a coherent network placing a strong emphasis safety and are free from obstruction and are given priority over vehicular traffic.* Taken from Offaly 4.5.2 2<sup>nd</sup> sentence.
- (4) *Greenways are shared-use routes for non-motorised users(walkers, cyclists and horse riders.* Taken from DLR 10.2.7 1<sup>st</sup> para.
- (5) *Off-road walkways and cycleways can be established through informal agreements with landowners, through formal agreements, or acquisition.* Taken from Kerry 5.4 3<sup>rd</sup> sentence. Also Carlow 8.12 4<sup>th</sup> para 1<sup>st</sup> sentence & Pol 6 11<sup>th</sup> pt.

## Walking & Cycling Tables

We submit that you should include Tables(with maps) of:

A) **Way-marked Ways** of medium/long-long distance walking routes, Greenways Slí na Sláinte, heritage/historic walking trails, pilgrim paths, paths to mass rocks and holy wells, looped walks, hillwalks, forest walks and other defined walking trails and cycle routes with accompanying maps and a data base should be set-up and up-dated

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| <p>as new trails emerge. See DLR App G.</p> <p>B) <b>Cycle routes</b> See Donegal 10.12 &amp; Roscommon 8.7.1 Table 8.2.</p> <p>To this you should add: <i>Following the adoption of the Plan a temporary register of additional routes shall be maintained and should be included in the web site pending inclusion in the next Plan.</i></p> <p><b>Walking &amp; Cycling Objectives:</b></p> <p><b>1</b> <i>To support, promote and actively encourage the development of interlinked cycleways and walkways greenways and walking and cycling routes(mention routes), including long distance walkways, particularly with those with historical associations in conjunction with the Irish Sports Council, IW, FI, NTA and other stakeholders to provide linkages with trails in adjoining counties, in partnership with their councils, the state, private and voluntary sectors. Based on Sth Dublin 4.3.9.xii LHA36 2<sup>nd</sup> last para, Carlow 8.11.10 Pol 5 2<sup>nd</sup> pt, Kildare 14.12.1 CR4 &amp; 9, Kerry 7.2.3 RD-31 1<sup>st</sup> part, Louth 6.5.11 EDE 23 1<sup>st</sup> sentence, Westmeath 3.16 O-ST3, Mayo Vol 1 Chpt 3 Pedestrians &amp; Cyclists PC-01 7<sup>th</sup> line, Roscommon 8.7.1 Pol 8.39, Longford 5.1.3 PED 3 &amp; Sligo 4.4 P-TOU-8.</i></p> <p><b>2</b> <i>To promote, facilitate and encourage Walking and Cycling by maintaining and enhancing existing facilities securing the development of a network of safe cycle routes and footpaths on existing roads, proposed roads and on new road improvement schemes and on routes reserved exclusively for pedestrians and cyclists. Provide, improve and extend the network of cycle lanes and pedestrian routes on existing roads, on all new regional, local distributor and local collector roads and on roads being up-graded, to create a safer, more convenient, pleasant and more user-friendly environment. Road safety will be improved by lower speed limits and priority over motorized transport. Ensure that the needs of walkers and cyclists are given full consideration in proposals to upgrade public roads. Provide/ extend lighting on footpaths on the outskirts of towns and villages(including, where appropriate, off-road routes and along public rights of way) in accordance with the best international standards with special consideration being given to anticipated volumes and by continually upgrading the condition of existing footpaths in all areas and provide controlled and uncontrolled crossings, where warranted, at all major crossings. Advise other road users on the need for safe behaviour near pedestrians and cyclists. Based on DLR 12.1.12 1<sup>st</sup> para last sentence, Carlow 5.3.2 Pol 8 13<sup>th</sup> pt, Kildare 6.5.2 ST 2 &amp; 13, Wexford 8.3 Objective TO9 last pt, Fingal 4.1 Cycling &amp; Walking 4.1 TO 4 1<sup>st</sup> line &amp; TO 7 &amp; T9, Sth Dublin 2.2.14 14<sup>th</sup> para &amp; 15<sup>th</sup> para 2<sup>nd</sup> sentence, Meath 6.9 TRAN POL 22, Kerry 5.4 T-20, Westmeath 2.3.1 Principle Aims 3<sup>rd</sup> pt, Roscommon 8.7.1 Pol 8.42 &amp; Laois 10.5 P08, 54.</i></p> <p><b>3</b> <i>To signpost and waymark Walking and Cycle Routes with appropriately designed quality signage so as to facilitate visitors. Based on Fingal 8.4 RE 31 5<sup>th</sup> line, Kildare 14.12.2 CR 10, Carlow 5.3.2 Pol 8 12<sup>th</sup> pt 2<sup>nd</sup> line, Sth Dublin 2.2.14 15<sup>th</sup> para 2<sup>nd</sup> line, DLR 9.4.9 Pol LHB25(Draft 4.1.2.14. 2<sup>nd</sup> sentence) &amp; Leitrim 3.6.3 2<sup>nd</sup> para 3<sup>rd</sup> sentence.</i></p> <p><b>4</b> <i>To create, provide, promote, improve, develop, sustain, support, enhance, actively encourage and facilitate</i></p> | <p>walking and cycling amenity routes within the county.</p> <p>Not within the remit of the CDP.</p> |
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| <p>walking, rambling and cycling as appropriate recreational and tourism activities by identifying more dedicated walking and cycling routes to enable the creation of a high quality dedicated off road network of cycling/walking routes and tourist trails (including looped walks, local walks, community walks and medium/long distance walks) and the public/rural footpath network, in rural areas established rights of way, strategic green corridors and other off-road routes) to exploit their vast recreational and tourist potential (including international, activity and adventure tourists). Map suitable recreational routes and promote and facilitate the development of such routes having cognisance of national policy. Enhance and extend existing routes, by utilising links from residential areas through parks and open spaces to link with existing waymarked trails and facilitate a green infrastructure network and linking with Slí na Sláinte and existing or new public rights of way, to provide access to scenic, coastal, mountain, lakeshore and river features and views of special interest, particularly where these have a historical association. The development of various cycling/walking routes have helped to open up diverse landscapes and promote tourism. Support proposals that improve pedestrian routes and that improve and develop walking and cycle networks. Investigate the provision of dedicated cycle and pedestrian routes along routes of high amenity. Based on DPG 3.5 Box 3 B Infrastructure 3<sup>rd</sup> pt, GDARPG 8.5 last para, DLR Draft 2.2.7.1 ST4, Meath 4.6.8 2<sup>nd</sup> para, ED POL 40, ED OBJECTIVE9 &amp; 6.9 TRAN POL 15, Wexford 15.6 Objective RS19, Fingal 4.1 TO 4 5<sup>th</sup> line, TO14, 8.4 RE 31 1<sup>st</sup> &amp; 2<sup>nd</sup> sentences &amp; 32, Kildare 6.5.2 ST 8, Sth Dublin 1.3.36.xiii Text, 4.3.9.iii &amp; xii LHA36 &amp; 1<sup>st</sup> para, Carlow 5.3.1 Pol 7 6<sup>th</sup> pt &amp; 7<sup>th</sup> pts, 5.3.2 Pol 8 1<sup>st</sup> pt 1<sup>st</sup> line, 8.11.10 Objective 3 1<sup>st</sup> pt &amp; 8.12 Pol 6 8<sup>th</sup> pt, Galway 5.1 Cycle Routes 4<sup>th</sup> pt, Leitrim 3.6.2 Objective 29a, Roscommon 8.7.1 pol 8.36, Kilkenny 7.9.2.2 last sentence, Cork 10.2 TM 2-1b), Longford 4.5 Tourism Product 2<sup>nd</sup> para, 5.1.3 PED 3 &amp; 5, Sligo 8.4 0-CW-1, Monaghan 7.5 CWO 4, Waterford 6.13 Pol ECD 22, Limerick 6.10.3 Objective COM 030 &amp; Laois 6.2 P16.</p> <p><b>5</b> To support and encourage cycling and walking groups to work in co-operation with local community groups Regional Tourism Authority, FI, NWMWC, Coillte the Heritage Council and adjoining councils in the development, expansion, maintenance and enhancement of routes (including long distance walking and cycle tourist routes, Slí na Sláinte and heritage trails) to provide a network of walking routes and improved access for mountaineering and hill walking. Based on Carlow 8.12 Pol 6 9<sup>th</sup> pt, Sth Dublin 2.2.14 12<sup>th</sup> para 1<sup>st</sup> pt &amp; 4.3.9 xii LHA 36 &amp; 1<sup>st</sup> para, Fingal 8.4 CYCLING &amp; WALKING RE 42, Kildare 6.5.2 ST8 &amp; 14.12.1 CR 6, Wexford 15.6 Objective RS20, Kerry 5.4 T-21, Leitrim 3.6.3 2<sup>nd</sup> para 2<sup>nd</sup> sentence, Sligo 4.4.2 P-TOU-6 &amp; Limerick 6.10.3 Objective COM 027a).</p> <p><b>6</b> To develop an overall Walking and Cycling Policy/Strategy within two years of the adoption of the Plan, in line with the emerging Government Strategy, working in partnership with state, private and voluntary sector, walking clubs and community groups. The Strategy should list National Trails Network, Slí na Sláinte, Pilgrim Paths and other defined walking trails and walking routes, disused roads, canals, river banks, railways, and undertake to carry</p> | <p>Not within the remit of the CDP.</p> <p>No within the remit of the CDP.</p> |
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| <p><i>out a feasibility study to investigate the recreational use of these routes and the potential of establishing walking and cycling routes, maps showing walking and cycling routes. Based on DLR 12.1.12 Walking last para, Kildare 14.12.1 CR 3, Fingal 4.1 TO 13, Kilkenny 7.3.2 2<sup>nd</sup> Objective 7C &amp; 7<sup>th</sup> para, Monaghan 7.5 CWO 3, &amp; Laois 10.7 COUNTY WALKING STRATEGY &amp; P 64.</i></p> <p><i>Note Cos that have adopted Walking/Cycling strategies:<br/>Galway, Waterford &amp; Louth</i></p> <p><b>7</b> <i>To provide car parking and/or lay-by for walkers and cyclists, (from your local knowledge name important locations) and other appropriate points to access amenities and scenic areas.</i></p> <p><i>To which you should add: from 9am until dark. Based on<br/>Nth Tipp 7.5.7 Objective INF 28 7<sup>th</sup> line, Kildare 14.12.1 CR 14, Sligo 4.4.2 P-TOU-5 &amp; Longford 6.4 AM 3.</i></p> <p><i>Note The absence of car parks can cause unnecessary friction between landowners and recreational users.</i></p> <p><b>8</b> <i>To establish new Walkways and cycle routes on a legal and permanent basis. Taken from Carlow 5.3.2 Pol 8 12 pt 1<sup>st</sup> line &amp; Sth Dublin 2.2.14 2<sup>nd</sup> 15<sup>th</sup> para 1<sup>st</sup> line.</i></p> <p><b>9</b> <i>To encourage and promote the provision bicycle renting, guided walks and walking/cycling tours in partnership with state, private and voluntary sectors. Based on Limerick 6.10.3 Objective COM O27b) &amp; Roscommon 8.7.1 Pol 8.36 8<sup>th</sup> line.</i></p> <p><b>10</b> <i>To investigate funding opportunities, including Leader, for the development of greenways and walking/cycling trails, including off-road trails, looped walks and inter-county waymarked walking and cycle routes. Based on Sth Dublin Draft 4.5.0 Action, Kilkenny 7.3.2 5<sup>th</sup> para 1<sup>st</sup> line &amp; Westmeath 3.14 O-GT6</i></p> <p><b>11</b> <i>To support and promote programmes and initiatives and implement on a progressive basis the development of bridle paths. Based on Fingal 4.1 TO 14, Laois 10.7 P 71 &amp; Galway 10.11 Pol RA 5.</i></p> <p><b>12</b> <i>To maintain the public footpath network and walking and cycling routes. Based on Carlow 8.11.10 Objective 3 1<sup>st</sup> pt, Roscommon 8.7.1 Pol 8.37, Monaghan 7.5 CWO 4 &amp; Meath 4.6.8 2<sup>nd</sup> para.</i></p> <p><b>13</b> <i>To protect and promote Greenways and provide linear parks to facilitate the spread of rural landscape into urban areas and work with adjoining local authorities and other stakeholders to achieve and improve external linkages. Based on DLR 10.2.7 Pol OSR7(Draft 4.2.2.7 Pol OSR8), Sth Dublin Draft 4.5.0 Pol 6, Sligo 8.4 P-CW-5, Donegal 9.3 Pols CCG-P-18 &amp; Fingal 8.4 RE 43.</i></p> <p><b>14</b> <i>To maintain a register of approved national trails and other walking and cycling routes and promote their greater use. Taken from Wexford 15.6 RS21.</i></p> <p><b>15</b> <i>To seek opportunities and explore the potential for the development of suitable walking routes, cycle tracks and bridle paths along historic access routes including inter-county trails(mentions names). Based on Leitrim 3.6.3 Objective 29 &amp; Longford 4.5 Mid-Shannon Wilderness Park(sic) last para.</i></p> | <p>Not within the remit of the CDP.</p> <p>Not within the remit of the CDP.</p> <p>Not within the remit of the CDP.</p> <p>Not within the remit of the CDP.</p> |
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| <p><b>16</b> <i>To develop targeted walkway and cycleways as part of a process of strengthening connectivity between green space and strategic linkages between urban settlements and countryside.</i> Taken from GDARPG 7.7 Box 11 7<sup>th</sup> pt.</p> <p><b>17</b> <i>To preserve, support and protect the integrity and scenic quality of existing or potential walking routes(including local walks, long-distance walks and waymarked Ways) and cycleways and their settings by prohibiting the intrusion of development along these routes particularly those in scenic and high amenity areas and along inland waterways. Take into account the impact of proposed development when considering applications for permission for developments in their vicinity in order to protect the integrity of these important recreational and tourism resources.</i> Based on DLR 9.4.7 LHB23(Draft 4.1.2.12 LHB13), Carlow 5.3.2 Pol 8 7<sup>th</sup> &amp; 8<sup>th</sup> pts, Wexford 8.2.1 Pol WR1, Kildare 14.12.2 RW 2, Louth 6.5.11 EDE 22, Kilkenny 7.3.5 DMS, Kerry 9.10 SC-52, Roscommon 8.7.1 Pol 8.41, Donegal 4.1.3 T-P-36, Sligo 8.4 P-CW-6 &amp; Monaghan 7.5 CWO 5.</p> <p><b>18</b> <i>To develop Slí na Sláinte routes.</i> Taken from DLR Pol LHB25 9.4.9 1<sup>st</sup> sentence(Draft 4.1.14 Pol LHB15 1<sup>st</sup> sentence).</p> | <p>Not within the remit of the CDP.</p> |
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| <p><b>CHAPTER 9 - INFRASTRUCTURE</b></p> <p><b>9.1.3 Cycling &amp; Walking</b></p> <p>We submit that you should include additional paras:</p> <p><b>1</b> <i>Cycling and walking(including safe walking and cycling routes) are healthy modes of transport. It is recognised that there is an urgent need to enable individuals to incorporate more physical activity into their lives. These activities could improve the health and well being of both individuals and society, promote physical health, improve quality of life and tackle sedentary lifestyles.</i> Based on Carlow 5.3.2 1<sup>st</sup> para last sentence, Fingal 4.1 CYCLING &amp; WALKING, Kildare 6.3.2 2<sup>nd</sup> para 1st sentence, Sth Dublin 2.2.14 1<sup>st</sup> para, Kerry 7.2.3 1<sup>st</sup> para 2<sup>nd</sup> &amp; 3<sup>rd</sup> sentences, Cork 10.2.2 &amp; Donegal 4.1 Walking &amp; Cycling text.</p> <p><b>2</b> <i>It is essential to provide for the needs of cyclists and pedestrians. The Government's "Sustainable Development – A Strategy for Ireland" identifies the increased provision of cycle lanes and safer facilities for pedestrians as a key priority. Cycleways and safe pedestrian routes should be encouraged as part of design teams for recreational development.</i> Taken from Kerry 7.2.3 1<sup>st</sup> para 1<sup>st</sup> &amp; 2<sup>nd</sup> sentences.</p> <p><b>3</b> <i>Monaghan 6.2.1 3rd and 4<sup>th</sup> paras sets out the aims and actions of the DoTT's Smarter Travel.</i> Also Carlow 5.1 2<sup>nd</sup> para &amp; Kildare 1.4.1(iv) who mentions some.</p> <p><b>4</b> <i>The NCPF (DoT 2009) aims to create a strong cycling culture which would provide health benefits, a more friendly environment for cycling and improved quality of life. One of its aims is to provide and promote a strong cycling culture by designating high quality rural cycle networks, including inter-urban routes, to encourage cycling for leisure and recreation for both visitors and local people by ensuring that the needs of cyclists should be</i></p> | <p>The objectives set out in Chapter 9 – ‘Infrastructure’ are in accordance with the statutory requirements for the content of development plans as set out in the Planning and Development Act 2000 (as amended). All of the issues relating to this chapter are already addressed within the draft plan. No change is necessitated.</p> <p>Not within the remit of the CDP.</p> |
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| <p><i>articulated in county development plans. Based on Kildare 6.2.5 1<sup>st</sup> sentence, Carlow 5.1 NCPF, Sth Dublin 2.2.12 2<sup>nd</sup> para 1<sup>st</sup> sentence, Wexford 15.6 5<sup>th</sup> para &amp; Westmeath 8.10 1<sup>st</sup> para 1<sup>st</sup> sentence.</i></p> <p><b>5</b> Monaghan 6.2.3 sets out, in detail, the specific Objective of NCPF including :</p> <p><i>3 Provide designated rural cycleways especially for visitors and recreational users.</i></p> <p><i>5 Ensure that all surfaces used by cyclists are maintained to a high standard and are well lit.</i></p> <p><i>6 Ensure that all cycling networks are sign posted to an agreed standard</i></p> <p>12 Improve driver education and driving standards so that there is a greater appreciation for the safety of cyclists.</p> <p><i>16 Improve enforcement of traffic laws to enhance cycling safety and respect for cyclists.</i></p> <p>See DoTT's NCPF (2009) page 9.</p> <p>Mentions some: Westmeath 8.10 1<sup>st</sup> para 1<sup>st</sup> sentence,</p> <p>Kilkenny 11.1.1 3<sup>rd</sup> para &amp; Kerry 5.5 5<sup>th</sup> para 2<sup>nd</sup> sentence.</p> <p><b>6</b> National Cycle Network Scoping Study (2010) identifies a comprehensive network of cycle routes. Taken from Louth 6.5.11.3 1<sup>st</sup> para.</p> <p><b>Objective TR9 to 11</b></p> <p><b>TR 13</b> We submit that this should be repositioned in a proposed additional sub sec: Recreational Walking &amp; Cycling 4</p> <p>We submit that you should include additional Objectives:</p> <p><b>1</b> <i>To implement, support, promote, adhere to and facilitate the key principles, goals, targets, initiatives, strategies and actions of DoTT's Transport's "Smarter Travel, Cycle and Walking Strategy" and develop a strategy to promote the develop the necessary infrastructure and facilitate greater use of safe walking and cycling routes, in the line with this policy.</i> Based on</p> <p>Kerry 7.2 RD-8 &amp; 14, Wexford 8.1 Objective TO1, 6.2, Leitrim 3.6.1 Pol 44, Kilkenny 11.1 2<sup>nd</sup> para, Westmeath 8.13 P-WC1, Sligo 8.1 SO-MOB 2 &amp; Mayo Vol 1 Chpt 3 Land Use Integration &amp; Transport L5-03.</p> <p><b>2</b> <i>To Promote, provide and encourage the development of the public footpath network and cycling and walking routes suitable for people of different generations and levels of fitness, to facilitate health and wellbeing by providing quality green space. Support awareness campaigns promoting the health benefits of walking and cycling.</i> Based on DLR 12.1.12 Pol T12 &amp; 1<sup>st</sup> para 1<sup>st</sup> sentence (Draft 2.2.7.1 1<sup>st</sup> para 2<sup>nd</sup> sentence), Meath 9.7.3 2<sup>nd</sup> para 4<sup>th</sup> pt, Kildare 6.5.2 ST2, Fingal 4.1 CYCLING AND WALKING TO 7, Wexford 8.3 Objective T09 1<sup>st</sup> pt, Kerry 7.2.3 RD-29, Leitrim 3.6.1 para below Pol 44 2, Westmeath 7.13 O-REC13, Nth Tipp 7.5.8 Objective INF 29 &amp; Limerick 8.2.5</p> | <p>Not within the remit of the CDP.</p> <p>Not within the remit of the CDP.</p> <p>Supporting awareness campaigns is not within the remit of the CDP.</p> |
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| <p>1<sup>st</sup> para 1<sup>st</sup> line.</p> <p><b>3</b> <i>To promote and facilitate the development of cycle routes in accordance with the National Cycle Scoping Study 2010.</i> Taken from Louth 6.5.11 EDE 21.</p> <p><b>4</b> <i>To support and implement the key goals, targets and actions of the NCPF.</i> Taken from Kerry 7.2 RD-8.</p> <p><b>9.4.3 Telecommunication Objective</b></p> <p><b>T2</b> We submit that Vol 4(1) should be amended to Vol 3.</p> <p><b>T3</b> We submit that you should include additional Objectives:</p> <p><b>1</b> <i>To seek the establishment of an appropriate body at regional or national level to monitor installations regarding proliferation, co-location and the use of the best available technology to prevent negative environmental impacts.</i> Taken from Longford 5.5.3 TEL 7.</p> <p><b>2</b> <i>To set up and maintain a register of approved telecommunication structures to provide a useful input in the assessment of future developments and to maximise the potential for future mast sharing and co-location.</i> Taken from Sth Dublin Draft 7.4.0 Action 2, Kilkenny 9.4.2.2 &amp; Mayo Vol 1 Chpt 3 Information &amp; Telecom TC-03.</p> <p><b>3</b> <i>To strive to reduce the number of telecommunication structures by ensuring that ComReg's Code of Conduct is implemented.</i> Taken from Meath 8.2.3 EC POL 31.</p> <p><b>4</b> <i>To enforce any continuing conditions when the owner of a site disposes of it they will be required to inform the Council so that they will be in a position</i> Taken from Meath 8.2.3 last para.</p> <p><b>5</b> <i>To identify Existing Public Rights of Way and established walking routes prior to any new telecommunication developments(including associated processes) which will be prohibited if they impinge thereon or on recreational amenities, public access to the countryside or the natural environment.</i><br/>Based on Sth Dublin 2.5.15(Draft 7.4.0 Pol 4 Objective 6), DLR 16.14 last pt(Draft 8.2.9.9 last pt), Fingal 4.4 TELECOM IT09 5<sup>th</sup> pt &amp; 11, Kildare 8.12.1 TL 7, Wexford 9.3.1 Objective TC07, Carlow 6.1 Pol 1 7<sup>th</sup> pt, Roscommon 4.7 Pol 4.70, Cavan 4.8 PIO123, Laois 9.9 P35 &amp; Longford 5.5.3 2<sup>nd</sup> para 1<sup>st</sup> pt.<br/>Note Pending a complete listing of public rights of way walking routes, as prospective rights of way, should be protected.</p> <p><b>6</b> <i>To demonstrate compliance with the requirements of the DOECLG Guidelines on "Telecommunications Antennae and Support Structures (1996) " as updated by the Circular Letter of 2012 and any amendments to or revisions thereof.</i> Taken from<br/>DLR 16.14 1<sup>st</sup> pt(Draft 8.2.9.9 1<sup>st</sup> pt), Sth Dublin Draft 11.6.2 1<sup>st</sup> para 1<sup>st</sup> pt) &amp; Fingal 4.4 TELECOM IT09 1<sup>st</sup> pt.</p> | <p>Not within the remit of the CDP.</p> <p>Not within the remit of the CDP.</p> <p>Enforcement of conditions is not within the remit of the CDP.</p> <p>Objectives for PROW are included in Chapter 10: Heritage.</p> |
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**7** *Applicants shall demonstrate the significance of the proposed development as part of a national communications network.* Taken from Fingal 4.4 TELECOM IT09 2<sup>nd</sup> pt.

**8** *To discourage the development of individual telecommunications support structures and antennae for private use.* Taken from Kildare 8.12.1 TL 11.

### **9.5.3 Energy**

#### **Electricity Generation (1)**

##### **Wind Energy Objective**

CCE6 3<sup>rd</sup> pt We submit that this should be replaced by:

*To identify existing public rights of way and walking routes and prohibit development which would interfere with them and with access to the countryside or impact on visual residential and recreational amenity.* Based on Cavan 4.7.3 PIO117.8, DLR 16.16.2(Draft 8.2.10.1 2<sup>nd</sup> para 4<sup>th</sup> pt) & Fingal 4.3 EN 05.

Note Pending a complete list of public rights of way, walking routes, as prospective rights of way, should be protected.

We submit that you should include additional Objectives:

*To ensure that planning applications comply with DECLG Guidelines(2006) or any future guidelines and the best international practices and standards.* Based on Carlow 6.3.1 Pol 5, Donegal 10.6.5, Louth 9.4.1 EnCo 16, Leitrim 4.4.8 2<sup>nd</sup> para 1<sup>st</sup> line, Westmeath 10.6 P-WIN3, Mayo Vol 2 54.2 & Galway 7.5 Objective ER 5 2<sup>nd</sup> sentence. Also Meath 11.15.2 1<sup>st</sup> para, DLR 16.16.2 1<sup>st</sup> para(Draft 8.2.10.2 1<sup>st</sup> para 1<sup>st</sup> sentence) & Kildare 8.11.2 WE 2.

#### **(3) Hydro Energy**

We submit that you should include an additional para: *By virtue of their nature proposals for development of hydro-electric schemes are unlikely to be suitable for locations within sites designated for nature conservation.* Taken from Cork 9.4 ED 4-1 2<sup>nd</sup> para.

We submit that you should include an additional Objective: *To ensure that new hydro energy schemes assess the potential impact on public rights and walking routes.* Taken from Carlow 6.3.2 Pol 6 2<sup>nd</sup> pt.

#### **Electricity Transmission and Distribution**

We submit that you should include additional Text:

*Overhead power lines and ancillary development can frequently detract from visual amenities.* Taken from Fingal 4.3 OVERHEAD CABLES.

Objectives for PROW are included in Chapter 10: Heritage.



We submit that you should include additional Objectives:

**1** *To ensure that the undergrounding of powerlines is considered in the first instance, as part of a detailed consideration and evaluation of all options available in delivering and providing this type of infrastructure. Where development is of a scale that requires approval under the Strategic Infrastructure Act 2006, the applicant shall include as part of the planning approval/application document, a study by a suitable qualified independent body demonstrating whether the proposal is incorporating the most appropriate technology and method of construction. Seek to locate power lines in non-scenic amenity areas in the interests of visual amenity, where possible, having regard to Landscape Sensitivity Rating Assessment. The applicant shall also ensure the planning application involving the siting of power lines and other overhead cables, fully consider the impacts on the landscape, nature conservation, environmental designations natural environment, National Monuments, archaeology, views of special amenity value and should follow natural features of the environment. Where impacts are inevitable mitigation measures to minimise their obstructiveness must be provided for. In these instances an Appropriate Assessment or other ecological assessment will be required. The undergrounding of transmission lines(including existing overhead cables), HV power lines and associated equipment shall be considered firstly as part of a detailed consideration and evaluation of all available options. The development shall be consistent with international best practice with regard to siting and design. Applications for new transmission lines shall be accompanied by a justification statement of the regional importance of and the need for the proposed development. Ensure that where impacts are inevitable mitigation factors have been included. Based on Carlow 6.1 Pol 2 5<sup>th</sup> pt 2<sup>nd</sup> sentence, DLR 13.5.2 EI22(Draft 5.1.52 EI27), Meath 8.1.10 EC POL 19, Kildare 8.7, Wexford 11.2.1 2<sup>nd</sup> para 6<sup>th</sup> line & Objective ENO4 4<sup>th</sup> pt, Louth 9.2 EnCo 5 & 7, Galway 13.9 DMS 31a) to c), Cork 9.6 ED 6-2, Leitrim 3.11.4 pol 127 5<sup>th</sup>& 6<sup>th</sup> pts, Cavan 4.7.1 Objective PIO106 & Monaghan 15.16 EGP 3.*

**2** *To take cognisance of the Code of Practice between the DoECLG and Eirgrid(2009). Taken from Cavan 4.7.1 PIO 109.*

**3** *To ensure that the ability of the area to absorb overhead transmission lines is considered with reference to the Draft National Landscape Strategy 2014. Taken from Carlow 6.1 Pol 2 4<sup>th</sup> pt.*

**4** *To require that planning applications for infrastructure above 120m located rural, high amenity and mountain areas shall be accompanied by an assessment of its potential visual impact on the landscape- demonstrating that the impacts have been anticipated and avoided to a level consistent with the sensitivity of the landscape in order to protect landscape character and the potential impact on important designated sites. Based on*

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| Sth Dublin 2.5.16.i & Carlow 6.1 Pol 2 5 <sup>th</sup> pt 1 <sup>st</sup> sentence |  |
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| <p><b>CHAPTER 10 - HERITAGE</b></p> <p><b>10.2 Built Heritage</b></p> <p>2<sup>nd</sup> para We submit that this should be re-positioned in 10.2.2 Archaeology</p> <p>4<sup>th</sup> para We submit that this should be re-positioned in 10.2.2 &amp; 10.2.3</p> <p><b>Architectural Heritage</b></p> <p>Built Heritage Strategy 2<sup>nd</sup> pt We submit that this should be re-positioned in 10.2.2</p> <p>last pt - We submit that this should be re-positioned after 10.1 Introduction as an additional sub sec: Heritage Plan as the wording excludes natural heritage which we feel sure is not intended. See suggested revision below:<br/> <i>To implement, promote and support, in partnership with all relevant stakeholders (including the Co Heritage Forum, the Heritage Council, community groups and the wide public) the aims, Objective and actions contained in the Plan and any revision thereof in order to enhance the understanding of, appreciation and protection of Wicklow's heritage and take cognisance, in assessing planning applications and preparing development plans, the provisions of the Plan.</i> To which you should add: <i>See our web-site</i> (insert address). Based on Fingal 5.1 Objective NH O2, Kildare 13.8.1, Sth Dublin 4.3.7.xiii Pol LHA15, DLR 9.3.2 Pol LHB 6(Draft 4.1.4.1 Pol LHB28), Meath 9.5 CSA SP 4 &amp; Mayo Vol 1 Chpt 4 Heritage GH-01.</p> <p>We submit that you should include additional provisions:</p> <p><b>1</b> To review <i>the current Heritage Plan prior to its expiry and the new Plan be set within the context of the National Heritage Plan and that in preparing the Plan it will be an Objective to ensure a balance between protection of heritage and the implementation of other, often competing, policies in the Development Plan.</i> Based on Longford 6.2 HER 2 1<sup>st</sup> sentence &amp; DLR 9.3.2 Pol LHB6 2<sup>nd</sup> line.</p> <p><b>3</b> <i>To continue to employ a Heritage Officer and to fill vacancies as they arise.</i></p> | <p>The objectives set out in Chapter 10 – Heritage are in accordance with the statutory requirements for the content of development plans as set out in the Planning and Development Act 2000 (as amended). The objectives within the draft plan are acceptable and address any of the issues raised under this topic. No change is necessitated.</p> <p>Not within the remit of the CDP.</p> <p>Not within the remit of the CDP.</p> |
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Note Grants may be available from the Heritage Council. Also it might be possible to employ an intern.

### 10.2.2 Archaeology

We submit that you should include additional text:

1 *Our archaeological heritage consists of known and as yet unidentified sites, monuments, round towers, high crosses, burial sites, ringforts, towers houses, Fulacht Fia, raths, court tombs, portal tombs, wedge tombs, cairns, earthworks, abbeys and souterraines. A monument can be defined as a man-made structure or group of structures or a natural structure altered by man.* Taken from Cavan 7.5.1.

2 *Categories of monuments under the National Monuments Acts:*

A *National Monuments in the ownership or guardianship of the Minister or a county council which are subject to preservation orders.*

B *Historic monuments or archaeological areas recorded in the Register of historic monuments.*

C *Monuments recorded in the RMP.*

Taken from Cavan 7.5.2 2<sup>nd</sup> para & Louth 5.9.1 2<sup>nd</sup> para. Also DLR 11.2.1 2<sup>nd</sup> para(Draft 6.1.2 2<sup>nd</sup> para).

3 *All excavation, digging, ploughing or ground disturbance in proximity to National Monuments in State or Council ownership or guardianship or the subject of preservation orders(National Monuments) and registration orders requires the written consent of the Minister of AHG(Section 5 of the National Monuments(Amendment Act) 2004. Where necessary the Minister will issue preservation orders to ensure protection is afforded to sites believed to be under threat. The National Monuments Acts provide for the protection of all previously unknown archaeology that becomes known(e.g. through ground disturbance or fieldwork).* Based on Offaly 7.18.8 2<sup>nd</sup> para & Kildare 12.3.2 last para.

4 *Archaeological Heritage and any new archaeological sites subsequently discovered are protected from unauthorised damage or interference through powers and functions under the National Monuments Acts 1930-2004. Section 12 of the National Monuments(Amendments) Act 1994 provides for the listing of all recorded sites and features of historic importance into the RPM.* Based on Sth Dublin Draft 9.1.1 1<sup>st</sup> para, Kildare 12.3.2 2<sup>nd</sup> para & Louth 5.9.1 1<sup>st</sup> para last sentence.

5 *Archaeology is an important economic asset.* Taken from Louth 5.91 1<sup>st</sup> para 2<sup>nd</sup> sentence.

6 *There is a requirement to notify the Minister of ECLG of an intention to carry out works to a recorded monument two months before commencing that work pursuant to 12 National Monuments(Amendment) Act 1994. The granting of planning permission does not affect ministerial decisions under the National Monument Act 2004 as amended.* Taken from Laois 14.9 ARCHAEOLOGY footnote 16 under pols.

Objectives of the draft plan are acceptable.

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| <p><b>7</b> <i>It should be noted that some Recorded Monuments" are also National Monuments and are afforded a higher level of protection by a requirement to obtain positive consent from the Minister before any works that might affect them can be carried out. Taken from Louth 5.9.1 3<sup>rd</sup> para.</i></p> <p><b>8</b> <i>Monuments which may be defined as national monuments are also in the ownership of councils which have similar responsibilities under the National Monuments Act (1930 -2004) to DAHG. Taken from Louth 5.9.1 4<sup>th</sup> para.</i></p> <p><b>9</b> <i>Areas of high archaeological potential may exist outside the boundaries of conventionally recognised monuments, especially in wetlands ,former wetlands and the inter-tidal zone. Taken from Sligo 7.2.3 2<sup>nd</sup> para last sentence.</i></p> <p><b>10</b> <i>Battlefield sites have a significant place in our history and development as a nation. They contribute to the historic environment and are ripe for development as an economic resource. The Zone of Archaeological Potential battlefield and siege sites can be quite extensive and can include features such as camp sites, fortifications and mass burials. The conservation, management and protection of views and prospects of battlefields is complex and is an emerging area. Studies are currently underway nationally regarding the future requirements for their protection. (mentions names). Based on Cork 12.3.13 &amp; Louth 5.9.3.</i></p> <p><b>11</b> <i>Archaeological Landscapes can be of regional, national and international importance and every effort should be made to ensure their protection and preservation. Taken from Kerry 11.3.7 2<sup>nd</sup> &amp; 3<sup>rd</sup> sentences.</i></p> <p><b>12</b> <i>The DoAHG publication "Framework and Principles for the Protection of Archaeological Heritage"(1999) states that archaeological considerations need to take full account of the planning and development process. Taken from DLR 11.2.1 last para(Draft 6.1.2(i) last para).</i></p> <p><b>Tables</b> We submit that you should include Tables with maps of:</p> <p><b>1</b> Record of National Monuments and Places differentiating between those in the ownership of the state and those in guardianship. See 2010 Plan Vol 2 16.2 &amp; DPG 4.26 2<sup>nd</sup> para.</p> <p><b>2</b> Preservation Orders on Monuments See Fingal 6.2 ARCHAEOLOGY &amp; Kildare T12.5.</p> <p><b>3</b> Areas of Special Archaeological Interest See Louth 2.7 T 2.9.</p> <p><b>4</b> Battlefield Sites See Cork 12.3.13 &amp; Galway 9.7 Objective ARC</p> <p><b>5</b> Archaeological Landscapes See Kerry Vol 2 App 3</p> <p><b>Objectives</b></p> <p><b>BH 1</b> We submit that this should be replaced by: <i>To recognise that archaeology is an important element in long term economic development by promoting, protecting, supporting, conserving, sympathetically enhancing, preserving, managing and safeguarding for present and future generations, in co-operation with the DoAHG,</i></p> | <p>It is not necessary to list all national monuments within the plan.</p> <p>The objectives of the current plan are considered acceptable.</p> |
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archaeological heritage, in-situ or by record, including the intrinsic value, character, amenity, visual integrity, context and settings of National/Recorded Monuments or newly-discovered archaeological sites and/or sub-surface archaeological remains, of known and unknown archaeological areas(including areas or zones of archaeological potential and areas of special archaeological interest), sites(and their settings and landscapes and either above or below ground), in the ownership or guardianship of the State or the Council, including those identified in the RMP, RHM & SMR, castles, monuments and features of historic interest National Monuments that are the subject to Preservation Orders, by prohibiting development which might be detrimental to the character of the site and its settings by reason of its location, scale, bulk or detailing. In general, developments within or adjacent to sites or which might affect them and in particular those within a 20m radius of National Monuments included in the RMP and Zones of Archaeological Potential will not be permitted and proposed development within 75m discouraged. Ensure that development is sensitively sited and designed appropriately and extend this protection to cover additions or alterations that may arise during after the adoption of this Plan and impose conditions on development that might impact on sites of archaeological potential to ensure that appropriate measures, including buffer zones, are taken. Ensure, through the application of appropriate design standards and criteria that land uses do not give rise to significant losses of the integrity, quality or content of archaeological materials except as may be conditioned or directed by the appropriate heritage agencies. All planning applications for new development (including redevelopment, any ground works, refurbishment and restoration) within areas of archaeological potential and within close proximity of recorded monuments will take account of the archaeological heritage of the area. Developments which would injure or affect the settings and character of sites or which would be seriously injurious to their cultural value, will be prohibited within areas of archaeological potential and within close proximity of recorded monuments will take account of the archaeological heritage of the area and will take cognisance of the potential for subsurface archaeology. Protect and safeguard historic landscapes, which would unduly sever or disrupt their relationship, connectivity and/or inter-visibility between sites. Views to and from archaeological monuments should not be obscured by inappropriate development. Require applicants to take into consideration the impacts of development on the landscape and demonstrate that their proposal has been designed to take account of the heritage resource of the landscape. Ensure that full consideration is given to the protection of archaeological heritage when undertaking, approving or authorising development in order to avoid unnecessary conflict between developers and protection of archaeological heritage. Ensure that provision is made through the development control process for the protection of previously unknown archaeological sites and features. Council will ensure the implementation of the relevant legislative, statutory and policy provisions including Planning and Development Act 2000 as amended and the National Monuments Act 1930. The council may impose conditions on applications within zones of archaeological potential requiring the developer to pay the cost of an archaeological investigation. Outside the zones of archaeological potential where, in the opinion of the Council, developments

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| <p><i>involving major ground disturbance conditions may be applied and conditions may be imposed which modify the development to facilitate an investigation. Adjust building lines and construction methods to avoid damage as far as practicable. Based on 2000 Planning &amp; Development Act Sec 10(2)(c), European Convention for the Protection of Archaeological Heritage, Valetta 1992(ratified by Ireland) &amp;</i></p> <p><i>First Sch Part IV 6, GDARPG 7.2.1 GIR1, Sth Dublin 4.2.7.i Pol AA1(Draft 9.1.1 HCL 2 Objective 3, DPG 4.26 1<sup>st</sup> para 3<sup>rd</sup> line &amp; 4.27 1<sup>st</sup> pt, Offaly 7.19 AAHP-04, DLR 11.2.1 1<sup>st</sup> para last sentence(Draft 6.1.2(i) 1<sup>st</sup> para last sentence), Fingal 6.2 STATEMENT OF POLICY AH01 &amp; 07 1<sup>st</sup> sentence, Kildare 12.8.4 AH1 2<sup>nd</sup> sentence, AH3 1<sup>st</sup> line &amp; 12.9 AAO 14 &amp; 16, 2010 Plan 16.3 AR1, Carlow 9.2 Pol 3 1<sup>st</sup> pt, AH-3 &amp; 4 1<sup>st</sup> &amp; 2<sup>nd</sup> paras, AH-5, 9.2 Pol 3 3<sup>rd</sup> pt &amp; last pt 1<sup>st</sup> sentence &amp; 11.17 2<sup>nd</sup> para last pt, Wexford 14.5 AH 01&amp; O6, Meath 9.6.9 CH OBJECTIVE 7 &amp; 9.6.9 CH POL 7, Nth Tipp 8.4.6 HERT 26, Laois 14.3 O03, 16 DCS 63 1<sup>st</sup> pt,4<sup>th</sup> pt,5<sup>th</sup> pt, Cork 8.2 TO 2-1,12.3 HE 3- b), HE 3-3, Westmeath 5.33 P-AH3, Offaly 7.19 AAHP-17, Mayo Vol 1 Chpt 4 Archaeological Heritage AoH-01a) &amp; h), Westmeath 5.33 O-AH9, Donegal 6.3.2 AH-P-3, Cavan 7.5.2 BHO21 2<sup>nd</sup> pt, Galway 9.3 Pol GH 3, 9.7 Pol ARC 1 Pol &amp; 5, Objective ARC 1 down to Historic Monuments &amp; Objective ARC 2, Monaghan 4.12.2 Objective AHO 2, Waterford 8.38, Kildare 12.8.4, Leitrim 1.10.2h), 3.9.8 Pol 106 &amp; Longford 6.2.1 ARC 1 3<sup>rd</sup> sentence &amp; 11.</i></p> <p><b>BH2</b> <i>We submit that this should be merged with Vol 3 11 <b>Archaeological heritage</b> 2<sup>nd</sup> para and replaced by: To carry out an Archaeological Impact Assessment and Method Statement (funded by the applicant) by a suitably qualified/licensed archaeologist prior to the commencement of any activity, in respect of development in areas in or adjacent to(minimum of 30m) a Recorded Monument in State care or other archaeological heritage or within a zone of archaeological potential, that may, from its size, location, bulk, detailing or nature, have a significant effect on the surrounding landscape, upstanding structures, buried structures and deposits, those that are extensive in terms of areas(ground disturbance of ½ ha or more) or length (1km or more) or proposals involving extensive ground clearance, including sub surface elements with no visual surface remains, potential sites located in the vicinity or large complexes of sites or monuments, present or former wetlands, unenclosed rivers or lakes and developments that require an EIA or an EIS. This may lead to further subsequent archaeological mitigation – buffer zones/exclusion zones, monitoring, pre-development testing, excavation and/or refusal of planning permission. If permission is granted, a suitably qualified archaeologist must carry any necessary archaeological work. The Council, as a condition on such developments, may also consider the preservation of all or part of the archaeological remains in the area covered by the permission. Each planning application for development within the Zone of Archaeological Potential or importance and within close proximity to recorded archaeological sites shall be assessed on its own merits. An archaeological assessment shall establish the extent of archaeological material associated with the monument or site and shall ensure that the development can be designed so as to avoid or minimise any potential effects on archaeological heritage. If a monument or site included in the RMP is</i></p> | <p>The objectives of the draft plan are considered acceptable.</p> |
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| <p><i>incorporated into a development the monument and attendant buffer area shall be ceded to Local Authority Ownership once the development and associated landscaping works are complete so that the future protection of the monument can be assured. Development taking place either above or below ground which is within or adjacent to or might affect sites and features of historic and archaeological interest shall respect the character of the site and its settings and designed with care for their character. Development will only be permitted where the Council, in consultation with the DoAHG, considers it acceptable as per the assessment and subject to any mitigation measures proposed to prevent adverse impact on the monument and/or its settings. Strictly control development proposals on unzoned lands which may be detrimental to any area, site, structure or monument or detract from its setting. An assessment will be required – to be carried out by a licensed archaeologist – of developments which may impact on a national or recorded monument, the designated zone of archaeological importance surrounding any monument or other site of archaeological significance. Based on DPG 4.28 2<sup>nd</sup> para, Carlow 9.2.2 2<sup>nd</sup> para 1<sup>st</sup> &amp; 2<sup>nd</sup> sentences &amp; 9.2 AH08 down to Assessments, Kildare 12.8.4 AH3, Meath 11.18 1<sup>st</sup> pt, Cavan 7.5 BHO21 5<sup>th</sup> pt &amp; 2<sup>nd</sup> sub-pt, Laois 14.9 Objective BH 14/ 017 1<sup>st</sup> sentence, Mayo Vol 2 App 5 Archaeological Assessment 1<sup>st</sup> para, Cork 12.3.15, Limerick 10.10.2 2<sup>nd</sup> para, Longford 6.2.1 ARC 6, Sth Tipp 9.26 Archaeology 1<sup>st</sup> para, Waterford 10.47, Roscommon 6.7 Objective 6.27 &amp; 6.7.4 1<sup>st</sup> para, Kerry 11.3 H-27, Leitrim 3.9.8 Objective 94 &amp; Westmeath 5.33 O-AH7.</i></p> <p>AND</p> <p>We presume that you will delete the reference to Map 10.02 as there is no such Map</p> <p><b>BH3</b> We submit that that this should be replaced by: <i>To ensure that provision is made through the development control process to protect, conserve and preserve previously unknown sites and features and remains of historic or archaeological interest, including underwater sites, and any sub-surface archaeological features where they are discovered during development works.</i> Based on Carlow 9.2 AH-4 1<sup>st</sup> para, Offaly 7.20 AAHO-05, Sligo 7.2 O-AH-8, Galway 9.7 Objective ARC 3, Mayo Vol 2 App 5 last para, 2010 Plan 16.3 AR3 &amp; Wexford 14.5 AH01.</p> <p><b>BH4</b> We submit that this should be replaced by: <i>To recognise the importance of archaeology and National Monuments as part of our heritage and inheritance and an important element in long term economic development, and to provide, promote, enhance, facilitate, encourage, support, improve and protect public access to archaeological sites National Monuments, battlefields, castles and sites of historic interest, in direct ownership, guardianship or control of the Council and/or the State or private ownership including those listed in the RMP and promote walking routes thereto.</i></p> <p><i>*Appropriate signage will be put in place. Information on access to sites will be made be available on the Council's web-site.(Insert address).</i></p> <p><i>*This should be added.</i></p> | <p>The reference to map 10.02 is an error and will be rectified.</p> <p>The objectives of the draft plan relating to Built Heritage are considered acceptable. No change is necessitated.</p> |
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| <p>Based on Sth Dublin Draft 9.4.0 Objective 4, Carlow 8.5.2 Objective 2, 9.2 2<sup>nd</sup> para last sentence &amp; Pol 3 4<sup>th</sup> pt, Meath 9.6.9 CH POL 6, Wexford 14.5 AHO6 &amp; 9, Fingal 6.4 Objective AH38, Laois 14.3 002, Leitrim 1.10.2h) &amp; Mayo Vol 1 Chpt 4 Access to Heritage &amp; Amenities AC-01a.</p> <p><b>BH5</b> We submit that you should add: and <i>to provide access</i>.</p> <p><b>BH6</b> We submit that this should be replaced by: <i>To facilitate support and promote the candidature of the Glendalough Monastic Settlement for inclusion in the "Tentative List" of UNESCO World Heritage Sites.</i> Taken from Kerry 5.12 T-55. Also GDARPG 7.2.1 GIR10.</p> <p>We submit that you should include additional <b>Obs</b>:</p> <p><b>1</b> <i>To protect existing public rights of way to archaeological sites and designate traditional walking routes as public rights of way in consultation with the NMS. In other cases, routes will be acquired by agreement with landowners or by way of compulsory powers.</i> Based on Laois 14.3 BH 14 /002 2<sup>nd</sup> &amp; 3<sup>rd</sup> sentences, Sth Dublin 4.2.7 i (b) &amp; Westmeath 5.33 P-AH5.</p> <p><b>2</b> <i>To promote, facilitate, support and seek to protect the conservation of Archaeological Landscapes and seek to designate them within two years of the adoption of the Plan, particularly landscapes containing several Recorded Monuments or very important sites(sites should be named), in recognition of their high density of archaeological Monuments and their national heritage significance, in consultation with the DoECLG as part of the updated Landscape Character Assessment to be prepared following publication of the National Landscape Strategy/National Landscape Character Assessment.</i> Based on Galway 9.7 Pol ARC-6 &amp; Objective ARC 1 4<sup>th</sup> line, Roscommon 6.7 Objective 6.24, Kildare 12.8.4 AH 7, Wexford 14.5 Objective AH08 &amp; Westmeath 5.33 O-AH6.</p> <p><b>3</b> <i>To promote historic and archaeological heritage as a tourism resource in partnership with the Regional Tourism Authority.</i> Based on Leitrim 3.9.7 Objective 92, Kildare 5.9.4 ECD22 &amp; Carlow 8.8 Pol 2 7<sup>th</sup> pt.</p> <p><b>4</b> <i>To identify archaeologically sensitive historic landscapes.</i><br/>Taken from Fingal 6.2 STATEMENT OF POLICY last clause.</p> <p><b>5</b> <i>To put appropriate signage in place.</i> Taken from DLR Draft 6.1.2.1 Pol Ahi 5<sup>th</sup> line&amp; Laois 14.3 BH O02 5<sup>th</sup> line. Also Kildare 12.8.4 AH9.</p> <p><b>6</b> <i>To require the Content of Archaeological Impact Assessment and Method Statement to establish the extent of archaeological material associated with the monument or site. This assessment shall also define the buffer area or area contiguous with the monument which will preserve the setting and visual amenity of the site, clarify the significance of the site (in accordance with Sec 3.6 of the Government's "Framework and Principles of Archaeological Heritage), address measures that will be taken to protect the significance of the site and identify the</i></p> | <p>The objectives of the draft plan are considered acceptable. No further additional objectives are necessitated.</p> |
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likely impact of the proposed development on both upstanding and buried structures and any archaeological fabric and suggested mitigation measures to address these impacts. The area of the monument and buffer shall not be included as part of the open space requirement demanded of a specific development but shall be additional to the required open space. If a monument or place included in the RMP lies within the open space requirement of a development, a conservation plan for that monument is required as part of the landscape plan for that proposed open space. If a monument or site included in the RMP be incorporated into a development the monument and attendant buffer area shall be ceded to Local Authority Ownership once the development and associated landscaping works are complete so that the future protection of the monument can be assured. Based on DLR 16.8 1<sup>st</sup> para 2<sup>nd</sup> sentence(Draft 8.2.11 1<sup>st</sup> para 2<sup>nd</sup> sentence), Sth Tipp 9.26 Archaeology 1<sup>st</sup> para, Archaeological Assessment 5<sup>th</sup> para (i) to (iv) & Mayo Vol 2 App 5 5<sup>th</sup> to 7<sup>th</sup> paras.

**7** To require that any proposed new development which may impact on the integrity and/or setting of any monument, site feature or area of archaeological, historical or heritage importance, within areas of archaeological potential and within close proximity to sites under the protection of this Plan, on sites not yet included in the RMP or where an archaeological assessment is required, shall be submitted to the DoAHG, An Taisce, the Heritage Council and/or the National Museum, in accordance with National Monuments legislation, accompanied by a comprehensive report by a licensed archaeologist, and to prescribed bodies(as set out in the Planning and Development Act 2000), two months before commencing work, for their observations/comments prior to a planning decision being made. Any proposal development which may impact on the integrity and/or setting of any monument, site or area of archaeological, historical or heritage importance under the protection of this Plan and/or the DoAHG shall be referred to this department and the County Archaeologist for observation/comment prior to a decision on any planning decision being made. Require that proposal requiring an AIA must be referred to the relevant Prescribed Bodies and proposals for development affecting present or former wetlands, unenclosed land, rivers or estuaries. Take into account their observations, recommendations, advice and guidance, as to whether or not to grant Planning Permission or of any condition(s) to be imposed and take into account the views of other interested bodies. Based on Fingal 6.2 AHO8, Wexford 14.5 AH04, Limerick 10.10.2 1<sup>st</sup> para 5<sup>th</sup> line, Kerry 11.3 H-26 2<sup>nd</sup> sentence, Galway 13.11 DMS 45 2<sup>nd</sup> para last sentence, Sligo 7.2 O-AH-2, Leitrim 3.9.8 1<sup>st</sup> para 2<sup>nd</sup> & 3<sup>rd</sup> sentences, Cavan 7.5.2 BHO22 to 24, Roscommon 9.32 2<sup>nd</sup> para, Westmeath 5.33 P-AH3, 14.8.6 (i) & (iii), Nth Tipp 8.4.6 2<sup>nd</sup> para after Pol, Offaly 7.19 AAHP09 & 12, Monaghan 4.12.2 AHP 3, Longford 6.2 HER 5, 6.2.1 ARC 1 2<sup>nd</sup> sentence & 9 & Laois 14.9 018. Also DLR 11.2.4 Pol AH2 2<sup>nd</sup> sentence(Draft 6.1.2.2 Pol AH2 2<sup>nd</sup> sentence), Kildare 19.12.4 1<sup>st</sup> para 7<sup>th</sup> line, Meath 9.6.9 CH POL 9, Wexford 14.5 AH03 & Carlow 9.2.2 last para 1<sup>st</sup> sentence & 11.17 1<sup>st</sup> para 2<sup>nd</sup> pt.

**8** To ensure that development (including transport, electricity, sewerage, telecommunications, water supply electricity, road works, forestry, renewable energy and extractive industries) located in or close to Recorded

*Monuments and Places, known archaeological monuments, zones of archaeological potential or archaeological landscapes does not detract from the setting of the feature and is sited and designed appropriately and sympathetically with its character. Based on Kerry 11.3 H-29, Laois 14.9.2 P21, Cork 12.3 HE 3-6, Clare 18.3.4 CDP 18.8 & Monaghan 4.12.2 AHP 7.*

**9** *Where it is proposed to undertake ground works within an area of archaeological potential the Council will require the preparation of an archaeological field evaluation by a licensed archaeologist which will comprise details of the archaeological and historic background of the site, an evaluation of the its nature, importance, extent and location and of the likely impacts of the development proposals, where there is evidence that archaeological remains are present particularly if the proposed development is in or adjacent to a zone of archaeological potential. Based on Nth Tipp 8.4.6 last para & Laois 14.9.4 2<sup>nd</sup> para 1<sup>st</sup> pt.*

**10** *To apply the following general guidelines in assessing planning applications:*

*1 Part IV Planning and Development Act 2000*

*2 Conservation Guidelines Draft 1998,*

*3 The National Monuments Acts 1934- 1994.*

*Archaeology and Development Guidelines For Good Practice for Developers ICOMOS 2000). Taken from Laois14.9.2 pol BH 14 P22 2<sup>nd</sup> sentence & 16 DCS 60.*

**11** *To suspend work immediately where a development would result in ground disturbance within a Zone of Archaeological Potential, in sites on or abutting Monuments identified in the RMP, or a previously unknown archaeological feature the retention of a licensed archaeologist will be required and if he/she deems that development threatens the site, until direction is given by the DoAHG. Planning conditions may be applied and if the site works proceed a licensed archaeologist should be employed to supervise and monitor the development. Based on Fingal 6.2 ARCHAEOLOGY AH04, Westmeath 14.86 (iv) & (v), Leitrim 3.9.8 2<sup>nd</sup> para, Laois 14.9.4 3<sup>rd</sup> para & last para 1<sup>st</sup> sentence.*

**12** *To ensure the active protection of identified significant archaeological landscapes with particular emphasis on their settings, views of and from them and monuments/features inter-visibility within them. Taken from Kerry 11.3 H-30.*

**13** *In cases where permitted works will impinge on known archaeological sites and monuments, their settings and archaeological remains the developer will be required to employ a suitably qualified/licenced archaeologist, at the applicants expense, to carry out licensed pre-development testing, surveys or test/ and or/monitoring trial excavations and geophysical surveys and submit a report in advance of development or where permission is granted for development that requires mitigation of impacts on archaeological heritage. Where necessary, the Council may impose conditions that will affect sites of archaeological potential to ensure that adequate measures are taken to identify and mitigate the impact of development, by requiring professional supervision. Ensure that a*

*suitably qualified archaeologist carries all archaeological works that require mitigation of impacts. Based on DLR 16.8 2<sup>nd</sup> para(Draft 8.2.11 2<sup>nd</sup> para), Wexford 18.24 2<sup>nd</sup> para & 3<sup>rd</sup> para 1<sup>st</sup> & 2<sup>nd</sup> pts, Kildare 19.12.4 3<sup>rd</sup> para, Carlow 9.2 Pol 3 2<sup>nd</sup> & 8<sup>th</sup> pts & 11.17 1<sup>st</sup> para 1<sup>st</sup> pt, Leitrim 3.9.8 2<sup>nd</sup> para 2<sup>nd</sup> sentence, Westmeath 5.33 O-AH9 & Mayo Vol 2 App 5 3<sup>rd</sup> para 1<sup>st</sup> pt.*

**14** *To take cognisance of the "Code of Practice between ESB National Grid and the Minister for the Environment in relation to Archaeological Heritage. Taken from Cavan 7.5.2 BHO19.*

**15** *To have regard to Historic Landscape Character Assessments in assessing planning applications. Taken from Monaghan 4.12.2 AHP 8.*

**16** *To encourage and promote management and maintenance of archaeological heritage in accordance with conservation principles and best practice guidelines. Taken from Meath 9.6.9 CH OBJECTIVE 11 & Offaly 7.19 AAHP-18.*

**17** *To have regard to, when considering development proposals, within areas of Archaeological Potential and on, or in close proximity to, sites of known archaeological significance, r to Sec 12 of the National Monuments(Amendment) Act, 1994 or as may be amended. Taken from Kildare 19.12.4 1<sup>st</sup> para 1<sup>st</sup> sentence.*

**18** *To require applicants, within areas of Special Archaeological Interest and other sites of archaeological potential, as part of their planning application to include an assessment of the likely archaeological potential and may require that an onsite assessment is carried out by trial works. Taken from Louth 5.9.1 HER 22.*

**19** *To protect battlefield Sites(mentions name) and their settings. Refer all planning applications within sites and their environs to the NMS of the DoAHG. Taken from Galway 9.7 Objective ARC 5. Also Wexford 14.5.AHO 6.*

**20** *To strictly control development proposal on unzoned land which may be detrimental to any area, site, structure or .*

*monument of archaeological significance , or detract from its setting. The Council shall seek an assessment by a licenced archaeologist of developments which may impact on a national or recorded monument, the designated zone of archaeological importance surrounding any monument or site of archaeological significance. Development will only be permitted where the Council, in consultation with the DAHG considers it acceptable and subject to any necessary mitigation measures proposed to prevent adverse impact. Taken from Longford 6.2.1 ARC 6.*

**21** *To require a visual impact assessment where upstanding remains of a Recorded Monument exist to ensure adequate consideration of any potential visual impact that the proposed development may have on them and should be undertaken to demonstrate the continued preservation of an archaeological monuments sitting and context to enable any potential visual impact to be considered and to define the buffer area. Based on Meath 9.6.9 CH POL 7, Fingal 6.2 AHO7 2<sup>nd</sup> sentence, Carlow 9.2 Pol 3 last pt last sentence, Monaghan 4.12.2 AHP 5 & Laois 14.9 Objective 019 last sentence.*

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| <p><b>10.2.4 Historic and Cultural Heritage(inc Objectives)</b></p> <p>We submit that you should include an additional sub sec:</p> <p><b>HISTORIC GRAVEYARDS/BURIAL GROUNDS</b></p> <p><b>Text</b></p> <p><b>1</b> <i>Burial Grounds are an important part of local heritage and often contain standing remains or sites of earlier structures. Listed Burial Grounds are protected under Sec 12 of the National Monuments(Amendment) Act 1994. Consultation with the NMS of the DoAHG is necessary prior to undertaking works. Taken from Galway 9.6 2<sup>nd</sup> para last 3 sentence.</i></p> <p><b>2</b> <i>The majority of the older/historic burials grounds are listed in the RMP and protected as archaeological monuments by the National Monuments Acts 1930-2004. Taken from Kerry 9.11 1<sup>st</sup> para 4<sup>th</sup> sentence.</i></p> <p><b>Table Historic Graveyards</b> See Donegal 10.10 T 28.</p> <p><b>Objective:</b><br/> <i>To protect, preserve, enhance, conserve maintain archaeological/historic graveyards and historic burial grounds(including those identified in the RMP), provide public access thereto and continue to encourage and promote local involvement and community stewardship in the care, maintenance, rehabilitation, management and conservation of these graveyards in accordance with legislation and best conservation and heritage and principles and best practice guidelines in co-operation with the DoAHG. Development may be restricted or conditions imposed on development requiring substantial excavation in or adjacent to them. Maintain all burial grounds in the Council's charge in good condition. Extensions to archaeologically significant medieval burial grounds will not be considered if the extension would constitute proven risk to archaeological heritage. Support and assist communities in the care and conservation of historic graveyards through the Historic Graveyards Grants Scheme. Based on Sth Dublin Draft 9.1.1.HLC 2 Objective 5, Kildare 12.83 AH4, Fingal 6.2 AH11, Carlow 8.13 Pol 7 1<sup>st</sup> &amp; 2<sup>nd</sup> pts &amp; 9.2 Pol 3 6<sup>th</sup> pt, Meath 9.6.9 CH OBJECTIVE 11, Nth Tipp 8.4.5 HERT 25 (i) &amp; (ii), Kilkenny 8.3.4 last para 2<sup>nd</sup> sentence, Galway 9.7 Objective ARC 4 &amp; 10.9 Pol CF 6 last sentence, Leitrim 3.4.5 1<sup>st</sup> para 1<sup>st</sup> sentence &amp; Westmeath 5.33 P-AH4.</i></p> <p><b>10.3 Natural Heritage and Landscape</b></p> <p>We submit that the title be amended to Natural Environment, Landscape Heritage &amp; Amenities to reflect the provisions therein.</p> | <p>Objectives for places and worship and burial are contained in Chapter 8 Community Development of the plan. The issue raised is addressed in the draft plan.</p> <p>The titles and objectives set out in the draft plan are acceptable.</p> |
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| <p><b>Text</b></p> <p>1<sup>st</sup> para 1<sup>st</sup> sentence We submit that after <i>heritage</i> on 1<sup>st</sup> line you should insert <i>the natural environment and green infrastructure</i>. Taken from Kerry 10.1 &amp; Kilkenny 8.2 2<sup>nd</sup> para.</p> <p>2<sup>nd</sup> sentence We submit that you should also include <i>ecological sites</i>. Taken from Kerry 10.1.</p> <p>last sentence We submit that this should be replaced by:<br/> <i>Protecting, enhancing and conserving bio-diversity, landscape and natural heritage as they vital for the health, well-being and quality of life for communities and visitors and for future generations and will also be vitally important in the future in adapting to climate change.</i> Based on Kerry 10.1 1<sup>st</sup> para, Sligo 7. 1 3<sup>rd</sup> para, 4<sup>th</sup> para &amp; Cork 12.1.1.</p> <p>2<sup>nd</sup> para- We submit that you should include additional text mentioning the <i>importance of providing for recreational activities and the</i>. Based on Kerry 10.1 1<sup>st</sup> para &amp; Leitrim 1.10.2h).</p> <p>We submit that you should include additional Text:</p> <p><b>1</b> <i>The county has a rich and diverse heritage that includes the countryside, rivers, lakes, woodlands, seas, geology, and islands and special elements on our landscape and seascapes and is a core component of green infrastructure and can be of national and international importance and provides recreational activities. Protection, conservation, enhancement of our natural heritage, when sustainably managed, has environmental benefits but it also brings economic benefits by the influx of visitors.</i> Based on Kerry 10.1 1<sup>st</sup> para 1<sup>st</sup> &amp; 2<sup>nd</sup> sentences &amp; 2<sup>nd</sup> para 3rd line, Sligo 7. 1 1<sup>st</sup> para to 4<sup>th</sup> paras, Leitrim 1.10.2h), Cork 12.1.1 &amp; Kilkenny 8.2 1<sup>st</sup> para &amp; 8.2 2<sup>nd</sup> para.</p> <p><b>2</b> Mention local features including mountains rivers woodlands canals and lakes. See <b>Carlow</b> 8.4 NATURAL AMENITIES.</p> <p><b>3</b> There is excellent material in Galway 9.8.1 which would repay study for possible inclusion</p> <p>We submit that you should include <b>Objectives</b>:</p> <p><b>1</b> <i>Recognizing the role played by natural amenities and landscape, as part of our heritage and as a major resource both for visitors and local people, to identify, provide, support, maintain, promote, encourage, protect, preserve, improve, safeguard and enhance public access to our natural heritage including mountains, commonage and other hill land, moorlands, forests, rivers, lakes, valleys, nature reserves, other natural amenities and to the countryside generally by creating a meaningful network of access routes as the opportunity or need arises. This will be done in co-operation with state agencies, other interested bodies and local community groups.</i> Based on Kildare 14.12.2 Pol</p> | <p>Ecological sites, as appropriate, are included within the schedules attached to Chapter 10: Heritage</p> <p>The objectives of the draft plan are considered acceptable and address the issues raised.</p> |
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11, Carlow Chpt 8 Natural Heritage 2<sup>nd</sup> pt, Sth Dublin 4.3.9.xii last para, DLR Draft 4.1.1.1, Mayo Vol 1 Chpt 4 Access to Heritage & Amenities AC-01a & b, Sth Tipp 6.3.7 Pol AEH10, Monaghan 7.4 Objective RAO 9, Sligo 4.4 P-TOU-6 & 6.5 P-SRO-9 & Laois 6.1 P05.

**2** *Consider appropriate rural recreational and tourism related developments which would facilitate public access to sensitive landscapes.* Taken from Wexford 14.4.3 L08 1<sup>st</sup> line.

**3** *Work with stakeholders to protect, conserve, preserve, manage, enhance, safeguard and, where appropriate restore, the quality and character of the natural heritage, environment and natural amenity assets and in particular, designated National sites, those proposed for designation and any future designations and maintain/develop linkages between them, for the benefit for current and future generations in association with stakeholders while maximising their recreational, amenity, quality of life and tourism potential for the present generation by resisting development that may have a negative impact. Where uncertainty exists as to the potential impact of proposed development full account shall be taken of Precautionary Principles. Create opportunities in suitable locations for active recreation and the provision of visual relief from the built environment. Avoid unnecessary harm and reduce the effect of harm where it cannot be avoided. Implement the provisions of the Planning and Development Act 2000(as amended) which protects the natural heritage. Engage with local communities and other relevant stakeholders in the protection of the natural heritage. Support and co-operate with statutory authorities and others to support the management of designated nature conservation sites. Promote best practice guidelines with regard to natural heritage, conservation and management.*

Based on 2000 Planning & Development Act Sec 10.2 ©,

DPG 2.1 9<sup>th</sup> line & Protection of Natural heritage 3.5 Box 3 Environment, Heritage & Amenities last pt, DLR 9.3.1 Pol LHB5(Draft 4.1.3.1) , Sth Dublin 4.3.3 Strategy 2<sup>nd</sup> pt, Meath 4.6.8 ED POL 29, Carlow 8.8 Pol 2 last pt & 9.1 Pol 1 2<sup>nd</sup> pt, 5<sup>th</sup> pt 2<sup>nd</sup> sentence, 6<sup>th</sup> pt 1<sup>st</sup> sentence & 8<sup>th</sup> pt, Kerry 10.1 NE-1 1<sup>st</sup> line,4, Galway 9.3 pol GH 3 & 4 & 9.9 Pol NHB 1, Cork 12.3 NE 2-1, Sligo 7.1 P-NH-1, Leitrim 1.10.2 b, 3.8.1 1<sup>st</sup> para 3<sup>rd</sup> pt & 2<sup>nd</sup> para i. to iii, Mayo Vol 1 Chpt 4 Natural Heritage NH-01, Westmeath 7.13 P-REC1, Monaghan 4.6.7 BDP 1 & Cavan 8.2 NHEP1.

### **10.3.2 Biodiversity Objective**

#### **NH5 to 8**

We submit that you should include additional **Objectives**:

**1** *While recognizing the role played by natural amenities and landscape, as part of our heritage and as a major resource both for visitors and local people, to identify, provide, support, maintain, promote, encourage, protect, preserve, improve, safeguard and enhance public access to our natural heritage including mountains, commonage and other hill land, moorlands, forests, rivers, lakes, valleys, nature reserves, other natural amenities and to the*

The objectives of the draft plan are considered acceptable and address the issues raised.

*countryside generally by creating a meaningful network of access routes as the opportunity or need arises. This will be done in co-operation with state agencies, other interested bodies and local community groups. Based on GDARPG 7.7 Box 11 1<sup>st</sup> pt, DLR Draft 4.1.1.1, Kildare 14.12.2 Pol 11, Carlow Chpt 8 Natural Heritage 2<sup>nd</sup> pt, Fingal 5.1 NH01, Sth Dublin 4.3.9.xii last para, Mayo Vol 1 Chpt 4 Access to Heritage & Amenities AC-01a, Sth Tipp 6.3.7 Pol AEH10, Sligo 4.4 P-TOU-6 & 6.5 P-SRO-9 & Laois 6.1 P05.*

**2** *To consider appropriate rural recreational and tourism related developments which would facilitate public access to sensitive landscapes. Taken from Wexford 14.4.3 L08 1<sup>st</sup> line.*

**3** *To work with stakeholders to protect, conserve, preserve, manage, enhance, safeguard and, where appropriate restore, the quality and character of the natural heritage, environment and natural amenity assets and maintain/develop linkages between them, in association with stakeholders while maximising their recreational, amenity, quality of life and tourism potential for the present generation by resisting development that may have a negative impact. Where uncertainty exists as to the potential impact of proposed development full account shall be taken of Precautionary Principles. Create opportunities in suitable locations for active recreation and the provision of visual relief from the built environment. Avoid unnecessary harm and reduce the effect of harm where it cannot be avoided. Implement the provisions of the Planning and Development Act 2000(as amended) which protects the natural heritage. Engage with local communities and other relevant stakeholders in the protection of the natural heritage. Support and co-operate with statutory authorities and others to support the management of designated nature conservation sites. Promote best practice guidelines with regard to natural heritage, conservation and management.*

Based on 2000 Planning & Development Act Sec 10.2 ©,

DLR 9.3.1 Pol LHB5(Draft 4.1.3.1 Pol LB17, Sth Dublin 4.3.3 Strategy 2<sup>nd</sup> pt, Meath 4.6.8 ED POL 29, Carlow 8.8 Pol 2 last pt & 9.1 Pol 1 2<sup>nd</sup> pt, 5<sup>th</sup> pt 2<sup>nd</sup> sentence & 8<sup>th</sup> pt, Kerry 10.1 NE-1 1<sup>st</sup> line & 4, Galway 9.3 pol GH 3 & 4, 9.9 Pol NHB 1, Cork 12.3 NE 2-1, Sligo 7.1 P-NH-1, Leitrim 3.8.1 1<sup>st</sup> para 3<sup>rd</sup> pt & 2<sup>nd</sup> para i. to iii, Mayo Vol 1 Chpt 4 Natural Heritage NH-01, Westmeath 7.13 P-REC1, Monaghan 4.6.7 BDP 1 & Cavan 8.2 NHEP1.

### **10.3.3 Woodlands, Trees and Hedgerows**

last para

### **10.3.4 Water Systems**

We submit that you should amend this Title to Inland Waterways as this is a recommended topic under the Heritage Act 1995.

We submit that you should include additional Text:

The titles and text and objectives set out in the draft plan are considered acceptable and address any issues raised. No change is

## **SECTION 3.3**

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| <p><b>1</b> <i>Inland waterways, which include lakes, rivers, canals and streams, are very important assets and contribute significantly to the character and amenity of the county and support tourism, recreation and quality of life for local people and visitors enabling them to walk along towpaths and enjoy the surroundings of the waterside and engage in land based activities such as walking, horse riding, cycling and bird watching. There is scope to form an interconnecting network of routes along rivers as part of a network of walking and cycling routes. Based on FIs Development for Cycle Tourism (2007) Traffic-Free Routes 5<sup>th</sup> last line on page 26, Carlow 8.10.5 2<sup>nd</sup> para last sentence &amp; 8.11.8 1st para 5<sup>th</sup> line, DLR 9.3.6 2<sup>nd</sup> para 1<sup>st</sup> sentence(Draft 4.1.3.7 2<sup>nd</sup> para 1<sup>st</sup> sentence), Leitrim 3.10.4 1<sup>st</sup> para 2<sup>nd</sup> sentence, Westmeath 5.15 1<sup>st</sup> para, Kilkenny 8.2.6 1<sup>st</sup> para, Roscommon 7.4 last para &amp; Longford 6.2.2.7 1<sup>st</sup> para 1<sup>st</sup> sentence.</i></p> <p><b>2</b> <i>Riparian zones and land are directly adjacent to or surrounding a natural or artificial waterways including major and secondary rivers, intermittent or permanent creeks and streams, gullies and drainage lines where surface water collects, wetlands and lakes. Riparian land extends from the edge of the waterways to adjoining terrestrial land and are used to protect watercourses from the impact of development. As they are particularly vulnerable to damage from inappropriate development any development must ensure their protection. Based on Louth 10.7 1<sup>st</sup> para &amp; 2<sup>nd</sup> para 1<sup>st</sup> sentence &amp; Carlow 9.1.8 1<sup>st</sup> para.</i></p> <p><b>3</b> <i>A riparian buffer zone, if sufficiently large and managed will provide amenity and recreation for local people and visitors. Taken from Laois 13.6 1<sup>st</sup> para 2<sup>nd</sup> sentence 3<sup>rd</sup> pt.</i></p> <p><b>4</b> <i>There are opportunities to develop tourist by linking waterways in urban settlements with waterways in the Border Midlands and South East Regions. Taken from NSS Box 5.1.</i></p> <p><b>Tables</b><br/>We submit that you should include Tables of:</p> <p><b>1</b> The main rivers. See <b>Kildare</b> 14.1 2<sup>nd</sup> para 11<sup>th</sup> pt &amp; <b>Wexford</b> 7.4.3 3<sup>rd</sup> line.</p> <p><b>2</b> The main lakes. See <b>Wexford</b> 7.4.3 3<sup>rd</sup> line.</p> <p><b>3</b> <i>Existing or potential riverside and lakeside walks/cycle routes. See Kildare 5.9.5 ECD 29 &amp; Carlow 8.11.10 7 8<sup>th</sup> line.</i></p> <p><b>4</b> Main Lakeside and Riverside Amenity Areas. See Laois 8.3 2<sup>nd</sup> para 1<sup>st</sup> sentence, Cavan 8.8.1 &amp; Map 11 &amp; Monaghan 4.9.8.</p> <p><b>Objectives</b><br/><b>NH22</b> We submit that:<br/>A You should substitute <i>in respect of larger river channels(over 10m) is 35-60m(18-30m on each side) or larger where flood plains adjoin the riparian zone, smaller channels(under 10m) of 20m(10m on each side) or greater; The</i></p> | <p>necessitated.</p> <p>Not the function of a CDP to include lists of all environmental / heritage features within the county.</p> |
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| <p><i>determined width should be tailored to the specific site, river reach or lakeshore characteristics &amp; salmonid rivers a minimum of 25m on each side. Based on GDARPG 7.7.Box 11 3<sup>rd</sup> pt, Carlow 9.1.8 1<sup>st</sup> para 9<sup>th</sup> line, 2<sup>nd</sup> para &amp; 3<sup>rd</sup> paras OR</i></p> <p><i>A minimum of 30m from each riverbank outside urban centres on main rivers (named). Taken from Fingal 5.2 Objective BD 24:</i></p> <p><i>for 10m along watercourses should be provided (or other widths, as determined by the Planning Authority on 3<sup>rd</sup> line.</i></p> <p><i>B You should append to the 1<sup>st</sup> sentence: by discouraging culverting or realignment. In respect of both navigable and non-navigable waterways and riparian zones, maintain, manage, preserve, protect, conserve, safeguard, enhance and improve their amenity and recreation value and, where appropriate, restore waterway corridors and riparian zones, including natural floodplains and valleys of rivers, streams, lakes, springs, wetlands and other watercourses(including shorelines in immediate adjoining area and skyline development on surrounding hill crests). Keep waterways free from inappropriate development and incompatible use, including clearance and storage of materials taking place within a minimum distance of 10-15m from each bank of any river, stream or watercourse, to ensure that public use is not prejudiced by incompatible use, such as facilities for noise-generating sports and interference with public walking and cycling routes and public rights of way. Protect, maintain and enhance their natural heritage, appearance, quality and landscape character and archaeological heritage and avoid adverse visual impacts so as to maintain their aesthetic, ecological, amenity and tourism and recreational values from the impacts of dispersed and highly visible development. Create and maintain buffer zones and riparian corridors by Prohibit developments which are likely to have significant adverse visual impacts, either individually or cumulatively, on the character of River Valleys and where there is no overriding need for the development to be in that particular location. Ensure that, where an overriding need is demonstrated for a particular development in the River Valleys, careful consideration is given to site selection. The development should be appropriate in scale and be sited, designed and landscaped in a manner which minimises potential adverse impacts on the landscape. Take into account any landscape, nature or archaeological designations. Locate new development in water corridor landscape character areas towards existing structures and mature vegetation. Seek during redevelopment the creation of a riparian buffer strip, where practicable. Promote the natural amenities of (name rivers) for the benefit of recreation and tourism. Development in identified floodplains and riparian corridors must not adversely affect the river's function as a green infrastructure corridor. Protect existing wetlands from destruction, infilling, fragmentation and degradation. Adopt a regional approach in the protection of watercourses by co-operating with neighbouring counties. Seek to limit development in identified floodplains and preserve riparian corridors. Development proposals in or adjacent to river corridors and lakes will be considered favourably providing that the facilities are compatible with existing use of the water, including non-recreational uses, will not result in damage to sites of nature</i></p> | <p>Objective NH22 requires a 10m buffer generally. The objective indicates that the planning authority may require an alternative width, where required. The issues raised in the submission are addressed.</p> <p>The objectives set out in the current plan address the issues raised.</p> |
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| <p><i>conservation importance or features of archaeological heritage, can be satisfactory absorbed into the landscape, will not have an unacceptable impact on visual impact especially in areas of high amenity or other scenic areas will not result in over intensification leading to excessive noise and nuisance, do not involve land filing, diverting, culverting or realignment of river or stream corridors and that they do not have a negative effect on the distinctive character and appearance of the waterways corridor and the specific characteristic and landscape elements of the specific site and its context. Liaise with adjoining counties, where appropriate, regarding development along rivers. Based on Carlow 5.3.2 Pol 8 7<sup>th</sup> pt, 8.11.8 Pol 4 2<sup>nd</sup> pt, 8.11.9, 9.1.7 Objective 3 1<sup>st</sup> pt &amp; Objective 4 1<sup>st</sup> pt, DLR 9.3.6 LHB10 &amp; 1<sup>st</sup> para 3<sup>rd</sup> &amp; 4<sup>th</sup> pts(Draft 4.1.3.7 LHB23 1<sup>st</sup> para 2<sup>nd</sup> 4<sup>th</sup> 5<sup>th</sup> pts), Wexford 14.4.3 L03, 5, &amp; 6, Fingal 5.2 BD 23, Kildare 13.8.6 1W 2 &amp; 5, 14.8.5 WC 1 &amp; 3 &amp; 14.9.2 WV 4, Mayo Vol 1 Chpt 4 Natural Heritage NH-01f), Roscommon 7.4 Pol 7.8 &amp; Objective 7.30, Leitrim 1.10.2g), 3.8.3.2 Objective 63 &amp; 4.1.1 4<sup>th</sup> para 8, Cavan 8.5.2 NHEP16, 8.8.1 NHEO33 &amp; 34 &amp; 8.9 NHEP21, Kerry 6.3 T 6-24, Galway 8.7 Objective FI 3,9.9 Pol NHB 4, Objective NHB 9, Offaly 4.20 EnvP-23, Kilkenny 7.3.3 2<sup>nd</sup> para,7.3.4 1<sup>st</sup> &amp; 5<sup>th</sup> pts, 8.2.6 last para 1<sup>st</sup> line, Dms 1<sup>st</sup> &amp; 2<sup>nd</sup> pts, Westmeath 5.16 P-RLC14, Longford 6.2.2.7 ILW 1 2<sup>nd</sup> line, 3, 8 &amp; 9 &amp; Monaghan 4.4 LPP3 &amp; 15.20 TOO 5.</i></p> <p>We submit that you should include additional Objectives:</p> <p><b>1</b> <i>In partnership with NPWS, local Wildlife Rangers, community groups and other relevant stakeholders, to provide, preserve, promote, support, encourage, develop, facilitate, increase and improve public access to and around lakes, rivers(including a riparian corridor on both sides) and navigational and non-navigational waterway corridors(together with wetlands, rivers and streams and valleys) to provide amenities and recreational facilities the provision of land-based recreational activities, including walking, cycling, mountain biking, horse riding, wildlife/bird watching and other non-noise generating activities for visitors and locals and focusing on linear features such as river banks and walking paths. Reserve land adjacent to river and lakeshores to facilitate these activities. In areas adjacent to inland waterways, including lakes and rivers, where planning permission is sought, conditions may be attached requiring the retention of or creation of public access to facilitate the creation of or expansion of walking/cycling routes. Based on Wexford 15.5 RS12 &amp; 15.6 RS24, Sth Dublin 4.3.7.xx Pol LHA22, Meath 9.7.10 NH POL 21, DLR 9.3.6 Pol LHB10 2<sup>nd</sup> sentence(Draft 4.1.3.7 Pol LHB23 2<sup>nd</sup> sentence), Kildare 5.9.5 ECD 29 &amp; 34 1<sup>st</sup> sentence &amp; 4.12.1 CR 7, Fingal 5.2 BD 26, Carlow 8.8 Pol 2 5<sup>th</sup> pt, 8.12 Pol 6 10<sup>th</sup> pt 1<sup>st</sup> sentence, 9.1.8 Objective 4 2<sup>nd</sup> pt 3<sup>rd</sup> line &amp; 15.13 4<sup>th</sup> pt, 2010 Plan 17.5 WT5, Cavan 8.9 NHEP21 8<sup>th</sup> pt, Laois 6.2 P13, 8 Tourism P19,10.7 P62 &amp; 13.1 P007, Sth Tipp 6.3.4 Pol AEH 7, Mayo Chpt 4 Access to Heritage &amp; Amenities AC-01a &amp; b, Longford 5.1.3 2<sup>nd</sup> para 1<sup>st</sup> sentence, 6.2.2.5 2<sup>nd</sup> sentence, 7 &amp; 9, Leitrim 3.6.3 Objective 29 &amp; 3.10.3 Objective 100, Kerry 5.3 T-18, Westmeath 3.16 P-ST6 &amp; 7.13 O-REC9 &amp; Louth 5.15.5 HER 69 1<sup>st</sup> sentence.</i></p> <p><b>2</b> <i>To protect, enhance and improve existing public rights of way and where possible, provide additional access to inland waterways including lake shores, river and canal banks, through the acquisition of land for public rights of</i></p> | <p>Not within the remit of the CDP.</p> <p>Objectives relating to PROW are included in</p> |
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| <p>way, through agreement with existing landowners. Taken from Longford 6.2.2.7 ILW 5 1<sup>st</sup> sentence &amp; 6.</p> <p><b>3</b> <i>To promote the natural amenity value of (named rivers) and all watercourses to facilitate the development of amenity, recreational benefits and the quality of life for local people. Address the long term management and protection of these corridors. Maximise the use of watercourses as tourist amenities in co-operate with NPWS and community groups to develop their quality and amenities and where the opportunity arises seek to provide amenities by linking existing fragmented green spaces and focusing on linear features such a canal and river banks and walking paths.</i> Based on Sth Dublin Draft 8.2.0 Objective 1, Carlow 8.11.8 1<sup>st</sup> para 1<sup>st</sup> sentence &amp; Laois 8 TM 8 P19 &amp; 13.1 P007.</p> <p><b>4</b> <i>To require that developments along rivers, lakes and other watercourses provide for set aside land for walking/cycling routes and to provide, promote, support and facilitate the creation of waterside linear parks and an interconnecting network of green open spaces to link with existing fragmented green spaces existing parks and open spaces with towns an d other settlements in their vicinity and extend to adjoining counties forming inter-county tourism links, in cooperation with their councils.</i> Based on Sth Dublin Draft 4.5.0 Pol 6, Carlow 8.8 Pol 2 5<sup>th</sup> pt, 8.11.10 1<sup>st</sup> para 8<sup>th</sup> line &amp; Pol 5 last pt, Kildare 5.9.5 ECD 34 2<sup>nd</sup> sentence &amp; 36, 14.12.1 CR 7, Fingal 5.2 BD25, Leitrim 3.10.3 2<sup>nd</sup> para, Laois 13.1 P007 &amp; 13.9 LCT 3 P52, Westmeath 6.2.7 O-LM5 &amp; Kilkenny 7.3.4 last pt.</p> <p><b>5</b> <i>To identify and provide linkages along and between river within the GDA Region and adjoining Regions to create interconnecting routes to develop riverside parks and create linkages between them to form "necklace effect" routes include development of walkway and cycleways.</i> Taken from 5.2 Fingal BD 29 &amp; GDARPG 7.7 Box 11 6<sup>th</sup> pt.</p> <p><b>6</b> <i>To taken into account improvements to access when considering development proposals that increase, secure, improve and enhance public access, including the development of walking/cycle routes to inland waterways, including regional/linear parks and river valley landscapes provided that developments are appropriate in scale and are sited, designed and landscaped in a manner which minimises potential adverse impacts on the landscape.</i> Based on Carlow 8.11.8 last sentence (a) &amp; (c) &amp; Wexford 14.4.3 LO8.</p> <p><b>7</b> <i>As Water sports cover a wide range of activities from tranquil uses such as angling, sailing, canoeing, rowing and sail boarding to powered activities such as water-skiing and powerboat uses, The Council may require management plans for particular areas to address the compatibility of such varying uses and may introduce bye-laws restricting or prohibiting jet-skiing and water skiing.</i> Based on Leitrim 3.10.3 4<sup>th</sup> para &amp; Carlow 8.11.9 1<sup>st</sup> para 6<sup>th</sup> pt &amp; 2<sup>nd</sup> para 1<sup>st</sup> line.</p> <p>Note Mayo has bye laws</p> <p><b>8</b> <i>To consult with NPWS, DoECLG and local communities on development proposals that may affect inland waterways, rivers, lakes, canals or water courses.</i> Taken from Carlow 9.1.7 Objective 3 4<sup>th</sup> pt.</p> <p><b>9</b> <i>In line with item 6 of the first schedule of the Planning and Development Act 2000(as amended) to seek to</i></p> | <p>10.3.8</p> <p>Many of the issues raised in relation to supporting the development of green infrastructure corridors are addressed within the draft plan. The plan is accompanied by a Green Infrastructure Strategy in Appendix 8 and objectives relating to green infrastructure are included in Chapter 10.</p> <p>Not within the remit of the CDP.</p> |
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### SECTION 3.3

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| <p><i>preserve a strip 10m wide along the banks of large drainage channels(greater than 5mwide) and 5m wide elsewhere. This will not prevent the development of riverside walks and other amenities that do not compromise access for drainage purposes.</i> Taken from Offaly 8.17.1.</p> <p><b>10</b> <i>To ensure that where flood protection or alleviation works take place that the natural heritage of rivers, streams and watercourses are protected and enhanced.</i> Taken from DLR Draft 5.2.5.2 last para 7<sup>th</sup> pt.</p> <p><b>11</b> <i>To uncover existing culverts and restore the watercourses to acceptable ecological standards.</i> Taken from Sth Dublin Draft 8.2.20 Objective 4.</p> <p><b>10.3.5 Soils and Geology</b></p> <p><b>Text</b><br/>2<sup>nd</sup> para We submit that you should that you should insert <i>NPWS</i> after <i>the</i> in 1<sup>st</sup> line. Taken from <b>Sth Dublin Draft</b> 9.7.0 1<sup>st</sup> para.</p> <p>AND</p> <p>include additional <b>Text:</b> <i>Council recognises the importance of geological heritage as an intrinsic component of natural heritage.</i> Based on Cork 12.2.18 &amp; Offaly 7.2.13 1<sup>st</sup> para 1<sup>st</sup> sentence.</p> <p>There is excellent text from Leitrim 3.8.3.8 1<sup>st</sup> para.</p> <p><b>NH25</b> We submit that this should be replaced by: <i>To work with stakeholders to protect, preserve, enhance, maintain, manage, conserve and where appropriate restore the character conservation value and integrity of County Geological Sites”(Schedule 10.10 and Map 10.10 of this plan)from inappropriate development at or in vicinity of a site, such as would adversely affect their existence or the value for their amenity, scientific, heritage and historic values(including sites that may become designated), proposed NHA’s, areas near sites and areas of geomorphological. Proposals should be accompanied by a detailed report from a competent person setting out their potential impact. Where significant harm is deemed likely, permission will not be granted unless there are overriding considerations of public importance. Further enhance geodiversity by additional measures to conserve geo sites. Ensure that any plan or project affecting karst formations or other important geological and geomorphological systems are adequately assessed for their potential geophysical or ecological impacts.</i> Based on Planning Act 2000 First Sch Part IV 6, DLR 9.3.9 Pol LHB13(4.1.3.9 Pol LHB25), Fingal 5.3 Objective GH01, Carlow 9.1.11 Objective 7, Roscommon 7.2 Objective 7.3, Kilkenny 8.2 last para, Sligo 7.1 P-NH-1, Donegal 7.1.2 G-P-1, Mayo Vol 1 Chpt 4 Natural Heritage NH-01e), Galway 9.9 Objective NHB 4, Cavan 8.5.1 12 &amp; 27 &amp; 9.6.1 RTO11 &amp; Kerry10.1 NE-1.</p> | <p>The objectives set out in the current plan are considered acceptable and address the issues raised.</p> <p>Not within the remit of the CDP.</p> |
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| <p><b>NH26</b> We submit that you should add: <i>and have regard to* their recommendations</i>. Taken from Roscommon 7.2 Objective 7.3 &amp; Offaly 7.2.13 1<sup>st</sup> para 3<sup>rd</sup> sentence.<br/>*comply with <i>would be better</i></p> <p><b>NH27</b> We submit that down to “<i>agreed access</i>” on 1<sup>st</sup> line should be replaced by: <i>To provide, encourage, promote, facilitate and support access and public rights of way to listed geological heritage sites and other geomorphological features and systems of heritage and co-ordinate the continuing development of strategic walking routes, trails and other recreational activities in geo parks</i>. Based on <b>DLR</b> Draft 4.1.3.9 last para, <b>Fingal</b> 5.3 Objective GH 02, Kilkenny 8.2.4 Dms, Cavan 8.5.1 NHEO11, Monaghan 7.4 RAO 9, Sligo 4.4.1 P-TOU-9 &amp; Louth 5.6 HER 9. Also <b>Kildare</b> 13.8.7 G 3.</p> <p><b>NH28</b> We submit that you should add: <i>by conserving and managing geological resources</i>. Taken from Cavan 8.5.1 NHEP14.</p> <p><b>10.3.6 Green Infrastructure</b></p> <p><b>Text</b><br/>1<sup>st</sup> &amp; 2<sup>nd</sup> paras</p> <p>We submit that you should include additional text:</p> <p><b>1</b> <i>The EU Paper on Green Infrastructure (GI Apr 2013) recognises the growing importance of maintaining green infrastructure</i>. Taken from Galway 9.8 Green Infrastructure.</p> <p><b>2</b> <i>The creation of a strategic vision for a Green Infrastructure is recommended by the NSS to help manage the future landscape by giving due regard to recreation and archaeological heritage and to endeavour to create linkages to help bind the existing patchwork of open space and green corridors</i>. Based on DLR 9.1 4<sup>th</sup> para last pt</p> <p><b>3</b> <i>The creation of a Green Infrastructure Strategy that is intrinsic to and permeates across every facet of the County can provide many social, economic and environmental benefits. Green Infrastructure development should be strategically planned so that it conserves natural ecosystems and provides enhanced environmental, social and economic benefits and is a vital resource for the future. It should protect the rural environment and should provide an appropriate framework for integration of recreational activity and accessibility including safe and attractive routes for walking and cycling. Green Infrastructure can provide more places for people to access nature, and</i></p> | <p>The objectives of the draft plan are considered acceptable. No change necessitated.</p> <p>A Green Infrastructure Strategy is included as part of the plan. The objectives of the draft plan are considered acceptable and address the issues raised.</p> |
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*encourages physical activity and wellbeing and quality of life by providing quality green spaces and provides coastal and countryside landscapes are a key green infrastructure not only for their intrinsic value as places of natural beauty but also because of their importance for recreation and tourism sets how a network of green space can be developed to benefit the natural heritage as well as society and create a green setting for cities and towns. Action Plans and local initiatives should provide the basis from which to inform the feasibility of access and public rights of way. It should fully recognise the cumulative positive impact generated by creating connectivity between nature conservation areas parks, open spaces, rivers, flood plains, wetlands, woodlands, mountains, farmland and coastal areas. Based on GDARPG 7.7 Walking and Cycling provisions 2<sup>nd</sup> para, DLR Draft 4.1.1 last para & 4.2.1.1 text, Sth Dublin Draft 8.0 1<sup>st</sup> & 2<sup>nd</sup> paras, Fingal 3.1 1<sup>st</sup> para, Wexford 14.3, Laois 13.3 1<sup>st</sup>, 2<sup>nd</sup> & last sentences, Galway 9.8 Green Infrastructure, Kerry 10.9 text, Louth 5.15.5, Cork 13.3.51, Offaly 7.5.1 1<sup>st</sup> para 1<sup>st</sup> sentence, Cavan 8.11 1<sup>st</sup> sentence, Kilkenny 8.2.2 1<sup>st</sup> para & Offaly 7.5.1 2<sup>nd</sup> para 2<sup>nd</sup> & 4<sup>th</sup> pts. Also there is excellent material in Monaghan 4.10 & 4.10.1 which could be included.*

### **Strategic Green Infrastructure Network in Wicklow**

We submit that you should include a Map See **Offaly** 7.5.3 Map 7.14.

### **General Green Infrastructure Objective**

**NH31** 1<sup>st</sup> para We submit that should insert after *protect*:

*provide, conserve, enhance, manage, protect, improve, support, implement, encourage and promote*

AND that you should append:

*In recognition of its economic value and its importance as a non-renewable resource, encourage, promote, develop, enhance and facilitate physical activity and improved health and well-being by providing green spaces for walking, cycling and other active recreational activities. Protect the green infrastructure network by resisting development that would damage, degrade, fragment, or prejudice it. Provide attractive and safe routes linking key green space sites, parks and open spaces and heritage assets where feasible and appropriate. All planning proposals must provide for the protection of green infrastructure by preventing adverse impacts on ecological connectivity and, where appropriate, for the provision of new green infrastructure. Develop a vision which shall be defined with consideration of its potential to provide an interconnected network of green spaces which provides associated benefits to people. Develop a vision which shall be defined with consideration of its potential to provide an interconnected network of green spaces which provides associated benefits to people. Based on DLR Draft 4.2.1.1 Pol OSR1, Fingal 3.2 FINGAL'S GREEN INFRASTRUCTURE, Sth Dublin 4.3.9 .vii, Kildare 14.12.6 GI 1, Meath Green Infrastructure 9.7.3 2<sup>nd</sup> para 4<sup>th</sup> pt on list of pts, Louth 5.15.5 HER 65, 74, Longford 6.1 Green Infrastructure, Laois*

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| <p>13.1 NH 13 /007, Cork 13.3.1, Cavan 8.11 NHEP25 4<sup>th</sup> line, Offaly 7.6 GIP-INFRASTRUCTURE Objective GI07, Sth 01, Waterford Green Infrastructure 8.18 Pol NH 2, Monaghan Green Infrastructure 4.10.1 GIO 3 &amp; Kerry 10.9 NE-42.</p> <p>AND</p> <p>List of pts While we support this we submit that you should include <i>natural heritage</i>. See Waterford Green Infrastructure 8.18 Pol NH 2.</p> <p><b>NH36</b> We submit that this should be re-positioned in 11.2 Coastal Zone Management Objective</p> <p>We submit that you should include an additional Objectives:</p> <p><b>1</b> <i>To promote a network of paths and cycle tracks to enhance the accessibility to Green Infrastructure network.</i> Taken from Sth Dublin Draft 8.1.0 Objective 10.</p> <p><b>2</b> <i>To require that all Land Use Plans protect, manage and where possible provide green infrastructure in an integrated and coherent manner to integrate green infrastructure into developments and ensure that they are cohesive with Green Infrastructure corridors linking adjoining lands.</i> Taken from Offaly 7.6 GIP-03.</p> <p><b>10.3.7 Recreational Use of Natural Resources</b></p> <p>2nd sentence We submit that you should also include: <i>cycling, nature, wildlife, heritage and maritime trails, bird/deer watching, whale/seal/ dolphin watching, painting, photography, field studies, back-packing, orienteering, para- and hang- gliding, kayaking and rafting, mountain running, caving, hill walking, mountain running, mountaineering, rock climbing, adventure sports, wild camping, pony trekking, boating, archaeological guided walks and that these activities be coordinated, where appropriate, with adjoining counties.</i></p> <p>See DLR 9.4 last para(Draft 4.1.2(ii) last para) &amp; Kildare 14.11.3 1<sup>st</sup> para.</p> <p>Objectives</p> <p>NH39 We submit that you should delete from <i>to</i> on 2<sup>nd</sup> line.</p> <p><b>NH41</b> We submit that down to <i>land</i> on 1<sup>st</sup> line should be re-position in 10.3.9 Wicklow's Landscape in proposed Objective 3 with a consequent re-writing of this Objective.</p> <p><b>NH42</b> We submit that down to <i>Arklow</i> on 1<sup>st</sup> line should be replaced by: <i>To promote, facilitate and support, in conjunction with adjoining counties and the National Trails Advisory Committee, the development and use of a waymarked walking and cycling route along the entire coastline, as a tourist and recreational amenity, as a casual walk and as a link between coastal areas, including where feasible, use by cyclists and will improve and upgrade it.</i></p> | <p>The objectives in the plan in relation to recreational use of natural resources are acceptable. No change is necessitated.</p> |
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*In furtherance of this Objective a study group will be set-up within one year of the adoption of Plan. Based on GDARPG 7.7. Box 11 8<sup>th</sup> pt, Fingal 4.1 Objective TO12, Wexford 13.7 CZM21, 15.5 RS22 & 23 & Sligo 4.4 O-CZT-5.*

Notes

1 A Coastal Path constitutes a magnificent amenity for local people and visitors and would generate much needed tourist revenue.

2 in England the Cornwall/Devon cliff path brings in annual revenue of £325M and in Wales there is a coastal path around entire 870 mile-long coastline which attracts 100,000 tourists annually.

AND that the rest of the Objective should be replaced by: *To provide, support, actively promote, maintain, protect, preserve, enhance and improve access to the coast, seashore by identifying existing and/or potential coastal routes including links between the coastal path and the coast road, which can be developed as tourism attractions and as local amenities, in co-operation with landowners and local groups and with statutory and relevant organisations for recreational activities including walking, cycling, pony trekking, whale/dolphin watching and bird-watching, and these routes will ideally be permanent, of high quality and adequately managed and should allow for further expansion and provide links to other activities and facilities and designate traditional walking routes thereto as public rights of way. Facilities for maritime leisure development will not be permitted if they affect public access to beaches.* Based on Wexford 13.7 CZM22, 24 & 26, 13.9 CZM31 & 15.6 RS 23, Meath NH OBJECTIVE10, Fingal 5.5 CT 20 & 28, DLR 9.4.3 3<sup>rd</sup> para(Draft 4.1.2.9 2<sup>nd</sup> para, last sentence), Mayo Vol 1 Chpt 4 Access to Heritage & Amenities AC-01a, Sligo 4.4 O-CZT-6, 6.5 P-SRO-9 & 12, Kerry 5.9 T- 44 1<sup>st</sup> clause, Leitrim 3.3.3 Pol 19 & Waterford 6.13 Pol ECD 24.

**NH43** We submit that you should append *within two years of the adoption of the Plan.*

AND

That you should append:

*Actively propose the designation (local area)as a Special Amenity Area and seek an Order to that effect and undertake a feasibility study to report on other areas considered worthy of designation during the lifetime\* of the Plan.*

*\*2 years* would be better.

Based on GDARPG 7.6.1 GIR26, Sth Dublin 4.3.9.ii, Cavan 8.8 last sentence & 2010 Plan 17.7 AW6.

We submit that you should include an additional Objective:

*To support, promote and facilitate the provision and the development of outdoor activities and preserve, improve and extend rural recreational amenities and explore the potential for rural recreational tourism in conjunction with*



*Tourism bodies, FI, National Trails Office and NPWS to diversify the range of tourist experience and extend the tourist season. Based on 2000 Planning and Development Act Sec 10(2)(j).*

Roscommon 3.5 Pol 3.64, Westmeath 6.21 P-LLM 2 5<sup>th</sup> line, Galway 4.14.Objective EDT17 & Kerry 5.3 T11 & 12.

### **10.3.8 Public Rights of Way**

4<sup>th</sup> para Table 10.1 should be 10.3

We submit that you should include additional text:

**1** *Public Rights of Way have existed over the centuries and constitute an important recreational amenity for local people and visitors and an economic asset. They enable the enjoyment of high quality landscape and provide a valuable link to natural assets such as lakes bogs and forests. A public right of way is a person's right of passage along a road or path, even if the route is not in public ownership. Council recognises the importance of maintaining and protecting Public Rights of Ways.* Based on Kildare14.11.3 (iv), Wexford 15.9 1st para, Galway 10.12, Leitrim 3.6.1 3<sup>rd</sup> para 4<sup>th</sup> line, Cork 13.4.6 & Westmeath 7.14 1<sup>st</sup> para.

**2** *The importance of reasonable access to the countryside in Wicklow cannot be overstated. As well as providing a recreational amenity for local people, the economic benefits through both day visitors and long stay ones is undeniable. While we accept that the Wicklow National Park and Coillte forests provide access there are many other areas to which access is denied or at best uncertain.*

We submit that you also include:

**1** Windgates From the end of the road to the Cliff Path.

**2** Bray Head From the steps on the Cliff Path adjacent to the public car park at Raheen Park to the Cross at the top of the Head.

**3** Bray Head From the Cross to the slip road off the Bray – Greystones Road((R761).

See the reference in Chpt 11 Coastal Zone Management Cell 2 Bray Head Objective CZ2 to the existence of *public rights of way on Bray Head*. Note We can supply maps if required.

**4** North-East Wicklow 110 routes details of which we understand are with the Council.

Note

**1** The Council will be aware that back in the late 1980's and early 1990's the Council initiated a programme to identify and describe traditional walking routes Unfortunately, it appears that the findings were *pigeon-holed* and none of the routes was ever included in successive Development Plans. All these routes were investigated, researched, mapped, walked and identified by witnesses. We submit that this list should be included in the Plan.

The objectives relating to PROW as set out in Chapter 10: Heritage are acceptable. Further issues raised in relation to PROW are considered in Section 3.8 of this report.

These issues are addressed in detail in Section 3.8 of this report.

## **SECTION 3.3**

We submit that a similar programme for the rest of the county would more than likely come up with many more designatable routes.

**2** This minimalist list of nine compares unfavourably with Kerry where over fifty rights of way have been listed. Also, we would remind you that reasonable access to the countryside is the norm in virtually all European countries. We would have to say that there many more traditional walking routes which should have been included.

We submit that you should append a Note: *The above is not an exhaustive list and the omission of a right of way from this list shall not be taken as an indication that such a right of way does not exist.* Taken from Kerry 9.10 3<sup>rd</sup> para, 3<sup>rd</sup> & 4<sup>th</sup> sentences & Cavan 8.10 2<sup>nd</sup> para last sentence. See also DLR App G(Draft App 8).

**Objectives:**

NH45 1<sup>st</sup> sentence We submit that this should be replaced by:

*Recognizing the importance of established public rights of way for the common good, especially in tourist and coastal areas and those which provide access to archaeological sites, National Monuments, seashores, lakeshores, riverbanks, upland areas, water corridors or other places of natural beauty or recreational utility the Council will utilise its relevant statutory powers for the preservation, protection and conservation, in so far as practicable, the character of the routes of public rights of way detailed in Table 10.19 (Map 10.12) and will enhance, promote, maintain and improve them to encourage cycling and walking. The Council will ensure that they are effectively maintained by controlling undergrowth, trees and bushes.* Based on Carlow 5.3.2 last para 1<sup>st</sup> line & 8.12 Pol 6 1st pt,

DLR 9.4.6 LHB22 1<sup>st</sup> pt(Draft 4.1.2.11 1<sup>st</sup> pt), Meath 4.6.8 2<sup>nd</sup> para & 9.7.9 NHPOL 20, Sth Dublin 4.3.9.xi LHA35, Kildare 14.11.3(iv) & 14.12.2 RW 1, Galway 10.13 Pol PRW 1, Louth 2.7 CON33, Roscommon 8.7.1 Pol 8.37, Kilkenny 7.3.5 2<sup>nd</sup> para, Monaghan 7.4.1 RAO 10 & Kerry 9.10 SC-50.

2<sup>nd</sup> sentence We submit that this should be replaced by:

*Not to permit development where a public right of way will be affected unless the developer can demonstrate that level of amenity is maintained by:*

*(i) the footpath/bridleway being diverted by the minimal practical distance and the route continues to be segregated from vehicular traffic;*

*(ii) Appropriate legal procedures have been undertaken to extinguish the existing right of way and to establish the new right of way to replace it;*

*(iii) the diverted route is of at least equal character and convenience.* Based on Mayo Vol 2 40.2 & DLR 9.4.6

It is considered that the objectives of the draft County Development Plan adequately address public ROWs and accessibility. No change is therefore recommended.

LHB22 5<sup>th</sup> pt(Draft 4.1.2.11 6<sup>nd</sup> pt).

NH46 We submit that you should *delete where resources permit* in 1<sup>st</sup> line.

Note We submit that it is invidious to single out this Objective as many other Objective have financial obligations

AND

That you should append: *and endeavour to include a further list within two years of the adoption of the Plan.*

We submit that you should include additional Objectives:

1 *Encourage and facilitate the creation of additional rights of way and extend existing ones to facilitate the development of waymarked ways and loop walks, by undertaking a review/survey of green links, walking and cycling routes and bringing forward proposals within two years of the adoption of the Plan, either by agreement or by the use of compulsory powers, for the creation of public rights of way particularly in areas of high amenity and to areas of recreational importance, the coast, uplands, sea shores lake shores, river banks, forests, heritage and scientific sites, areas of historic or archaeological importance, National Monuments, to create a meaningful network. Promote their greater use and designate traditional walking routes to the coast as public rights of way. Provide linkages from built up areas to the countryside and to link with public rights of way in adjoining counties.* Based on Carlow 8.12 Objective 4 1<sup>st</sup> pt & 8.12 Pol 6 1<sup>st</sup> & 6<sup>th</sup> pts, 1<sup>st</sup> line, Sth Dublin 4.3.9.xi 2<sup>nd</sup> last para & LHA35, DLR 9.4.6 LHB22 2nd & 3rd pts(Draft 4.1.2.11 2<sup>nd</sup> & 3<sup>rd</sup> pt), Fingal 8.4 Objective RE 35, Kildare 14.12.2 RW1, Mayo Vol 1 Chpt 3 Pedestrians & Cyclists 1<sup>st</sup> sentence & Vol 2 40.1 2nd sentence, Westmeath 7.15 O-PROW3, Sth Tipp 6.3.7 Pol AEH10, Longford 6.4 AM 6 1<sup>st</sup> sentence 1<sup>st</sup> line & Leitrim 3.10.7 Objective 108.

2 *To ensure that all existing public rights of way are appropriately sign posted and waymarked.* Taken from Carlow 8.12 Objective 4 last pt.

Note It is most important that public rights of way are marked on the ground because:

1 As a notification to the public that a right of way exists. Walkers cannot be expected to access Co Development Plans

2 Signage would alert local residents to planning applications affecting the integrity of rights of rights of way

3 Directional signage during the course of the route would prevent involuntary trespass on private property and prevent walkers getting lost which might impinge on walker safety.

3 *To protect and promote Greenways and consider designating them as public rights of way.* Taken from Laois 13.12 P96 1<sup>st</sup> line & Sligo 8.4.P-CW-5.

4 *To prohibit development and keep free from obstruction existing rights of way, and take legal action if*

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| <p><i>necessary, to prevent any attempt to close them off.</i> Taken from DLR 9.4.6 LHB22 4<sup>th</sup> pt(Draft 4.1.2.11 4<sup>th</sup> pt) .</p> <p><b>5</b> <i>To look favourably on planning applications which include proposals to improve the condition and appearance of existing rights of way.</i> Taken from DLR 9.4.6 LHB last pt(Draft 4.1.2.11 last pt), Carlow 8.12 Pol 6 7<sup>th</sup> pt &amp; Kildare 14.12.2 RW 4.</p> <p><b>6</b> <i>To identify existing Public Rights of Way and established walking routes prior to any new forestry planting, new infrastructural, energy/telecommunications or golf course developments and any other development capable of affecting the respective right of way.</i> Taken from <b>Kildare 14.12.2</b> RW 3.</p> <p><b>10.3.9 Wicklow’s Landscape</b></p> <p>1<sup>st</sup> para We submit that this should be re-positioned in Vol 3 (5) Landscape Assessment and merged with 1<sup>st</sup> para in 1.2. Wicklow’s Landscapes</p> <p>2<sup>nd</sup> para We submit that this should be re-positioned in Vol 3 1.1 Introduction to Landscape Assessment</p> <p>We submit that you should include additional Text:</p> <p><b>1</b> <i>The Council will take a pro-active approach to the landscape with policies that seek to conserve and enhance the strongly distinctive landscape character by protecting significant landscape elements that are intrinsically important or contribute to general amenity. Landscape assets are non-renewable resources.</i> Taken from DLR 9.2.1 1<sup>st</sup> para(Draft 4.1.2.1 1st para).</p> <p><b>2</b> <i>The Heritage Act 1995 classifies landscape as areas, sites, vistas and features of significant scenic, archaeological, geological, historical and ecological interest.</i> Taken from Galway 9.10 last para 1<sup>st</sup> sentence.</p> <p><b>3</b> <i>Under the EIA Directive – Environmental Impact Statement/Assessment the effects of certain public and private projects on the environment is required. The thresholds for such assessment are listed in the Planning and Development Regulations 2011(as amended).</i> Taken from Galway 13.11c) 1<sup>st</sup> &amp; 2<sup>nd</sup> sentences.</p> <p>Note This seems to refer to an EIS.</p> <p><b>4</b> <i>A Historic Landscape Character Area is a detailed holistic study of the historic development and environmental significance of an area and offers a dynamic perspective of the total landscape thereby contributing to the management and promotion of sustainable development within the areas.</i> Taken from DLR 9.2.3 last para(Draft 4.1.2.4 1<sup>st</sup> para) .</p> <p><b>Objectives:</b></p> <p><b>NH48</b> We submit that this should re-positioned in Vol 3 App 1 Sec 11 and merged with AONB and other sensitive landscapes.</p> | <p>The objectives set out in the current plan in relation to landscape are considered acceptable and address the issues raised.</p> |
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| <p>We submit that you should include additional Objectives:</p> <p><b>1</b> <i>To review the Landscape Character Assessment and the Landscape Objective in the Plan, after the publication of the National Landscape Strategy and future guidelines issued by a Minister of the Government with respect to landscapes and will include capacity studies for different forms of development and will involve consultation with adjoining councils. Based on Wexford 14.4.3 L02 &amp; Kerry 12.2.2 ZL-2.</i><br/> Note This Strategy was adopted in 2015.</p> <p><b>2</b> <i>Recognizing the diverse and unique landscape character of the county and in accordance with Sec 204 of the 2000 Planning and Development Act to designate/zone Landscape Conservation Areas (mention local areas) in partnership with DoECLG and the Heritage Council, within two years of the adoption of the Plan, in order to achieve its Objective of protecting and enhancing the landscape. Physical development shall not adversely impact on areas designated as visually important/sensitive. Based on Meath 9.11 2<sup>nd</sup> para, Monaghan 4.4.1 LPO 2 &amp; Longford 6.1.1 LCA 2.</i></p> <p><b>3</b> <i>To preserve, maintain and protect the amenity value, visual integrity and rural character of open/unfenced landscape of the uplands, areas of rough grazing and commonage and secure access thereto. Discourage inappropriate development in open countryside and prohibit developments which are likely to have significant adverse visual impacts, either individually or cumulatively, on the character of the uplands, unless there is an overriding need for the development to be in that particular location. Where an overriding need is demonstrated ensure that it is appropriate in bulk and scale and is sited, designed and landscaped in a manner which minimises potential adverse impacts on the landscape. Ensure that development will not significantly interfere or detract from scenic uplands and that particular regard is had to potential impacts of new developments and require that proposed developments demonstrate that every effort has been made to reduce visual impacts(including site selection and design) and that visually prominent sites have been avoided to minimise visibility from scenic routes, walking trails, public amenities, settlements and roads. Have particular regard to the potential impacts of development on sensitive upland areas and materially consider the difficulty of establishing and maintaining screening vegetation. Based on Kildare 14.8.3 LU 1, 4 &amp; 5, Wexford 14.4.3 LO3, Kilkenny 8.2.10 DMS 6<sup>th</sup> pt &amp; Galway 9.11 Objective LCM 3 1<sup>st</sup> sentence.</i></p> <p><b>4</b> <i>To safeguard and protect skylines and ridgelines from development by resisting development which do so. Based on</i><br/> Nth Tipp 4.2 ENV 3(c), Fingal 5.2 LC 06 &amp; Donegal 6.1.3 Pol NH-P-12.</p> <p><b>5</b> <i>To ensure that the visual impact of developments on steep slopes(i.e. &gt;10%) or elevated sites(e.g. reservoirs or telecommunication structures) are minimized or mitigated and will not be conspicuous or have a disproportionate</i></p> | <p>The draft County Development Plan already addresses protection of the landscape and commonage. No change is considered necessary.</p> |
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*or dominating visual impact(due to excessive bulk, scale or siting) on the environment as seen from public areas, scenic routes, viewpoints or settlements. Based on Kildare 14.8.3 LU 2 & Kilkenny 8.2.10 DMS 4<sup>th</sup> & 5<sup>th</sup> pts.*

*6 To work with stakeholders to protect, sustain, conserve, preserve, manage, promote, enhance and value the diversity, distinctiveness, scale, character, appearance, sensitivity and visual and scenic quality, amenity value of the open countryside and the natural beauty of the landscapes and the natural environment in accordance with relevant government policy and guidelines, by ensuring that they meet high standards of siting and design and are holistic and in the interest of the common good for current and future generations for the benefit of both local people and our visitors and a major economic asset. Applicants shall satisfactorily demonstrate that new developments can be as adequately absorbed into its surroundings without significant adverse visual impacts to its overall landscape value, nature conservation and archaeology and that they are appropriate in scale and sited, designed and landscaped having regard to their settings in the landscape and taking into account site contours and levels, so as to ensure that any potential adverse visual impacts are minimised, where there is no overriding need for the development to be in that particular location. Encourage appropriate development which would enhance an existing degraded landscape and/or which would enhance and introduce views to or from a Landscape of Greater Sensitivity from public viewpoints. Developments which fails to appropriately integrate into the landscape with due regard to visual impact shall be resisted. Adopt a regional approach in the protection of the environment, co-operating with neighbouring counties in the protection of the landscape.*

*Based on 2000 Planning & Development Act 1<sup>st</sup> Sch Part IV 7, Fingal LANDSCAPE CHARACTER ASSESSMENT OBJECTIVE LCo5, Meath 9.8.3 last para 4<sup>th</sup> line & 9.8.6 LC SP 1, Kildare 14.8 LA 2, Wexford 14.4 2<sup>nd</sup> para 4<sup>th</sup> line & 14.4.3 LO3, 4 & 7, Galway 9.11 Pol LCM 1, Mayo Vol 1 Chpt 4 Environment, Heritage & Amenity LP-01, Leitrim 1.10.2g) & 4.1.1 2<sup>nd</sup> para 3, Cavan 8.7 NHEP19, Kilkenny 8.2 2<sup>nd</sup> para, 8.2.10.1 & Objective 8G, Kerry 10.1 NE-1 1<sup>st</sup> line & 12.1 ZL-1, Sligo 7.1 P-NH-1, Offaly 7.13 LAP-01 & 7.14 LAO-01, Monaghan 4.4.1 LPO 1 & LPP 3, Westmeath 3.14 P-GT5, 6.21 P-LLM1 & 2 & 6.4 P-LCA1, Nth Tipp 4.2 Key Landscape Aims(i) & 3<sup>rd</sup> pt & Pol ENV 2 & Kilkenny 8.2.10 4<sup>th</sup> pt last sentence.*

*7 To support and implement the provisions of the National Landscape Strategy and provide for sustainable management of landscapes including archaeological, coastal and upland landscapes. Based on Waterford 8.2 Pol ENV 2 & Meath 9.8.2 LC POL 1.*

*8 To ensure the preservation, enhancement and protection of the uniqueness of a landscape character type by having regard to the character, value and sensitivity of the of a landscape when determining planning applications. Have regard to the Landscape Sensitivity Classification in considering any significant development proposal.*

*Ensure that development reflects and, where possible, reinforce the distinctiveness and sense of place of the landscape character types by taking into account elements such as geology scenic quality, historic heritage and tranquillity. Ensure that proposed developments would not conflict with the policies and Objective set out in the Landscape Character Assessment and associated map. Ensure the preservation of the uniqueness of a landscape character type by having regard to the character, value and sensitivity of the landscape when determining planning applications. Based on Sth Dublin Draft 9.2.0 Objective 1, Meath 9.8.5 LC SP 1, Fingal 5.4 LANDSCAPE CHARACTER ASSESSMENTS OBJECTIVE LCo1 & 2, Wexford 14.4.3 LOI 1 1<sup>st</sup> line & Kildare 14.10 LO 1.*

*9 To take cognisance of the 2005 EUR Report from the European Landscape Character Assessment Initiative. Taken from SERPG 8.2.1 PPO 8.4.*

*10 To consider appropriate rural recreational and tourism related developments which would facilitate public access to landscapes particularly Upland Landscapes. Taken from Wexford 14.4 L08 1<sup>st</sup> sentence.*

*11 As considerable care will be needed to successfully locate large-scale developments without becoming unduly obtrusive and as their location, design and siting will need careful consideration applicants for development in areas of medium to exceptional landscape values and in uplands and river valleys, will be required to prepare a visual impact and landscape assessments using agreed and appropriate viewing points and methods of assessment and involving an evaluation of the visibility and prominence of the proposal, where proposed development may have a significant and adverse effect on landscape character or scenic views, to include photomontages, on-site height poles and Landscape/Visual impact statements setting out alternative sites that were considered and proposals demonstrating that the landscape impacts have been anticipated and avoided to a level consistent with its sensitivity and that every effort has been made to mitigate negative impacts. Based on DLR 16.7.3(Draft 8.2.7.3), Sth Dublin Draft 11.5.5(ii) 1<sup>st</sup> sentence, Fingal LANDSCAPE CHARACTER ASSESSMENT OBJECTIVE LCo7, Kildare 14.8 LA 3, Meath 9.8.5 LC POL 2, Cork 13.6.9, Sligo 7.4.4 0-LCAP-3 2<sup>nd</sup> sentence, Kilkenny 8.2.10 DMS 2<sup>nd</sup> pt & Nth Tipp 4.2.1 para after Pol.*

*12 To provide for recreational use by local communities and for natural resource tourism in High Amenity Areas. Taken from Westmeath 6.23 P-HAA2 & 3.*

*13 To liaise and co-operate with adjoining councils to ensure that development plan policies are consistent in the protection and management of landscape and that they support the co-ordinated designation of sensitive landscape particularly where transboundary vulnerabilities are identified. Based on*

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| <p>Louth 2.4 CON 9, Cavan 8.7 NHEO25 last sentence &amp; Sligo 7.4.4 0-LCAP-2.</p> <p>14 <i>The Council may require an EIS for certain public and private projects and for development proposals below the statutory thresholds as per "Guidance for Consent Authorities on Sub Threshold Development(2003) and may be required in accordance with the provisions of Part 10 of Assessment and Planning and Development Regulations 2001(as amended).</i> Taken from Galway 13.11 DMS 40c) 1<sup>st</sup>, 3<sup>rd</sup> and last sentences.</p> <p>15 <i>To ensure that the results of the Historic Landscape Characterisation studies carried out are taken into account in the development of plans and in the assessment of projects on an ongoing basis and that development reflects and reinforces the distinctiveness and sense of place of identified historic landscape types, including the retention of important features or characteristics. Commission new HLC projects with a view to obtaining complete coverage.</i> Taken from Fingal 5.4 HISTORIC LANDSCAPE CHARACTERISATION Objectives.</p> <p><b>10.3.10 Views and Prospects</b></p> <p><b>Text</b></p> <p>1<sup>st</sup> para We submit that this should be replaced by:<br/> <i>The views and prospects listed in the plan are those views/prospects which are of enormous amenity value to residents and visitors. Many are considered to be of great natural beauty and can be local landmarks, historic landscapes which will form a cohesive set, such as coastal, river or lake drives, while some appear suddenly and provide a new and interesting angle on a natural feature. The protection, conservation and preservation of these assets is of primary importance and requires management of the landscape. There is a need to protect and conserve them where they adjoin public roads. Development, where permitted, should not hinder or obstruct them and should be designed and located to minimise their impact. Some views/prospects are intermittent in nature and appear through gaps in vegetation or buildings and are not restricted to public roads.</i> Based on <b>DLR</b> 9.2.4 LHB4 1<sup>st</sup> para 1<sup>st</sup> sentence(Draft 4.1.2.5 1<sup>st</sup> para 1st sentence), <b>Fingal</b> 5.4 VIEWS &amp; PROSPECTS, Kerry 12.4 1<sup>st</sup> para 2<sup>nd</sup> &amp; 3<sup>rd</sup> sentences, Louth 5.15.4 1<sup>st</sup> para last sentence, Galway 9.12 &amp; Leitrim 3.8.9 2<sup>nd</sup> para.</p> <p>2<sup>nd</sup> para last sentence</p> <p>We submit that you should include a <b>Table of Scenic Routes</b> with accompanying Maps. See Cavan M 10 T 4, Cork Vol 2 App E Chpt 5, Louth T 5.15 &amp; M 11.1(Vol 2 App11), Longford T 6.2 &amp; App 6 &amp; Mayo Vol 1 Chpt 4 Views &amp; Prospects M 4.</p> | <p>Not necessary to include</p> <p>The objectives set out in the current plan in relation to views and prospects are acceptable and address the issues raised.</p> |
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### Objectives

NH50 We submit that this should be replaced by: *To protect, preserve, safeguard, improve, enhance and conserve the character and quality of views, focal points and prospects, including those located outside the county, visual linkages between established landmarks and landscape features and designated Scenic Routes, or on views to and from places of natural beauty or interest to recorded monuments or when viewed from the public realm and particularly from adjoining public roads(although not restricted thereto) and river valleys, to or from the sea, lakes, lakeshores, rivers, unspoilt mountains, uplands, coastal landscape, historic sites, views of historic significance, natural beauty, of high or special amenity value or interest by prohibiting intrusive and insensitive levels development that would interfere with the character and visual amenity of the landscape or adversely affect tourism and enhance them by removing derelict sites under the provisions of the Derelict Sites Act 1990 and structures and eyesores and by ensuring that structures or other developments do not seriously obstruct these views Applicants must specify materials to be used demonstrate that proposed development does not negatively impact on the character of a scenic route and that the views towards visually vulnerable or sensitive areas are not obstructed or degraded. Protect scenic amenity routes from insensitive development by integrating them into landscape areas. Curtail development along river banks that could cumulatively affect the quality of a designated view. Applicants in the environs of a scenic route and/or an area with important views and prospects must demonstrate that there be no adverse obstruction or degradation of views towards and from vulnerable landscape features and that the design, site layout and landscape of the proposed development must be appropriate, along with mitigation measures, to prevent significant alterations to the appearance and character of the area. Due regard will be paid in assessing applications to the span and scope of the view/prospect and the location of the development within that view and prospect. Encourage appropriate landscape and screen planting for existing or proposed developments along scenic routes. Ensure that developments in river valleys will not adversely affect or detract from protected views (especially from bridges) or distinctive linear sections of river valleys(including floodplains when viewed from settlements. Resist development such as houses, forestry, extractive operations, landfills, caravan parks and large agricultural units which would interfere with a prospect. Prevent development which would block or interfere with a protected view. In evaluating planning applications in the foreground of protected views and/or prospects consideration will be given to the effect of such development. Where possible, seek the removal or lowering of walls or other obstructions. Careful management and special controls will be attached to permissions to maintain their inherent interests. Based on **Fingal** 5.4 VIEWS & PROSPECTS Objective VPO1 & 02, **DLR** 9.2.4 LHB4 2<sup>nd</sup> to last paras (Draft 4.1.2.5 LHB 6 2<sup>nd</sup> to last paras), **Sth Dublin** 4.3.5.i Pol LHA2(Draft 9.2.1 Pol 8 & Objective 1), **Kildare** 14.9.1 SR 1, 14.9.2 W 1 & 2, 14.9.3 HV 1 & 14.10 LO 5 to LO 7, **Meath** 9.10 LC OBJECTIVE 5, **Carlow** 9.1 Pol 1 10<sup>th</sup> pt, Sligo 7.4.4 O-LCAP-7, Mayo Vol 1 Chpt 4 Views & Prospects VP-01, Offaly*

7.13 LAP-03 1<sup>st</sup> sentence, Roscommon 7.6 Objective 7.40, Cavan 8.8.1 NHEO28 to 30, Kilkenny 8.2.10.6 Objective 8H & 9<sup>th</sup> para, Westmeath 6.25 P-VP3, Louth 6.5 HER 62 & 63, Limerick 7.3.7 j EH 017 (a) & (c), Cork 13.7 G I 7-1, 2 & 3a) & b), Leitrim 3.8.9 Pol 102 & 4.1.1 1<sup>st</sup> para 3<sup>rd</sup> pt, Longford 6.1.1 LCA 3, Waterford 8.1, Nth Tipp 4.2.1 ENV 3 (a) & (b) & Galway 9.13 1<sup>st</sup> sentence.

We submit that you should include additional **Objectives**:

1 To **review** and update all **Scenic Routes** during the lifetime of the Plan. Taken from **Kildare** 14.9.1 SR2.

2 To **review listed views**. Taken from Westmeath 6.25 O-VP1.

3 To require planning applications that have the potential to adversely impact upon Protected Views and Prospects to be accompanied by **an assessment** of the potential Landscape visual impacts of proposed development demonstrating that the landscape impacts have been anticipated and avoided to a level consistent with its sensitivity. Taken from **DLR** 16.2.73(Draft 8.2.7.3).

We submit that you should include additional **Sub secs**:

#### A **Amenity Landscapes**

##### **Text**

**AHSQ** whilst not quite possessing the exceptional natural beauty and landscape quality of an AONB nevertheless add significantly to the stock of natural scenic landscapes. Taken from Louth 5.15.2.

##### **Tables**

A **AONBs** See Leitrim 3.8.7 T18 & M 3-12 & Louth 5.15.1 T 6.2 & Map 5.16

B **High Visual Amenities** See Leitrim 3.8.7 T 19 & M 3.12

C **Areas of High Scenic Quality** See Louth 5.15.1 T 5.14 & M 5.16

#### B **Peatlands**

##### **Text**

Bogs offer a wonderful and unique opportunity to experience nature and heritage. Taken from **Longford** 4.5 Bogs,

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| <p>Woods and Rural Landscape.</p> <p><b>Objectives</b></p> <p>1 <i>Recognising that boglands are important resources for natural heritage, tourism, amenities, ecology, history and archaeology, <b>protect</b> their character, appearance and quality and conserve them free from inappropriate development in conjunction with the NPWS, Coillte, FI and other bodies. Ensure that peatland areas which are designated under international and national legislation are conserved and managed. Based on <b>Kildare</b> 10.5.6 BL1 &amp; 14.8.2 LL4, <b>Meath</b> 9.7.6 1<sup>st</sup> para 2<sup>nd</sup> sentence, Kilkenny 8.2.7 DMS, Nth Tipp 4.8 2<sup>nd</sup> para 1<sup>st</sup> line &amp; 2<sup>nd</sup> para 7<sup>th</sup>line, Offaly 2.12 TP-06 &amp; 7.3 NHP-12, Leitrim 3.8.3.2 Objective 63 &amp; 3.8.3.9 Objective 74, Westmeath 5.12 P-PTL1 to 3 &amp; Laois 13.9.5 pol NH 70.</i></p> <p>2 <i>Implement relevant recommendations in DoHLG's National Peatland Strategy when finalised. Taken from <b>DLR</b> Draft 4.1.3.1 last para.</i></p> <p><b>C Wetlands</b></p> <p><b>Text</b></p> <p>There is excellent material in <b>Kerry</b> 10.6 text which could be included.</p> <p><b>Objectives</b></p> <p>1 <i>To support use of wetlands for <b>recreational</b> and tourism uses and ensure that the <b>impacts</b> including those affecting <b>archaeology</b> are taken into consideration when assessing development proposals involving drainage or loss of wetlands. Taken from Kerry 10.6 NE-28 &amp; 29 &amp; <b>DLR</b> Draft 4.1.3.7.1<sup>st</sup> para 6<sup>th</sup> pt.</i></p> <p>2 <i>To manage and enhance existing wetlands which serve as <b>flood protection/management measures</b>. Taken from <b>DLR</b> Draft 5.2.5.2 last para 9<sup>th</sup> pt.</i></p> <p><b>D National Park</b></p> <p><i>Promote the extension of the <b>Wicklow Mountains National Park</b> and cooperate with relevant bodies. Based on <b>DLR</b> 9.4.8 Pol LHB24(Draft 4.1.2.13) &amp; <b>Sth Dublin</b> 4.3.9.iv.</i></p> | <p>Not within the remit of the CDP.</p> |
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| <p><b>CHAPTER 11 – COASTAL ZONE MANAGEMENT</b></p> <p><b>11.1 Introduction</b><br/>While we support this you might like to look at Fingal 5.5 &amp; <b>Cork</b> 4.9.2 to 4 both of which have excellent Text</p> <p><b>11.2 General Coastal Zone Management Objectives:</b><br/>CZM5 We submit that this should be replaced by: <i>To protect and enhance the character and visual potential of the coast and conserve the character and quality of seascapes by prohibiting development on or adjacent to beaches where such development would interfere with public access to the coast or would cause damage to or degradation of beaches or sand dunes and their recreational and amenity values both for visitors and local people. Development will not be visually obtrusive by impacting on skylines and it must allow the character, quality and distinctiveness of seascapes to be conserved and views of special amenity to be protected. Protect, preserve conserve and enhance coastal scenery. Ensure adequate protection of the coastal zone as areas of natural heritage, amenity and environmental values and recreational use. Prohibit developments which are likely to have significant adverse effect on amenity areas or on visual impacts, either individually or cumulatively, on the character of Coastal landscape, where there is no overriding need for the development to be in that particular location or where they could not be adequately developed without the construction of coastal defences. Ensure that, where an overriding need is demonstrated for a particular development in a Coastal landscape careful consideration is given to site selection and the development should be appropriate in scale and be sited, designed and landscaped in a manner which minimises potential adverse impacts on the landscape. Promote the retention of features of coastal heritage where these contribute to the character of the area.</i> Based on <b>DLR</b> 11.3.9 Pol AR7(Draft 6.1.3.10 Pol AR10), <b>Fingal</b> 5.5 CT 21, <b>Wexford</b> 14.4.3 L03, 5 &amp; 6, Galway 9.9 Objective NHB 10 last sentence, Cork 8.2 TO2-1, Kerry 5.1 T-4 1<sup>st</sup> line, 10.16.1 NE 57 1<sup>st</sup> para, 59 &amp; 10.16.2 NE65 &amp; Clare 15.3.6 CDP 15-5b).</p> <p>CZM6 &amp; 7</p> <p>We submit that you should include additional <b>Objectives:</b><br/>1 <i>To protect the overall integrity of sand dunes by <b>excluding motor vehicles from beaches</b> except for parking and develop green parking areas in appropriate locations, i.e. soft areas that can be left in their natural state during the off season and used to provide over-flow facilities during peak periods, by excluding land- and marine-based motor sporting activities from beaches and support the implementation of the Council Bye-laws. Due regard should be paid to nature conservation and landscape designations.</i> Based on Kerry 10.16.2 NE-66 1<sup>st</sup> sentence and 1<sup>st</sup> part of 2<sup>nd</sup> sentence &amp; Sligo 4.4.2 O-CZT to 3.</p> | <p>The objectives of the draft plan in relation to coastal zone management are considered acceptable and address any of the issues raised. No change necessitated.</p> |
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Also **Meath** 9.7.11 NH POL 23.  
Note **DLR** has adopted Bye-laws.

2 To consider appropriate rural recreational and tourism related **developments** which would **facilitate public access** to Coastal Landscapes. Developments should be appropriate in scale and be sited, designed and landscaped in a manner which minimises potential adverse impacts on the landscape. Taken from **Wexford** 14.4.3 L08 & Sligo 14.4 L08. Also **Meath** 9.7.11 NH POL22.

3 To prohibit coastal protection works which have not been subject to a recognised design process and where they have not been assessed for their likely impact on the marine and coastal environments to ensure that beaches, sand dunes, salt marshes and wetlands and estuaries are not compromised by **inappropriate coastal protection** or conservation works or development. Employ soft engineering works techniques in accordance with best practice as an alternative to hard coastal defence works, wherever possible and ensure that due regard is paid to visual and other environmental considerations in the design of the coastal works. New developments shall generally comply with the approach that all defence measures will be assessed for environmental impact. Based on Kerry 10.16.2 NE-62, Galway 9.9 Objective NHB 8a) & 10 2<sup>nd</sup> sentence & 13.11 DMS 42b) last pt, Cork 4.9 RCI 9-3 & **Meath** 9.7.11 NH POL24.

4 The Council will normally only permit development proposals associated with **water sports** where the following criteria are satisfied:

1<sup>st</sup> pt Proposed facilities are fully compatible with any existing use of water, including non-recreational use

2<sup>nd</sup> pt Will not result in damage to nature conservation sites or features of archaeological heritage

3<sup>rd</sup> pt Can be successfully integrated into its landscape

4<sup>th</sup> pt Will not have an unacceptable impact on visual amenity especially in Areas of Special Amenity or other important scenic areas

5<sup>th</sup> pt Will not result in intensification of use leading to excessive noise

6<sup>th</sup> pt Will not unduly restrict access to the water. Taken from **DLR** 16.18.2(Draft 8.2.10.5 (ii)1<sup>st</sup> to 6<sup>th</sup> pts).

5 Development of maritime **leisure facilities** will be discouraged where the siting would have a significant adverse impact on public access to beaches. Taken from

**Fingal** CT 21.

We support the rest of this Chpt

## CHAPTER 12 – IMPLEMENTATION AND MONITORING

### 12.4 Enforcement

2<sup>nd</sup> para 1<sup>st</sup> sentence We submit that this should be replaced by: *With regard to the enforcement provisions of Part V111 of the Planning and Development Act 2000 the council has extensive powers to take enforcement action where unauthorised development has occurred, is occurring or, where permitted, development has not, or is not being carried out, in compliance with the planning permission granted or any conditions. Planning legislation will be enforced to ensure that the environment is not jeopardised by inappropriate and environmentally damaging development and ensure that the policies and Objective of the Plan are implemented and adhered to. Ensure that the integrity of the Planning System is maintained and that it operates for the benefit of the whole community and that the environment is not jeopardised by inappropriate and environmentally damaging development and ensure that the policies and Objective of the Plan are implemented and adhered to.*

*Take enforcement action in cases of unauthorised development, where it is appropriate to do so, consistent with the provisions of Part VIII of the Planning and Development Act, 2000. Under planning legislation any development which requires permission and does not have that permission is unauthorised development, as is development which has been or is being carried out in breach of conditions specified in a planning permission. In carrying out its enforcement functions, the Council will:*

*1 Issue Warning Letters, in relation to any non-minor unauthorised development of which it becomes aware, within 6 weeks;*

*2 Carry out an investigation into alleged unauthorised development, after the issuing of a Warning Letter;*

*3 Make a decision, as expeditiously as possible, as to whether or not to issue an Enforcement Notice. This decision to be made within 12 weeks of the issue of a Warning Letter;*

*4 Enter any decision to issue an Enforcement Notice, including the reasons for it, in the Planning Register;*

*5 Notify complainant(s) regarding the decision to issue an Enforcement Notice. Where the decision is not to issue an Enforcement Notice the developer and the complainant will be informed of the reason for this decision.*

*6 May carry out periodic site visits in order to ascertain compliance*

*Proceedings for non-compliance with and Enforcement Notice will be taken in the District Court in most cases. However, where appropriate, injunctions will be sought in the Circuit Court or High Court.*

*In all cases involving legal proceedings the Council will seek to recover its costs, in addition to any fines imposed by the courts.*

**Sth Dublin 0.4.6 & Kildare 19.1.1.**

Chapter 12 is considered acceptable. No change is necessitated on foot of the issues raised.

We submit that you should include additional **Sub secs:**

#### **A Fencing Of Hitherto Open Land**

##### **Text**

1 *It is a requirement of the Planning Regulations 2001 Art 9(l)(a)(x) that the **fencing or enclosure of land open to or used by the public** during the ten years preceding such fencing or enclosure for recreational purposes or as a means of access to any seashore, mountain or other place of natural beauty or recreational utility, requires planning permission. Wire fencing constitutes visual pollution and destroys the "away from it all" feeling which makes upland areas such an attraction for both local people and visitors. There has been a large increase in the amount of new fencing in upland areas. Barbed wire has been used in most of this new fencing, which, in the absence of stiles or gates, makes access for recreational users of our countryside almost impossible. Traditional hill-sheep farming rarely required fencing, but since the introduction of REPS(now AEOS), sheep-farmers must, in certain circumstances, stock-proof their land. The challenge is to ensure that such fencing will be done in a manner that will meet the requirements of AEOS without impinging on access for hill walkers. Taken from Kilkenny 6.2 Fencing.*

2 *The following criteria will be used when considering planning applications for new fencing of hitherto open land: **Fencing in upland or amenity areas will not normally be permitted unless such fencing is essential to the viability of the farm** and that it conforms to the best agricultural practice. The nature of the material to be used, the height of the fence, and in the case of a wire fence the type of wire to be used will be taken into account. Stiles or gates at appropriate places will be required. Barbed-wire will not be used for the top line of wire. Taken from **Sth Dublin** 3.2.18 last para. Also **DLR Draft** 8.2.7.5.*

##### **Notes**

- 1 The EU has a judgment from the European Court of Justice against Ireland for permitting unnecessary fencing.
- 2 As fencing may have a cross-county dimension it is important that this development plan should be in conformity with those in adjoining counties.

#### **B Golf Courses**

*To ensure that golf course development **does not impinge** on existing **public rights of way** or walking routes by identifying them prior to development. Based on **Kildare** 14.12.2 RW 3 & Sligo 6.5 P-SRO-13.*

**Note** Recreational users and golfers don't mix! While there are rights of way over golf courses, they aren't

It is not considered necessary or appropriate to include an objective in a County Development Plan relating to statutes / regulations concerning fencing. No change is therefore recommended.

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| <p>satisfactory: walkers run the risk of being hit by golf balls and golfers are distracted by people talking and moving about.</p> <p><b>C Motor Bikes &amp; Quads</b><br/> <i>Development proposals for <b>Noise Generating Sports</b> will not normally be permitted unless there is no conflict with the enjoyment of areas used for informal recreation.</i> Taken from Kilkenny 7.7.2 last para 3<sup>rd</sup> pt. To which you should add:<br/> <i>Adopt Bye-laws banning the use of motor bikes and quads (except for bona fide agricultural purposes) in privately-owned areas of rough grazing (including commonage) and motorised para gliders.</i><br/> Note Louth &amp; Sligo have adopted bye-laws.</p> <p><b>VOLUME 3</b><br/> App 1 <b>DEVELOPMENT AND DESIGN STANDARDS</b></p> <p>Section 3 <b>Business, Commercial and Employment Developments</b><br/> <b>Forestry</b> We submit that you should amend the two references to <i>have regard to</i> by <i>adhere to</i>( or <i>comply with</i> or <i>be in accord with</i>). Taken from <b>Meath</b> 10.10 RD POL 15.</p> <p><b>Extractive Industry</b> 2<sup>nd</sup> para 1<sup>st</sup> pt We submit that you should append: <i>Not to permit development in NHAs, High Amenity Areas(including buffer zones), in the vicinity of recorded monuments, World Heritage Sites and zones of archaeological potential. In other areas development will be permitted only when it is carefully sited and designed and when the environment and the character of the landscape, particularly sensitive landscapes, natural heritage and archaeological heritage, areas of geological or geomorphological interest, areas of ecological importance, national monuments, listed views and prospects, lakes, river corridors and associated wetlands and places of natural beauty or interest are preserved, conserved and protected to the greatest possible extent and that development does not adversely affect amenities for local people and visitors. Applicants for new or extensions to existing quarries shall submit a detailed landscape and visual assessment which shall identify the area of visual influence and include details of impacts on designated amenity areas and indicate the use of hills and existing trees or other screening to be retained or removed and any proposed screening, grassing or planting of trees or scrubs and proposals for their maintenance, must be carried out and used to determine the extent of the area of visual influence and this screening whether by natural or by alternative means must be retained for the life of the planning permission. The Planning Authority will place the onus on the developer to prove that the proposed development can be accommodated in the landscape without detracting from its character and will impose strict</i></p> | <p>Not a function of a County Development Plan</p> <p>All of the suggestion set out re Development and Design standards have been considered and no changes are recommended on foot of this submission.</p> |
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conditions on planning permissions relating to the avoidance or mitigation of visual and other environmental impacts operations should not have a detrimental environmental effect on designated or proposed conservation sites. The Council will have regard to landscape sensitivity ratings. Based on **Meath** 10.12 RD POL 27, 11.14 last para, 6<sup>th</sup> & 9<sup>th</sup> pts, **Kildare** 10.8 EI, 5 & 9, **Wexford** 6.4.5 Objective ED09 & 18.16 3<sup>rd</sup> pt, **Sth Dublin** 3.2.21.i. Operation of Extractive Industries & 3.2.22.ii. Proposals for New Extractive Industry, Cork 5.5 ECON 5-13(b), Limerick 5.6.3 Objective EDO26 a) & b), 10.8.2 3<sup>rd</sup> para 16<sup>th</sup> pt, Cavan 3.8 EDO 23 & EDO26, Sth Tipp 5.6.2 4<sup>th</sup> line, (i) & (iv), Galway 4.6.1 Pol ED16 & 11 DMS 35.11.6 & 11 & Offaly 19.8 3<sup>rd</sup> para 3<sup>rd</sup> & last pts.

3<sup>rd</sup> pt

4<sup>th</sup> pt We submit that this should be replaced by: *Require that **development is phased** and each phase is rehabilitated to the highest possible standards before the next phase is commenced and the applicant must submit a detailed restoration programme on the manner and timing of restoration to ensure that the site is left in a satisfactory state for such beneficial use as an amenity for ecology and recreation as is agreed with the Council, with input from an ecologist, and is carried out within 12 months of cessation. Old disused quarries, sand and gravel pits should be restored and landscaped to its original character and with reference to the LCA. All buildings, plant, roads and paved areas should be removed unless otherwise agreed. The record of past restoration by the developer will be taken into account.* Based on **Kildare** 10.8 EI 10 1<sup>st</sup> sentence & 12, **Meath** 10.12 POL RD 26, 11.14 4<sup>th</sup> para 1<sup>st</sup> line & last para 5<sup>th</sup> pt, Sligo 4.2.4 P-MEQ-5, Roscommon 3.4.4 Pol 3.55 & 9.34 last para 2<sup>nd</sup> pt, Cavan 3.8 EDP9 2<sup>nd</sup> para Longford 4.6 AM 2, Offaly 2.9 RDP-14 2<sup>nd</sup> part of 2<sup>nd</sup> sentence, Kerry 8.2 last para 15<sup>th</sup> line, Limerick 10.8.2 3<sup>rd</sup> para last pt, Nth Tipp 4.7 Pol ENV 28g) & h) & 10.14.5, Kilkenny 6.4.2 3<sup>rd</sup> pt 1<sup>st</sup> sub pt & 3<sup>rd</sup> pt 2<sup>nd</sup> sub pt, Galway 13.10 DMS 37h) 2<sup>nd</sup> para & Sth Tipp 5.6.2(vi) & (vii).

### **Extractive Industry in Areas of AONB**

#### **EIA**

#### **Lands and mineral interest**

We submit that you should append: *that might be affected by development works or extractive operations must be submitted. These factors will be considered by the Council. Consider the land/quarry resource of the **applicant** and will seek that the current quarries are worked out and restored before new sites are allowed.* Based on Galway 13.10 DMS 37b) & j) & Nth Tipp 4.7 Pol ENV 28.

**Nature of development**

**Ancillary operations and development**

**Environmental effects of the proposal**

**Restoration, after care and after use**

Section 10 **Energy and Telecommunications**

**Mast and telecommunications**

**Need for new installation**

We submit that you should replace the **pts** with: *Submit a reasoned justification as to the **need for the development at the proposed location including a** map covering an area within a minimum radius of 10km showing all antennae operated by the applicant and its existing coverage and details of antennae operated by other providers and their associated coverage maps and the reason why coverage cannot be provided by existing antennae On obtrusive sites, areas of designated National sites, recorded Monuments and Areas of Archaeological importance the need to locate at a specific location must be outlined, possible alternative sites must be cited and the visual impact must be mitigated by careful siting, design and landscaping.* Based on **Wexford** 9.3.1 3<sup>rd</sup> para, 18.26 1<sup>st</sup> pt, **Meath** 11.12 last para b) & c), **Carlow** 11.18, 1 5<sup>th</sup> para 1<sup>st</sup> pt & Limerick 10.14.2. 1 last para 1<sup>st</sup> line.

**Location**

1<sup>st</sup> pt We submit that this should be replaced by: *Due to their visual impact, it is desirable to limit the number of masts. Require the co-location of new or replacement antennae on existing masts or preferably a single mast so that the scale, character and sensitivity of the landscape is respected. Co-location and clustering of new masts and support structures on existing sites will be required unless a fully documented case is submitted explaining the precise circumstances which mitigate against co-location and clustering. Any locations with more than two separate support structures will generally be considered to have no remaining capacity for any further structure as the proliferation of masts in a particular area could be injurious to the visual amenities, and therefore having regard to the potential adverse visual impacts of the proliferation of masts, particularly in open countryside, applicants will be required to demonstrate the need to locate a new mast in a particular location where*

*proliferation may present an issue. Proposals for standalone installations should demonstrate that the developer has made reasonable efforts to share with other existing users or proposed sites in the vicinity. Where it is not possible to share a support structure, the applicant should, where possible, share the site or an adjacent site so that the antennae may be clustered. In sensitive landscape areas the presumption will be that applications must meet the co-location requirements or be supported by a Visual Impact Assessment Report that will demonstrate that the development can be satisfactorily absorbed into the landscape. Where it has been proven that there is a need for new/expanded coverage in a particular area, the applicant shall show that all existing masts and support structures have been examined to determine if the attachment of new antennae to existing structures can provide the coverage required, the applicant shall submit either a Discovery Series Map or similar map type (to be agreed with planning authority) to the scale of 1:50,000 the location of all telecommunication structures within a radius of 1km of the proposed site, indicating the coverage area of the proposed facility and a technical evaluation of the capabilities of these masts to take additional antennae and provide the coverage required. Avoid a proliferation of masts and aerials in the upland areas (names mountain area) in order to protect their amenity value and their unspoilt character. Applicants shall indicate in the application whether they are willing to share the proposed masts with other telecommunication operators. Comply with the Code of Practice of Sharing Radio Sites issued by the Commission for Communication Regulation. Based on*

**DLR** 16.14 2<sup>nd</sup> pt(Draft 8.2.9.9 2<sup>nd</sup> pt), **Fingal** 4.4 TELECOM Objective IT09 4<sup>th</sup> pt, **Carlow** 6.11.3 Pol 1 2<sup>nd</sup> pt & 11.18.1 last para 3<sup>rd</sup> pt 1<sup>st</sup> & 2<sup>nd</sup> sentences, **Kildare** 8.12 TL 8 & 19.9.3 2<sup>nd</sup> para 5<sup>th</sup> pt, **Wexford** 18.26 3<sup>rd</sup> pt, **Meath** EC POL 34 & 37 & 16 DCS 59 3<sup>rd</sup> pt, Offaly 4.15 CIP-02, Kilkenny 9.4.2.1 4<sup>th</sup> para, Kerry 13.14 Sharing Facilities and Clustering 1<sup>st</sup> para, 2nd para 1<sup>st</sup> sub-pt & last sub-pt, Cavan 4.8 PIO118 & 122 & Galway 7. 7 Objective ICT 3.

2<sup>nd</sup> pt

### **Rural locations**

1<sup>st</sup> to 3<sup>rd</sup> pts

We submit that you should include an additional **pt** :

*When considering these the Council will have regard to Landscape Character Assessment classifications and will not favourably consider applications which would **impact on visual amenities**, the natural environment (particularly in amenity areas), ecology or historic importance. As the size and materials used they can severely impact on the landscape great care will have to be taken in dealing with planning applications to minimise*

damage through discrete siting and good design. Promote best practice of siting and design of masts, towers and antennae and other such structures shall, in particular, secure a high quality design. Structures should be located so as to limit visual impacts and to integrate them

into the landscape and natural environment especially in areas of sensitivity and historic importance, AONBs, scenic and geological sites and zones and the settings of and, or the views, from National Monuments. It shall be necessary to minimise their obtrusiveness as far as practically possible. The scale, size, layout and the cumulative effect of the project will be taken into account. Where appropriate, masts, antennae and fencing should be in harmony with their surroundings. They should, where possible, be located to take advantage of the screening and backdrop afforded by existing trees or topography. The infrastructure must adequately screened by utilising an appropriate backdrop (including camouflaging/disguising) of the mast and landscaped to minimise adverse visual impacts on the environment, providing that the landscape is able to support additional screening measures. Masts in sensitive areas to be disguised as trees, where appropriate. Where masts are proposed outside existing forest areas, applicants will be required to demonstrate the reasons why forest sites are unsuitable. Proposals shall be subject to all material considerations, including environmental designations and amenity considerations. In assessing applications advice of the relevant statutory bodies will be sought and considered and should be of monopole/s rather than latticed or square structure, unless such structures have a clear and/or simple design or where it is judged by the Council to incorporate high sculptural design quality. Appropriate landscaping and screening will be required. They should be located in accordance with the provisions of the DoECLG Guidelines 1996(or as may be amended). Based on **Sth Dublin Draft** 11.6.2 3<sup>rd</sup> pt, **Fingal** 4.4 TELECOM Objective 09 6<sup>th</sup> pt & last pt, 10 & 4.4 TELECOM Objective IT06, **Meath** 11.12 3<sup>rd</sup> & 4<sup>th</sup> paras & 11.12 last para e), **Wexford** 9.3.1 Objective TC06 1<sup>st</sup> para, (a) & (c), 2<sup>nd</sup> para 2<sup>nd</sup> pt & 18.26 4<sup>th</sup> pt, **Meath** 11.12 5<sup>th</sup> para, Leitrim 3.11.8.2 7<sup>th</sup> para below Pol, **Carlow** 6.11.3 3<sup>rd</sup> para last pt, 7<sup>th</sup> & 8<sup>th</sup> paras 1<sup>st</sup> sentence, 6.11.3 Pol 1 1<sup>st</sup> pt & 11.18.1 last para last pt, Waterford 10.39 2<sup>nd</sup> para 4<sup>th</sup> pt, Limerick 10.14.2.1 4<sup>th</sup> para 3<sup>rd</sup> line & 10.14.2.2 2<sup>nd</sup> line, Kerry 13.14 Design 1<sup>st</sup> para, Donegal 4.3.3 Pol TC-P-3 4<sup>th</sup> line, Nth Tipp 7.14 SERV 29 1<sup>st</sup> para a), Longford 5.5.3 TEL 2, Monaghan 15.15 TEP 8, Roscommon 4.7 Pol 4.66 & 9.33 last para 3<sup>rd</sup> line & Mayo Vol 1 Chpt 3 Information & Telecom TC-02.

last pt We submit that you should append another **para**: All planning applications on lands located in rural high amenity **areas above 120m** shall be accompanied by an assessment of the potential visual impact on the landscape demonstrating that impacts have been anticipated and avoided to a level consistent with the sensitivity of the landscape in order to support, protect and improve the landscape character of sensitive lands. Taken from **Sth Dublin** 2.5.7.i.

#### **Access roads and power supply**

1<sup>st</sup> para We submit that you should addend: *The applicant shall be required to demonstrate that the greatest care has been taken in terms of minimising visual impact on landscapes, particularly sensitive or historic landscapes, natural environment that they follow the natural contours so as to minimise their visual intrusion and should be bordered with scrubs. In the event that a developer requires that an access track be retained, the developer shall indicate the justification for doing so as part of the planning application and indicate the frequency of visits which will be required to service the site and facility.* Based on **Wexford** 18.26 last pt, **Carlow** 6.11.3 6<sup>th</sup> para 4<sup>th</sup> line & 11.18.1 last para last pt, Mayo Vol 2 55.3 1<sup>st</sup> pt, Cavan 4.8 PIO124, Kilkenny 9.4.2.1 1<sup>st</sup> para a), Limerick 10.14.3.2 1<sup>st</sup> para, Donegal 4.3.3 TC-P-7, **Meath** 11.12e), Galway 13.9 DMS 32c) 3<sup>rd</sup> & last sentences.

2<sup>nd</sup> para

### **Mast/antennae design**

#### **Site layout design**

1<sup>st</sup>, 4<sup>th</sup> & last pts.

#### **Obsolete structures**

We submit that you should include additional **Sub secs**:

##### **A Satellite Dishes**

*Prohibit **satellite dishes** in areas which would cause unacceptable harm to visual amenities or would materially harm the character and appearance of rural areas. The design and visual appearance of masts, antennae of satellite dishes and their associated equipment shall be as unobtrusive as possible. Cumulative effect of dishes in the area should be considered.* Based on Cork 9.7.8 3<sup>rd</sup> pt, Waterford 10.12 Development Standards last pt, Nth Tipp 6.14.1 Pol SERV 32, Louth 9.12 EnCo 44 & **Kildare** 19.9.3 2<sup>nd</sup> para 9<sup>th</sup> pt 4<sup>th</sup> sentence.

##### **B Undergrounding**

*In the interest of visual amenity and to protect the environment, telecommunication masts, cables and wire connections shall be located **underground**, particularly in high amenity/sensitive areas of open space and on or within settings of archaeological sites and recorded monuments and areas of ecological importance and other environmentally sensitive areas.* Based on **Kildare** TL 9 1<sup>st</sup> & 3<sup>rd</sup> pts, **Carlow** 11.18.1 3<sup>rd</sup> para & **Meath** 8.2.3 POL EC 31.

##### **C Landscape Impact Report**

Where masts are located in areas of high amenity, landscapes of exceptional or high value or international or national importance and high sensitivity as indicated in the Landscape Character Assessment, there shall be a presumption to provide a “**Landscape Impact Report**” to allow proper assessment of the visual impact. Surrogate(coniferous trees) shall be considered. Taken from **Meath** 12.12 5<sup>th</sup> para 6<sup>th</sup> line.

## Section 11 **Heritage**

### **AONB and other sensitive landscapes**

While we support this we submit that you should also include:

1 *Protect and preserve the visual and scenic amenities and the unspoiled natural environment of **Areas of Natural Beauty** or interest and the unspoiled rural landscapes of **Areas of High Scenic Quality** for the benefit and enjoyment of future generations by ensuring that development will only be permitted where the development will not impinge in any significant way on the character, integrity or uniformity of the landscape. Careful management and special controls on development shall be attached to permissions of new developments to maintain their inherent interests.* Based on **Planning Act 2000** First Sch Part IV 7, Cork Landscape Objective 7.2 Objective ENV 2-7, Leitrim 3.8.7 Pol 100 2<sup>nd</sup> line & 4.1.1 1<sup>st</sup> para 3<sup>rd</sup> pt & Louth 5.15.1 HER 60.

2 *Development will not be permitted in an area of **HVA** unless the site selection, layout and design are of a very high standard and that the development could not be accommodated in a less sensitive location. Careful management and special controls on development shall be attached to permissions of new developments to maintain their inherent interests.* Taken from Leitrim 3.8.7 Pol 101 & 4.1.1 1<sup>st</sup> para 3<sup>rd</sup> pt.

3 *Protect the unspoiled rural landscapes of **AHSQ** for the benefit of current and future generations.* Taken from Louth 5.15.2 HER 61.

### **Landscaping**

#### (5) **Landscape Assessment**

##### 1.2 **Wicklow’s Landscape**

We submit that you should include additional text( as the 1<sup>st</sup> para): *Our outstanding world-renowned Landscape is a precious national asset and its attractiveness and integrity are central to the tourist industry. In particular, its unspoilt beaches and rugged coastlines, rivers and uplands are highly scenic and are of significant visual amenity value, provide opportunities to develop tourism and recreational facilities, contribute to a high quality of life and*

|  |              |
|--|--------------|
| <p><i>wellbeing for local people and provide a positive experience for visitors. All aspects of our natural heritage comes together in the landscape so that it constitutes an important part of people's lives and gives individuals a sense of identity and bestows a sense of place in their surroundings. The key to a successful landscape policy is the ability to manage change in a way that respects of the natural environment and rural areas. The entire population of the County should have access to nature, parks and strategic public open space. Based on <b>NSS</b> 3.5.3 4<sup>th</sup> pt, <b>Sth Dublin</b> 4.3.3 1<sup>st</sup> pt &amp; 4.3.4 1<sup>st</sup> para, <b>DLR</b> 9.1 4<sup>th</sup> para last pt, <b>Wexford</b> 14.4 1<sup>st</sup> para 3<sup>rd</sup> sentence, Kerry 12.1 1<sup>st</sup> para, Longford 4.5 Bogs, Woods &amp; Rural, Galway 9.10.1 1<sup>st</sup> para 1<sup>st</sup> sentence, Cork 13.5.1, Kilkenny 8.2.10 3<sup>rd</sup> para 1<sup>st</sup> sentence. Also there is excellent text in <b>Fingal</b> 5.4 HISTORIC LANDSCAPE CHARACTERISATION.</i></p> <p>We support the rest of the provisions.</p> <p>APP 8 <b>GREEN INFRASTRUCTURE STRATEGY</b></p> <p>APP 12 <b>STATEMENT OUTLINING COMPLIANCE WITH MINISTERIAL GUIDELINES</b></p> <p>APP 13 <b>PLANS, POLICIES, STRATEGIES AND LEGISLATION</b></p> <p>APP 14 <b>STATUTORY REQUIREMENTS</b></p> | <p>Noted</p> |
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## Section 3 Summary of Issues raised and Chief Executive's response and recommendation on these issues

### SECTION 3.4 GROUP D Objective RT17 – 'No Fry Zone'

#### Summary of issues raised

The RT17 objective is included within 'Chapter 6: Centres and Retailing' of the draft plan:

*"Conscious of the fact that planning has an important role to play in promoting and facilitating active and healthy living patterns for local communities, the following criteria will be taken into account in the assessment of development proposals for fastfood/takeaway outlets, including those with a drive through facility:*

- Exclude any new fast-food outlets which offer foods that are high in fat, salt or sugar from being built or from operating within 400m of the gates or site boundary of schools, parks or playgrounds, excluding premises zoned town centre;*
- Fast food outlets/takeaways with proposed drive through facilities will generally only be acceptable within Major Town Centres or District Centres and will be assessed on a case-by-case basis;*
- Location of vents and other external services and their impact on adjoining amenities in terms of noise/smell/visual impact."*

A total of 206 submissions have been received in relation to Objective RT17, of which 202 submissions are generally in support of the objective, two are generally opposed the objective and two indicate that more consideration of the issues is necessary prior to the adoption of the objective. The list of these submissions is set out in **Section 4** of this report.

#### Submissions generally in support of Objective RT17

Of the 202 submissions that are generally in support of the objective, 153 are from members of the public (including three from children) and 49 are from individuals or groups including prescribed bodies, elected representatives, health care professionals, educational bodies, members of the public and other sectoral interests.

The key reasons submitted for support of the proposed policy come under the following broad headings – the obesity problem, access to fast food, healthy built environment, role of land use planning. A large number of submissions also relate to the recent permission for a McDonald's' in Blacklion, Greytsones.

#### 1. Obesity

- Obesity rates in Ireland are high and rising, it is a significant public health problem and is one of the main challenges facing Irish children.
- Childhood obesity can lead to serious health problems both in childhood and adult life.
- The root causes of adult obesity can be traced back to weight issues in childhood.
- While it is acknowledged that the causes of obesity are complex and many strategies must be taken, environmental factors are increasingly acknowledged. The role of parents in promoting healthy eating behaviour amongst their children is acknowledged.



- Social inequalities increase the risk of obesity from a young age.
  - There are high economic costs associated with the adverse health implications of obesity.
- 2. Access to fast food**
- Fast food is readily available beside Irish schools. In the absence of regulation, this situation can only deteriorate further.
  - There is some evidence that restricting access to fast food outlets may reduce obesity and improve diet.
  - Research indicates that students with fast food restaurants near their school were more likely to be overweight or obese than were youths whose schools were not near fast food restaurants.
  - There is a link between marketing of unhealthy food and poor diet in children. The operators of fast food outlets make a conscious decision to locate their businesses in proximity to schools. The State has a role to play in protecting children from the targeted marketing of unhealthy food and drinks. State led public health initiatives are in other areas, e.g. age limits and advertising bans on alcohol and tobacco consumption.
- 3. Healthy built environment**
- The World Health Organisation acknowledges that many children today are growing up in an 'obesogenic environment' (an environment that promotes high energy intake and sedentary behaviour) that encourages weight gain and obesity. WHO highlighted the potential for establishing exclusion zones around schools to restrict the sale of unhealthy food and drinks.
  - The RT17 objective is consistent with other public health initiatives, many of which are supported by national and local government policies, which encourage people to be physically active and make healthy food choices, e.g. healthy eating policies at schools, investment in sports facilities etc.
  - The health and well being of communities should be prioritised over the economic gains of permitting fast food outlets at unsuitable locations.
- 4. Role of land use planning**
- Healthy Ireland, the Government's National Framework for Health and Wellbeing affirms the role that all sectors have in supporting health and wellbeing. Planning at a local and national government level has a role to play in supporting the creation of a physical built environment that encourages people to be physically active and make healthy food choices.
  - The Minister for the Environment issued the *Local Area Plans: Guidelines for Planning Authorities* in June 2011. It is specified under the guidelines that planning authorities should "seek to promote active and healthier lifestyles by ensuring that exposure of children to the promotion of food that are high in fat, salt or sugar is reduced with careful consideration of the appropriateness and/or location of fast food outlets in the vicinity of schools and parks." These guidelines are being ignored by WCC and ABP.
  - A number of cities in UK and US have brought in zoning or planning restrictions to limit accessibility to fast food. Wexford County Council, Dun-Laoghaire Rathdown County Council, Fingal County Council and South Dublin County Council have a 'no fry zone' objective in their CDP.
  - WCC have the opportunity to take a 'lead' on this matter and ensure responsible planning decisions are made regarding the location of new fast food outlets and their proximity to schools.
- 5. McDonalds, Blacklion**
- Many submissions were received from members of the public and groups with an interest in the WCC and ABP grants of planning permission for the McDonalds development in proximity to schools at Blacklion, Greystones. Many submitters expressed regret and frustration about the perceived failure of the planning system to protect the rights of the community and uphold

Government policy. In the context of the planning decisions and WCC concerns regarding the legality of the RT17 objective, the following points are raised:

- ABP appeared to indicate that the introduction of an objective in the LAP/CDP may address a shortfall that leaves open the possibility of a development of fast food outlets near schools.
- Not acceptable that the authorities can hide behind the lack of specifics in the planning guidelines with respects to distances or wording, when the overriding intention of the guidelines is clear. Objective RT17 provides specifics and clarity with regards to the acceptable distance between a school and fast food outlets.
- Planning and Development Act sets out reasons for the refusal of permission which exclude compensation stating "the proposed development would be contrary to any ministerial guidelines issued to planning authorities under section 28".

**Some other issues raised include:**

- Request to extend the exclusion zone to 1000m (10 minute walking distance)/ 500m.
- Consideration should be given to ensuring schools are not in proximity to retail centres and exposure to unhealthy foods.
- Apply 'no fry zone' exclusion zone with waiver that allows the operators of fast food outlets to make a case about the suitability of their product offering.
- Placing restrictions on the amount of 'formula businesses' allowed in a area, i.e. franchise type outlets typically
- Conditioning of restricted opening hours for food establishments that may attract children during school hours.
- Consideration should be given to traffic management issues in the vicinity of schools.

Many submitters wished to note that they are not adverse to fast food outlets or blocking employment, just that they need be located at appropriate locations. Recognition is given to the importance of protecting small retail business owners. It is also noted that the amendment only affects new planning applications and would have no impact on businesses already in operation.

Research and statistics are referenced within a significant number of submissions to provide objective evidence for statements made in favour of support for RT17.

**Submissions generally opposed to Objective RT17**

The two submissions received generally opposed the RT17 objective are from a member of public and Kentucky Fried Chicken (KFC) UK & Ireland.

- One submission from a member of the public requested the deletion of the No Fry Zone objective. The submitter noted the potential economic gains in terms of job creation to be realised from the proposed McDonalds development within Greystones, and indicated that there is a range of non healthy and healthy foods available near school locations.
- Kentucky Fried Chicken UK & Ireland has made a submission wherein the following issues have been raised:
  - KFC request that the RT17 objective is removed from the draft plan. No objection to third point of RT17 objective.
  - KFC takes role as responsible retailer seriously and offers a wide range of foods to be enjoyed as part of a balanced diet.
  - KFC / fast food outlets can make a significant contribution to the local economy.

- The effectiveness of using the planning system to tackle obesity is highly questionable and is not supported by any objective evidence. It is unfair to target a specific type of development when the causes of obesity are so wide ranging, with little or no restrictions placed on other uses, such as convenience retailing. Proposals for takeaway uses/drive through restaurants should be assessed in relation to their land use impacts only.
- Need for a definition of 'fast food', e.g. KFC sell many products that are not high in fat, salt or sugar.
- The Chief Executive of Dun-Laoghaire Rathdown has indicated that the planning system is not the appropriate vehicle to address the matter of child obesity.
- A 1500m exclusionary zone around schools in DunLaoghaire would restrict the development of any new 'fast food' outlets in the entire administrative area. A similar effect may be in Wicklow.
- A diagram illustrating the effect of the 400m exclusion zone shows that no fast food/takeaway unit could be developed in the Blacklion neighbourhood centre. This is contrary to current strategy whereby takeaway/fast food outlets are commonly found in town centre and neighbourhood centres. Restricting development to town centre locations will cause increasing congestion of town centre lands.
- No regard is paid to schools' lunch time policies.
- The objective restricts drive through facilities to town centre locations only. This is contrary to ABP decisions which indicate that drive through facilities are best located in retail parks or out of centre locations, due to the nature of the building form and layout and travel patterns.
- The objective would prevent drive through facilities being provided as part of service stations, e.g. service area at Cullenmore.
- Issues are raised objecting to RT16. RT16 and RT17 conflict – RT17 means that fast food restaurants are only allowed to develop in town centre locations, however RT16 then restricts the amount of fast food outlets allowed to develop within these town centre locations. Operators of fast food outlets may not be able to avoid selecting sites close to existing restaurants. It places new entrants to the market at a competitive disadvantage and it introduces a high level of uncertainty into the site selection and investment process.

### **Submissions looking for greater consideration of the issues**

The two submissions received indicating that greater consideration of the issues is necessary prior to the adoption of the objective are from the Department of Environment, Community & Local Government and Billy Timmins (former TD).

- The Department submits the following:

*"Proposed Objective RT1 7 relates to the assessment of proposals for fast food outlets in the context of promoting active and healthy living patterns in local communities. In this regard, consideration should be given to the location of many existing schools, parks and playgrounds in or near town centres and proximate to existing retail facilities and developments. The important planning rationale for the aggregation of such local facilities in sustainable, compact settlements should also be noted. The practical application of Objective RT17 may be at odds with the desired mix of retail and town centre uses and the restriction of fast food outlets in these kinds of situations needs to be carefully considered on a case by case basis.*

*The Council is advised to re-consider the wording of Objective RT17 in light of the distinction between existing urban areas and other areas where substantial new development is being planned, often through the LAP process, where such locational separateness may potentially be*

*accommodated. A specified distance should also be avoided to allow consideration of individual case circumstances."*

- Billy Timmins (former TD) submits the following:

Supportive of principle of exclusion zone with respect to fast food outlets obtaining planning permission in proximity to educational facilities. Requests information on implications, for example, for school buildings that may be subject to a planning application in the proposed exclusion zone if a fast food takeaway is already established; the impact of other such outlets as fast food, e.g. deli counter and wraps.

### **Chief Executive's response**

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The Chief Executive notes the issues raised in the significant number of submissions received on this matter.

The Chief Executive has a number of concerns about Objective RT17. These concerns have been expressed to the members within the Chief Executive's Report on the Pre-Draft Consultation (February 2015) and within the report containing the members' proposed amendments to the proposed development plan (distributed at Council meeting 2<sup>nd</sup> November 2015).

The Chief Executive notes the directions received at the Council meeting on 2<sup>nd</sup> November 2015 whereby it was agreed to include the RT17 objective in the draft plan.

The Chief Executive notes the comments received on this matter from the Minister for the Environment, Community and Local Government, which indicate that the Council is advised to re-consider the wording of the objective including the avoidance of a specified distance.

### **First bullet point – 400m exclusionary zone**

In existing built up areas, schools, playgrounds and public open space areas tend to typically be located within 400m of a mixed use commercial zone, where fast food outlets are typically located.

The objective would have significant implications for the development of new fast food outlets within many mixed use zones that are outside of town centres. For example, in the case of Bray, the objective in its current form, would mean that no new fast food outlets/takeaways would be permitted at locations such as Bray Seafront (adjoining a public park), Vevay Road neighbourhood centre (adjoins Presentation College Bray and Loreto Secondary school), Boghall Road neighbourhood centre (adjoins Ballywaltrim playground, St. Fergal's N.S., Bray School Project) and Dublin Road neighbourhood centre (adjoins St. Philomena's Primary school, St. Peters primary school).

Severely restricting the location of new outlets is contrary to the 'Retail Planning Guidelines for planning authorities' (DoECLG, 2012), which aim to ensure that the planning system continues to play its role in supporting competitiveness and choice in the retail sector.

It is strongly recommended that reference to a specified distance is omitted from the plan. It is essential that the objective allows for consideration of individual case circumstances. Having regard to the advice of the Minister, it is recommended that the wording of RT17 be amended.

The issues raised by Billy Timmons (former TD) are noted. It is considered that the objective would not be used in the adjudication of any future planning applications for schools that may be within an exclusion zone where a fast food outlet/take away is located. The wording of the objective is clear in

that it indicates that it relates to the criteria to be accounted for in the assessment of fast food/takeaway outlets only and does not indicate that retail outlets (with deli counters, wraps etc are for sale) should be assessed using the same criteria.

### **Second bullet point – drive throughs**

Bullet point two effectively means that the only location within the county where fast food/ take away outlets with drive through would generally be permitted is within Bray town centre and Greystones town centre (as these are the only Major Town Centres and Town/District Centres listed under Table 6.2 Wicklow County Retail Hierarchy).

Applications for drive throughs associated with fast food outlets are best assessed on a case by case basis. For example, there may be certain Neighbourhood Centres where the location of such facilities may be appropriate. The objective may have implications for drive through facilities within service areas etc.

As such it is recommended that the second bullet point be deleted.

### **Other**

Issues raised in relation to RT16 are addressed within **Section x** of this document.

### **Chief Executive's recommendation**

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#### **AMENDMENT 20**

#### **The CE recommends that RT17 be amended as follows:**

*Conscious of the fact that planning has an important role to play in promoting and facilitating active and healthy living patterns for local communities, the following criteria will be taken into account in the assessment of development proposals for fastfood/takeaway outlets, including those with a drive through facility:*

- ~~Exclude any new fast food outlets which offer foods that are high in fat, salt or sugar from being built or from operating within 400m of the gates or site boundary of schools, parks or playgrounds excluding premises zoned town centre. Give careful consideration to the location of fast food outlets in the vicinity of schools and parks, in particular in newly developing areas. All proposals will be considered on a case by case basis, with regard paid to opening hours, the size and scale of the proposed development, cumulative effect on the amenities of area and the effect on the mix of land uses and activities in an area. This objective does not relate to town centre locations;~~*
- ~~Fast food outlets/takeaways with proposed drive through facilities will generally only be acceptable within Major Town Centres or District Centres and will be assessed on a case by case basis;~~*
- Location of vents and other external services and their impact on adjoining amenities in terms of noise/smell/visual impact.*

**In the absence of the above not being accepted by the members, the Chief Executive recommends that the entire RT17 objective be deleted.**

### Section 3 Summary of Issues raised and Chief Executive's response and recommendation on these issues

#### SECTION 3.5 GROUP E The Rocks

| Number   | Surname  | Summary of issues raised  |
|----------|--|---|
| E1 – 209 | A total of 209 'pro-forma' identical submission were received, which have been numbered E1-E209. A full list of the names is provided at the end of this report. | <p>These submissions relate to an area of land known as 'The Rocks'. The subject lands are located between Greystones-Delgany and Kilcoole, just west of Prettybush corner.</p> <p>It is put forward that this area contains a unique heritage of natural bio-diversity and ecosystems dating from the ice age, 10,000 years ago and that the area contains a glacial melt water channel, the stream from which makes it way to the breeches almost two miles away (part of the Murrough SPA).</p> <p>It is suggested that the plan should expand local objective HER10 as set out in the 2010 – 2016 development plan <i>"to generally protect the open nature and landscape quality of lands, to protect and enhance local biodiversity"</i> by specifically naming, identifying and defining 'The Rocks' as an area protected in the plan.</p> |
| C106     | Luisne Foundation  | <p>This submission makes essentially the same points as the submissions above, but also suggests that the lands should be preserved as an 'eco park' as it is and the Local Authority should find other ways to dispose of the 280,000 tons of soil from the River Dargle flood scheme.</p> <p>It is suggested that consultation with County Councils along the River Shannon should be carried out to find economic ways of using this to build higher walls along the banks of the Shannon.</p>   |

#### Chief Executive's response

With regard to the proposal put forward that the lands in question be 'listed' as a 'protected site' this suggestion has been evaluated but having considered:

- (a) the provisions of the planning statutes and other environmental legislation, and
- (b) the characteristics of the land,

there are no provisions available to implement such a designation and the lands do not appear to exhibit any unique characteristics, flora or fauna, that would warrant a special designation.

While under statute there are a number of tools available to protect sites of special ecological value, or exhibit protected species of plants and animals, such as Special Areas of Conservation (SAC – EU

Habitats Directive) and Special Protection Areas (SPA - EU Birds Directive) and Natural Heritage Areas (NHA –Wildlife Act), Wicklow County Council has no powers to apply such designations to lands.

It is within the power of the Council to designate the area a 'Special Amenity Area'. A Special Amenity Area Order (SAAO) is a mechanism set out in the Planning and Development Act 2000 (Section 202) whereby greater protection may be assigned to an area which is considered to be of outstanding natural beauty, and/or of high amenity and recreational value. Such an order cannot be made through the County Development Plan – a separate process must be invoked which would involve detailed study and justification, public consultation and approval by An Bord Pleanála.

At no time prior to the development of the current proposals to import soil into these lands have these lands ever been flagged by any studies, either by the Local Authority or the National Parks and Wildlife Service, as being of such ecological value to warrant special protection. One must assume, given the extensive evaluation that has been carried out of the ecology of the County over the decades, as evidenced by the significant number of SACs, SPAs and NHAs in the County, that this site has not been identified ecologically 'special' thus warranting designation.

In recent years, two studies have been carried out in the Greystones area with respect to ecology and environmental sensitivity – the Strategic Environmental Assessment for the Greystones-Delgany and Kilcoole Local Area Plan in 2012/2013 and the 'Local Biodiversity Study' in 2006 (under the Heritage Office). The Strategic Environmental Assessment process involved the development an environmental sensitivity map of the area, taking into account a wide range of environmental factors and 'The Rocks' area was found to have a 'low environmental sensitivity' rating. Furthermore, the local biodiversity study, which identified local areas of interesting, is not particularly unique, biodiversity, did not identify this site.

It would appear therefore that the large number of submissions received has been prompted by proposals to develop the subject lands as an 'Eco Park'. Such proposals are at an early stage of development and involve the importation of fill material from the Dargle Flood Scheme to re-contour the lands to make them more usable as a park. This project will be subject to a separate statutory planning process which will include the carrying out of an environmental impact assessment (EIA) that will assess the proposed works for likely effects on the environment. This process will be carried out under Part XI of the Planning and Development Act 2000 (as amended) and will involve a public consultation period during which time public submissions can be made specifically relating to the proposed development.

It should be noted that the draft plan does include an objective which aims to protect non-designated sites from inappropriate development, ensuring that ecological impact assessment is carried out for any proposed development likely to have a significant impact on locally important natural habitats or wildlife corridors (Objective NH8). All projects, even those carried out by the Local Authority, must comply with the objectives of the plan when adopted and this would certainly be the case for this site, where ecological and environmental impacts will be assessed in detail through the EIA process.

It is therefore not recommended to amend the draft plan.

#### **Chief Executive's recommendation**

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No change

## **Section 3      Summary of Issues raised and Chief Executive's response and recommendation on these issues**

### **Section 3.6      The Murrough**

#### **The Murrough - Coastal Area from Wicklow Town to Kilcoole, to include Broadlough**

A total of 424 'pro-forma' identical submissions were received with respect to 'The Murrough'. For reference purposes, these submission have been numbered F1-F424. A list of the submitter names is included at the end of this section of the report.

#### **Summary of issues raised**

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These submissions raise the following six issues:

1. That access to the start of the Murrough be repaired and reinstated to an acceptable level using the funds recently made available for such purpose. This should include a transition phase at the end of the additional rock armour to offer immediate protection to the most vulnerable part of the Murrough and should include a design that would exclude rock revetment for any further coastal protection required but include designs of breakwaters, seawalls and groins from the end of the transition phase.
2. That during the lifetime of the County Development Plan, a medium to long term strategic plan be drawn up without any delay, to preserve and protect the Murrough as a public amenity and wildlife habitat, and to halt the problem of coastal erosion.
3. That Wicklow County Council, in conjunction with the OPW which has responsibility for the coastal protection, apply for funding to the EU Solidarity Fund (EUSF) of which Ireland is to receive almost €705 million between the years 2014 - 2020.
4. That a designation of a "candidate SAAO" be applied to the stretch of coastline extending from Kilcoole/Greystones to Wicklow Head in the 2016-2020 County Development Plan.
5. The plan should include a loop walk from Broadlough to the coastline and back along the Murrough including a management plan and signage.
6. That the cliff walk between the Glen Turn and Bride's Head walk should be reinstated to include new access steps from the beach to the existing right of way.

#### **Chief Executive's response**

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It would appear that the large number of submissions received on the Murrough has been prompted by the coastal erosion that occurred in 2015/2016 at the Murrough, whereby large sections of the beach, including a walkway along the coast in Wicklow Town was eroded away by the sea. This affected the area between the railway line and the coastline.

As part of the Wicklow Town Port Relief Road Scheme and following the recommendations of the Murrough Coastal Protection Study 2007, as a coastal erosion defence measure, rock armour was laid down on the Murrough coastline from the end of the previously constructed revetment to past the Port Access Road works. It is from the end of the rock armour to the north that the main area of



erosion had occurred. In January 2016 Irish Rail, carried out temporary emergency works in this area to protect the railway line.

In March 2016 Wicklow County Council secured funding from the OPW for the provision of coastal defence works at the Murrough and WCC intends to commence works shortly to provide more permanent protection to this area. However erosion is continuing further north in the area of the "monkey pole", and WCC intend to seek further funding to update the 2007 study and to develop long term proposals for the protection of this valuable amenity.

With respect to the specific points raised:

1. The repair and reinstatement of the access to the start of the Murrough is outside the remit of the County Development Plan as a land use framework document. This is an issue for the Wicklow Municipal District and other sections of the Council.
2. As set out above, funding is being sought to develop a longer term plan to address the coastal erosion issue. With regard to the general protection of the Murrough as an amenity and wildlife habitat, this is not considered an issue for the County Development Plan, which is a land use framework and not a management plan for any specific area. The Murrough, being designated an EU Natura 2000 site, falls under the general management of the NPWS, who are tasked with drawing up and implementing management plans (a copy of this submission will be referred on to the NPWS for their information in drawing up the management plans for this area). Other legislation and programmes such as the Water Frameworks Directive, implemented by WCC and the EPA, also contribute to the environmental management of this area. The plan supports these programmes and provides for a land use framework, including the coastal management provisions set out in the Chapter 11, to support the achievement of the objectives of the environmental management programmes.
3. This is addressed above. The sourcing of funding is not a matter for the County Development Plan
4. It is not considered appropriate at this time to identify the Murrough as an area that will be pursued for a Special Amenity Area Order (SAAO) as no detailed research has been carried out as to the merits and consequences of such a designation on the Murrough. Should funding become available for such research however whether or not there is an objective in the plan in relation to same, a SAAO could be pursued if that is the will of the Minister or the members. It should also be remembered that the Murrough is a designated EU Natura 2000 site (with a number of plants and bird species protected) and the NPWS are tasked with providing management plans for such areas. It is considered a duplication of the work and the resources of the Council and the NPWS for a SAAO to be pursued at this time.
5. With regard to **Item 5** seeking the inclusion of a loop walk from Broadlough to the coastline and back along the Murrough including a management plan and signage and **Item 6** seeking that the cliff walk between the Glen Turn and Bride's Head walk be reinstated to include new access steps from the beach to the existing right of way, as set out in objective T29 of the draft County Development Plan, it is an objective of the draft plan to *'support the development of new and existing walking, cycling and driving routes / trails, including facilities ancillary to trails (such as sign posting and car parks) and the development of linkages between trails in Wicklow and adjoining counties'*.

It is considered that this objective provides adequate scope to facilitate the development and expansion of existing/new walking routes within the County. The actual delivery of such walkway is outside the remit of the County Development Plan.

It is therefore not recommended to amend the draft plan.

**Chief Executive's recommendation**

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No change

## Section 3 Summary of Issues raised and Chief Executive's response and recommendation on these issues

### SECTION 3.7 GROUP G Fitzwilliam Square

#### Fitzwilliam Square, Wicklow Town

A total of 796 submissions were received with respect to Fitzwilliam Square. 795 of these submissions were 'pro forma' slips, containing the same text. For reference purposes, these submission have been numbered G1-G795. A list of the submitter names is included at the end of this section of the report.

One submission raised similar issues, but in an individual format – this was submission C181 (Tina Maxwell).

#### Summary of issues raised

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The 795 pro forma slips, state the following:

*"Fitzwilliam Square was gifted to the people of Wicklow in 1910 and placed into the care of the urban council now the municipal council. Fitzwilliam square is an important piece of Wicklow Heritage that needs to be protected for future generations. I am demanding that Fitzwilliam square become a listed structure to be protected under the Wicklow County Development Plan 2016."*

The submission from Tina Maxwell requests that Fitzwilliam Square becomes a protected structure and raises the following points:

- The Halpin Memorial within the Square is of huge historical significance to Wicklow's cultural heritage.
- The submitter objects to the traffic management plan at Fitzwilliam Square –
  - The plaza area is not needed and restricts access to bridge street/ south quay and seafront
  - Church Street is not wide enough for loading bays. Traffic will increase on foot of renovation of 'old' Garda station.
  - Emergency services will be restricted
  - Oppose the removal of railings around monument, which enhance the feature, are of historic value and contribute to 'Victorian' atmosphere.
  - Objection to proposals regarding cycle paths
  - Objection to proposed traffic system
- An 'addendum' included in the submission details a press release that appeared in Wicklow People on 16/12/2015. The press release includes the following additional information:
  - Fitzwilliam Square/ the 'Smoothing Iron' should be listed as a protected structure.
  - The people of Wicklow were gifted the enclosure in 1910 and the people of Wicklow have so far resisted interference with the structure.
  - It is of significance because it encloses the Halpin memorial and was the central location of the town market up to 1866.
  - The wishes of Wicklow's local people are being ignored.

## Chief Executive's response

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The draft plan includes a list of objectives (BH18-BH21, Chapter 10 Heritage) relating to the Architectural Conservation Areas (ACAs) within the county. Within Wicklow Town, there are five ACAs, one of which is the 'Town Centre ACA'. Fitzwilliam Square is located within this 'Town Centre ACA'. The 'Town Centre ACA' is also listed in the 'Wicklow Town – Rathnew Development Plan 2013-2019'.

An ACA is a place, area, group of structures or townscape which is either of special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest in its own right or which contributes to the appreciation of protected structures. This could include, for example, a terrace of houses, buildings surrounding a square, or any group of buildings which together give a special character to an area. This area is designated as an ACA to ensure that its character is preserved. Planning permission would normally be required before works can be carried out to the exterior of a structure in an architectural conservation area.

A protected structure is a structure or part of a structure that is of special interest from an architectural, historical, archaeological, artistic, cultural, scientific, social or technical point of view. Objectives relating to a protected structure are mainly concerned with protecting the character and setting of a single structure. By contrast, an ACA designation extends beyond one single structure and protects an entire area of special interest, including the individual structures within that area.

The special character of the Fitzwilliam Square area is defined not only by the Square but by the juxtaposition of the Square and the buildings surrounding it. It is for this reason, that the special character of the Square is best protected as part of an ACA and not as a protected structure.

In response to the concerns expressed within the submissions, it is recommended that the description of the character of the ACA be amended to include reference to Fitzwilliam Square and any element of the Square that contributes to its special interest.

The Fitzwilliam Square Traffic Management Plan does not form part of the development plan. This scheme is designed to create a multi-functional space that improves accessibility, enhances the presentation and public realm of the town centre at Fitzwilliam Square. This is a Part 8 Local Authority Scheme whereby the proposal was drafted along with a detailed Planning Report and put out for public consultation prior to being approved by the full Council in September 2015 under the Planning and Development Act 2000 (as amended). This is a separate process to the making of a development plan. The detailed planning report acknowledged that Fitzwilliam Square is within the Town Centre ACA and it referred to the objectives of ACAs in general and to the character and objectives relevant to the Town Centre ACA. This report and the information on the ACAs along with all the other relevant information were all taken into consideration prior to the approval of the scheme.

### AMENDMENT 51

## 10.2 Built Heritage, 10.2.3 Architectural Heritage

### Architectural Conservation Areas (ACAs)

Table 10.1 Existing Architectural Conservation Areas (Maps 10.03 A, B, C & D)

| Settlement          | Location                             |
|---------------------|--------------------------------------|
| <b>Blessington</b>  | Town Centre                          |
| <b>Enniskerry</b>   | Town Centre                          |
| <b>Tinahely</b>     | Town Centre                          |
| <b>Dunlavin</b>     | Town Centre                          |
| <b>Rathdrum</b>     | (1) Main Street                      |
|                     | (2) Low Town                         |
| <b>Delgany</b>      | Village Centre                       |
| <b>Greystones</b>   | (1) Church Road                      |
|                     | (2) Killincarrig Village             |
|                     | (3) The Burnaby                      |
|                     | (4) Blacklion                        |
|                     | (5) Greystones Harbour               |
| <b>Wicklow Town</b> | (1) Town Centre **                   |
|                     | (2) Leirim Place                     |
|                     | (3) Bachelors walk and Church Street |
|                     | (4) Bay View Road                    |
|                     | (5) Brickfield Lane                  |

\*\* The description of this ACA is set out alongside the Wicklow Town ACA map at the end of this chapter. This description replaces the description in the Wicklow Town – Rathnew Development Plan 2013 – 2019. For all other ACAs descriptions refer to each individual plan.

### Wicklow Town

#### Town Centre ACA

##### Location

This ACA extends along the main street of Wicklow Town from the AIB / dental surgery on Abbey Street to 'Heels' on Fitzwilliam Square, the Bridge Tavern on Bridge Street and to 'Tá Sé's' / Courthouse on Market Square. This is the town centre of Wicklow and is also the main thoroughfare through the town. The tight clustering of buildings within the town lends a distinct and strong town character. Fitzwilliam Square and Market Square are the two significant public open spaces in the ACA.

##### Character

The character of Wicklow Town is of local historical interest containing many historical buildings and features. The town is also of considerable social and cultural interest within the County of Wicklow as a distinctive and attractive place. The main street of Wicklow sits on the slopes down to the Leirim River with the eastern side of the main street obviously built on different levels with the presence of 'The Mall' retaining wall in the centre of the road and the southern row of buildings built at a

significant height to the northern side of the road. The memorials commemorating two noted Wicklow men, Billy Byrne, hero of the 1798 Rebellion, and Captain Robert Halpin (1836-1894), responsible for laying an estimated 41,800 km of underwater telegraph cable, are of artistic and historical interest and are representative of local civic pride.

The Town Centre ACA has been designated based upon its architectural, historical and cultural importance. It has been designated based upon the following characteristics:

- Uniform building line
- Building height range of between two, three and four storeys
- Buildings constructed in the period 1750 to 1900
- Its role as the historic commercial and civic core of the town
- Plot widths dating from the medieval period in the range 5 to 7.5 metres
- Existence of design features that contribute to a harmonious visual environment including: traditional shopfronts; timber sash windows; smooth render building finishes; vertical emphasis fenestration; wood/timber doors
- Fitzwilliam Square and Market Square public open spaces with associated memorials.

The preservation of the character of the Town Centre ACA is essential to safeguarding the identity of the town and maintaining continuity with its development history. The collection of buildings and spaces within the ACA represent a unique aspect of Wicklow Town's built heritage and contribute to its attractiveness.

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| <b>Section 3</b> | <b>Summary of Issues raised and Chief Executive's response and recommendation on these issues</b> |
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| <b>SECTION 3.8</b> | <b>Public Rights Of Way (including Section 14 submissions)</b> |
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**An outline and assessment of submissions received regarding Section 10.3.8 of Chapter 10 (Heritage) of the Draft County Development Plan 2016-22; Public Rights of Way.**

**Table A:** Summary of issues raised in submissions made under either Section 12(2)(b) or Section 14(2)(b) of the Planning and Development Act 2000 (as amended).

| No. | Name  | Issue  |
|-----|---|--|
| 1.  | Corás Iompair<br>Éireann Solicitors<br>office. Regarding<br>P.R.O.W. 5 and 6.<br>Received by on 24th<br>March 2016. | <p>This submission pertains to P.R.O.W.5 (Bray to Greystones Cliff Walk) and P.R.O.W.6 (The Murrough to Newcastle).<br/>C.I.E. are opposed to the inclusion of these purported public rights of ways (P.R.O.W's) in this plan for the following reasons:</p> <ul style="list-style-type: none"> <li>A. No such P.R.O.W's exist.</li> <li>B. C.I.E. holds freehold title to a substantial portion of the lands which are the subject of P.R.O.W. 5 (Cliff walk). These documents are inconsistent with existence of a P.R.O.W.</li> <li>C. Due to the poor legibility of the map for P.R.O.W. 6, it is difficult to ascertain the remit of this route and whether such lands are in the ownership of C.I.E.</li> <li>D. However, it is clear that each route transverse a railway line. For reasons set out in this submission, a P.R.O.W. cannot exist over a railway line.</li> <li>E. The inclusion of a P.R.O.W. (without admission of the existence of a P.R.O.W.) should be counter balanced by expressly recognising by reference to the operational interests of C.I.E. over the line including safety considerations and the general operation of the railway in the public interest.</li> <li>F. A P.R.O.W. cannot simply arise by virtue of long habitual user.</li> <li>G. There is no evidence of dedication by C.I.E. or its predecessors in title of either of the two P.R.O.W's in question.</li> <li>H. W.C.C. has not adduced evidence whether in the notice of otherwise of the extent of the long user by the public in respect of the two routes in question. Even where there has been long user by the public on these two routes, this per se does not mean that there is a P.R.O.W. thereon respectively. There is no factual evidence of a dedication to the public.</li> <li>I. Under common law a P.R.O.W. can only arise based on the intention of the land-owner to dedicate (expressly or implied).</li> <li>J. A section of map attached together with a copy of a licence, verifies that the northern section (remit not specified) was the subject of a conveyance from a Charles Putland to Wicklow and Wexford Railway in 1850. This section of land was subsequently licenced in 1932 to Bray Urban District Council (licence agreement enclosed in the submission). A key provision in that agreement is that there is a licence agreement of these lands to</li> </ul> |

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|  |  | <p>the Council, a condition of such agreement was that the public were to have an unfettered right to pass and re-pass through the park or roadway leading around Bray Head to Greystones subject to compliance by-laws and regulations made by the Council. Such a provision confirms that this route is not a P.R.O.W. Furthermore C.I.E. has an entitlement to terminate any entitlement enjoyed by the public over such lands.</p> <p>K. In the middle section of the Cliff walk (marked B-C on the submitted map), C.I.E. owns the freehold at two points which correspond with tunnel headwalls through the cliff. There are no public (save with one private) R.O.W. over these portions.</p> <p>L. In the southern section of the cliff walk leading into Greystones harbour, C.I.E. holds the freehold title with respect to these lands. The path and the wasteland either side of the road is leased to the Earl of Meath by way of demise extending back to 18<sup>th</sup> September 1861. This deed makes clear that no dedication of public R.O.W. is to be allowed subject to some minor exemptions. It not clear to C.I.E. due to the restrictions of the map in the Draft C.D.P. if it owns freehold with respect to the section of this route that encompasses Greystones Harbour and its immediate adjoining lands to the north.</p> <p>M. The statutory function and C.I.E. means that in a legal context there can be no inference that C.I.E. of any of its predecessors of companies ever had an intention to dedicate a P.R.O.W. on the lands in question. Any such intention is negated by the title documents included in this submission.</p> <p>N. Both routes will traverse level crossings using either pedestrian stiles or walkways. This gives rise to health and safety considerations. Such a scenario conflicts with aspects of the common law pertaining to P.R.O.W's which provide for unrestricted access to the general public at all times on the all parts of the route in question with notices or permission from the relevant landowner. Furthermore it is a criminal offence to trespass on a railway under Railway legislation both contemporary and historical. The existence or inclusion of a purported P.R.O.W. in a Development Plan are not consistent with the particular interests or operation of an adjacent railway.</p> <p>2. General comments regarding P.R.O.W. 6 (Murrough to Newcastle):</p> <p>(a) C.I.E. have on-going concerns regarding footfall on the natural sand bank between the railway and the beach which is exacerbated by the absence of formal coastal defences leading to erosion.</p> <p>(b) C.I.E. have concerns regarding future access for coastal defence works to be carried out by Iarnród Éireann or the Local Authority.</p> <p>(c) C.I.E. have concerns regarding trespass issues on the railway or increasing the risk profile at level crossings.</p> <p>3. It is acknowledged that Wicklow County Council maintains the sections of the cliff wall that is enclosed by a stone masonry wall. It is asserted that the maintenance of these sections of wall is the responsibility of W.C.C.</p> |
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|    |   | <p>4. If the preservation of such purported P.R.O.W's are to be included in a D.P. there should be express provision to the effect that the way should not adversely impact on the operation or safety of the adjacent railway.</p>   |
| 2. | <p>O'Flynn Exhams Solicitors on behalf of Richard S. Roche. Received on 5<sup>th</sup> January 2016.</p>                  | <p>This submission pertains to P.R.O.W.6 (The Murrough to Newcastle).</p> <ol style="list-style-type: none"> <li>1. Their client makes no admission at this stage as to the existence of any public r.o.w. over their lands.</li> <li>2. A small scale map is requested to provide greater clarity regarding the remit and extent of this routeway.</li> <li>3. A request is made for confirmation that W.C.C. will bear full responsibility for maintenance and upkeep of this alleged P.R.O.W.</li> <li>4. The land-owner has concerns that the issue of anti social behaviour and damage to their property will be exacerbated by W.C.C. effectively advertising the route as a P.R.O.W.</li> </ol> <p>A request is made for W.C.C. to confirm if it intends to put in place appropriate bye-laws to deal with different forms of anti-social behaviour plus the use of this section of route by users of motor bikes and quads.</p>   |
| 3. | <p>O'Flynn Exhams Solicitors on behalf of Richard S. Roche and Liam Shanahan. Received on 15<sup>th</sup> March 2016.</p> | <p>This submission pertains to P.R.O.W.6 (The Murrough to Newcastle).</p> <ol style="list-style-type: none"> <li>1. Their respective clients are owners of respective land holdings through which respective sections of this walkway transverses. Makes no admission at this stage as to the existence of any public r.o.w. over their lands.</li> <li>2. No information is provided by W.C.C. in the form of (a) evidence that this route is a public right of way by reason of long habitual use by the public 'as of right' or (b) the specific character of this route and the corresponding limitation on its use.</li> <li>3. A Request is made to provide them with copies of documentary evidence upon which W.C.C. is relying on to support its assertion that there is a public right of way over the route in question.</li> <li>4. W.C.C. is also requested to confirm if it will; (a) provide full indemnity to landowners in respect of any third party claim for injury or damage arising from user of the alleged public right of way. (b) Provide an appropriate scheme for maintenance and management of this means of access. (c) Carry out surveys to ensure that this alleged P.R.O.W. is not or will not become a danger to the public. Where such dangers are found to exist, that it will take the necessary steps to extinguish this alleged P.R.O.W.</li> <li>5. Their clients have no desire to be obtrusive rather they are simply questioning that their private property rights must be respected by W.C.C. and by the users of the amenity route in question. They are willing to facilitate and work with W.C.C. provided that the foregoing limitations and conditions are observed. The right of their clients to bring an appeal against any decision of W.C.C. to include an objective for the preservation of a route as a public right of way in a development plan, in accordance with S.14(4) of the P.D.A. 2000 is referenced in the final paragraph. The standard averment regarding the reliance of this submission in making an</li> </ol> |

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|    |  | application for costs is outlined as the final paragraph.   |
| 4. | Freehill Solicitors on behalf of Jane Christine Davies, Ballybla House. Received on 21 <sup>st</sup> January 2016.   | <p>This submission pertains to P.R.O.W.6 (The Murrough to Newcastle). Their client is the owner of a substantial portion of lands that this route transverses.</p> <ol style="list-style-type: none"> <li>1. Their clients make no admission at this stage as to the existence of any P.R.O.W. over their lands.</li> <li>2. A small scale map is requested to provide greater clarity regarding the remit and extent of this route way.</li> <li>3. A request is made for confirmation that W.C.C. will bear full responsibility for maintenance and upkeep of this alleged P.R.O.W.</li> <li>4. The land-owner has concerns that the issue of anti social behaviour and damage to their property will be exacerbated by W.C.C. effectively advertising the route as a P.R.O.W.</li> <li>5. A request is made for W.C.C. to confirm if it intends to put in place appropriate bye-laws to deal with different forms of anti-social behaviour plus the use of this section of route by users of motor bikes and quads.</li> </ol> |
| 5. | Hughes Planning and Development Consultants on behalf of Blackditch Ltd. Received on 18 <sup>th</sup> February 2016. | <p>This submission pertains to P.R.O.W.6 (The Murrough to Newcastle).</p> <ol style="list-style-type: none"> <li>1. Blackditch Ltd has no objection to the proposed objective in Section 10.3.8 of the Draft Wicklow County Development Plan 2016-22 to include an objective for the preservation of P.R.O.W. 6 as a public right of way.</li> <li>2. In the interests of the long term environmental objectives of the planning authority, Blackditch Ltd is prepared to cede the strip of land within their ownership through which P.R.O.W. transverse to W.C.C. for a nominal amount. This would be subject to legal agreement. (This submission is not a binding contract).</li> </ol>   |
| 6. | Eversheds international Law Firm on behalf of John Ronan/Academy Geographic Limited.                                 | <p>This submission pertains to P.R.O.W.7 (Lover's Leap Laneway).</p> <ol style="list-style-type: none"> <li>1. The estate of his clients runs along and incorporates part of the privately owned lane known as 'Lover's Leap Lane.'</li> <li>2. No objection is outlined or implied in this submission with regards to the inclusion of this lane as part of objective NH45 to preserve it as a public right of way.</li> </ol>   |
| 7. | Ruth Buchanan Ross   | <p>This submission pertains to P.R.O.W.7 (Lover's Leap Laneway).</p> <p>This submission is primarily concerned with proposals in the subject plan pertaining to an area of land adjoining this lane. The only point of relevance with regards to public rights of ways is the one that asserts how this lane is maintained by the owners of Lover's lane and Knockmore.</p>   |
| 8. | C.S. Kelly Solicitors on behalf of the personal representatives of the late Claire Duff.                             | <p>This submission pertains to P.R.O.W.7 (Lover's Leap Laneway).</p> <ol style="list-style-type: none"> <li>1. Lover's Leap Lane (P.R.O.W. 7) is a private laneway and has been in continuous ownership and control of the Duff family in title from time immemorial. At one stage of its history, this road was tolled with the tollhouse and gates still evident on their client's lands.</li> <li>2. Clarification is sought regarding the proposed designations in the draft Wicklow C.D.P. to designate this private laneway.</li> <li>3. Confirmation is requested that nothing will be done without the</li> </ol>   |

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|     |   | <p>express consent of the Duff family.</p> <p>4. Any proposals to include it as amenity in this or any other plan should be removed or excluded.</p> <p>Other points raised in that submission do not pertain to the provisions of Section 10.3.8 of the D.P. Such matters were addressed by the planning authority in an advisory letter to the submitter party.</p>  |
| 9.  | Marian Duff. On 25 <sup>th</sup> February 2016. | <p>The bulk of the points made in this submission refer to historical maintenance works to this lane both with and without the consent of her family who claim ownership of part of it and associated matters arising. This submission advises that: (a) There has never been any question of them (representatives of the late Claire Duff) preventing the use of this lane by the public and (b) their concern is with access from it onto their fields for the purpose of anti-social behaviour, being facilitated by gaps being left in the boundary hedge, to inappropriate maintenance works.</p>  |
| 10. | Fenton and Michelle O'Brien                     | <p>This submission pertains to P.R.O.W.8 (Mass path in Stratford on Slaney).</p> <ol style="list-style-type: none"> <li>1. It is considered unnecessary to include the subject section of Mass Path (P.R.O.W. 8) of only circa 100 metres in length with Objective NH45 for preservation as a P.R.O.W. This case is grounded on the comparatively short length of this route when compared to the other 8 routes included in Table 10.3.</li> <li>2. After 25 years of residence on their property through which this section of mass path transverses, they never had any problem allowing public access onto this mass path nor did they encounter any problems arising from such usage.</li> <li>3. Consequently, it is deemed that there is no justification for any change and thus they do not give their consent to the proposed amendments as laid out.</li> </ol> |
| 11. | Niall Patrick Lenoach                           | <p>Seven routes in the Enniskerry area are proposed (no maps included) for inclusion in the Wicklow County D.P. 2016-22 for preservation as P.R.O.W's:</p> <ol style="list-style-type: none"> <li>1. The R.117 to Killegar spur to Killegar cemetery.</li> <li>2. Killegar to Enniskerry via Knocksink wood.</li> <li>3. Ballyman Glen to the R.117 via Barnaslingan Lane which is a continuation of a listed P.R.O.W. in the current Dun Laoghaire Rathdown C.D.P. which runs from Glenmunder Stream to Ballyman Road.</li> <li>4. Enniskerry Bridge to riverside.</li> <li>5. R.117 Enniskerry-Bray road to St. Valerie's Cross via Old Fassaroe.</li> <li>6. Lover's Leap Lane.</li> <li>7. Enniskerry to Glencullen Bridge via Knocksink wood.</li> <li>8.</li> </ol>  |
| 12. | Yanny Petters                                   | <p>Seven routes in the Enniskerry area are proposed ( no maps attached but forwarded on request by planning authority) for inclusion in the Wicklow County D.P. 2016-22 for preservation as P.R.O.W's:</p> <ol style="list-style-type: none"> <li>1. Monastery Road to Killegar Lane including a spur to Killegar Church-a mass path.</li> <li>2. Killegar Lane to Enniskerry via Knocksink Wood.</li> </ol>   |

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|     |                                     | <ol style="list-style-type: none"> <li>3. Enniskerry Bridge to Riverside.</li> <li>4. Enniskerry-Bray Road R117 to Old Fassaroe and St. Valerie Cross.</li> <li>5. Enniskerry to Ballybrew via Knocksink Woods via two separate starting points (a) From Main entrance to Knocksink. (b) From Knocksink Bridge to Rectory.</li> <li>6. Scalp road R.117 (opposite entrance to land-fill) to Ballyman Road, via Glenmundar Stream/Billy's Glen, encompasses a public right of way listed in the Dún Laoghaire-Rathdown County Development Plan 2016-22.</li> <li>7. Curtlestown to Glaskenny.</li> <li>8. Curtlestown to Ballybrew via Old Coach Road.</li> </ol>   |
| 13. | Roger Garland of Keep Ireland Open. | <p><b>Part A:</b> Additional Development Plan objectives suggested, worded as follows:</p> <ol style="list-style-type: none"> <li>1. To research and map existing network of traditional paths used for leisure to determine their legal status.</li> <li>2. To protect existing public rights of way of archaeological sites and designate traditional walking routes as public rights of way with the National Monument Service In other cases routes will be acquired by agreement.</li> <li>3. Public Rights of Way have existed over the centuries and constitute an important recreational amenity for local people and visitors and an economic asset. They enable the enjoyment of high quality landscape and provide a valuable link to natural assets such as lakes, bogs and forests. A public right of way is a person's right of passage along a road or path, even if the route is not in public ownership. Council recognises the importance of maintaining and protecting public rights of ways.</li> </ol> <p><b>Part B:</b> Suggested additions to the routes listed as P.R.O.W's in table 10.3:</p> <ol style="list-style-type: none"> <li>1. From Windgates on the R.761 between Greystones and Bray to the Bray to Greystones Cliff Path (P.R.O.W. 5).</li> <li>2. From the Cross on Bray Head to the steps on the Cliff Path (P.R.O.W. 5).</li> <li>3. A further 110 routes in north-east Wicklow County Council (no maps to indicate the location of these routes submitted).</li> <li>4. All amenity access routes included in Wicklow County Council's study of rights of way in the north-east of Co. Wicklow in the late 1980's/early 1990's should be included in the plan. A similar study for the remainder of the County is likely to highlight many other similar routes suitable for inclusion in the County Development Plans as P.R.O.W's.</li> <li>5. An appendage note should be included that the list of P.R.O.W's outlined in the plan is not an exhaustive list and the omission of a right of way from that list shall not be taken as an indication that such a right of way does not exist.</li> <li>6. Amendment to objective NH45:</li> </ol> <p>(a) 1<sup>st</sup> sentence to be replaced by the following text: Recognising the importance of established public rights of way for the common</p> |

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|     |  | <p>good, especially in tourist and coastal areas and those which provide access to archaeological sites, National Monuments, seashores, lakeshores, riverbanks, upland areas, water corridors or other places of natural beauty or recreational utility. The Council will utilise its relevant statutory powers for the preservation, protection and conservation in so far as is practicable, the character of the routes of public rights of way detailed in table 10.3 (map 10.12) and will enhance promote, maintain and improve them to encourage cycling and walking. The Council will ensure that they are effectively maintained by controlling undergrowth, trees and bushes.</p> <p>(b) 2<sup>nd</sup> sentence to be replaced with the following text:<br/>Not to permit development where a public right of way will be affected unless the developer can demonstrate that level of amenity is maintained by: (i) the footpath/bridleway being diverted by the minimal practical distance and route continues to be segregated by vehicular traffic. (ii) Appropriate legal procedures have been undertaken by extinguishing the existing right of way and to establish the new right of way to replace it. (iii) The diverted route is of at least equal character and convenience.</p> <p>7. Regarding Objective NH46:<br/>Omit the clause "where resources permit" as it is invidious to single out this objective as many other objectives have financial obligations. Add in a new appendage: To endeavour to include a further list within two years of the adoption of the plan.</p> <p>8. Include a third objective: (a) To ensure that all existing public rights of way are appropriately sign posted and waymarked. (b) To protect and promote Greenways and consider designating them as public rights of way. (c) To prohibit development and keep free from obstruction existing rights of way and take legal action if necessary, to prevent any attempt to close them off. (d) To look favourably on planning applications which include proposals to improve the condition and appearance of existing rights of way. (d) To identify existing public rights of way and established walking routes prior to any new forestry planting, new infrastructural, energy/telecommunications or golf course developments and any other developments capable of affecting the respective right of way.</p> |
| 14. | Margaret Coen, Secretary, Friends of the Murrough. | <p>The following additions-amendments to Table 10.3 regarding the listing of additional amenity routes as preservation as public rights of way are proposed: (Route numbers 1-4 indicated on individual satellite imagery excerpts enclosed in this submission).</p> <ol style="list-style-type: none"> <li>1. Broadlough Loop Walk on the Murrough. From the wastewater treatment plant-the avenue-over the railway to Broadlough lake-along its southern side-back to starting point.</li> <li>2. An extension to the river walk along the Vartry River under the railway bridge/bridge of port relief road to link up with above route (No.1).</li> </ol>   |

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|     |                   | <p>3. Killoughter lane from R.761 via Ballybla to the coastline which accords with objective 3 in CZ6 Chapter 11.</p> <p>Amendments to P.R.O.W. 2. Along the coastline adjoining the southern part of Wicklow Town from the old Town Council boundary to Brides Head/Lime Kiln Bay.</p> <p>4. Extend this walkway from its northern end to the Black Castle overlooking Wicklow Harbour.</p> <p>5. Extend its southern end from Lime Kiln Bay towards the access road to Wicklow Light House and looped back/northwards on an existing path to be created by Wicklow County Council on land in its ownership. This additional link up with the linear southern extension of this route.</p> <p>Amendments to P.R.O.W. 4. Old Coast road in Dunbur Lower Wicklow Town.</p> <p>6. The initial section of this walkway meanders between two housing estates; Seapoint and Seacliff. It is suggested that the extent of the public right of way marked thereon on Map 10.12A should be extended for the entire duration of this route where it joins the public road at the junction of Seafield and Dunbur Park housing estates.</p> |
| 15. | Clive Dalby       | <p>Suggests the inclusion of a specific appendix in the Development Plan for the purpose of establishing and maintaining a list of recreational and other public rights of way in the County.</p> <p>Where such routes traverse the border of Co. Wicklow with neighbouring Counties/administrative Counties, there is a need for Wicklow County Council to co-operate and co-ordinate with the respective neighbouring local authority in the listing of them.</p> <p>In light of the statutory requirements in the planning legislation pertaining to public rights of way and the significance of tourism and recreation to Co. Wicklow, it would be remiss of the planning authority not to include such provisions in the County Development Plan.</p>   |
| 16. | Seàn Mag Leannàin | <p>Suggests that an amenity walkway in Hollywood village known as the 'watery lane' should be included in the list of public rights of way in the development plan. It is alleged that the status of this lane as a public right of way is not disputed at present.</p>   |
| 17. | Albert Smith      | <p>Suggests that there is a need for a greater number of public rights of way to be included in the Development Plan that is currently proposed. He acknowledges the associated legal complexities but asserts that such matters should not be used as a reason to include so few public rights of way routes in the plan. In particular, the policies in the plan to designate Enniskerry as a 'gateway' to the Wicklow Mountains requires to be supported by a number of amenity routes in that area protected as P.R.O.W's. The current proposal to include only one route in that area for the preservation as a P.R.O.W. is inadequate and amounts to a failure to protect the public good.</p>  |

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|  |  | Reference is also made to the Wicklow County Council study of rights of way in the north-east of the County in the 1980' and how none of this routes have ever been listed by the Council as P.R.O.W's. |
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## Chief Executive's response

### Section 1: General Background considerations regarding Public Rights of Ways.

**'User as of right'** is defined in Section 33 of the Land and Conveyancing Law Reform Act 2009 as: *"means use or enjoyment without force, without secrecy and without the written consent of the servient owner."*

In the decision of the Supreme Court in the case: Edward Walsh and Constance Cassidy (Plaintiffs) v The County Council for the County Sligo (Defendant), [2013] IESE 48, the following common law characteristics of a public right of way (not defined in Irish legislation) are provided:

(Paragraph 50) A distinction must be made between a public road and a public right of way. The latter may exist over any particular route but it is not a public road unless and until taken in charge by a local authority pursuant to statute.

(Paragraph 52) A public right of way is not the same as a public road, but the common law treats it as a highway. It is a right available to any member of the public. A public right of way can arise in a number of ways:

1. It may be shown to arise from use from time immemorial (1189).
2. It may be created by statute.
3. Established by proof of long user by the public as of right leading to express or implied dedication by the owner of the ground over which it passes and acceptance of such dedication by the public.

(Paragraph 57) Outlines the essential requirements for the establishment of a particular route as a public right of way:

The first step is proof of the use as of right by the public of the way over the owners land.

The second step is that, depending on the duration, frequency, or intensity of that user, an inference may be drawn that the landowner has dedicated the way. Such an inference sometimes call a presumption can only be drawn only after consideration of all the facts.

The third step is that it may be concluded that the public has accepted the dedication.

(Paragraphs 66 and 68) The burden of proof of dedication lies on the person alleging it. The crucial point...is that what has to be proved is that the landowner had the intention to dedicate. That intention can be inferred or presumed from evidence of long interrupted user as of right.

(Paragraph 93) Concerns the concept of toleration by the landowner:

Whether particular acts of users are to be described as being 'as of right' requires account to be taken of all the circumstances. Acts may be tolerated or indulged by a landowner vis á vis his neighbours without being considered to the exercise of a right.

(Paragraph 324) The rule that there should be a terminus ad quem, so that a public right of way ends in access to a public road, does not prevent the making of the declaration in this case. It is well established that there may be a public right of way leading to a place of natural beauty, such as the beach at Lissadell.

In Circular Letter PL 5/2015 issued on 21 August 2015 by the Department of the Environment Community and Local Government guidance is provided regarding the distinction between public rights of way and National Way Marked Ways (permissive trails-for example The Wicklow Way and Saint Kevin's Way in County Wicklow County Council, see objective NH40 of this draft plan). This letter amongst other matters advises that the use of permissive trails by the public on an open basis is at the consent of the relevant landowner. It also highlights that the rights of walkers and ramblers are specified in the Occupiers Liability Act 1995 which includes "recreational user" as a category of users of privately owned lands.

Other forms of public rights of easements of amenity routes on privately owned lands is by means of a legally grounded licence, drawn up the landowning party who becomes the grantor of the right of way by means of prescription. Such a public access/amenity easement is normally subject to specified restrictions.

For a walkway/pathway/bridal path/laneway to be used as an amenity route by members of the public at large does not automatically mean or imply that it constitutes a public right of way under common law provisions.

Section 73 of the Roads Act 1993 provides a local authority with the means to extinguish (in pursuance to public consultation and resolution by the elected members) a public right of way including public roads taken in charge by it under roads legislation as well as other public routes not under its management or ownership.

Section 10(2)(o) of the Planning and Development Act 2000 (as amended) requires the inclusion of a mandatory objective in the development plan for the preservation of public rights of way (PROW) which give access to seashore, mountain, lakeshore, riverbank or other place of natural beauty or recreational utility and PROWs shall be identified both by marking them on at least one of the maps forming part of the development plan and by indicating their location on a list appended to the plan.

Section 206 of the P.D.A. 2000 provides for a planning authority to enter into an agreement with a landowner (any equivalent party having the necessary power), for the creation by dedication of that party of a public right of way over land.

Section 207 of the same act, makes provision for a planning authority to use its compulsory powers by resolution to make an order to create a public right of way over land where it appears to it that there is a need for a such a public right of way.

Section 208(1) of this act provides two instances where a planning authority is statutorily responsible for maintaining a public right of way: ((a) Where a public right of way is created under the provisions of either Sections 206 or 207.

(b) Where a particular route was already the subject of an objective in a development plan for its preservation as a public right of way, when this section of the act came into effect in 2002.

Sections 206-208 are included in PART XIII of the Planning and Development Act 2000 (as amended). This part of the act was commenced statutory instrument 599 on 21<sup>st</sup> January 2002.

Section 2(1) of the 2000 planning act defines public place and public road as follows:



“public place” means any street, road, seashore or other place to which the public have access whether as of right or by permission and whether subject to or free of charge.

“Public road” has the same meaning as in the Roads Act 1993.

The list of rights of way listed in 10.3 of the draft Wicklow County Development plan or any recommended amendment thereof does not purport to include all public rights of way (not including public roads covered by the Roads Act 1993 as amended) in County Wicklow.

## **Section 2: General points regarding proposed amendments to the existing provisions of Section 10.3.8 arising from a review of the submissions listed in Table A.**

No amendments considered necessary to the first paragraph of this section as it merely outlines the provisions of Section 12(2)(O) of the Planning and Development Act 2000 (as amended).

Second paragraph: It is considered that the word ‘*designating*’ should be omitted from the first sentence. Such a form of wording does not accord with the statutory provisions available to local authorities under planning and development legislation with respect to the preservation of existing public rights of way or the creation of such means of passage. The retention of this word in this paragraph has the potential to be misleading. In addition to the omission of the said word, it is considered that the remaining sections of this paragraph be re-arranged for the purpose of reflecting to a more accurate degree the provisions of Section 14(1) of the act, regarding the inclusion for first time of provisions in a Development Plan for the preservation of a route as a public right of way.

In response to the suggestion in submission no. 13 regarding the potential for a local authority to establish a public right of way by agreement with the relevant landowner, it is recognised that reference to the powers of local authorities to create public rights of way, provided in Sections 206 and 207 of the Planning and Development Act 2000 (as amended), should be included in a new objective to follow objective NH46 of the Plan. This objective also includes reference to the statutory obligation on planning authorities to carry out maintenance works to existing public rights of way in accordance with Section 208 as explained in Section 1 above.

It is considered that due to the complexities often associated with the topic of establishing either by statute or declaration public rights of ways, that a significant period of time under the development plan preparation provisions of the Planning and Development Act 2000 (as amended) is required to carry out sufficient research and consultation into this process. Consequently, it is deemed that the maximum 14 week period provided in Section 12(6)-(10) of this act for making and advertising of any material amendments to a draft plan, is too restricted to facilitate sufficient consideration of matters of such significance.

The alternative option which is recommended is that in accordance with provisions of objective NH46 of the draft plan that a more in-depth study of potential public rights of way routes of an amenity nature be carried out during the lifetime of the in-coming Wicklow County Development Plan. It is envisaged that such a project would materialise in a proposed variation of this plan in accordance with the provisions of Section 13 of the Planning and Development Act 2000 (as amended). Such a process which provides for public submissions and consideration-adoption by the elected members of the Council would come into effect following the completion of research into the nature and history of selected routes as well as consultation with the relevant land-owners and recreational groups-individual users of them. It is already highlighted in that objective that any study of this nature is dependent on the availability of resources to undertake such a project. In this regard, the availability

of planning, surveying and other staff members to carry to fulfil the criteria of an in-depth study which at times involves the analysis of archival non-digitalised material, it a critical factor.

Notwithstanding the relatively short timeframe provided under Section 12(4) of the act for the consideration of submissions received with respect to the current draft plan, the planning authority has inspected particular routes referenced in certain submissions to be public rights of way. Arising from this analysis some additional routes are proposed for inclusion within this section of the plan for preservation as public rights of way. On the other hand some of the routes currently listed in table 10.3 as public rights of ways are either recommended for omission or alteration in remit and description.

Future reviews of Wicklow County Development Plans in accordance with Sections 11-12 of Planning and Development Act 2000 (as amended) also provides a basis for the carrying out of further research into the broad ranging area of public rights of way throughout Co. Wicklow.

It is noted that Map 10.12 D contains a mapping error that requires amendment as follows:

The north-eastern termination point for this laneway adjoins the L-1020. Thus its current delineation by means of a green line, should terminate at the latter point at not at the public road junction of the L-1020 and the R.117 as currently illustrated on this map. It is recommended that this amendment be made.

A review of the description of P.R.O.W. 3 in table 10.3 arising from an inspection of this route identified that it required modifications to provide greater clarity of the character of this route. The insertion of the public road reference numbers and associated road names are in the relevant row of that table, is therefore recommended as outlined in the amended version of this table hereunder.

### **Section 3: An analysis of the respective individual submissions outlined in Table A.**

#### **3.2. (Submission 1) Regarding P.R.O.W. 5 and P.R.O.W. 6.**

**3.2.1.** The part of this submission regarding Bray to Greystones Cliff-coastline walk (P.R.O.W.5).

This submission from Corás Iompair Éireann Solicitors office includes documentary evidence that indicates how the use by the public of part of Bray Head section of Bray to Greystones Cliff-coastline walk (P.R.O.W.5) is by means of a licence agreement and not by dedication by C.I.E. This submission advises that C.I.E. holds freehold title to substantial portion of the lands that this long-established amenity route transverses. The said licence (copy included in the submission) is from 1932 and was made between the predecessor of C.I.E. and Bray Urban District Council and allows the public to have unfettered access on the cliff walk subject to compliance with any bye-laws made by the U.D.C. This submission further makes the case that there are no public rights of way over the portions of this pathway that cross over the railway line on the surface of tunnels. These latter points culminate in the assertion that C.I.E. nor any of its predecessor railway companies have not at any stage since the development of the cliff walk in the 1860's, dedicated either by implication or expression this walkway as a public right of way. In light of these points, it is recommended that the proposal in the current draft plan to include P.R.O.W.5 for its full remit from the Beach Road in Greystones Harbour to the Promenade on Bray seafront be omitted to facilitate further research and liaison with C.I.E. any other land-owners along this route. It is an established fact of common law that a right of way claimed by dedication of inference from long uninterrupted public usage must commence at a public place and terminate at another public place/public road (see definitions in sub-section 3.1). Therefore, it is not legally feasible to include only part or parts of this amenity walkway (circa 6 km in length) within a development plan objective for its preservation as a public right of way, unless the latter legal criterion is complied with.

Having regard to this legal constraint, it is recommended that the initial 1,445m (1.4 km) of the southern end of this walkway that runs (with the exception of the final 117 metres on the northern of the two respective perpendicular branches linking this linear route to the coast) exclusively through lands in the ownership of Wicklow County Council, be retained as a public right of way. This section of walkway (see description in the revised table 10.3) runs from the junction of Beach Road/Victoria Road in the Greystones harbour area, to the north beach and a another section of coastline via an old pathway, thus fulfilling the legal criterion that a public right of way should interlink different public places. At no point does this route transverse or adjoin the Dublin to Rosslare rail-line. The route of this section of walkway will for its initial south to north limb, pass through the new residential area that is part of the Greystones harbour development project. The safeguarding of the Bray to Greystones cliff walk via this new residential area is provided for in this permitted development. The west to east branch of this walkway which leads to the north beach is defined by fencing on both sides which along with its hard-core surface is maintained by Wicklow County Council.

It is therefore recommended that the wording of the description for P.R.O.W.5 and its associated representation on map 10.12.B be amended in accordance with the above recommendations.

### **3.2.2. Regarding the Murrough to Newcastle costal walkway (P.R.O.W.6).**

This route is in practical terms a continuation of the walkway leading from the public Car-park in the Murrough in Wicklow Town to a section of the former Wicklow County Council/Town Council administration boundary. That walkway has been the subject of an objective for preservation as a public right of way under successive development Plans for the Wicklow town Environs area between 1994-2013. It is listed in the current Wicklow County Council draft Development Plan as P.R.O.W.1. Taking cognisance of the common law criterion that is referenced in sub-section 3.2.1, that a way that the public enjoy public rights of way over, has to run between two respective public places, it is both legally and practically unfeasible for a public right of way to simply cease at artificial administration boundary. In particular there is no natural landscape feature that delineates a boundary division or a change of course between the line of routes covered by P.R.O.W. 1 and P.R.O.W. 6. At no point does the route of P.R.O.W.6 cross over the Dublin to Rosslare railway track. Where the route of this defined path runs close to this railway line, there is defined boundary division in existence as marked by a chain-link fence. The separation distance between the pathway and the railway line is at its greatest on and close to the Murrough landscape area where in places the pathway runs through meadow type terrain. A surveyed map at a smaller more detailed and legible scale (at A.O.) was forwarded to C.I.E. on foot of their submission made under Section 14 of the 2000 planning act. This map clarifies that P.R.O.W.6 does not infringe upon the said railway line at any point. C.I.E. did not make any submission to Wicklow County Council regarding the inclusion of P.R.O.W.1 as an existing public right of way in this plan. The concerns raised by C.I.E. in their submission that is under review, regarding the threat that public usage of this coastal pathway will accentuate the rate of coastal erosion on the section of coastline between Wicklow town and Newcastle is not an issue that Wicklow County Council is required to consider with regards to the including on an objective in this development plan for the preservation of a route as a public right of way. (In accordance with Sections 12(2)(o) and 14).

See final summing up recommendations regarding P.R.O.W. 6 (Murrough to Newcastle) in Section 3.6 hereunder.

### **3.3. (Submission 2 and 3), regarding P.R.O.W. 6 (Murrrough to Newcastle).**

On foot of a request made in submission number 2 for the receipt of a map of a smaller scale and hence of a more legible standard to facilitate identification of the pathway of this route, such a map at a scale of 1:25000 was forward to the submitter on 28<sup>th</sup> January 2016.

There is no statutory obligation or requirement of a planning authority under planning legislation to maintain or carry out an remedial/upgrading works with respect to public rights of ways that have become the subject of a development plan objective for preservation as public rights of way for the first time, in a plan adopted post the commencement of Section 208 of the P.D.A. 2000 (January 2002)

It is not accepted that the inclusion of an objective in a development plan adopted under Section 12(2)(o) of the P.D.A.2000 to preserve (in so far as is practical) an amenity routes as public right of way, amounts to the advertising of such routes as public amenities. Rather it is the recognition by the planning authority that a particular route exists and that it conforms to one of the legal criterions (see quote from paragraph 52 of the Lissadell judgment in section 1 herein) as well as to the amenity access criterion outlined in Section 10(2)(o) of the P.D.A. 2000. Section 12(2)(o) of the P.D.A. 2000 places a mandatory legal requirement on Wicklow County Council to identify and list amenity access routes for preservation in its County Development Plan, in instances where it considers that particular routes fulfil the legal and statutory criteria concerning such a form of public easement. Such considerations are grounded on the balance of possibilities following the carrying out of research in so far as is feasible into the history of the public usage of the routes examined.

The regulation of anti-social behaviour in public places is not a prerogative of a local authority, unless it is the subject of bye-laws pertaining to property in the ownership of the council such as car-parks in amenity areas. Therefore, Wicklow County Council is not required by statute and neither does it intend to adopt bye-laws to regulate public behaviour on any routes listed in the County Development Plan or in the existing Wicklow Environs Development Plan 2013-2019 that are listed as public rights of way.

The Owners Occupiers Liability Act 1995, places a duty of care on both recreational users (defined therein) and the owner-occupiers of landholdings with respect to recreational activity (also defined) of places in the open air. Hence it is the responsibility of the individual owners of land where a route listed for preservation as a public right of way in a development plan transverses, to protect their property in accordance with that act/associated legislation against any damage or financial claims for injury, arising from use of it by recreational users.

### **3.4. (Submission 4), regarding P.R.O.W. 6 (Murrrough to Newcastle).**

No comments pertaining to this submission are deemed warranted as its contents are the exact same as the corresponding contents of submission 2, reviewed above.

### **3.5. (Submission 5), regarding P.R.O.W. 6 (Murrrough to Newcastle).**

No objection outlined in this submission to the proposed inclusion of this route within the list of route-ways in section 10.38 for preservation as a public right of way. The company that owns this area of marginal agricultural land of 1.94ha is prepared to cede the ownership of it to Wicklow County Council on a long term leasing arrangement for a nominal annual fee.

It is recommended that the offer to lease this area of coastal land to Wicklow County Council be considered by the Council in the aftermath of the adoption of this plan, in circumstances that route P.R.O.W. 6 is included therein for preservation as a public right of way.

### **3.6. Summing up points pertaining to P.R.O.W. 6 (Murrough to Newcastle).**

It is the position of Wicklow County Council that the following grounds strongly support the case for the inclusion of the existing pathway from Tinakelly on the Murrough to Blackditch Newcastle in this development plan, for the preservation as a public right of way:

1. It constitutes an unbroken pathway of the same character on this stretch of raised flat sand/salt marsh section of foreshore, with the existing public right of way indentified in this plan as P.R.O.W.1-from the Murrough in Wicklow town to Tinakelly/the boundary of the former Wicklow Town Council. The latter section of this overall costal pathway has been included in three successive development plans for Wicklow County Council Environs since 2001 for preservation as a public right of way. It therefore appears a natural progression to consider that the remainder of this pathway to the part of the foreshore adjacent to the Sea road (L-5550) in Blackditches Newcastle/Former Newcastle railway station, also fulfils the characteristics of a public right of way as established in numerous common law cases of relevance extending back to the 1800's.
2. It has been a long-term position of Wicklow County Council that the costal pathway from the section of the Murrough from Wicklow harbour to Blackditches Newcastle, constitutes a public right of way. Such a position has been articulated by the inclusion of this route as public right of way in the Draft Wicklow County Development Plans of 1967, 1985 and 1989. Furthermore In the current Wicklow County Development Plan 2010-2016, it is an objective to facilitate the development of a coastal walk between Kilcoole and Wicklow Town (No.6 in Objective CZ6, Chapter 18).
3. None of the four parties who made submissions that raised concerns regarding the proposed inclusion of P.R.O.W. 6 in this draft plan for preservation/listing as a public right of way, have included any evidence or made any claim that they or the preceding owners in fee of the landholdings in question; ever undertook steps to prevent members of the public from using the section of this costal path that transverses their respective holdings.
4. There is no evidence in current times that any of the owners of the five respective registered parcels of landholdings that this route encompasses (some parts are unregistered), have erected signage or barriers of the purpose of discouraging, restricting or preventing public recreational usage of this open coastal landscape.
5. Any removal of the route P.R.O.W. 6 from the list of amenity ways to be preserved as public rights of way in the pending development plan, could bring into question the appropriateness of retaining P.R.O.W.1 (the southern section of this singular coastal pathway) within this plan for preservation as a public right of way.
6. It is considered that further investigations by the planning authority are required regarding the question of whether or not the remaining section of this costal pathway from Newcastle to Greystones harbour via Kilcoole, constitutes a public right of way.

### **3.7. (Submission 6) pertaining to P.R.O.W. 7 (Lover's Leap Lane).**

No objection outlined in this submission to the proposed inclusion of this route within the list of route-ways in section 10.38 for preservation as a public right of way. This submission merely advises that the remit of the land-holding of the named client party, incorporates part of this laneway.

### **3.8. (Submission 7) pertaining to P.R.O.W. 7 (Lover's Leap Lane).**

No assessment required as this submission only advises that this lane is maintained by its owners.

### **3.9. (Submission 8 and 9 combined) pertaining to P.R.O.W. 7 (Lover's Leap Lane).**

The fact that this submission no.8, alleges that this route was at one stage in its history a tolled road strengthens the planning authority's opinion that this it is a public highway. It is established case law in the area of 'highway law' that the maxim 'once a highway always a highway' applies. The owner of the soil cannot exclude the public after the right is created. Wicklow County Council does not require the consent of the owner in part or full of a route that is deemed to be a public right of way, to include it within a development plan objective for preservation as such a form of public right of passage. The fact that the second submission from the Duff family (no.9) outlines that they have no objection to the use of this lane as a public amenity coupled with the absence of any further request to withdraw any proposals in this plan for the use of this lane as amenity feature, indicates that they have no further objections to its inclusion therein as part of an objective for preservation as a public right of way.

It is deemed appropriate to highlight that Lover's Leap Lane was included in respective lists of indentified public rights of way for preservation in the respective Draft Wicklow County Development Plans of 1967, 1985 and 1989.

It is therefore recommended that Lover's Leap Lane be retained in this development plan for preservation as a public right of way with its associated representation on map 10.12. B amended as referenced in the final paragraph of Section 2 above.

### **3.10. (Submission 10) pertaining to P.R.O.W. 8 (Stratford on Slaney Mass path).**

On review of the nature and location of this route of circa 85 metres that inter-links two sections of public road (the L-43011 to L-8301) it is considered that this former Mass path does not conform to the types of public rights of way described in Section 10(2) (o) of the 2000 planning act. The types of public routes described in that section are those which provide a means of passage to places of natural beauty and or recreational utility such as the seashore, mountain, lakeshore, riverbank. This mass path does not provide a means of access to any such natural landscape feature. The retention of this established amenity route within this section of the plan for its preservation as a public right of way, could potentially create a public demand for the inclusion of other similar means of public access (which do not conform to Section 10(2)) within this plan and future plans that pertain to the listing of and preservation of public rights of way.

It is therefore recommended that this amenity pathway be omitted from table 10.3 in the amended draft plan.

### **3.11. (Submission 11), regarding seven suggested routes in the Enniskerry area.**

With the exception of route reference 11.3, discussed hereunder, it is considered that research into each of the other six public amenity routes identified in this submission, should be postponed to form part of the potential future in-depth public rights of way project referred to in Section 2 above with respect to objective NH46.

**Route 11.3:** The initial section of the route referenced runs from the Ballyman road adjacent to Dún Laoghaire Rathdown Golf Club located within the administrative county of Dún Laoghaire Rathdown (dlr), as defined in that area by the Glenmunder stream (also known as The County Brook). This section of amenity route is listed as a public right of way (shown on map no.13) in Appendix 8 of the

current D.L.R.Co.Co. County Development Plan 2016-2022, described as “Ballyman Road to Barnaslingan Lane via Glenmunder”. The western section of this route as identified in the said statutory development plan traverses a field in Co. Wicklow County Council that is located between Glenmunder Stream (hereafter referred to as ‘The County Brook’ and Barnaslingan Lane (a public road, L-5507). The southern part of Barnaslingan Lane is located within the townland of Monastery County Wicklow. Investigations established that no defined pathway or opening onto the latter public road, current exists in the said field. A stile fixture on the boundary of this field with the L-5507 is overgrown and unusable. It is likely that previous recreational use of this field by walkers at a time when the stile was usable, followed a path that straddled the course of western bank of this stream. This route in its entirety was also the subject of objectives for its preservation as a public right of way in preceding development plans adopted by D.L.R.Co.Co. It is therefore considered appropriate to include the ‘western section’ of this route in table 10.3 and map it accordingly in the current Wicklow draft development plan. In fulfilment of the requirements of Section 14(1) the owner of the subject field through which the section of route-way transverse, will be notified by notice of any decision of Wicklow County Council to include a section of their holding within the remit of the provision of this plan for the preservation as a public right of way. Such a process provides for submissions by/on behalf of a land-owner to a planning authority for consideration as part of the plan preparation/adoption process. The including of the northern part of Barnaslingan Lane within this plan as a public right of way (for the purposes of the 2000 planning act) is not feasible because it is located within the administrative county of D.L.R.Co.Co and secondly because it is a public road within the meaning of roads legislation.

It is therefore recommended that the route-way described in the preceding paragraph be included (listed and mapped) in this plan for preservation as a public right of way.

### **3.12. (Submission 12), regarding eight suggested routes in the Enniskerry area.**

The route referenced in this submission as route 11.6 is the same route as the one referenced in submission 11 as route 11.3 and analysed in the preceding paragraph. No further comment is therefore warranted,

It is considered that research into six routes of the other public amenity routes listed in this submission (see reference to route 9.8 hereunder) should be postponed to form part of the potential future in-depth public rights of way project referred to in Section 2 above.

**Route 9.8:** Curtlestown Enniskerry to Ballybrew via Old Coach Road This route was the subject matter of a decision of the High Court in the case Walker v Leonach and Barry [2012] IEHC 24 of 8<sup>th</sup> February 2012 (unreported). The kernel feature of that decision of this case was the declaration by the presiding judge that the route in question was not a public right of way. Therefore this proposal will not in the context of this development plan preparation process be considered further under the provisions of Sections 10(2)(o) and 14 of the Planning and Development Act 2000 (as amended).

### **3.13. (Submission 13), General commentary with some specific identified amenity routes.**

The alleged public rights of way routes referenced by description in this submission are the type that could be included in the said potential future in-depth public rights of way project/reviews of future Wicklow County Development Plans.

Reference to the study of rights of way carried out by Wicklow County Council during 1986/87 of rights of way in the former Greystones and Bray Engineering areas is noted. The study is held in the Planning Department of Wicklow County Council and encompasses 73 routes (with some sub-divided into branches) mapped and described in an accompanying report for each route. Its status is that of a

research project used for reference purposes in the carrying out of statutory planning duties by the Council. It was not the subject of any formal adoption process by the elected representatives of Wicklow County Council at the time it was finalised. The term 'rights of way' as opposed to 'public rights of way' is applied in the text of this study and hence the purpose of that study was not to establish any of these routes as a public right of way by statute.

The following suggested amendments/or variations thereof to the current provisions of Section 10.3.8 of the draft plan, outlined in this submission are considered appropriate to incorporate into the amended draft:

1. To include an appendage to the list of public rights of way to clarify that such a list is not a definitive list and that the omission of any route from that list shall not be taken as an indication by the planning authority that such any such route does not constitute a public right of way.
2. Include a qualification in the wording of objective NH45 that the types of public rights of way encompassed by that objective are the amenity/public access to public places of natural beauty/recreational utility types of routes. It is consider that a small qualification of such categories of routes is sufficient considering that the provisions of Section 10(12)(o) quoted in the opening paragraph of this section of the plan, outlines the recreational nature of the public rights of way intended to be encompassed by development plans.

No further amendments as suggested in that submission to the wording of the objectives in this section of the plan are deemed warranted. The development control and restrictions on exempted development provisions of current planning and development legislation are considered of sufficient scope and clarity to enable planning authorities on a case by case basis to deal with any planning applications or possible unauthorised developments that impact on public rights of way. The wording of objective NH45 is formatted in a robust nature to facilitate Wicklow County Council in carrying out its statutory functions in the regulation of developments in such circumstances including consideration where deemed appropriate in the interests of the common good for the re-routing of sections of the route of public rights of way.

Section 73 of the Roads Act 1993 provides a local authority with the means to extinguish (in pursuance to public consultation and resolution by the elected members) a public right of way including public roads taken in change by it under roads legislation as well as other public routes not under its management or ownership.

It is therefore considered unnecessary for the objectives in this section of the plan to be over-specific in detailing the statutory powers available to Wicklow County Council in relation to the preservation, maintenance of public rights of way and the regulation of development that have the capacity to effect the character of such routes.

With regards to the sign-posting of public rights of way, such proposals are already encompassed within Section 10.3.7 of the plan (Recreational use of natural resources). In particular objectives NH38-NH40 seek to facilitate managed use of amenity access use with the agreement of all relevant stakeholders including land-owners.

It is considered that the proposal to designate 'Greenways' (see Section 10.3.6. of the plan which covers this planning concept) as public rights of ways is covered in a general manner in the proposed new objective in this section. This objective makes reference to the powers of a planning authority under Sections 206-207 of the 2000 planning act to create public rights of way where deemed appropriate-warranted.



### **3.14. (Submission 14). Regarding routes in Wicklow Town and Environs area.**

**3.14.1.** This submission suggested extending both the northern and southern end of P.R.O.W.2; from the coastal boundary of the former Wicklow Town Council to Brides Head/Lime Kiln Bay. A significant part of this cliff top walk runs between the grounds of Wicklow Golf Club/course and the coastline. A section of this route (circa 500 metres) from the Glen Strand and Brides head is currently closed under the direction of Wicklow County Council for health and safety reasons, due to coastal erosion although there is evidence that it continues to be used by the public for its full remit. The statutory remit of Sections 10 (2)(0) and 14 of the Planning and Development Act 2000 (as amended) does not empower planning authorities to include objectives for the re-routing of existing public rights of way rather they provide for the identification, mapping and inclusion within an objection for the preservation of means of passage that are considered to constitute public rights of way in accordance with the relevant criteria set down by relevant common law court cases. This route has been the subject of objectives in four successive statutory development plans for the Wicklow Town Environs area for preservation as a public right of way notwithstanding the fact that for the past 10 years or so, that the section of it that is referred to above has been closed. It is recommended that notwithstanding the physical restrictions on the use of this route, that it remains the subject of the relevant sections of the current draft plan (which encompasses the provisions of the current Wicklow Town-Environs Plan 2013-2019) for its preservation as a public right of way. In tandem with this recommendation a new objective to follow NH46, outlines the robust intention of Wicklow County Council to explore the need where appropriate to implement the statutory provisions of Section 208 of the 2000 planning act, regarding the maintenance of public rights of way that were the subject of development plan objectives for their preservation, pre January 2002. In effect such an additional objective will facilitate investigations by Wicklow County Council into the scope for carrying out remedial and improvement works to the section of this route that is currently closed for health and safety reasons in liaison with owners of the adjoining golf club lands.

**3.14.2.** As a follow on from the last point, investigations of P.R.O.W.2 for the purpose of this report has established that this route as currently indicated on map 10.12A in this plan and the corresponding map in the current Wicklow Town-Environs Plan, possess an essential feature of public rights of way, namely that its route commences and ends at respective public places. Such public places (a public road/public car park/a natural landscape feature) create the conditions for the public to gain access to particular public right of way. On review, the planning authority now proposes that the northern end of this route be extended via an existing concrete surfaced pathway that links the Glen Strand to the nearby public car-park known as 'the Glen Turn Car-park' that accesses onto the R.750. The route as currently mapped runs from the Glen Strand southwards to Brides Head/Lime Kiln Bay. The pathway that links Glen Strand to the 'the Glen Turn Car-park' is maintained by Wicklow County Council. That car-park was developed and managed by Wicklow Town Council and is now under the management of Wicklow County Council. The inter-linking pathway runs under two pedestrian under bridges thus providing for a separation of users of this path and users of the surrounding golf course. Considering that this pathway has and continues to be the subject of public expenditure for development and maintenance purposes and has been in use for public usage for a long period of time, gives significance weight to an inference that it has been dedicated as a public right of way.

**3.14.3.** This submission proposes to extend the southern end of P.R.O.W. 2 from Brides Head/Lime Kiln Bay on an existing pathway towards the private access road to Wicklow Light House on lands in the ownership of Wicklow County Council and to create looped link onto the said existing path in a northwards direction. Investigations have established the existence of such a linear coastline pathway which terminates at the private roadway leading to Wicklow

Light House. A publically erected brown information finger post directional sign at this termination point, advises that this route leads to Brides Head. It has also been confirmed that Wicklow Town Council is the registered owner of the holding that this path traverses (WW278). Considering the public ownership of this area of land and the evidence of public of a defined pathway thereon, it is deemed appropriate to extend the remit of P.R.O.W. 2 in a southerly direction to the point where it meets the shared boundary with the private access road to the site of Wicklow Light House. Furthermore the suggestion in this submission to create a new loop section of pathway at the southern end of this route in order to link it back into the existing linear path is accepted as a means of providing a means of access back to Brides Head/Glen car-park. The intention to develop a short looped pathway with signage in this instance is encompassed by the recommended additional objective to follow NH46. Due to the fact that Wicklow County Council is the owner of the land in question, it is considered that the provisions of neither Sections 206, 207 nor 208 have to be invoked to carry out such relatively minor (in terms of works or remit) pathway development works.

It is therefore recommended that the extension of the route of P.R.O.W. 2 in accordance with the description in the preceding paragraph be included in this plan (listed and mapped) for preservation as a public right of way.

The suggestion in submission 11.4 to extend the current remit of P.R.O.W. 2 in a northerly direction to the Black Castle overlooking Wicklow Harbour is not recommended at this juncture. It is deemed that a greater level of investigation and consultation is required to consider this suggestion in light of the fact any coastal route in that area would encompass part of the grounds of Wicklow Golf Links and would also have to take cognisance of the matter of coastal erosion on the cliff face.

**3.14.4.** (Route reference 11.6) in effect highlights an anomaly in the draft plan between the description of P.R.O.W.4 in Table 10.3 and the mapping of this route on Map 10.12A. This route in historical terms follows the path of the old public road leading from Wicklow Town to the coast/road to Brittas Bay. In modern times it runs from the public road junction in the north-west corner of Seafield housing estates along the western boundary of this estate into an adjoining agricultural field where it straddles the eastern boundary of this field and to the R.750 via an overgrown laneway between two housing estates (Seaview and Seapoint/Bayside Glen). This route has been the subject of an objective for preservation in successive development plans for Wicklow Environs since 1994 for its full remit. However Map 10.12 A only delineates the initial eastern limb of this route running from the R.750 in a western direction between Seaview and Seapoint/Bayside Glen housing estates. This requires correction whilst the description of this route in Table 10.3 requires modification in the interests of clarity. Such amendments will accord with the suggestion in this submission that the full route of this old public road be included within the provisions of this section of the plan to preserve it as a public right of way. Investigations of this route established that its southern limb leading from the R.750 is in a densely overgrown condition and is largely inaccessible. The additional new objective in this section will amongst other matters outline the intention of Wicklow County Council to carry out maintenance work on this section of access route along with the other three public rights of way included in the current Wicklow Environs plan during the lifetime of this County Development plan.

Consequential amendments arising from the recommended amendments herein to both the description of this existing public right of way in table 10.3 and its representation on map 10.12A are hereby recommended.

### **3.15 (Submission 15)**

The suggestion in this submission that the County Development Plan should include provisions for the listing/mapping and preservation of public rights of way in County Wicklow is already provided for in the draft plan. A proposed amendment to this plan as outlined in Section 3.11 above, provides for inter-connectivity with D.L.R.Co.Co with respect to an existing listed public right of way in the current development plan for that adjoining county, which transverses county boundary. Potential further research into the topic of public rights of way as referenced in objective NH45 of this draft plan provides scope for investigation into other possible cross-border public rights of way with the five neighbouring County Councils to County Wicklow.

### **3.16 (Submission 16)**

The suggestion that the 'Waterly lane' in Hollywood village constitutes a public right of way, will be included within any future research into public rights of way undertaken by Wicklow County Council as referenced in Objective 45 of this draft plan and/or as part of a review of a future Wicklow County Development Plan.

### **3.17 (Submission 17)**

Wicklow County Council does not accept that it has failed to protect the public good in deciding not to include more routes in this draft County Development Plan for preservation as public rights of way. In light of the relatively short timeframe to research the complex, contentious and broad ranging topic of existing public rights of way in Co. Wicklow, it was considered prudent to focus on a small quantity of routes for the purposes of including them for preservation purposes under this plan. In circumstances that this approach attains a satisfactory outcome, the planning authority will in accordance with the provisions of NH46 consider undertaking further research work into the feasibility of listing/including objectives for the preservation of other amenity routes as public rights of way in pending Wicklow County Development Plan 2016-22. Such work will include further investigative work into work already carried out as part of the preparation of this plan with respect to amenity routes included in the afore mentioned 1986/87 study of rights of way in north-east Co. Wicklow by Wicklow County Council.

No amendments are therefore recommended on foot of this submission.

### **Chief Executive's recommendation**

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Arsing from an assessment of the points made in the submissions outlined above and a review of matters arising, the following recommendations are made regarding the content and format of Section 10.3.8 of the draft Wicklow County Council County Development Plan.

### **AMENDMENT 88**

#### **10.3.8 Public Rights of Way**

Section 10(2)(o) of the Planning and Development Act 2000, requires the inclusion of a mandatory objective in the development plan for the preservation of public rights of way (PROW) which give access to seashore, mountain, lakeshore, riverbank or other place of natural beauty or recreational utility and PROWs shall be identified both by marking them on at least one of the maps forming part of the development plan and by indicating their location on a list appended to the plan.

Section 14 of the Act sets out the formal process for making provisions in development plans for the inclusion for the first time provisions for the preservation of a specific public right of way. The scope of these statutory provisions is grounded on identification of existing routes over which P.R.O.W's are deemed by the planning authority to exist. The inclusion of such objectives provides greater protection for such route-ways under the development management provisions of planning legislation whilst also restricting the scope of certain exempted development.

A P.R.O.W. is a type of easement of way that is in legal terms distinct from other easements of way such as private rights of way and customary rights of way. A P.R.O.W. or highway is a physically defined route over which the public have a right of passage which in legal terms is described as 'a user as of right'. The form of P.R.O.W. referenced herein is the type that is normally used for recreational purposes rather than for regular daily vehicular/non vehicular access-transportation purposes. A P.R.O.W. "confers the unrestricted right of the general public to pass and re-pass at all times of the day or night and at all seasons without notice to, or permission from the landowner over whose lands the way runs"<sup>1</sup>. The most common physical characteristics of P.R.O.W's have been identified as follows:

- It follows a defined route which may be sub-divided amongst different branches, and
- The route normally runs between two public places, such as public roads as defined under roads legislation and/or landscapes of special amenity such as a beaches, woodlands or lakes.

The Council has identified nine routes that are outlined in Table 10.13 that are considered to accord with the established common law criteria pertaining to P.R.O.W's as a form of public easement of passage<sup>2</sup> (See Maps 10.10 A to F).

**Note:** The list of identified public rights in Table 10.3 of way does not purport to include all public rights of way in County Wicklow.

Table 10.3 Public Rights Of Way

| Reference | Location  | Description   |
|-----------|---|---|
| P.R.O.W.1 | The Murrough, Wicklow Town  | <del>From the Wicklow Town boundary, along the coastline of</del> A coastal walkway from the public car park in the Murrough Wicklow Town to the former Wicklow Town Council boundary in Tinakelly via , Bollarney Murrough, Knockrobin, Murrough, and Tinakilly Murrough.  |
| P.R.O.W.2 | <del>Dunbur Lower and Dunbur Head, Brides Head,</del> Wicklow Town. | <del>From the Wicklow Town boundary along the coastline to Brides Head and Lime Kiln Bay</del> From the public car-park known as the Glen Car-park in Dunbur Lower/off the R.750 coast road to the Glen Strand, onto Brides Head-Lime Kiln bay on a cliff/coastline path as far as the private road leading from the R.750 to the site of Wicklow Head Light House in the townland of Dunbur Head and back onto the principal linear section of this pathway via a new short looped section of path (to be developed during the lifetime of this plan). |
| P.R.O.W.3 | Broomhall, Wicklow Town   | From the junction of the Rocky Road and Ashtown Lane (L-1099-0) and L-5100-20) to <del>Rathnew back road along the western boundary of Wicklow—Environs</del> the roundabout junction at Merrymeeting/Burkeen (L-5392-0 and L-1098-60).   |
| P.R.O.W.4 | <del>Corporation Lands and</del>                                    | <del>Along</del> The old coast road from the north-western public road junction (L 5721-15/L-57251-10) in Seafeld housing estate (townland  |

<sup>1</sup> Edward Walsh & Constance Cassidy v The County Council for the County Sligo, [2013] IESE 48.

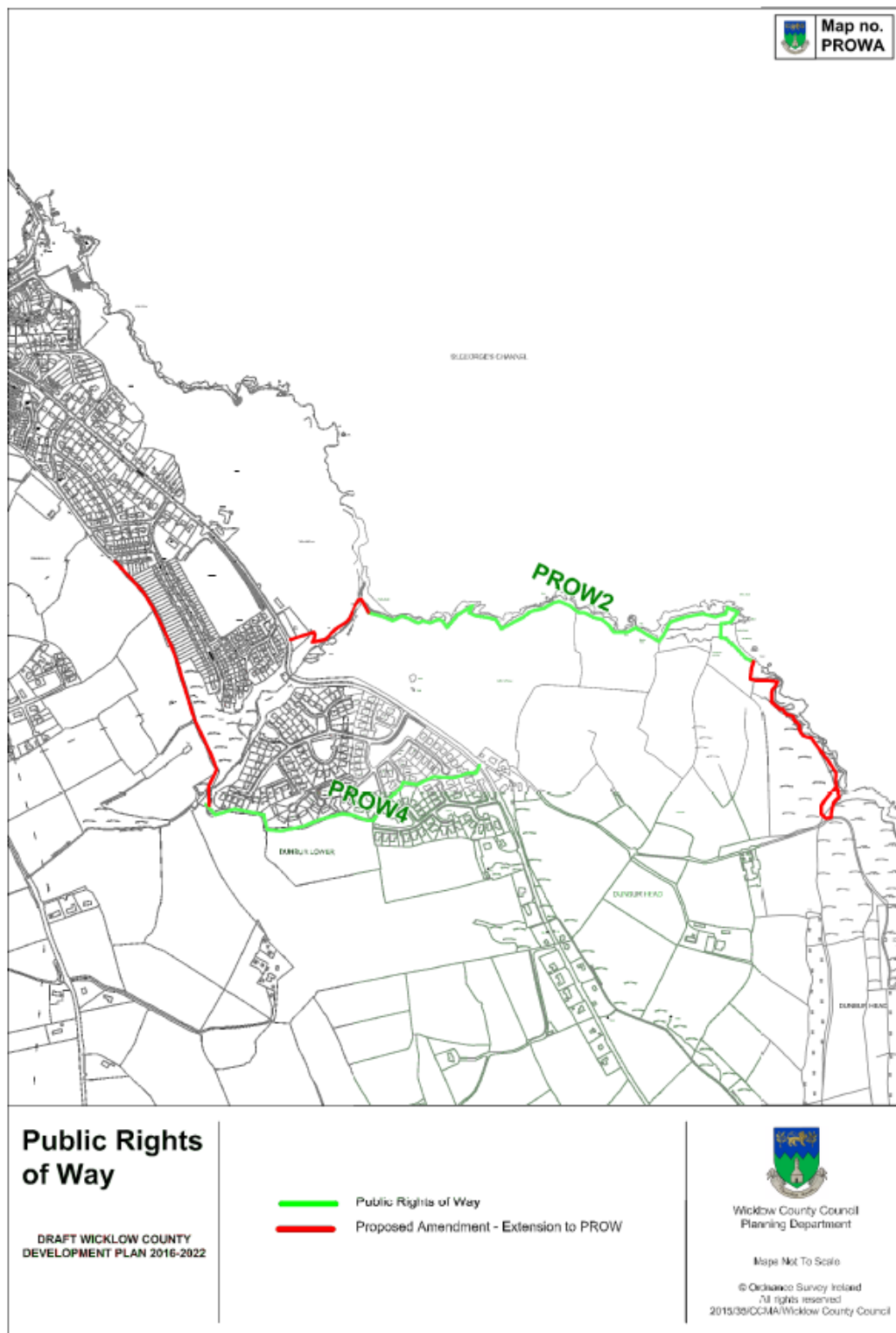
<sup>2</sup> PROW1 to PROW4 are 4 existing public rights of way that were established in 1994 by way of variation to the 1989 County Development Plan in the Wicklow Town Environs Plan 1994.

|            |   |   |
|------------|---|---|
|            | Dunbur Lower, Wicklow Town  | of Corporation Lands) <del>at Dunbur Lower from Seafield housing estate to public road.</del> on a path that runs along the western boundary of that estate, to the R.750 (Dunbur Lower) via pathway adjoining the eastern boundary of an agricultural field and a laneway respectively between two housing estates (Seaview and Seapoint/Bayside Glen).  |
| P.R.O.W.5  | Bray/Greystones Cliff Walk<br>From Beach Road Greystones to the coastline in Rathdown Lower and Rathdown upper, via two branches. | <del>From the southern end of Strand Road/the Promenade in Bray, via the townlands of Newcourt, Ballynamuddagh, Rathdown Upper and Rathdown Lower, to two separate termini in the Greystones harbour area namely; the north beach and Beach Road, respectively.</del><br>This section of amenity route constitutes the initial linear southern section of the long established Bray to Greystones Cliff Walk. From Beach road (L-12042) in the Greystones harbour area via part the new residential area of the Greystones harbour-marina development,, with two separate perpendicular branches linking this route to the coastline at (a) a pathway enclosed with two bounding metal fences to the north beach and (b) a pathway to the coast in the vicinity of the site of the former Rathdown Castle. Total cumulative length of this route is circa 1.4 km. |
| P.R.O.W.6  | Newcastle / The Murrough<br>Tinakelly The Murrough to Blackditch Newcastle.   | <del>Coastal Walk. From the eastern end of Sea Road, Newcastle to Tinakelly Murrough in Wicklow Town (linking up with PROW1).</del><br>A continuation of the Murrough coastal walk referenced herein as P.R.O.W.1 from Tinakelly Murrough Wicklow to the vicinity of the former Newcastle Railway Station, Blackditch at the eastern end of the Sea Road (L5550-0), via the townlands of: Clonmannon, Ballybla, Castlegrange, Grange South and Grange North.  |
| P.R.O.W.7  | Enniskerry-Tinnehinch-Cookstown   | <del>'Lovers Leap'. From the R760 on a wooded pathway, above a section of the northern bank of the River Dargle, with minor branch routes leading to the river bank. This route opens onto the L- 1020/ Cookstown Road.</del><br>'Lovers Leap Lane'. From the R760 to the L-1020/Cookstown Road on a wooded pathway, above a section of the northern bank of the River Dargle, with minor branch routes leading to the parts of the northern bank of this river.  |
| P.R.O.W. 8 | Ballyman Road to Barnaslingan Lane across the County Brook stream   | This route transverses the county boundary (defined by 'the County Brook Stream') between Co. Wicklow and the administrative county of Dún Laoghaire Rathdown (dlr). The entire remit of this amenity route is listed/preserved as a public right of way in the current dlr County Development Plan 2016-2022. The section of this route that runs between the County Brook Stream and Barnaslingan Lane (L-5507) to the west is located within the townland of Monastery Co. Wicklow.  |
|            | Stratford on Slaney   | <del>A section of former public road, in the southern part of this village, that links the southern end of Baltinglass Street to the L-8301.</del>  |
| P.R.O.W.9  | Main Street Kilcoole to the L-1042/Kilquade Road.   | <del>Sally Walk/Kilcoole Mass Path, , from the R.671 at a point to the south of Saint Anthony's Catholic Church Kilcoole via Priestsnewtown over Saint Patrick's River to the L-1042 in Kilquade.</del> from the a pedestrian opening on the R.671/Main Street to the L-1042 in Priestsnewtown Kilquade via: a public footpath, the grounds of St. Patrick's Hall, a defined pathway, a pedestrian bridge over Saint Patrick's River and through a pathway in a field in Priestsnewtown and a laneway that opens onto the L-1042.   |

## Public Rights of Way Objectives

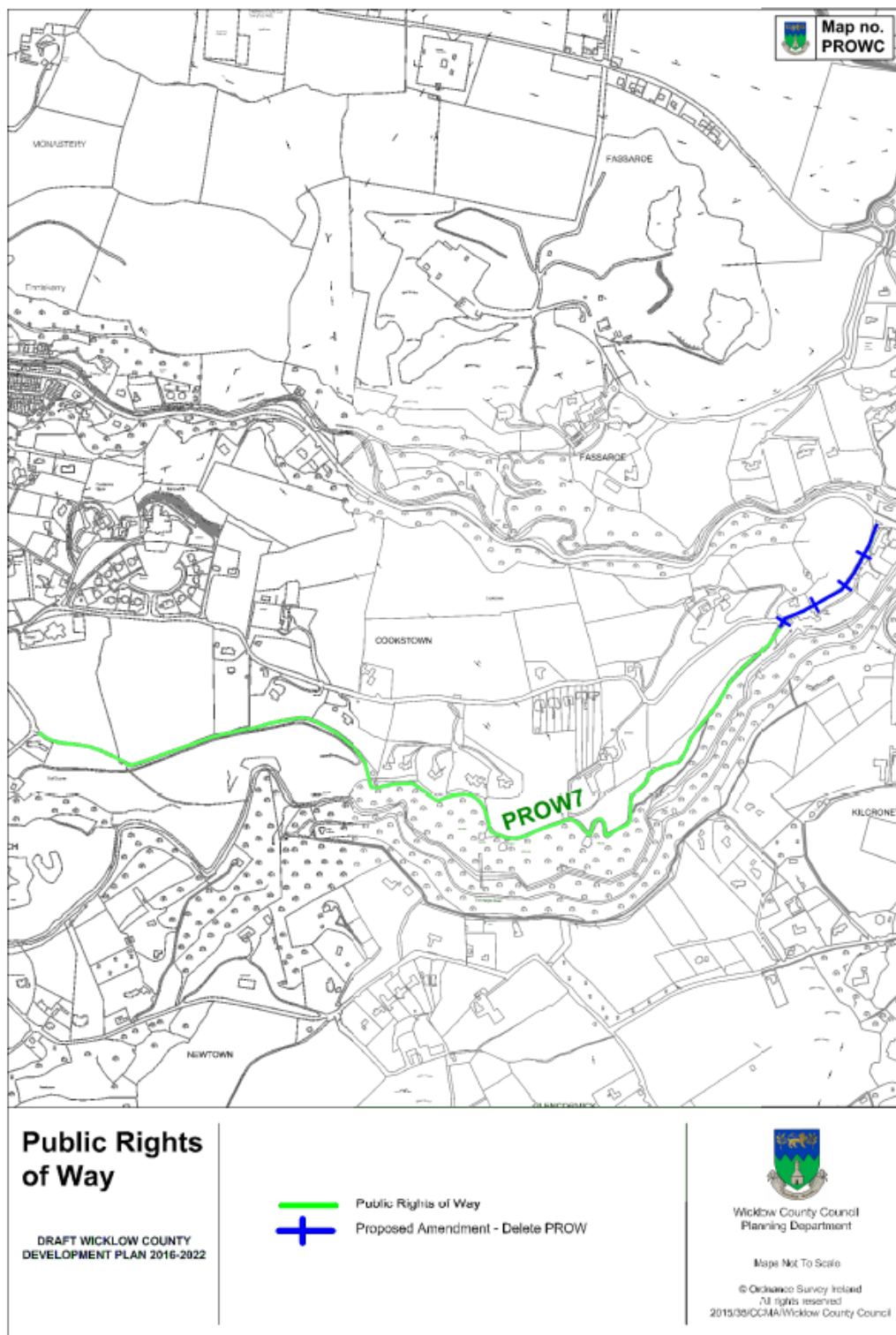
- NH45** The Council will utilise its relevant statutory powers for the purpose of preserving in so far as is practical, the character of the routes of the public rights of way detailed in Table 10.1 (Map 10.12) **for amenity purposes**. In this regard, the Council will, in the interests of attaining a balance between the needs of the individual owners of holdings over which these listed routes transverse and the common good, engage with such land-owners in circumstances where there are reasonable ground for giving consideration to the re-routing of sections of such means of public access within the same holding.
- NH46** To carry out further research, where resources permit, regarding the identification and mapping of other potential existing public rights of ways in the county. Such research will be carried out in consultation with, elected representatives, members of the public, **representatives of recreational organisations**, relevant **statutory** public bodies, ~~users of amenity access routes~~, landowners, farmer representative groups and the Wicklow Upland Council (where appropriate) for consideration for inclusion of any further identified public rights of way in this plan by way of variation **in accordance with Section 13 of the Planning and Development Act 2000 (as amended)** Part of such a project may where considered appropriate/warranted, give rise to proposals for the creation of new public rights of way and or the extending/re-routing of existing public rights of way in accordance with respective provisions of either Sections 206 or 207 of this act.
- NH47** In accordance with the provisions of Section 208 of the Planning and Development Act 2000 (as amended) , it is an objective of Wicklow County Council to carry out maintenance and repair works to the four existing public rights of way in the Wicklow Environs area (P.R.O.W. 1 to P.R.O.W. 4 inclusive) that were listed for preservation under planning and development legislation prior to the commencement of this section of the act on 21<sup>st</sup> January 2002. Such works may where considered warranted on foot of an assessment of the structural capacity of such routes to accommodate public usage in a safe and commodious manner, involve the carrying out of surface upgrading-improvement works.

## Public Rights of Way Mapping













## Section 4 List of Submission

|         |                             | <b>Number of Submissions Received</b> |
|---------|-----------------------------|---------------------------------------|
| Group A | Prescribed Bodies           | 14                                    |
| Group B | Elected Representatives     | 11                                    |
| Group C | General Submissions         | 195                                   |
| Group D | RT17 'No Fry Zone'          | 189                                   |
| Group E | The Rocks                   | 209                                   |
| Group F | The Murrough                | 424                                   |
| Group G | Fitzwilliam Square          | 796                                   |
| Group H | PROW Section 14 submissions | 8                                     |
|         | <b>TOTAL</b>                | <b>1846</b>                           |

**GROUP A      Prescribed Bodies**

| <b>Submission Number</b> | <b>Prescribed Body</b>                                  |
|--------------------------|---|
| A1                       | Minister for Environment, Community & Local Government  |
| A2                       | Eastern & Midlands Regional Assembly                    |
| A3                       | National Transport Authority                            |
| A4                       | An Taisce   |
| A5                       | Minister for Arts, Heritage & the Gaeltacht             |
| A6                       | Minister for Communications, Energy & Natural Resources |
| A7                       | EPA   |
| A8                       | ESB   |
| A9                       | ESB Telecoms Ltd  |
| A10                      | Failte Ireland  |
| A11                      | Geological Survey of Ireland                            |
| A12                      | Health Service Executive                                |
| A13                      | Irish Water   |
| A14                      | Transport Infrastructure Ireland                        |

**GROUP B      Elected Representatives**

| <b>Submission Number</b> | <b>Elected Representative</b> |
|--------------------------|-------------------------------|
| B1                       | Cllr Joe Behan                |
| B2                       | John Brady TD                 |
| B3                       | Clare Daly TD                 |
| B4                       | Stephen Donnelly TD           |
| B5                       | Anne Ferris (former TD)       |
| B6                       | Simon Harris TD               |
| B7                       | Cllr Nicola Lawless           |
| B8                       | Cllr Grainne McLoughlin       |
| B9                       | Cllr Derek Mitchell           |
| B10                      | Billy Timmins (former TD)     |
| B11                      | Senator Jillian van Turnhout  |

**GROUP C      General Submissions**

| <b>Submission Number</b> | <b>Surname</b>   | <b>Name</b>     | <b>Agent/Representative</b> |
|--------------------------|--|-----------------|-----------------------------|
| C1                       | Allen  | Thomas          |                             |
| C2                       | Alphaplan Design                                       |                 | Eugene Copeland             |
| C3                       | Ardale Property Group                                  |                 | Brock McClure               |
| C4                       | Ardea Ltd  |                 | F. O'Gallachoir             |
| C5                       | Arklow & District Chamber                              |                 | Ann McGovern                |
| C6                       | Arklow Heritage / Nature Walks Development Company Ltd |                 | Joe Weadick                 |
| C7                       | Ashford group of residents                             |                 | Matthew Weiss               |
| C8                       | Aughrim Community Sports & Leisure Association Ltd     |                 | Liam O'Loughlin             |
| C9                       | Avoca Heritage Committee                               |                 | Marie Merrigan              |
| C10                      | Avoca Tidy Towns                                       | Myles Smith     |                             |
| C11                      | Ballesty   | Dave            |                             |
| C12                      | Barniskey Church Committee                             |                 | Bernard Brennan             |
| C13                      | Barry  | Noel            |                             |
| C14                      | BBA architecture                                       |                 | Michael Browne              |
| C15                      | BBA architecture                                       |                 | Michael Browne              |
| C16                      | BBA architecture                                       |                 | Michael Browne              |
| C17                      | BBA architecture                                       |                 | Michael Browne              |
| C18                      | BBA architecture                                       |                 | Michael Browne              |
| C19                      | Birmingham   | Paschal         |                             |
| C20                      | Biddle   | Clara           |                             |
| C21                      | Blackditch Ltd   |                 | Hughes Planning             |
| C22                      | Bluetone Properties Ltd                                |                 | John Spain Assoc            |
| C23                      | Boch & Owens   | Anna & Alun     |                             |
| C24                      | Booth  | Aidan           |                             |
| C25                      | Brabazon family  |                 | Auveen Byrne                |
| C26                      | Bramble Glade residents                                |                 | Geraldine Kennedy           |
| C27                      | Bray Head Residents Assoc                              |                 | Clare O'Connor              |
| C28                      | Brogan   | Jim             |                             |
| C29                      | Buchanan Ross  | Ruth            |                             |
| C30                      | Burke  | Willie          |                             |
| C31                      | Burke  | Deirdre         |                             |
| C32                      | Byrne  | Martin          | Arthur O'Leary & Assoc Ltd  |
| C33                      | Byrne  | Paul & Margaret |                             |
| C34                      | Campaign for Greystones dog park                       |                 | Maria Sweeney               |
| C35                      | Carey  | Gillian         |                             |
| C36                      | Carey  | Michael         | F. O'Gallachoir             |
| C37                      | Chambers   | Claire          |                             |
| C38                      | Clarke   | Seamus          | Alphaplan Design            |

|     |                           |                   |                          |
|-----|---------------------------|-------------------|--------------------------|
| C39 | Clarke                    | Seamus & Mary     | Alphaplan Design         |
| C40 | Coleburn                  | Gladys            |                          |
| C41 | Coleman                   | Eamonn            | H. Van Der Kamp          |
| C42 | Collins                   | Liam              | Roisin Hanley            |
| C43 | Combin Properties Ltd     |                   | Tom Phillips & Assoc     |
| C44 | Common Ground             |                   | Kristin O'Donovan        |
| C45 | Corcoran                  | Noel              |                          |
| C46 | Cotter                    | Dervla            |                          |
| C47 | Cotter                    | Anthony           |                          |
| C48 | Craig                     | Rose Mary         |                          |
| C49 | Creedon family            |                   | PD Lane Assoc            |
| C50 | Cudsea Ltd                |                   | Barrett Mahony Engineers |
| C51 | Cullen                    | Edward            |                          |
| C52 | Cullen                    | Caitriona         |                          |
| C53 | Cunningham                | Francis & Aisling |                          |
| C54 | Curran                    | James             | F. O'Gallachoir          |
| C55 | Dalby                     | Clive             |                          |
| C56 | Daly                      | Denis & Catriona  |                          |
| C57 | Davis                     | Des               |                          |
| C58 | Delgany Tidy Towns        |                   | Lailli de Buitlear       |
| C59 | Donard / Glen Focus Group |                   | Pauline Flynn            |
| C60 | Donnelly                  | Brian             |                          |
| C61 | Doolin                    | David             |                          |
| C62 | Errata                    |                   |                          |
| C63 | Downes                    | Siobhan           |                          |
| C64 | Doyle                     | John              |                          |
| C65 | Doyle                     | Sinead            |                          |
| C66 | Doyle                     | Denis             | Arc Design               |
| C67 | Doyle                     | Denis             | Theo Phelan Design       |
| C68 | DPM Farms Ltd             |                   | Philip Flood             |
| C69 | Draper                    | Richard           | PD Lane Assoc            |
| C70 | Driver                    | Emma              |                          |
| C71 | Duff                      | Clair             | C.S. Kelly Solicitors    |
| C72 | Dunne                     | John              |                          |
| C73 | Dwyer                     | John C            |                          |
| C74 | Enniskerry Forum          |                   | Stephen Byrne            |
| C75 | Feldman                   | Alice             |                          |
| C76 | Fenelon                   | Frank & Louise    |                          |
| C77 | Fenelon                   | Una               |                          |
| C78 | Ffrench                   | Aidan             |                          |
| C79 | Flynn                     | Pauline           |                          |



|      |                                      |                |                           |
|------|--------------------------------------|----------------|---------------------------|
| C80  | Friends of the Murrough              | Margaret Coen  |                           |
| C81  | Glendalough Estates Ltd              |                | Hughes Planning           |
| C82  | Harrison                             | Claire         |                           |
| C83  | Hayden                               | Ashley         |                           |
| C84  | Healy                                | Michael        | Alphaplan Design          |
| C85  | Healy                                | Michael        | Alphaplan Design          |
| C86  | Historic Building Consultants        |                | Rob Goodbody              |
| C87  | Hogan                                | Michael J      |                           |
| C88  | Holfeld                              | Edmund         | PD Lane Assoc             |
| C89  | Hudson                               | Ken            |                           |
| C90  | Irish Heart Foundation               |                | Cliona Loughnane          |
| C91  | Irish Post Medieval Archeology Group |                | Edel Barry                |
| C92  | IWEA                                 |                |                           |
| C93  | Johnston                             | Peter          |                           |
| C94  | Kavcre La Touche Ltd                 |                | Niall O'Byrne             |
| C95  | Keena                                | Declan         | Hughes Planning           |
| C96  | Keep Ireland Open                    |                | Roger Gartland            |
| C97  | KFC UK & Ireland                     |                | Bilfinger GVA             |
| C98  | Kinsella                             | John           | McAulay Rice Architects   |
| C99  | Knockree Properties Ltd              |                | Auveen Byrne              |
| C100 | Lacey                                | Richard        | John Spain & Assoc        |
| C101 | Lawlor                               | Thomas         |                           |
| C102 | Leeson                               | John & Deirdre | Padraig Smith Partnership |
| C103 | Lenoach                              | Niall Patrick  |                           |
| C104 | Lock                                 | Steven         |                           |
| C105 | Loughran                             | Stephen        |                           |
| C106 | Luisne Foundation                    |                |                           |
| C107 | Lynn                                 | Morna          |                           |
| C108 | MacDevitt                            | Tracey & Barry |                           |
| C109 | Mag Leannain                         | Sean           |                           |
| C110 | Magee                                | Ruth           |                           |
| C111 | Maguire                              | James & Breda  | F. O'Gallachoir           |
| C112 | Maher                                | Tina           |                           |
| C113 | Maritime Business Development Group  |                | Tom Delahoyde             |
| C114 | Markey                               | Ronan          |                           |
| C115 | Martin                               | Hilary         |                           |
| C116 | Martin                               | Maurice        |                           |
| C117 | Martin                               | Noel           |                           |
| C118 | Maxwell                              | Tina           |                           |
| C119 | Mc Glinchey                          | Gerard         |                           |
| C120 | McMahon                              | Liz            |                           |
| C121 | Miller                               | Robert         | F. O'Gallachoir           |
| C122 | Mining Heritage Trust of Ireland     |                |                           |

|                 |  |                                  |                               |
|-----------------|--|----------------------------------|-------------------------------|
| C123            | Mooney                                 | Joseph                           |                               |
| C124            | Moore                                  | Gerard                           | Historic Building Consultants |
| C125            | Muldoon                                | Denis                            |                               |
| C126            | Murphy                                 | Anthony                          |                               |
| C127            | Murrough Community Cooperative         |                                  | Michael Kunz                  |
| C128            | Neville & Harper                       | Joanne & Nigel                   | Bilfinger GVA                 |
| C129            | Nolan                                  | Pat & Sheila                     |                               |
| <del>C130</del> | <del>O'Brien</del>                     | <del>Fenton &amp; Michelle</del> | (See F07)                     |
| C131            | O'Brien                                | Jane                             |                               |
| C132            | O'Byrne                                | Joe                              |                               |
| C133            | O'Donovan                              | Kristin                          |                               |
| C134            | O'Gallachoir                           | Frank                            |                               |
| C135            | O'Reilly                               | Elizabeth                        |                               |
| C136            | O'Reilly Hyland                        | C & B                            | F. O'Gallachoir               |
| C137            | O'Reilly Hyland                        | Charlie                          | F. O'Gallachoir               |
| C138            | Osborne                                | Frances                          |                               |
| C139            | Oudart                                 | Jean-Luc                         |                               |
| C140            | Park Developments Ltd                  |                                  | John Spain & Assoc            |
| C141            | Petters                                | Yanny                            |                               |
| C142            | Pilling                                | John                             |                               |
| C143            | Powerscourt Estates & P. Berridge      |                                  | Auveen Byrne                  |
| C144            | Price                                  | Margaret                         |                               |
| C145            | Purcell                                | Jenny & Michael                  |                               |
| C146            | Rae                                    | Brendan                          |                               |
| C147            | Rathdangan Community Council           |                                  | Patricia Prendiville          |
| C148            | Rathsallagh County Club Ltd            |                                  | Robert Neill                  |
| C149            | Rector & Select Vestry of Newcastle    |                                  | Padraig Smith Partnership     |
| C150            | Redmond                                | Tom                              |                               |
| C151            | River Vartry Protection Society        |                                  | Matthew Weiss                 |
| C152            | Roadstone Ltd                          |                                  | SLR Consulting                |
| C153            | Ronan Academy Geographic Ltd           | John                             | Eversheds                     |
| C154            | Ronan Group Real Estate                |                                  | John Spain & Assoc            |
| C155            | Roundwood & District Community Council |                                  | Monica Byrne                  |
| C156            | Rountree                               | Fred & Ann                       |                               |
| C157            | Rueter                                 | Marion                           |                               |
| C158            | Sexton family                          |                                  | Stephen Sexton                |
| C159            | Sheeran                                | Triona                           |                               |
| C160            | Slazenger                              | Sarah                            |                               |
| C161            | Sliney                                 | Patrick                          |                               |
| C162            | Smith                                  | Albert                           |                               |
| C163            | Smyth                                  | Niall                            |                               |

|      |  |                         |                        |
|------|--|-------------------------|------------------------|
| C164 | South Wicklow Wind Action Group                |                         | Richard More-O'Ferrall |
| C165 | Staunton                                       | Florence                |                        |
| C166 | Stephens                                       | Patrick & Eugene        | Pat O'Connor & Assoc   |
| C167 | Stokes   | Brian                   | Kieran O'Malley & Co.  |
| C168 | Stokes   | Bernadette              |                        |
| C169 | Strickland                                     | Julia & Carl            |                        |
| C170 | Sugarloaf Crescent Residents Association       |                         | Patrica O'Leary        |
| C171 | Target Investment Opportunities Ltd            |                         | RPS Planning           |
| C172 | Tesco Ireland Ltd                              |                         | Bilfinger GVA          |
| C173 | Tighe  | Vincent                 |                        |
| C174 | Tottenham                                      | Charles<br>Kathryn Lucy |                        |
| C175 | Venables                                       | Rosin                   |                        |
| C176 | Vickers  | Carmel                  |                        |
| C177 | Wafer  | Mary                    |                        |
| C178 | Walker   | Mike                    |                        |
| C179 | Walsh  | Claire                  |                        |
| C180 | Walsh  | David J                 |                        |
| C181 | Walsh  | Tim                     |                        |
| C182 | Warmridge Ltd                                  |                         | PD Lane Assoc          |
| C183 | Warner   | Kevin                   |                        |
| C184 | Webb   | Richard                 |                        |
| C185 | Webster  | Harry                   |                        |
| C186 | Weiss  | Matthew                 |                        |
| C187 | White  | Ian & Michelle          |                        |
| C188 | Wicklow & District schools boys / girls League |                         |                        |
| C189 | Wicklow Head Preservation Group                |                         | Sam Conway             |
| C190 | Wicklow Planning Alliance                      |                         | Craig Bishop           |
| C191 | Wicklow SPCA                                   |                         | Anne Fitzpatrick       |
| C192 | Wicklow Swimming Club                          |                         | John McCall            |
| C193 | Wicklow Town & District Chamber of Commerce    |                         | Aishling Carroll       |
| C194 | Wilson   | Joe                     |                        |
| C195 | York Securities                                |                         | BBA architecture       |
| C196 | McGahon  | Ian                     |                        |

**GROUP D RT17 'No Fry Zone'**

**GENERALLY IN FAVOUR OF RT17**

|                                  |   |      |
|----------------------------------|---|------|
| <b>PRESCRIBED BODIES</b>         | Health Service Executive  | A12  |
|                                  |   |      |
| <b>ELECTED REPRESENTATIVES</b>   | Cllr. Joe Behan   | B1   |
|                                  | John Brady TD   | B2   |
|                                  | Clare Daly TD   | B3   |
|                                  | Stephen Donnelly TD   | B4   |
|                                  | Anne Ferris (former TD)   | B5   |
|                                  | Simon Harris TD   | B6   |
|                                  | Cllr. Nicola Lawless  | B7   |
|                                  | Cllr. Grainne McLoughlin (on behalf of all members of Greystones Municipal District)  | B8   |
|                                  | Cllr. Derek Mitchell  | B9   |
|                                  | Senator Jillian van Turnhout  | B11  |
|                                  |   |      |
| <b>HEALTH CARE PROFESSIONALS</b> | Cliona Loughnane (Policy and Research Manager) Irish Heart Foundation   | C90  |
|                                  | Dr. Grace O'Malley, Chair of Association for the Study of Obesity on the Island of Ireland, Secretary of the European Childhood Obesity Group, Clinical Specialist Physiotherapist in Paediatrics | D2   |
|                                  | Professor Niall Moyna, Head of School of Health & Human Performance, Dublin City University, Nursing and Human Sciences   | D36  |
|                                  | Professor Anthony Staines, Professor of Health Systems, Dublin City University, School of Health & Human Performance  | D37  |
|                                  | Brendan Harold, Dietitian   | D65  |
|                                  | Sinead Keenan, Project co-ordinator, Healthy Food for All   | D69  |
|                                  | Aoife Hearne, Dietitian   | D71  |
|                                  | Louise Reynolds, Dietitian, Irish Nutrition and Dietetic Institute  | D76  |
|                                  | Conor Kerley, Dietitian and nutrition researcher  | D85  |
|                                  | Sharon Loughrey, Dietitian  | D95  |
|                                  | Gillian McConnell, Dietitian  | D104 |
|                                  | Paula Mee, Dietitian  | D109 |
|                                  | Dara Morgan, Dietitian  | D116 |
|                                  | Niamh O'Connor, Dietitian   | D133 |
|                                  | Professor Donal O Shea & Professor Catherine Hayes, Royal College of Physicians of Ireland, Policy Group on Obesity   | D152 |
|                                  | Dr. Clíodhna Foley-Nolan, safe food (Director of Human Health and Nutrition)  | D155 |
|                                  | Professor Edna de Roiste, Chair of Irish Heart Foundation's Nutrition Council and Consultant Paediatrician/ Paediatric Endocrinologist  | D176 |
|                                  | Professor David Hevey, Director of Trinity College Research Centre for Psychological Health, Trinity College Dublin   | D177 |

|                           |   |      |
|---------------------------|---|------|
|                           | Professor Ivan Perry, on behalf of HRB Centre for Health & Diet Research, Department of Epidemiology & Public Health, University College Cork | D178 |
|                           |   |      |
| <b>EDUCATIONAL BODIES</b> | Shane Eivers, Principal of Colaiste Chraobh Abhann, Kilcoole  | D23  |
|                           | JC Durban, Chair of Greystones Educate Together Parents Association   | D41  |
|                           | Muriel Norse et al., East Glendalough School Parents Association  | D42  |
|                           | Luke O'Shaughnessy, Educate Together National Office  | D43  |
|                           | Roisin Ni Loinsigh, Gaelscoil na gCloch Liath Parents Association, Greystones   | D54  |
|                           | Bernadette Ni Ogain, Gaelscoil na gCloch Liath Board of Management  | D55  |
|                           | Rory Kinane, Principal of Greystones Community National School  | D61  |
|                           | Catherine Sadlier, Principal of Greystones Educate Together School  | D62  |
|                           | Jane O'Brien, Principal of St.Laurence O'Toole's N.S. Roundwood, Bray   | D131 |
|                           | Peter McCrodden, Principal, St.Andrews National School, Bray  | D160 |
|                           | John Taylor, Principal, St. Brendans College, Bray  | D161 |
|                           | Maeve Tierney, Principal St.Cronan's Boys National School   | D162 |
|                           | Garrett Fennell, Chairperson, Temple Carrig School Board of Management  | D172 |
|                           | Liza Hynes, Chairperson, Temple Carrig School Parent Teacher Association  | D173 |
|                           | Donna Connolly, Wicklow Town Educate Together National School Board of Management   | D187 |
|                           |   |      |
| <b>OTHER</b>              | Philip Moyles, Chairperson of No Fry Zone 4 Kids  | D124 |
|                           | Sarah Grace, Rathdown Park Residence Association  | D145 |
|                           | Alison Fox, Youth Officer, Kildare & Wicklow Education and Training Board   | D87  |
|                           | Denise Healy, CEO County Wicklow Partnership  | D27  |
|                           |   |      |
| <b>MEMBERS OF PUBLIC</b>  | Gerry and Angela Armstrong  | D1   |
|                           | John and Joan Aylmer  | D3   |
|                           | Louise Aylmer   | D4   |
|                           | Nessa Aylmer  | D5   |
|                           | Grainne Aylmer  | D6   |
|                           | Linda Ayres   | D7   |
|                           | Louise Barrett  | D8   |
|                           | Mauro Blevé   | D9   |
|                           | Anna Boch   | D10  |
|                           | Victoria Bradshaw   | D12  |
|                           | Caitriona Brady   | D13  |
|                           | Ciaran Burke  | D14  |
|                           | Marie Butteridge  | D15  |
|                           | Paul Byrne  | D16  |
|                           | William Byrne   | D17  |
|                           | Hazel Byrne   | D18  |
|                           | Colm Callaly  | D19  |
|                           | Paolo Camattari   | D20  |

#### SECTION 4

|  |                         |     |
|--|-------------------------|-----|
|  | Alan Carroll            | D21 |
|  | Thomas Cassidy          | D22 |
|  | Michael Collins         | D24 |
|  | Meave Cotter            | D25 |
|  | Jennie Coughlan         | D26 |
|  | Aislinn & Patrick Creed | D28 |
|  | Neil & Jean Crowe       | D29 |
|  | Niamh Daly              | D30 |
|  | Rachel Dempsey          | D31 |
|  | Anne-marie Derham       | D32 |
|  | Liz Dillon              | D33 |
|  | Liz Donnelly            | D34 |
|  | Ruth Doris              | D35 |
|  | Fiachra Duffy           | D38 |
|  | Kate Duggan             | D39 |
|  | Drew Duggan             | D40 |
|  | Nancy Falkow            | D44 |
|  | Daragh Farren           | D45 |
|  | Karen Fields            | D46 |
|  | Elise Fisher            | D47 |
|  | Killian Fitzgerald      | D48 |
|  | Amy Fitzpatrick         | D49 |
|  | Sinead Fox              | D50 |
|  | Fiona French            | D51 |
|  | Anna Fullam             | D52 |
|  | Evan Furlong            | D53 |
|  | Georgia Gallagher       | D56 |
|  | Sheila Gallagher        | D57 |
|  | Dara Gallanagh          | D58 |
|  | John Gerrard            | D59 |
|  | Rebecca Gill            | D60 |
|  | Nanda Griffioen         | D63 |
|  | Sylvia Gumulka          | D64 |
|  | Collette Harte          | D66 |
|  | Damien Harte            | D67 |
|  | Patricia Harte          | D68 |
|  | Christine Healy         | D70 |
|  | Trish Hennessey         | D72 |
|  | Julie Hennessey         | D73 |
|  | Celine Horner           | D74 |
|  | Sophie Imarzouk         | D75 |
|  | Ciara Jenkins           | D77 |
|  | Mark Jenkins            | D78 |
|  | Deborah Jordan          | D79 |
|  | Anne Keatings           | D80 |

#### SECTION 4

|  |                                 |      |
|--|---------------------------------|------|
|  | Nilgun Kells                    | D81  |
|  | Annette Kelly                   | D82  |
|  | Emer Kenny                      | D83  |
|  | Sonja & Mark Keogh              | D84  |
|  | Tracey Kerr                     | D86  |
|  | Ciara King                      | D88  |
|  | Jerry Kingston                  | D89  |
|  | Niamh Kingston                  | D90  |
|  | Edel Kirley                     | D91  |
|  | Vicki Kummer                    | D92  |
|  | Ann Marie Larkin                | D93  |
|  | Stephanie Long                  | D94  |
|  | Colette Lynch                   | D96  |
|  | Elma & Gareth Madden            | D97  |
|  | Matthew & Eleanor Maguinness    | D98  |
|  | Adey Marsh & Joanne Quinlan     | D99  |
|  | Ciara Matthews                  | D100 |
|  | Frankie McBride                 | D101 |
|  | Simone McCann                   | D102 |
|  | Andreas McConnell               | D103 |
|  | Mona McCrea                     | D105 |
|  | James McLeod                    | D107 |
|  | Judith Meagher                  | D108 |
|  | Edelle Mellet                   | D110 |
|  | Basil Miller                    | D111 |
|  | Edel Mitchell Mulholland        | D112 |
|  | Sarah Molloy                    | D113 |
|  | Annarita Monaldi Dunne          | D114 |
|  | David Mooney                    | D115 |
|  | Anne Moroney                    | D117 |
|  | Pat Moroney                     | D118 |
|  | Teresa Moyles                   | D119 |
|  | Paula Moyles                    | D120 |
|  | Robert Moyles                   | D121 |
|  | Paula Moyles                    | D122 |
|  | Andrew Moyles                   | D123 |
|  | Edward Moyles                   | D125 |
|  | Lucy Mulcahy                    | D126 |
|  | Helen Mullarkey & Graham Parker | D127 |
|  | Caoimhe Murphy                  | D128 |
|  | Roisin Murphy                   | D129 |
|  | Amanda & Diarmuid O Boyle       | D130 |
|  | Mark O Brien                    | D132 |
|  | Maria Sjosten O Connor          | D134 |
|  | Alice O Donnell                 | D135 |

#### SECTION 4

|  |                               |      |
|--|-------------------------------|------|
|  | Aoife O Donohoe               | D136 |
|  | Kathy O Dwyer                 | D137 |
|  | Michelle O Halloran           | D138 |
|  | Clare O Keefe                 | D139 |
|  | Gillian O Neill               | D140 |
|  | Aisling O Reilly              | D141 |
|  | Alva O Sullivan               | D142 |
|  | Ann Prendergast               | D143 |
|  | Michael Rafter                | D144 |
|  | Paul Redmond                  | D146 |
|  | Cezary Rembelski              | D147 |
|  | Jim Rice                      | D148 |
|  | Brenda Rice                   | D149 |
|  | Helen Robinson                | D150 |
|  | Kari Roche                    | D151 |
|  | Denis & Una Ryan              | D153 |
|  | Fergus Ryan                   | D154 |
|  | Collette Scheer               | D156 |
|  | Lourda Scott & Michael Browne | D157 |
|  | Sheila Sexton                 | D158 |
|  | Leonie Soffe                  | D159 |
|  | Elke Storm                    | D163 |
|  | Eithne Sullivan               | D164 |
|  | Linda Sullivan                | D165 |
|  | David Sullivan                | D166 |
|  | Jane Sullivan                 | D167 |
|  | Fiona Teehan                  | D168 |
|  | Anne Teehan                   | D169 |
|  | Lily Teehan                   | D170 |
|  | Willie Teehan                 | D171 |
|  | Esther Torne                  | D174 |
|  | Uisneagh Tracey               | D175 |
|  | Monica Villa                  | D179 |
|  | Shirley Wade                  | D180 |
|  | Aideen O Donovan              | D181 |
|  | Sarah Watchorn                | D182 |
|  | Paul Webb                     | D183 |
|  | Astrid Weidenhammer           | D184 |
|  | Emily Whelan                  | D185 |
|  | Tanya & John Whitten          | D186 |
|  | Arthur Williams               | D188 |
|  | Noel Winstanley               | D189 |
|  | Erika Woodcock                | D190 |
|  | Triona Sheeran                | C159 |
|  | Ian McGahon                   | C196 |



#### GENERALLY OPPOSED RT17

|                   |                                  |     |
|-------------------|----------------------------------|-----|
| MEMBERS OF PUBLIC | Valerie Bradshaw                 | D11 |
| OTHER             | KFC UK & Ireland (Bilfinger GVA) | C97 |

#### GIVE GREATER CONSIDERATION TO ISSUES SURROUNDING RT17

|                         |   |     |
|-------------------------|---|-----|
| PRESCRIBED BODIES       | Dept of Environment, Community & Local Government | A1  |
| ELECTED REPRESENTATIVES | Billy Timmins (former TD)                         | B10 |

**GROUP E      The Rocks**

| <b>Submission Number</b> | <b>Surname</b>             | <b>First Name</b> |
|--------------------------|----------------------------|-------------------|
| E1                       | A N Other                  | Vincent           |
| E2                       | A N Other                  | James             |
| E3                       | Bowyer                     | S                 |
| E4                       | Brennan                    | Richard           |
| E5                       | Brennan                    | Hugh              |
| E6                       | Brereton                   | John              |
| E7                       | Byrne                      | Elizabeth         |
| E8                       | Byrne                      | Patrick           |
| E9                       | Byrne                      | PJ                |
| E10                      | Campbell                   | Sinead            |
| E11                      | Campbell                   | Grainne           |
| E12                      | Campbell                   | Phyllis           |
| E13                      | Cannon                     | Laura             |
| E14                      | Carlin Hannon              | Killian           |
| E15                      | Carney                     | Robert            |
| E16                      | Carney                     | Barbara           |
| E17                      | Conors                     | Patrick           |
| E18                      | Conors                     | Ann               |
| E19                      | Conroy (Luisne Foundation) | C                 |
| E20                      | Cosgrave                   | Marian            |
| E21                      | Cosgrave                   | Patrick           |
| E22                      | Cosgrave                   | Caroline          |
| E23                      | Cosgrave                   | Dan               |
| E24                      | Cosgrave                   | Marian            |
| E25                      | Cosgrave                   | Cecilia           |
| E26                      | Cosgrave                   | James             |
| E27                      | Coster                     | Sandra            |
| E28                      | Coughlin                   | Stephen           |
| E29                      | Crawford                   | Anne              |
| E30                      | Crawford                   | Ashleigh          |
| E31                      | Crawford                   | Bethan            |
| E32                      | Crawford                   | Kyle              |
| E33                      | Crawford                   | Tara              |
| E34                      | Cummins                    | Adam              |
| E35                      | Dawson                     | Darina            |
| E36                      | Devany                     | Jordan            |
| E37                      | Donnelly                   | Karen             |
| E38                      | Dowdall                    | Simon             |
| E39                      | Doyle                      | Robert            |
| E40                      | Doyle                      | C.                |

|     |                   |           |
|-----|-------------------|-----------|
| E41 | Duffey            | L.        |
| E42 | Dutton            | Lee       |
| E43 | Dutton            | James     |
| E44 | Dutton            | Rachel    |
| E45 | Dutton            | Lisa M.   |
| E46 | Dutton            | Abbie     |
| E47 | Dutton            | Ciaran    |
| E48 | Dutton            | Olive     |
| E49 | Dutton            | Liam      |
| E50 | Dutton            | Sandra    |
| E51 | Elliot            | James     |
| E52 | Evans             | Luke      |
| E53 | Fagan             | Louise    |
| E54 | Foley             | Christine |
| E55 | Foley             | Kassie    |
| E56 | Foley             | Scot      |
| E57 | Foley             | Liam      |
| E58 | Foley             | Danny     |
| E59 | Fortune           | Cllr Tom  |
| E60 | Galligan          | Dane      |
| E61 | Gammell           | Susie     |
| E62 | Gammell           | Jimmy     |
| E63 | Gammell           | Darren    |
| E64 | Gilbert           | Theresa   |
| E65 | Gillan (Cosgrave) | Margaret  |
| E66 | Gormley           | Peter     |
| E67 | Grant             | Michael   |
| E68 | Greene            | Laura     |
| E69 | Hackett           | Ross      |
| E70 | Halligan          | Samantha  |
| E71 | Hand              | Gill      |
| E72 | Harte             | Caroline  |
| E73 | Harte             | Sophie    |
| E74 | Harte             | Louise    |
| E75 | Harte             | Michael   |
| E76 | Harte             | James     |
| E77 | Hatton            | Shay      |
| E78 | Hatton            | Rose      |
| E79 | Hatton            | James     |
| E80 | Hatton            | Colm      |
| E81 | Heasley           | Richard   |
| E82 | Heffernan         | Sean      |
| E83 | Henrick           | Jason     |
| E84 | Holt              | Keith     |
| E85 | Holt              | Keith     |

|      |                                |                 |
|------|--------------------------------|-----------------|
| E86  | Hurley                         | C.              |
| E87  | Jurgen Kugler                  | Hans            |
| E88  | Kavanagh                       | Rebecca         |
| E89  | Kavanagh                       | Daniel          |
| E90  | Kavanagh                       | Aine            |
| E91  | Kavanagh                       | J.              |
| E92  | Keating family                 |                 |
| E93  | Keddy                          | Shaun           |
| E94  | Kelly                          | Sylvia          |
| E95  | Kelly                          | Noel            |
| E96  | Kelly                          | Diane           |
| E97  | Kelly                          | Michael         |
| E98  | Kelly                          | Mat             |
| E99  | Kelly                          | Cole            |
| E100 | Kelly                          | Philip          |
| E101 | Kelly                          | James           |
| E102 | Kelly                          | Mary            |
| E103 | Kelly                          | Teresa          |
| E104 | Kelly                          | Karen           |
| E105 | Kelly                          | Stephen         |
| E106 | Kelly                          | Paula           |
| E107 | Kelly                          | Andrew          |
| E108 | Kelly                          | Rebecca         |
| E109 | Kelly                          | David           |
| E110 | Kelly                          | Anthony         |
| E111 | Kelly                          | Faye            |
| E112 | Kenna                          | Lorcan          |
| E113 | Kennedy                        | Roisin          |
| E114 | Kilbride                       | W.              |
| E115 | Kugler                         | Andreas         |
| E116 | Kunz                           | Michael         |
| E117 | Landy                          | Gervaise        |
| E118 | Larkin                         | Ann             |
| E119 | Larkin                         | Micheal         |
| E120 | Lenehan                        | Joseph          |
| E121 | Little                         | Carol           |
| E122 | Longmore                       | Elizabeth       |
| E123 | Luisne Centre for Spirituality | Sr. Mirium      |
| E124 | Magee                          | Ita             |
| E125 | Martin                         | Ciaran          |
| E126 | McGowan                        | Ronan           |
| E127 | McGowan                        | Tony and Bernie |
| E128 | McGowan                        | Jason           |
| E129 | McGowan                        | Shane           |

|      |  |                 |
|------|--|-----------------|
| E130 | Melinn   | Ciara           |
| E131 | Merriman   | Calum           |
| E132 | Merriman   | Aisling         |
| E133 | Mitchell   | Pauline         |
| E134 | Mitchell   | David           |
| E135 | Mitchell   | Esther          |
| E136 | Moorehouse   | Christy         |
| E137 | Morgan   | Evelyn          |
| E138 | Murphy   | Jackie          |
| E139 | Murphy Toole   | Conor           |
| E140 | Murray   | Gerry           |
| E141 | Murray   | Joe             |
| E142 | Neary  | Oisin           |
| E143 | Nocter   | Sean            |
| E144 | Nolan  | Thomas          |
| E145 | Nolan  | Gina            |
| E146 | O'Brien  | Denis           |
| E147 | O'Brien  | Elizabeth       |
| E148 | O'Brien  | Aoife           |
| E149 | O'Brien  | Eoin            |
| E150 | O'Dowd   | Eamonn          |
| E151 | O'Meara  | Patrick         |
| E152 | O'Meara  | Laura           |
| E153 | O'Sullivan   | Andrew          |
| E154 | O'Toole  | Marian          |
| E155 | O'Toole  | Pat             |
| E156 | O'Toole  | Stephen         |
| E157 | Public Participation<br>Network<br>(Environment<br>pillar) |                 |
| E158 | Quinn  | Adrian and Anne |
| E159 | Quinn  | Laura           |
| E160 | Reilly   | Jennifer        |
| E161 | Rennix   | Edward          |
| E162 | Rennix   | Tomy            |
| E163 | Rennix   | Margie          |
| E164 | Rennix   | Rita            |
| E165 | Rennix   | Frances         |
| E166 | Rennix   | Jack            |
| E167 | Rinn   | Jimmy           |
| E168 | Rodson   | Gerry           |
| E169 | Ryan   | Lynda           |
| E170 | Ryan   | Alan            |
| E171 | Ryan   | Maggie          |

|      |          |           |
|------|----------|-----------|
| E172 | Sallins  | James     |
| E173 | Shortt   | Heather   |
| E174 | Shortt   | Margaret  |
| E175 | Shortt   | Edward    |
| E176 | Shortt   | Kevin     |
| E177 | Smith    | Bob       |
| E178 | Smyth    | Susan     |
| E179 | Smyth    | Bernard   |
| E180 | Smyth    | Jessica   |
| E181 | Smyth    | William   |
| E182 | Smyth    | Darryl    |
| E183 | Smyth    | Brendan   |
| E184 | Smyth    | Noel      |
| E185 | Smyth    | Derek     |
| E186 | Smyth    | Erin      |
| E187 | Smyth    | Irene     |
| E188 | Stafford | Joseph    |
| E189 | Stephens | Fred      |
| E190 | Tighe    | Trevor    |
| E191 | Tighe    | Ashling   |
| E192 | Tighe    | Tristin   |
| E193 | Tighe    | Joyce     |
| E194 | Travers  | Sash      |
| E195 | Wade     | Derek     |
| E196 | Wade     | Linda     |
| E197 | Wade     | Sam       |
| E198 | Wallis   | J.        |
| E199 | Walsh    | Eithne    |
| E200 | Walsh    | Peter     |
| E201 | Walsh    | Naomi     |
| E202 | Walsh    | Jason     |
| E203 | Webb     | Clayton   |
| E204 | Webb     | Michelle  |
| E205 | Webb     | Christian |
| E206 | Webb     | Noah      |
| E207 | Whelan   | Robert    |
| E208 | White    | R.        |
| E209 | Williams | Martin    |

**GROUP F      The Murrough**

| <b>Submission Number</b> | <b>Surname</b> | <b>First Name</b>  |
|--------------------------|----------------|--------------------|
| F1                       | Aldridge       | Mary               |
| F2                       | AN Other       | Dunbur Road        |
| F3                       | AN Other       | 96 Wicklow Heights |
| F4                       | AN Other       | Glenside Road      |
| F5                       | Arnold         | Karina             |
| F6                       | Arnold         | Paul               |
| F7                       | Arnold         | Chris              |
| F8                       | Aspill         | Valerie            |
| F9                       | Baird          | Tracy              |
| F10                      | Bazigos        | Alex               |
| F11                      | Bazigos        | M                  |
| F12                      | Bazigou        | Ariadne            |
| F13                      | Bazigou        | Chirstine          |
| F14                      | Behan          | Hazel              |
| F15                      | Bishop         | Samuel             |
| F16                      | Bishop         | John               |
| F17                      | Bishop         | Joshua             |
| F18                      | Bolan          | A                  |
| F19                      | Bolger         | Kathleen           |
| F20                      | Bollard        | Joe                |
| F21                      | Bonus          | B                  |
| F22                      | Bracken        | Dave               |
| F23                      | Bradshaw       | Eilish             |
| F24                      | Breathnach     | Sean               |
| F25                      | Bremner        | Ros                |
| F26                      | Brittfield     | Niamh              |
| F27                      | Brohan         | Jack               |
| F28                      | Brohan         | Michael            |
| F29                      | Brohen         | Majella            |
| F30                      | Burke          | Jason              |
| F31                      | Butler         | Brian              |
| F32                      | Butler         | Ann Clare          |
| F33                      | Byrne          | Alan               |
| F34                      | Byrne          | Liz                |
| F35                      | Byrne          | Elizabeth          |
| F36                      | Byrne          | Grainne            |
| F37                      | Byrne          | Donal              |
| F38                      | Byrne          | Pat                |
| F39                      | Byrne          | Terry              |
| F40                      | Byrne          | Betty              |
| F41                      | Byrne          | Joanne             |

|     |                  |           |
|-----|------------------|-----------|
| F42 | Cahill           | Sinead    |
| F43 | Cahill           | Denise    |
| F44 | Cahill           | Sinead    |
| F45 | Canavan          | Jessica   |
| F46 | Carmelia         | Mitai     |
| F47 | Casey            | Fionan    |
| F48 | Chevalier        | Darren    |
| F49 | Clancy           | Marie     |
| F50 | Clarke           | Fintan    |
| F51 | Clarke           | Aideen    |
| F52 | Clarke           | Sharon    |
| F53 | Clarke           | Liz       |
| F54 | Clarke           | Patricia  |
| F55 | Clarke           | Niall     |
| F56 | Clarke           | Kevin     |
| F57 | Clarke           | James     |
| F58 | Clarke           | Fintan    |
| F59 | Clerc-Gross      | HR and P  |
| F60 | Coghan           | Brian     |
| F61 | Collard          | Emma      |
| F62 | Collins          | John      |
| F63 | Collins          | Melissa   |
| F64 | Colluiiau Crooke | Fiona     |
| F65 | Conalty          | Eamon     |
| F66 | Connary          | Pat       |
| F67 | Connolly         | Teresa    |
| F68 | Connolly         | Isabel    |
| F69 | Connolly         | Anna      |
| F70 | Conway           | Bridie    |
| F71 | Conway           | Ann       |
| F72 | Cooney           | Mai       |
| F73 | Cornyn           | Carmel    |
| F74 | Cosgrave         | Paul      |
| F75 | Crawford         | Tara      |
| F76 | Crawford         | Ann       |
| F77 | Crawford         | Alan      |
| F78 | Crawford         | Ashleigh  |
| F79 | Creavin          | Maria     |
| F80 | Cuddiley         | Tony      |
| F81 | Cummiskey        | Catherine |
| F82 | Cunniffe         | Diarmuid  |
| F83 | Curley           | S         |
| F84 | Cussen           | Sophia    |
| F85 | Cuthbert         | Alison    |
| F86 | DeCourcy         | Sheila    |



|      |           |           |
|------|-----------|-----------|
| F87  | DeCourcy  | Kathleen  |
| F88  | Deegan    | Craig     |
| F89  | Delahunt  | M         |
| F90  | Delaney   | Des       |
| F91  | Delaney   | Shirley   |
| F92  | Dickinson | Tom       |
| F93  | Dickinson | Monica    |
| F94  | Dickinson | Lisa      |
| F95  | Dickinson | Margaret  |
| F96  | Dillon    | John      |
| F97  | Dillon    | S         |
| F98  | Dillon    | Margaret  |
| F99  | Dillon    | Ines      |
| F100 | Dillon    | Peter     |
| F101 | Dolan     | Jackie    |
| F102 | Dowling   | Mairead   |
| F103 | Downey    | Helen     |
| F104 | Downey    | Sinead    |
| F105 | Downey    | Frank     |
| F106 | Downey    | Christine |
| F107 | Doyle     | Mary      |
| F108 | Doyle     | Michael   |
| F109 | Doyle     | Nicola    |
| F110 | Doyle     | Eamonn    |
| F111 | Doyle     | Pauline   |
| F112 | Doyle     | Elizabeth |
| F113 | Doyle     | Catherine |
| F114 | Doyle     | John      |
| F115 | Doyle     | Sal       |
| F116 | Doyle     | Tony      |
| F117 | Doyle     | Lyla      |
| F118 | Doyle     | Noelleen  |
| F119 | Doyle     | Michael   |
| F120 | Doyle     | Bernie    |
| F121 | Doyle     | Patricia  |
| F122 | Drennan   | Greg      |
| F123 | Driver    | Ann-Marie |
| F124 | Duffy     | Molly     |
| F125 | Duffy     | Mary      |
| F126 | Duffy     | Jimmy     |
| F127 | Duffy     | Bridget   |
| F128 | Duffy     | Lynne     |
| F129 | Dunlop    | Ian       |
| F130 | Dunne     | Enda      |
| F131 | Dunne     | Laura     |

|      |             |                |
|------|-------------|----------------|
| F132 | Dunne       | Kathleen       |
| F133 | Dunne       | Andrea and Kit |
| F134 | Dunne       | Alice          |
| F135 | Dunne       | Maria          |
| F136 | Earls       | E              |
| F137 | Earls       | Eileen         |
| F138 | Earls       | Peter          |
| F139 | Egan        | David          |
| F140 | Egan        | Martin         |
| F141 | Egan        | Lisa           |
| F142 | Egan        | Rebecca        |
| F143 | Einsten     | Liz            |
| F144 | Farrell     | Mary           |
| F145 | Farrell     | Maya           |
| F146 | Finlay      | John           |
| F147 | Finlay      | Mary           |
| F148 | Finley      | Lisa           |
| F149 | Fitzpatrick | Maragaret      |
| F150 | Flaherty    | John           |
| F151 | Flanagan    | Alison         |
| F152 | Flemin      | Josh           |
| F153 | Fletcher    | Damien         |
| F154 | Fletcher    | Michelle       |
| F155 | Flood       | Christy        |
| F156 | Flood       | Jason          |
| F157 | Flynn       | Thomas         |
| F158 | Forde       | Maire          |
| F159 | Forde       | Frank          |
| F160 | Forde       | Frank Jnr      |
| F161 | Fox         | Stephanie      |
| F162 | Fox         | Carmel         |
| F163 | Furlong     | Ciaran         |
| F164 | Furlong     | M              |
| F165 | Gallagher   | Tony           |
| F166 | Garvey      | Marie          |
| F167 | Gaynor      | Barbara        |
| F168 | Gill        | Deirdre        |
| F169 | Gillespie   | David          |
| F170 | Gillespie   | Bernadette     |
| F171 | Goudy       | Kathleen       |
| F172 | Gratton     | Brian          |
| F173 | Gregory     | Jodie Marie    |
| F174 | Griffin     | Richard        |
| F175 | Hall        | Phillis        |
| F176 | Hamilton    | Joanna         |

|      |           |           |
|------|-----------|-----------|
| F177 | Hammond   | Jane      |
| F178 | Harte     | Tom       |
| F179 | Hastings  | Jean      |
| F180 | Hayes     | John      |
| F181 | Healy     | Mary      |
| F182 | Heavey    | Kevin     |
| F183 | Hennessey | Roís      |
| F184 | Herlihy   | Meave     |
| F185 | Higgins   | Angela    |
| F186 | Hilliard  | Jane      |
| F187 | Hodgins   | Sheila    |
| F188 | Howes     | Helen     |
| F189 | Howes     | Noel      |
| F190 | Howes     | Sadie     |
| F191 | Hughes    | Catherine |
| F192 | Hughes    | Connie    |
| F193 | Hurley    | Ann       |
| F194 | Jacob     | Rita      |
| F195 | Jameson   | Mary      |
| F196 | Jayden    | Sarah     |
| F197 | Jones     | Brian     |
| F198 | Jones     | Seamus    |
| F199 | Kavanagh  | Christine |
| F200 | Kavanagh  | Ben       |
| F201 | Kavanagh  | Joe       |
| F202 | Kavanagh  | Maragaret |
| F203 | Kavanagh  | Joe       |
| F204 | Kay       | Susan     |
| F205 | Kearns    | Olive     |
| F206 | Kelliher  | Aoife     |
| F207 | Kelly     | Helen     |
| F208 | Kennedy   | Carol     |
| F209 | Kenny     | Jackie    |
| F210 | Kinsella  | Mary      |
| F211 | Kinsella  | Sophe     |
| F212 | Kinsella  | Aimee     |
| F213 | Kinsella  | Johnny    |
| F214 | Knowles   | Greta     |
| F215 | Laffen    | Philip    |
| F216 | Lambert   | Denis     |
| F217 | Larkin    | Susan     |
| F218 | Lavin     | Ann       |
| F219 | Lennon    | John      |
| F220 | Leonard   | June      |
| F221 | Lewies    | Maria     |

|      |            |           |
|------|------------|-----------|
| F222 | Long       | Riona     |
| F223 | Long       | Thomas P  |
| F224 | Long       | David     |
| F225 | Long       | Bernice   |
| F226 | Long       | Ken       |
| F227 | Lynch      | Geraldine |
| F228 | Lynch      | Marie     |
| F229 | Lyons      | Noreen    |
| F230 | Madue      | Lindsay   |
| F231 | Mahon      | John      |
| F232 | Manighia   | Gerlanda  |
| F233 | Markey     | Ronan     |
| F234 | Martin     | Lynda     |
| F235 | Maxwell    | Rose      |
| F236 | Maxwell    | Tina      |
| F237 | Mc Eliver  | Laura     |
| F238 | McAulay    | John      |
| F239 | McCarthy   | Maeve     |
| F240 | McCleane   | Dolores   |
| F241 | McCleane   | Ken       |
| F242 | McCloskey  | Mark      |
| F243 | McCoy      | Jane      |
| F244 | McCree     | Lorna     |
| F245 | McDonagh   | Pam       |
| F246 | McDonald   | Carol     |
| F247 | McDonald   | Don       |
| F248 | McDonald   | Jim       |
| F249 | McElhenney | Joan      |
| F250 | McEnroe    | Mark      |
| F251 | McEvoy     | Teresa    |
| F252 | McGanley   | Owen      |
| F253 | McGarrey   | Maureen   |
| F254 | McGauley   | Liz       |
| F255 | McGettigan | Martin    |
| F256 | McGettigan | Joan      |
| F257 | McGuinness | Mary      |
| F258 | McKay      | Brian     |
| F259 | McNally    | Walter    |
| F260 | McNamara   | Rita      |
| F261 | Merrigan   | Mary      |
| F262 | Miley      | Charlotte |
| F263 | Mitchell   | Anna      |
| F264 | Mitchell   | Cormac    |
| F265 | Mitchell   | Fiona     |
| F266 | Mitchell   | Conor     |

|      |                      |                 |
|------|----------------------|-----------------|
| F267 | Mitchell             | Ruth            |
| F268 | Morrison             | Mervyn          |
| F269 | Murphy               | Des             |
| F270 | Murphy               | John            |
| F271 | Murphy               | Alice           |
| F272 | Murphy               | Carol Ann       |
| F273 | Murphy               | John Kevin      |
| F274 | Murphy               | Pauline         |
| F275 | Murphy               | Ella            |
| F276 | Murray               | Eamon           |
| F277 | Murray               | Mary            |
| F278 | Murtagh              | Martin          |
| F279 | Neary                | Susan           |
| F280 | Newsome              | Fran and Maire  |
| F281 | Ní Uaidín            | Ciara           |
| F282 | Noonan               | Philip          |
| F283 | Norton               | Dr. Peter       |
| F284 | O'Brien              | Jean and Fergal |
| F285 | O'Brien              | Niamh           |
| F286 | O'Brien              | John            |
| F287 | O'Brien              | Jenni           |
| F288 | O'Brien              | Kenneth         |
| F289 | O'Brien              | Beth            |
| F290 | O'Brien              | Grace           |
| F291 | O'Connell            | Pauline         |
| F292 | O'Connor             | Debbie          |
| F293 | O'Connor             | Carmel          |
| F294 | O'Connor             | Tony            |
| F295 | O'Connor             | Bridget         |
| F296 | O'Donnell            | Kelli           |
| F297 | O'Donoghue<br>Greene | Velma           |
| F298 | O'Flaherty           | Aidan           |
| F299 | O'Flaherty           | Margaret        |
| F300 | O'Grady              | Rosemarie       |
| F301 | O'Kelly              | Mary            |
| F302 | O'Leary              | Stephen         |
| F303 | O'Leary              | Ann-Marie       |
| F304 | O'Leary              | Sheila          |
| F305 | O'Mahony             | Barbara         |
| F306 | O'Mahony             | Marian          |
| F307 | O'Mara               | Veronica        |
| F308 | O'Neill              | Anne            |
| F309 | O'Neill              | Rebecca         |
| F310 | O'Neill              | Eddie           |

|      |               |                |
|------|---------------|----------------|
| F311 | O'Neill       | Thomas         |
| F312 | O'Neill       | Jane           |
| F313 | O'Reilly      | Sheila         |
| F314 | O'Reilly      | Joan           |
| F315 | O'Reilly      | Joan           |
| F316 | O'Reilly      | Siobhain       |
| F317 | O'Reilly      | Peter and Lisa |
| F318 | O'Reilly      | Mairead        |
| F319 | O'Rourke      | Sarah          |
| F320 | O'Rourke      | Una            |
| F321 | O'Shea        | Sandra         |
| F322 | O'Sullivan    | Peggy          |
| F323 | O'Sullivan    | Owen           |
| F324 | O'Toole       | S              |
| F325 | O'Toole       | Lauren         |
| F326 | O'Toole       | Dermot         |
| F327 | O'Toole       | Joe            |
| F328 | O'Toole       | Chirstopher    |
| F329 | O'Toole       | Ciaran         |
| F330 | O'Toole       | Kay            |
| F331 | O'Toole       | Nora           |
| F332 | O'Toole       | Bernadette     |
| F333 | Owen          | Jenny          |
| F334 | Owens         | Helen          |
| F335 | Papanastasiou | Xenofon I      |
| F336 | Parke         | Alan           |
| F337 | Parke         | Joan           |
| F338 | Payne         | Elaine         |
| F339 | Pedzeschi     | Brid           |
| F340 | Pedzeschi     | Harry          |
| F341 | Poretto       | Kevin          |
| F342 | Power         | Martina        |
| F343 | Price         | Michael        |
| F344 | Quigley       | Declan         |
| F345 | Quinn         | Liam           |
| F346 | Quinn         | Alan           |
| F347 | Rafter        | Bill           |
| F348 | Reada         | Marian         |
| F349 | Redmond       | Bre            |
| F350 | Redmond       | Mary           |
| F351 | Reid          | John           |
| F352 | Reid          | T              |
| F353 | Reynolds      | Ann            |
| F354 | Rice          | Don            |
| F355 | Robinson      | Betty          |

|      |           |                  |
|------|-----------|------------------|
| F356 | Roche     | Jimmy            |
| F357 | Roche     | Joesephine       |
| F358 | Roche     | Aoife            |
| F359 | Roche     | Jamie            |
| F360 | Roche     | Dylan            |
| F361 | Roche     | Pauline          |
| F362 | Roche     | Barry            |
| F363 | Rolland   | R                |
| F364 | Rona      | Noellen          |
| F365 | Rush      | Martin           |
| F366 | Ryan      | Larry            |
| F367 | Ryan      | Madeline         |
| F368 | Ryan      | Leonard          |
| F369 | Shannon   | Amber            |
| F370 | Shannon   | Chloe            |
| F371 | Sheerin   | Nancy            |
| F372 | Sheridan  | Michael          |
| F373 | Shevlin   | Síle             |
| F374 | Shorthall | Noelleen and Tom |
| F375 | Sillery   | Lucy             |
| F376 | Simonnet  | Alfie            |
| F377 | Smullen   | Susan            |
| F378 | Smullen   | Leonora          |
| F379 | Smullen   | Leonora Snr      |
| F380 | Smullen   | Susan            |
| F381 | Smullen   | Fionoulla        |
| F382 | Solly     | Cosmo            |
| F383 | Soulue    | Dieter           |
| F384 | St. John  | Ray              |
| F385 | Stakie    | Kathleen         |
| F386 | Streadman | John             |
| F387 | Streff    | Camilla          |
| F388 | Susan     | Rita             |
| F389 | Swail     | Simon            |
| F390 | Teevan    | S                |
| F391 | Teevan    | Gerard           |
| F392 | Thornton  | Colette          |
| F393 | Tiernan   | Carmel           |
| F394 | Togher    | Mary             |
| F395 | Tsam      | Mai              |
| F396 | Tsam      | Paul             |
| F397 | Veun      | Michael          |
| F398 | Vickers   | Martin           |
| F399 | Vickers   | Elaine           |
| F400 | Vickers   | Maeve            |

|      |           |                |
|------|-----------|----------------|
| F401 | Vickers   | Avril          |
| F402 | Vickers   | Laura          |
| F403 | Vickers   | Esther         |
| F404 | Vickers   | Betty          |
| F405 | Wadden    | Carol          |
| F406 | Walsh     | Jean           |
| F407 | Walsh     | M              |
| F408 | Walsh     | Heather        |
| F409 | Walsh     | John           |
| F410 | Walsh     | Eithne         |
| F411 | Watters   | Bernice        |
| F412 | Webb      | Darren         |
| F413 | Wheatty   | Lorraine       |
| F414 | Whelan    | John           |
| F415 | Whelan    | Edel           |
| F416 | Whelan    | Valerie        |
| F417 | Whelan    | Noirin         |
| F418 | Wislon    | Betty and John |
| F419 | Woolahan  | L              |
| F420 | Woolley   | Mary           |
| F421 | Wynn      | Michael        |
| F422 | Yennusian | Sarah          |
| F423 | Yorke     | James          |
| F424 | Young     | Mable          |



**GROUP G**      **Fitzwilliam Square**

| <b>Submission Number</b> | <b>Surname</b>   | <b>First Name</b> |
|--------------------------|------------------|-------------------|
| G2                       | Adaraloye        | Obafemi           |
| G3                       | Ahern            | Michael           |
| G4                       | Armstrong        | Phyllis           |
| G5                       | Armstrong        | Philsy            |
| G6                       | Backhouse        | Jason             |
| G7                       | Balogh           | Rebecca           |
| G8                       | Bauan            | Georgina          |
| G9                       | Bazigon          | Ariadne           |
| G10                      | Bazigov          | Menelaos          |
| G11                      | Bazigov          | Alex              |
| G12                      | Beacom           | Pam               |
| G13                      | Beamish Roylance | Julia             |
| G14                      | Bolger           | Jean              |
| G15                      | Bond             | David             |
| G16                      | Bond             | Olwen             |
| G17                      | Bonds            | Chelsea           |
| G18                      | Bonus            | Sophie            |
| G19                      | Bonus            | Maxine            |
| G20                      | Bonus            | David             |
| G21                      | Bouchier         | Rose              |
| G22                      | Bouchier         | Debbie            |
| G23                      | Bouchier         | Christopher       |
| G24                      | Bouchier         | Sean              |
| G25                      | Bouchier         | Croistoir         |
| G26                      | Bouchier         | Simon             |
| G27                      | Bouchier         | Catherine         |
| G28                      | Bouchier         | Darragh           |
| G29                      | Bouchier         | Danny             |
| G30                      | Boyce            | James             |
| G31                      | Boyce            | Mark              |
| G32                      | Boyce            | Jamie             |
| G33                      | Boyce            | Edwina            |
| G34                      | Boyce            | Moya              |
| G35                      | Boyce            | Warren            |
| G36                      | Boyce            | Moya              |
| G37                      | Boyce            | John              |
| G38                      | Boyce            | Natasha           |
| G39                      | Boyce            | Warren            |
| G40                      | Boyce            | Jacqueline        |
| G41                      | Boyce            | Jim               |
| G42                      | Boyce            | Shauna            |

|     |          |           |
|-----|----------|-----------|
| G43 | Boyce    | Corey     |
| G44 | Boyce    | Dylan     |
| G45 | Boyce    | Patrice   |
| G46 | Boyle    | May       |
| G47 | Bradshaw | Davida    |
| G48 | Brennan  | Glen      |
| G49 | Brennan  | Mark      |
| G50 | Brennan  | Daniel    |
| G51 | Brennan  | Erica     |
| G52 | Brennan  | Josh      |
| G53 | Brennan  | Marie     |
| G54 | Breslin  | David     |
| G55 | Brophy   | Geraldine |
| G56 | Brophy   | Mick      |
| G57 | Brophy   | Michelle  |
| G58 | Brophy   | Geraldine |
| G59 | Brophy   | Linda     |
| G60 | Bunn     | Anne      |
| G61 | Burke    | Cathy     |
| G62 | Burke    | Colm      |
| G63 | Burke    | Miriam    |
| G64 | Burke    | Catherine |
| G65 | Burler   | Eilish    |
| G66 | Burns    | Francis   |
| G67 | Byrne    | Pat       |
| G68 | Byrne    | Jennifer  |
| G69 | Byrne    | Aine      |
| G70 | Byrne    | Ross      |
| G71 | Byrne    | Amber     |
| G72 | Byrne    | Ann       |
| G73 | Byrne    | Ann       |
| G74 | Byrne    | Sandra    |
| G75 | Byrne    | David     |
| G76 | Byrne    | Rosalie   |
| G77 | Byrne    | Ruth      |
| G78 | Cahill   | Denise    |
| G79 | Cahill   | Liz       |
| G80 | Campbell | Ciara     |
| G81 | Campbell | Kevin     |
| G82 | Campbell | Douglas   |
| G83 | Campbell | Liam      |
| G84 | Canavan  | Matt      |
| G85 | Canavan  | Stephen   |
| G86 | Canavan  | Eamonn    |

|      |          |           |
|------|----------|-----------|
| G87  | Canavan  | Shane     |
| G88  | Canavan  | Carmel    |
| G89  | Canavan  | Nicky     |
| G90  | Canavan  | Gavin     |
| G91  | Canavan  | Mary      |
| G92  | Carey    | Larry     |
| G93  | Carey    | Dorothy   |
| G94  | Carroll  | Catherine |
| G95  | Carroll  | Jimmy     |
| G96  | Carroll  | Mary      |
| G97  | Carroll  | Shane     |
| G98  | Carroll  | Maurice   |
| G99  | Carthy   | Carole    |
| G100 | Carton   | Melanie   |
| G101 | Carton   | Stephanie |
| G102 | Clare    | Amanda    |
| G103 | Clarke   | Damien    |
| G104 | Cleary   | Debbie    |
| G105 | Coffey   | Miriam    |
| G106 | Coffey   | Moses     |
| G107 | Connelan | Mirrough  |
| G108 | Connolly | Veronica  |
| G109 | Connolly | Alan      |
| G110 | Connolly | Cepta     |
| G111 | Connolly | C         |
| G112 | Connolly | Kathleen  |
| G113 | Conway   | Brendan   |
| G114 | Cooper   | Patrica   |
| G115 | Cooper   | Patricia  |
| G116 | Cooper   | Nigel     |
| G117 | Copeland | Rosemary  |
| G118 | Corcoran | David     |
| G119 | Corcoran | Brigid    |
| G120 | Corcoran | Stephaine |
| G121 | Corcoran | Paddy Snr |
| G122 | Corcoran | Patrick   |
| G123 | Corkish  | Adam      |
| G124 | Corkish  | Lee       |
| G125 | Corkish  | John Paul |
| G126 | Corkish  | Dean      |
| G127 | Corkish  | Charlie   |
| G128 | Corkish  | Carlos    |
| G129 | Corkish  | Liz       |
| G130 | Corkish  | Dawna     |

|      |                 |             |
|------|-----------------|-------------|
| G131 | Corkish O Toole | Chris & Tee |
| G132 | Corkish O Toole | Tee         |
| G133 | Crawford        | Bethan      |
| G134 | Crawford        | Tara        |
| G135 | Crawford        | Kyle        |
| G136 | Creavin         | Josephine   |
| G137 | Cuddihy         | Billy       |
| G138 | Cullen          | A           |
| G139 | Cullen          | W           |
| G140 | Curren          | Aideen      |
| G141 | Cussen          | Sophie      |
| G142 | Cussen          | Ned         |
| G143 | D               | Kevin       |
| G144 | Dalton          | Gayle Marie |
| G145 | Davies          | Craig       |
| G146 | Davitt          | Morgan      |
| G147 | Davitt          | D           |
| G148 | Davitt          | Angela      |
| G149 | De Hora         | Arlo        |
| G150 | De Hora         | Daire       |
| G151 | Delahunt        | Mandie      |
| G152 | Delahunt        | Kieran      |
| G153 | Dempsey         | M           |
| G154 | Dempsey         | Sandra      |
| G155 | Dempsey         | Carmel      |
| G156 | Dickinson       | AL          |
| G157 | Dickinson       | Anne        |
| G158 | Dickinson       | Mary        |
| G159 | Dickinson       | Bill        |
| G160 | Dickinson       | Peter       |
| G161 | Dickinson       | Lisa        |
| G162 | Doherty         | Mary        |
| G163 | Domly           | Pam         |
| G164 | Donnelly        | Kitty       |
| G165 | Donnelly        | Jay         |
| G166 | Dorse           | M           |
| G167 | Doughton        | A           |
| G168 | Doughton        | John        |
| G169 | Douglas         | G           |
| G170 | Douglas         | David       |
| G171 | Dover           | Ella        |
| G172 | Dover           | Tucker      |
| G173 | Dover           | Tommy       |
| G174 | Dowling         | Clifford    |

|      |         |             |
|------|---------|-------------|
| G175 | Dowling | James       |
| G176 | Dowling | Elizabeth   |
| G177 | Dowling | Sandra      |
| G178 | Downey  | Helen       |
| G179 | Downey  | Christine   |
| G180 | Doyle   | Thomas Snr  |
| G181 | Doyle   | Margaret    |
| G182 | Doyle   | Ann         |
| G183 | Doyle   | Brian       |
| G184 | Doyle   | Thomas Jnr  |
| G185 | Doyle   | Kevin       |
| G186 | Doyle   | Christopher |
| G187 | Doyle   | Sharon      |
| G188 | Doyle   | Bella       |
| G189 | Doyle   | Hannah      |
| G190 | Doyle   | Andrew      |
| G191 | Doyle   | Michael     |
| G192 | Doyle   | Fiona       |
| G193 | Doyle   | Mary        |
| G194 | Doyle   | P           |
| G195 | Doyle   | Robert      |
| G196 | Doyle   | Yasmin      |
| G197 | Doyle   | Mary        |
| G198 | Doyle   | Anne        |
| G199 | Doyle   | Carley      |
| G200 | Doyle   | Christina   |
| G201 | Doyle   | Jade        |
| G202 | Doyle   | Sean        |
| G203 | Doyle   | Jade        |
| G204 | Doyle   | Vincent     |
| G205 | Doyle   | Leah        |
| G206 | Doyle   | Ken         |
| G207 | Doyle   | William     |
| G208 | Doyle   | Amber       |
| G209 | Doyle   | Jordina     |
| G210 | Doyle   | Elizabeth   |
| G211 | Doyle   | Elizabeth   |
| G212 | Doyle   | Yasmin      |
| G213 | Doyle   | Ambrose     |
| G214 | Doyle   | Jake        |
| G215 | Doyle   | Kate        |
| G216 | Doyle   | John        |
| G217 | Doyle   | Amber       |
| G218 | Doyle   | Ambrose     |

|      |                   |           |
|------|-------------------|-----------|
| G219 | Doyle             | Liz       |
| G220 | Doyle             | Julie     |
| G221 | Doyle             | Jana      |
| G222 | Doyle             | Mark      |
| G223 | Doyle             | Anne      |
| G224 | Doyle             | J         |
| G225 | Doyle             | Brefini   |
| G226 | Doyle             | Christine |
| G227 | Doyle             | Christine |
| G228 | Doyle             | Michael   |
| G229 | Doyle             | Phelim    |
| G230 | Doyle             | JP        |
| G231 | Doyle             | Georgette |
| G232 | Doyle Maloney     | Phyllis   |
| G233 | Doyle Maloney     | Phyllis   |
| G234 | Doyle nee O'Toole | Michelle  |
| G235 | Drennan           | Rosemarie |
| G236 | Drew              | Davina    |
| G237 | Duffy             | Michael   |
| G238 | Duffy             | Samantha  |
| G239 | Duffy             | Margaret  |
| G240 | Duffy             | Michael   |
| G241 | Duffy             | Fran      |
| G242 | Duffy             | Noelle    |
| G243 | Duffy             | Megan     |
| G244 | Duffy             | Micheal   |
| G245 | Duffy             | Samantha  |
| G246 | Duffy             | F         |
| G247 | Duffy             | Jenny     |
| G248 | Dunne             | Carina    |
| G249 | Dunne             | Jimmy     |
| G250 | Dunne             | Karen     |
| G251 | Dunne             | Maureen   |
| G252 | Dunne             | Pat       |
| G253 | Dunne             | Marqerite |
| G254 | Dunne             | David     |
| G255 | Dunne             | Tony      |
| G256 | Dunne             | Catherine |
| G257 | Dunne             | Maria     |
| G258 | Dunne             | Karli     |
| G259 | Dunne             | Kathleen  |
| G260 | Dunne             | Christine |
| G261 | Dunne             | Alice     |
| G262 | Dunphy            | Clare     |

|      |                  |           |
|------|------------------|-----------|
| G263 | Edmund           | David     |
| G264 | Einstein         | Liz       |
| G265 | Einstein         | Jessica   |
| G266 | Einstein         | Annabelle |
| G267 | Evans            | Brendan   |
| G268 | Evans            | Patrice   |
| G269 | Evans            | Megan     |
| G270 | Fagan            | Ben       |
| G271 | Fagg             | Mrs       |
| G272 | Fagg             | Ron       |
| G273 | Fagg             | John      |
| G274 | Fallover         | Harrie    |
| G275 | Fawsonn          | Bris      |
| G276 | Feely            | Fionnuala |
| G277 | Finlay           | Nina      |
| G278 | Finnegan         | Declan    |
| G279 | Fisher           | Ian       |
| G280 | Fitzgerald       | Zita      |
| G281 | Fitzgerald       | Sandra    |
| G282 | Fitzgerald       | Jamie     |
| G283 | Fitzgerald       | Catherine |
| G284 | Fitzgerald       | Wayne     |
| G285 | Fitzgerald       | Claire    |
| G286 | Fitzpatrick      | Mick      |
| G287 | Fitzpatrick      | Jack      |
| G288 | Flaherty         | Trina     |
| G289 | Flaherty         | Trina     |
| G290 | Flanagan         | E         |
| G291 | Flannery         | Edward    |
| G292 | Flannery         | Amanda    |
| G293 | Flannery         | Karl      |
| G294 | Flannery         | Ross      |
| G295 | Fleming O'Reilly | Thomas    |
| G296 | Florence         | Mariane   |
| G297 | Flynn            | Thomas    |
| G298 | Fogg             | Ron       |
| G299 | Ford             | Ann       |
| G300 | Ford             | William   |
| G301 | Fox              | Mary      |
| G302 | Franey           | Anthony   |
| G303 | Frawey           | June      |
| G304 | Frepenca         | P         |
| G305 | Furlong          | Mrs       |
| G306 | Furlong          | Joanne    |

|      |             |           |
|------|-------------|-----------|
| G307 | Furlong     | Joanne    |
| G308 | Gallagher   | Shay      |
| G309 | Gallagher   | Shay      |
| G310 | Gallagher   | Shay      |
| G311 | Gallagher   | Emily     |
| G312 | Gallagher   | Breda     |
| G313 | Gallagher   | Laura     |
| G314 | Gallagher   | Mary      |
| G315 | Gannon      | Anne      |
| G316 | Gannon      | Anne      |
| G317 | Gannon      | John      |
| G318 | Geoghegan   | Joy       |
| G319 | Gill        | Karl      |
| G320 | Godkin      | Charlotte |
| G321 | Gorman      | Tara      |
| G322 | Gorman      | Jimmy     |
| G323 | Greer       | Pauline   |
| G324 | Gregg       | Davinia   |
| G325 | Griffin     | Maureen   |
| G326 | Hackett     | Declan    |
| G327 | Halpin      | Melissa   |
| G328 | Hamilton    | George    |
| G329 | Hamilton    | Essie     |
| G330 | Hanlon      | Joe       |
| G331 | Harmon      | Catherine |
| G332 | Harmon      | Rachel    |
| G333 | Harmon      | Brendan   |
| G334 | Haughton    | Kenneth   |
| G335 | Haughton    | Therese   |
| G336 | Haughton    | Marie     |
| G337 | Haughton    | Marie     |
| G338 | Hayes       | Eoin      |
| G339 | Hayes       | Aoife     |
| G340 | Hayes       | George    |
| G341 | Healy       | Andrew    |
| G342 | Heashlering | Paul      |
| G343 | Hickey      | Sinead    |
| G344 | Hickey      | S         |
| G345 | Hickey      | B         |
| G346 | Hickey      | Shauna    |
| G347 | Hickey      | Ena       |
| G348 | Higgins     | Maura     |
| G349 | Higgins     | Maura     |
| G350 | Higgins     | Charmaine |



|      |                     |          |
|------|---------------------|----------|
| G351 | Higgins             | C        |
| G352 | Higgins             | Rebecca  |
| G353 | Hill                | Kayleigh |
| G354 | Hinchelwood         | David    |
| G355 | Hinchwood           | John     |
| G356 | Hinchwood           | David    |
| G357 | Hogan               | Conor    |
| G358 | Hollingsworth       | Thomas   |
| G359 | Hollingsworth       | James    |
| G360 | Hollingsworth       | Thomas   |
| G361 | Holly               | Rosemary |
| G362 | Hore                | Keith    |
| G363 | Housten             | Neville  |
| G364 | Howard              | Roy      |
| G365 | Howard              | Shane    |
| G366 | Howard              | Slovann  |
| G367 | Howes               | Noel     |
| G368 | Howes               | Ray      |
| G369 | Humby               | Padraig  |
| G370 | Humby               | Mari     |
| G371 | Hunter              | Tara     |
| G372 | Hunter              | Mandy    |
| G373 | Hunter              | Kathy    |
| G374 | Hunter              | Billy    |
| G375 | Hutchinson          | Berne    |
| G376 | illegible signature | Sean     |
| G377 | illegible signature |          |
| G378 | illegible signature |          |
| G379 | Irons               | Gordon   |
| G380 | Irons               | Siobhan  |
| G381 | Irons               | Olivia   |
| G382 | Irons               | Kiernen  |
| G383 | Irons               | Michelle |
| G384 | Irons               | Caitlyn  |
| G385 | J. Loah             | John     |
| G386 | James               | E        |
| G387 | Jameson             | David    |
| G388 | Jameson             | Andrea   |
| G389 | Jameson             | Doreen   |
| G390 | Jameson             | Hayley   |
| G391 | Jameson             | James    |
| G392 | Jameson             | Breda    |
| G393 | Jameson             | Vanessa  |
| G394 | Jameson             | Kilian   |

|      |                 |              |
|------|-----------------|--------------|
| G395 | Jameson         | Mary         |
| G396 | Jameson         | John         |
| G397 | Jameson         | Rita         |
| G398 | Jameson         | Paul         |
| G399 | Jameson         | Emily Bendix |
| G400 | Janzen (McCall) | Imelda       |
| G401 | Jones           | M            |
| G402 | Jones           | Anne         |
| G403 | Kane            | Leonette     |
| G404 | Kane            | Jeff         |
| G405 | Kavanagh        | Patrick      |
| G406 | Kavanagh        | Charlie      |
| G407 | Kavanagh        | Mary         |
| G408 | Kavanagh        | Steven       |
| G409 | Kavanagh        | Arel         |
| G410 | Kavanagh        | Elizabeth    |
| G411 | Kavanagh        | Carol        |
| G412 | Kavanagh        | Mary         |
| G413 | Kavanagh        | Deborah      |
| G414 | Kavanagh        | Wendy        |
| G415 | Kavanagh        | Catriona     |
| G416 | Kavanagh        | Maria        |
| G417 | Kavanagh        | Conn         |
| G418 | Kavanagh        | Mary         |
| G419 | Kavanagh        | Simone       |
| G420 | Kavanagh        | Andy         |
| G421 | Kavanagh        | Wayne        |
| G422 | Kavanagh        | Phyllis      |
| G423 | Kavanagh        | John         |
| G424 | Kavanagh        | Willie       |
| G425 | Kearney         | James        |
| G426 | Kearney         | Jan          |
| G427 | Kearney         | Thomas       |
| G428 | Kearns          | Olive        |
| G429 | Keddy           | Dave         |
| G430 | Keele           | Jack         |
| G431 | Kellegher       | Emma         |
| G432 | Kelly           | Rowena       |
| G433 | Kelly           | John         |
| G434 | Kelly           | Anne         |
| G435 | Kelly           | Rachel       |
| G436 | Kelly           | Joe          |
| G437 | Kelly           | Ava Rose     |
| G438 | Kelly           | Karl         |

|      |                        |           |
|------|------------------------|-----------|
| G439 | Kelly Liston Fionnuala |           |
| G440 | Kenay                  | Maurice   |
| G441 | Kennedy                | Susan     |
| G442 | Kennedy                | Paschal   |
| G443 | Kennedy                | Mary      |
| G444 | Kenny                  | Joe       |
| G445 | Kent                   | Marie     |
| G446 | Keogh                  | Myles     |
| G447 | Keogh                  | Reece     |
| G448 | Keogh                  | TM        |
| G449 | Kiely                  | Jeanette  |
| G450 | Kierwan                | William   |
| G451 | Kierwan                | Garreth   |
| G452 | Kierwan                | Kiarie    |
| G453 | Kierwan                | Pauline   |
| G454 | Kierwan                | Garry     |
| G455 | Kierwan                | Keith     |
| G456 | Killeen                | Aoise     |
| G457 | Kinsella               | Larry     |
| G458 | Kinsella               | Dean      |
| G459 | Kinsella               | Dino      |
| G460 | Kinsella               | Michaela  |
| G461 | Kinsella               | Sarah     |
| G462 | Lambert                | Karl      |
| G463 | Lavin                  | David     |
| G464 | Lawes                  | Tiana     |
| G465 | Leahy                  | Paul      |
| G466 | Lord                   | Susan     |
| G467 | Lord                   | Neesa     |
| G468 | Loughlin               | Shiela    |
| G469 | Loughlin               | Michael   |
| G470 | M                      | Geraldine |
| G471 | MacRuairi              | Sean      |
| G472 | Madice                 | John      |
| G473 | Madigan                | Ian       |
| G474 | Magee                  | Breen     |
| G475 | Magee                  | Lorraine  |
| G476 | Maguire                | Conor     |
| G477 | Maguire                | Conor     |
| G478 | Maguire                | Sarah     |
| G479 | Maguire                | Maura     |
| G480 | Maher                  | Siobhan   |
| G481 | Mahood                 | Patrick   |
| G482 | Manley                 | Phyllis   |

|      |            |                |
|------|------------|----------------|
| G483 | Manley     | Ian            |
| G484 | Marle      | Erne           |
| G485 | Maxwell    | Tina           |
| G486 | Maxwell    | Elizabeth      |
| G487 | Maxwell    | Kevin          |
| G488 | Maxwell    | Jim            |
| G489 | Maxwell    | Owen           |
| G490 | Maxwell    | Rose           |
| G491 | Maxwell    | Tina           |
| G492 | Maxwell    | Chris          |
| G493 | Maxwell    | James & Tracey |
| G494 | Maxwell    | Owen & Tracey  |
| G495 | McBride    | Maura          |
| G496 | McCabe     | Thomas         |
| G497 | McCarthy   | Anto           |
| G498 | McDonnell  | Sean           |
| G499 | McEihinney | Ken            |
| G500 | McEihinney | Kev            |
| G501 | McEnery    | Laura          |
| G502 | McGee      | Helen          |
| G503 | McGettigan | Martin         |
| G504 | McGettigan | Joan           |
| G505 | McGettigan | Katie          |
| G506 | McGettigan | Lynda          |
| G507 | McGrane    | Cormac         |
| G508 | McGrath    | Angelina       |
| G509 | McGrath    | Eamonn         |
| G510 | McGrath    | Sr. Pauline    |
| G511 | McGuinness | Siobhan        |
| G512 | McGuire    | Mary           |
| G513 | McKeown    | Orla           |
| G514 | McLean     | Simon          |
| G515 | McMahon    | Denise         |
| G516 | McNabb     | Tommy          |
| G517 | McNabb     | Melinda        |
| G518 | McNabb     | Joan           |
| G519 | McNemara   | Maresa         |
| G520 | McNiff     | Emma           |
| G521 | Meakin     | Brian          |
| G522 | Meakin     | Jeff           |
| G523 | Melia      | Eamonn         |
| G524 | Melia      | M              |
| G525 | Melia      | Keith          |
| G526 | Melia      | Miriam         |

|      |                       |             |
|------|-----------------------|-------------|
| G527 | Merrigan              | Mary        |
| G528 | Merrigan              | Steve       |
| G529 | Merrigan              | Phil        |
| G530 | Merrigan<br>Hinchwood | Martha      |
| G531 | Miley                 | Charlotte   |
| G532 | Molley                | John Kevin  |
| G533 | Mooney                | Gerald      |
| G534 | Moore                 | Carmel      |
| G535 | Moore                 | Jason       |
| G536 | Moore                 | Kian        |
| G537 | Moore                 | Alex        |
| G538 | Moorehouse            | Mick        |
| G539 | Mulligan              | Carmel      |
| G540 | Murley                | Shane       |
| G541 | Murphy                | Karen       |
| G542 | Murphy                | Paul        |
| G543 | Murphy                | Patrick     |
| G544 | Murphy                | Patrice     |
| G545 | Murphy                | Nicola      |
| G546 | Murphy                | David       |
| G547 | Murphy                | Linda       |
| G548 | Murphy                | Philippa    |
| G549 | Murphy                | Damien      |
| G550 | Murphy                | James E     |
| G551 | Murphy                | Caoileann   |
| G552 | Murphy                | James       |
| G553 | Murphy                | Martina     |
| G554 | Murphy                | Kathleen    |
| G555 | Murphy                | Christy     |
| G556 | Murphy                | Ciaran      |
| G557 | Murphy                | Frances     |
| G558 | Murphy                | Joseph      |
| G559 | Murphy                | Trevor      |
| G560 | Murphy                | Peter       |
| G561 | Murphy                | Elizabeth   |
| G562 | Murphy                | Sarah       |
| G563 | Murphy                | Shane       |
| G564 | Murphy                | Liz         |
| G565 | Murphy                | Nina Davies |
| G566 | Murray                | Emily       |
| G567 | Murray                | John        |
| G568 | Murray                | Kathy       |
| G569 | Murray                | Sean        |
| G570 | Nairn                 | Wendy       |

|      |               |                |
|------|---------------|----------------|
| G571 | Newman        | Julie          |
| G572 | Newsome       | Paddy          |
| G573 | Ni Riain      | Eilis          |
| G574 | Ni Shubhne    | Deirdre        |
| G575 | Nolan         | Marion         |
| G576 | Nolan         | Olivia         |
| G577 | Nolan         | Ellen          |
| G578 | Nolan         | Ellen          |
| G579 | Nolan         | Jeffrey        |
| G580 | Nolan         | Melissa        |
| G581 | O Broin       | Turish         |
| G582 | O Connor      | Joe            |
| G583 | O' Donnell    | Doreen         |
| G584 | O Grady       | Mary           |
| G585 | O Mexturn     | Connor         |
| G586 | O Neill       | Courtney       |
| G587 | O.B           | M              |
| G588 | O'Brien       | Edward Brendan |
| G589 | O'Brien       | Elaine         |
| G590 | O'Brien       | Colm           |
| G591 | O'Brien       | Lar            |
| G592 | O'Brien       | George         |
| G593 | O'Brien       | Jim            |
| G594 | O'Brien       | S              |
| G595 | O'Brien       | Sally          |
| G596 | O'Brien       | Aoibheann      |
| G597 | O'Brien       | James          |
| G598 | O'Brien       | Daniel         |
| G599 | O'Brien       | Bernadette     |
| G600 | O'Brien       | Gerard         |
| G601 | O'Brien       | Paul           |
| G602 | O'Brien       | Geraldine      |
| G603 | O'Byrne       | Bernadette     |
| G604 | O'Conchobhair | Fergus         |
| G605 | O'Conchobhais | Mary           |
| G606 | O'Connell     | Cliona         |
| G607 | O'Connor      | Sam            |
| G608 | O'Connor      | Holly          |
| G609 | O'Connor      | Charlie        |
| G610 | O'Connor      | Amy            |
| G611 | O'Connor      | Patricia       |
| G612 | O'Connor      | Karen          |
| G613 | O'Connor      | Jake           |
| G614 | O'Conor       | Manus          |

|      |                   |            |
|------|-------------------|------------|
| G615 | O'Dowd            | Ian        |
| G616 | O'Dowd            | Theresa    |
| G617 | O'Flaherty        | Joan       |
| G618 | O'Grady           | Elizabeth  |
| G619 | O'Halloran        | Rebecca    |
| G620 | O'Hallron         | Frank      |
| G621 | O'Kelly           | Isabel     |
| G622 | Oldham            | Sonya      |
| G623 | O'Leary           | Niamh      |
| G624 | O'Loughlin        | Naomi      |
| G625 | O'Neill           | Paddy      |
| G626 | O'Neill           | Philip Jnr |
| G627 | O'Neill           | Philip     |
| G628 | O'Neill           | Ruth       |
| G629 | O'Neill           | Tim        |
| G630 | O'Neill           | James      |
| G631 | O'Neill           | Vivienne   |
| G632 | O'Neill           | Taylor     |
| G633 | O'Neill           | Philip     |
| G634 | O'Neill           | Catherine  |
| G635 | O'Neill           | Amber      |
| G636 | O'Neill           | Jim        |
| G637 | O'Neill           | Linda      |
| G638 | O'Neill           | Katie      |
| G639 | O'Reilly          | Garrett    |
| G640 | O'Reilly          | Liz        |
| G641 | O'Reilly          | Edmund     |
| G642 | O'Reilly          | Norah      |
| G643 | O'Reilly          | Brigid     |
| G644 | O'Reilly          | Paul       |
| G645 | O'Reilly          | Gavin      |
| G646 | O'Reilly          | Tom        |
| G647 | O'Reilly          | Esther     |
| G648 | O'Reilly          | Vincent    |
| G649 | O'Reilly          | Stan J.    |
| G650 | O'Reilly          | Helen      |
| G651 | O'Reilly          | Maeve      |
| G652 | O'Reilly          | Anna       |
| G653 | O'Reilly Campbell | Yvonne     |
| G654 | O'Rourke          | Anne       |
| G655 | O'Rourke          | Aoife      |
| G656 | O'Rourke          | Billy      |
| G657 | O'Rourke          | Art        |
| G658 | O'Sullivan        | Daragh     |

|      |              |           |
|------|--------------|-----------|
| G659 | O'Sullivan   | Kieran    |
| G660 | O'Sullivan   | S         |
| G661 | O'Toole      | Clare     |
| G662 | O'Toole      | Oisin     |
| G663 | Pecoreua     | Cluara    |
| G664 | Phelan Moore | Emma      |
| G665 | Phillips     | Norman    |
| G666 | Phillips     | Steffi    |
| G667 | Phillips     | Evelyn    |
| G668 | Phillips     | Ali       |
| G669 | Porter       | Sheila    |
| G670 | Porter       | Richie    |
| G671 | Porter       | Morgan    |
| G672 | Porter       | Alice     |
| G673 | Porter       | Rhona     |
| G674 | Porter       | Linda     |
| G675 | Porter       | Peter     |
| G676 | Potts        | Catherine |
| G677 | Purcell      | Margaret  |
| G678 | Quinn        | Mrs. M    |
| G679 | Quinn        | Betty     |
| G680 | Quinn        | Arlene    |
| G681 | Quinn        | Elizabeth |
| G682 | R            | Brendan   |
| G683 | Rafferty     | Terry     |
| G684 | Rafferty     | Joe       |
| G685 | Redmond      | David     |
| G686 | Redmond      | Keith     |
| G687 | Redmond      | Anita     |
| G688 | Redmond      | Mary      |
| G689 | Redmond      | Noel      |
| G690 | Redmond      | Ann       |
| G691 | Redmond      | Johnny    |
| G692 | Reilly       | Ben       |
| G693 | Reynolds     | Colin     |
| G694 | Ridley       | Ian       |
| G695 | Robinson     | Sandra    |
| G696 | Roe          | Elly      |
| G697 | Rooney       | Sean      |
| G698 | Rooney       | Louise    |
| G699 | Rooney       | Helen     |
| G700 | Rooney       | Michael   |
| G701 | Rowan        | Vikki     |
| G702 | Rowan        | Olive     |



|      |              |            |
|------|--------------|------------|
| G703 | Rowan        | Jonathon   |
| G704 | Rowan        | Jill       |
| G705 | Rown         | O.         |
| G706 | Russell      | Eddie      |
| G707 | Ruxton       | Noel       |
| G708 | Ryan         | Margaret   |
| G709 | Ryan         | Celine     |
| G710 | Ryan         | Jany       |
| G711 | Ryan         | Larry      |
| G712 | Ryan         | Aoife      |
| G713 | Ryan         | Aoife      |
| G714 | Ryan         | Andrew     |
| G715 | S            | Niamh      |
| G716 | Shannon      | Lauren     |
| G717 | Sheane       | Pat        |
| G718 | Sheane       | Mary Tighe |
| G719 | Sheridan     | Mary       |
| G720 | Short        | Patrick    |
| G721 | Short        | John       |
| G722 | Sillery      | Claire     |
| G723 | Sillery      | Pat        |
| G724 | Sillery      | Pat        |
| G725 | Sliare       | Debbie     |
| G726 | Smith        | Sylvia     |
| G727 | Smith        | Colm       |
| G728 | Smith        | Brid       |
| G729 | Smith        | Paul       |
| G730 | Smith        | Paul       |
| G731 | Smith        | David      |
| G732 | Smith        | Emma       |
| G733 | Smith        | Abi        |
| G734 | Smullen      | Susan      |
| G735 | Smullen      | Pam        |
| G736 | Snell        | Mary       |
| G737 | Snell        | Kathleen   |
| G738 | Stapleton    | Joanne     |
| G739 | Stevens      | Gary       |
| G740 | Stubblefield | Adam       |
| G741 | Suill        | Sean       |
| G742 | Swan         | Shauna     |
| G743 | Swan         | Elizabeth  |
| G744 | Swan         | Patrick    |
| G745 | Swan         | Rita       |
| G746 | Swan         | Simeon     |

|      |            |            |
|------|------------|------------|
| G747 | Swan-Doyle | Christina  |
| G748 | Swan-Doyle | Christina  |
| G749 | Swindells  | Robert     |
| G750 | Synnott    | Dylan      |
| G751 | Synnott    | Siobhan    |
| G752 | Synnott    | Amber      |
| G753 | Synnott    | Andrew     |
| G754 | Taube      | Rebecca    |
| G755 | Taylor     | Sarah      |
| G756 | Teji       | B          |
| G757 | Thompson   | Sharon     |
| G758 | Thompson   | Anthony    |
| G759 | Thompson   | Laura      |
| G760 | Topping    | D          |
| G761 | Traynor    | Bally      |
| G762 | Treanear   | Paddy      |
| G763 | Treanor    | Tara       |
| G764 | Urkas      | Bernadette |
| G765 | Vale       | Clive      |
| G766 | Vickers    | Avril      |
| G767 | Vickers    | Tom        |
| G768 | Vickers    | Maeve      |
| G769 | Vickers    | Jennifer   |
| G770 | Vickers    | Catherine  |
| G771 | Wacke      | Clare      |
| G772 | Walby      | Monica     |
| G773 | Walker     | Anthony    |
| G774 | Walker     | Noleen     |
| G775 | Wall       | Trisha     |
| G776 | Walsh      | Aoife      |
| G777 | Watson     | Rob        |
| G778 | Watson     | Lisa       |
| G779 | Webster    | Bill       |
| G780 | Wells      | Jamie      |
| G781 | Whelan     | Georgia    |
| G782 | Whelan     | Eoghan     |
| G783 | Whelan     | Noirin     |
| G784 | White      | Dave       |
| G785 | White      | Jackie     |
| G786 | White      | Dymphna    |
| G787 | White      | Ciara      |
| G788 | White      | Billy      |
| G789 | White      | Mark       |
| G790 | White      | Sue        |

|      |        |           |
|------|--------|-----------|
| G791 | White  | Sophia    |
| G792 | Wright | Josephine |
| G793 | Wrobel | Tomas     |
| G794 | Wyatt  | Carmel    |
| G795 | Wynne  | Geraldine |
| G796 | Wynne  | Joanne    |
| G797 | Yeates | Elizabeth |

**GROUP H      PROW Section 14 Submissions**

| <b>Submission Number</b> | <b>Name</b>                             |
|--------------------------|---|
| F01                      | Blackditch Ltd.                         |
| FO2                      | C.I.E. Solicitors Office                |
| FO3                      | Roche Richard S. Roche                  |
| F04                      | Shanahan Liam                           |
| F05                      | Representatives of the late Claire Duff |
| F06                      | Duff Marion                             |
| F07                      | O'Brien Fenton and Michelle             |
| F08                      | Davies Jane Christine                   |

# 1 Responses to Submissions on the Strategic Environmental Assessment Environmental Report and Updates Arising

## 1.1 Response to Submission from Environmental Protection Agency

| Ref | Submission Section  | Response  | Updates to SEA ER and AA NIR arising, if any |
|-----|---|---|--|
| A   | <p>The Environmental Protection Agency (EPA) acknowledges your notice, dated 27th November 2015 regarding the preparation of the Draft Wicklow County Development Plan (the Plan) and associated SEA Environmental Report (the SEA ER).</p> <p>We welcome the incorporation of many of the issues made in our SEA Scoping submission, dated the 11th December 2014, have been incorporated into the Plan and the SEA ER. A number of key additional aspects to be considered are outlined below and should also be taken into account in finalising the plan.</p> <p><b>Specific Comments on the Draft Plan to be considered</b></p> <p>We acknowledge the commitment, in <i>Chapter 2 Vision and Core Strategy</i>, to prepare local area plans (LAPs) for eight settlements within the County. These LAPs should be prepared taking into account the requirements of the SEA, Floods, Water Framework and Habitats Directives. Flood risk assessments should also be carried out for the LAPs to guide/inform the appropriate zoning and development of lands in accordance with the requirements of the <i>Flood Risk Management Guidelines</i> (DEHLG, 2009). Where existing zoned undeveloped lands are identified as being at risk of significant flood risk (Flood Zone A or B), the LAPs should consider re-zoning or de-zoning to more appropriate land uses as appropriate.</p> | Noted.  | None.  |
| B   | <p>The Settlement Maps accompanying the Plan should also take into account the findings of the flood risk assessment(s). Superimposing existing (and proposed additional) land use zoning within the settlement, with flood risk maps may highlight potential zoning conflicts to be addressed. The Plan should ensure that only appropriate land uses are considered in areas of significant flood risk, in accordance with the <i>Flood Risk Management Guidelines</i>, as relevant and appropriate.</p>  | This addressed in main body of report (see Section 3.1.7) | None.  |

| Ref | Submission Section  | Response  | Updates to SEA ER and AA NIR arising, if any |
|-----|---|---|--|
|     | We acknowledge the intention that in the current ' <i>Level 5 settlements</i> ', surplus zoned housing lands will be either re-zoned or reserved as a ' <i>Strategic Land Bank</i> ' for future development. The flood risk assessment(s) could assist in identifying potential surplus zoned lands for removal, where relevant.  |   |  |
| C   | We welcome the commitment in <i>Section 2.2 Strategic Policy Context</i> to accommodate higher density developments in areas that are well served by rail. This will assist in encouraging and facilitating increased public transport use. We also note that <i>Section 2.4.2 Population</i> describes that settlement growth will be carried out in collaboration with Transport Infrastructure Ireland, in the context of ensuring sustainable modes of travel and public transport usage are promoted / encouraged. | Noted.  | None.  |
| D   | We note that Appropriate Assessment Screening will be required for all projects and plans arising from the Plan, under Article 6 of the Habitats Directive, in <i>Objective NH4</i> where relevant and appropriate. A similar commitment to take into account the requirements of the Environmental Impact Assessment, Water Framework and Floods Directives respectively, as appropriate and relevant should also be considered.   | The Plan provides for the taking into account of the Environmental Impact Assessment, Water Framework and Floods Directives including, for example, at Draft Plan Objective NH3 <sup>1</sup> .  | None.  |
| E   | In <i>Subsection 9.2.2 Water Supply and Demand</i> and <i>Subsection 9.2.3 Waste Water</i> , we acknowledge the commitment to collaborate with Irish Water to ensure the provision of appropriate potable water and an adequate wastewater collection and treatment infrastructure.   | Noted.  | None.  |
| F   | In <i>subsection 9.5 Climate and Energy</i> , the Plan should include a reference to the National Mitigation Plan (DECLG), which is currently being prepared. This national plan seeks to reduce greenhouse gas emissions across a range of sectors (transport, energy, agriculture etc.) in collaboration with other Government Departments including DTTAS, DAFM and DCENR.   | The Draft Plan is accompanied by a Climate Change Audit that sets out the County Development Plan's land use framework approach to mitigation and adaptation to climate change. The Audit concludes that: the Draft Plan, as a land-use plan addresses the challenges of mitigation and adaptation to climate change from a land-use perspective; and that measures have been integrated into | None.  |

<sup>1</sup> **NH3** To contribute, as appropriate, towards the protection of designated ecological sites including candidate Special Areas of Conservation (cSACs) and Special Protection Areas (SPAs); Wildlife Sites (including proposed Natural Heritage Areas); Salmonid Waters; Flora Protection Order sites; Wildfowl Sanctuaries (see S.I. 192 of 1979); Freshwater Pearl Mussel catchments; and Tree Preservation Orders (TPOs). To contribute towards compliance with relevant EU Environmental Directives and applicable National Legislation, Policies, Plans and Guidelines, including the following and any updated/superseding documents:

- EU Directives, including the Habitats Directive (92/43/EEC, as amended)<sup>1</sup>, the Birds Directive (2009/147/EC)<sup>1</sup>, the Environmental Liability Directive (2004/35/EC)<sup>1</sup>, the Environmental Impact Assessment Directive (85/337/EEC, as amended), the Water Framework Directive (2000/60/EC) and the Strategic Environmental Assessment Directive (2001/42/EC).
- National legislation, including the Wildlife Act 1976<sup>1</sup>, the European Communities (Environmental Impact Assessment) Regulations 1989 (SI No. 349 of 1989) (as amended), the Wildlife (Amendment) Act 2000, the European Union (Water Policy) Regulations 2003 (as amended), the Planning and Development Act 2000 (as amended), the European Communities (Birds and Natural Habitats) Regulations 2011 (SI No. 477 of 2011) and the European Communities (Environmental Liability) Regulations 2008<sup>1</sup>.
- National policy guidelines (including any clarifying Circulars or superseding versions of same), including the Landscape and Landscape Assessment Draft Guidelines 2000, the Environmental Impact Assessment Sub-Threshold Development Guidelines 2003, Strategic Environmental Assessment Guidelines 2004 and the Appropriate Assessment Guidance 2010.
- Catchment and water resource management Plans, including Eastern and South Eastern River Basin Management Plan 2009-2015 (including any superseding versions of same).
- Biodiversity Plans and guidelines, including Actions for Biodiversity 2011-2016: Ireland's 2<sup>nd</sup> National Biodiversity Plan (including any superseding version of same).
- Ireland's Environment 2014 (EPA, 2014, including any superseding versions of same), and to make provision where appropriate to address the report's goals and challenges.

| Ref      | Submission Section   | Response   | Updates to SEA ER and AA NIR arising, if any |
|----------|--|--|--|
|          |  | <p>the Plan to address climate change mitigation and adaptation.</p> <p>This part of the Draft Plan includes references to the National Mitigation Plan.</p>   |  |
| <b>G</b> | <p><b>Specific Comments on the SEA Environmental Report</b></p> <p>The SEA ER (<i>in Section 4.6.3.2 WFD Surface Status</i>) describes that certain rivers to the west of the County (including the Douglas River, the Derry River and the Shillelagh River), are currently classified as being of 'Poor' status under the Water Framework Directive (WFD) and the Avoca River is classified as being 'Bad'. The Plan should protect and improve water quality within the Plan area, in accordance with the requirements of the WFD.</p>   | The Draft Plan provides for various provisions relating to the protection and improvement of water quality including, for example, at Draft Plan Objectives NH19 <sup>2</sup> and WI2 <sup>3</sup> .   | None.  |
| <b>H</b> | <p><i>Section 4.8.1.2 Waste Water Infrastructure</i> and <i>Section 4.8.1.3 Drinking Water</i>) of the SEA ER describes the specific issues with a number of public waste water treatment plants and drinking water plants in the County. These are also highlighted in the EPA reports on <i>Urban Waste Water Treatment in 2014</i> (EPA, 2015) and <i>Drinking Water Report for 2013</i>, (EPA, 2015). The Plan should ensure population and economic growth (and associated development) are linked to the ability to provide adequate and appropriate critical service infrastructure to support current and future growth, in collaboration with other key stakeholders. Issues with drinking water and wastewater treatment facilities should be addressed on a priority basis in association with Irish Water.</p> | It is suggested that the Plan should ensure population and economic growth (and associated development) are linked to the ability to provide adequate and appropriate critical service infrastructure to support current and future growth, in collaboration with other key stakeholders. However, it is not the availability of infrastructure that dictates the shape of the Core Strategy – it is the NSS and the Regional Planning Guidelines for the Greater Dublin Area and where locations are identified for growth, the service providers are required to deliver infrastructure. Wicklow County Council is working with Irish Water to ensure that its investment plan aligns with the Wicklow Core Strategy. As this issue is directed at water infrastructure, this is now the responsibility of Irish Water and it is its decision whether to allow a water or wastewater connection to any | None.  |

<sup>2</sup> **NH19** To facilitate the implementation of the *EU Water Framework Directive* and associated River Basin and Sub-Basin Management Plans and the *EU Groundwater Directive* to ensure the protection, improvement and sustainable use of all waters in the County, including rivers, lakes, ground water, coastal and estuarine waters, and to restrict development likely to lead to a deterioration in water quality.

<sup>3</sup> **WI2** To protect existing and potential water resources of the County, in accordance with the *EU Water Framework Directive*, the River Basin Management Plans, the Groundwater Protection Scheme and source protection plans for public water supplies.

| Ref | Submission Section  | Response   | Updates to SEA ER and AA NIR arising, if any   |
|-----|---|--|--|
|     |   | development, rather than Wicklow County Council and the County Development Plan's policies and objectives have no bearing on that decision making process. That said, Wicklow County Council does not grant permission for development where the necessary service infrastructure is not already in place or will not be available to service any development. Therefore, no amendment is recommended. |  |
| I   | We welcome the inclusion of the Green Infrastructure Strategy 2016 – 2022 (Appendix 8) of the Plan. This will provide a framework to guide future zoning and development in the County while protecting ecological corridors and linkages (and associated biodiversity) at a Plan level. This strategy should also be taken into account and inform the preparation of the proposed eight LAPs as appropriate.  | Noted.   | None.  |
| J   | We note the inclusion the coastal zone management objectives in <i>Chapter 11 – Coastal Zone Management</i> . The Plan should also consider future climate scenarios in terms of predicted higher sea levels and periods of increased frequency of storm conditions and associated flooding. The Plan should ensure the protection of ecological buffers/marshlands/estuaries, in order that the effects of coastal squeeze on protected species/designated habitats can be managed appropriately where possible. The role which estuaries and marshes play in terms of flood alleviation could also be highlighted.  | <p>This addressed in main body of report (see Section 3.1.7).</p> <p>The draft Plan contributes towards the protection and management of biodiversity and flora and fauna including those in the coastal zone. Examples of relevant Plan provisions include General Coastal Zone Management Objectives NH52, NH53 and NH57<sup>4</sup>.</p>  | <p>None.</p> <p>Recommended Amendment 86 to plan refers.</p>   |
| K   | <p>We note the inclusion of <i>Table 7.1 - Environmental objectives, indicators and targets</i>. To further strengthen Water objective W1, there is merit in amending it as follows: <i>"To maintain and approve where possible the quality and status of surface water, in accordance with the requirements of the Water Framework Directive"</i>. Including an additional indicator to monitoring trends in (WFD) water quality status would also be useful.</p> <p>This trend in water quality status should also be incorporated into the monitoring programme for the plan period. The EPA's WFD Application, available on EDEN (<a href="http://www.edenireland.ie">www.edenireland.ie</a>) may assist in monitoring the trend of water bodies.</p> | <p>The suggested wording can be added to Strategic Environmental Objective W1.</p> <p>Trends in water quality status can be added to the monitoring programme.</p>   | <p>To update Strategic Environmental Objective W1 as follows (new text in <b>bold</b>):</p> <ul style="list-style-type: none"> <li>- To maintain and improve, where possible, the quality and status of surface waters, <b>in accordance with the requirements of the Water Framework Directive</b>.</li> </ul> <p>To update Indicator W1i as follows:</p> |

<sup>4</sup> **NH52** To ensure that there is no removal of sand dunes, beach sands or gravels through application of the provisions of the Foreshore (Amendment) Act (1992), in close co-operation with the Department of Communications, Energy & Natural Resources and the Department of Environment, Community and Local Government. **NH53** To ensure that no reclamation of estuary land or coastal marshland occurs, which would damage coastal habitats. **NH57** To facilitate an Integrated Coastal Zone Management approach to ensure the conservation, management and protection of man-made and natural resources of the coastal zone.



| Ref      | Submission Section   | Response   | Updates to SEA ER and AA NIR arising, if any   |
|----------|--|--|--|
|          |  |  | <p>- W1i: Classification of – <b>and trends in</b></p> <p>– Overall Status (comprised of ecological and chemical status) under the European Communities Environmental Objectives (Surface Waters) Regulations 2009 (SI No. 272 of 2009).</p> <p>To add the following source to Table 10.1 from the SEA Environmental Report.</p> <p>- EPA WFD Application (www.edenireland.ie)</p> |
| <b>L</b> | <p><i>Additional Plans/Programme considerations</i></p> <p>The following additional Plans/Programmes should also be considered and integrated as appropriate into the Plan:</p> <ul style="list-style-type: none"> <li>- National Peatlands Strategy and associated Raised Bog SAC Management Plans and Raised Bog NHA Review (NPWS, 2015)</li> <li>- Draft Plan for Forestry and Freshwater Pearl Mussel in Ireland (DAFM, currently being prepared).</li> <li>- Draft National Bioenergy Plan (DCENR, currently under preparation).</li> <li>- National Landscape Strategy</li> <li>- Wicklow Mountains National Park Management Plan 2005-2009</li> </ul>   | This addressed in main body of report (see Section 3.1.7).   | None.  |
| <b>M</b> | <p><b>Future Amendments to the Draft Plan</b></p> <p>Where amendments to the Plan are proposed, these should be screened for likely significant effects in accordance with the criteria as set out in Schedule 2A of the SEA Regulations and should be subject to the same method of assessment applied in the “environmental assessment” of the Draft Plan.</p> <p><b>SEA Statement– “Information on the Decision”</b></p> <p>Following adoption of the Plan, an SEA Statement, should summarise the following:</p> <ul style="list-style-type: none"> <li>• How environmental considerations have been integrated into the Plan;</li> <li>• How the Environmental Report, submissions, observations and consultations have been taken into account during the preparation of the Plan;</li> <li>• The reasons for choosing the Plan adopted in the light of other reasonable alternatives dealt with; and,</li> <li>• The measures decided upon to monitor the significant environmental effects of implementation of the Plan.</li> </ul> <p>A copy of the SEA Statement with the above information should be sent to any environmental authority consulted during the SEA process.</p> | Noted. Future amendments will be screened for the need to undertake SEA and AA and an SEA Statement will be prepared and circulated. | None.  |

## SECTION 5

## 1.2 Response to Submission from Department of Arts, Heritage and the Gaeltacht

| Ref | Submission Section  | Response   | Updates to SEA ER and AA NIR arising, if any  |
|-----|---|--|---|
| A   | <p>Outlined below are the archaeological and nature conservation recommendations of the Department of Arts, Heritage and the Gaeltacht.</p> <p><b>Archaeological</b><br/>Within the area of Cultural Heritage (Mitigation Measures (9) of particular concern is the impact of large scale zoning in development plans on sub-surface archaeology. The Department would recommend that:</p> <p><b>Archaeological Impact Assessment</b> be prepared for proposed zoned areas in the Wicklow County Development Plan 2016-2022 at the very earliest stage in the process and that this impact assessment would include targeted geo-physical survey and archaeological testing in advance of this zoning.</p> <p><b>Archaeological Heritage Protection:</b> The Department would recommend that the <i>Wicklow County Council Development Plan</i> state as an objective <i>to protect the archaeological heritage of the county, above and below ground and water</i>.</p> <p><b>Archaeological Heritage Protection:</b> Wicklow's archaeological heritage is protected under the National Monuments Acts (1930-2004), Natural Cultural Institutions Act 1997 and the Planning Acts. The Department would recommend that the Development Plan state that the protection of the archaeological heritage of County Wicklow will be considered in the broader context of the European Convention on the Protection of the Archaeological Heritage (Valetta, 1992) ratified by Ireland in 1997 which relates to the setting and context of archaeological sites</p> | <p>It is not appropriate that all lands being considered for zoning undergo the type of detailed archeological testing that is being suggested and is a misinterpretation of the function of a County Development Plan, which is to set broad policies to reference development proposals against, nor is it a requirement under the Planning Act or associated Regulations, or any Ministerial guidelines.</p> <p>Through the plan crafting and Strategic Environmental Assessment process, areas of known archeological potential are flagged at a very early stage and where impacts are possible, mitigation measures are employed, which could in some instances involve the land not being designated for development. The plan provides the following objectives, which in combination with the normal procedure for assessment of applications for permission, will ensure that archeological impacts will be fully addressed:</p> <p>BH1 No development in the vicinity of a feature included in the Record of Monuments &amp; Places (RMP) will be permitted which seriously detracts from the setting of the feature or which is seriously injurious to its cultural or educational value.</p> <p>BH2 Any development that may, due to its size, location or nature, have implications for archaeological heritage (including both sites and areas of archaeological potential / significance as identified in Schedule 10.01 &amp; 10.02 and Maps 10.01 &amp; 10.02 of this plan) shall be subject to an archaeological assessment. When dealing with proposals for development that would impact upon archaeological sites and/or</p> | <p>SEA ER (p132) to take account of change wording to Draft Plan Built Heritage Strategy ("to safeguard archaeological sites, monuments, objects and their settings <b>above and below ground and water</b> listed in the Record of Monuments and Places (RMP), and any additional newly discovered archaeological remains").</p> |

| Ref      | Submission Section   | Response   | Updates to SEA ER and AA NIR arising, if any |
|----------|--|--|--|
|          |  | <p>features, there will be presumption in favour of the 'preservation in situ' of archaeological remains and settings, in accordance with Government policy. Where permission for such proposals is granted, the Planning Authority will require the developer to have the site works supervised by a competent archaeologist.</p> <p>BH3 To protect previously unknown archaeological sites and features, including underwater sites, where they are discovered during development works</p> <p>(b) The requested reference to protecting the archaeological heritage of the County, above and below ground and water can be integrated into the Built Heritage Strategy set out on p198 of the plan.</p> <p>(c) The European Convention on the Protection of the Archaeological Heritage is referenced in the draft plan, Section 10.2.1 (p199). It is not considered that reference to National Cultural Institutions Act 1997 is necessary as the provisions of this Act are not particularly pertinent to the crafting of the Heritage policies of the Plan</p> |  |
| <b>B</b> | <p><b>Nature Conservation</b></p> <p>Draft Plan</p> <p>This Department welcomes the comprehensive protection given to the Natural Heritage and notes the use of mitigatory policies to offset potential negative impacts.</p>  | Noted.   | None.  |
| <b>C</b> | <p>Potential impacts that could arise from the draft Plan include potential impacts from proposed amenity walkways and cycleways, more extensive use of the coastal strip, new river crossings over the River Slaney, additional potable water requirements and waste water treatment requirements arising from the proposed increase in population, upgrading the capacity of the railway, upgrading the N11/M11, developments relating to ports and marinas, and renewable energy such as hydroelectricity plants and wind turbines. Such impacts have been assessed in the SEA Environmental Report</p> | Noted.   | None.  |

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| Ref | Submission Section   | Response  | Updates to SEA ER and AA NIR arising, if any  |
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|     | (ER) and Natura impact report (NIR). This Department has some comments on these assessments as detailed below.   |   |   |
| D   | <p>This Department notes that Biodiversity objective NH11 is “Engage with the National Parks &amp; Wildlife Service to ensure Integrated Management Plans are prepared for all Natura 2000 sites (or parts thereof). This will facilitate the development of site specific Conservation Objectives in the context of the proper planning and sustainable development of the County”. This Department is currently working on the site specific conservation objectives (SSCOs) and is not currently preparing management plans. Furthermore the Local Authority should note that the site specific conservation objectives (SSCOs) are defined by a list of attributes and targets and accompanied by supporting documents. A reading of the attributes and targets and supporting documents will in fact give a good indication of the required management of the habitats and species that are a qualifying interest for a site.</p>   | Noted.  | <p>SEA ER (p136) to take account of the recommended change to wording of Draft Plan Objective NH11 (“<b>NH11 Engage with To support the DAHG and the National Parks &amp; Wildlife Service in the development of site specific conservation objectives (SSCOs) to ensure Integrated Management Plans are prepared for all Natura 2000 sites (or parts thereof). This will facilitate the development of site specific Conservation Objectives in the context of the proper planning and sustainable development of the County.</b>”).</p>   |
| E   | <p><b>SEA Environmental Report and NIR</b></p> <p>It is the view of this Department that the assessments have not adequately considered cumulative and ex-situ impacts with other plans and projects. These include for example;</p> <ol style="list-style-type: none"> <li>1. cumulative impacts as a result of increased water abstraction from groundwater and surface waters including the Derry river, as part of this plan and of other plans and projects within the same catchments/aquifers</li> <li>2. ex-situ impacts such as the proposed new water supply for the greater Dublin area from the River Shannon catchment,</li> <li>3. cumulative and ex-situ impacts on migrating geese from Wexford along the Slaney River from the proposed new bridges when considered in combination with other projects such as the proposed suspension bridge for the New Ross bypass,</li> <li>4. cumulative impacts from proposed amenity walkways and cycleways including along river ecological corridors and the coastal strip within the County and also Nationally where such routes form part of a National Network.</li> </ol> | <ol style="list-style-type: none"> <li>1. Water abstraction is considered by the NIR in various sections however additional text will be added to the NIR as detailed in the following column.</li> <li>2. Even though the water supply involving the River Shannon catchment is the emerging preferred option, no decision has been made to pursue a new water supply for the greater Dublin area from the River Shannon catchment. There is currently no development application for such a project.</li> <li>3. The NIR will be updated in order to specifically address this issue as detailed in the following column.</li> <li>4. Cycleways and walkways are considered by the NIR in various sections however additional text will be added to the NIR as detailed in the following column.</li> </ol> | <ol style="list-style-type: none"> <li>1. To add the following text to Section 3 of the NIR:<br/><br/> <p><b>Irish Water being the Water Services body for the State and County Wicklow, is responsible for providing and maintaining adequate public water supply infrastructure throughout the County. Private water supplies provide an alternative for areas that are not served by public water supply infrastructure and comprise mainly of wells for single dwellings and group water schemes for rural clusters and small settlements. Farms and commercial developments outside of settlements will usually also have their own private supplies. While the Local Authority has a limited role in the provision of such private supplies, for domestic supplies it does administer grants schemes where available and undertakes monitoring.</b></p> <p><b>Various provisions from the County Development Plan (including in Section 9.2 Water Infrastructure and Flooding) have been integrated into Plan committing the Council, in order to facilitate Irish Water in ensuring the provision of sufficient storage, supply and pressure of potable water to serve all lands zoned for development, including securing the delivery of regional and strategic water supply schemes and other smaller, localised water improvement schemes.</b></p> </li> </ol> |

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| Ref | Submission Section | Response | Updates to SEA ER and AA NIR arising, if any  |
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|     |                    |          | <p>Irish water has prepared a “Water Services Strategic Plan” and associated “Capital Investment Plan 2014-2016”, which have been subjected to their own environmental assessment processes as relevant and appropriate. In combination with the provisions in these higher-level documents, the County Development Plan will contribute towards sustainable development and the appropriate protection and management of the environment, including Natura 2000 sites.</p> <p>Nonetheless, individual surface or groundwater abstractions have the potential to result in adverse effects on environmental components including Natura 2000 sites. Potential adverse effects on Natura 2000 sites could occur as a result construction works (water abstraction, transportation or treatment) and new or intensified abstractions of water which could reduce the flow of waters that support surface or ground water dependent habitats and species. Where there are multiple abstractions, these have the potential to cumulatively contribute towards such adverse effects.</p> <p>Such potential effects include direct habitat loss (including loss of wetlands), habitat damage (e.g. damage to wetlands), reductions in water quality, disturbance to species including sensitive aquatic species.</p> <p>Potential adverse effects will be mitigated by the various provisions that have been integrated into Plan, including those detailed at Section 4 of this report. Projects will be subjected their own consent procedures with associated Appropriate Assessment requirements as relevant and appropriate.</p> <p>To also include Irish Water’s “Water Services Strategic Plan” and associated “Capital Investment Plan 2014-2016” on Table 2.8 as plans and programmes with the potential to cause in-combination effects with the Draft CDP.</p> <p>2. None.</p> <p>3. To update the NIR as follows:</p> <p>To update number of European Sites considered from 29 to 30 and SPAs considered from 6 to 7.</p> |

## SECTION 5

| Ref | Submission Section | Response | Updates to SEA ER and AA NIR arising, if any  |
|-----|--------------------|----------|---|
|     |                    |          | <p>To update the title of Table 2.4 as follows: European Sites within 15 km <b>(or beyond that are ecologically connected)</b> of the <del>Boundary of County Wicklow</del> and their qualifying features.</p> <p>To add Wexford Harbour and Slobs SPA (Site Code: 004076) and the associated qualifying features to Table 2.4.</p> <p>To add Wexford Harbour and Slobs SPA to the sites potentially affected by the Baltinglass settlement Plan on Table 2.5.</p> <p>To add the following text to Section 2.3.3.4: <b>The provision for the development of a pedestrian foot bridge and road bridge over the River Slaney as part of the Baltinglass Town Plan could also present a collision risk to bird species, noting that the river is used as a migratory route for wildfowl associated with the Wexford Harbour and Slobs SPA.</b></p> <p>To add Wexford Harbour and Slobs SPA to Table 2.7 and to identify the following potential impacts that could arise because of implementing the Draft Plan: <b>Wildfowl such as Greenland White Fronted Geese use the River Slaney Valley as a migration route to and from the site. The development of bridges, or other structures, over the River Slaney could present a collision risk to such bird species.</b></p> <p>To add the Wexford Harbour and Slobs SPA to the list of sites on Table 3.1 brought to Stage 2 AA.</p> <p>To add the following text to Section 3.2.3 of the NIR: <b>The proposed crossings, depending on their detailed design, may also present a risk to migrating wildfowl from the Wexford Harbour and Slobs SPA. This risk would need to be considered at project level in the context of potential cumulative effects associated with other built structures along the migration route.</b></p> <p>To add the Wexford Harbour and Slobs to Section 3.2.3 and identify its SCIs potentially affected by the Plan.</p> <p>4. To add the following text to Section 3 of the NIR:</p> <p><b>Various provisions from the County Development Plan (including in Chapter 7 Tourism, Chapter 9 Infrastructure and Chapter 10</b></p> |

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| Ref | Submission Section | Response | Updates to SEA ER and AA NIR arising, if any  |
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|     |                    |          | <p>Heritage) have been integrated into Plan that provide for the improvement of cycleway and walkway facilities thereby promoting these forms of transport.</p> <p>An emphasis on walking and cycling as alternatives to vehicular transport is set out in higher level policy including the "Smarter Travel – A New Transport Policy for Ireland 2009-2020", the "National Cycle Policy Framework 2009-2020" and the "Greater Dublin Area Cycle Network Plan" which have been subjected to their own environmental assessment processes as relevant and appropriate. In combination with the provisions in these higher-level documents, the County Development Plan will contribute towards smarter travel and the appropriate protection and management of the environment, including Natura 2000 sites.</p> <p>By their nature, cycleways and walkways will contribute towards the cycle network and the walking network. The cycle and the walking network are part of the entire transport network including road, rail and air transport infrastructure and services.</p> <p>By being part of these larger networks, individual walkway and cycleway projects have the potential to cumulatively contribute towards a variety of environmental effects, including contributions towards sustainable mobility and reduced emissions to air as well as various potentially adverse effects on environmental components including Natura 2000 sites. Such potential effects on Natura 2000 sites could occur directly through construction of walkways or cycleways within or in proximity to a designated site or indirectly by providing new or improved access to sites that are potentially sensitive to disturbance and visitor pressures.</p> <p>Such potential effects are most likely to arise along sensitive river corridors or along the coastal strip<sup>5</sup> and include direct habitat loss (including loss of wetlands), habitat fragmentation, habitat damage (e.g. visitor pressure such as trampling, damage to wetlands), reductions in water quality, disturbance to species including birds and effects arising from the introduction of</p> |

<sup>5</sup> Including at the following sites: River Barrow and River Nore SAC, Slaney River Valley SA, Bray Head SAC, Buckronev – Brittas Dunes and Fen SAC, Magherabeg Dunes SAC, The Murrrough Wetlands SAC, Poulaphouca Reservoir SPA, The Murrrough SPA, Wicklow Head SPA, Wicklow Mountains SPA and Wexford Harbour and Slobs SPA

| Ref      | Submission Section  | Response   | Updates to SEA ER and AA NIR arising, if any  |
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|          |   |  | <p>invasive species.</p> <p><b>Potential adverse effects will be mitigated by the various provisions that have been integrated into Plan, including those detailed at Section 4 of this report. Projects will be subjected their own consent procedures with associated Appropriate Assessment requirements as relevant and appropriate.</b></p> <p>To also include the following documents on Table 2.8 as plans and programmes with the potential to cause in-combination effects with the Draft CDP: the "Smarter Travel – A New Transport Policy for Ireland 2009-2020"; the "National Cycle Policy Framework 2009-2020"; and the "Greater Dublin Area Cycle Network Plan".</p> |
| <b>F</b> | <p>The assessments appear to have looked at a 15 km buffer around the Plan area without adequate consideration of source and receptor linkages, or river catchments, or groundwater aquifers which may extend outside this buffer. For example, because migrating geese can fly along the River Slaney, Natura 2000 sites further afield such as the Wexford Harbour and Sloba Special Protection Area (SPA) (site code 004076) designated under the EC Birds Directive (Directive 2009/147 EC), need to be considered in the NIS.</p> <p>Also the proposal for a new Greater Dublin water supply will involve the river Shannon catchment.</p> <p>The assessments have considered this to be a high level plan and therefore have not adequately considered the projects arising from it. While it may be hard to assess such projects at this stage, this Department would have expected at least some discussion of the issues involved which could inform project constraints at a later stage, thus avoiding development expectations that may be damaging to the environment.</p> | <p>As outlined in section 2.2.1 of the NIR, sites beyond 15km were considered in the AA. The NIR is being updated to take provide consideration of potential effects on the Wexford Harbour and Sloba SPA (see updates in response to point E above).</p> <p>With regard to water supply for the Greater Dublin area, even though the water supply involving the River Shannon catchment is the emerging preferred option, no decision has been made to pursue a new water supply for the greater Dublin area from the River Shannon catchment. There is currently no development application for such a project.</p> <p>The AA examines Plan provisions not development expectations. The AA identifies issues that may arise due to developments provided for by the Plan and mitigation has been included to ensure that project level AA sufficiently addresses these concerns when further project details are known. No further updates to the NIR are considered necessary.</p> | <p>Include assessment of potential effects on Wexford Harbour and Sloba SPA in the NIR.</p>   |
| <b>G</b> | With regard to sites with no site specific conservation objectives it is  | For those sites where no site-specific   | None.   |

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| Ref | Submission Section  | Response   | Updates to SEA ER and AA NIR arising, if any   |
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|     | recommended that when carrying out an appropriate assessment that the Local Authority look at the detailed conservation objectives for other sites which have the same qualifying interests. For example if a site without detailed conservation objectives has otters as a qualifying interest one could refer to the River Barrow and River Nore SAC detailed conservation objectives to see how otters are treated.  | conservation objectives (SSCOs) are available, the DAHG has provided generic Conservation Objectives for designated European sites. Where no SSCOs are available, the AA considers such objectives as well as the detailed conservation objectives for other sites that have the same qualifying interests.  |  |
| H   | Table 2.5 of the NIR identifies sites potentially affected but does not explain how. This is explained in somewhat general terms in section 2.3.3. of the NIR and table 4.1 making it hard to know if all potential impacts have been considered.   | <p>Tables 2.5 and 2.6 identify the elements of the individual town and settlement plans that could potentially give rise to impacts and the sites that are likely to be affected. The sites have been selected based on the nature of the Plan provisions, their location in relation to the settlements and their qualifying interests.</p> <p>Table 2.7 screens potential impacts due to the entire Plan (including the various elements of the settlement plans) on each individual European site.</p> <p>Table 4.1 and Table 4.2 provide further assessment of potential impacts associated with Plan elements and summarise the mitigation incorporated into the Plan in order to address identified impacts.</p> | <p>To insert the following text to the NIR, before Table 2.5 in Section 2.3.3:</p> <p><b>Tables 2.5 and 2.6 identify the elements of the individual town and settlement plans that could potentially give rise to impacts and the sites that are likely to be affected. The sites have been selected based on the nature of the Plan provisions, their location in relation to the settlements and their qualifying interests.</b></p> <p><b>Table 2.7 screens potential impacts due to the entire Plan (including the various elements of the settlement plans) on each individual European site.</b></p> <p><b>Table 4.1 and Table 4.2 provide further assessment of potential impacts associated with Plan elements and summarise the mitigation incorporated into the Plan in order to address identified impacts.</b></p> |
| I   | There appears to be some confusion in the SEA ER between Nationally protected species and species and habitats listed on the annexes of the Birds and Habitats Directives, referred to as annexed species and annexed habitats in the SEA. For example, SEO B1 deals with Natura 2000 sites and annexed habitats and species but the target is to maintain favourable conservation status for all species protected under National and International legislation. It should be noted that the Birds and Habitats Directives are European Directives and that more species are protected under National legislation than under these Directives. | Strategic Environmental Objective B1 and Indicator B1 encompass Natura 2000 sites and habitats and species included within the Annexes of the Birds and Habitats Directives. Target B1 encompasses all habitats and species protected under National and International legislation and can be updated to make it fully consistent with Strategic Environmental Objective B1 and Indicator B1.  | <p>To update Target B1 (included on Tables 5.1 and 10.1) as follows:</p> <p>B1: Maintenance of favourable conservation status for all habitats and species <b>included within the Annexes of the Birds and Habitats Directives</b><sup>6</sup> listed protected under National and International legislation to be unaffected by implementation of the Plan</p>  |
| J   | It is unclear what is meant in SEO B3 by wildlife sites and listed species. Please refer to the previous advice given by this Department  | A definition of Wildlife Sites is provided in the Planning and Development Act 2010. Listed  | To update SEO B3 (included on Tables 5.1 and 10.1) as follows:   |

<sup>6</sup> Including: Habitats Directive Annex I habitats, Annex II species and their habitats and Annex IV species and their breeding sites and resting places (wherever they occur); and Birds Directive Annex I species and other regularly occurring migratory species, and their habitats (wherever they occur).

| Ref      | Submission Section  | Response   | Updates to SEA ER and AA NIR arising, if any  |
|----------|---|--|---|
|          | at SEA scoping stage for Biodiversity, Flora and Fauna SEOs, our ref FP2014/123. It is important to be aware that species protected under the Wildlife Acts of 1976-2012 can occur anywhere in the country and not just in designated sites.  | species in this context comprises the species listed in the Wildlife Acts 1976-2010. SEO B3 can be updated to clarify this.  | B3: To avoid significant impacts on relevant habitats, species, environmental features or other sustaining resources in designated sites including Wildlife Sites <sup>7</sup> and to ensure compliance with the Wildlife Acts 1976-2010 with regard to the protection of <del>listed</del> species <b>listed within these Acts</b> |
| <b>K</b> | Residual impacts identified in table 8.5 of the SEA ER mention losses or damage to ecology and loss of an extent of non-protected habitats and species arising from the replacement of semi-natural land cover with artificial surfaces. The Local Authority should note that any replacement of semi-natural land cover with artificial surfaces will result in a loss of species, most likely including protected species, as all wild birds are protected. | To identify at Table 8.5 that various provisions which have been integrated into the Plan will contribute towards the protection and management of habitats and species including birds. | To update the cited residual effect at Table 8.5 as follows: <ul style="list-style-type: none"> <li>• Loss of an extent of non-protected habitats and species arising from the replacement of semi-natural land covers with artificial surfaces<sup>8</sup></li> </ul>  |

<sup>7</sup> The Planning and Development Act 2010 defines a 'wildlife site' as: (a) an area proposed as a natural heritage area and the subject of a notice made under section 16(1) of the Wildlife (Amendment) Act 2000, (b) an area designated as or proposed to be designated as a natural heritage area by a natural heritage area order made under section 18 of the Wildlife (Amendment) Act 2000, (c) a nature reserve established or proposed to be established under an establishment order made under section 15 (amended by section 26 of the Wildlife (Amendment) Act 2000) of the Wildlife Act 1976, (d) a nature reserve recognised or proposed to be recognised under a recognition 5 order made under section 16 (amended by section 27 of the Wildlife (Amendment) Act 2000) of the Wildlife Act 1976, or (e) a refuge for fauna or flora designated 10 or proposed to be designated under a designation order made under section 17 (amended by section 28 of the Wildlife (Amendment) Act 2000) of the Wildlife Act 1976.

<sup>8</sup> It is noted that various provisions have been integrated into the Plan will contribute towards the protection and management of habitats and species including birds (please refer to Section 9).