

Wicklow County Development Plan 2016 – 2022

CHIEF EXECUTIVE'S REPORT
ON THE SUBMISSIONS TO THE
PROPOSED AMENDMENTS
OF THE DRAFT COUNTY DEVELOPMENT PLAN



Wicklow County Council
Forward Planning
September 2016

CHIEF EXECUTIVE'S REPORT
TO THE MEMBERS OF WICKLOW COUNTY COUNCIL
UNDER SECTION 12(8) OF THE PLANNING & DEVELOPMENT ACT 2000 (AS AMENDED)

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SECTION 1 INTRODUCTION

1.1 Statutory Background to the Chief Executive's Report

This Chief Executive's (CE) Report forms part of the statutory procedure for the preparation of a County Development Plan. As required by Section 12(8) of the Planning & Development Act 2000 (as amended) the Chief Executive shall prepare a report on any submissions or observations received under that subsection and submit the report to the members of the authority for their consideration. The report shall:

- (i) List the persons or bodies who made submissions or observations under this section i.e. during the public consultation period for the Proposed Amendments to Draft County Development Plan 2016-2022 and the addendum reports to the Environmental Report, the Natura Impact report and the Strategic Flood Risk Assessment,
- (ii) Summarise the issues raised by the persons or bodies in the submissions,
- (iii) Give the response of the Chief Executive to the issues raised, taking account of any directions of the members of the authority or the committee under *section 11(4)*, 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 in the area and any relevant policies or objectives of the Government or of any Minister of the Government.

It should be noted that only the Proposed Amendments (as published) are currently open for consideration. Where submissions raise matters not related to any of the Proposed Amendments, they are considered invalid. The invalid submissions have been identified and summarised in this report but the CE has not provided any assessment or recommendation arising on foot of the invalid issues raised.

The members should be advised that an important submission has been received from the Minister for Housing, Planning, Community and Local Government. A copy of this submission is in Appendix B and the CE's assessment of this submission is set out on pages 42-43, 58-59, 63 & 102 of this report.

This report is submitted to the Members of Wicklow County Council for their consideration as part of the process for the preparation of the County Development Plan 2016-2022 and the associated Environmental Assessment reports.

Members have a period of up to **6 weeks** from the date of receipt to consider the Chief Executive's Report. Following consideration of the Proposed Amendments and the Chief Executive's Report, the Members shall, by resolution, having considered the Chief Executive's report, make the plan with or without the proposed amendment that would, if made, be a material alteration, except that where they decide to accept the amendment they may do so subject to any modifications to the amendments as they consider appropriate, which may include the making of a further modification to the alteration subject to the following criteria:

- (i) A further modification may be made where it is minor in nature and therefore not likely to have significant effects on the environment or adversely affect the integrity of a European site;
- (ii) A further modification shall not be made where it relates to
 - an increase in the area of land zoned for any purpose, or
 - an addition to or deletion from the record of protected structures.

In making the development plan the members shall be restricted to the following:

- considering the proper planning and sustainable development of the area to which the plan relates,
- the statutory obligations of any local authority in the area and
- any relevant policies or objectives for the time being of the Government or any Minister of the Government.

This report is therefore to be considered by the County Council on or before the scheduled meeting on Monday 7th November 2016.

1.2 Contents and format of this Report

This report is laid out in 3 sections for ease of legibility and reference as follows:

- Section 1** Introduction to the report including guidance for the Elected Representatives in considering the report.
- Section 2** Summary of the Chief Executive's recommendations
- Section 3** Summary of submissions on the proposed amendments, CE's Assessment and Recommendations
- Appendix A** List of persons or bodies who made submissions
- Appendix B** A copy of the submission from the Minister for Housing, Planning, Community and Local Government
- Appendix C** Report on Strategic Environmental Assessment & Appropriate Assessment issues raised in submissions.

Rather than dealing with each submission individually, the submissions are grouped according to the Proposed Amendments to which they relate. The proposed amendments are presented in the order that they appear in the plan document. Where no submissions have been received on a particular amendment, this will be indicated. Regardless of whether submissions are received on any particular amendment, the Chief Executive will offer his opinion on the amendment and his recommendation.

Where the Chief Executive is proposing modifications to a proposed amendment, such modifications will be shown with new text in **purple** and deleted text in **strikethrough**. The original amendments proposed will continue to be shown in **red** and **blue-strikethrough**.

1.3 Strategic Environmental Assessment (SEA) & Appropriate Assessment (AA)

Strategic Environmental Assessment (SEA)

Strategic Environmental Assessment is the formal, systematic evaluation of the likely significant environmental effects of implementing a plan or programme before a decision is made to adopt the plan or programme. The process includes:

- Preparing an Environmental Report where the likely significant environmental effects are identified and evaluated;

- Consulting the public, environmental authorities and any EU Member State affected, on the environmental report and draft plan or programme;
- Taking account of the findings of the report and the outcome of these consultations in deciding whether to adopt or modify the draft plan or programme;
- Making known the decision on adoption of the plan or programme and how SEA influenced the outcome.

A SEA Environmental Report accompanied the Draft County Development Plan 2016-2022 in accordance with the SEA Directive (2000/42/EC) and the Planning & Development (SEA) Regulations 2004. In accordance with the same provisions, the Proposed Amendments to the Draft County Development Plan have been evaluated in the manner set out in the Regulations and the finding of that analysis was published with the Proposed Amendments.

This analysis has determined that a number of the Proposed Amendments would, if not mitigated, conflict with the protection of the environment.

It is incumbent on the elected members to take account of these finding and to have regard to same in their decision whether to adopt or modify the plan / proposed amendments. In all cases, it will be necessary for a full record to be made of any decision made and how the environmental consideration were taken account of in the decision making process.

Appropriate Assessment (AA)

Article 6(3) of the Habitats Directive 1992 requires that any plan or project that is not directly connected with or necessary to the management of a Natura 2000 site but is likely to have a significant effect on it, on its own or in combination with other plans and projects, is to be authorised only if it will not adversely affect the integrity of any site.

Screening for AA and, if screening indicates the need, AA itself, must be carried out and the assessment and conclusions recorded to ensure that existing and future plans or projects are not authorised if they are likely to adversely affect the integrity of a site. These safeguards are designed to ensure the conservation of Natura 2000 sites.

The requirements of the Habitats Directive in respect of plans and projects are similar in many respects to Environmental Impact Assessment (EIA) of projects, and Strategic Environmental Assessment (SEA) of plans and programmes. However, the focus of AA is targeted specifically on Natura 2000 sites and their conservation objectives. Article 6(3) and 6(4) of the Habitats Directive place strict legal obligations on Member States, with the outcomes of AA fundamentally affecting the decisions that may lawfully be made.

It is a basic responsibility of all agencies of the state, including planning authorities, to act diligently to ensure that their decisions in the exercise of their functions, as well as their actions, comply fully with the obligations of the Habitats Directive.

An Appropriate Assessment- Natura Impact Report accompanied the Draft County Development Plan 2016-2022 which carried out a Stage 2 Appropriate Assessment of the draft plan. **The Proposed Amendments to the draft plan have also been evaluated in this manner and it has been determined that subject to appropriate mitigation through the implementation of the policies and objectives of the plan, no significant adverse effects on Natura 2000 sites are likely.**

1.4 Public Consultation

The Proposed Amendments to the Draft County Development Plan 2016-2022 and addendums to the environmental reports were put on public display on 25th July 2016. Written submissions and/or observations were invited for a 4 and half week period ending Friday 26th August 2016 (5pm). During this period a total of **643** submissions were received.

In accordance with the legislative requirements and best practice, notice of the consultation on the proposed amendments to 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 Public Participation Network.

The Proposed Amendments to the Draft Plan and associated documents were on display at the following locations:

- The Council's website
- Wicklow County Council, County Buildings, Wicklow Town
- Greystones Municipal District Office
- Baltinglass Municipal District Office (Blessington)
- Arklow Municipal District Office
- Bray Municipal District Office
- All branches of Wicklow libraries.

Electronic and hard copies of the Proposed Amendments to the Draft Plan were available to download or to purchase at the Planning Counter, County Buildings, Wicklow Town or could be requested by phone / email.

During the public consultation period, **643** submissions (and **118** signatures) were received. These were collated into groups, according to the issues raised or the characteristics of the submitters. The groups are as follows:

Group A	Prescribed Bodies (8 submissions)
Group B	Elected representatives (8 submissions)
Group C	General mixed topic submissions (32 submissions, including one with 9 signatures)
Group D	Proposed Amendment No. 21, Objective RT17 – (160 submissions)
Group E	Proposed Amendment No. 56, 'The Rocks' – (432 submissions, including one with 109 signatures)
Group F	Public Rights Of Way (3 submissions)

Note: A number of the submissions received did not relate wholly or in part to any of the proposed amendments.

1.5 Guidance for Elected Representatives

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 Proposed Amendments 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.

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) and the Habitats Directive (92/43/EEC).

Strategic Environmental Assessment (SEA)

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). 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 County Development Plan. The Elected Members must take account of the Environmental Report before the adoption of the Plan. When the Plan is adopted a 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 Proposed Amendments to the draft County Development Plan are described in the SEA Environmental Report Addendum prepared and circulated to all members with the Proposed Amendments (and placed on public display for public observations). The elected members are required to consider this Report along with the Proposed Amendments, (and the submissions of the Minister, prescribed bodies and the public and the recommendations of the Chief Executive), in making a decision as to whether to adopt any Proposed Amendment. If the members resolve to make a further modification to a proposed amendment, it may only be made where it is minor in nature and therefore not likely to have significant effects on the environment.

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 (AA)

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 any 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 full AA was required for the draft plan. A Stage 2 AA was carried out, through which potential effects were identified and into which an array of mitigating provisions were integrated in order to ensure the protection of the Natura 2000 network of European Sites. The Proposed Amendments also underwent the AA screening procedure with the assessment and outcome presented in the addendum to the AA, publish and put on display along with the Proposed Amendments to the Draft Plan. This report determined that no effects on European Sites are likely from the proposed 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 (SFRA)

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 of the proposed amendments that related to the zoning of land (whether proposed by the CE or the elected members) have been assessed for flood risk. This assessment is contained in the Addendum to the SFRA (published with the Proposed Amendments document). 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 resolved to make amendments to the draft plan, such amendments have been 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.

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 planning guidelines 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 functions"*.

The Act as required under section 10(1) states that *"A development plan shall set out an overall strategy for the proper planning and sustainable development of the area of the development plan and shall consist of a written statement and a plan or plans indicating the development objectives for the area in question"*.

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 the draft plan.

Please note that the Regional Authority have not sent in a submission on the proposed amendments.

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
- Traffic Management Guidelines
- Smarter Travel
- Sustainable Urban Housing: Design Standards for New Apartments - Guidelines for Planning Authorities' (2015)
- EPA Code of Practice on Wastewater Treatment and Disposal Systems Serving Single Houses
- National Cycle Manual
- Design Manual for Roads and Bridges
- Traffic & Transport Assessment Guidelines

SECTION 2 SUMMARY OF CHIEF EXECUTIVE'S RECOMMENDATIONS

Amd No	Topic	CE's Recommendation
Chapter 2 Vision & Core Strategy		
1	Section 2.2, 'Strategic Policy Context', Amend text for National Transport Authority	Proceed with Amd No 1
2	Section 2.3 Vision and Goals, Amend point 3 and point 7	Proceed with Amd No 2
3	Section 2.4.4 'Housing' and Section 2.4.5 'Zoning' Amend/add text & tables	Proceed with Amd No 3
4	Section 2.4.6 'Transport', Amend/add text	Proceed with Amd No 4
5	Section 2.4.6, 'Public Transport', Amend/add text	Proceed with Amd No 5
6	Section 2.4.7, 'Economic Development', Amend table	Proceed with Amd No 6
Chapter 3 Settlement Strategy		
7	Section 3.2, 'Rural Clusters', Add text	Proceed with Amd No 7
Chapter 4 Housing		
8	Section 4.4, 'Housing Objectives', Add new objective	Proceed with Amd No 8
9	Section 4.4, 'Housing Objectives', Amend HD13	Proceed with Amd No 9
10	Section 4.4, 'Housing Objectives', Amend HD21	Proceed with Amd No 10
11	Section 4.4, 'Housing Objectives - Special Zoning Newtownmountkennedy', Omit Objective HD24	Proceed with Amd No 11
12	Section 4.4: Housing Objectives, Add new objective	Proceed with Amd No 12
Chapter 5 Economic Development		
13	Section 5.4 'The role of land use planning in economic development', part (viii),pg.89 Amend/Add text	Proceed with Amd No 13
14	Section 5.5 'Objectives for Economic Development', Amend Objective EMP7	Proceed with Amd No 14
15	Section 5.5 Amend Objective EMP12	<ul style="list-style-type: none"> - Proceed with deletion of Kilmurray North, Kilmurray South and Rathmore - To not proceed with proposed zoning of sites at Killadreenan and Timmore - Modify the zoning objective for Inchanappa South and Ballyhenry
16	Section 5.6, 'Objectives for Wicklow's Rural Economy', Amend/Add text	Proceed with Amd No 16
17	Section 5.6, 'Objectives for Wicklow's Rural Economy', Amend Strategic Objective	Proceed with Amd No 17
18	Section 5.6, 'Objectives for Wicklow's Rural Economy', Amend Objective EX3	Proceed with Amd No 18
Chapter 6 Centres & Retail		
19	Section 6.2, 'County Wicklow Retail Strategy', Regional Spatial and Economic Strategy	Proceed with Amd No 19
20	Section 6.3, 'Objectives for Centres and Retail', Amend Objective RT16	<u>Proceed & modify Amd No 20</u>
21	Section 6.3, 'Objectives for Centres and Retail', Amend Objective RT17	<u>Proceed & modify Amd No 21</u>
22	Section 6.3, 'Objectives for Centres and Retail', Amend Objective RT23	Proceed with Amd No 22
23	Section 6.3, 'Objectives for Centres and Retail', Amend Objective RT25	Proceed with Amd No 23
24	Section 6.3, 'Objectives for Centres and Retail', Amend Objective RT32	Proceed with Amd No 24
25	Section 6.3, 'Objectives for Centres and Retail', Amend Objective RT34	Proceed with Amd No 25
Chapter 7 Tourism & Recreation		
26	Section 7.1, 'Introduction', Add/Amend text	Proceed with Amd No 26
27	Section 7.2, 'Context', Add/Amend text	Proceed with Amd No 27
28	Section 7.3, 'Strategy for Tourism & Recreation', Add/Amend text	Proceed with Amd No 28
29	Section 7.4, 'Tourism & Recreation Objectives', Amend Objectives	<u>Proceed & modify Amd No 29</u>
30	Section 7.4, 'Tourism & Recreation Objectives', Omit Objective T19	Proceed with Amd No 30

31	Section 7.4, 'Tourism & Recreation Objectives', Amend Objective T20	Proceed with Amd No 31
32	Section 7.4, 'Tourism & Recreation Objectives', Amend Objective T28	Proceed with Amd No 32
33	Section 7.4, 'Tourism & Recreation Objectives', Amend Objective T30	Proceed with Amd No 33
34	Section 7.4, 'Tourism & Recreation Objectives', Amend Objective T34	Proceed with Amd No 34
Chapter 8 Community Development		
35	Section 8.3.2, 'Health, Care & Development', Omit Objective CD17	Proceed with Amd No 35
36	Section 8.3.2, 'Health, Care & Development', Add new objective	Proceed with Amd No 36
Chapter 9 Infrastructure		
37	Section 9.1.2, 'Public Transport', Amend Objectives TR2, TR3, TR5 and TR7	Proceed with Amd No 37
38	Section 9.1.4, Add/Amend text	Proceed with Amd No 38
39	Section 9.1.4, Amend Objectives TR21 and omit Objectives TR24	<u>Proceed & modify Amd No 39</u>
40	Section 9.1.7, 'Roadside Signage', Omit Objectives AS2 and AS3 and replace with new AS2	<u>Proceed & modify Amd No 40</u>
41	Section 9.2.2, 'Water Supply & Demand', Add new Objective	Proceed with Amd No 41
42	Section 9.2.3, 'Waste Water', Amend Objectives WI5	Proceed with Amd No 42
43	Section 9.3.4, 'Emissions to air', Amend Objectives WE11	Proceed with Amd No 43
44	Section 9.3.5, 'Noise Pollution', Amend Objectives WE15	Proceed with Amd No 44
45	Section 9.5.3, 'Energy' - Wind Energy Objectives, Amend Objectives CCE6	<u>Proceed & modify Amd No 45</u>
46	Section 9.5.3, 'Energy' - Wind Energy Objectives, Omit Objective CCE7	Proceed with Amd No 46
47	Section 9.5.3, 'Energy' - Wind Energy Objectives, Add new objective	Proceed with Amd No 47
48	Section 9.5, 'Solar Energy', Amend text and Objectives CCE10 and CCE11	Proceed with Amd No 48
49	Section 9.5.3, 'Heating', Add a Heating Objective	Proceed with Amd No 49
Chapter 10 Heritage		
50	Section 10.2, 'Built Heritage', Amend/Add text	Proceed with Amd No 50
51	Section 10.2.3 Architectural Heritage Amend/Add text	Proceed with Amd No 51
52	Section 10.2.3 Architectural Heritage Amend Objective BH9	Proceed with Amd No 52
53	Section 10.2.3 Architectural Heritage Amend ACA's	Proceed with Amd No 53
54	Section 10.3.2, 'Biodiversity', Amend Objective NH8	Proceed with Amd No 54
55	Section 10.3.2, 'Biodiversity', Amend Objective NH11	Proceed with Amd No 55
56	Section 10.3.2, 'Biodiversity', Add new Objective	To not proceed with Amd No 56
57	Section 10.3.8, Public Rights of Way. Amend PROWS	<u>Proceed & modify Amd No 57</u>
58	Revise schedule 10.10 County Geological Sites	Proceed with Amd No 58
59	Revise schedule 10.14 Views of Special Amenity Value or Special	Proceed with Amd No 59
Chapter 11 Coastal Zone Management		
60	Section 11.2, 'Coastal Zone Management', Amend Objective CZM7	Proceed with Amd No 60
61	Section 11.2, 'Coastal Zone Management', Add in new Objective	To not proceed with Amd No 61
Introduction to Level 5 Plans		
62	Volume 2, Level 5 Town Plans Introduction, Section 2 - Zoning & Land Use Add text	Proceed with Amd No 62
Ashford Town Plan		
63	Section 1.9 Amend SLO1 Inchinappa House	Proceed with Amd No 63
64	Amend the land use Zoning Map at Bramble Glade	Proceed with Amd No 64
65	Amend the land use Zoning Map at Ballinalea	Proceed with Amd No 65
66	Amend the land use Zoning Map and Boundary at Nun's Cross	Proceed with Amd No 66
67	Amend the land use Zoning Map at Ballinalea	<u>Proceed & modify Amd No 67</u>
Aughrim Town Plan		
68	Amend the land use Zoning Map at Aughrim Lower	To not proceed with Amd No 68
69	Amend the land use Zoning Map at Killacloran with new objective	To not proceed with Amd No 69
70	Amend the land use Zoning Map at Killacloran with new objective	To not proceed with Amd No 70
Baltinglass Town Plan		

71	Amend the land use Zoning Map at Lathaleere	To not proceed with Amd No 71
72	Amend the land use Zoning Map at Baltinglass East with a new objective	Proceed & modify Amd No 72
Carnew Town Plan		
73	Amend the land use Zoning Map from SLB to CE	Proceed with Amd No 73
Enniskerry Town Plan		
74	Section 6.9, p110 Amend Action Area Plan 1	Proceed with Amd No 74
75	Section 6.9, Amend text Action Area Plan 3	Proceed with Amd No 75
76	Section 6.9, Add/amend text Action Area Plan 2	Proceed with Amd No 76
77	Amend protected view on Heritage Objectives Map	Proceed with Amd No 77
Tinahely Town Plan		
78	Amend the land use Zoning Map and amend Objective TIN1	Proceed with Amd No 78
79	Amend the land use Zoning Map at Lugduff	Proceed with Amd No 79
Introduction to level 6 Plans		
80	Amend plan text section 1.4	Proceed with Amd No 80
Avoca Settlement Plan		
81	Amend Avoca Settlement Plan Text	Proceed & modify Amd No 81
Donard Settlement Plan		
82	Amend Objective 4 'Secondary Zone'	Proceed with Amd No 82
83	Add text at the end of the plan and Amend Heritage Map - Donard ACA	Proceed with Amd No 83
Newcastle Settlement Plan		
84	Amend the land use Zoning Map at Newcastle Upper	To not proceed with Amd No 84
85	Amend the land use Zoning Map at Newcastle Middle	To not proceed with Amd No 85
86	Amend the land use Zoning Map at Newcastle Lower	To not proceed with Amd No 86
Roundwood Settlement Plan		
87	Specific Development Objectives, Amend Objective 1	Proceed with Amd No 87
88	Amend the land use Zoning Map at Togher More/ Baltyanima with new objective	To not proceed with Amd No 88
Appendix 1 – Development & Design Standards		
89	Introduction, Add/Amend text	Proceed with Amd No 89
90	Section 1 Unit sizes and Formats Add/Amend text	Proceed with Amd No 90
91	Section 1 Open space Add/Amend text	Proceed with Amd No 91
92	Section 1, Car parking, Add/Amend text	Proceed with Amd No 92
93	Section 1: Add new heading and text as follows, Add/Amend text	Proceed with Amd No 93
94	Section 3: 'Extractive Industry', Add/Amend text	Proceed with Amd No 94
95	Section 5: Retailing, Add/Amend text in General development standards for retail	Proceed with Amd No 95
96	Section 6, Nursing homes Add/Amend text	Proceed with Amd No 96
97	Section 7, Roads & Transportation, Add/Amend text	Proceed with Amd No 97
98	Section 10, Masts & telecommunications', Add/Amend text	Proceed with Amd No 98
Appendix 4 - Record of Protected Structures		
99	Amend the RPS	Proceed with Amendment No. 99 other than all amendments related to the Avoca Mines
Appendix 5 – Landscape Assessment		
100	Amend the wording for the Southern Coastal Cell 2(b)	Proceed with Amd No 100
101	Amend Landscape Assessment Map	Proceed with Amd No 101
Appendix 6 – Wind Strategy		
102	Appendix 6 'Wind Energy Strategy', p11 Add/Amend text	To not proceed with Amd No 102
Appendix 11 – Strategic Flood Risk Assessment		
103	Add additional maps showing the flood risk zones for each Coastal Cell.	Proceed with Amd No 103

SECTION 3 SUMMARY OF SUBMISSIONS ON PROPOSED AMENDMENTS, CHIEF EXECUTIVE'S ASSESSMENT & RECOMMENDATIONS

VOLUME ONE

CHAPTER 2 VISION & CORE STRATEGY

AMENDMENT 1

Section 2.2 Strategic Policy Context

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, 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.

SUMMARY OF SUBMISSIONS

No submissions were received with respect to this proposed amendment.

CHIEF EXECUTIVE'S ASSESSMENT

This amendment was proposed by the CE on foot of submissions made to the draft plan, in particular that made by the NTA. While the NTA has not at this stage made specific comment with regard to this particular amendment, a submission has been received from the NTA indicating their general satisfaction with the proposed amendments overall and advising that the proposed amendments appear to be broadly consistent with the transport strategy for the GDA.

The CE recommends that the members proceed to make this amendment.

CHIEF EXECUTIVE'S RECOMMENDATION

Proceed with Amendment No. 1

AMENDMENT 2

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.

SUMMARY OF SUBMISSIONS

No submissions were received with respect to this proposed amendment.

CHIEF EXECUTIVE'S ASSESSMENT

This amendment was proposed by the CE for the reasons set out in his previous report and is still recommended.

CHIEF EXECUTIVE'S RECOMMENDATION

Proceed with Amendment No. 2

AMENDMENT 3

Section 2.4.4 Housing

Section 2.4.5 Zoning

2.4.4 Housing

Assuming the following:

- (1) Average household size¹ 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 ²	85,589 ²
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.

¹ 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'.

² These changes are just the correction of transcription errors in the draft plan.

Table 2.7 Housing growth distribution

	2011 Existing Housing Stock	2022 Target Housing Stock	2028 Target Housing Stock	Target Housing Stock Growth 2011-2028	% of total Housing Stock Growth 2011-2028
Bray	11,518	13,958	16,896	5,378	17.22%
Wicklow / Rathnew	5,399	7,813	10,138	4,739	15.17%
Arklow	5,459	7,509	9,715	4,256	13.62%
Greystones/ Delgany	6,637	8,321	10,138	3,501	11.21%
Blessington	1,865	2,519	3,168	1,303	4.17%
Newtown	1,078	1,913	2,534	1,456	4.66%
Ashford	531	1,030	1,373	842	2.70%
Aughrim	592	677	845	253	0.81%
Baltinglass	769	991	1,267	498	1.59%
Carnew	491	654	845	354	1.13%
Dunlavin	313	822	1,162	849	2.72%
Enniskerry	642	887	1,056	414	1.33%
Kilcoole	1,402	1,799	2,112	710	2.27%
Rathdrum	657	1,095	1,478	821	2.63%
Tinahely	419	504	634	215	0.69%
Avoca	282	322	380	98	0.31%
Donard	92	99	127	35	0.11%
Kilmacanogue	277	345	401	124	0.40%
Newcastle	313	410	507	194	0.62%
Roundwood	326	405	507	181	0.58%
Shillelagh	200	220	275	75	0.24%
Urban total	39,262	52,293	65,558	26,296	84.18%
Large Villages	1,407	1,600	1,848	441	1.41%
Small Villages	445	711	851	406	1.30%
Rural clusters	413	468	559	146	0.47%
Open countryside	12,824	14,749	16,773	3,949	12.64%
Rural Total	15,089	17,528	20,031	4,942	15.82%
County total	54,351	69,822	85,589	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'³, 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 proportion⁴. 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 County Development Plan 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 County Development Plan and the 'settlement plan' itself.

³ "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.

⁴ 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 ⁵	Housing Yield of existing zoned land ⁶	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	Note 1
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 1,706	+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.~~

⁵ Equivalent of +3 years zoning i.e. to meet '2028' target

⁶ 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 ⁷	Housing Yield of proposed zoned land ⁸	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	278 287	Balance +9 *
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

* Change consequent to Amendment No's 69 and 70.

⁷ Equivalent of +3 years zoning i.e. to meet '2025' target

⁸ As per this County Development Plan

SUMMARY OF SUBMISSIONS

Name	Issues raised
Targeted Investment Opportunities ICAV	<p>This submission is on behalf of Targeted Investment Opportunities ICAV, a company that owns a parcel of land of c. 4ha to the south-east of the existing Bray Retail Park (which is located at the western end of the Bray southern cross road).</p> <p>With respect the proposed amendment, the submitter has made particular reference to the proposed new sentence:</p> <p><i>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.</i></p> <p>The submitter indicates that they support the use of Table 2.4 as the basis of the population figures for the future development of the County and goes on to say:</p> <ul style="list-style-type: none"> - It is important the new Wicklow County Development Plan continues with the emphasis on developing on serviced land within the metropolitan area of Wicklow – particularly Bray, which is at the top of the hierarchy for the County as a Metropolitan Consolidation Town. - The best way for the new County Plan for Wicklow to cater for future growth is to build upon the existing settlement hierarchy and core strategy which is focused on the delivery of new housing and population within existing settlements, predominantly in the metropolitan area in towns such as Bray and Greystones/Delgany. Thus the strategy for the new County Plan should be to direct new population growth to such areas. By directing new population growth into towns with existing infrastructure in place maximises the return on the investment in services. The location of new development within the footprint of existing settlements in a sequential manner to existing services and infrastructure from a town centre outwards is preferable than providing new infrastructure on more remote sites. <p>This submission thereafter goes further to suggest that appropriately located sites, such as that owned by the submitter, will play an important role in securing the objectives as set out in the Core Strategy of the Plan – particularly in respect of the provision of housing and should be considered for residential zoning. The submitter welcomes the indication from the previous CE report that the zoning objectives relating to lands within the Rathdown No. 2 plan will form part of the review of the Bray MD local area plan.</p>

CHIEF EXECUTIVE'S ASSESSMENT

The submitter's support for the one aspect of Proposed Amendment No. 3 highlighted is noted. This amendment was proposed by the CE in his previous report, in order to bring additional clarity to the Core Strategy figures and the CE recommends the members proceed to make this amendment.

With regard to the other issue raised, namely the zoning of the lands to the SE of Bray Retail Park for residential development, no amendment has been proposed and published with respect to the lands in question and therefore it is not open to the members to consider any zoning changes to these lands at this time, but as correctly pointed out by the submitter, the question of appropriate zoning in and around Bray may be considered during the course of the making of the forthcoming Bray MD local area plan.

CHIEF EXECUTIVE'S RECOMMENDATION

Proceed with Amendment No. 3

AMENDMENT 4

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).

SUMMARY OF SUBMISSIONS

No submissions were received with respect to this proposed amendment.

CHIEF EXECUTIVE'S ASSESSMENT

This amendment was proposed by the CE on foot of submissions made to the draft plan, in particular those made by the transport authorities. While neither the NTA nor the TII have made specific comment with regard to this particular amendment, a submission has been received from the NTA indicating their general satisfaction with the proposed amendments overall and advising that the proposed amendments appear to be broadly consistent with the transport strategy for the GDA.

The CE recommends that the members proceed to make this amendment.

CHIEF EXECUTIVE'S RECOMMENDATION

Proceed with Amendment No. 4

AMENDMENT 5

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.

SUMMARY OF SUBMISSIONS

Name	Issues raised
Roadstone Ltd	Amendment 5 reflects the policies of the adopted Transport Strategy for the Greater Dublin Area 2016-2035. This transport strategy does not provide for a Luas stop or other mass transit at Fassaroe. Roadstone supports Wicklow County Council's clear intention to seek the provision of a mass transit solution at Fassaroe. The sustainable development of Fassaroe for mixed use and housing development is key to meeting the housing targets for Bray and for the county.

CHIEF EXECUTIVE'S ASSESSMENT

The support for this proposed amendment from Roadstone Ltd is noted. This amendment was proposed by the CE on foot of submissions made to the draft plan, in particular those made by the transport authorities. While neither the NTA nor the TII have made specific comment with regard to this particular amendment, a submission has been received from the NTA indicating their general satisfaction with the proposed amendments overall and advising that the proposed amendments appear to be broadly consistent with the transport strategy for the GDA.

The CE recommends that the members proceed to make this amendment.

CHIEF EXECUTIVE'S RECOMMENDATION

Proceed with Amendment No. 5

AMENDMENT 6

Section 2.4.7 Economic Development

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
Levels 1-4	38,850	17,688	46%	51,870	80%	41,329	18,340
Level 5 & 6	9,041	4,220	47%	12,832	70%	8,984	4,764
Rural	17,695	5,666	32%	19,769	25%	4,942	-724
County	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
Bray	14,081	7,678	55%	16,665	83%	13,832	6,154	28%
Wicklow / Rathnew	6,464	3,071	48%	9,999	72%	7,199	4,128	19%
Arklow	6,271	3,580	57%	9,582	86%	8,241	4,661	21%
Greystones/Delgany	8,259	1,808	22%	9,999	33%	3,300	1,492	7%
Blessington	2,299	984	43%	3,125	65%	2,031	1,047	5%
Newtown	1,475	567	38%	2,500	57%	1,425	858	4%
Ashford	712	245	34%	1,250	52%	645	400	2%
Aughrim	631	165	26%	833	39%	327	162	1%
Baltinglass	857	596	70%	1,250	104%	1,304	708	3%
Carnew	550	318	58%	833	87%	723	405	2%
Dunlavin	381	240	63%	1,042	95%	985	745	3%
Enniskerry	931	206	22%	1,250	33%	415	209	1%
Kilcoole	1,950	836	43%	2,083	64%	1,340	504	2%
Rathdrum	786	438	56%	1,458	84%	1,219	781	4%
Tinahely	459	270	59%	625	88%	552	282	1%
Avoca	344	99	29%	375	36%	135	36	0%
Donard	86	39	45%	125	57%	71	32	0%
Kilmacanogue	383	362	94%	417	118%	492	130	1%
Newcastle	392	234	60%	500	75%	373	139	1%
Roundwood	374	126	34%	500	42%	210	84	0%

Shillelagh	204	46	22%	292	28%	82	36	0%
Total	47,886	21,908	46%	64,703	70%	44,899	22,991	103%
Total rural	17,695	5,666	32%	19,769	25%	4,942	-724	-3%
County total	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%.

SUMMARY OF SUBMISSIONS

No submissions were received with respect to this proposed amendment.

CHIEF EXECUTIVE'S ASSESSMENT

This amendment was proposed by the CE for the reasons set out in his previous report and is still recommended.

CHIEF EXECUTIVE'S RECOMMENDATION

Proceed with Amendment No. 6

AMENDMENT 7

Section 3.2 Rural Clusters

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."

SUMMARY OF SUBMISSIONS

No submissions were received with respect to this proposed amendment.

CHIEF EXECUTIVE'S ASSESSMENT

This amendment was proposed by the CE for the reasons set out in his previous report and is still recommended.

CHIEF EXECUTIVE'S RECOMMENDATION

Proceed with Amendment No. 7

AMENDMENT 8
Section 4.4 Housing Objectives
Add new objective

HD-X In many settlements in the County, there are sites and 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

It is an objective of this plan to encourage and facilitate the appropriate development of such sites / lands and all available tools and mechanisms, including the Vacant Site levy, may be utilised to stimulate such development.

In this regard, it is considered that all lands zoned 'Town Centre' in this plan (this refers to Level 5 settlements) as well as the following zones in larger towns (with stand alone plans) may include sites that are in need of renewal and regeneration, and these areas will be examined in detail to determine if there are sites where the Vacant Site Levy should be applied.

Settlement	Zones⁹
Bray and Environs	TC, SF, GTH
Wicklow Town and Rathnew	TC, VC, PT, MU
Arklow Town and Environs	TC, WZ
Greystones, Delgany and Kilcoole	TC, VC
Newtownmountkennedy	TC
Blessington	TC
Rathdrum	TC, C

All lands zoned for residential development, including all lands zoned RE, R20, R15, R10 in this plan (this refers to Level 5 settlements), as well as the following residential zones in larger towns, are considered to be lands that may be in need of new development in order to ensure there is no shortage of housing, and these zones will be examined in detail in order to determine if there are sites where the Vacant Site Levy should be applied.

Settlement	Zones⁹
Bray and Environs	RE1, R1, R2, R3, MU (where the predominate use provided for is residential)
Wicklow Town and Rathnew	RE, R1, R2, R3, R4
Arklow Town and Environs	RE, R1, R2, R3, R4, AA (where the predominate use provided for is residential)
Greystones, Delgany and Kilcoole	RE, R22, R17, R15, R10, R5, R2.5, R (Special), MU (where the predominate use provided for is residential)
Newtownmountkennedy	RE, R1, R2, R3
Blessington	RE, R1, R2
Rathdrum	R1, R2, R3, R4, RIV

⁹ or other such zoning codes as may replace these, during the making of future local plans

SUMMARY OF SUBMISSIONS

No submissions were received with respect to this proposed amendment.

CHIEF EXECUTIVE'S ASSESSMENT

This amendment was proposed by the Elected Members at the County Council meeting in July 2016 on the advice of the CE. The CE supports this amendment and recommends its adoption.

CHIEF EXECUTIVE'S RECOMMENDATION

Proceed with Amendment No. 8

AMENDMENT 9

Section 4.4 Housing Objectives

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.

SUMMARY OF SUBMISSIONS

No submissions were received with respect to this proposed amendment.

CHIEF EXECUTIVE'S ASSESSMENT

This amendment was proposed by the CE for the reasons set out in his previous report and is still recommended.

CHIEF EXECUTIVE'S RECOMMENDATION

Proceed with Amendment No. 9

AMENDMENT 10

Section 4.4 Housing Objectives

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 a rural area 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 **who qualifies a permanent native resident**, returning to ~~their local area a rural area in County Wicklow~~, 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.

SUMMARY OF SUBMISSIONS

No submissions were received with respect to this proposed amendment.

CHIEF EXECUTIVE'S ASSESSMENT

Certain wording changes within this amendment were proposed by the CE on foot of submissions made to the draft plan for the reasons set out in his previous report. Further changes were proposed by the Elected Members at the County Council meeting in July 2016 for clarification reasons. The CE recommends that the members proceed with this amendment.

CHIEF EXECUTIVE'S RECOMMENDATION

Proceed with Amendment No. 10

AMENDMENT 11

Section 4.4 Housing Objectives - Special Zoning Newtownmountkenny'

Omit Objective HD24

~~**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.~~

Omit Map 04.01

SUMMARY OF SUBMISSIONS

No submissions were received with respect to this proposed amendment.

CHIEF EXECUTIVE'S ASSESSMENT

This amendment was proposed by the CE for the reasons set out in his previous report and is still recommended.

CHIEF EXECUTIVE'S RECOMMENDATION

Proceed with Amendment No. 11

AMENDMENT 12

Section 4.4 Housing Objectives

Add new objective

Protection of Residential Amenity in Transitional Areas

HD-X 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.

SUMMARY OF SUBMISSIONS

No submissions were received with respect to this proposed amendment.

CHIEF EXECUTIVE'S ASSESSMENT

This amendment was proposed by the CE for the reasons set out in his previous report and is still recommended.

CHIEF EXECUTIVE'S RECOMMENDATION

Proceed with Amendment No. 12

AMENDMENT 13

Section 5.4 The role of land use planning in economic development', part (viii)

Amend text as follows:

(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.

SUMMARY OF SUBMISSIONS

No submissions were received with respect to this proposed amendment.

CHIEF EXECUTIVE'S ASSESSMENT

This amendment was proposed by the CE for the reasons set out in his previous report and is still recommended.

CHIEF EXECUTIVE'S RECOMMENDATION

Proceed with Amendment No. 13

AMENDMENT 14

Section 5.5 Objectives for Economic Development

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.

SUMMARY OF SUBMISSIONS

No submissions were received with respect to this proposed amendment.

CHIEF EXECUTIVE'S ASSESSMENT

This amendment was proposed by the CE for the reasons set out in his previous report and is still recommended.

CHIEF EXECUTIVE'S RECOMMENDATION

Proceed with Amendment No. 14

AMENDMENT 15

Section 5.5 Objectives for Economic Development

Amend Objective EMP12 as follows:

EMP 12 To provide for employment development at the following locations as shown on maps 5.01-5.07:

Location	Map No.	Size (ha)	Zoning Objective
Mountkennedy Demesne, Kilpedder	5.01	34.7	To provide for a data centre facility ¹⁰ 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.
Rath East / Knockloe, Tullow	5.02	4.4	To provide for a light industrial development
Kilmurray South	5.03	0.76	To provide for transport purposes development
Kilmurray North	5.04	0.8	To provide for a warehousing / storage / distribution and commercial vehicle park
Scratenagh crossroads	5.05 3	8.09	To provide for light industrial uses / business park uses with extensive landscaping and a high architectural standard of layout and building design.
Kilpedder Interchange	5.06 4	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 Greystones towards the pedestrian bridge at Kilpedder.
Rathmore, Ashford	5.07	10.53	To provide for employment uses
Inchanappa South and Ballyhenry, Ashford	5.05 8	160 60	<p>To provide for the development of and expansion of the existing film studios in Ashford on the lands shown on Map 5.05 in accordance with the following requirements:</p> <ul style="list-style-type: none"> - 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; - 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"> (a) the phasing 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

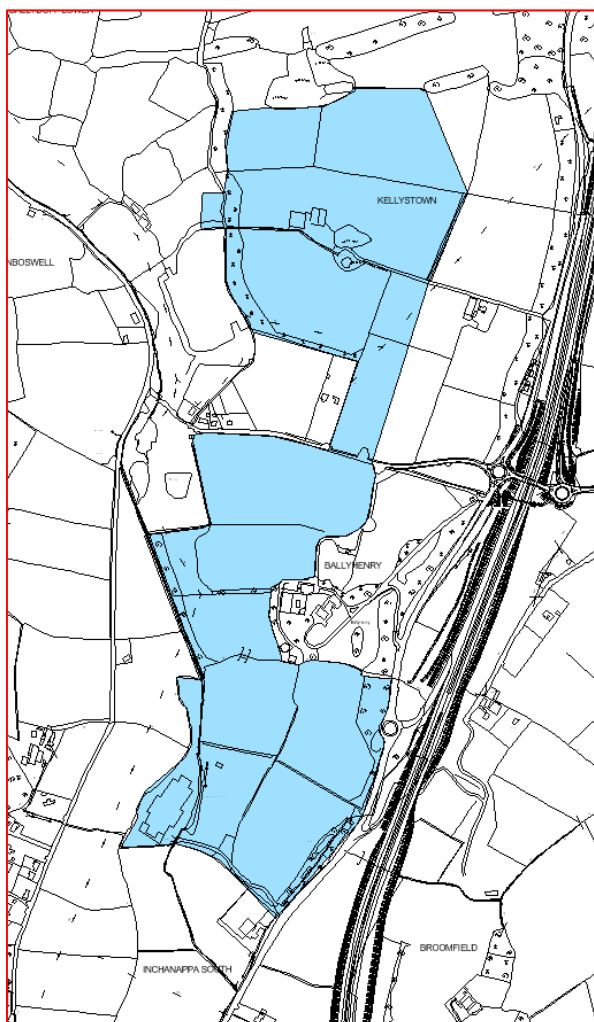
¹⁰ A data centre is a facility used to house computer systems and associated components, such as telecommunications and storage systems. It generally includes redundant or backup power supplies, redundant data communications connections, environmental controls (e.g., air conditioning, fire suppression) and security devices.

			<p>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>
Killadreenan, Newtownmountkennedy	5.06	1.3	To provide for light industrial and warehousing use.
Timmore, Newcastle	5.07	0.68	To provide for light industrial and employment use.

Omit Maps for Kilmurray South, Kilmurray North and Rathmore, Ashford.

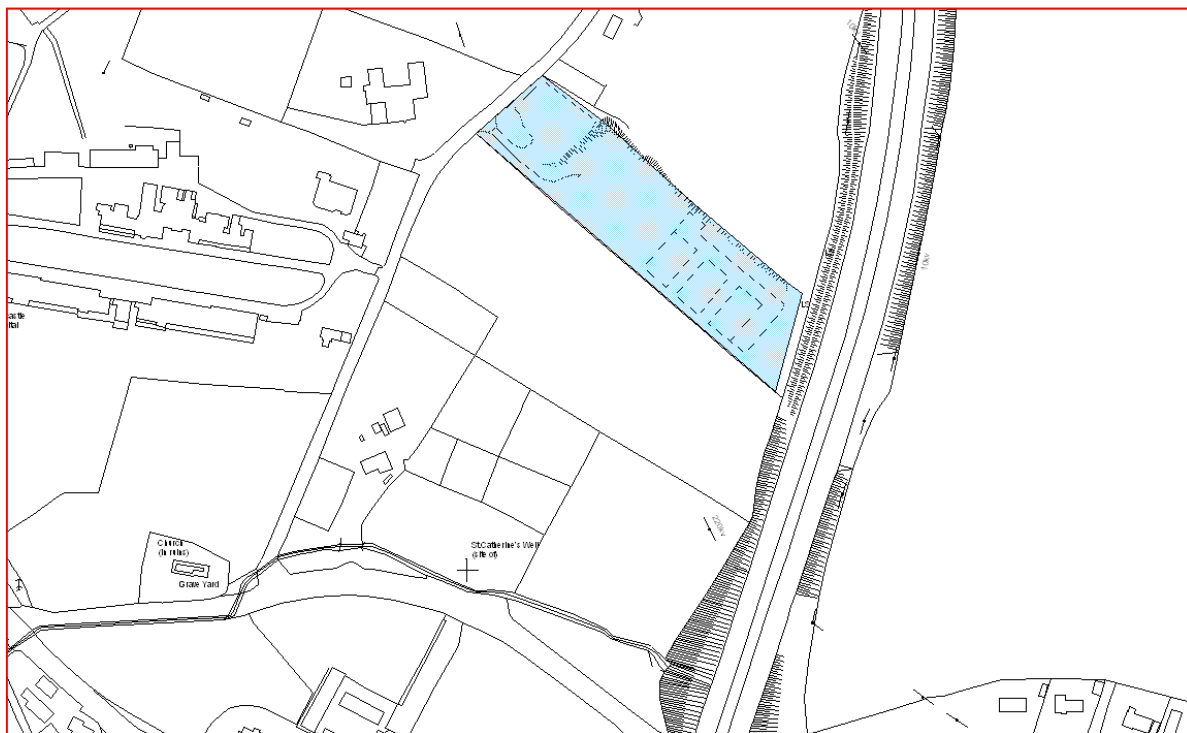
Map 5.05

Amended Employment Zone at Inchanappa South and Ballyhenry, Ashford shown in blue:



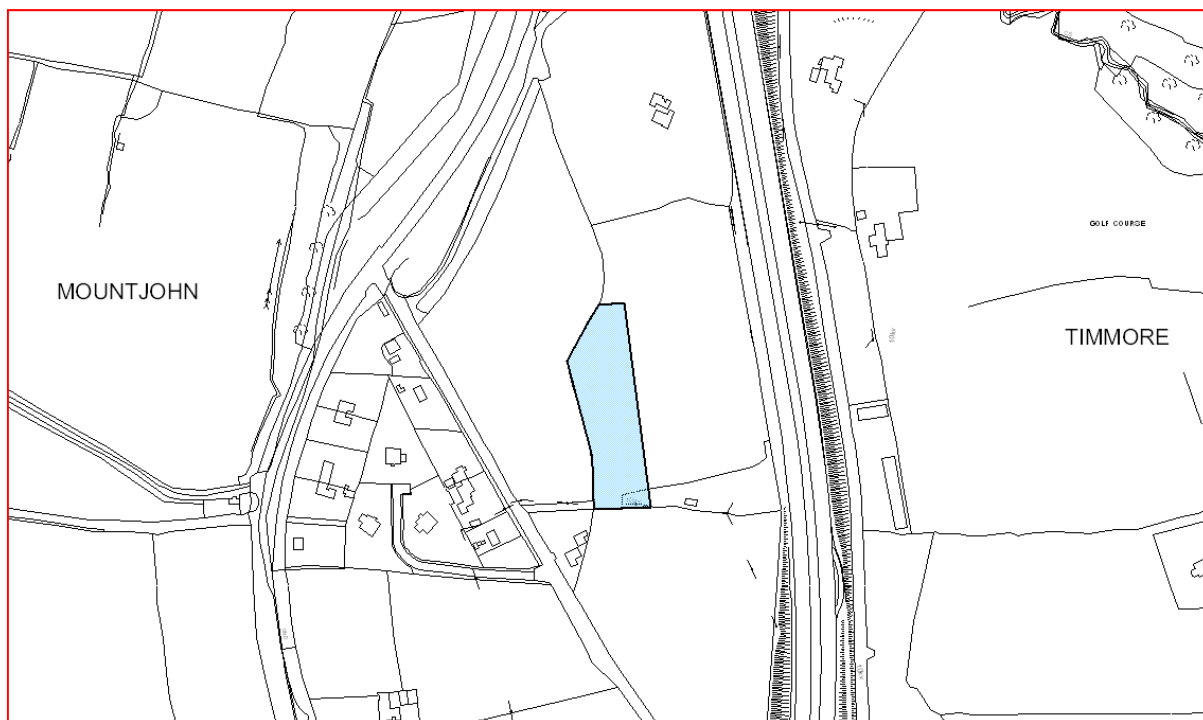
Map 5.06

Proposed Employment Zone at Killadreenan, Newtownmountkennedy shown in blue:



Map 5.07

Proposed Employment Zone at Timmore, Newcastle shown in blue



SUMMARY OF SUBMISSIONS

Submissions relating to a number or all of the sites included in Objective EMP12

Name	Issues raised
Minister for Housing, Planning, Community and Local Government	<p>a) Specific zonings for employment as contained in Objective EMP12 were previously noted by the Department as being located outside of the identified settlements of the Plan, random in nature and with several subject to unacceptable flood risk. The Council was advised to delete these zonings which were considered to be in conflict with the core strategy of the draft plan and relevant ministerial guidelines.</p> <p>b) While the Proposed Amendments seek to amend Objective EMP 12 by removing several of these zonings (at Kilmurray South, Kilmurray North and Rathmore Ashford) the proposed zonings at Rath East/Knockloe, and Scratenagh crossroads remain included in the policy while additional commercial/employment zonings have been added at Killadreenan, Newtownmountkennedy (1.3 Ha) and Timmore, Newcastle (0.68 Ha). These two additional sites are both at rural locations, with substandard road access for commercial development and are situated outside of the identified settlement strategy of the Plan. They are therefore in conflict with Objective EMP2 which seeks to strategically locate new employment generating development in settlements where provision is made for appropriately zoned and serviced commercial lands.</p> <p>As previously advised to the Planning Authority, these zonings are not in accordance with an evidence base and supporting need as required by the Development Plans Guidelines (2007) whereby such zonings are considered on the basis of the necessary physical infrastructure, sequential spatial development and policy justification.</p> <p>The Planning Authority is therefore requested to delete sites 5.02 (Rath East), 5.03 (Scratenagh), 5.06 (Killadreenan) and 5.07 (Timmore) from Objective EMP 12 to ensure consistency with the relevant guidelines of the Minister.</p> <p>c) Mountkennedy Demesne</p> <p>It is noted by the Department that the zoning objective included in EMP 12 provides for a specific data centre facility at Mountkennedy Demesne. The Department also notes that this type of data centre development is low employment density in nature and thereby would not be likely to put additional demands on the adjacent national road infrastructure from employee traffic. Data centres also have significant and specific energy requirements which would appear to be met at the Mountkennedy Demesne site.</p> <p>In these circumstances, the specific development of a data centre facility would appear to be compatible with the location proposed. However, the zoning requirements included in Objective EMP 12 for the site must be sufficiently clear to restrict development to a data centre facility and any related infrastructure/supporting services. The Planning Authority is requested to revise the policy for the site as currently worded in Objective EMP 12 to exclude non-data related centre development and to prevent an unacceptable general or non-specific industrial development at this location. Additional policy</p>

	<p>requirements in relation to the amelioration of any adverse impact of development on the demesne and surrounding landscape should also be included.</p> <p>d) Kilpedder Interchange</p> <p>The proposed zoning of c.28 hectares at Kilpedder at Junction 11 on the N11 remains included in Objective EMP 12. This zoning, in close proximity to a national primary route interchange, has the potential to generate traffic volumes to limit the operation of this adjoining national motorway interchange and compromising its capacity and efficiency. However, it is noted that there are existing uses at the location – quarry, transport/vehicle enterprise and cement facility – that are appropriate to the non-urban location of the site. These uses also require good available road infrastructure but would have limited traffic impacts related to the low density of employment activities involved. Notwithstanding, the extent of the proposed zoning also extends to a substantial greenfield area to the north where the traffic impact of development on road infrastructure has not been satisfactorily detailed and assessed.</p> <p>Given the extensive nature and insufficiently specific nature of permissible development within this area, the objective, as previously indicated by the Department, the potential to generate traffic impacts contrary to the National Roads & Spatial Planning Guidelines (2012) and would be at odds with the core strategy of the Plan per Objective EMP2 which seeks to strategically locate new employment generating development in settlements.</p> <p>Accordingly, the Planning Authority is requested to revise the proposed zoning at Kilpedder in order to reduce the significant extent of lands zoned and include specific policy safeguards in Objective EMP 12 to facilitate only employment/enterprise development that is appropriately low density in nature (warehousing, light industry, distribution, etc) and does not generate significant traffic impacts. Retail and retail warehousing uses should be specifically excluded.</p> <p>e) Ashford Film Studios</p> <p>The reduction in the extent of the zoning at Inchanappa South and Ballyhenry, Ashford included in Objective EMP 12 to c.60ha from the previous 160ha including a substantial area at the north of the site (per amended Map 5.05) is welcomed by the Department. It is considered that the policy requirements for this site contained in Objective EMP 12 should be expanded to include safeguards to protect the landscape and rural character of the location in order to ensure the minimal impact of any new development.</p>
Environmental Protection Agency	<p>In <i>Section 3 'Further Strategic Environmental Assessment'</i>, the EPA notes the determination that <i>Proposed Amendment No. 15</i> is identified as '<i>...having the potential for likely significant environmental effects...</i>' - Wicklow County Council should consider clarifying whether the SEA recommends that this Amendment proceeds.</p> <p><i>Section 3.3 Assessment of Proposed Amendment No. 15</i> describes that the changes (as proposed) to <i>Objective EMP12</i> would give rise to:</p> <ul style="list-style-type: none"> - Employment development in areas removed from the established

	<p>development envelopes of existing settlements</p> <ul style="list-style-type: none"> - The proposed land use zoning not being appropriate to the flood risk associated with these lands, - Non-compliance with the recommendations of the <i>Planning System and Flood Risk Management Guidelines for Planning Authorities (OPW/DEHLG, 2009)</i> - Failure of the justification test undertaken in respect of these lands. <p>WCC should clearly show how the likely significant effects identified, will be mitigated for, in order to avoid/minimise any significant adverse environmental effects.</p> <p>In proposing Amendments to the Draft Plan, the proposed Amendments need to remain consistent with the Policies and Objectives of the Regional Planning Guidelines and associated County Core Strategy and also reflect proper and sustainable development. The requirements of the <i>Planning System and Flood Risk Management Guidelines (OPW, DEHLG, 2009)</i>, should also be fully integrated/implemented as appropriate and relevant to ensure that any proposed development/ land use zoning is appropriate to the level of flood risk identified.</p>
Transport Infrastructure Ireland	<p>a) The Authority acknowledges that proposed zoning objectives outlined in EMP 12 as they relate to Kilmurray South, Kilmurray North and Rathmore, Ashford, are proposed to be deleted from the Draft Plan and the Authority supports the Councils proposals in this regard for the reasons outlined in the Authority's initial submission on the Draft Plan.</p> <p>b) TII also acknowledges that the Chief Executive's Report on submissions on the Draft Plan recommended that zonings applied to lands in proximity to the N11, national primary road, and associated junctions at Mountkennedy Demesne, Kilpedder (Map Ref. 5.01) and Kilpedder Interchange (Map Ref. 5.06) be omitted and that the zoning applied at Inchanappa South and Ballyhenry, Ashford (Map Ref. 5.08) be significantly reduced and with additional requirements addressing transport impact assessments and phasing.</p> <p>It is noted with concern that the zonings applied to lands at Mountkennedy Demesne, Kilpedder (Map Ref. 5.01) and Kilpedder Interchange (Map Ref. 5.06) remain in the Draft Plan despite the Chief Executive's recommendations. In that regard, the Authority advises that the position outlined in our initial submission in relation to proposed zoning objectives at these locations remains the position of TII. The Authority's initial submission on the Draft Plan refers in full to this issue and the Authority respectfully requests further review of these zoning designations.</p> <p>c) In addition to the foregoing, the Authority notes the proposals to zone additional lands at Killadreenan, Newtownmountkennedy (Map Ref. 5.06) and Timmore, Newcastle (Map Ref. 5.07) outlined in the Proposed Amendments. The Authority notes the Chief Executive's recommendation that the zoning of such lands would set an undesirable precedent for similar types of development and having regard to the rural nature of the subject sites in proximity to the strategic national road network, the Authority supports the recommendation of the Chief Executive.</p>

Site 1 Mountkennedy Demesne

To be read in conjunction with issues raised by Minister, TII and EPA detailed above.

Name	Issues raised
Ecologic Data Centres Ltd	<p>It is requested that these land be r-zoned to 'Business, science and technology to include data centres and energy recovery uses'.</p> <p>It is put forward that:</p> <ul style="list-style-type: none">- change of zoning will benefit North Wicklow enormously;- the grant of planning permission as per planning reference No. 10-2123 is for a unique solution in Data Centre design as it allows for the recovery of the waste generated in the Data Centre to be collected for re-use. This is unique in Data Centre design and should be catered for in the 2016-2022 Wicklow County Development Plan;- A zoning of 'Business, Science and Technology to specific consideration to Data Centres and Energy Recovery Uses' will enable the full potential of the development to be exploited and provide for additional employment in north Wicklow. This additional employment will include research and development and administration employment;- This is a unique opportunity for Wicklow to house a world class design centre and administration facility for the roll out of such Data Centres throughout Europe, North America and Asia.
Cllr Tom Fortune	<p>The submitter supports the proposal above from Ecologic data Centres Ltd above to rezone 82 acres of land from Data Centre use to Business, Science and Technology to include Data Centre and Energy Recovery uses, for the following reasons:</p> <ul style="list-style-type: none">- As previously communicated, this is a project that should receive priority attention; There has been confirmation recently of a development such as this in Galway. It is important Wicklow puts itself in a strong position to develop a project as put before us;- It is very important this project is facilitated and adapt the proposal before us. The submitter understands that this is very live so action is urgent;- This is a unique opportunity for Wicklow to have a world class design centre and administration facility for the roll out of Data Centres throughout Europe, North America and Asia.

Site 2 Rath East

Only submissions made in relation to this site are those from the Minister, TII and EPA detailed above.

Site 3 Kilmurray South

Only submissions made in relation to this site are those from the Minister, TII and EPA detailed above.

Site 4 Kilmurray North

Only submissions made in relation to this site are those from the Minister, TII and EPA detailed above.

Site 5 Scratenagh crossroads

Only submissions made in relation to this site are those from the Minister, TII and EPA detailed above.

Site 6 Kilpeddar interchange

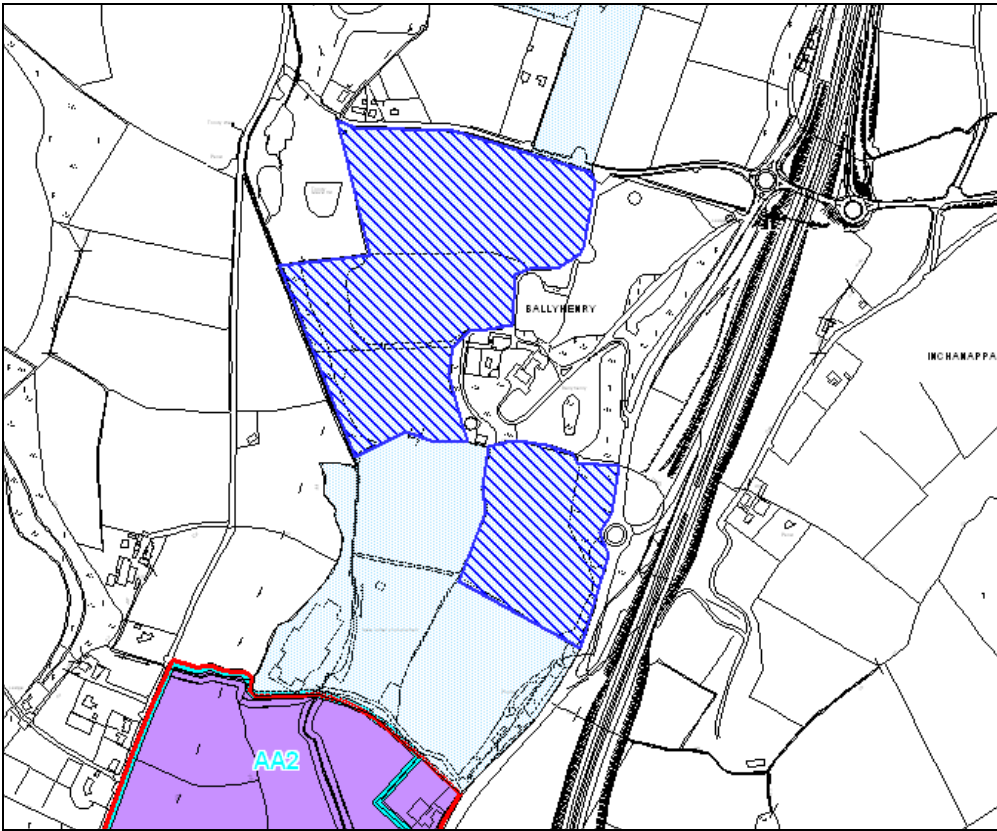
Only submissions made in relation to this site are those from the Minister, TII and EPA detailed above.

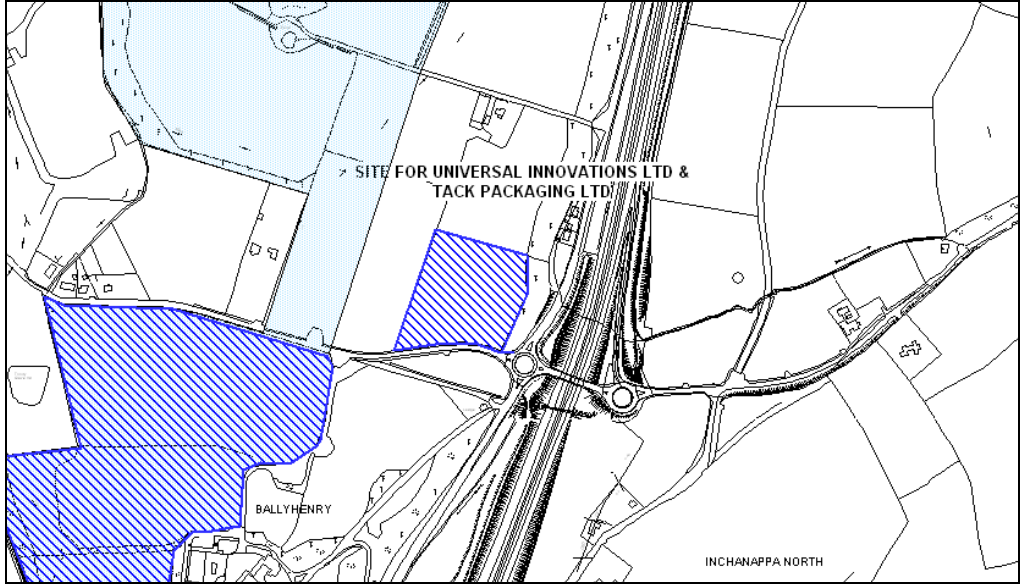
Site 7 Rathmore

Only submissions made in relation to this site are those from the Minister, TII and EPA detailed above.

Site 8 Ashford Film Studios

To be read in conjunction with issues raised by Minister, TII and EPA detailed above.

Name	Issues raised
Ashford Studios	<p>1. This submission opposes the proposed revised boundary of the film studios zone, in particular the inclusion of lands at Ballyhenry immediately north of the existing studio (as shown on the map below) for the following reasons:</p> <ul style="list-style-type: none"> a) These lands are elevated and development thereon would give rise to negative impacts on the environment b) Development on these lands would give rise to negative impacts on the heritage and character of Ballyhenry House 

	<p>2. It is also requested that the lands in Kellystown directly west of the N11 (which the amendment proposes to omit) be included in the overall zone; it is indicated that this is considered the optimal location for the development of new structures for Universal Innovations Ltd and Tack Packaging Ltd.</p>  <p>3. It is requested overall the zoning boundary revert to that shown in the draft plan.</p> <p>4. This submission opposes the proposed revised wording for the film studio zone on the grounds that the exclusion of spin offs such as visitor facilities, residential development and other non-film relates commercial activities would affect the long term viability of the studio; the studio requires businesses that provide funding to the development, material supplies, catering transport, accommodation, entertainment facilities e.g. golf courses, restaurants and the potential of attracting visitors.</p>
<p>Wicklow County Tourism</p>	<p>It is put forward that:</p> <ul style="list-style-type: none"> - the zoning objective for the film studios should not preclude the development of tours and visitor facilities on the site; - Wicklow would benefit from more tourism related accommodation and with the expansion of the film studios, Wicklow will need to increase its accommodation supply.

Site 9 Killadreenan

To be read in conjunction with issues raised by Minister, TII and EPA detailed above.

Name	Issues raised
Philip Pratt, Killadreenan	<p>The submitter is opposed to the proposed zoning for the following reasons:</p> <ul style="list-style-type: none"> - The road serving the site is not adequate in width and alignment to accommodate to the proposed development; - The development of the land for the uses proposed would give rise to serious negative consequences on residential amenity enjoyed by the submitter; - The reasons set out by An Bord Pleanála for its refusal of permission for change of use of the existing grain stores to use for recycling of construction and demolition materials, namely: <ol style="list-style-type: none"> 1. <i>The site of the proposed construction and demolition waste recycling facility is located in an elevated position in a rural area in close proximity to an existing school, hospital and dwelling. It also determined that the proposed development would not be compatible with the adjoining land uses and would seriously injure the amenities of property in the vicinity by reason of traffic, noise and general disturbance.</i> 2. <i>The proposed development is located in an unzoned and unserviced rural area as set out in the Wicklow County Development plan 2004-2010. It is policy of the planning authority as set out in the plan to channel industrial/employment development into serviced centres and to restrict development in rural areas to developments that comply with specific criteria as set out in section 5.2 of chapter 6 of the plan. This objective is considered reasonable. It is considered that the proposed industrial activity does not have any local resource, process or workforce related need to be situated in this rural area and therefore would be contrary to the proper planning and sustainable development of the area.</i> 3. <i>An Bord Pleanála was concerned that an industrial development on this site would cause a significant risk of water pollution and would therefore be prejudicial to public health.</i> - Wicklow County Council has previously refused permission on 3 separate occasions for a relatively small scale operation on this site and therefore its request for rezoning of the site is inconsistent. The Planning Authority is governed by the rules of Res Judicata. On this basis, the Planning Authority has not got sufficient reason to change its decisions from that established in many precedents by seeking rezoning of this site for light industrial or warehousing use.

Site 10 Timmore Lane

To be read in conjunction with issues raised by Minister, TII and EPA detailed above.

Name	Issues raised
Kathleen Kelleher	<p>The submitter is opposed to the proposed zoning for the following reasons:</p> <ul style="list-style-type: none"> - The Strategic Environmental Assessment report indicates that significant adverse effect on the environment would arise from the development of the land, even after mitigation - The site is not suitable for the proposal for a number of reasons (not expanded).
Eoghan O'Shea, Pinehill Nurseries	<ul style="list-style-type: none"> - The submitter notes that the decision to propose the material alteration was made contrary to the advice of the CE and that the purported Strategic Environmental Assessment identifies significant adverse effects arising from the implementation of the zoning - The submitter notes the troubled planning history of the site - Against this background, it is suggested that great care should be taken before granting the benefit of industrial zoning to the lands - It is agreed that Timmore Lane should not be unthinkingly burdened with additional heavy goods vehicles. The submitted says this on the basis that the word "additional" is understood to mean additional to those vehicles the lane was designed and required to accommodate when the Council revised the access to Pinehill Nurseries in 1990. At that time, Pinehill Nurseries was commercially active with commercial glasshouses covering more than 8,000 square metres. Put simply, the Council delivered that access to Pinehill Nurseries on the basis that it was appropriate in the context of existing and future potential traffic generation at Pinehill. The Council must not prejudice that access. The impact of the proposed amendment must be considered within that context.
John Royds	<p>The submitter is opposed to the proposed zoning for the following reasons:</p> <ul style="list-style-type: none"> - There are many serviced areas zoned for employment nearby in Newtownmountkennedy so there is no need to rezone this part if the Timmore townland from rural to light industrial / employment - Timmore Lane is narrow and allowing articulated trucks and other heavy goods vehicles associated with the proposed rezoning would create a traffic hazard. The turning movements and sightlines leaving and entering the site are inadequate - The propped rezoning site by virtue of its prominent locations and industrial nature, which is incongruous in this rural context, would detrimentally affect the rural character and injure the visual amenities of the area, including views from the N11 which is the primary tourist route in the County.
Timmore Lane Residents	<p>Signed letter from 9 Timmore Lane residents supporting the proposed rezoning. It is set out that the development of these lands would make a vital contribution of the local community.</p>

CHIEF EXECUTIVE'S ASSESSMENT

The Chief Executive's position on these zones is as set out in his previous report, and it generally correlates with the position of the **Minister and TII**. The CE, in response to the submission of the Minister and TII on the draft plan and submissions from other bodies and individuals, had advised in his previous report that these zonings be omitted (with the exception of 5.08 Ashford studios), on the grounds that the employment sites set out in Objective EMP12 were located outside of identified settlements and development areas of the county; were piecemeal and random in nature and were 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.

However, it is not open to the Chief Executive at this stage of the plan making process to take account of the TII and Minister's submission and recommend to the members that all of these zones be omitted, as in accordance with the Planning Act, it is only the proposed amendments that are under consideration.

With respect to the submission from the **EPA**, the evaluation carried out in the Strategic Environmental Assessment for EMP12 at the draft stage and the proposed amended EMP12 determined that even after the application of all mitigation measures available to the Planning Authority, development arising on foot of EMP12 would be likely to give rise significant negative environmental impacts. Therefore the CE from the outset has not supported this objective. **A more detailed response to the issues raised by the EPA is set out in Appendix 3.**

With respect to the submission from **Ashford Film Studios**, the rationale for seeking to reduce the overall extent of the zoning has already been clearly set out in the previous CE's report. The CE sees no particular reasons in terms of visual amenity or heritage impacts why the lands at Ballyhenry would not be suitable for film related development and the lands included in Kellystown reflect the boundaries of a recently made application for permission of the first phase of the development. It is considered reasonable to zone initially for the first phase, and in due course, through future reviews of the County Development Plan, where successful development has occurred, the option of zoning further lands may be considered. The CE also advises that the most rationale and optimal manner of development on these lands is from the existing studios outwards and not in a non-sequential manner, leapfrogging over more central lands.

With regard to the wording of the zoning, visitor centres are not excluded nor are spin off film related activities; a slight modification to the wording will make that clear (set out to follow). However should lands be required for non film related businesses in order to fund the development of the studios, there is ample land zoned 'employment' in the ownership of the developer, in Ashford itself. Similarly, there is ample land for housing in Ashford, which is the optimal location for new accommodation (close to services, shops, schools etc) for those working at and / or visiting Ashford Studios.

With respect to the submissions regarding **Mountkennedy Demesne**, as no amendment has been proposed in relation to this zoning, the requests to omit this zoning or to amend the wording of the objective are not permissible in accordance with the Planning Act at this stage of plan making.

In light of the published amendments and the submissions outlined above, the CE now advises as follows:

(a) Mountkennedy Demesne, Kilpedder

No amendment has been proposed and published with respect to this zoning and therefore it is not open to further change / modification.

(b) Rath East / Knockloe, Tullow

No amendment has been proposed and published with respect to this zoning and therefore it is not open to further change / modification.

(c) Kilmurray South

The CE advises that the members proceed to make this amendment i.e. to omit this zoning.

(d) Kilmurray North

The CE advises that the members proceed to make this amendment i.e. to omit this zoning.

(e) Scratenagh crossroads

No amendment has been proposed and published with respect to this zoning and therefore it is not open to further change / modification.

(f) Kilpedder Interchange

No amendment has been proposed and published with respect to this zoning and therefore it is not open to further change / modification.

(g) Rathmore, Ashford

The CE advises that the members proceed to make this amendment i.e. to omit this zoning.

(h) Inchanappa South and Ballyhenry, Ashford

It is advised that the zoning objective for the film studios be modified to address the Minister's concerns regarding visual impact and rural character and to clarify the type of uses permissible.

(i) Killadreenan, Newtownmountkennedy

The CE advises that the members do not proceed to make this amendment i.e. to omit this zoning.

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 and landscape impacts can be significant.

The subject lands located at Killadreenan 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.

(j) Timmore, Newcastle

The CE advises that the members do not proceed to make this amendment i.e. to omit this zoning.

The proposed zoning is not 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.
- 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 lands are located along Timore Lane, a narrow substandard roadway, unsuitable for employment generating traffic, including Heavy Goods Vehicles.
- The subject lands are located in proximity of the M11/N11 and may compromise future upgrades to the road, thereby potentially compromising the efficiency/safety of the national road network. The proposed zoning is in the absence of the required plan-led evidence based data required in accordance with the provisions of DoECLG Spatial Planning and National Roads Guidelines (2012).
- 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.

CHIEF EXECUTIVE'S RECOMMENDATION

- 1. Proceed with deletion of Kilmurray North, Kilmurray South and Rathmore**
- 2. To not proceed with proposed zoning of sites at Killadreenan and Timmore**
- 3. Modify** the zoning objective for Inchanappa South and Ballyhenry, Ashford as follows:

*To provide for the development of and expansion of the existing film studios in Ashford on the lands **shown on Map 5.05** in accordance with the following requirements:*

- the development of these lands shall be strictly limited to facilities for the production of film, TV, animation etc ~~and~~ **including** any **directly** associated spin offs such as visitor facilities; ~~in particular~~ **however**, residential development or other non film related commercial activities are not to be permitted;
- **the location and design (density, height, building format etc) of any development on these lands shall take into account the prevailing landscape pattern, the rural nature and character of the area and shall ensure that impacts on visual, residential and rural amenities are minimised and ameliorated to the greatest extent possible;**
- 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:**
 - (a) ~~the phasing~~ 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;
 - (b) sequence of development, that shall be generally from south to north;
 - (c) the infrastructure plans for the servicing of the site;
- this zoning shall be for the lifetime of this plan only.

AMENDMENT 16

Section 5.6 Objectives for Wicklow's Rural Economy

Amend text as follows:

Introduction

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.

SUMMARY OF SUBMISSIONS

No submissions were received with respect to this proposed amendment.

CHIEF EXECUTIVE'S ASSESSMENT

This amendment was proposed by the CE for the reasons set out in his previous report and is still recommended.

CHIEF EXECUTIVE'S RECOMMENDATION

Proceed with Amendment No. 16

AMENDMENT 17

Section 5.6 Objectives for Wicklow's Rural Economy Extractive Industry

Amend strategic objective as follows:

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.

SUMMARY OF SUBMISSIONS

Name	Issues raised
Roadstone Ltd	Roadstone welcomes the changes proposed by Amendment 17 to the objective in relation to extractive industries.

CHIEF EXECUTIVE'S ASSESSMENT

The submission from Roadstone Ltd is noted.

This amendment was proposed by the CE for the reasons set out in his previous report and is still recommended.

CHIEF EXECUTIVE'S RECOMMENDATION

Proceed with Amendment No. 17

AMENDMENT 18

Section 5.6 Objectives for Wicklow Rural Economy

Extractive Industry

Amend Objective EX3 as follows:

EX3 To support and facilitate the development of related and spin-off industries of the extractive industry such as craft and monumental stone industries and the development of the mining and industrial tourism heritage. Consideration will be given to the development of such related industries within or in association with existing operations of worked out mines or quarries, **at locations such as the disused granite quarries at Ballyknockan**, where this does not conflict with other objectives of the plan.

SUMMARY OF SUBMISSIONS

No submissions were received with respect to this proposed amendment.

CHIEF EXECUTIVE'S ASSESSMENT

This amendment was proposed by the Elected Members at the County Council meeting in July 2016. The Chief Executive has no objection to this amendment.

CHIEF EXECUTIVE'S RECOMMENDATION

Proceed with Amendment No. 18

AMENDMENT 19**Section 6.2 County Wicklow Retail Strategy**

Amend text as follows:

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.

SUMMARY OF SUBMISSIONS

Name	Issues raised
Minister for Housing, Planning, Community and Local Government	<p>The Retail Strategy for the GDA 2008-16 identifies a Retail Hierarchy under Table E1 and designates County Wicklow with Greystones, Arklow, Blessington and Baltinglass as Level 3 Centres.</p> <p>The Planning & Development Act 2010 requires that the core strategy of a development plan includes retail policy and that retail development proposed is consistent with the Regional Planning Guidelines. The relevant Retail Strategy for the GDA 2008-16 does not designate Newtownmountkennedy or Rathdrum as Level 3 Centres (TOWN AND/OR DISTRICT CENTRE & SUB-COUNTY TOWN CENTRES). As previously advised, the retail hierarchy of the Draft Wicklow CDP 2016-22 is therefore not consistent with the Retail Hierarchy of Table E1 of the Retail Strategy for the GDA 2008-16.</p> <p>Changes to the Retail Hierarchy of the GDA will be considered in the statutory review to the GDA Retail Strategy process associated with the new Regional Spatial and Economic Strategy for the Eastern and Midlands Region. The Department notes that</p>

	<p>Amendment 19 concerns the forthcoming RSES and the future review of regional retail strategy. Such a future Variation to the Wicklow Development Plan is considered the appropriate mechanism for making any changes to the Retail Hierarchy of the Wicklow CDP.</p> <p>The Planning Authority is therefore respectfully requested to revise the retail policy/hierarchy to ensure it is in accordance with the Retail Hierarchy (Table E1) of the Retail Strategy for the GDA 2008-16 as required by the Planning & Development Act 2010.</p>
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CHIEF EXECUTIVE'S ASSESSMENT

While the point raised in this submission in relation to the retail hierarchy has been set out here in this report (under Proposed Amendment No. 19), the issue raised only relates loosely to this amendment; rather, it relates more specifically to the retail hierarchy set out in the plan. However, the retail hierarchy is not the subject of any proposed amendment, and therefore it is not open to the CE or the members at this stage of the plan making process to amend the retail hierarchy.

It is considered important however to bring this issue to the members attention particularly as the Minister raised this issue in his previous submission to the draft plan but the CE advised the members not to accept the Minister's advice and amend the retail hierarchy.

The CE considers it important to advise the members that this could result in the Minister exercising his power under Section 31 of the Act, and directing the Council to make changes to the plan. However, the CE is not in a position to advise the members to so amend the retail hierarchy at this stage of the plan making process to bring it in line with the Regional Retail Hierarchy as requested as the retail hierarchy is not the subject of any amendment.

With respect to proposed amendment 19, this amendment was proposed by the CE for the reasons set out in his previous report and is still recommended.

CHIEF EXECUTIVE'S RECOMMENDATION

Proceed with Amendment No. 19

AMENDMENT 20

Section 6.3 Retail – Uses

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, 'cash for gold' and 'Pound' shops, '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.

SUMMARY OF SUBMISSIONS

Name	Issues raised
KFC UK & Ireland/ Yum restaurants International	<p>Submitter requests that the reference to 'formula business' is removed and that the proposed objective is also removed in its entirety as per the request outlined in their submission to the draft plan.</p> <p>It is put forward that:</p> <ul style="list-style-type: none">a) The objective could apply to businesses including Centra, Spar, Super Valu etc. There is a need to clarify the objective to ensure that it does not apply to such businesses;b) The amendment is anti-competitive and contrary to the Retail Planning Guidelines, 2012 and it is possibly illegal to establish a policy that would prevent permission being granted for an operator who has multiple sites but for permission to be granted to a sole trader;c) Branding is key to a company's identity. Restricting commercial stores from using their branding in its entirety or the requirement for these stores to dramatically change their brand, is anti-competitive and is contrary to the Retail Planning Guidelines 2012;d) The objective may impact on the economic development of the county and its settlements.
Tesco Ireland Ltd	<p>It is requested that the reference to 'formula business' is removed for the following reasons:</p> <ul style="list-style-type: none">a) It is not the role of planning to consider the name of a business or their commercial operations when determining a planning application. The principle of planning is to consider the potential land use impacts based on the proposed use. Whether this use is operated by an international retailer or by a local sole trader is irrelevant and this matter has been previously addressed by An Bord Pleanala;b) Prioritising sole traders over multiple operators could be considered to be anti-competitive and contrary to the Retail Planning Guidelines, 2012 and RPGs;c) The implementation of the proposed policy will not be effective as it will require a subjective decision by individual planners and cannot be applied in a consistent manner. There is no guidance as to what is defined as an 'overconcentration' of a use;d) The amendment lacks the evidence base required under the Development Plan Guidelines 2007;e) The restriction of branding or signage associated with a commercial operator is not appropriate and is anticompetitive - this has been previously highlighted in an

	<p>Inspector's Report on an An Bord Pleanala appeal;</p> <p>Whilst the proposed policy may not be designed to impact on operators such as Tesco Ireland, Supervalu etc. the policy has been framed in a fashion that could lead to it being interpreted by third parties as a reason to refuse planning permission for a commercial unit where the proposed operator has multiple stores in other locations.</p>
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CHIEF EXECUTIVE'S ASSESSMENT

The Chief Executive has considered the issues raised and agrees that the proposed amendment unreasonably targets branded businesses/outlets, and fails to account for the fact that the primary planning consideration is the nature of the proposed use, its impact and design. This may be anti-competitive and contrary to the Retail Planning Guidelines, 2012.

It is recommended the reference to 'formula businesses' should therefore be removed as part of the proposed amendment.

CHIEF EXECUTIVE'S RECOMMENDATION

Proceed with Amendment No. 20, subject to the following further modification:

- 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, 'cash for gold' and 'Pound' shops, ~~'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 21

Section 6.3 Objectives for Centres and Retail

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 fast-food/takeaway outlets¹¹, including those with a drive through facility:
- Exclude any new fast-food/~~takeaway~~ outlet ~~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.

SUMMARY OF SUBMISSIONS

A total of 169 submissions have been received in relation to Proposed Amendment No.21, of which 166 submissions are generally in support of the proposed amendment and 3 are generally opposed to the proposed amendment. The list of these submissions is attached in Appendix A of this report.

Submissions generally in support of Proposed Amendment No.21

The 166 submissions that are generally in support of the proposed amendment are received from the following:

- 7 elected representatives:
 - Deputy Stephen Donnelly
 - Deputy Andrew Doyle
 - Deputy Simon Harris¹²
 - Deputy Josepha Madigan
 - Senator John Dolan
 - Senator Catherine Noone
 - Senator Dr. Keith Swanick
- 24 health care professionals
- 6 educational bodies, and
- 129 members of public including 5 submissions from children

A significant number of submissions raised issues in support of the whole RT17 objective, as a measure for tackling childhood obesity. These issues are similar to those considered in the last Chief Executive's report. These issues are considered to be outside the remit of the proposed amendment.

¹¹ For the purposes of RT17, "fast food/takeaway outlet" shall mean any outlet whose business will primarily be the sale of hot or otherwise prepared food that is high in fat, salt or sugar (such food being heated or prepared on the premises comprising of the outlet) for consumption on or off the premises comprising of the outlet. For the purposes of considering whether a particular food item is high in fat, salt or sugar, reference shall be had to Department of Health or other governmental guidelines or publications current at the time of considering of a planning application.

¹² This submission is submitted by Deputy Simon Harris, in his capacity as a TD. There is nothing to indicate that the submission is made in his capacity as Minister for Health.

The key reasons submitted for support of the proposed amendment are as follows:

- The amendment strengthens the objective by clearly identifying the type of business in its scope. The definition ensures that the objective is applicable to fast food outlets rather than other types of shops. This brings clarity and certainty to the decision making process and will ensure that responsible, consistent planning decisions are made with respects to proximity of fast food outlets to schools;
- The definition indicates that the restriction applies to fast food/takeaway outlets where the business is primarily for the sale of fast food outlets. This ensures that there is not undue constraint on other businesses who may wish to operate a small take away service;
- The amendment will increase the effectiveness of the objective as a measure to safeguard the health and wellbeing of young people in Wicklow;
- The objective is enhanced by the proposed amendment, and this enhancement is supported by elected representatives, health experts and the public;
- Adopting the amendment will offer leadership to other planning authorities across the country. Wicklow's councillors have the opportunity to lead the way and demonstrate their commitment to protecting the health and wellbeing of young people;
- A number of submissions have been received from Greystones residents and from people or groups with an interest in the proposed McDonalds development in Blacklion. It is put forward that the amendment will provide clear and unequivocal guidance to the planning authority for future similar proposals;
- New research published in the Journal of Public Health Nutrition provides new evidence to support the decision to adopt the proposed amendment. The research found that foods purchased outside the school, many from fast food outlets, were less healthy and higher in fat and sugar than food provided in school, and both were less healthy than food brought from home.

Submissions generally opposed to Proposed Amendment No.21

The three submissions generally opposed to the proposed amendment are from the Minister for Housing, Planning, Community and Local Government, Yum Restaurants International Ltd / Kentucky Fried Chicken (KFC) UK & Ireland and one member of the public.

The Minister for Housing, Planning, Community and Local Government submits the following:

"The Department is of the view that the revised wording of Amendment 21 on policy RT17 is not considered to satisfactorily take account of the desire of national planning policy to create a mix of retail and town centre uses and the potential adverse impact such a restriction on fast food outlets may have on urban development.

It is considered that the revised policy in proposed Amendment 21 does not have sufficient regard to the many existing schools or playgrounds located in urban areas where existing retail facilities and future town centre development is appropriate and supported by national planning policy. It does not allow for the satisfactory consideration of other planning policies for an area whereby the specified 400m exclusion distance could discriminate against the creation of functioning and vibrant retail/town centre facilities in urban areas. The wording of policy RT17 is not considered to adequately balance consideration of the appropriateness of fast food retail facilities in the vicinity of schools and parks against wider land use considerations as provided for in Section 5 of the Local Area Plans Guidelines (2013).

The Planning Authority is requested to revise the wording of Amendment 21/Objective RT17 in order to provide a more balanced policy context for the assessment of proposals for fast food facilities which allows the location and prevailing development pattern in an area to be considered in the assessment of development proposals".

Yum Restaurants International Ltd / Kentucky Fried Chicken (KFC) UK & Ireland submits the following:

- It is recommended that Wicklow County Council should adhere with the Minister's recommendation. They request that the policy is reconsidered in line with the Chief Executive's recommendation or that the policy is removed in its entirety;
- There is no evidence to support the proposed amendment. The definition unfairly targets certain operators whilst ignoring other retailers where foods high in sugar, salt and fat are sold (i.e. most other convenience retail outlets or even the majority of 'traditional' restaurants. The proposed amendment (and the entire RT17 objective) is subjective and open to a wide range of interpretations;
- It is not practical for the planning authority to assess the nutritional value of products. Planners do not have the skills to assess the nutritional value of products;
- It is not practical for the planning system to regulate the sale of goods in such a detailed manner. Any grant of permission may require a condition restricting the sale of goods. It is questionable if it is legal / the Courts, would accept the complete restriction of certain goods based on assumptions of those goods and the operator who is selling them;
- It is anti-competitive and contrary to the Retail Planning Guidelines, 2012;
- The proposed amendment (and RT17 objective) lacks the appropriate evidence base. The proposed amendment contradicts new evidence on the subject. New research published in the UK in 2014 and 2015 indicates that there is no strong evidence at this time to justify policies related to regulating the food environments around schools and there is no significant association between retailing near schools and student BMI;
- The members' decision is contrary to the advice of the Minister and as such may be the subject of a Ministerial Direction under Section 31 of the Planning and Development Act 2000 (as amended).

One submission from a member of the public submits the following:

- The initiative is not comprehensive. It targets those retail units whose primary business is the selling of fried food, and ignores other types of shops that sell similarly unhealthy products;
- Unless the prohibition is comprehensive and tackles all purveyors of fried food, any half move is hypocrisy, populist, pandering to large businesses and meaningless.

CHIEF EXECUTIVE'S ASSESSMENT

The Chief Executive's position with regard to the RT17 objective is set out in his previous report, and it correlates with the position of the Minister. The CE does not support the RT17 objective and had advised in his previous report that the RT17 objective be amended or deleted.

As per the Planning and Development Act 2000 (as amended), it is not within the Chief Executive's remit to consider any issues that are outside the remit of the proposed amendment.

The remit of the proposed amendment is considered to be (i) the addition of a definition of 'fast food/takeaway outlet', and (ii) the deletion of the word 'parks' from the objective.

The Chief Executive does not support the proposed addition of a definition for 'fast food/takeaway outlet'. The planning authority does not have the skills to assess the nutritional value of products. It is not practical for the planning system to regulate the sale of goods in such a detailed manner.

The Chief Executive has no objection to the deletion of the word 'parks' from the objective.

CHIEF EXECUTIVE'S RECOMMENDATION

Proceed with Amendment No. 21, subject to the following further modification:

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 fast-food/takeaway outlets¹³, including those with a drive through facility:

- Exclude any new fast-food/~~takeaway~~ outlet ~~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.

¹³~~For the purposes of RT17, "fast food/takeaway outlet" shall mean any outlet whose business will primarily be the sale of hot or otherwise prepared food that is high in fat, salt or sugar (such food being heated or prepared on the premises comprising of the outlet) for consumption on or off the premises comprising of the outlet. For the purposes of considering whether a particular food item is high in fat, salt or sugar, reference shall be had to Department of Health or other governmental guidelines or publications current at the time of considering of a planning application.~~

AMENDMENT 22

Section 6.3 Objectives for Centres and Retail

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.~~

SUMMARY OF SUBMISSIONS

No submissions were received with respect to this proposed amendment.

CHIEF EXECUTIVE'S ASSESSMENT

This amendment was proposed by the CE for the reasons set out in his previous report and is still recommended.

CHIEF EXECUTIVE'S RECOMMENDATION

Proceed with Amendment No. 22

AMENDMENT 23

Section 6.3 Objectives for Centres and Retail

Amend Objective RT25 as follows:

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 3,000m² 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.

SUMMARY OF SUBMISSIONS

Name	Issues raised
Tesco Ireland Ltd	<p>It is put forward that the alteration to clarify that the 20% cap on comparison floorspace only applies to 'stores that are located outside of core retail areas' is not sufficient to allow for the development of appropriate retail stores in County Wicklow. In most case, retail convenience stores cannot locate in core retail areas as the fine grain nature of the historical town cores, such as those found in County Wicklow, do not lend themselves to the requirements of a modern foodstore operator. Such an approach favours smaller supermarkets. The approach is anti-competitive.</p> <p>Request objective RT25 is removed from the plan and if considered necessary, that it 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. The inclusion of the policy could have a negative impact on potential investment and encourage retailers to locate outside of the county.</p>

CHIEF EXECUTIVE'S ASSESSMENT

The Chief Executive is in favour of the RT25 objective, as proposed to be amended. In his last report, the CE made the following points:

- The objective states 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;
- There is a growing trend to provide an increasing proportion of comparison goods floorspace within large foodstores, which are commonly found outside of town centre areas. 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.

Contrary to what is asserted by Tesco, this is not anti competitive. It is to preserve the vibrancy of town centres, and it is open to Tesco to locate in Town Centres. There are many of large food retailers locating thus in the country. The CE considers that the proposed amendment brings clarification to the fact that the 20% limit on comparison goods floorspace applies to proposals on sites that are located outside of the core retail area of town centre areas.

CHIEF EXECUTIVE'S RECOMMENDATION

Proceed with Amendment No. 23

AMENDMENT 24

Section 6.3 Objectives for Centres and Retail

Amend Objective RT32 as follows:

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.

SUMMARY OF SUBMISSIONS

No submissions were received with respect to this proposed amendment.

CHIEF EXECUTIVE'S ASSESSMENT

This amendment was proposed by the CE for the reasons set out in his previous report and is still recommended.

CHIEF EXECUTIVE'S RECOMMENDATION

Proceed with Amendment No. 24

AMENDMENT 25

Section 6.3 Objectives for Centres and Retail

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)

SUMMARY OF SUBMISSIONS

No submissions were received with respect to this proposed amendment.

CHIEF EXECUTIVE'S ASSESSMENT

This amendment was proposed by the CE for the reasons set out in his previous report and is still recommended.

CHIEF EXECUTIVE'S RECOMMENDATION

Proceed with Amendment No. 25

AMENDMENT 26**Section 7.1 Introduction**

Amend text as follows:

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.

SUMMARY OF SUBMISSIONS

No submissions were received with respect to this proposed amendment.

CHIEF EXECUTIVE'S ASSESSMENT

This amendment was proposed by the CE for the reasons set out in his previous report and is still recommended.

CHIEF EXECUTIVE'S RECOMMENDATION

Proceed with Amendment No. 26

AMENDMENT 27

Section 7.2 Context

Amend text as follows:

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.

SUMMARY OF SUBMISSIONS

No submissions were received with respect to this proposed amendment.

CHIEF EXECUTIVE'S ASSESSMENT

This amendment was proposed by the CE for the reasons set out in his previous report and is still recommended.

CHIEF EXECUTIVE'S RECOMMENDATION

Proceed with Amendment No. 27

AMENDMENT 28

Section 7.3 Strategy for Tourism & Recreation

Amend Strategic Objectives as follows:

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.

SUMMARY OF SUBMISSIONS

No submissions were received with respect to this proposed amendment.

CHIEF EXECUTIVE’S ASSESSMENT

This amendment was proposed by the CE for the reasons set out in his previous report and is still recommended.

CHIEF EXECUTIVE’S RECOMMENDATION

Proceed with Amendment No. 28

AMENDMENT 29

Section 7.4 Tourism & Recreation Objectives

Amend objectives as follows:

- 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-tourism¹⁴ 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.**

SUMMARY OF SUBMISSIONS

Name	Issues raised
Department of Communications, Climate Action & Environment (Exploration and Mining Division)	<p>With respect to T32, the Department would like to clarify that it remains its objective to implement the recommendations of the 2008 Feasibility Study concerning the former Avoca mining area. The Department is committed to continuing to work with the Local Authority, the local community and other stakeholders to ensure that the detailed design process for these proposed works affords protection to those features within the former mining landscape which contribute to its special interest.</p> <p>With regard to the overall vision for the development of the former mining site, the Department notes that the Chief Executive's Report questions whether the Department's submission was an <i>"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"</i>. The Department can confirm that public safety and the environment management of the site are the principal objective of their work programme. Significant safety, environmental management, remediation, heritage and conservation works, as identified by the 2008</p>

¹⁴ 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.

	Feasibility Study, are required at this site before any tourism proposals can be considered on lands owned by the Minister. In that respect, the Department notes that the Minister, as the principal landowner of the former mining area, and with regard to the significant potential liabilities involved, will not be in a position to agree to <i>any</i> tourism proposals on state lands until the Department is satisfied that all public health and safety and environmental issues have been fully addressed. The Department considers that the implementation of the Feasibility Study represents an opportunity for all involved to create a safe site and allow tourism proposals to develop which materially benefit Co. Wicklow and the Avoca area.
Keep Ireland Open	Amendment to T3 is supported.
Mining Heritage Trust of Ireland	With respect to T32, 'brownfield' is a term used in urban planning to describe land previously used for industrial purposes or some commercial uses. The Avoca mines are in a rural, not urban, setting and the use of the term brownfield is suggestive of contaminated derelict land which is only suitable for regeneration. We propose the following amendment: T32 To support the development of Avoca Mines as a tourist attraction having regard to the public safety issues associated with historical mine sites.

CHIEF EXECUTIVE'S ASSESSMENT

This amendment was proposed by the CE for the reasons set out in his previous report and is still recommended.

The submission from the Department of Communications, Climate Action & Environment (Exploration and Mining Division) is noted but does not contain any specific request with regard to the proposed amendments outlined above and therefore the CE does not recommend any further modification in light of same. Having regard to the submission from the Mining Heritage Trust of Ireland, the CE recommends a minor modification.

CHIEF EXECUTIVE'S RECOMMENDATION

Proceed with Amendment No. 29, subject to the following further modification:

T32 To support the development of Avoca Mines as a tourist attraction **having regard to the public safety issues associated with ~~such brownfield sites~~ historical mine sites.**

AMENDMENT 30

Section 7.4 Tourism & Recreation Objectives

Amend Objective T19 as follows:

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)~~

Omit Map 07.0

SUMMARY OF SUBMISSIONS

No submissions were received with respect to this proposed amendment.

CHIEF EXECUTIVE'S ASSESSMENT

This amendment was proposed by the Elected Members at the County Council meeting in July 2016. The Chief Executive had recommended to the members that the entirety of this objective should be omitted from the plan as he considered that the plan provided for adequate scope already for the development of such tourism accommodation, without need to zone the land specifically for this use.

However, it is only the amendment above i.e. the deletion of Annamoe fish farm only, that is open for consideration at this stage of the plan making process and the CE recommends that the members proceed with this amendment.

CHIEF EXECUTIVE'S RECOMMENDATION

Proceed with Amendment No. 30

AMENDMENT 31

Section 7.4 Tourism & Recreation Objectives

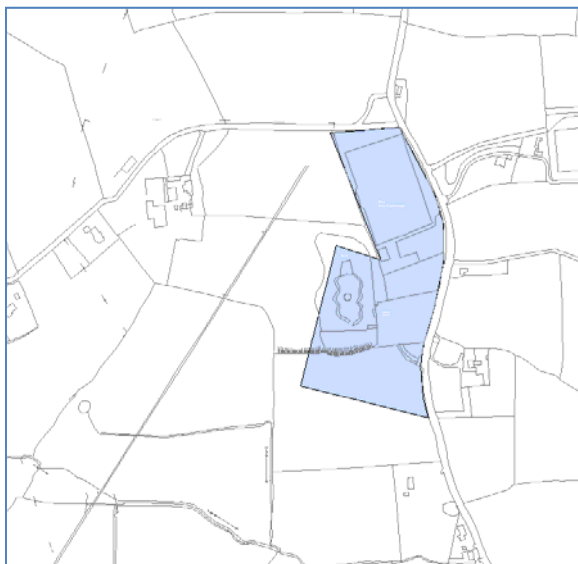
Amend Objective T20 as follows:

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

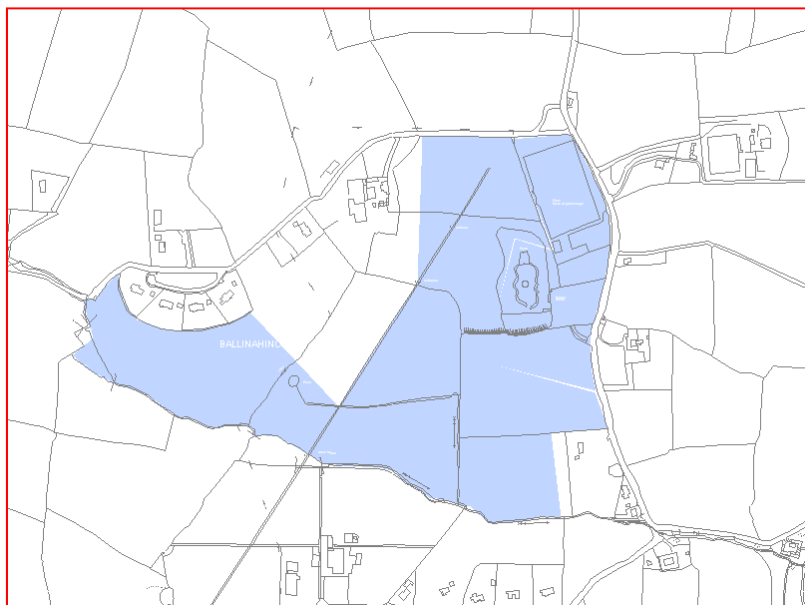
- Druids Glen Golf Club, Woodstock Demesne (Map 07.03);
- Ballinahinch Lower, Newtownmountkenny (Map 07.04); **Amend Map 07.04**
- Brook Lodge, Macreddin West, Aughrim (Map 07.05);
- Rathsallagh House, Dunlavin (Map 07.06);
- ~~Castletimon, Brittas Bay (Map 07.07);~~ **Omit Map 07.07**
- Jack White's Cross (Map 07.08)

Map 07.04

Change from: (6ha)



Change to: (28 ha)



SUMMARY OF SUBMISSIONS

Name	Issues raised
Transport Infrastructure Ireland	<p>The Authority notes that the proposed zoning objective at Jack Whites Cross (new Map Ref. 7.08) remains in the Draft Plan and is not subject to any proposed material amendment or removal. As outlined in the Authority's initial submission on 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).</p> <p>It is considered 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.</p> <p>TII acknowledges the Chief Executives assessment of this objective in the Report on Submissions and the recommendation that the zoning be omitted and the Authority respectfully requests further review of this zoning designation having regard to the foregoing.</p>

CHIEF EXECUTIVE'S ASSESSMENT

With regard to TII submission, no amendment has been proposed and published with respect to the zoning at Jack White's and therefore it is not open to further change / modification.

This amendment was proposed by the Elected Members at the County Council meeting in July 2016. The Chief Executive had recommended to the members that Ballinahinch Lower, Newtownmountkennedy, Castletimon, Brittas Bay and Jack White's Cross should be omitted from the plan as he considered that the plan provided for adequate scope already for the development of such tourism accommodation, without need to zone the land specifically for this use.

However, it is only the amendment above i.e. the deletion of Castletimon and the amendment of area of Ballinahinch Lower, that are open for consideration at this stage of the plan making process and the CE recommends that the members proceed with this amendment.

CHIEF EXECUTIVE'S RECOMMENDATION

Proceed with Amendment No. 31

AMENDMENT 32

Section 7.4 Tourism & Recreation Objectives

Amend Objective T28 as follows:

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

SUMMARY OF SUBMISSIONS

No submissions were received with respect to this proposed amendment.

CHIEF EXECUTIVE'S ASSESSMENT

This amendment was proposed by the CE for the reasons set out in his previous report and is still recommended.

CHIEF EXECUTIVE'S RECOMMENDATION

Proceed with Amendment No. 32

AMENDMENT 33

Section 7.4 Tourism & Recreation Objectives

Amend Objective T30 as follows:

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

SUMMARY OF SUBMISSIONS

Name	Issues raised
Transport Infrastructure Ireland	<p>The Authority notes and supports the proposed material amendment to Objective T30 and concurs with the Chief Executive's assessment of this site outlined in the Chief Executive's Report on submissions on the Draft Plan.</p> <p>The TII considers that the proposed intensification of the direct access to the N11, national primary road, is considered to be at variance with the provisions of the DoECLG Spatial Planning & National Roads Guidelines (2012) and the Authority supports the Council's omission of zoning objectives for this site from the Draft Plan in accordance with the provisions of official policy.</p>
Mr. Paul Sexton, Sexton's Garden Centre	<p>This submission seeks the reinstatement of the second part of this objective, which it is proposed to omit and its further enhancement by making provision for tourism and leisure facilities on the site, as well as the previous arts, crafts and interpretative uses. i.e. the following wording is sought:</p> <p><i>"To support the development of craft/artisan centres at established tourist facilities. In particular, the Council will support the development of tourism, arts, crafts and leisure uses and interpretive facilities at Sexton's Garden Centre, Glen of the Downs"</i></p> <p>The rationale for this request is set out as follows:</p> <ul style="list-style-type: none">– The site is a substantial site of c. 8 acres with a range of established retail uses, which has been in existence since the 1960s. It should have a planning designation because of its size, its employment and its established planning status;– Such a large site with existing employment and retail activities needs some planning certainty. The removal of the zoning removed the planning certainty and undermines the economic sustainability of these lands into the future;– It is the significant local employer. A zoning designation is required to safeguard the future of these jobs;– This site is a large retail showcase for very many local products. There is potential to significantly expand this service to local producers if its future is secured;– Shopping, especially at the weekends, has become a leisure activity. This activity needs ancillary arts and crafts and leisure facilities. The proposed designation supports such leisure and recreational shopping;– The owners are favourably disposed to closing the existing vehicular access of the national road, as part of a planning permission securing a sustainable expansion of facilities and services on the site;– The planning authority has zoned these lands for tourist, arts and crafts development in the last two County Development Plans. Nothing has changed. Therefore there is no basis for a decision to reject the continuation of this zoning designation;

	<ul style="list-style-type: none"> – Contrary to the Chief Executive's Report, safe pedestrian access is possible to the Glen of the Downs Nature Reserve. This is available along Ballydonagh Lane to the south-east of the site, via the rear access of the lands.
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CHIEF EXECUTIVE'S ASSESSMENT

The CE concurs with the TII's position regarding the zoning of these lands for further development.

The request made by the landowner is essentially similar to that made at the draft plan stage and the CE's assessment of that proposal i.e. to expand the range of uses allowable on the site to include more extensive retail, leisure and other tourism uses, remains as set out in that report – the CE does not support such a designation.

The submitter is requesting that the proposed amendment not be made and that the original objective be further modified.

The CE advises that at this stage of the plan making process, the members may consider the amendment as published and can decide to make, not make or 'further modify' the proposed amendment. The Planning Act states that a 'further modification' can only be made where:

- *It is minor in nature and therefore not likely to have significant effects on the environment or adversely affect the integrity of a European site;*
- *It shall not increase the area of land zoned for any purpose or comprise an addition to or deletion from the RPS.*

It is not open to the members to 'not make' a proposed amendment and then 'further modify' the original objective – any 'further modification' can only be made to the proposed amendment itself.

Furthermore, *even if* it were open to the members to consider modifying the original objective, the CE considers that the revised zoning objective sought **would not constitute the type of modification allowed by the Planning Act** as it would:

- essentially completely change the fundamental nature of the zoning designation and the type of uses allowable;
- comprise of an increase in the area of land zoned for tourism and leisure purposes;
- would be likely to give rise to a considerable change in the character of the site and the impacts arising from the operation of the site (for example in terms of traffic generation) and therefore give rise to significant effects on the local environment.

The CE would also add, in response to some of the issues raised in the submission, that a zoning designation is not necessary to safeguard the future development and employment potential of the site – there are numerous objectives and standards relating to such development already in the County Development Plan and where any such development is considered to comply with the strategies and objectives of the plan and all normal proper planning and sustainable development criteria, permission can be considered. Furthermore a zoning designation does not guarantee the granting of a permission, as was previously the case on this site, which was refused a permission in 2008 for a type of development allowed by the zoning of the site at that time. The CE would also point out that a safe pedestrian route from the site to the Glen Of the Downs is not actually available as the route suggested involves use of public roads which have no footpaths.

CHIEF EXECUTIVE'S RECOMMENDATION

Proceed with Amendment No. 33

AMENDMENT 34

Section 7.4 Tourism & Recreation Objectives

Amend Objective T34 as follows:

- T34** To promote and encourage the recreational use of coastline, rivers and lakes ~~and the development of 'blueways'¹⁵ 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.

SUMMARY OF SUBMISSIONS

Name	Issues raised
Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs (National Parks and Wildlife Division)	<p>It is the view of the Department that Objective T34 concerning the addition of the development of blueways has the potential to negatively impact on natural heritage.</p> <p>Mitigation for the potential impacts arising from Proposed Amendment No. 34 is set out in the Strategic Environmental Assessment addendum and is stated to be the addition of the words "<i>subject to normal environmental protection and management criteria</i>". However since the whole country is currently planning a network of blueways and greenways the potential for impact is large and cumulative and this Department would have expected a lot more discussion on this issue. Where such blueways are along coastline, rivers and lakes with European designations there is the potential for a negative impact on a European site.</p> <p>With regard to Appropriate Assessment, Proposed Amendment 34 of objective T34 has the potential to negatively impact on European sites. Objective T34 does not appear to have been assessed in the Appropriate Assessment addendum.</p> <p>Table 2.1 details plans that may have cumulative impacts but omits projects such as greenways and blueways along waterways and coastlines in other counties.</p> <p>In view of the above comments this Department cannot agree with the conclusions of the SEA and AA addenda. The Department recommends that these documents are revised to reconsider these issues.</p>

CHIEF EXECUTIVE'S ASSESSMENT

This amendment was proposed by the CE for the reasons set out in his previous report and is still recommended. The CE is satisfied that the development plan objectives and standards, along with all other normal planning and environmental assessment criteria, would provide for the rigorous assessment of the environmental acceptability of any project / development that could arise on foot of this objective.

¹⁵ 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.

It is considered unreasonable for the Department to advise Wicklow that it should carry out some kind of region- or Country-wide assessment of the cumulative impacts of a Country wide network of blueways in this local development plan.

Furthermore, the plan has not identified any particular location for any such blueways, it is very 'high level' objective, and therefore it would not be possible to evaluate impacts on any particular Natura 2000 site. Should any project arise, it will be subject to normal Appropriate Assessment requirements.

A more detailed assessment of the issues raised by the DAHRRG is set out in Appendix C.

CHIEF EXECUTIVE'S RECOMMENDATION

Proceed with Amendment No. 34

AMENDMENT 35

Section 8.3 Social Infrastructure
Subsection 8.3.2 Health, Care and Development

Amend Objective CD17 as follows:

CD17 To provide for new or extended residential care facilities for the elderly at the following locations as shown on maps 8.01-8.02:

- 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 8.02)

Omit maps 8.02 and 8.03

SUMMARY OF SUBMISSIONS

Name	Issues raised
Transport Infrastructure Ireland	<p>The Authority notes that the proposed zoning objective at Killickabawn, Kilpedder (new Map Ref. 8.02) remains in the Draft Plan and is not subject to any proposed material amendment or removal. As outlined in the Authority's initial submission on the Draft Plan, 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.</p> <p>The proposals to zone lands at this location appears to be inconsistent with the zoning principles outlined in Section 5.4 (ii) (b) of the Draft Plan and appears to be proposed in the absence of the evidence base required under Section 2.7 of the DoECLG Spatial Planning and National Roads Guidelines.</p> <p>TII acknowledges the Chief Executive's assessment of this objective in the Report on submissions and the recommendation that the zoning be omitted and the Authority respectfully requests further review of this zoning designation.</p>

CHIEF EXECUTIVE'S ASSESSMENT

With regard to the submission from TII, no amendment has been proposed and published with respect to the Killickabawn zoning and therefore it is not open to further change / modification.

This amendment was proposed by the Elected Members at the County Council meeting in July 2016. The Chief Executive had recommended to the members that the entirety of this objective should be omitted from the plan as he considered that the plan provided for adequate scope already for the development of such social infrastructure, without need to zone the land specifically for this use.

However, it is only the amendment above i.e. the deletion of Blainroe/Kilpoole Lower and Coolgarrow only, that are open for consideration at this stage of the plan making process and the CE recommends that the members proceed with this amendment.

CHIEF EXECUTIVE'S RECOMMENDATION

Proceed with Amendment No. 35

AMENDMENT 36

Section 8.3 Social Infrastructure Subsection 8.3.2 Health, Care and Development

Residential and Day Care Objectives

Add new objective

- CD-X** Clinically managed / supervised dwelling units, such as 'step down' (i.e. post acute care) accommodation or semi-independent housing provided as part of a medical facility, nursing home or other care related facility, will be considered strictly only on the following basis:
- The units are associated with an already developed and established medical facility, nursing home or other care related facility; the units are held in single ownership with the overall medical / nursing home / care facility; no provision is made for future sale or subdivision; and a strict management agreement is put into place limiting the use of such structures to those deemed in need of medical supervision or care;
 - The number of such units on any such site shall be limited to 10% of the total number of hospital / nursing / care home bedrooms unless a strong case, supported by evidence, can be made for additional units;
 - Such units shall be modest in scale and limited to single bedroom units only and independent facilities such as car parking and gardens shall not be provided to each unit (in order to ensure such units are not rendered suitable for standalone use as private dwellings).

SUMMARY OF SUBMISSIONS

No submissions were received with respect to this proposed amendment.

CHIEF EXECUTIVE'S ASSESSMENT

This amendment was proposed by the Elected Members at the County Council meeting in July 2016. The Chief Executive supports this amendment and considers it to be consistent with proper planning and sustainable development.

CHIEF EXECUTIVE'S RECOMMENDATION

Proceed with Amendment No. 36

AMENDMENT 37

Section 9.1.2 Public Transport

Amend objectives as follows:

- 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 ~~disabled access and~~ 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 SUBMISSIONS

Name	Issues raised
Roadstone Ltd	Amendment 37 reflects the policies of the adopted Transport Strategy for the Greater Dublin Area 2016-2035. This transport strategy does not provide for a Luas stop or other mass transit at Fassaroe. Roadstone supports Wicklow County Council's clear intention to seek the provision of a mass transit solution at Fassaroe. The sustainable development of Fassaroe for mixed use and housing development is key to meeting the housing targets for Bray and for the county.

CHIEF EXECUTIVE'S ASSESSMENT

The support for this proposed amendment from Roadstone Ltd is noted. This amendment was proposed by the CE on foot of submissions made to the draft plan, in particular those made by the transport authorities. While neither the NTA nor the TII have made specific comment with regard to this particular amendment, a submission has been received from the NTA indicating their general satisfaction with the proposed amendments overall and advising that the proposed amendments appear to be broadly consistent with the transport strategy for the GDA.

The CE recommends that the members proceed to make this amendment.

CHIEF EXECUTIVE'S RECOMMENDATION

Proceed with Amendment No. 37

AMENDMENT 38

Section 9.1.4 Public Roads

Amend text as follows:

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

SUMMARY OF SUBMISSIONS

No submissions were received with respect to this proposed amendment.

CHIEF EXECUTIVE'S ASSESSMENT

This amendment was proposed by the CE for the reasons set out in his previous report and is still recommended.

CHIEF EXECUTIVE'S RECOMMENDATION

Proceed with Amendment No. 38

AMENDMENT 39

Section 9.1.4 Public Roads

Amend Objective TR21 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 generally 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.

Delete Objective TR24

~~**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).~~

SUMMARY OF SUBMISSIONS

Name	Issues raised
Transport Infrastructure Ireland	<p>In relation to Proposed Amendment No. 39, the Authority acknowledges the alteration to the text to conform to the provisions of the DoECLG Spatial Planning and National Roads Guidelines (2012) concerning access to national roads. However, it is noted that the proposed amendment outlines that the only exceptions to the restriction on access to national roads shall be as set out in Section 2.6 of the 'Spatial Planning and National Roads' – Guidelines for Planning Authorities.</p> <p>The Council will be aware that Section 2.6 of the DoECLG Guidelines requires that where a less restrictive approach to the control of development accessing national roads may be applied this should only be as part of reviewing or varying the relevant development plan. In the Authority's opinion, deferring consideration of individual cases to development management is inappropriate, piecemeal and at variance with the provisions of the DoECLG Guidelines. As outlined in the Authority's initial</p>

	submission on the Draft Plan the Authority is available to discuss proposals with the Executive of Wicklow County Council; where the Council proposes to identify 'exceptional circumstances' for agreement with TII, a sufficient and robust evidence base will need to be established.
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CHIEF EXECUTIVE'S ASSESSMENT

This submission is noted, and as no exceptions as per the guidelines are proposed in this plan, this clause should be omitted.

CHIEF EXECUTIVE'S RECOMMENDATION

Proceed with Amendment No. 39, subject to the following further modification:

- 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 generally 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.

AMENDMENT 40

Section 9.1.7 Roadside Signage

Amend text as follows:

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.~~

In particular 'white-on-brown' signs on the mainline will be considered for:

- Major tourist / leisure destinations (generally those with in excess of 50,000 visitors per annum)
- Tourist facilities panels for adjacent bypassed towns or alternative routes
- Eligible championship golf courses
- County boundary signs
- Principal rivers
- Scenic routes / heritage drives.

On exiting the mainline, continuity signage at the ends of ramps will be facilitated, subject to the visibility and clarity of directional or other road traffic signage not being compromised. Signage for Failte Ireland approved tourist accommodation will be facilitated at the ends of motorway / dual carriageway off slips only, where they meet the intersecting road.

AS3 National Road N81 Signage on this route, outside of locations where a 50km/h applies such as at 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.~~

In particular, 'white-on-brown' signs on national secondary roads will be considered for major tourist / leisure destinations (generally those with in excess of 7,000 visitors per annum); where recorded tourist numbers are not available, attractions may be considered for tourist signage subject to (a) agreement between the TII and the Local Authority and (b) the views of Failte Ireland. With respect to tourism accommodation, signage will be considered all types of tourist accommodation approved by Failte Ireland or other recognised body, subject to a maximum of 4 accommodation facilities signposted at any junction.

SUMMARY OF SUBMISSIONS

Name	Issues raised
Transport Infrastructure Ireland	The final sentence of the proposed amendment states that the Council 'will' facilitate signage for Failte Ireland approved tourist accommodation at the ends of motorway/dual carriageway off-slips only, however, in the Authority's opinion, the text should advise that the Council 'may' facilitate such signage proposals. Amending 'will' for 'may' ensures closer compliance with the Policy on the Provision of Tourist and Leisure Signage on National Roads (2011).

CHIEF EXECUTIVE'S ASSESSMENT

The CE has no difficulty with acceding to the request of the TII. This is considered a minor modification.

CHIEF EXECUTIVE'S RECOMMENDATION

Proceed with Amendment No. 40, subject to the following further modification:

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.~~

In particular 'white-on-brown' signs on the mainline ~~will~~ **may** be considered for:

- Major tourist / leisure destinations (generally those with in excess of 50,000 visitors per annum)
- Tourist facilities panels for adjacent bypassed towns or alternative routes
- Eligible championship golf courses
- County boundary signs
- Principal rivers
- Scenic routes / heritage drives.

On exiting the mainline, continuity signage at the ends of ramps ~~will~~ **may** will be facilitated, subject to the visibility and clarity of directional or other road traffic signage not being compromised. Signage for Failte Ireland approved tourist accommodation ~~will~~ **may** be facilitated at the ends of motorway / dual carriageway off slips only, where they meet the intersecting road.

AS3 National Road N81 Signage on this route, outside of locations where a 50km/h applies such as at 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.~~

In particular, 'white-on-brown' signs on national secondary roads ~~will~~ **may** be considered for major tourist / leisure destinations (generally those with in excess of 7,000 visitors per annum); where recorded tourist numbers are not available, attractions may be considered for tourist signage subject to (a) agreement between the TII and the Local Authority and (b) the views of Failte Ireland. With respect to tourism accommodation, signage ~~will~~ **may** be considered all types of tourist accommodation approved by Failte Ireland or other recognised body, subject to a maximum of 4 accommodation facilities signposted at any junction.

AMENDMENT 41

Section 9.2.2 Water Supply & Demand

Add new objective as follows:

WI-X 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.

SUMMARY OF SUBMISSIONS

No submissions were received with respect to this proposed amendment.

CHIEF EXECUTIVE'S ASSESSMENT

This amendment was proposed by the CE for the reasons set out in his previous report and is still recommended.

CHIEF EXECUTIVE'S RECOMMENDATION

Proceed with Amendment No. 41

AMENDMENT 42

Section 9.2.3 Waste Water

Amend Objective WI5 as follows:

- 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 SUBMISSIONS

No submissions were received with respect to this proposed amendment.

CHIEF EXECUTIVE'S ASSESSMENT

This amendment was proposed by the CE for the reasons set out in his previous report and is still recommended.

CHIEF EXECUTIVE'S RECOMMENDATION

Proceed with Amendment No. 42

AMENDMENT 43

Section 9.3.4 Emissions to air

Amend Objective WE11 as follows:

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.

SUMMARY OF SUBMISSIONS

Name	Issues raised
Roadstone Ltd	Roadstone welcomes the revisions proposed by Amendment 43 in relation to air quality. The draft policies now propose a pragmatic approach to air quality and noise monitoring.

CHIEF EXECUTIVE'S ASSESSMENT

The submission from Roadstone Ltd is noted. This amendment was proposed by the CE for the reasons set out in his previous report and is still recommended.

CHIEF EXECUTIVE'S RECOMMENDATION

Proceed with Amendment No. 43

AMENDMENT 44

Section 9.3.5 Noise Pollution

Amend Objective WE15 as follows:

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~~

SUMMARY OF SUBMISSIONS

Name	Issues raised
Roadstone Ltd	Roadstone welcomes the revisions proposed by Amendment 44 in relation to noise monitoring. The draft policies now propose a pragmatic approach to air quality and noise monitoring.

CHIEF EXECUTIVE'S ASSESSMENT

The submission from Roadstone Ltd is noted. This amendment was proposed by the CE for the reasons set out in his previous report and is still recommended.

CHIEF EXECUTIVE'S RECOMMENDATION

Proceed with Amendment No. 44

AMENDMENT 45

Section 9.5.3 Energy - Wind Energy Objectives

Amend Objective CCE6 as follows:

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;
- particular cognisance and regard being taken of the impact on wind turbines on residential amenity particularly with respect to noise and shadow flicker;
- 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~~ or 10 times the tip height of the proposed turbines from any residential properties or other centres of human habitation with special consideration given to the proximity of such developments to educational establishments.

SUMMARY OF SUBMISSIONS

Name	Issues raised
Minister for Housing, Planning, Community and Local Government	<p>The Department previously requested the deletion of Objective CCE6 pending the determination of a national policy in the wind energy sector.</p> <p>Proposed Amendment 45 relates to the re-wording of Objective CCE6 on wind energy policy in the Draft Plan including in relation to a minimum set back of wind energy development from residential properties.</p> <p>Given the settlement patterns of rural housing throughout the county, the set-back proposed would effectively exclude the provision of wind energy projects from large parts of the county or the county in its entirety, contrary to existing national and regional policy on encouraging wind energy development and contrary to the Wind Energy Guidelines 2006 including section 3.4 which outline how the development plan should set out objectives to maximise the potential from wind energy resources available.</p> <p>The Planning Authority is therefore respectfully requested to delete Objective CCE6 from the Draft Plan because it is profoundly contrary to the objectives underlying national policy and guidelines on wind energy development in relation to maximising the contribution to renewable energy targets from wind energy.</p> <p>Moreover, it should be noted that in the case of several county development plans to date, the Minister has directed planning authorities to remove non-compliant policies and objectives related to wind energy development under Section 31 under the Planning and Development Acts. If the Council does not comply with this request, the Minister would be likely to consider the use of his</p>

	powers to direct the planning authority accordingly.
Department of Communications, Climate Action & Environment (Decarbonisation Division)	<p>a) The 2009 EU Renewable Energy Directive set member states legally binding targets for the use of renewable energy by the year 2020. To meet our target, Ireland is committed to meeting 40% of electricity demand from renewable sources. It should be noted that electricity produced from wind energy is significantly cheaper in Ireland than the cost of production from any other renewable source. Despite progress toward our targets being achieved, meeting them remains challenging and failure to do so is likely to result in considerable cost to the state.</p> <p>b) The Department notes the intention of the County Council to set out Wind Energy Objectives in Chapter 9. This Department draws particular attention to section 9.5.3 and notably the impacts on residential amenity through noise and shadow flicker. Further to which, in determining a setback distance for wind farm projects from residential dwellings, the County Council should keep in mind the project to revise the Wind Energy Development Guidelines (the Guidelines) which is on-going between the Departments of Housing, Planning, Community and Local Government, and Communications, Climate Action and Environment. In December 2013, the then Department of Environment, Community and Local Government began a review of the Guidelines focussed specifically on the issues of noise, proximity and shadow flicker. Some 7,500 submissions were received in response to the public consultation.</p> <p>c) Technical studies on various aspects of the issues, particularly noise and consequent setback distances required, have been obtained and detailed assessments of the various options have been undertaken by the two Departments. It is quite possible that any decision by Wicklow County Council to prescribe setback distances <u>before</u> the Guidelines are completed could cause a range of unintended consequences for meeting our legally binding renewable energy targets.</p> <p>d) 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.</p>
Irish Wind Energy Association (IWEA)	<p>It is put forward that certain provision in relation to wind energy developments, especially within Objective CCE6, would be directly in contravention of national guidance on wind energy development:</p> <p>a) The provisions of Objective CCE6 runs directly contrary to the current <i>Wind Energy Development Guidelines</i>;</p> <p>b) Objective CCE6 places unnecessary restriction and constraint on the site selection process which would jeopardise or prevent renewable energy investment and development in the County;</p> <p>c) It is clear from research carried out by the AIRO Institute of NUI, Maynooth that the setback being proposed by Wicklow County Council, would leave virtually no viable sites available for wind energy development;</p> <p>d) The imposition of a rigid extreme separation distance within the strategic planning policy for the County will further restrict, to the point of extinction, any potential for future wind energy development in Co. Wicklow;</p> <p>e) Given the development plan's remit in relation to wind energy development</p>

	<p>(i.e. providing a land use framework), it is suggested that plan objectives should not stipulate site specific design constraints.</p> <ul style="list-style-type: none"> - Appropriate design constraints such as set-back distances are informed by national policy guidance and further informed by the detailed project design process undertaken in tandem with the preparation of an Environmental Impact Statement for a project. - The inclusion of a mandatory set back distance within a policy objective will unnecessarily and inappropriately restrict the implementation of national and local policy to generate additional electricity from renewable sources and artificially restrict the number and range of sites that could be brought forward that would otherwise satisfy all the other requirements of the Development Plan, National Guidelines and the requirements of proper planning and sustainable development. - The inclusion of a mandatory set back will unnecessarily prevent the full potential of County Wicklow's renewable energy and wind energy resources being harnessed, and would be misaligned with the other policies and provisions within the Draft Plan that support the development of renewables. <p>f) It is requested that this objective is omitted from the final plan.</p>
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CHIEF EXECUTIVE'S ASSESSMENT

The CE notes the position of the Minister for Housing, Planning, Community and Local Government and the Department of Communications, Climate Action & Environment on this issue. The CE further notes the comments of the IWEA. The CE recommends that the members do not proceed with aspects of the proposed amendment and modify it as set out below.

CHIEF EXECUTIVE'S RECOMMENDATION

Proceed with Amendment No. 45, subject to the following further modification:

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;
- particular cognisance and regard being taken of the impact on wind turbines on residential amenity particularly with respect to noise and shadow flicker;
- 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 or 10 times the tip height of the proposed turbines from any residential properties or other centres of human habitation with special consideration given to the proximity of such developments to educational establishments.~~

AMENDMENT 46

Section 9.5.3 Energy - Wind Energy Objectives

Delete Objective CCE7

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

SUMMARY OF SUBMISSIONS

Name	Issues raised
Irish Wind Energy Association (IWEA)	<ul style="list-style-type: none">a) It is put forward that given the lead times for grid connections and the current uncertainty of the future support regime for wind farms, a ten year planning permission is deemed necessary and reasonable for these types of development. This can be clearly seen by a number of recent decisions issued by An Bord Pleanála. The project timescales for this type of infrastructure requires a significant amount of time to negotiate all the elements required to build out a project.b) IWEA would also note that the removal of the provision is likely in time to lead to further applications under Section 42 of the Planning Act to extend the appropriate period.c) Wicklow County Council considered it appropriate for this Objective to be included in previous drafts, it is difficult to understand the logic that prompted the omission of this policy at such a late stage.d) The duration of planning should be a matter for the applicant to purpose under their development and for it to be considered under the terms of the Planning Act.

CHIEF EXECUTIVE'S ASSESSMENT

On foot of the submission from the Minister for Environment, Community and Local Government at the second public consultation stage of the plan making process, the CE recommended the omission of this objective. The Minister advised that 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 and accordingly, the Council must omit Objective CCE7 (limitation on permission duration) as it is considered premature pending the conclusion of the initiated review process and ensure the continuance of existing development plan policy in the Draft Plan.

CHIEF EXECUTIVE'S RECOMMENDATION

Proceed with Amendment No. 46

AMENDMENT 47

Section 9.5.3 Energy - Wind Energy Objectives

Add new Objective

CCE-X To support community-based wind energy projects.

SUMMARY OF SUBMISSIONS

No submissions were received with respect to this proposed amendment.

CHIEF EXECUTIVE'S ASSESSMENT

This amendment was proposed by the CE for the reasons set out in his previous report and is still recommended.

CHIEF EXECUTIVE'S RECOMMENDATION

Proceed with Amendment No. 47

AMENDMENT 48

Section 9.5 Solar Energy

Amend text as follows:

(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.

CCE-X 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 guidance¹⁶.

SUMMARY OF SUBMISSIONS

No submissions were received with respect to this proposed amendment.

CHIEF EXECUTIVE'S ASSESSMENT

This amendment was proposed by the CE for the reasons set out in his previous report and is still recommended.

CHIEF EXECUTIVE'S RECOMMENDATION

Proceed with Amendment No. 48

¹⁶ 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

AMENDMENT 49

Section 9.5.3 Heating Objectives

Add new objective as follows:

CCE-X To support the development of district heating systems, particularly those generating heat from renewable sources.

SUMMARY OF SUBMISSIONS

No submissions were received with respect to this proposed amendment.

CHIEF EXECUTIVE'S ASSESSMENT

This amendment was proposed by the CE for the reasons set out in his previous report and is still recommended.

CHIEF EXECUTIVE'S RECOMMENDATION

Proceed with Amendment No. 49

AMENDMENT 50**Section 10.2 Built Heritage**

Amend text as follows:

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.

SUMMARY OF SUBMISSIONS

Name	Issues raised
Mining Heritage Trust of Ireland	The MHTI supports the inclusion of underground features in the RPS and any newly discovered underground archaeology but would suggest slight rewording for clarity: <i>'To safeguard archaeological sites, monuments, objects and their settings above ground, below ground and underwater listed in the Record of Monuments and Places (RMP), and any additional newly discovered archaeological remains'</i>

CHIEF EXECUTIVE'S ASSESSMENT

This amendment was proposed by the CE for the reasons set out in his previous report and is still recommended.

The submission from the MHTI is noted but it not considered necessary to amend the wording as requested - it is considered sufficiently clear.

CHIEF EXECUTIVE'S RECOMMENDATION

Proceed with Amendment No. 50

AMENDMENT 51

Section 10.2.3 Architectural Heritage

Amend text as follows:

Record of Protected Structures

~~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.

SUMMARY OF SUBMISSIONS

No submissions were received with respect to this proposed amendment.

CHIEF EXECUTIVE'S ASSESSMENT

This amendment was proposed by the CE for the reasons set out in his previous report and is still recommended.

CHIEF EXECUTIVE'S RECOMMENDATION

Proceed with Amendment No. 51

AMENDMENT 52

Section 10.2.3 Architectural Heritage Record of Protected Structures

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.

SUMMARY OF SUBMISSIONS

No submissions were received with respect to this proposed amendment.

CHIEF EXECUTIVE'S ASSESSMENT

This amendment was proposed by the CE for the reasons set out in his previous report and is still recommended.

CHIEF EXECUTIVE'S RECOMMENDATION

Proceed with Amendment No. 52

AMENDMENT 53

Section 10.2.3 Architectural Heritage Architectural Conservation Areas (ACAs)

Amend text as follows:

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

Settlement	Location
Blessington	Town Centre
Enniskerry	Town Centre
Tinahely	Town Centre
Dunlavin	Town Centre
Rathdrum	(1) Main Street
	(2) Low Town
Delgany	Village Centre
Greystones	(1) Church Road
	(2) Killincarrig Village
	(3) The Burnaby
	(4) Blacklion
	(5) Greystones Harbour
Wicklow Town	(1) Town Centre ¹⁷
	(2) Leirim Place
	(3) Bachelors walk and Church Street
	(4) Bay View Road
	(5) Brickfield Lane

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.**

¹⁷ 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.

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.

SUMMARY OF SUBMISSIONS

No submissions were received with respect to this proposed amendment.

CHIEF EXECUTIVE'S ASSESSMENT

This amendment was proposed by the CE for the reasons set out in his previous report and is still recommended.

CHIEF EXECUTIVE'S RECOMMENDATION

Proceed with Amendment No. 53

AMENDMENT 54

Section 10.3.2 Biodiversity

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.**

SUMMARY OF SUBMISSIONS

No submissions were received with respect to this proposed amendment.

CHIEF EXECUTIVE'S ASSESSMENT

This amendment was proposed by the CE for the reasons set out in his previous report and is still recommended.

CHIEF EXECUTIVE'S RECOMMENDATION

Proceed with Amendment No. 54

AMENDMENT 55

Section 10.3.2 Biodiversity

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.~~

SUMMARY OF SUBMISSIONS

No submissions were received with respect to this proposed amendment.

CHIEF EXECUTIVE'S ASSESSMENT

This amendment was proposed by the CE for the reasons set out in his previous report and is still recommended.

CHIEF EXECUTIVE'S RECOMMENDATION

Proceed with Amendment No. 55

AMENDMENT 56

Section 10.3.2 Biodiversity

Add new objective as follows:

NH-X To preserve lands at 'The Rocks', Kilcoole (as shown on Map 10.16) in its existing state; to allow no development of these lands; to protect the lands as a natural habitat and biodiversity area; to protect the open nature and landscape quality of the lands.

New Map 10.16

Objective NH13



SUMMARY OF SUBMISSIONS

432 submissions, including one from Cllr John Snell (E402) and a submission with 109 signatures were received in support of this amendment. All of the submissions are the same with the following content:

Expression of support for amendment 56 "The Rocks" (Section 10.3.2) Bio Diversity in the Wicklow County Development Plan 2016 -2022 (Detail below)

I wish to support Amendment 56 which seeks to preserve the unique heritage of "The Rocks" and protect a wildlife environment already under severe stress, from any further human encroachment. Wicklow County Development (2010 – 2016) already outlined protection for biodiversity in this area. Amendment 56 strengthens this policy by specifying and defining 'The Rocks' for special conservation. This unique resource will help ensure that the scarce biodiversity required to sustain wildlife in this area is protected for the future and outlaw the dump currently being planned for this glacial Valley.

CHIEF EXECUTIVE'S ASSESSMENT

These lands are in the ownership of Wicklow County Council.

The CE does not support the proposed amendment for the reasons as set out in his previous report. In particular:

1. There is no evidence to justify the zoning of the lands as an area to be preserved as an ecologically important site. In this regard, a recently completed EIS for the importation of soils and the development of an eco park on this site did not find any evidence of rare or protected species or ecologically important flora and fauna. Furthermore, the study found that any impacts on flora and fauna that might arise from the development of the site could be mitigated and addressed such that adverse impacts would not arise in the longer term (i.e. after the construction phase had been completed) and that the development in question could in fact provide an 'ecological sanctuary' for flora and fauna;
2. At no time prior to the development of the current proposals to import soil into these lands and develop an eco park 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 of 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 interest, if not particularly unique, biodiversity, did not identify this site.

3. There are a number of objectives within the draft plan to protect, where appropriate, the ecological integrity of non-designated sites. As such, the zoning and objective are not necessitated;
4. The objective effectively sterilizes the lands from **any form** of development, without evidence to justify this sterilization.

CHIEF EXECUTIVE'S RECOMMENDATION

To not proceed with Amendment No. 56

AMENDMENT 57

Section 10.3 Natural Heritage and Landscape Subsection 10.3.8 Public Rights of Way

Amend text as follows:

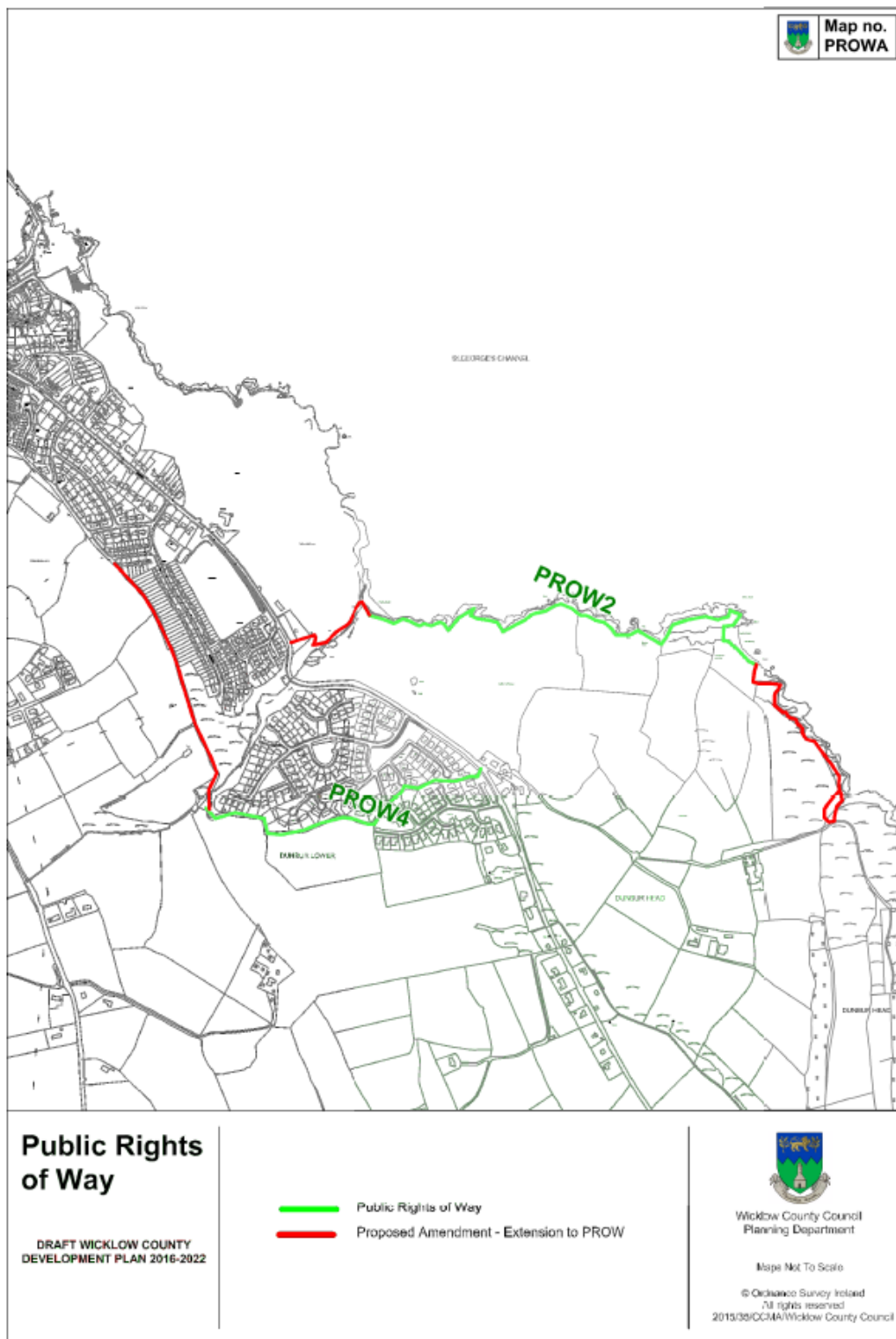
Reference	Location	Description
P.R.O.W.1	The Murrough, Wicklow Town	From the Wicklow Town boundary, along the coastline of A coastal walkway from the public car park in the Murrough Wicklow Town to the former Wicklow Town Council boundary in Tinakelly via Bollarney Murrough, Knockrobin, Murrough, and Tinakilly Murrough.
P.R.O.W.2	Dunbur Lower and Dunbur Head, Brides Head, Wicklow Town.	From the Wicklow Town boundary along the coastline to Brides Head and Lime Kiln Bay 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 Rathnew back road along the western boundary of Wicklow Environs the roundabout junction at Merrymeeting/Burkeen (L-5392-0 and L-1098-60).
P.R.O.W.4	Corporation Lands and Dunbur Lower, Wicklow Town	Along The old coast road from the north-western public road junction (L 5721-15/L-57251-10) in Seafield housing estate (townland of Corporation Lands) at Dunbur Lower from Seafield housing estate to public road. 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 From Beach Road Greystones to the coastline in Rathdown Lower and Rathdown upper, via two branches.	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. 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 Tinakelly The Murrough to Blackditch Newcastle.	Coastal Walk. From the eastern end of Sea Road, Newcastle to Tinakelly Murrough in Wicklow Town (linking up with PROW1). 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, Castlegange, Grange South and Grange North.
P.R.O.W.7	Enniskerry-Tinnehinch-Cookstown	'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.
P.R.O.W.8	Stratford on Slaney	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.
P.R.O.W.97	Main Street Kilcoole to the L-1042 /Kilquade Road.	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. 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 21st 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.

Omit Map PROW 7 and Map PROW 8

Public Rights of Way Maps





SUMMARY OF SUBMISSIONS

Abbreviations:

P.R.O.W. Public Right of Way.

C.I.E. Corás Iompair Éireann.

C.D.P: County Development Plan 2016-2022.

C.E: Chief Executive Wicklow County Council.

C.E. report no.2: C.E. report no.2 of 23rd May 2016.

P.R.A.I. Property Registration Authority of Ireland.

P.D.A. 2000: Planning and Development Act 2000.

K.I.O: Keep Ireland Open.

<p>1. Corás Iompair Éireann (C.I.E.)</p> <p>P.R.O.W. 5 and 6.</p>	<p>This submission pertains to P.R.O.W. 5 (the southern part of the Bray to Greystones Cliff walk-circa 1.4 km) and P.R.O.W. 6 (coastal walkway from Tinakelly (The Murrough) to former Newcastle Railway Station).</p> <p>-----</p> <p>Further to the previous submission made by C.I.E. to the Wicklow County Development Plan 2016-22 preparation process, dated 16th May 2016, CIE retains its stated position therein that; the preservation of the two alleged public rights should not be included in the development plan and such public rights of way do not exist. This submission is without prejudice to the same.</p> <p>There are serious and significant safety issues why the alleged rights of way ought not to be included.</p> <p>In a letter dated 19th July 2016, C.I.E. were notified in writing by W.C.C. that amendments to the provisions of the draft Wicklow County Development Plan (November 2015), had been adopted by the members of the Council at the Council meeting of 4th July 2016. The wording of the description of each of these respective listed routes is quoted in this submission.</p> <p>1. The following general points are made with respect to each respective route:</p> <p>(a) The maps and referencing carried out by W.C.C. including the 12 maps of the route of P.R.O.W. 6 prepared at a scale of 1:2500 and forwarded to C.I.E. on the 3rd of August 2016 coupled with the map of the same scale of P.R.O.W.5 forwarded on 22nd of August 2016; are totally inadequate in detail/clarity and in breach of the necessary statutory requirements. The inadequacies of these maps have hampered the ability of C.I.E. and indeed members of the public from making meaningful and accurate submissions. Therefore there has been a breach of fair procedures and the statutory requirements. It is noted that in the letter issued to C.I.E. by W.C.C. on 3rd August 2016, the high costs of producing survey maps that included details of P.R.A.I., folio maps as requested by C.I.E. was provided as a reason for not producing such maps. This letter advised that it is the position of W.C.C. that the 12 maps attached to that letter was deemed to be of sufficient clarity for identification of the existing pathway of P.R.O.W.6.</p> <p>(b) It is not acceptable that W.C.C. would appear to priorities cost implications of producing further maps that incorporate details of Property Registration Authority of Ireland, folio maps.</p> <p>(c) A record is outlined of the exchange of correspondence regarding the subject Development Plan proposals regarding the two routes in question and the preparation of mapping during the period May-August 2016.</p>
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		<p>2. The following more specific points were outlined regarding P.R.O.W. 5: (The southern part of the Bray to Greystones Cliff walk-circa 1.4 km):</p> <ul style="list-style-type: none"> (a) The reduction in the length of the proposed route to 1.4km is more preferable than the proposal in the draft CDP to encompass the entire route of this cliff walk as a public right of way. (b) However there remain safety issues with respect to the route in its reduced form which is proposed to be preserved as a P.R.O.W. (c) The northern end of the amended route affects the level crossing on the adjacent railway line known as Ennis Lane. (d) It appears that the Council are proposing the purchase of lands encompassing the branch of this route that runs eastwards to the coastline, at a point opposite to Ennis Lane. This will have the effect of opening up access to the beach, the shortest route to which from the public road is across this level crossing. No public right of way exists over the railway track and it is wholly inappropriate to propose preserving a route which transverses the railway line. (e) C.I.E. is of the view that preserving such alleged public rights of way (without modification) will facilitate and encourage persons to traverse the railway track. For reasons of safety it is imperative that no public right of way is created over the railway tracks. (f) A record is enclosed of 'near accidents' along this section of railway line. (g) C.I.E. is concerned that the increased marketing and visibility of this walkway may increase usage and consequently the incidents of near misses or worse. (h) Insofar as W.C.C. are to retain the proposed 1.4 km section of this route as a P.R.O.W. in the C.D.P. then it is suggested that the following further modifications be made: <ul style="list-style-type: none"> - A pedestrian footbridge (be installed by the Council) traversing the railway line. - The existing pedestrian wicket gates on the level crossing be removed. - The gates for the official agricultural use of the level crossing changed to security gates so members of the public cannot transverse the level crossing at all. This work will be done by C.I.E. (i) The creation of a new branch of the Cliff walk leading from main artery of this route in an eastern direction to the coastline, in a position opposite to Ennis Lane (a cul-de sac public road-R.761 leading from the railway line to the R.761), opens up the prospect of increased construction activity at the crossing by W.C.C. for the purposes of accessing their own coastal lands. Such a scenario would pose further obvious safety difficulties for C.I.E. (j) C.I.E. objects to the certain aspects of the description of P.R.O.W.5. In particular to the reference to the "long established" Bray to Greystones Cliff Walk. This is inferred to be an attempt to suggest that there is an established public right of way on this route which is not accepted and the words should be deleted as in any case they are unnecessary. (k) It therefore follows from the above that it is the submission of C.I.E. that the material amendments with respect to P.R.O.W. be modified as to ensure that the exclusion of the public from accessing the track and any level crossing. <p>-----</p> <p>3. The following more specific points were outlined regarding P.R.O.W. 6: (Murrrough to Newcastle):</p> <ul style="list-style-type: none"> (a) It remains wholly unclear from that which point it is proposed that the public should cross the railway line at the northern-Newcastle end of this route. (b) The proposed route crosses and or runs alongside the active and live Dublin to Rosslare railway line. It is thus of considerable importance to C.I.E. and the
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		<p>public to be aware of where precisely this route crosses this railway line and/or is proximate to C.I.E. lands.</p> <p>(c) The new description of P.R.O.W.6 makes it clear that the proposed route of alleged P.R.O.W. of necessity involves traversing the railway track. However the precise location at which the railway track is to be traversed is not specified. By not specifying how members of the public are expected to access this P.R.O.W. the proposal is in effect opening up a 'free for all' which is unacceptable to C.I.E. Six level crossing on the section of railway adjoining this stretch of route are listed.</p> <p>(d) It would be appropriate that W.C.C. construct a footbridge across the railway line. It is therefore submitted that the material amendment should be further modified to specify the precise point along the railway line where the public right of way is to transverse same.</p> <p>(e) P.R.O.W. 6 is particularly problematic insofar as certain groups and individuals have already breached C.I.E. fencing to access the coastline across this railway line. There are on-going problems of vandalising of fences and trespass. The proposed P.R.O.W.6 will further encourage and facilitate such trespass.</p> <p>(f) C.I.E. objects to the description of P.R.O.W. 6 as being a "continuation" of P.R.O.W. 1. There is no valid connection between each of them and this attempt at validating P.R.O.W. 6 by incorporating the same with P.R.O.W.1 is considered wholly inappropriate.</p> <p>(g) In relation to land-ownership, it appears from the undated maps (1-6 inclusive) that P.R.O.W. 6 traverses land in the ownership of C.I.E. and in private ownership. The inadequacy of the maps and referencing process makes this difficult to ascertain but it appears that the route moves in and out of land in the ownership of C.I.E. It also appears to cross the existing fence line in a number of places and which will only further encourage further vandalism and breaches to the fence.</p> <p>(h) In relation to coastal erosion, C.I.E. carries out works to defend against coastal erosion where coastal erosion is an issue for the track. C.I.E. is thus anxious to ensure that access for such coastal protection works should not be impeded in the carrying out of these works. Thus a modification should be made to the material amendment in the plan to protect the capacity of C.I.E. to continue to carry out same.</p>
2. Keep Ireland Open		<ol style="list-style-type: none"> 1. Keep Ireland Open (K.I.O.) supports the provisions of the amended draft C.D.P. regarding P.R.O.W.1, 2, 3, 4 and 6. 2. K.I.O. are totally opposed to the deletion of practically the entire remit of P.R.O.W.5 (Bray to Greystones Cliff walk) in response to the submission by C.I.E. The C.E's report does not attempt in any way to refute the claims made in C.I.E's submission. This route is of vital importance as a recreational amenity for the people of North Wicklow and visitors from both other parts of Ireland and abroad. 3. K.I.O. are opposed to the proposed deletion of Lover's Leap (P.R.O.W.7) from Table 10.3. This walkway is an important amenity for the people of Enniskerry and has been used as such for generations. 4. K.I.O. are opposed to the proposed deletion of the Stratford on Slaney Mass Path (P.R.O.W.8). By referring in Section 3.10 page 371 of the C.E's report to this route as a being 'an amenity pathway' a strong case is made for its inclusion as a public means of access. Mass paths are part of Ireland's history and every protection should be accorded to them. They do not agree with the narrow interpretation of Section 10(2) of this report.

		<ol style="list-style-type: none"> 5. The minimalist list of nine listed P.R.O.W's compares unfavourably with Co. Kerry where over fifty P.R.O.W's have been listed. 6. W.C.C. are reminded that reasonable access to the countryside is the norm in virtually all European Countries. 7. An anomaly is highlighted in Chapter 11 (Coastal Zone Management) Cell 2 Bray Head, Objective CZ2.2. This objective refers to the existence of a public right of way on Bray Head, but no such route is included in Table 10.3. (Public Rights of Way). 8. The reference in the second paragraph in Section 3.13 page 732 regarding the rights of way study carried out by W.C.C. in the second half of the 1980's which encompassed the north-east of Co. Wicklow County Council been only researching 'rights of way'; can only be described as a 'sleight of hand'. 9. K.I.O. is opposed to the deletion of the phrase "users of amenity routes". They submit that this deletion reflects the undue influence of landowners and their associations in their agenda of excluding recreational users from an input on access issues. 10. With regards to NH47; whilst they support this additional objective, its remit should be extended to include all public rights of way. The current narrow thinking of W.C.C. in this regard means it is seeking to accept the minimum possible responsibility in this matter and gives rise to the question of what if the land-owner fails to maintain the P.R.O.W. 11. W.C.C. have totally ignored in a contemptuous manner their reasoned and well researched submission that was in the main based on precedents from other plans in the Greater Dublin Area. 12. The draft plan fails to comply with following publications: The Planning and Development Acts, The National Spatial Strategy, Development Plans of neighbouring Local Authorities to W.C.C., the G.D.A. Regional Planning Guidelines, Dept. of Environment, Development Plan Guidelines and the Heritage Act 1995.
3.	Mr. Harry Webster, Seaview House, Dunbur Upper, Wicklow.	<p style="text-align: center;"><u>General points.</u></p> <ol style="list-style-type: none"> 1. It is noted that hardly any other part of the proposed C.D.P. has been amended so such a substantial degree. This is as a result of orchestrated lobbying resulting in W.C.C. acting disproportionately in a biased manner in favour of lobbyist and interest groups. Such groups are seeking to create and expand purported entitlements contrary to the natural and constitutional rights of the property owners. 2. W.C.C. has not consulted adequately or at all with adjacent of actual land-owners concerning P.R.O.W's. There is no provision for any litter, toilet or other facilities along any of the listed P.R.O.W's. There has been no scientific or economic research as would lead a reasonable person to adduce that there is a need for providing such an amenity. 3. Objectively it would make more economic sense making necessary improvements, repair and maintenance to the existing and neglected amenities throughout the county. <p>Specific points made about P.R.O.W.2 Dunbur Lower and Dunbur Head</p> <ol style="list-style-type: none"> 1. W.C.C. has stated in sub-section 3.14.1 of the C.E. report, that the lands are unsuitable due to health and safety concerns. Despite the former shooting range lands being closed for 10 years or so and having the area fenced off, W.C.C. has admitted that it has failed to maintain or supervise the alleged right

	<p>of way. Having only identified this route as a P.R.O.W. in the current and previous plans the Council is constitutionally prohibited from retrospectively asserting that the 2000 Act Provisions do not apply.</p> <ol style="list-style-type: none"> 2. At S.3.14.2 of the C.E. report erroneously stated that P.R.O.W.2 ends at respective public places. It actually ends at lands in the ownership of his family. Given the on-going history of vandalism, trespass and criminal damage to their property and the previous admission in S3.14.1 that the public have ignored Council signage and fencing for "ten years or so" along P.R.O.W.2 it would be naïve or disingenuous to suggest that the proposed loop back would be effective or indeed respected. 3. The recently unilateral installation of the Brides Head/Lime Kiln Bay finger signpost during May-June 2016 appears to have been self serving and biased. In fact this sign cannot be seen from the any public road, pathway or defined public walkway. It can only be seen after walkers trespass from the R750 onto the private lighthouses road. This sign pre-dated the publication of the draft C.D.P. and therefore should not be part of the consideration of this plan. 4. Given the recent litigation case in the Wicklow uplands concerning an injury sustained by a recreational user, it is likely that proposed repairs to the eroded area on P.R.O.W.2 together with any issues regarding the on-going maintenance of all other P.R.O.W's, will increase the cost to W.C.C. in terms of liability and lead to several annual court actions. 5. If proper consultation or engagement had been effected, they would have consented to P.R.O.W. 2 ending with a loop ended walkway only if in advance of opening such a walkway W.C.C. construct a proper wall of minimum 1.7 metres high of suitable length with appropriate signage at the turning end. It is proving impossible for his family to prevent animal and other trespass onto their lands due to criminal actions and misguided or subversive agendas of unknown agitators who have failed to respect their property rights. They regard it as just and equitable that the W.C.C. be obliged to prevent trespass to their lands from the Council's property. 6. The revised plan refers to balancing the needs rather than the legal and constitutional rights of landowners in competition to objectives of the plan. W.C.C's function, remit and reputation is being compromised in failing to use appropriately precise language in this regard. 7. It is regrettable that this matter which has been the result of consistent organised lobbying. Any reasonable person would regard the proposals regarding P.R.O.W's less important than the concerns of social housing, childcare, education, employment, road safety, illegal dumping and other more serious issues. Rather than solving problems, the increased P.R.O.W's are likely to create further expenses in provision and increases in accident litigation. 8. Notwithstanding the provisions of Sections 206, 207, 208 and 212, the submissions regarding increased P.R.O.W's and walkways may not have considered the many and varied duties and obligations owed to the public as a whole by the planning authority and in particular the concept of "the greatest need" and prioritising the limited resources available.
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4.	Sister Julie Nugent, Dominican Convent, Bay View Road, Wicklow.	<p>This submission pertains to P.R.O.W. 4 (Old coast road in Dunbur Wicklow Town. The northern laneway part of this route traverses lands in the ownership of the Dominican Order of Nuns, Wicklow Town).</p> <ol style="list-style-type: none"> 1. Gratitude is expressed to W.C.C. for arranging a pre-submission meeting with representatives of the Dominican Convent Wicklow. 2. They have discussed matters discussed at that meeting with their solicitor firm. In the opinion of their solicitor there are several issues requiring clarification. 3. It is envisaged that the form of agreement that W.C.C. has in mind will cover these issues. 4. W.C.C. is requested to furnish a draft of the proposed agreement envisaged.
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CHIEF EXECUTIVE'S ASSESSMENT

Introduction:

It is considered appropriate to reiterate what was included on page 725 Section 1 of Section 3.8 of the Chief Executive report no.2 of 23rd May 2016 pertaining to the statutory grounding mandatory requirements for the inclusion of public rights of way in Development Plans (i.e. County Development Plans):

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.

Furthermore, the following clarifications regarding the statutory duties of planning authorities with respect to the carrying out maintenance works to public rights of ways listed in Development Plans, were included on page 725 of that said C.E. report:

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 Section 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. (21st January 2002).

Consequently Wicklow County Council is statutorily required to carry out maintenance and improvement works with respect to the following Public Rights of Ways (P.R.O.W's), that are included in Table 10.3 of the Amended draft Plan (May 2016): P.R.O.W. 1, P.R.O.W.2, P.R.O.W.3, P.R.O.W.4. This statutory requirement is incorporated into objective NH47.

Submission number 1:

1. The surveyed maps produced by W.C.C. in July 2016 of P.R.O.W. 5 (showing the southern 1.4 km section) and P.R.O.W. 6 are considered to be of sufficient detail and clarity to indicate the location and remit of these two routes.
2. W.C.C. acknowledges the concerns of C.I.E. regarding the matter of public safety arising from unregulated use by members of the public of pedestrian crossing points on the Dublin to Rosslare railway line. The Council also acknowledges the statutory role of C.I.E. in safeguarding its property from both damage by members of the public as well as protecting the well-being of the public who use the pedestrian railway track crossing facilities.

3. The route of the amended P.R.O.W. 5 as delineated on Map PROWB in the amended draft plan encompasses only the initial south section of the Bray to Greystones Cliff walk. This section which is circa 1.4 km in length runs from the junction of the Beach Road and Victoria road to a point on the cliff area adjoining the site of the former Rathdown Castle via a short perpendicular branch (circa 100 metres) of the main artery of the cliff walk. This branch of pathway formerly constituted the main artery of this cliff walk and is located on lands owned by W.C.C. This pathway is still intact and is used for coastline and sea viewing purposes. Thus contrary to what is asserted by C.I.E. no lands are to be purchased and no new pathway is to be created to realise the objective to terminate the northern end of P.R.O.W. 5 at the eastern end of this perpendicular branch.
4. The request to omit in the interests of clarity of the phrase 'long established' from the second line of the description of P.R.O.W. 5 of the Bray to Greystones cliff walk, in Column 2 of table 10.3 is acknowledged and accepted. The necessary modification is recommended herein.
5. It is not the statutory function of Wicklow County Council to provide footbridges over railway lines. It is the statutory role of C.I.E. to provide adequate and safe facilities on property under its ownership/stewardship to accommodate and manage pedestrian movement including pedestrian access facilities over railway tracks.
6. At no point does the amenity pathway that runs from the public car-park in the Murrough Wicklow Town to the vicinity of the former Newcastle railway station (encompassing P.R.O.W. 1 & 6) cross over or directly abut any open (i.e. un-fenced) section of track on the Dublin to Rosslare railway line.
7. W.C.C. therefore does not accept that by including P.R.O.W. 5 (in its amended format) and P.R.O.W. 6 in section 10.3.8 of this development plan for preservation as respective public rights of way, it is putting the conditions in place to increase the level of public usage of these long established and highly utilised recreational routes. The development plan is a land-use management framework plan and is not a marketing forum to promote the recreation and tourism landscape attributes of the County. No evidence has been submitted to illustrate that the listing of P.R.O.W. 1 in successive Wicklow Environs Plans since September 1994, has had the effect of increasing its rates of annual usage as a public amenity walking route from the corresponding pre September 1994 rates.
8. W.C.C. retains its position as previously outlined in 3.2.2. of C.E. report no.2 that P.R.O.W. 6 is in landscape characteristic terms, a seamless continuation of P.R.O.W. 1. The termination of P.R.O.W. 1 at the latter bureaucratically created boundary of the Wicklow town environs in four successive Wicklow environs development plans from 1994-2013 (current plan encompasses the former town council function area and its environs), reflected the practical and functional need to accord with the defined catchment area of these plans.
9. It is not accepted that the inclusion of P.R.O.W. 6 to be preserved as a public right of way will open up 'a free for all' due to the fact there are six level crossings on the railway line that runs adjacent to this section of coastal pathway. Public access to this route is not dependent on traversing the railway line as access to the combined coastal route-P.R.O.W. 1-6 commences at its southern end in the Murrough public car-park in Wicklow town and does traverse the railway at any point. The onus is on C.I.E. to manage public access to the coastline via the said six level railway pedestrian crossing points. The proposal to include P.R.O.W. 6 within the remit of objective number NH45 (preservation as P.R.O.W.) does not in any way impede the right of access by C.I.E. to carry out coastal protection works to safeguard this railway line from coastal erosion.
10. In the interests of clarifying the northern end point of P.R.O.W. 6, a modification is proposed to the description of this route in Table 10.3, which makes reference to the extent of this listed public right of way for the purposes of this plan, terminating at 'the beach in Newcastle'. Hence fulfilling the common

law rule that a public right of way must commence at end at defined public places (public roads, places of natural beauty).

11. The planning authority is satisfied that the two coastal routes in question fulfil some of the common law criterion pertaining to the emergence over a long period of time of a public right of way, by long interrupted and unrestricted use by the public of a particular use for their enjoyment, without force, without secrecy and without the written consent of the relevant land-owners. It was for instance a proposal as far back as the 1967 draft Wicklow County Development Plan that the coastal walkway from the Murrough at the former Wicklow Urban District Council boundary to Newcastle railway station be preserved as a public right of way. Furthermore, the fact that the entire remit of the amended P.R.O.W. 5 is located within lands owned by W.C.C. means that this section of the Bray to Greystones Cliff walk has been dedicated to the public 'as of right' by the Council by virtue of its inclusion in Section 10.3.8 for its preservation as a public right of way.

Submission number 2:

1. No further comment or further amendments are considered warranted with respect to the reduction of the remit of P.R.O.W.5 (Bray to Greystones Cliff Walk) as put forward in sub-section 3.2 of the C.E. Report No.2, whereby is it now only the 1.4 km section in the southern part of this route that is included for preservation as a P.R.O.W. as described in table 10.3. and Map PROWB of the amended draft plan (July 2016).
2. The omission of Lover's Leap lane from the list of public rights of way in the current amended draft plan as adopted by the members of Wicklow County Council, does not confirm or infer that this route does or does not fulfil one or more of the common law criterion through which a public right of way may arise as outlined on page 724 of the C.E. report no.2. It is envisaged that in accordance with objective NH46, Wicklow County Council will carry out further research studies into the possibility of the existence of other public rights of way (in the form of amenity route-ways) throughout the County. It is envisaged that such a specific research project will facilitate a greater level of historical research into public usage of the routes under focus together with a greater degree of engagement with relevant land-owners, public bodies and recreational users etc as reference in objective NH47. It is further envisaged that routes such as Lovers Leap Lane in Cookstown Enniskerry (P.R.O.W. 7 in the draft C.D.P.) will form part of such a study. In addition, the above referenced statutory requirement under Section 10(2)(o) of the P.D.A.2000, means that W.C.C. is required to examine the grounds for including further amenity routes within relevant objectives in the next Wicklow County Development Plan 2022-2028 for preservation as public rights of way. It is therefore not recommended at this juncture that P.R.O.W. 7 is reinstated to this plan as part of Section 10.3.8. of the amended draft development plan.
3. No further comment or further amendments are considered warranted with respect to the omission of P.R.O.W. 8 (Stratford of Slaney mass path) as outlined in sub-section 3.10 of the C.E. Report No.2.
4. It is accepted that there is an anomaly between the provisions for P.R.O.W. 5 (does not include the section of the Bray to Greystones Cliff Walk in Bray Head) in the amended draft development plan and reference to public rights of way on Bray Head in objective CZ2.2 of Chapter 11 of this plan. Accordingly, if this amendment is made, it is considered appropriate that a minor 'change consequent' be made to Chapter 11 such that reference is made to 'amenity routes' rather than 'public rights of way'.
5. None of the suggested amendments to objectives N45 to NH47 are considered warranted. It is deemed that the wording of these objectives are of a robust nature which encompass all the statutory provisions and requirements of current planning legislation with respect to Public Rights of Way including the role of planning authorities in their preservation and management in the interests of the common good.

6. The assertion that the amended draft Wicklow C.D.P. 2016-2022 does not comply with the legislative, plans and guidelines referenced in this submission (point 12 of submission no.2 in the above table) is rejected. It is considered that such a claim is not supported by any evidence based information.

Submission number 3:

1. The allegations in this submission that Wicklow County Council has in its work on this draft development regarding proposals for listing particular amenity routes for preservation as public rights of way, acted in a biased and disproportionate manner in favour of lobbyist and interest groups, is completely rejected. Submissions were invited from all sectors of society during the three stages of the development plan preparation in accordance with the provisions of Sections 11 and 12 of the Planning and Development Act 2000 (as amended). Public consultation was facilitated by the planning authority during these stages as well. By including provision in this development plan, W.C.C. is fulfilling its mandatory obligations in accordance with the provisions of Section 10(2)(o) of the P.D.A. 2000 as referenced herein in the introduction as well as on page 725 of the C.E. report no.2. Furthermore W.C.C. rejects the allegation that its reputation has been compromised in any way or that the plan fails to prioritise more urgent planning and development issues, by its adherence to the statutory requirements of Section 10(2) of the P.D.A. 2000, through the inclusion of a section of the plan pertaining to public rights of way.
2. The planning authority is well aware of and accepts its statutory obligations to maintain public rights of way that were listed in adopted development plans that pre-dated the commencement of PART XIII of the P.D.A. 2000 (incorporating Sections 206-208). W.C.C. It is outside of the statutory remit of the provisions of Chapter 1 (Development Plans) of this Act, for development plans to outline specific objectives and measures for the maintenance of public rights of way that a planning authority is required to maintain in accordance with S.208 of this act (see relevant point in the above introduction section).

The route to which this submission makes specific reference to is P.R.O.W.2 in table 10.3 of the amended draft plan, this route is described as having three sections namely; (a) From the Glen public car park off the R.750 in the townland of Corporation Lands to Glen Strand, (b) From the Glen Strand to Brides Head/Lime Kiln Bay, (c) On a cliff coastal path as far as private road leading from the R.750 to Wicklow Head Light House and back onto the linear section of this path via a new looped section of path to be developed during the lifetime of this plan.

The lands in both section (a) and (c) are in the ownership of W.C.C. The middle section (b) has been listed for preservation as public right of way in the four successive Wicklow Town and Environs Plans 1994-2013. Therefore the purpose of adding two further sections on both ends of the middle section is in recognition of the logical extent of this coastal pathway as used by the public. The Glen public carpark is the obvious starting point for users of the first section of this walkway that travel by car to utilise this amenity. It was highlighted in sub-section 3.14 of the C.E. report no.2 (p.734), how investigations established that notwithstanding the fact the circa 500 metres of the middle section of this coastal path (i.e. the section preserved as a P.R.O.W. since 1994) is closed from public access by W.C.C. for safety reasons due to the coastal erosion of the adjoining cliff-face, it continues to be used by the public. The planning authority is aware of the fact as highlighted in this submission that members of the public are accessing this coastal pathway from the south via a roadway that runs from the R.750 coast road to privately owned site of the Wicklow Light Houses complex. This road is not a public road as defined by the 1993 Roads Act. The ownership of this road is divided between three folios. The middle section of this road is encompassed by a folio (WW278) registered in the ownership of Wicklow Town Council (now W.C.C.) The physical in-connectedness between this coastal walk and the said non-public road the private road and the R.750 (Dunbur-coast road) means that some recreational walkers are using these combined routes as a looped walk. It was outlined in sub-section 3.14.3 of the C.E. report no.2 that it is proposed to establish a new short looped section at the southern end of the

extended P.R.O.W.2 as a means of providing a means of access back onto the linear/coastline section of this path thus providing access back to the Glen car-park.

The description of the extended P.R.O.W.2 in Table 10.3, included reference to the development of this new looped section is to be carried out during the lifetime of this plan. It was also highlighted in that sub-section that because W.C.C. is the owner of the lands where the final southern section of this route traverses, the Council had the authority to carry out works to define this linear section of route with a looped end without invoking the provisions of Sections 206-208 of the P.D.A. 2000. By implication the purpose of the demarcation of the southern section of P.R.O.W.2 in a linear-looped layout, W.C.C. are seeking to discourage users of this route from encroaching onto non-public roadway leading from the R.750 to the light houses site.

3. W.C.C. accepts that the including of the middle section of P.R.O.W.2 within Section 10.3.8. of the amended draft C.D.P. 2016-2022 for preservation as a public right of way poses somewhat of a dilemma, considering that this section has been closed by the Council itself for circa 10 years on the grounds of health and safety. It is further acknowledged that in practical terms the public cannot access the final southern section of this route from the Glen carpark (via the Glen strand) without passing through this middle section. On the other hand the Council is aware of how the common legal maxim "once a highway always a highway" is applicable to routes that have been established through one or more legal means as public rights of way. However that maxim ceases to have any legal standing once the route in a physical context ceases to exist due to natural erosion processes or other natural landscape alteration forces/incidents such as landslides. It is considered that in order to address this predicament, that W.C.C. may, after the adoption of this CDP carry out investigations (including consultations with other appropriate parties) in accordance with the provisions of NH47 regarding the scope to carry out structural improvements to the middle section of P.R.O.W. 2 in the interests of public safety. It is envisaged, that it is legally open to W.C.C. to consider not including the middle and by extension the southern section of this cliff-side pathway for preservation as a public right of way in future development plans; where its investigations in the aftermath of the adoption of this plan establishes that it is not reasonably feasible to substantially resolve the current health and safety issues pertaining to the physical condition of this section of P.R.O.W.2.
4. Issues raised such as the threat of litigation injury claims against W.C.C. by users of the amenity routes listed in the plan for preservation as public rights of way, arising, is a matter that comes within the regular operational work of a local authority. No other matters raised in submission no.3 are considered to give rise to the need to omit or modify any of the proposed amendments in the draft plan.

Submission number 4:

1. It is considered that the purpose of this submission is to request liaison between W.C.C. and the Dominican Order of Nuns who own farmland that is part encompasses the northern section of P.R.O.W. 4 (Old Coast road in Dunbur area). This section of route in the form of a well maintained and highly accessible laneway which runs as far as the stream in Dunbur Glen. It is considered that the provisions of objective NH47 provides the framework for establishment of engagement between W.C.C. and the respective owners of lands in the Wicklow Town and environs area, over which public right of way routes P.R.O.W. 1-4 traverse, respectively. These are the four routes (with the exception of the initial northern section of P.R.O.W. 2) that were listed for preservation as public rights of way in four successive Wicklow Environs Development Plans between 1994-2013 and thus pre-dated the coming into force of Section 208 of the P.D.A. 2000 on 21st January 2002.

CHIEF EXECUTIVE'S RECOMMENDATION

Proceed with Amendment No. 57, subject to the following further modification to Table 10.3 only:

Reference	Location	Description
P.R.O.W.1	The Murrough, Wicklow Town	From the Wicklow Town boundary, along the coastline of 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	Corporation Lands Dunbur Lower and Dunbur Head, Brides Head, Wicklow Town.	From the Wicklow Town boundary along the coastline to Brides Head and Lime Kiln Bay From the public car-park known as the Glen Car-park in Dunbur Lower in the townland of Corporation Lands /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 Rathnew back road along the western boundary of Wicklow 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	Along The old coast road from the north-western public road junction (L 5721-15/L-57251-10) in Seafield housing estate (townland of Corporation Lands) at Dunbur Lower from Seafield housing estate to public road on a path laneway that runs along the western boundary of that estate, to the R.750 (Dunbur Lower) via to a footbridge over the stream in Dunbur Glen, onto a pathway that in parts is backfilled with soil which adjoins adjoining the eastern boundary of an agricultural field and thereafter onto a laneway respectively that runs between the boundaries of two housing estates (Seaview and Seapoint/Bayside Glen to the R.750 (Dunbur Lower)).
P.R.O.W.5	Bray/Greystones Cliff Walk From Beach Road Greystones to the coastline in Rathdown Lower and Rathdown upper, via two branches.	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. This section of amenity route constitutes the initial linear southern section of the long-established Bray to Greystones Cliff Walk. From the junction of Beach road (L-12042)/ Victoria Road (L-1204) in the Greystones harbour area via part of 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 an existing 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 Tinakelly The Murrough to Blackditch Newcastle.	Coastal Walk. From the eastern end of Sea Road, Newcastle to Tinakelly Murrough in Wicklow Town (linking up with PROW1). A continuation of the Murrough coastal walk referenced herein as P.R.O.W.1 from Tinakelly Murrough Wicklow to the beach at Newcastle in 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	'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.
P.R.O.W.8	Stratford on Slaney	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.
P.R.O.W.97	Main Street Kilcoole to the L-1042 /Kilquade Road.	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. 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.

AMENDMENT 58

Schedule 10.10 County Geological Sites

Amend Schedule 10.10 as follows:

	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 - Tigrone East	A narrow site containing a deep open pit, as well as extensive mine-waste covered ground	●	Tigrone East was the site of intensive mining in the 18th, 19th, and the 20th century
11	Avoca - Tigrone West	This site includes a flat area and a steep, partly wooded section hosting huge volumes of mine waste	●	Tigrone 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 - 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
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		A site with good teaching potential on glacial meltwater erosion, as the feature is accessible

		Blessington		
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
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, capped with a prominent tower		This site is excellent for observing the effects of long-term (millennial scale) peat erosion
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	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
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

SUMMARY OF SUBMISSIONS

Name	Issues raised
Mining Heritage Trust of Ireland	The MHTI approves of the proposed inclusion of County Geological Sites as candidate NHAs as listed in Schedule 10.10, and would encourage their adoption.
Roadstone Ltd	Amendment 58 identifies certain county geological sites as recommended candidate NHAs, including the Blessington Delta. Doran's Pit is an operational pit that is located within the Blessington Delta and it is considered, therefore, that any designation should not constrain the ongoing and permitted operations of Doran's Pit. It is considered that the text relating to county geological sites and candidate NHAs should state the following: <i>The preservation of geological heritage is not incompatible with continued extraction at quarries and pits. Extractive operations often expose geological heritage that would otherwise remain inaccessible and restoration schemes can incorporate appropriate faces for geological study.</i>

CHIEF EXECUTIVE'S ASSESSMENT

The submission from MHTI is noted. With regard to the submission from Roadstone Ltd no amendment has been proposed and published with respect to this matter and therefore it is not open to further change / modification.

This amendment was proposed by the CE for the reasons set out in his previous report and is still recommended.

CHIEF EXECUTIVE'S RECOMMENDATION

Proceed with Amendment No. 58

AMENDMENT 59

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

Add the following to Schedule 10.14:

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. 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

SUMMARY OF SUBMISSIONS

No submissions were received with respect to this proposed amendment.

CHIEF EXECUTIVE'S ASSESSMENT

This amendment was proposed by the CE for the reasons set out in his previous report and is still recommended.

CHIEF EXECUTIVE'S RECOMMENDATION

Proceed with Amendment No. 59

AMENDMENT 60

Section 11.2 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 Study¹⁸ and any other similar studies that are produced during the lifetime of the plan. ~~and where considered necessary.~~

SUMMARY OF SUBMISSIONS

Name	Issues raised
Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs (National Parks and Wildlife Division)	<p>It is the view of the Department that proposed amendment No. 60 has the potential to negatively impact on natural heritage.</p> <p>Amendment 60 does not appear to have been assessed in the SEA addendum. This amendment adds in wording so the objective now includes the provision new coastal defences where necessary along the full coastline. This objective has the potential to cause significant negative impacts.</p> <p>Proposed amendment 60 of CZM7 has the potential to negatively impact on European sites whereas the Appropriate Assessment addendum actually considers objective CZM7 as mitigation.</p> <p>Objective CZM7 has the potential to impact negatively on coastal habitats. Any coastal defence has knock on effects that need to be assessed by considering coastal sediment processes etc. While such a study may not be appropriate at Plan level this Department would have considered that there would have been at least a discussion of the issues. Objective CZM7 also refers to The Murrough. The Murrough is designated as a Special Area of Conservation (SAC) designated under the EC Habitats Directive (Council Directive 92/43/EEC) and Special Protection Area designated under the EC Birds Directive (Directive 2009/147 EC).</p> <p>In view of the above comments this Department cannot agree with the conclusions of the SEA and AA addenda. The Department recommends that these documents are revised to reconsider these issues.</p>

CHIEF EXECUTIVE'S ASSESSMENT

No specific coastal protection works are identified in the proposed amended objective and indeed, it is not certain that any such projects will arise during the lifetime of the plan. In this situation, it is not possible to carry out an impact assessment, on either the environment generally or on specific Natura 2000 sites. Wicklow County Council relies upon compliance with the 'default' environmental protection and management measures that already are in place within the CDP. These include provisions for EIA and AA where European Sites have the potential to be affected.

¹⁸ 2007, WCC/RPS

The Department puts forward no plausible scenario or circumstances by which any of these developments could come into existence without engaging with normal development management provisions – noting in particular that no exemptions apply to site with the potential to affect European Sites.

Thus it is proposed to continue to rely upon the existing nature protection provisions of the plan to protect the European Sites with the County.

A detailed assessment of the issues raised by the DAHRRG is set out in Appendix C.

CHIEF EXECUTIVE'S RECOMMENDATION

Proceed with Amendment No. 60

AMENDMENT 61

Section 11.2 Coastal Zone Management Objectives

Add new objective

CZM-X To prohibit development in areas at high risk of coastal flooding or would interfere with the natural flood alleviation characteristics of the coastal zone.

SUMMARY OF SUBMISSIONS

Name	Issues raised
Roadstone Ltd	<p>Amendment 61 proposes a policy relating to coastal flooding and amendment 103 incorporates a map identifying various flood zones in coastal zones, which is based on a map prepared by the OPW. The map shows that the extant quarry void and the access road to Roadstone's operational quarry in Arklow is in 'Flood Zone A Coastal'. The amended policy (CZM-X) prohibits all development in such zones.</p> <p>National planning policy in relation to flooding is set out in 'The Planning System and Flood Risk Management: Guidelines for Planning Authorities' (November 2009). This policy identifies water compatible development that is permissible in Zone A and outlines a Justification Test for other development on zoned land that cannot be located elsewhere. It is considered that the policy proposed by Amendment 61 does not reflect national policy by requiring a blanket ban on all development in Zone A in all instances.</p> <p>In a letter dated 25th August 2016, Roadstone requested that the OPW remove the quarry void from the coastal tidal flooding maps. The coastal tidal flooding maps do not indicate a pathway from the coastline at the site to the area on the quarry floor, which is below sea level. The lowest ground level between the coastline and the quarry void at the Roadstone site is at c. 19mOD Malin. The lowest ground level is above the modelled tidal flood levels of 1.95mOD, and it is, therefore, not possible for the quarry void to flood as indicated on the coastal flood mapping.</p> <p>It should be noted that Roadstone's quarry at Arklow is an operational site that has been established for many years. The existing development on the site relates to a tied resource and it cannot be relocated. In addition, the aggregate resource at Arklow is of strategic importance. The rhyolite stone resources at the quarry represent an aggregate resource of regional and national importance. This high quality deposit is suitable for high PSV, railway ballast and rock armour, which is used for coastal defense applications. We are not aware of any other location in the south-east region that produces aggregate with similar characteristics.</p>

CHIEF EXECUTIVE'S ASSESSMENT

This amendment was recommended by the CE in his last report on foot of a submission from the EPA which highlighted the risk associated with coastal flooding and development in coastal areas. On reflection, it is not evident that this proposed amendment was an appropriate response to the issues raised.

The concerns raised by Roadstone Ltd with respect to this proposed objective are noted. The submitter is correct that where development passes the 'Justification Test' in the guidelines, permission can be considered

even in areas deemed to be at high risk of flooding (Zone 'A'). It is further considered that the existing objectives of the draft plan relating to flooding adequately address the management of development in flood risk areas and does not differentiate between fluvial and coastal flood risk areas and therefore the proposed new objective is not necessary.

It is therefore recommended that the members do not proceed with this amendment.

CHIEF EXECUTIVE'S RECOMMENDATION

To not proceed with Amendment No. 61

AMENDMENT 62**Section 2 Zoning and Land Use**

Amend table and maps as follows:

ZONING	OBJECTIVE	DESCRIPTION
LSS – Local Shops & Services	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.
MU – Mixed Use	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.
POS: Passive Open Space	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 Town Plans Land Use Maps – improve colour distinction and legends

SUMMARY OF SUBMISSIONS

No submissions were received with respect to this proposed amendment.

CHIEF EXECUTIVE’S ASSESSMENT

This amendment was proposed by the CE for the reasons set out in his previous report and is still recommended.

CHIEF EXECUTIVE’S RECOMMENDATION

Proceed with Amendment No. 62

AMENDMENT 63**Section 1.9 Specific Local Objectives**

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.**

SUMMARY OF SUBMISSIONS

Name	Issues raised
Brian Stokes	The submitter is in support of amendment No. 63 and the Council is invited to approve this proposed amendment. The submitter also points out that the incorrect spelling of 'Inchanappa' has been retained in the proposed amendment document.

CHIEF EXECUTIVE'S ASSESSMENT

Submission is noted. The spelling of Inchanappa will be reviewed and corrected throughout.

This amendment was proposed by the CE for the reasons set out in his previous report and is still recommended.

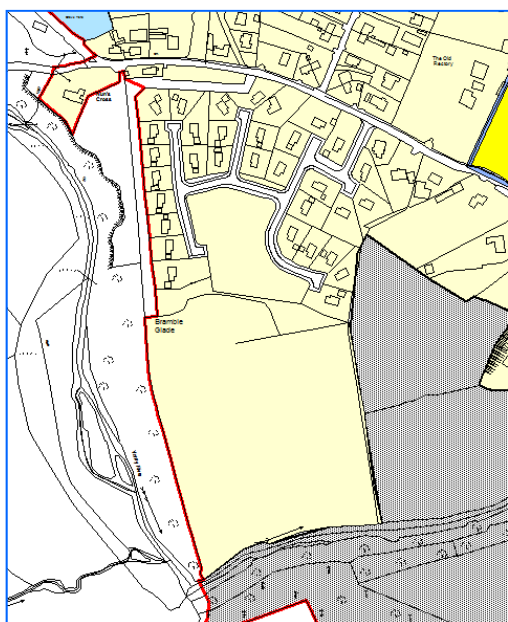
CHIEF EXECUTIVE'S RECOMMENDATION**Proceed with Amendment No. 63**

Amend the spelling of Inchanappa (from Inchinappa)

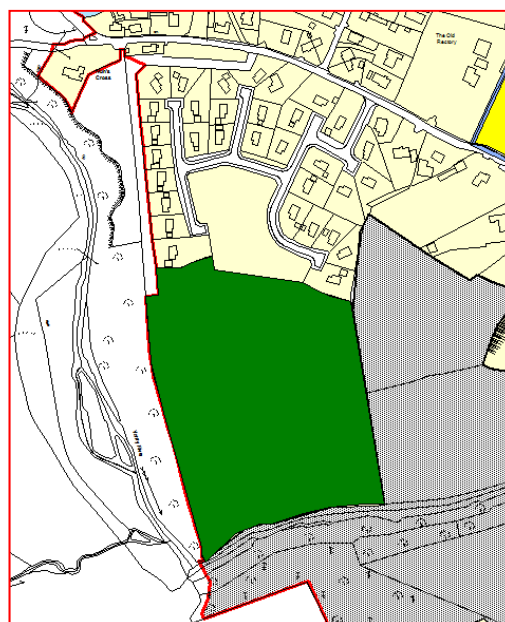
AMENDMENT 64

Land Use Zoning map – Bramble Glade

Change from:
RE



Change to:
OS



SUMMARY OF SUBMISSIONS

Name	Issues raised
Pat O'Connor	A portion of the land in question should be set aside for assisted sites for locals similar to what was provided for in Rosanna Close.

CHIEF EXECUTIVE'S ASSESSMENT

The proposed amendment entails changing the zoning of lands that forms the designated residential open space for Bramble Glade from 'RE' to 'OS'. It is open to the members to decide to either make, not make or further modify the amendment, but in the event they choose to 'not make' the amendment i.e. maintain the RE zoning, it is not possible to make such a significant change as that which is proposed i.e. to designate the land for assisted sites for local housing.

Furthermore, as the lands in their RE format are not designated for new housing (having regard to Objective HD11 which states '*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*'), this suggestion would entail an increase in the area of land zoned for any purpose, which is not permitted by Section 12 (10) (ii) the Act at this stage of plan making.

CHIEF EXECUTIVE'S RECOMMENDATION

Proceed with Amendment No. 64

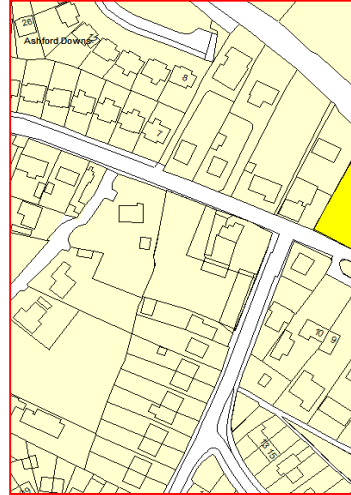
AMENDMENT 65

Land Use Zoning map - Ballinalea

Change from:
TC



Change to:
RE



SUMMARY OF SUBMISSIONS

No submissions were received with respect to this proposed amendment.

CHIEF EXECUTIVE'S ASSESSMENT

This amendment was proposed by the CE for the reasons set out in his previous report and is still recommended.

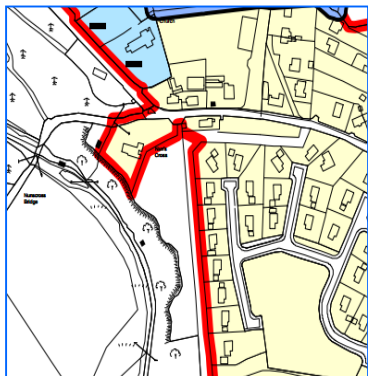
CHIEF EXECUTIVE'S RECOMMENDATION

Proceed with Amendment No. 65

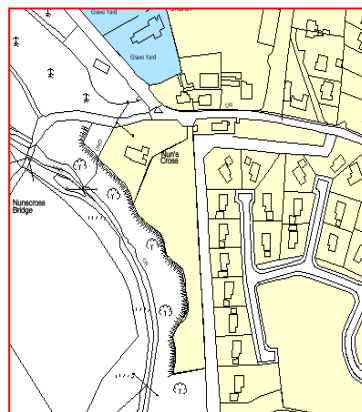
AMENDMENT 66

Land Use Zoning Map – Nun's cross, Ballinahinch

Change from:
Unzoned



Change to:
RE – extend plan boundary



SUMMARY OF SUBMISSIONS

No submissions were received with respect to this proposed amendment.

CHIEF EXECUTIVE'S ASSESSMENT

This amendment was proposed by the CE for the reasons set out in his previous report and is still recommended.

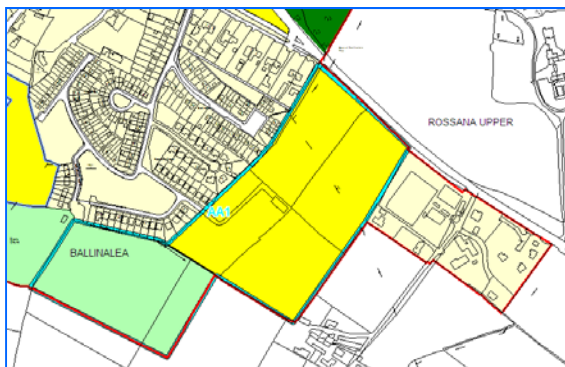
CHIEF EXECUTIVE'S RECOMMENDATION

Proceed with Amendment No. 66

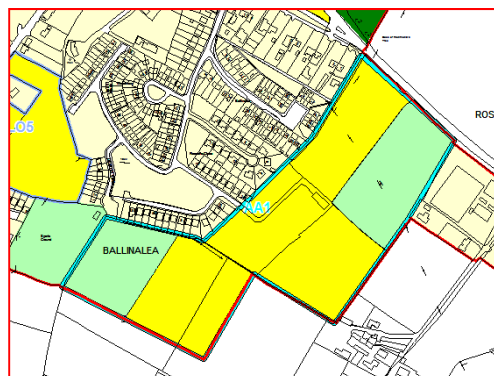
AMENDMENT 67

Land Use Zoning Map - Ballinalea

Change from:



Change to:



SUMMARY OF SUBMISSIONS

Name	Issues raised
Patrick and Eugene Stephens	<p>The submitters are the owners of an area of land within this action area. The submitters:</p> <ul style="list-style-type: none">(a) Welcome the proposed amendment to allow for the division of the OS;(b) Request clarification of the boundaries and area to be zoned in the action area;(c) Appear to be requesting that the proposed new AOS zone on the eastern side of the action area be increased in size from 2.26ha (as shown in the map above) to 2.67ha and the area of land zoned OS on the other side of the action area be resized accordingly. <p>The submitters also put forward their desire to retain the old features of the entrance to the Active Open Space lands which dates back to the very early part of the 19th century.</p>

CHIEF EXECUTIVE'S ASSESSMENT

This action area measures c. 11.5ha of which 7.7ha is proposed to be zoned for residential development and 3.8ha for active open space. The draft plan showed the entirety of the AOS located on the western side of the action area adjoining an existing sports facility. During the second public consultation stage of the plan making process, the Stephens brothers sent in a submission seeking the Active Open Space zoning to be divided into two areas, with the eastern AOS area to be c. 2.26ha and the western portion to be c. 1.8ha (totalling 4.06ha). This was agreed by the members and the proposed amendment rezoning reflects this.

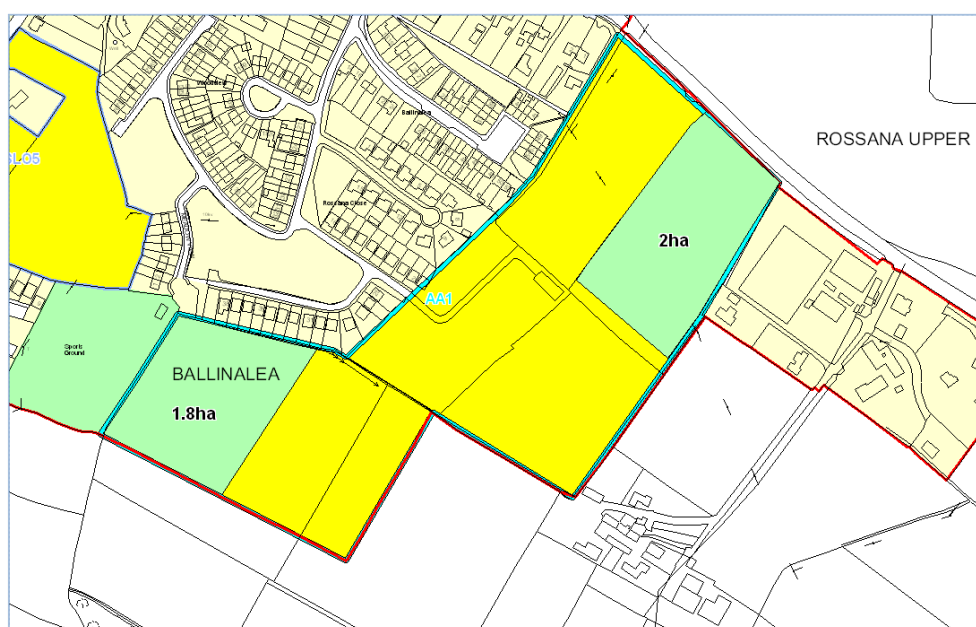
This submission is now seeking an increase in the zoning area of the eastern AOS to 2.67ha to include the entrance into the field, with the AOS to the west decreased in size to 1.13ha (totalling 3.8ha).

While the CE pointed out in his previous report that it was not necessary to delineated exactly where the 3.8ha should be provided within the action area, as the action area process allows for the final layout to be agreed and zones to 'move', he recommended the amendment be made in light of the landowners' request.

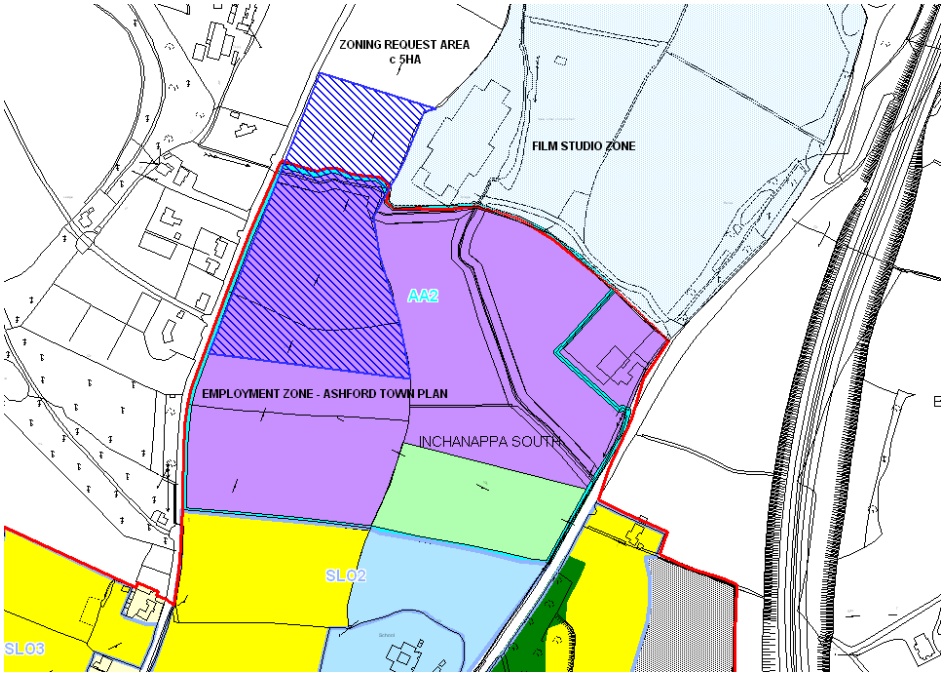
The CE notes that the proposed amendment would slightly increase the area of land zoned AOS from c. 3.8ha to 4ha and recommends that the boundaries of the AOS be modified to reduce the area back to 3.8ha. However, the CE is now concerned that the proposed area of AOS on the western side of the action area is proposed to be further reduced, although this is the optimal location for the AOS adjoining an existing sports facility. Therefore the CE recommends a slight reduction in the AOS area on the eastern side of the action area to 2ha.

CHIEF EXECUTIVE'S RECOMMENDATION

Proceed with Amendment No. 67 and modify as follows:



ASHFORD TOWN PLAN INVALID SUBMISSIONS

Name	Issues raised
Joe O'Connell	<p>Request to zone c. 5ha of land, partly outside of the town plan boundary (i.e. currently unzoned) and partly zoned 'Employment' in the draft plan to 'residential' (shown in blue hatch on the map below).</p> <p>This request is invalid as there is no proposed amendment relating to this land under consideration; in addition, the Planning Act does not allow for addition lands to be zoned at this stage of the plan making process.</p> 
Ashford Development Association Ltd	<ol style="list-style-type: none"> 1. The submitters request that Wicklow County Council re-evaluate its decision to make Ashford a 'Small Growth Town'. It is suggested that designating the village as a Level 6 or 7 settlement would be more appropriate. The community wants Ashford to be maintained as an important Tourist Town with modest development in line with the modest small Tourist Village community. 2. The vision for Ashford should be amended to say "Sustain a revitalised town centre with commercial, residential and community developments forming an improved streetscape along the R772. Careful attention must be made to blend in with the character of the existing streetscape of Ashford. Maintaining the height of 2 story buildings with dormer windows facing the street is essential", "To reinforce and improve the visual appearance of the central area of the town and encourage development that will enhance the village's rural look as a preferred and important tourist destination", "To identify key sites suitable for development in the village centre and set out design criteria capable of meeting the overall vision for the village core area while not disturbing the overall look and feel of the village. New Developments must adhere to the character of Ashford and have the appeal as a classic Irish Village, taking Mt. Usher Gardens as a model of what is Ashford" and "to ensure the protection

	<p>and enhancement of natural habitats, cultural heritage, ecological resources and biodiversity. In particular, to safeguard the integrity of streams and watercourses which are hydrologically linked to The Murrough Natura 2000 site downstream. To ensure that all development in and around the River Vartry, as a EU protected Salmonid River and a very sensitive ecosystem, adhere to the mandatory requirement for an Environmental Impact Assessment and Heritage Assessment."</p> <p>This request is invalid - no amendments have been proposed and published with respect to these matters and therefore the plan is not open to the further changes suggested.</p>
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AMENDMENT 68**Land Use Zoning Map – Aughrim Lower****Change from:**
EMP / RE**Change to:**
AOS**SUMMARY OF SUBMISSIONS**

Name	Issues raised
Kevin Mann, Chairperson, Aughrim GAA club Fiona Shannon, Aughrim Athletic Club Stephen Wilson, Aughrim Camogie Club Ailise O'Loughlin, Secretary, Aughrim Community Sports and Leisure Association Declan O'Brien, Chairperson, Aughrim Community Sports and Leisure Association John O'Shea, Trustee & Treasurer, Aughrim Community Sports and Leisure Association Liam O'Loughlin, Trustee, Aughrim Community Sports and Leisure Association Tommy Forsyth, Treasurer, Aughrim Rangers Soccer Club	These submissions are in support of the proposed amendment.

CHIEF EXECUTIVE'S ASSESSMENT

The Chief Executive does not support the proposed amendment for the same reasons as outlined in his previous report (pg.499) namely:

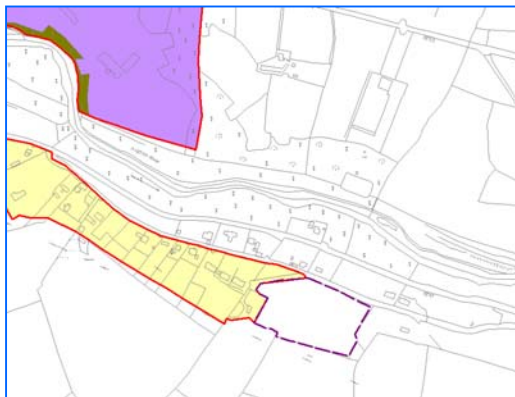
- There is no need for additional Active Open Space within Aughrim;
- The Council has an obligation to provide zoned land for other uses including employment and enterprise.

CHIEF EXECUTIVE'S RECOMMENDATION**To not proceed with Amendment No. 68**

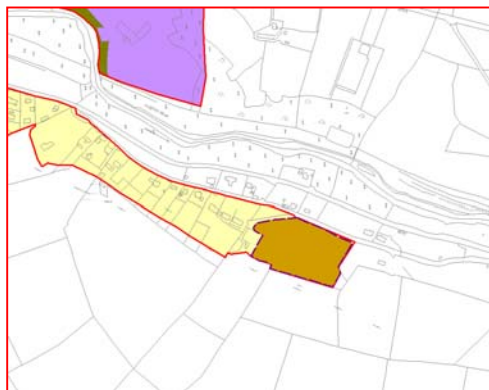
AMENDMENT 69

(a) Land Use Zoning Map - Killacoran

Change from:
Unzoned



Change to:
R Special – extend plan boundary



(b) Section 2.3 Residential Development Objectives

Add new objective:

AUG2 On land zoned R Special at Killacoran (1.6ha) to provide residential development for a maximum of 4 additional units.

SUMMARY OF SUBMISSIONS

No submissions were received with respect to this proposed amendment.

CHIEF EXECUTIVE'S ASSESSMENT

This amendment was proposed by the Elected Members at the County Council meeting in July 2016. The Chief Executive does not support this amendment for the reasons set out in his previous report.

CHIEF EXECUTIVE'S RECOMMENDATION

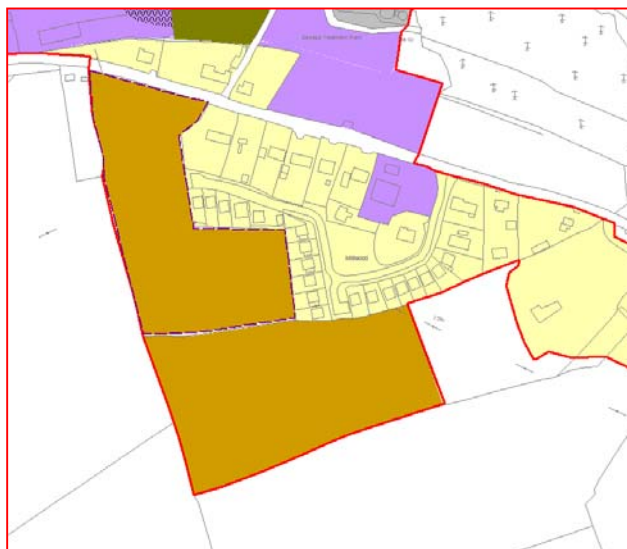
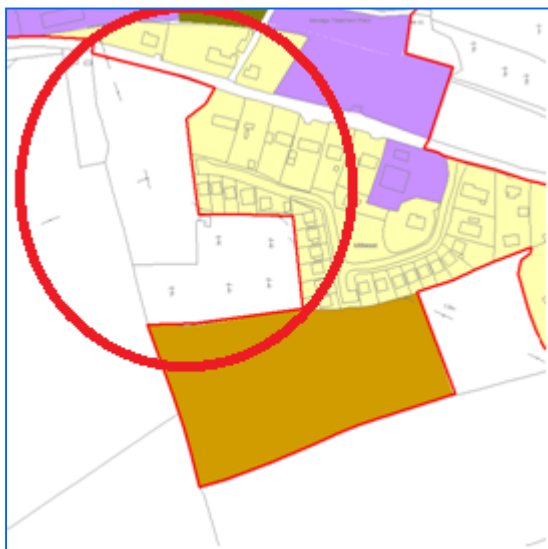
To not proceed with Amendment No. 69

AMENDMENT 70

(a) Land Use Zoning Map - Killacloran

Change from:
Unzoned

Change to:
R Special – extend plan boundary



(b) Section 2.3 Residential Development Objectives

Add new objective:

AUG3 On land zoned R Special at Killacloran (1.94ha) it shall be the objective to provide residential development for a maximum of 5 additional units.

SUMMARY OF SUBMISSIONS

No submissions were received with respect to this proposed amendment.

CHIEF EXECUTIVE'S ASSESSMENT

This amendment was proposed by the Elected Members at the County Council meeting in July 2016. The Chief Executive does not support this amendment for the reasons set out in his previous report.

CHIEF EXECUTIVE'S RECOMMENDATION

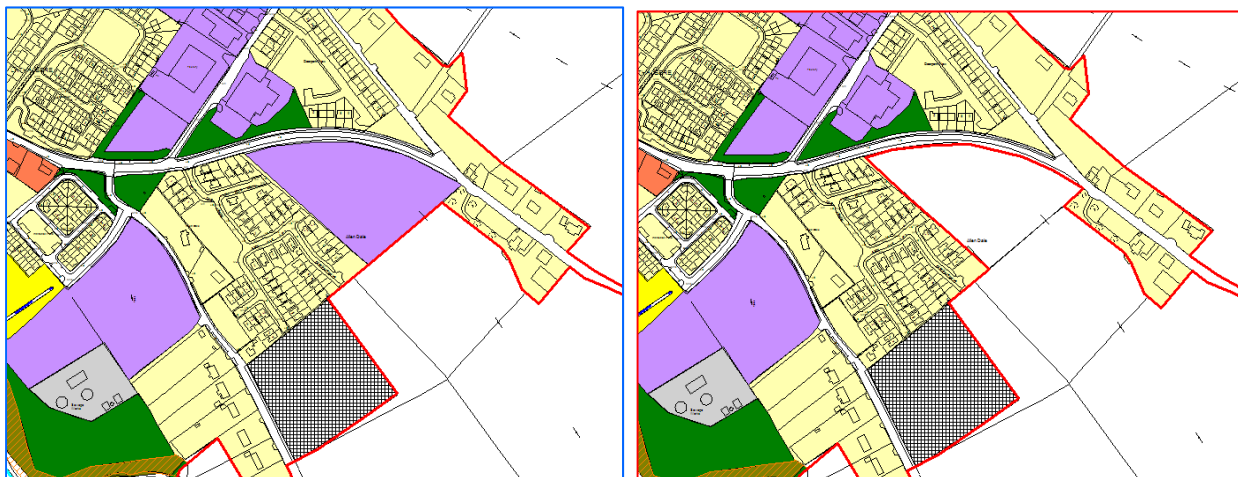
To not proceed with Amendment No. 70

AMENDMENT 71

Land Use Zoning Map - Lathaleere

Change from:
EMP

Change to:
Unzoned – amend plan boundary



SUMMARY OF SUBMISSIONS

No submissions were received with respect to this proposed amendment.

CHIEF EXECUTIVE'S ASSESSMENT

This amendment was proposed by the Elected Members at the County Council meeting in July 2016. The Chief Executive has concerns regarding the reduction in employment zoned land that this amendment entails.

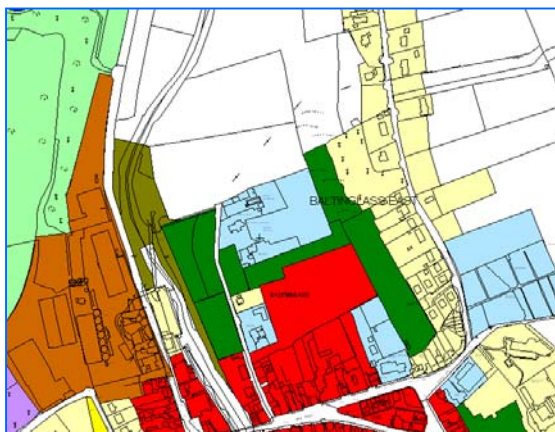
CHIEF EXECUTIVE'S RECOMMENDATION

To not proceed with Amendment No. 71

AMENDMENT 72

(a) Land Use Zoning Map – Baltinglass East

Change from:
CE / OS / Unzoned



Change to:
Baltinglass Abbey Historic Area



(b) Section 3.8 Built and Natural Heritage

Add new objective

ZONING	OBJECTIVE	DESCRIPTION
Baltinglass Abbey Historic Area	To protect and strengthen the distinctive historical character and setting of Baltinglass Abbey and surrounding area.	To protect the integrity of the National Monument, the surrounding historic buildings and the natural landscape setting, while encouraging appropriate development that enhances its tourism potential, awareness, appreciation and accessibility.

BALT10 To protect and strengthen the cultural, educational and tourism value of Baltinglass Abbey; to support development of appropriate and sympathetic heritage and tourism infrastructure that enhances awareness, appreciation and accessibility of the area (such as signage, walking routes and car parking) and to resist development that would detract from its integrity and setting.

SUMMARY OF SUBMISSIONS

Name	Issues raised
Pauline Lawrence, Secretary Baltinglass and Ballynure Select Vestry c/o Saint Mary's Church, Baltinglass	The submitter requests that the proposed amendment be withdrawn. The submitter is concerned about the implications of the amendment for the following reasons: a) The main site of historical interest is within the current standing walls of the abbey as cared for by the OPW; b) The graveyard and surrounding grounds are the responsibility of the Baltinglass Group of Parishes; c) The area to be rezoned contains the church, graveyard/burial ground, the parish rectory, parish hall and school;

	<p>d) There is no infrastructure in place to allow for the development of the proposed facilities. For example,</p> <ul style="list-style-type: none"> – Church Lane is a narrow, tarmac cul-de-sac – There is no secure parking facilities on the lane – Lack of parking facilities/turning space and end of cul-de-sac – No footpaths or cycle tracks along Church Lane – Absence of bins and toilet facilities <p>e) The extent of the zoning is not large enough to deliver the goals of the objective, including walking routes and car parking facilities.</p> <p>f) Request that the Council purchase the adjacent lands at Church Lane, which would allow for the development of public riverside amenities, parking and visitor amenities.</p> <p>g) The amendment states that the Council seeks “to resist development that would detract from its integrity and setting” – this may compromise the ability of the parish to undertake maintenance and necessary development, e.g. future planned expansion of the graveyard that is currently in active use.</p> <p>h) It is inquired whether the Glebe lands be subject to a compulsory purchase order in the future while the obvious site folio WW6784F across the road from the abbey remains up for auction as an eye sore to visitors and was not subject to a rezoning proposal in this amendment?</p> <p>i) The proposal is unnecessary and will be detrimental to parish life.</p>
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CHIEF EXECUTIVE’S ASSESSMENT

This proposed amendment was proposed forward in July 2016 by the Elected Members.

The lands proposed to be zoned as ‘Baltinglass Abbey Historic Area’ include the abbey, graveyard, St. Mary’s Church, graveyard, site of the castle, the rectory, and other adjoining lands. The school is outside of the proposed zone. The boundary of the proposed zone correlates to the recorded ‘zone of archaeological potential’ surrounding the abbey as identified by the National Monuments Division of the Department of Heritage.

It is acknowledged that part of the site is in active use, e.g. graveyard, church and rectory. The CE notes the concerns raised that the zoning could compromise the ability of the group to carry out necessary works and activities; however it does not appear that it was the intention of the members to suggest a zoning objective that could compromise appropriate developments related to parish activities, but rather to propose an objective that would acknowledge and safeguard the heritage of the area and allow for appropriate development. A modification is recommended to address these concerns.

It is the objective of the planning authority to promote suitable development that does not compromise the historic character and setting of this important site. The objective would facilitate the development of new infrastructure such as signage, pedestrian facilities and parking that would improve awareness, appreciation and accessibility of the site. It is considered that the zone proposed could accommodate such infrastructure.

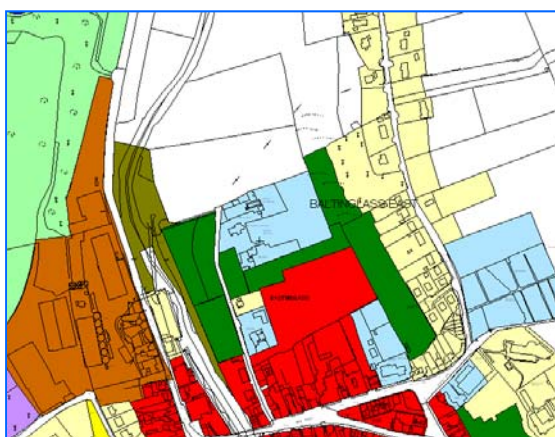
The development plan sets a framework within which developments such as infrastructure and amenity improvements could be undertaken, in the event that the public or private sectors have the finance to develop. The development plan is not a 'spending plan' and therefore cannot address issues such as the mooted compulsory purchase of lands.

CHIEF EXECUTIVE'S RECOMMENDATION

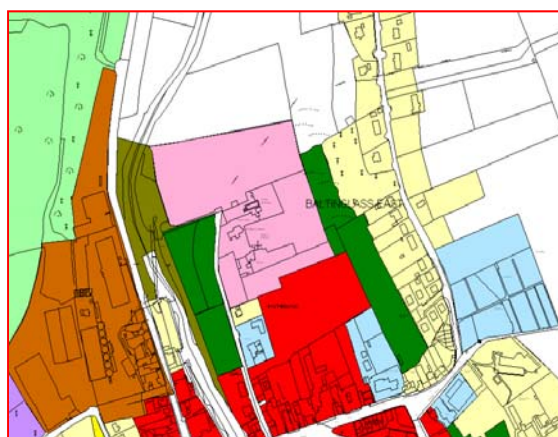
Proceed with Amendment No. 72 with the following further modification:

(a) Land Use Zoning Map – Baltinglass East

Change from:
CE / OS / Unzoned



Change to:
Baltinglass Abbey Historic Area



(b) Section 3.8 Built and Natural Heritage

Add new objective

ZONING	OBJECTIVE	DESCRIPTION
Baltinglass Abbey Historic Area	To protect and strengthen the distinctive historical character and setting of Baltinglass Abbey and surrounding area.	To protect the integrity of the National Monument, the surrounding historic buildings and the natural landscape setting, while encouraging appropriate development that enhances its tourism potential, awareness, appreciation and accessibility.

BALT10

To protect and strengthen the cultural, educational and tourism value of Baltinglass Abbey; to support development of appropriate and sympathetic heritage and tourism infrastructure that enhances awareness, appreciation and accessibility of the area (such as signage, walking routes and car parking) and to resist development that would detract from its integrity and setting.

To provide for civic and community uses and facilitate the development of necessary community, religious, educational and social and civic infrastructure, in a manner that protects the heritage of the site.

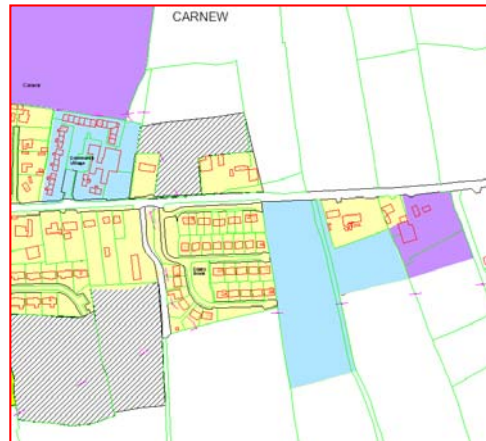
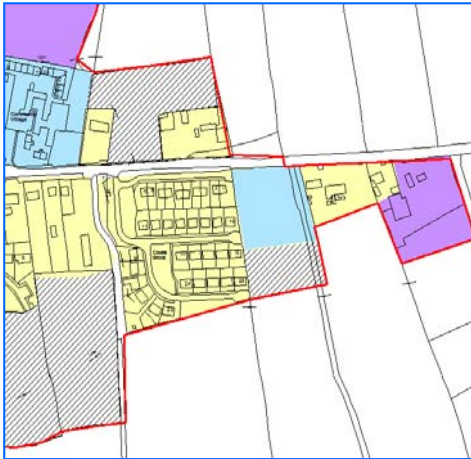
CARNEW TOWN PLAN

AMENDMENT 73

Land Use Zoning Map

Change from:
SLB / unzoned

Change to:
CE



SUMMARY OF SUBMISSIONS

No submissions were received with respect to this proposed amendment.

CHIEF EXECUTIVE'S ASSESSMENT

This amendment was proposed by the Elected Members at the County Council meeting in July 2016. The Chief Executive has no objection to the proposed amendment.

CHIEF EXECUTIVE'S RECOMMENDATION

Proceed with Amendment No. 73

AMENDMENT 74

(a) Section 6.9 Action Area Plans and Specific Local Objectives

Amend text as follows:

Action Area Plan 1

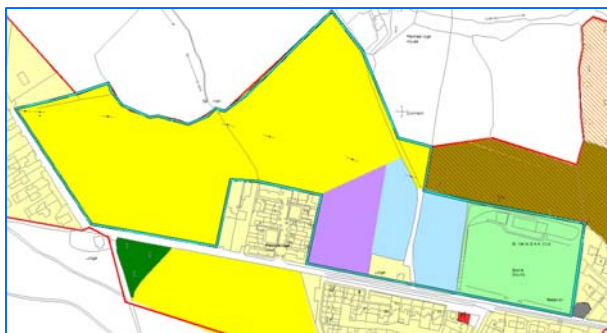
This action area is located west of Enniskerry town centre and immediately north of Kilgarron housing development, in the townland of Parknasilloge. This action area measures ~~c. 13.5ha~~ ~~c. 12.5ha~~. This action area shall be developed as a residential, open space, employment and community zone in 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%~~ ~~than 50%~~ of the residential development and the employment facilities shall be provided no later than Phase 2 accompanied by no more than an additional ~~50%~~ ~~75%~~ 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.

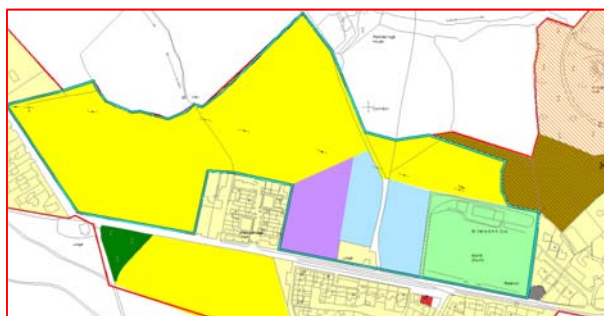
(b) Land Use Zoning Map

Amend the boundary of Action Area 1

Change from:



Change to:



SUMMARY OF SUBMISSIONS

Name	Issues raised
Don O'Leary	This is from a resident of Glen View estate east of the GAA pitch. With regard to Action Area 1, it is requested that if the GAA pitch is redeveloped that a right of way for the residents of Glen View to access the fields and woods associated with Knocksink nature reserve is incorporated into the redevelopment. (Note: submission refers to Proposed Amendment No 75 however this is at Cookstown)

CHIEF EXECUTIVE'S ASSESSMENT

No amendment has been proposed and published with respect to this matter and therefore it is not open to further change / modification. The CE advises that the members proceed to make this amendment i.e. to include the additional text and amend the zoning map.

It is important to note that this Action Area will also be the subject of a separate agreement through the development management process and a planning application(s) during which process the submitter can send in an observation seeking the inclusion of such an access route. Objective **NH34** of the draft plan seeks to '*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*'.

CHIEF EXECUTIVE'S RECOMMENDATION

Proceed with Amendment No. 74

AMENDMENT 75

(a) Section 6.9 Action Area Plans and Specific Local Objectives

Amend text as follows:

Action Area Plan 3 2

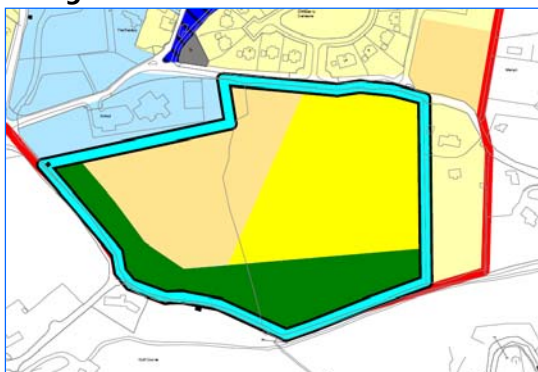
This action area is located south of the town centre, in the townland of Cookstown. This action area measures c. 9.4ha. This action area shall be developed as a residential, open space and community space in accordance with the following criteria:

- ~~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. A maximum of 105 housing units may be provided in this action area, with density not exceeding 10/ha on the lands zoned R10, and the remainder may be developed at a higher density but not exceeding 20/ha.~~
- 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~~ **as part of** 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~~ **A public park of a minimum of 2ha** 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. **In light of the provision of such an amenity space, the incidental open space required to be interspersed throughout the residential area may be reduced to 7.5% of the total zoned residential area.**
- ~~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.

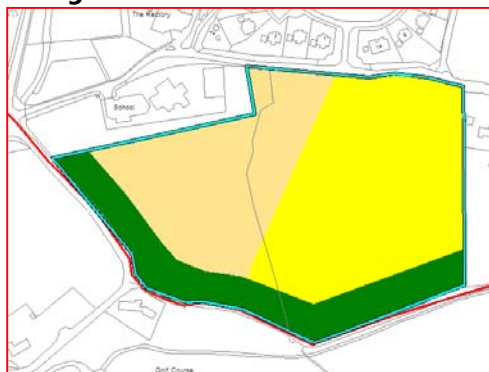
(b) Land Use Zoning Map

Amend the boundary of Action Area 3 2

Change from:



Change to:



SUMMARY OF SUBMISSIONS

No submissions were received with respect to this proposed amendment.

CHIEF EXECUTIVE'S ASSESSMENT

This amendment was proposed by the Elected Members at the County Council meeting in July 2016. The Chief Executive has no objection to this amendment and considers it to be consistent with proper planning and sustainable development.

CHIEF EXECUTIVE'S RECOMMENDATION

Proceed with Amendment No. 75

AMENDMENT 76

Section 6.9 Action Area Plans and Specific Local Objectives

Amend text as follows:

~~Action Area 2~~ 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.

SUMMARY OF SUBMISSIONS

No submissions were received with respect to this proposed amendment.

CHIEF EXECUTIVE'S ASSESSMENT

This amendment was proposed by the CE for the reasons set out in his previous report and is still recommended.

CHIEF EXECUTIVE'S RECOMMENDATION

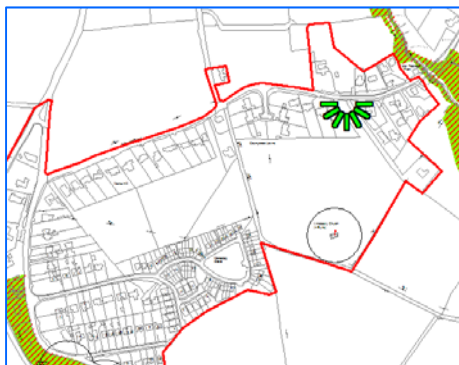
Proceed with Amendment No. 76

AMENDMENT 77

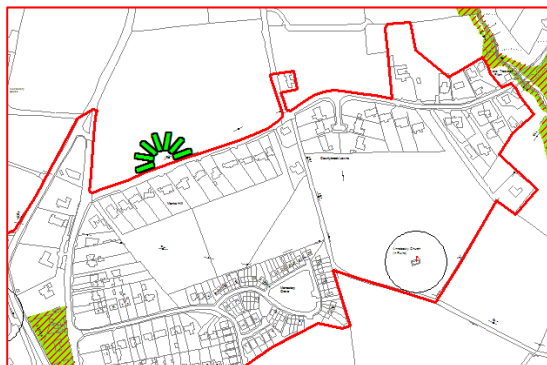
Heritage Objectives Map

Amend the location of protected view No. 36 (View from the L5507 Ballyman Road, Enniskerry of the Scalp and the Scalp Valley from Ballyman)

Change from:



Change to:



SUMMARY OF SUBMISSIONS

No submissions were received with respect to this proposed amendment.

CHIEF EXECUTIVE'S ASSESSMENT

This amendment was proposed by the CE for the reasons set out in his previous report and is still recommended.

CHIEF EXECUTIVE'S RECOMMENDATION

Proceed with Amendment No. 77

**ENNISKERRY TOWN PLAN
INVALID SUBMISSIONS**

Name	Issues raised
Yvonne O'Toole	<p>This submission raises a number of concerns with regard to the upgrading of the Ballyman road in 2008. The submitter's dwelling has access of this road.</p> <p>It is stated that the plan seeks to <i>"ensure a high quality living environment for existing and future residents", "created increased connectivity between a revitalised settlement core and the existing and proposed residential area in the town" and "to ensure that lands at risk of flooding are not designated for new development"</i>, however following the upgrading of this road, the submitters property is left without access to their garage, restricted access to driveway, dangerous footpath, sewage issues, speeding has increased on the road and flooding is now an issue on the road. It is requested that Wicklow County Council needs to put the road back into the position it was in pre-roadworks or provide the submitter with a safe entrance into their property and shed.</p> <p>This request is invalid - no amendment has been proposed and published with respect to this matter and therefore it is not open to further change / modification.</p>

AMENDMENT 78

(a) Section 7.3 Residential Development Objectives

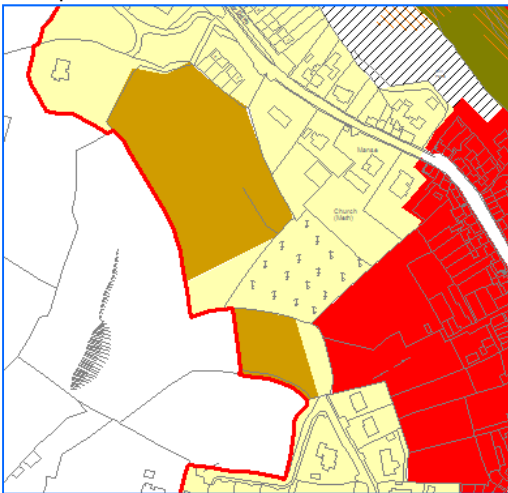
Amend Objective TIN 1 as follows:

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.

(b) Land Use Zoning Map

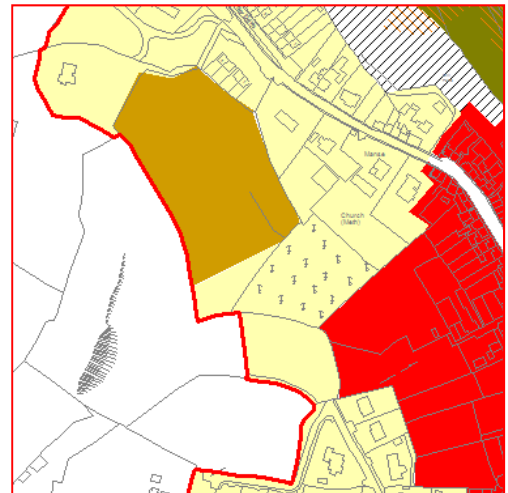
Change from:

R – Special



Change to:

RE



SUMMARY OF SUBMISSIONS

No submissions were received with respect to this proposed amendment.

CHIEF EXECUTIVE'S ASSESSMENT

This amendment was proposed by the CE for the reasons set out in his previous report and is still recommended.

CHIEF EXECUTIVE'S RECOMMENDATION

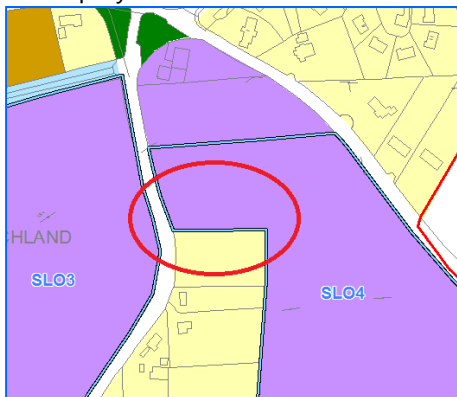
Proceed with Amendment No. 78

AMENDMENT 79

Land Use Zoning Map - Lugduff

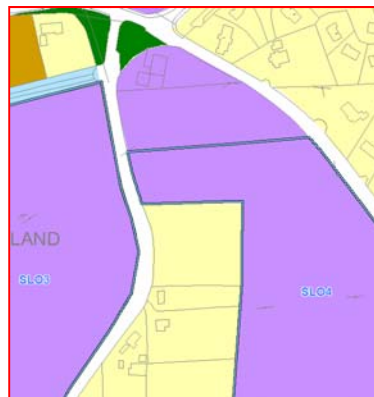
From:

E - Employment



To:

RE



SUMMARY OF SUBMISSIONS

No submissions were received with respect to this proposed amendment.

CHIEF EXECUTIVE'S ASSESSMENT

This amendment was proposed by the Elected Members at the County Council meeting in July 2016. The Chief Executive has no objection to the amendment.

CHIEF EXECUTIVE'S RECOMMENDATION

Proceed with Amendment No. 79

AMENDMENT 80

Section 1.4 Social and Community Development

Amend text as follows:

1.4 Social and Community Development

The provision of accessible social and community infrastructure, including open space and leisure / recreational facilities, contributes to the quality of life for all and it is important that existing and future residents of the town and its catchment are provided with such facilities. High quality social and community services in an area can also make a place more attractive for the establishment of new businesses and to encourage long stay visitors. In particular, new community facilities will be required to be provided in tandem with the development of new dwellings and neighbourhoods.

Community Infrastructure and Open Space Objectives

- To facilitate the development of a range of high quality community and recreational facilities that meet the needs of the local population, and in particular to require that new community and open space/recreational facilities are developed in tandem with new housing, through the implementation of the objectives of Chapter 8 of Volume 1 of this County Development Plan.
- 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 (a) 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 or (b) the particular lands or buildings are not suitable or needed for current or future educational, community or open space / recreational usage. In particular, developments that would unduly constrain the ability of existing schools to expand will not be permitted.

SUMMARY OF SUBMISSIONS

No submissions were received with respect to this proposed amendment.

CHIEF EXECUTIVE'S ASSESSMENT

This amendment was proposed by the Elected Members at the County Council meeting in July 2016. The Chief Executive supports this amendment and considers it to be consistent with proper planning and sustainable development.

CHIEF EXECUTIVE'S RECOMMENDATION

Proceed with Amendment No. 80

AMENDMENT 81

Amend text as follows:

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.

SUMMARY OF SUBMISSIONS

Name	Issues raised
Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs (National Parks and Wildlife Division)	<p>It is the view of the Department that proposed amendment No. 81, in particular Avoca Specific Development Objective 2 (concerning river walks) has the potential to negatively impact on natural heritage.</p> <p>However since the whole country is currently planning a network of blueways and greenways the potential for impact is large and cumulative and this Department would have expected a lot more discussion on this issue. Where such blueways are along coastline, rivers and lakes with European designations there is the potential for a negative impact on a European site.</p>
Mining Heritage Trust of Ireland	<p>Suggests the following revised wording:</p> <p>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 Ballygahan, Ballymurtagh, 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.</p>

CHIEF EXECUTIVE'S ASSESSMENT

The issue raised by the Department has already been addressed under Proposed Amendment No. 34 above and further assessment is provided in **Appendix C**.

The CE has no objection to the modification proposed by Mining Heritage Trust of Ireland.

CHIEF EXECUTIVE'S RECOMMENDATION

Proceed with Amendment No. 81 with the following further modification:

Amend text as follows:

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 **Ballygahan, Ballymurtagh**, 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':

3. 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.
4. 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**
 - (h) 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.
 - (i) 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.~~

~~(j) To encourage and facilitate the extension or redevelopment of the Old School Community Centre for community uses.~~

(k) To protect and preserve the public open space area located within the town centre, north of ~~Delaney's property~~ **Hendley's shop.**

(l) To protect and improve the traditional character and natural setting/backdrop of the town centre.

(m) To allow for the development of a public toilet at a suitable location.

(n) To facilitate the appropriate development of the railway station.

4. In the **Secondary Zone**

(d) Preserve the use of Rooster Park (identified at AV1) for recreational and open space use.

(e) 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.

(f) 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.

AMENDMENT 82

Amend text as follows:

Donard Specific Development Objectives

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.

SUMMARY OF SUBMISSIONS

No submissions were received with respect to this proposed amendment.

CHIEF EXECUTIVE'S ASSESSMENT

This amendment was proposed by the CE for the reasons set out in his previous report and is still recommended.

CHIEF EXECUTIVE'S RECOMMENDATION

Proceed with Amendment No. 82

AMENDMENT 83

(a) Add the following text at the end of the plan

Donard ACA

Historically, Donard is a monastic settlement established c. 8th 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:

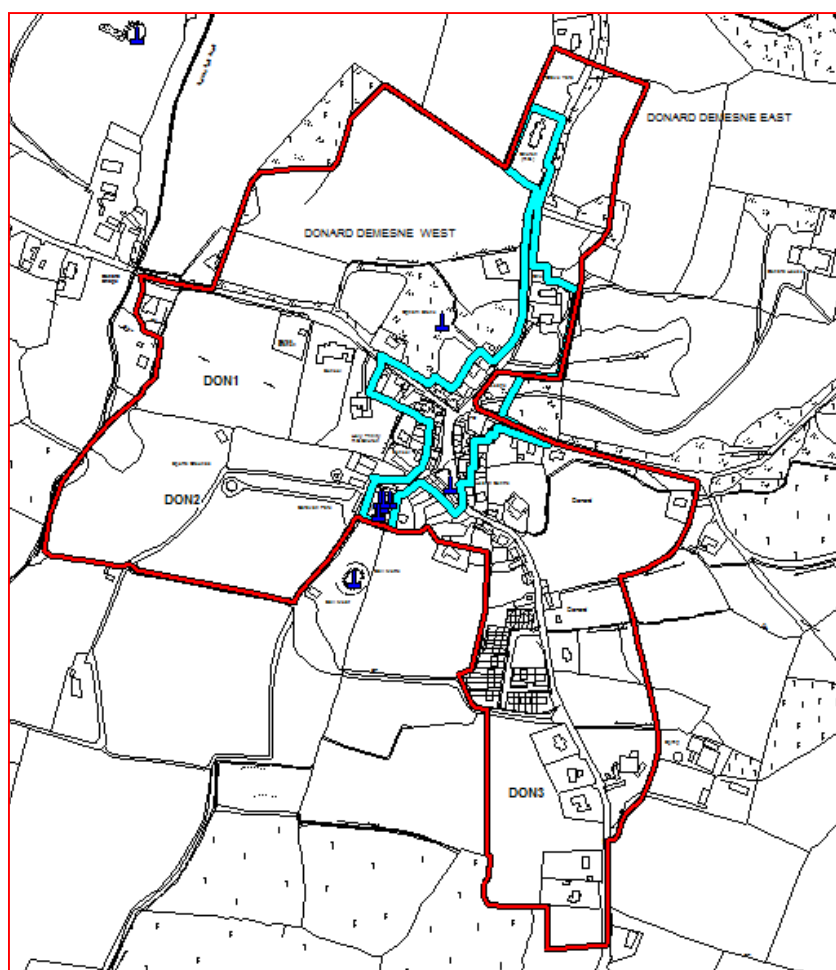
- *Historic core and layout including the remains of monastic settlement and a triangular village green open space*
- *One and two storey terraced houses arranged along the village streets*
- *Buildings with painted roughcast render, pitched roofs, timber doors and windows with varied window sizes contributing 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*

(b) Map 2: Heritage Objectives

Add boundary for proposed ACA



SUMMARY OF SUBMISSIONS

No submissions were received with respect to this proposed amendment.

CHIEF EXECUTIVE'S ASSESSMENT

This amendment was proposed by the CE for the reasons set out in his previous report and is still recommended.

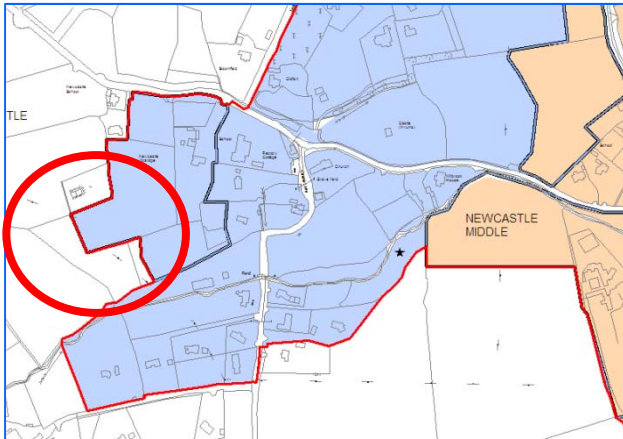
CHIEF EXECUTIVE'S RECOMMENDATION

Proceed with Amendment No. 83

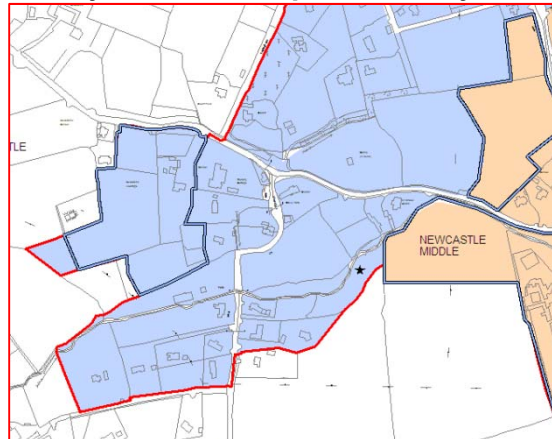
AMENDMENT 84

Land Use Zoning Map – Newcastle Upper

Change from:
Unzoned



Change to:
Tertiary Area – extend plan boundary



SUMMARY OF SUBMISSIONS

No submissions were received with respect to this proposed amendment.

CHIEF EXECUTIVE'S ASSESSMENT

This amendment was proposed by the Elected Members at the County Council meeting in July 2016. The Chief Executive does not support this amendment for the reasons set out in his previous report.

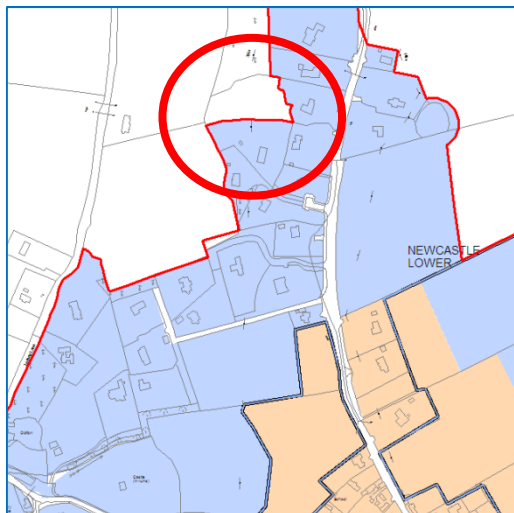
CHIEF EXECUTIVE'S RECOMMENDATION

To not proceed with Amendment No. 84

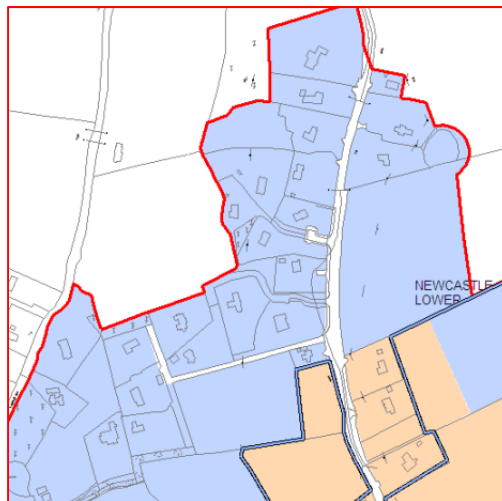
AMENDMENT 85

Land Use Zoning Map – Newcastle Middle

Change from:
Unzoned



Change to:
Tertiary Area – extend plan boundary



SUMMARY OF SUBMISSIONS

No submissions were received with respect to this proposed amendment.

CHIEF EXECUTIVE'S ASSESSMENT

This amendment was proposed by the Elected Members at the County Council meeting in July 2016. The Chief Executive does not support this amendment for the reasons set out in his previous report.

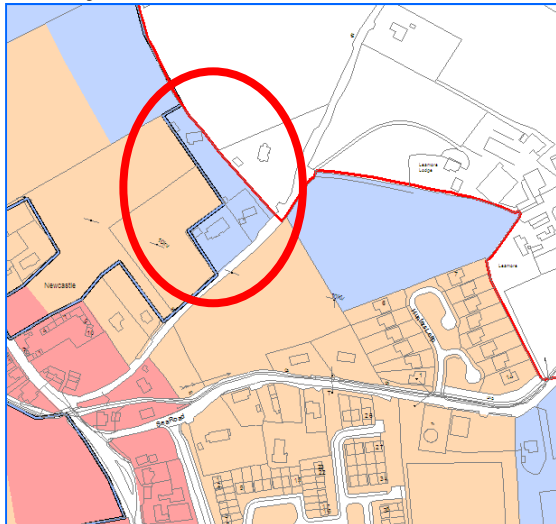
CHIEF EXECUTIVE'S RECOMMENDATION

To not proceed with Amendment No. 85

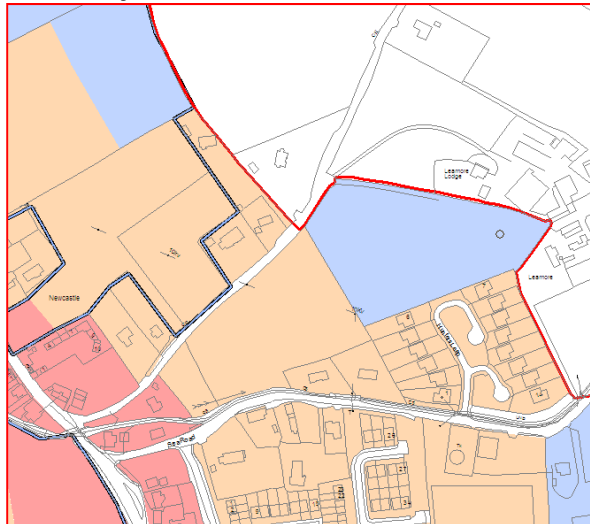
AMENDMENT 86

Land Use Zoning Map – Newcastle Lower

**Change from:
Tertiary Area**



**Change to:
Secondary Area**



SUMMARY OF SUBMISSIONS

No submissions were received with respect to this proposed amendment.

CHIEF EXECUTIVE'S ASSESSMENT

This amendment was proposed by the Elected Members at the County Council meeting in July 2016. The Chief Executive does not support this amendment for the reasons set out in his previous report.

CHIEF EXECUTIVE'S RECOMMENDATION

To not proceed with Amendment No. 86

AMENDMENT 87

Amend text as follows:

Roundwood Specific Development Objectives

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.

SUMMARY OF SUBMISSIONS

No submissions were received with respect to this proposed amendment.

CHIEF EXECUTIVE'S ASSESSMENT

This amendment was proposed by the CE for the reasons set out in his previous report and is still recommended.

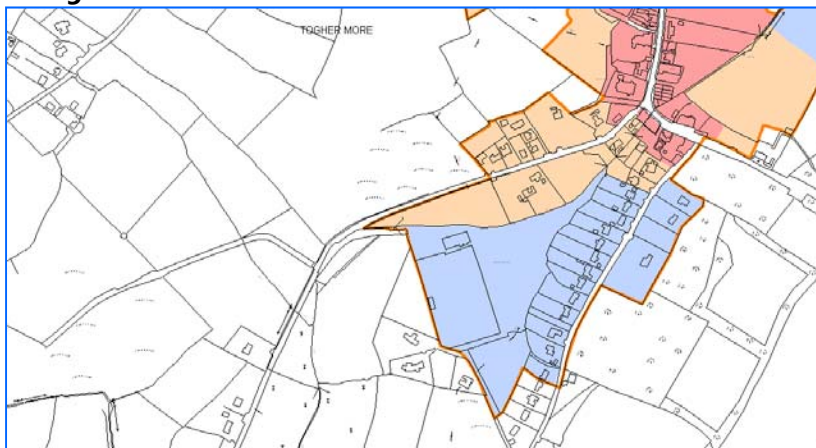
CHIEF EXECUTIVE'S RECOMMENDATION

Proceed with Amendment No. 87

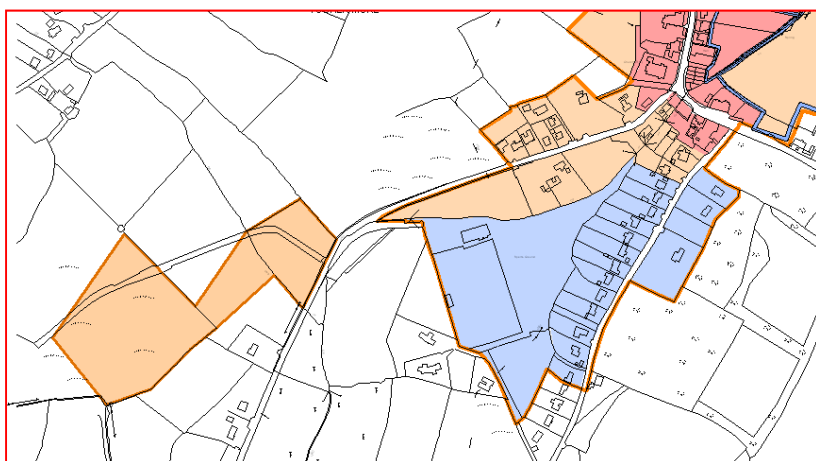
AMENDMENT 88

(a) Land Use Zoning Map – Togher More & Baltynanima

Change from: Unzoned



Change to: Secondary Area – extend plan boundary
Specific Objective RD6



(b) Roundwood Specific Development Objectives

Add new objective:

RD6 On the secondary lands identified as RD6 measuring 5.5ha, only employment and open space development shall be permitted. A maximum area of 2ha may be developed for employment / enterprise uses; the format, scale and usage of this employment area shall be appropriate to the location in a Level 6 Rural Town and shall accord with the employment strategy set out in Chapter 5 of the Plan. No employment development may occur until the active open space area has been laid out and developed for sporting use (with necessary ancillary facilities such as car parking) or transferred to a sporting body.

SUMMARY OF SUBMISSIONS

Name	Issues raised
Environmental Protection Agency	<p>In <i>Section 3 Further SEA</i>, we note your determination that <i>Proposed Amendment No. 88</i> is identified as ‘...having the potential for likely significant environmental effects...’ You should consider clarifying whether the SEA recommends that this Amendment proceeds.</p> <p><i>Section 3.4 Further Assessment of Proposed Amendment No. 88</i> also describes that the proposed new <i>employment/enterprise/open space</i> zoning for lands at Togher More and Baltyanima, would be likely to result in significant adverse environmental effects given that:</p> <ul style="list-style-type: none">• These are situated beyond the existing development envelope for the town of Roundwood• Factors such as elevation, slope and land cover determine that ‘...these lands are part of a wider landscape that is sensitive to new development...’• This would give rise to a loss of semi-natural habitat and other impacts upon ecological connectivity• This would give rise to adverse effects on improving sustainable mobility, reducing energy usage and emissions to air• The risk of flooding would be increased <p>You should clearly show how the likely significant effects identified, will be mitigated for, in order to avoid/minimise any significant adverse environmental effects. In proposing Amendments to the Draft Plan, the proposed Amendments need to remain consistent with the Policies and Objectives of the Regional Planning Guidelines and associated County Core Strategy and also reflect proper and sustainable development. The requirements of the <i>Planning System and Flood Risk Management Guidelines</i> (OPW, DEHLG, 2009), should also be fully integrated/implemented as appropriate and relevant to ensure that any proposed development/ land use zoning is appropriate to the level of flood risk identified.</p>

CHIEF EXECUTIVE’S ASSESSMENT

With respect to the submission from the **EPA**, the evaluation carried out in the Strategic Environmental Assessment for Proposed Amendment No. 88 determined that even after the application of all mitigation measures available to the Planning Authority, development arising on foot of this proposed zoning would be likely to give rise significant negative environmental impacts. Therefore the CE does not support the making of this amendment. **A more detailed response to the issues raised by the EPA is set out in Appendix C.**

This amendment was proposed by the Elected Members at the County Council meeting in July 2016. The Chief Executive does not support this amendment for the reasons set out in his previous report. In particular:

- 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 by the Elected Members
- 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.

CHIEF EXECUTIVE'S RECOMMENDATION

To not proceed with Amendment No. 88

AMENDMENT 89

Amend text as follows:

Introduction

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.

SUMMARY OF SUBMISSIONS

No submissions were received with respect to this proposed amendment.

CHIEF EXECUTIVE'S ASSESSMENT

This amendment was proposed by the CE for the reasons set out in his previous report and is still recommended.

CHIEF EXECUTIVE'S RECOMMENDATION

Proceed with Amendment No. 89

AMENDMENT 90

Amend text as follows:

Section 1 Mixed Use and Housing developments in Urban Areas

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 developments¹⁹ will be required to include a range of unit sizes to cater for different housing needs
- ~~• The minimum size apartment allowed will be 45sqm²⁰. 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.

SUMMARY OF SUBMISSIONS

No submissions were received with respect to this proposed amendment.

CHIEF EXECUTIVE'S ASSESSMENT

This amendment was proposed by the CE for the reasons set out in his previous report and is still recommended.

CHIEF EXECUTIVE'S RECOMMENDATION

Proceed with Amendment No. 90

¹⁹ 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

²⁰ ~~Measurements are internal wall-to-wall dimensions and apply to units on one floor.~~

AMENDMENT 91

Amend text as follows:

Section 1 Mixed Use and Housing developments in Urban Areas

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.

SUMMARY OF SUBMISSIONS

No submissions were received with respect to this proposed amendment.

CHIEF EXECUTIVE'S ASSESSMENT

This amendment was proposed by the CE for the reasons set out in his previous report and is still recommended.

CHIEF EXECUTIVE'S RECOMMENDATION

Proceed with Amendment No. 91

AMENDMENT 92

Add new text as follows:

Section 1 Mixed Use and Housing developments in Urban Areas

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

SUMMARY OF SUBMISSIONS

No submissions were received with respect to this proposed amendment.

CHIEF EXECUTIVE'S ASSESSMENT

This amendment was proposed by the CE for the reasons set out in his previous report and is still recommended.

CHIEF EXECUTIVE'S RECOMMENDATION

Proceed with Amendment No. 92

AMENDMENT 93

Add new text as follows:

Section 1 Mixed Use and Housing developments in Urban Areas

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.

SUMMARY OF SUBMISSIONS

No submissions were received with respect to this proposed amendment.

CHIEF EXECUTIVE'S ASSESSMENT

This amendment was proposed by the CE for the reasons set out in his previous report and is still recommended.

CHIEF EXECUTIVE'S RECOMMENDATION

Proceed with Amendment No. 93

AMENDMENT 94

Section 3 Business, Commercial and Employment Developments Extractive Industry

Amend text as follows:

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.

SUMMARY OF SUBMISSIONS

Name	Issues raised
Roadstone Ltd	<p>It is suggested that the proposed revised by Amendment 94 (relating to development management policies) could be further amended as follows (suggested altered text in purple):</p> <p>Proposed method of extraction</p> <ul style="list-style-type: none"> • Total <i>quantity over the life of the quarry</i> including the maximum annual quantity of material to be extracted (tonnes). <i>(State amount of saleable mineral or aggregate waste and overburden separately);</i> • Rate of production in tonnes per annum (mineral or aggregate and extracted waste to be separately identified); <i>expected life of the excavation and anticipated timeframe for the completion of the extraction;</i> • 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. <p>This further amendment would ensure that commercially sensitive information is not available on the public record.</p> <p>Furthermore, Amendment 94 also provides for revisions to the policy on financial sureties. It is considered that point 3 should be amended as follows:</p> <p><i>3. 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 as security for the satisfactory restoration of the site.</i></p> <p>The requirement for a cash deposit (often a significant sum) imposes unnecessary restrictions on the industry and can create financial difficulties for operators by tying up significant sums of cash. The proposed amendment reflects the standard condition used by An Bord Pleanála; it provides the Council with the necessary security to ensure site restoration and it ensures that the operator's cash flow is not unduly affected.</p>

CHIEF EXECUTIVE'S ASSESSMENT

1. The CE cannot accede to Roadstone's request that the Planning Authority not require the details of the proposed maximum amount of material to be excavated per annum, as this information is essential to allow the impacts of any quarry to be evaluated, for example with respect to traffic flows.
2. The CE is satisfied that the only meaningful way to ensure satisfactory restoration is the holding of cash bond; difficulties have arisen on numerous occasions with insurance company bond and other independent sureties.

CHIEF EXECUTIVE'S RECOMMENDATION

Proceed with Amendment No. 94

AMENDMENT 95

Section 5 Retailing

Add text as follows:

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 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.**

SUMMARY OF SUBMISSIONS

No submissions were received with respect to this proposed amendment.

CHIEF EXECUTIVE'S ASSESSMENT

This amendment was proposed by the CE for the reasons set out in his previous report and is still recommended.

CHIEF EXECUTIVE'S RECOMMENDATION

Proceed with Amendment No. 95

AMENDMENT 96

Section 6 Community Developments and Open Space

Amend text as follows:

Nursing home & 'step down' care developments

- Nursing home developments and facilities for the elderly shall be located close to local amenities and where adequate pedestrian infrastructure has been or is capable of being provided;
- Clinically managed / supervised dwelling units, such as 'step down' (i.e. post acute care) accommodation or semi-independent housing provided as part of a medical facility, nursing home or other care related facility, will be considered strictly only on the following basis:
 - The units are associated with an already developed and established medical facility, nursing home or other care related facility; the units are held in single ownership with the overall medical / nursing home / care facility; no provision is made for future sale or subdivision; and a strict management agreement is put into place limiting the use of such structures to those deemed in need of medical supervision or care;
 - The number of such units on any such site shall be limited to 10% of the total number of hospital / nursing / care home bedrooms unless a strong case, supported by evidence, can be made for additional units;
 - Such units shall be modest in scale and limited to single bedroom units only and independent facilities such as car parking and gardens shall not be provided to each unit (in order to ensure such units are not rendered suitable for standalone use as private dwellings).
- ~~Individual / independent housing units proposed as part of a nursing home / retirement village shall generally be held in single ownership with the overall site, with lease agreements to the occupants. Where for the viability of the project the sale of units required, this shall be strictly only on the basis of a legal agreement specifying that the units shall at all times be utilised only for accommodation for the elderly / those in need of nursing home care;~~
- ~~Developments comprising of a number of independent dwellings shall comply with the housing layout and design standards set out in this plan. Deviations from the density, car parking and open space may be considered where this can be suitably justified having regard to the needs of the future residents;~~
- Facilities shall be so laid and designed to meet standards and obligations specified in Nursing Homes (Care and Welfare) Regulations, (1993) and the Building Regulations, in particular Part M.

Care facilities

- In accordance with the Planning & Development Regulations 2001 (as amended), change of use from residential to a care facility for more than six persons with an intellectual or physical disability or mental illness requires planning permission.
- Applications for permission for change of use to care facility or a new care facility shall be evaluated against the following criteria:
 - care facilities shall be located close to local amenities and where adequate pedestrian infrastructure has been or is capable of being provided;
 - adequate provision shall be made for car parking and open space facilities.

Retirement Villages

- Retirement villages i.e. housing developments made up of independent housing units, with limited / no on site care facilities will be required to locate on residentially zoned land in settlements (or where no local area plan exists, within the defined boundary of the settlement).

- Subject to the Planning Authority being satisfied that an acceptable level of residential amenity will be provided and maintained, a reduction in the normal quantitative standards for car parking and private open space may be considered in retirement villages.
- The dwelling units in such villages would normally be expected to be modest in scale (generally not exceeding 2 bedrooms or 75sqm in area), single storey, low maintenance and highly accessible, to reflect the needs of the target occupants.
- The entire site encompassed by the retirement village, including all housing units, infrastructure and amenities, shall normally be required to be held in single ownership with the overall site, with lease agreements to the occupants and a management company in place to manage and be responsible for all shared facilities. Where for the viability of the project the sale of individual units is required, this shall be strictly only on the basis of a legal agreement specifying that the units shall at all times be utilised only for accommodation for those of retirement age.

SUMMARY OF SUBMISSIONS

Name	Issues raised
Pat O'Connor	<p>It is suggested that the first bullet point of the objective relating to 'Nursing home & 'step down' care developments' be amended as follows:</p> <ul style="list-style-type: none"> • <i>Nursing home developments and facilities for the elderly shall be located close to local amenities and where adequate pedestrian infrastructure has been or is capable of being provided;</i> - <i>That suitable sites outside the development boundaries be considered;</i> - <i>Pedestrian access is not as important as an environmental friendly site with none of the anti-social behaviour that is happening at central locations.</i>

CHIEF EXECUTIVE'S ASSESSMENT

No amendment has been proposed and published with respect to this particular matter (the proposed amendments to this objective do not relate to this bullet point) and therefore it is not open to further change / modification.

This amendment was proposed by the CE for the reasons set out in his previous report and the CE advises that the members proceed to make this amendment i.e. to include the additional text.

CHIEF EXECUTIVE'S RECOMMENDATION

Proceed with Amendment No. 96

AMENDMENT 97

Section 7 Roads & Transportation

Add new text as follows:

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

Car-Parking Bays	5.0m x 2.5m
Disabled Parking Bay	5.0m x 2.5m + 0.9m between bays
Loading Bay	6.0m x 3.0m
Circulation Aisles	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.

SUMMARY OF SUBMISSIONS

No submissions were received with respect to this proposed amendment.

CHIEF EXECUTIVE'S ASSESSMENT

This amendment was proposed by the CE for the reasons set out in his previous report and is still recommended.

CHIEF EXECUTIVE'S RECOMMENDATION

Proceed with Amendment No. 97

AMENDMENT 98

Section 10 Waste and Emissions

Amend text as follows:

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 ²¹;
- 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.

²¹ 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) Within 1 year of any support structure becoming obsolete (i.e. all antennae have been removed/decommissioned from same and no other operator has any use for the structure), the owner of the structure shall be responsible for demolishing / removing the structure and re-instating the site to pre development condition. This will be a condition of any permission.~~
- 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.

SUMMARY OF SUBMISSIONS

No submissions were received with respect to this proposed amendment.

CHIEF EXECUTIVE'S ASSESSMENT

This amendment was proposed by the CE and Elected Members and is still recommended.





CHIEF EXECUTIVE'S RECOMMENDATION




Proceed with Amendment No. 98

APPENDIX 4 – RECORD OF PROTECT STRUCTURES

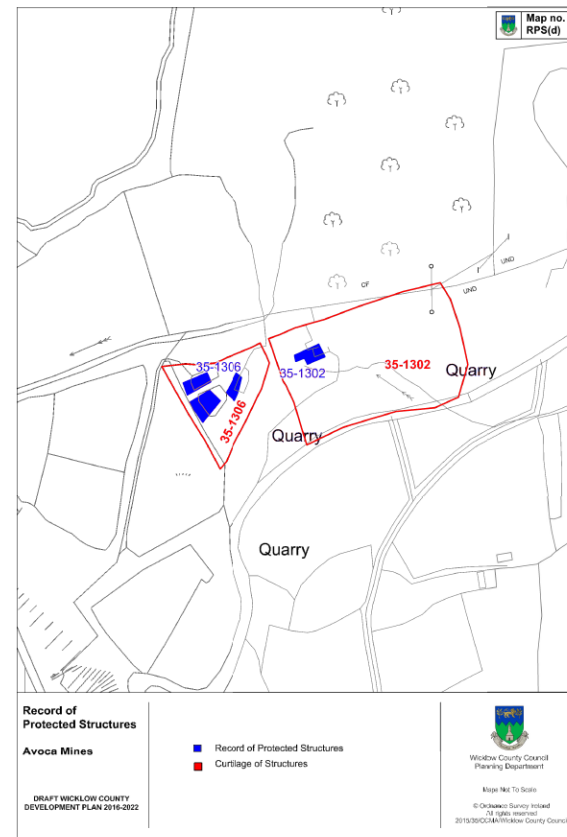
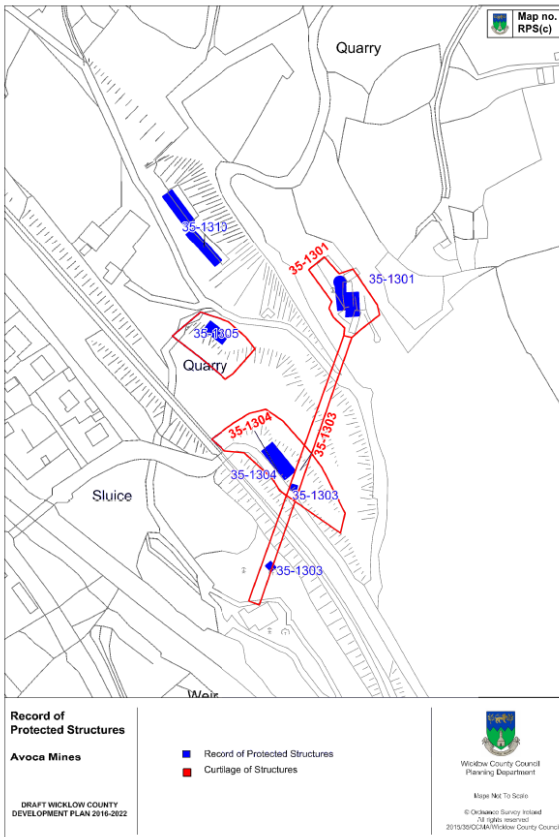
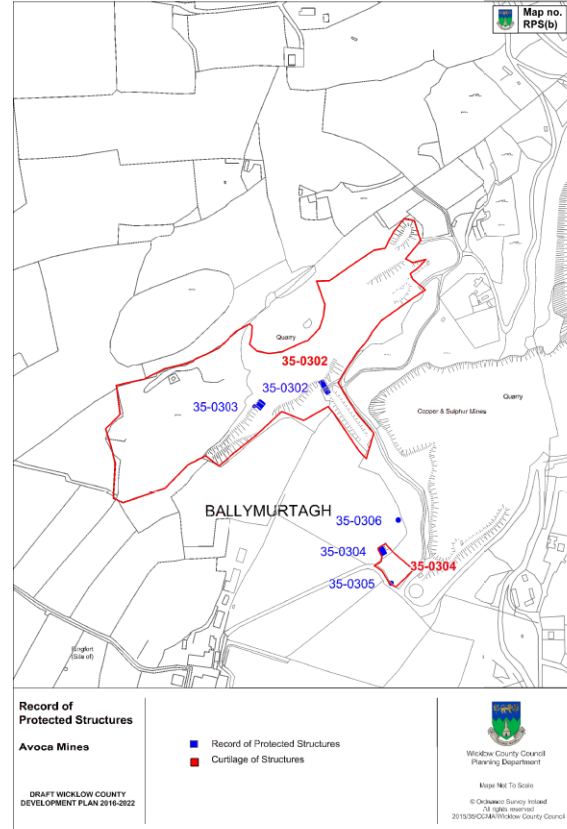
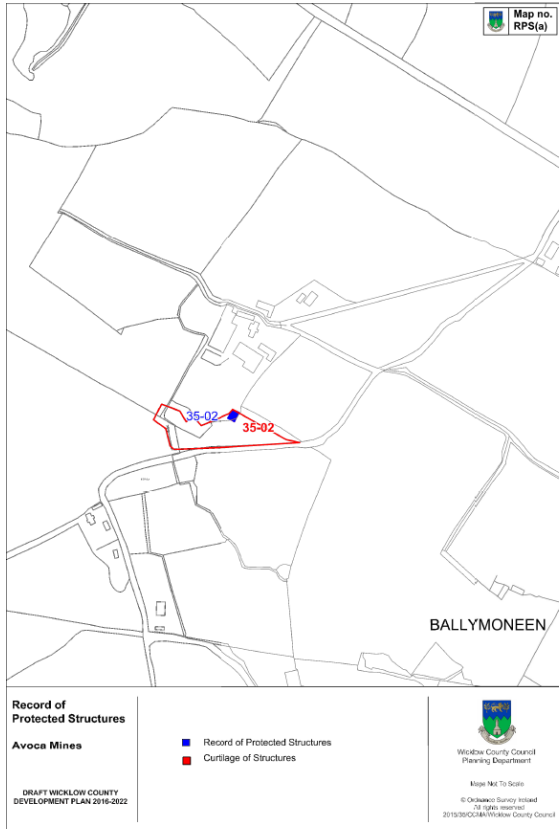
AMENDMENT 99

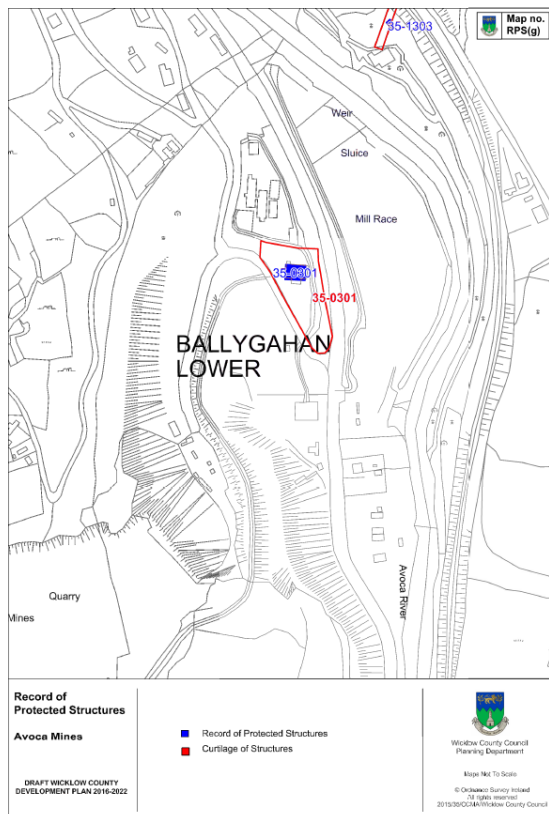
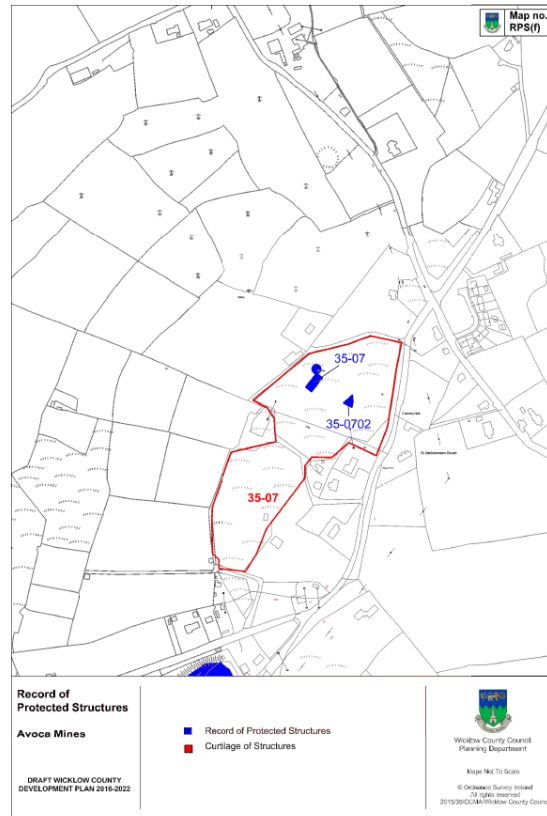
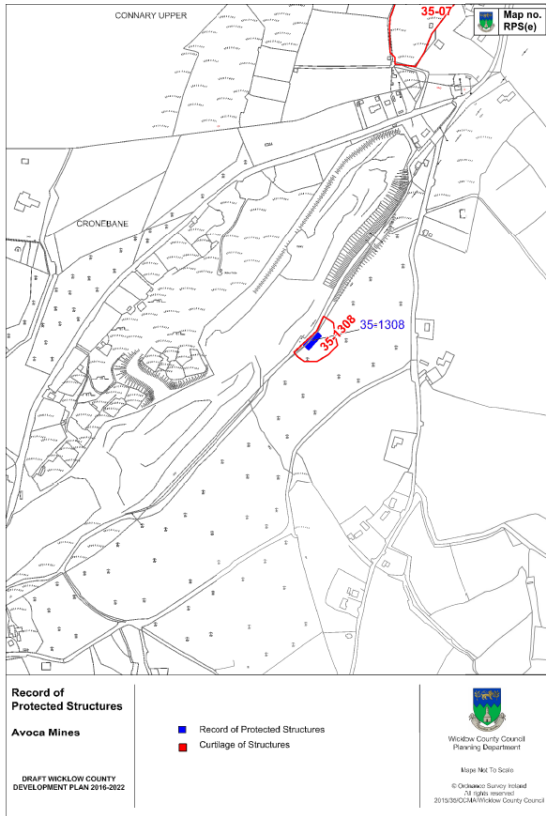
Amend as follows:

Ref.	NIAH Ref	Building Address	Structure	Townland	Description	Photograph
County RPS 34-04	n/a	Ballyteige Bridge North-west of Aughrim	Bridge	Ballyteige Td	The only Jack-arch bridge in County Wicklow	
County RPS 18-11		The Rectory, House, Annamoe	House	Drummin	Three- bay, two-storey house c. 1908 built originally as a dispensary. of circa 1870 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 of main house only.	
RPS XX-XX	16301032	2 Sloane Terrace, Meath Road, Bray	House	Bray Td	Front facade of house and railings. 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. which remains very much intact. A very typical design which adds greatly to the 19th-century streetscape.	 

County RPS XX-XX	16301033	1 Sloane Terrace, Meath Road Bray	House	Bray Td	Front facade of house and railings. 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. which remains very much intact. A very typical design which adds greatly to the 19th-century streetscape	
County RPS 30 -04		Ballykean House	Country House & Demesne Grounds	Ballykeane Td	A fine, late-18th Century house with two storeys at the front and three storeys at the rear. The façade is of five 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. and sash windows with Georgian panes.	
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.	 Note: This is a new photo
County RPS 35-		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	Map of curtilage to follow

0701					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.	
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 containing archaeological artefacts such as assay crucibles and a mineral sett boundary stone.	Map of curtilage to follow
County RPS 35-1306		Tigrone West, Avoca	Ochre precipitation pits	Tigrone 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 Tigrone. 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.	Map of curtilage to follow
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.	Map of curtilage to follow
County RPS 35-1305		Tigrone West, Avoca	Precipitation launders	Tigrone West Td	Areas of partially exposed copper precipitation launders at Tigrone. The Tigrone mine was one of the pioneers of copper precipitation in the 18 th & 19 th centuries.	Map of curtilage to follow





SUMMARY OF SUBMISSIONS

Name	Issues raised
<p>Department of Communications, Climate Action & Environment (Exploration and Mining Division)</p>	<p>It is noted that there are a number of proposed additions to the Record of Protected Structures (RPS). In examining these, the Department has reviewed the prevailing guidance on compiling an RPS as set out in the 2011 guidance document 'Architectural Protection Guidelines' issued by the Department of Arts, Heritage and the Gaeltacht.</p> <p>Those Guidelines set out the three stage process involved in identifying structures proposed for addition to the Record – namely the stages described as: identification; assessment and notification. Dealing with each of these steps, the Department comments as follows:</p> <ul style="list-style-type: none"> • As elaborated upon below, the basis for the identification of these structures can include sources such as the National Inventory of Architectural Heritage (NIAH), an existing Record of Protected Structures, the Record of Monuments and Places (RMP), another inventory, a Ministerial Recommendation, or a number of 'other sources' which can include special interest groups. In this instance the identification of the proposed structures located in and around the former mining area appears to be a single public submission from the Mining Heritage Trust of Ireland (MHTI). • The Guidelines provide advice on how identified structures are assessed, stating "A planning authority must decide whether a structure is worthy of inclusion in the RPS by identifying the characteristics of special interest which would merit its inclusion. Part 2 of these guidelines indicates features which may contribute to the character and special interest of a structure, under the heading 'Identifying special features for protection'. The criteria given below should be applied when selecting proposed protected structures for inclusion in the RPS. Illustrative examples are also provided. Although there is no statutory requirement to do so, it is recommended that reference to the relevant category, or categories, of special interest be included in the file of the RPS." [Para. 2.5.1]. <p>The Guidelines clearly state that – on foot of the identification stage, the Local Authority should undertake an assessment process to evaluate the merit of any identified site / structure and then provide a justification for its inclusion in the RPS – or a justification for it not being included. This assessment would also indicate the special interest of that feature which is the basis for its inclusion and ensure that the Record contains an accurate description of each Structure so as to ensure it can be meaningfully identified and protected through the development management process.</p> <p>Having considered the report available with the Proposed Amendments it is unclear how Wicklow County Council has verified the submission of the MHTI with respect to their submission. The MHTI submission appears to be historically informed but the Department has been advised by its team of technical and conservation advisors that the descriptions are inaccurate and in some cases describe features which no longer exist. In support of this the Department has provided in this submission information that supports our assertion that in the majority</p>

	<p>of cases, the proposed amendments should not be adopted.</p> <p>It is essential for future planning that the proposed structures be accurately represented and be accompanied by an assessment report from the council. This will allow for the determination of the appropriateness of any impact on the character of Protected Structures and features of interest on the site. This submission includes considerable further information, including a report from Irish Archaeological Consultancy Ltd regarding each of the proposed amendments relating to the Avoca Mines. This information is not reproduced or synopsized here for ease of reading, but the full submission is available to view.</p>
Mining Heritage Trust of Ireland	<p>The MHTI agrees with the amendments as given in relation to RPS 35-017 35-072, 35-1305, 035-1306 and 35-1308 including the associated maps of the curtilages.</p> <p>We do not see any revised text for the following RPS (as suggested in our submission of 19th Feb 2016), although the curtilage maps are shown for these and we agree with the curtilage maps: 35-02 35-0301 35-0302 35-0303 35-0304 35-0305 35-0306 35-1301 35-1302 35-1303 35-1304 35-1305 35-1306 35-1310 35-07 35-072.</p> <p>RPS location map is missing for: 35-0701</p>

CHIEF EXECUTIVE'S ASSESSMENT

The amendments proposed to the RPS in relation to features at the Avoca Mines are two-fold:

- (a) To identify as part of the County Development Plan process the curtilage that is deemed to be associated with structures / items included or proposed to be included on the RPS
- (b) To disaggregate the entries on the RPS for the Avoca Mines, so that individual structures and items are identified, described and mapped, as opposed to the current format which groups features in certain areas, with limited descriptions with ambiguity about exact location and extent of curtilages.

The **DCCAE** essentially objects to these amendments as it considers that the identification of additional structures / items for protection and the identification of curtilages has not been sufficiently rigorous and has not complied with the principles as set out in the 'Architectural Protection Guidelines', namely the carrying out of 'identification', 'assessment' and 'notification'. In particular, it considers that the Council has not had regard to enough sources of information in the identification stage and has relied too heavily on information provided by the Mining Heritage Trust of Ireland. It is also put forward that adequate justification for these amendments has not been provided.

Having regard to the questions that have been raised by the DCCAE, as well as the apparent deficiencies in description pointed out by the MHTI, the CE considers that more time than is afforded by the County Development Plan process is required to evaluate the structures / items in question and the definitions of their curtilages, in order for any amendments to be considered robust and not open to challenge.

It is recommended that the process occurs after the adoption of the County Development Plan and where amendments to the RPS are still recommended, these can be progressed through a separate process. It is therefore recommended that the parts of Proposed Amendment No. 99 that relate to the Avoca Mines, namely the last 5 rows as per the published table and the 7 maps not be adopted.

CHIEF EXECUTIVE'S RECOMMENDATION

Proceed with Amendment No. 99 other than all amendments related to the Avoca Mines, namely the last 5 rows as per the published table and the 7 maps.

AMENDMENT 100

Amend the wording for the Southern Coastal Cell 2(b)

*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.*

SUMMARY OF SUBMISSIONS

No submissions were received with respect to this proposed amendment.

CHIEF EXECUTIVE'S ASSESSMENT

This amendment was proposed by the CE for the reasons set out in his previous report and is still recommended.

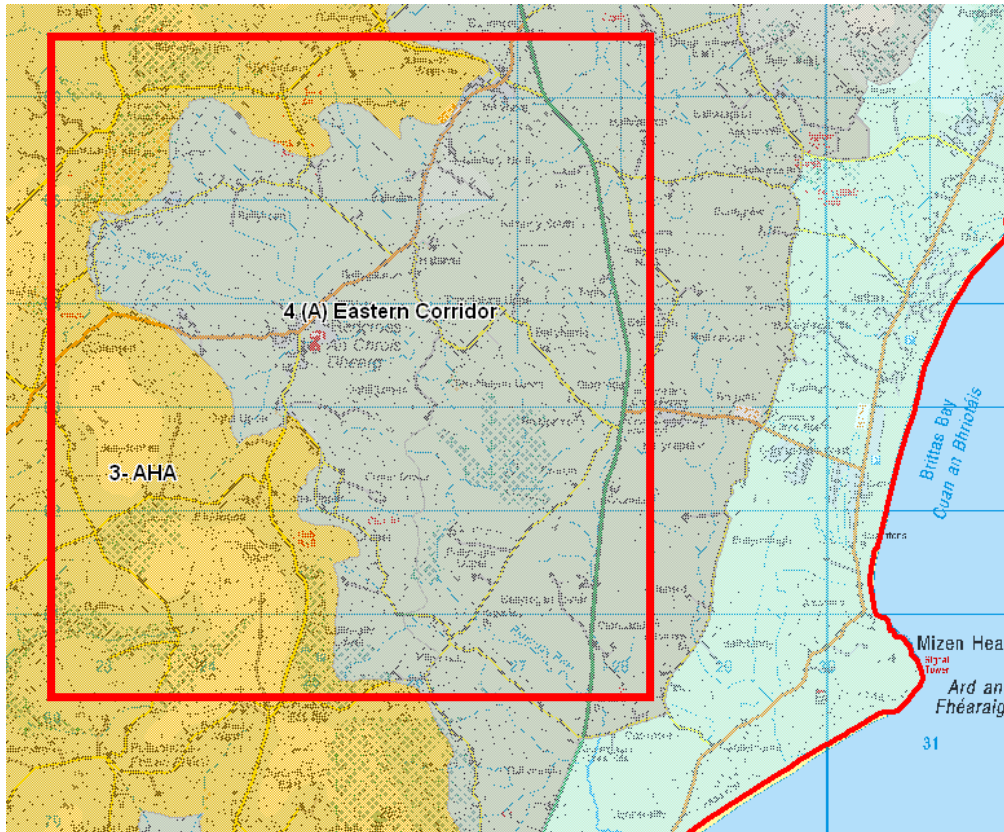
CHIEF EXECUTIVE'S RECOMMENDATION

Proceed with Amendment No. 100

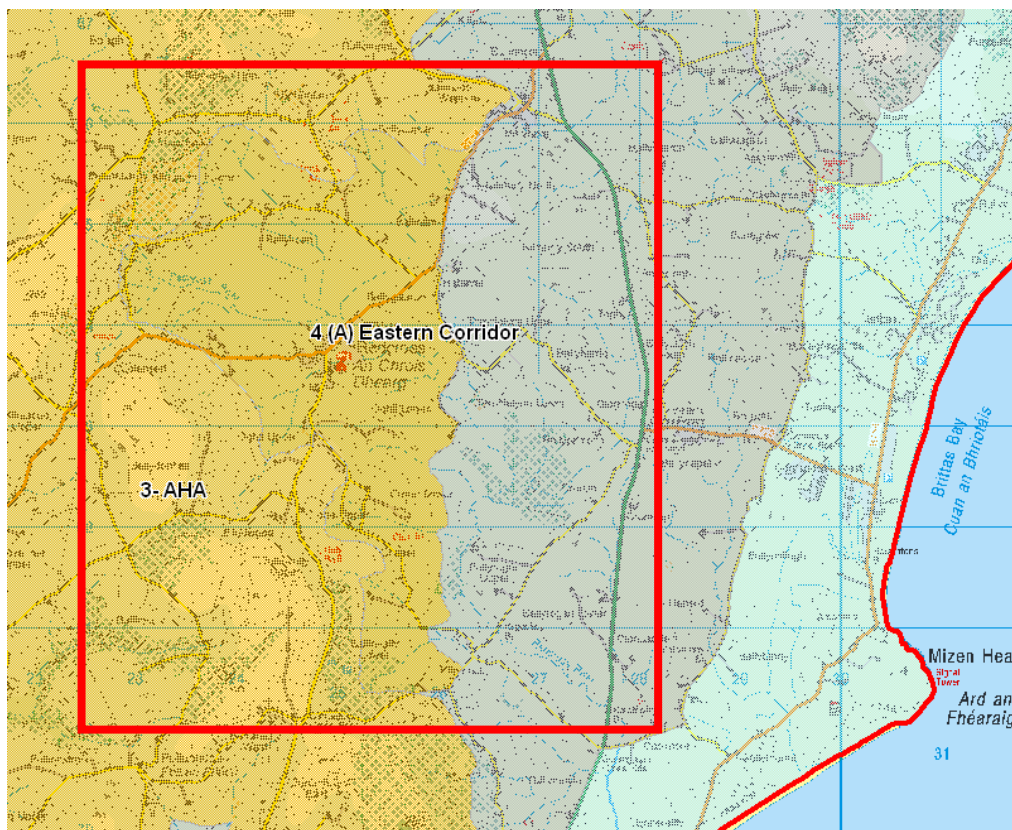
AMENDMENT 101

Landscape Assessment Map

Change from:



Change to:



SUMMARY OF SUBMISSIONS

No submissions were received with respect to this proposed amendment.

CHIEF EXECUTIVE'S ASSESSMENT

This amendment was proposed by the CE for the reasons set out in his previous report and is still recommended.

CHIEF EXECUTIVE'S RECOMMENDATION

Proceed with Amendment No. 101

AMENDMENT 102

Section 3 Assessment Criteria

Amend text as follows:

3. Assessment criteria

Planning applications for wind energy developments will generally be assessed against the criteria set out below and therefore all applications will be required to submit an evaluation of the project against these criteria.

Add new criteria

11. All applications for wind turbines shall be accompanied by a Health Impact Assessment, in accordance with the guidance published by the Irish Institute of Public Health.

SUMMARY OF SUBMISSIONS

No submissions were received with respect to this proposed amendment.

CHIEF EXECUTIVE'S ASSESSMENT

This amendment was proposed by the Elected Members at the County Council meeting in July 2016. The Chief Executive does not support this amendment. The assessment of wind turbine applications is carried out in accordance with national and international best practice and current Ministerial guidelines do not require the submission of a HIA or a consideration of health impacts.

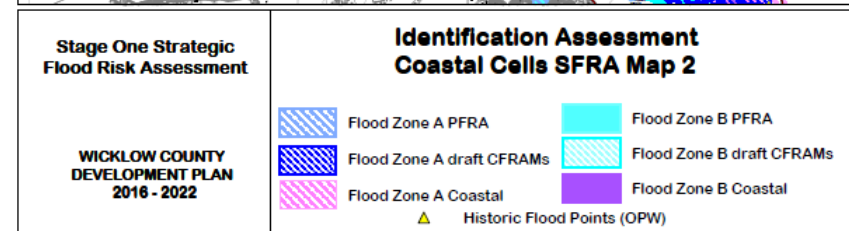
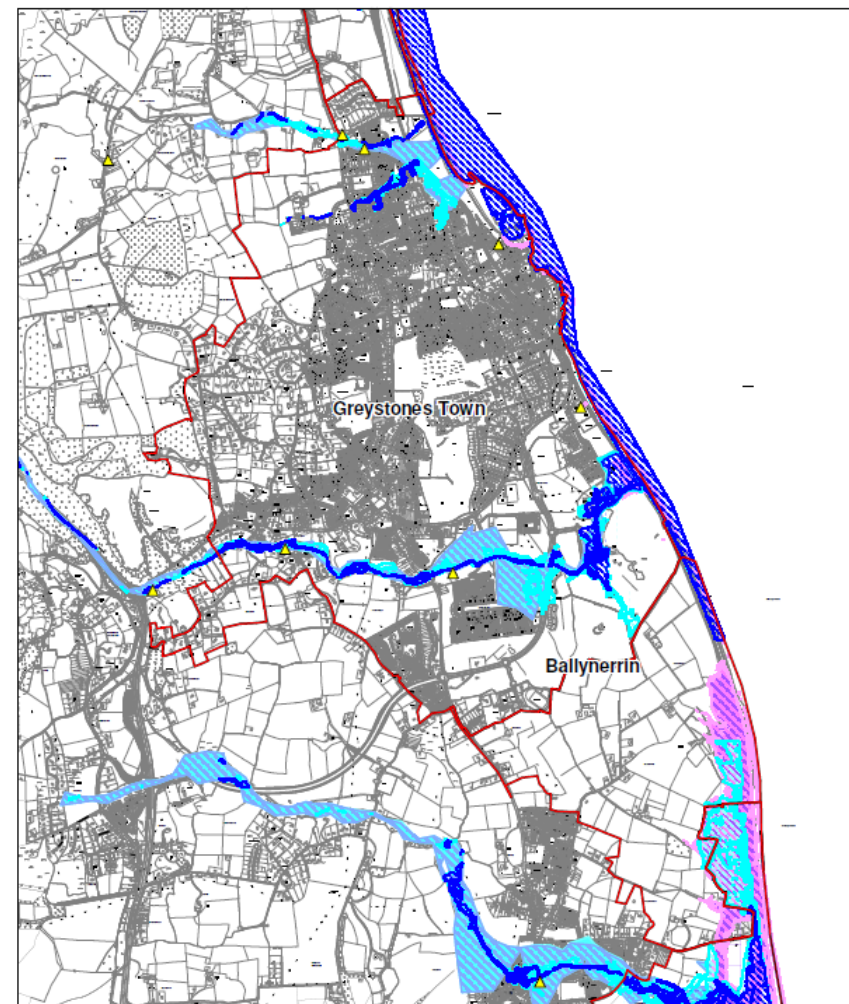
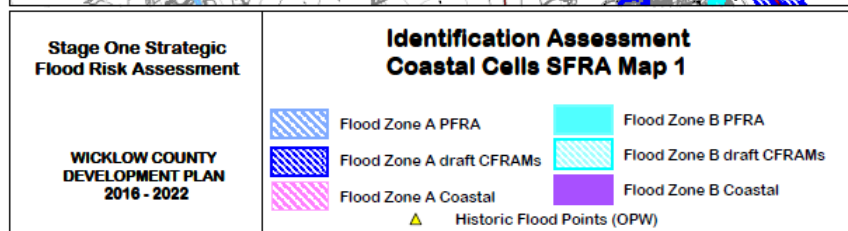
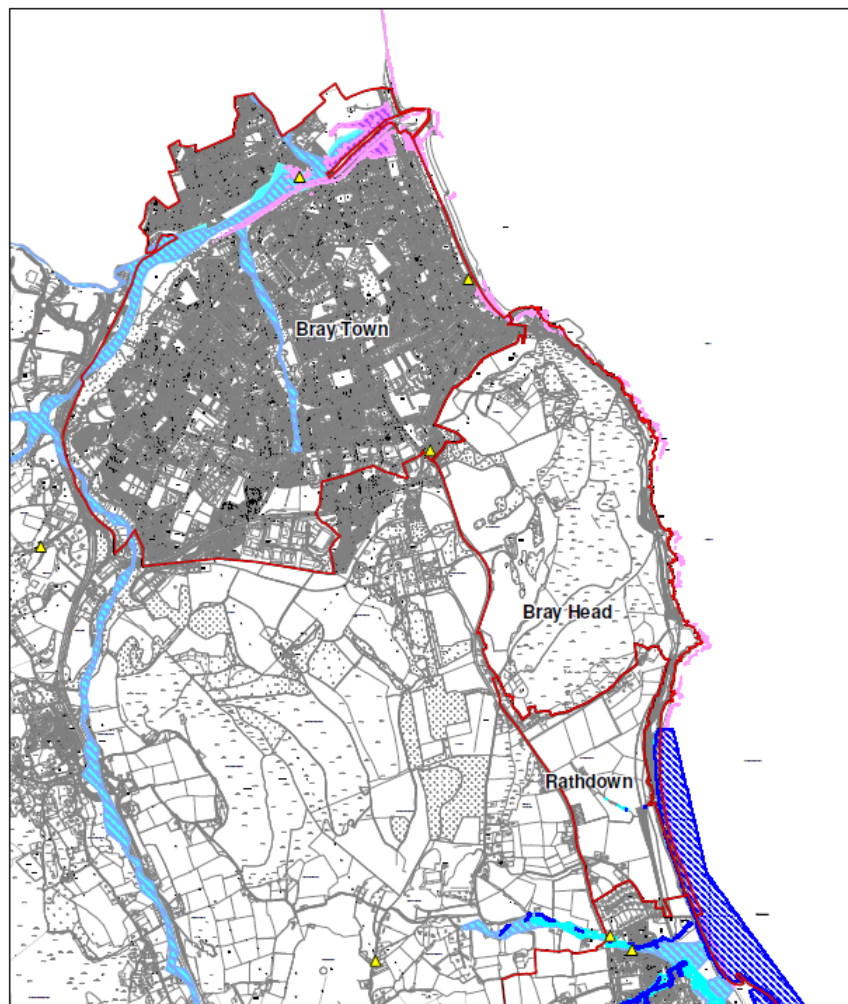
CHIEF EXECUTIVE'S RECOMMENDATION

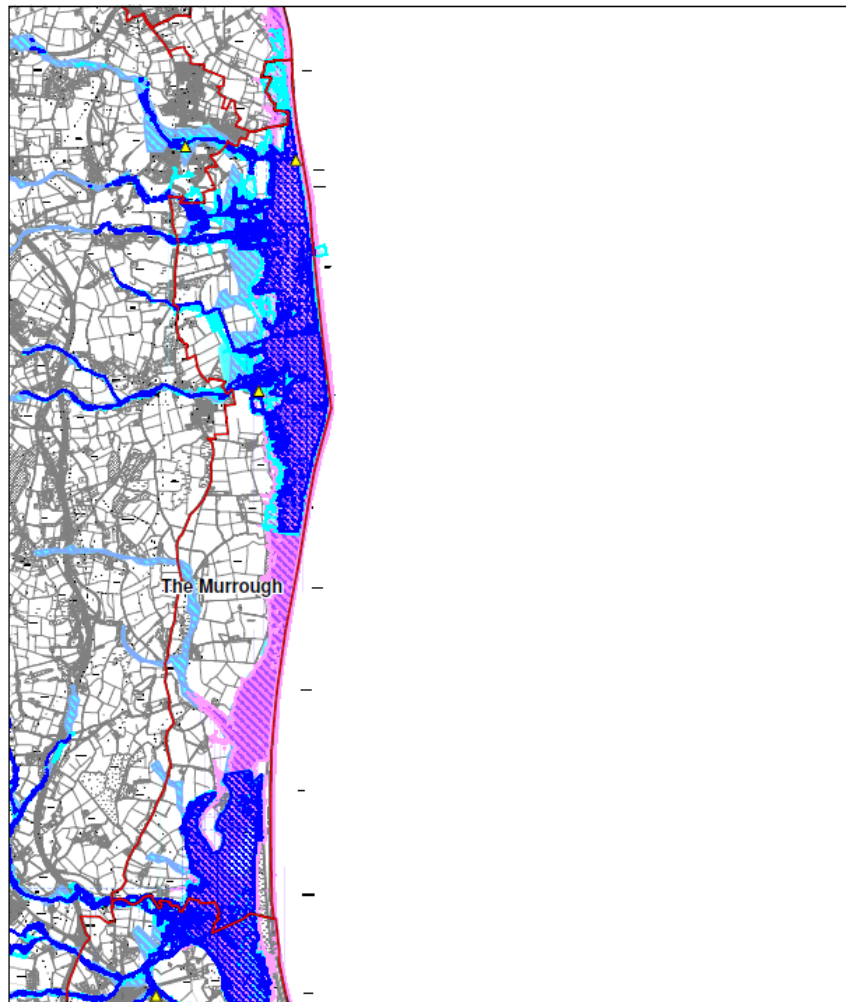
To not proceed with Amendment No. 102






















AMENDMENT 103

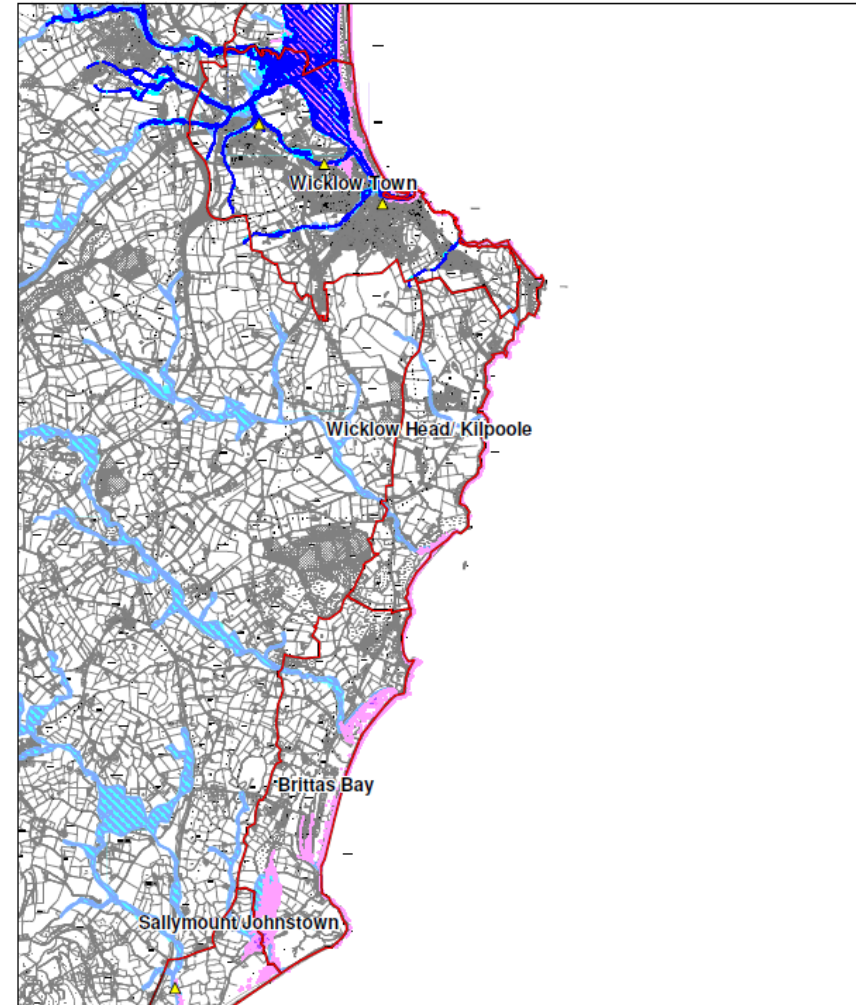
Under 'Section 7' add






















- **new heading 'Coastal Zones'**
- **add additional maps showing the flood risk zones for each cell.**

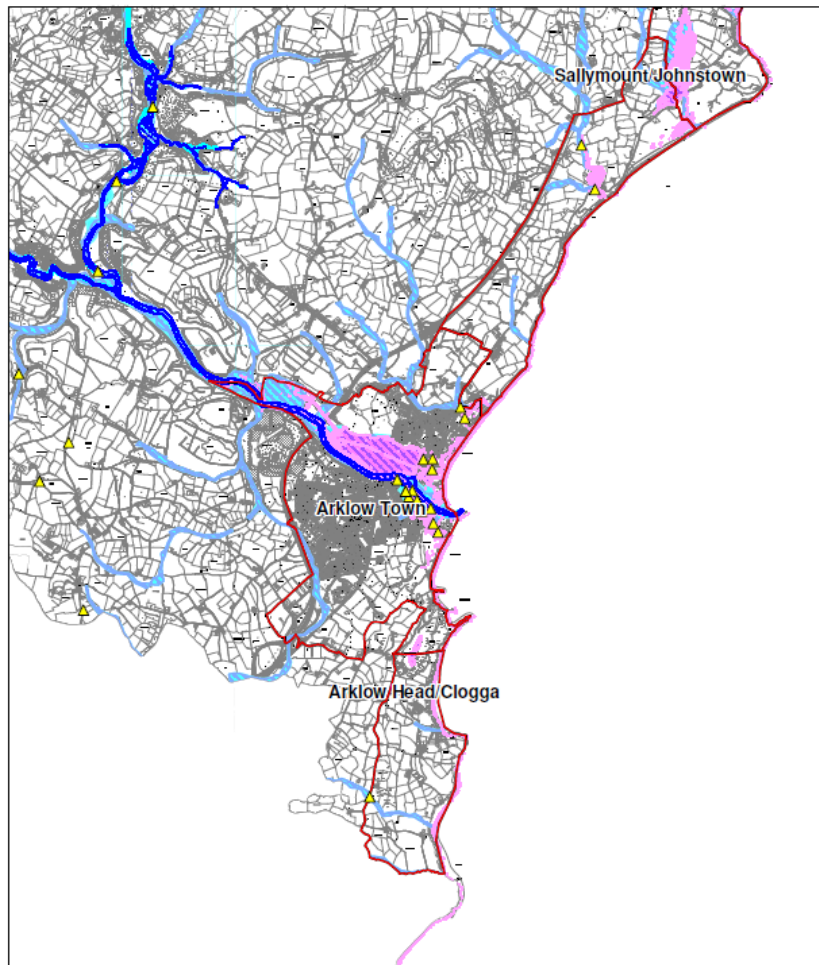











<p>Stage One Strategic Flood Risk Assessment</p> <p>WICKLOW COUNTY DEVELOPMENT PLAN 2016 - 2022</p>	<p>Identification Assessment Coastal Cells SFRA Map 3</p> <table border="0"> <tr> <td> Flood Zone A PFRA</td><td> Flood Zone B PFRA</td></tr> <tr> <td> Flood Zone A draft CFRAMs</td><td> Flood Zone B draft CFRAMs</td></tr> <tr> <td> Flood Zone A Coastal</td><td> Flood Zone B Coastal</td></tr> <tr> <td colspan="2"> Historic Flood Points (OPW)</td></tr> </table>	 Flood Zone A PFRA	 Flood Zone B PFRA	 Flood Zone A draft CFRAMs	 Flood Zone B draft CFRAMs	 Flood Zone A Coastal	 Flood Zone B Coastal	 Historic Flood Points (OPW)	
 Flood Zone A PFRA	 Flood Zone B PFRA								
 Flood Zone A draft CFRAMs	 Flood Zone B draft CFRAMs								
 Flood Zone A Coastal	 Flood Zone B Coastal								
 Historic Flood Points (OPW)									

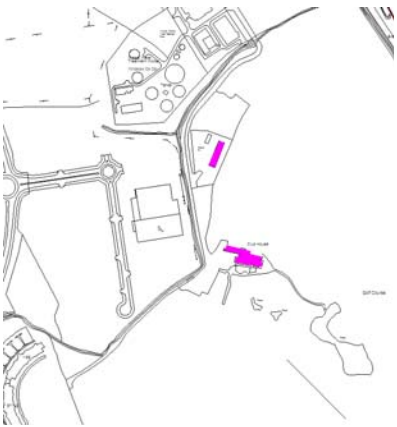


<p>Stage One Strategic Flood Risk Assessment</p> <p>WICKLOW COUNTY DEVELOPMENT PLAN 2016 - 2022</p>	<p>Identification Assessment Coastal Cells SFRA Map 4</p> <table border="0"> <tr> <td> Flood Zone A PFRA</td><td> Flood Zone B PFRA</td></tr> <tr> <td> Flood Zone A draft CFRAMs</td><td> Flood Zone B draft CFRAMs</td></tr> <tr> <td> Flood Zone A Coastal</td><td> Flood Zone B Coastal</td></tr> <tr> <td colspan="2"> Historic Flood Points (OPW)</td></tr> </table>	 Flood Zone A PFRA	 Flood Zone B PFRA	 Flood Zone A draft CFRAMs	 Flood Zone B draft CFRAMs	 Flood Zone A Coastal	 Flood Zone B Coastal	 Historic Flood Points (OPW)	
 Flood Zone A PFRA	 Flood Zone B PFRA								
 Flood Zone A draft CFRAMs	 Flood Zone B draft CFRAMs								
 Flood Zone A Coastal	 Flood Zone B Coastal								
 Historic Flood Points (OPW)									



Stage One Strategic Flood Risk Assessment	Identification Assessment Coastal Cells SFRA Map 5	
WICKLOW COUNTY DEVELOPMENT PLAN 2016 - 2022	 Flood Zone A PFRA  Flood Zone A draft CFRAMs  Flood Zone A Coastal  Historic Flood Points (OPW)	 Flood Zone B PFRA  Flood Zone B draft CFRAMs  Flood Zone B Coastal

SUMMARY OF SUBMISSIONS

Name	Issues raised
Evans Family	<p>The Evans family owns lands at Charlesland, Greystones that has been included in Flood Zones A and B as part of Amendment no. 103.</p> <p>The submitters indicate that part of these lands provide for a golf and country clubhouse and associated machinery and storage shed building and the inclusion in the flood zone presents a serious concern for the owners of the buildings in terms of insurance issues. It is put forward that there are no 'Flood Events' recorded here on the OPWs Flood Mapping and the draft CFRAM mapping does not show the buildings within the flood ones. Furthermore, it is indicated that the Flood Zones shown as part of the Greystones Local Area Plan does not show the buildings within the flood zones.</p>  <p>It is requested that the Flood Risk Assessment mapping associated with amendment 103 should not be included in the Development Plan.</p>
Roadstone Ltd	<p>Roadstone noted that this amendment incorporates a map identifying various flood zones in coastal zones, which is based on a map prepared by the OPW. The map shows that the extent of the quarry void and the access road to Roadstone's operational quarry in Arklow in Flood Zone A Coastal. The amended policy in Amendment No. 61 prohibits all development in such zones.</p>

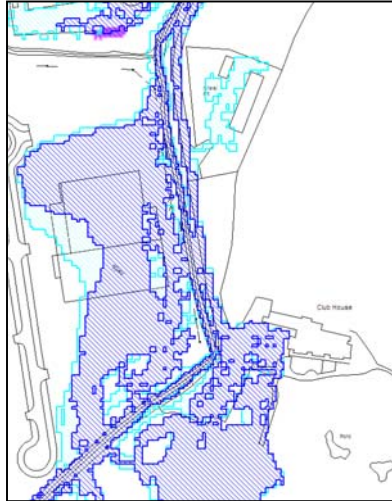
CHIEF EXECUTIVE'S ASSESSMENT

The points raised by Roadstone are already addressed in this report under Proposed Amendment No. 61.

With regard to the submission from the Evans family, the submitters indicate that they have no issue with the flood zones / maps that have been published by the OPW but are concerned that WCC's maps differ from the OPW by including the buildings in question.

However, the OPW maps have in fact been replicated exactly as published by the OPW and these maps show the buildings in question outside of flood risk areas A and B. Unfortunately the scale of the maps published by Wicklow County Council makes this difficult to see. The OPW maps were published at A3 scale and online, which allowed users to 'zoom' in very closely to particular sites and buildings, whereas the maps published as part of the amendment were much smaller in scale.

In order to address this concern, the CE will include a clear 'Health Warning' in the SFRA document that accompanies the County Development Plan advising users seeking more detail to refer to the OPW maps and website. It will also be clearly indicated in the SFRA that identification and assessment of flood risk can be subject to revisions as more studies are carried out and that reference should always be made to the OPW data for the updated position.



Zoomed in view of the map published by WCC

CHIEF EXECUTIVE'S RECOMMENDATION

Proceed with Amendment No. 103

APPENDIX A

LIST OF PERSONS/BODIES WHO MADE SUBMISSIONS

643 submissions (and **118** signatures) were received.

These were collated into groups, according to the issues raised or the characteristics of the submitters. The groups are as follows:

- Group A** Prescribed Bodies (**8** submissions)
- Group B** Elected representatives (**8** submissions)
- Group C** General mixed topic submissions (**32** submissions, including one with 9 signatures)
- Group D** Proposed Amendment No. 21, Objective RT17 – (**160** submissions)
- Group E** Proposed Amendment No. 56, 'The Rocks' – (**432** submissions, including one with 109 signatures)
- Group F** Public Rights Of Way (**3** submissions)

GROUP A PRESCRIBED BODIES	
A1	Minister for Housing, Planning, Community and Local Government
A2	Department of Communications, Climate Change & Environment
A3	Department of Communications, Climate Action and Environment - Exploration & Mining
A4	Department of Education and Skills
A5	Environmental Protection Agency
A6	National Parks & Wildlife Service, Department of Arts, Heritage, Regional, rural and Gaeltacht Affairs
A7	Transport Infrastructure Ireland
A8	National Transport Authority

GROUP B ELECTED REPRESENTATIVES	
B1	Senator John Dolan
B2	Deputy Stephen Donnelly
B3	Deputy Andrew Doyle
B4	Cllr Tom Fortune
B5	Deputy Simon Harris
B6	Deputy Josepha Madigan
B7	Senator Catherine Noone
B8	Senator Dr. Keith Swanick

GROUP C GENERAL MIXED TOPIC SUBMISSIONS	
C1	Ashford Development Association Ltd
C2	Ashford Studios
C3	Aughim GAA
C4	Aughrim Athletics Club
C5	Aughrim Camogie Club
C6	Aughrim Community Sports and Leisure Association
C7	Aughrim Community Sports and Leisure Association
C8	Aughrim Community Sports and Leisure Association
C9	Aughrim Community Sports and Leisure Association
C10	Augrim Rangers Soccer Club
C11	Ecological Data Centres Ltd
C12	Evans Family
C13	Irish Wind Energy Association
C14	Keep Ireland Open
C15	Kathleen Kelleher
C16	KFC UK & Ireland
C17	Mining Heritage Trust of Ireland
C18	Pat O'Connor
C19	Don O'Leary
C20	Eoghan O'Shea
C21	Yvonne O Toole
C22	Philip Pratt
C23	Roadstone Limited
C24	John Royds
C25	Select Vestry and parishioners Baltinglass and Ballynure
C26	Sexton Family
C27	Patrick and Eugene Stephens
C28	Brian Stokes
C29	Targeted Investment Opportunities ICAV
C30	Tesco Ireland Ltd
C31	Timore Residents (<i>9 signatures</i>)
C32	Wicklow County Tourism

AMENDMENT NO. 21 – OBJECTIVE RT17
GENERALLY IN FAVOUR OF PROPOSED AMENDMENT NO.21
ELECTED REPRESENTATIVES

B1	Senator John Dolan
B2	Deputy Stephen Donnelly
B3	Deputy Andrew Doyle
B5	Deputy Simon Harris
B6	Deputy Josepha Madigan
B7	Senator Catherine Noone
B8	Senator Dr. Keith Swanick

HEALTH CARE PROFESSIONALS

D4	Elizabeth Barnes, Dietitian
D5	Naomi Bates, Dietitian
D26	Helen Cummins, Dietitian
D29	Professor Anothony Stains, Professor of Health Systems, DCU School of Nursing and Human Sciences
D30	Katie Newton, Acting Senior Dietitan, Department of Clinical Nutrition and Dietetics, Mater Misericordiae
D34	Sarah O'Brien, National Lead, Healthy Eating & Active Living Policy Priority Programme, Dr. Steevens Hospital, Health and Wellbeing Division, HSE
D58	Orla Haughey, Senior Dietitian
D64	Tonya O'Neill, Dietitian, Nutrition & Dietetic Service, HSE Mid-west
D67	Dr. Brendan O'Shea, Assistant Adjuvant Professor, Irish College of General Practitioners
D68	Cliona Loughnane, Policy and Research Manager, Irish Heart Foundation
D69	Louise Reynolds, Communications Manager, Irish Nutrition and Dietetic Institute
D86	Mrs. Janet Mathias M.Phil. Nut, B.Sc. Nut, Dip.Dietetics, MINDI/ Dr. Paul Mathias Lecturer in Nutrition & Biochemistry, DIT retired
D88	Gillian McConnell, Dietitian
D95	Paula Mee, Dietitian
D100	Cara Monaghan, Dietitian
D102	Dara Morgan, Dietitan
D115	Brendan Harold, Manager of Nutrition and Dietetics, Peamount Healthcare
D121	Niamh O'Connor, Dietitian, Cork Nutrition Consultancy
D130	Professor Ian Graham, Professor of Cardiovascular Medicine, Trinity College Dublin; Professor of Preventive Cardiology Emeritus, Royal College of Surgeons in Ireland; Professor and Head of Cardiology, Tallaght Holspital (retired); Honorary Fellow of Trinity College Dublin; Councillor and Board Member, European Society of Cardiology; Chair Adelaide Helath Foundation; Project Leader SCORE CVD risk estimation system; Project leader SUR international audit of CVD risk factor recording an control; Co-chair WHO CVD risk estimation project; Co-Chair ESC/EAS 2016 Guidelines on the management of hyperlipemia; Member 6th joint European Task Force on the prevention of CVD in Clinmical Practice; Chair Irish Heart Foundation Council on CVD prevention
D132	Professer Donal O'Shea & Professor Catherine Hayes, Royal College of Physicians of Ireland, Policy Group on Obesity
D135	Dr Clíodhna Foley-Nolan, Director of Human Health and Nutrition, Safefood
D138	Professor David Hevey, School of Psychology, Trinity College Dublin
D152	Jenny McNulty, Paediatric Dietitian, Temple Street Children's Hospital,
D156	Laura Willard, BSc Human Nutrition

EDUCATIONAL BODIES		
D10	Garrett Fennell, Chairperson, Board of Management, Temple Carrig School, Greystones	
D24	Daithí Ryder, Deputy Principal, Cloonliffen N.S.	
D44	Evan Furlong, Dublin School of Mandarin Chinese	
D142	Peter McCrodden, Priomhoide, St.Andrew's National School, Bray	
D78	Alison Fox, Youth Officer, Kildare and Wicklow Education and Training Board	
D154	Éadaoin Ní Bhuachalla, University College Cork, Dept Food and Nutritional Science	
MEMBERS OF PUBLIC		
Submissions from children highlighted in orange		
D1	Almeida	Ana
D2	Armstrong	Angela
D3	Barker	Rona
D6	Baum	Tatjana
D7	Beausang	Tracey
D8	Berry	Frankie
D9	Bleve	Mauro
D11	Bogan	Declan
D12	Boushel	Angela
D13	Boxberger	Alan
D15	Breslin	John & Elaine
D16	Brougham/Byrne	Ciaran/Hazel
D17	Buckley	Dr Claire
D18	Burbridge	Marie
D19	Burke	Belinda
D20	Bushnell	Robert
D21	Byrne	Paul
D22	Camattari	Paolo
D23	Casey	Sinead
D25	Creed	Aislinn & Pat
D27	Daly	Paul
D28	Davis	Deb
D31	Dillon	Liz
D32	Donnelly	Liz
D33	Doris	Ruth
D35	Drought	Dennis
D36	Duggan	Drew
D37	Duggan	Kate
D38	Durbin	JC & Jackie
D39	Erskine	Laura
D40	Fields	Karen
D41	Fisher	Elise
D42	Fitzgerald	Sandra
D43	Fulham	Petra
D45	Gaines	Elizabeth
D46	Gallagher	Máire
D47	Gallanagh	Dara
D48	Gemelli	Miriam
D49	Gerrard	John

D50	Gleeson	Fiona
D51	Gorman	Liam
D52	Hanna	Aoife
D53	Hanna	Órnaith
D54	Harte	Trish
D55	Harte	Damian
D56	Harte	Kyle
D57	Haughey	Niamh
D59	Hennessy	Julie
D60	Hogan	Ciara
D61	Hogan	Joan
D62	Holt	Dale
D63	Horner	Celine
D65	Hughes	Amy
D66	Hynes	Liza
D70	Jordan	Deborah
D71	Keathings and Maguinness	Anne, Trevor, Eleanor & Matthew
D72	Keatings	Anne
D73	Kelly	Annette
D74	Kelly	Dara
D75	Kennedy	Ken & Suzanne
D76	Kenny	Aoife
D77	Kerr	Tracey
D79	King	Ciara
D80	Kingston	Niamh
D81	Landowska	Ola / Aleksandra
D82	Larkin	Ann-Marie
D83	Lynch	Sonja
D84	Madden	Elma
D85	Mancini	Silvia
D87	McConnell	Andreas
D89	McCullagh	Heather
D90	McKeever	Cameron
D91	McLeod	James
D92	McMenamin	Beata
D93	McMenamin	Cillian
D94	Meagher	Judith
D96	Miller	Basil
D97	Miller	Joshua
D98	Miles	Mary
D99	Miller	Mia
D101	Mooney	David
D103	Moroney	Pat
D104	Moyles	Andrew
D105	Moyles	Ed
D106	Moyles	Jessica
D107	Moyles	Paula
D108	Moyles, No Fry Zone for Kids	Philip
D109	Moyles	Robert
D110	Moyles	Teresa

D111	Mulcahy	Lucy
D112	Murphy	Caoimhe
D113	Murray	Gerrard
D114	Murray	Karen
D116	Ó'Braonáin	Fiachna
D117	O'Brien	Emma
D118	O'Brien	Helen
D119	O'Brien	Mark
D120	O'Byrne	June
D122	O'Donnell	Alice
D123	O'Donohoe	Aoife
D124	O'Donovan	Aideen
D125	O'Dwyer	Kathy
D126	O'Gorman	Daniel
D127	O'Nualláin	Eoin
D128	O'Sheehan	Corinne
D129	Pelc	Jarek
D131	Roberts	Mark
D133	Ryan	Helen
D134	Ryan	Síona
D136	Scanlon	Michael
D137	Scheer	Collette
D139	Sexton	Sheila
D140	Sheils	Aishling
D141	Shortt	Martina
D143	Stewart	Ruth
D144	Storm	Elka
D145	Sullivan	David
D146	Sullivan	Eithne
D147	Sullivan	Jane
D148	Sullivan	Linda
D149	Sweeney	Meave
D150	Szpak	Justyna
D151	Teehan	Ann
D153	Torne	Esther
D155	Villa	Monica
D157	Williams	Arthur
D158	Willoughby	Louise
D159	Wright	Emer
D160	Wrixon	Carole

GENERALLY NOT IN FAVOUR OF PROPOSED AMENDMENT NO.21

PRESCRIBED BODY	A1	Minister for Housing, Planning, Community and Local Government
MEMBERS OF PUBLIC	C16	KFC UK & Ireland (Bilfinger GVA)
MEMBERS OF PUBLIC	D14	Dr. JP Breen

GROUP E PROPOSED AMENDMENT NO. 56 – ‘THE ROCKS’

E1	Allen	Shane		E47	Chapman	Sharon
E2	Anderson	Kerry		E48	Clarke	Johnny
E3	Badger	Mr & Mrs		E49	Cleary	Alan
E4	Barrett	Angela		E50	Conlon	Cait
E5	Barry	Jim		E51	Connolly	Margaret
E6	Belton	Peatricia		E52	Conroy	Claire
E7	Bishop	KC		E53	Corcoran	Ann Marie
E8	Bishop	Kiri		E54	Corcoran	Eoin
E9	Blair	Helen		E55	Corcoran	Gary
E10	Blanchfield	Ellen		E56	Corcoran	Ray
E11	Blanchfield	John		E57	Cosgrave	Des
E12	Blanchfield	William		E58	Cosgrave	Bridget
E13	Blanchfield	William		E59	Cosgrave	Caroline
E14	Bonn	Dan		E60	Cosgrave	Mary
E15	Bourke	B		E61	Cosgrave	P
E16	Bowler	John		E62	Cosgrave	Patrick
E17	Bowler	Patricia		E63	Cosgrove	Marian
E18	Bowyer	Sue		E64	Cosgrove	Pat
E19	Britton	C		E65	Coyle	Geraldine
E20	Brooks	Hannah		E66	Coyle	Celia
E21	Broughan	P		E67	Coyle	Margaret
E22	Bunn	Josie		E68	Coyle	Rose
E23	Burke	Aideen		E69	Craig	Julia
E24	Burke	Charoltte		E70	Crawford	Kyle
E25	Byrne	Chris		E71	Crawford	Alan
E26	Byrne	Eddie		E72	Crawford	Anne
E27	Butler	Eddie		E73	Crawford	Ashleigh
E28	Byrne	Emer		E74	Crawford	Bethan
E29	Byrne	Helene		E75	Crawford	Tara
E30	Byrne	Jason		E76	Cullen	Richard
E31	Byrne	Keith		E77	Cullun	Margaret
E32	Byrne	Maggie		E78	Cummins	Adam
E33	Byrne	Nadia		E79	Cummins	Stephen
E34	Byrne	Pat		E80	Curry	Mary
E35	Byrne	Rory		E81	Curry	Gerry
E36	Burke	Ryan		E82	Curry	Lillian
E37	Cahill	J		E83	Cussen	Sophia
E38	Campbell	Aoife		E84	Da Cruz	Diana
E39	Campbell	Deirdre		E85	Daly	Martin
E40	Campbell	Donna		E86	Daly	Breda
E41	Campbell	Grainne		E87	Daly	David
E42	Campbell	Ray		E88	Daly	Paul
E43	Campbell	Sinead		E89	Davitt	Martin
E44	Canavan	John		E90	Dempsey	Wes
E45	Carstairs	Lisa		E91	Dixon	Sarah
E46	Chapman	J		E92	Donnelly	Rachel

E93	Donnelly	Aisling
E94	Donnelly	Cathy
E95	Donnelly	Stephen
E96	Donnelly	William
E97	Donoghue	Ian
E98	Doyle	C
E99	Doyle	Angela
E100	Doyle	Kathleen
E101	Doyle	Patrick
E102	Doyle	Patrick
E103	Doyle	Shane
E104	Doyle	Shirley
E105	Doyle	Therese
E106	Doyle	Willy
E107	Drew	Margaret
E108	Duffy	Aisling
E109	Dulton	Nicole
E110	Dunleavy	Brendan
E111	Dutton	Alec
E112	Dutton	Abbie
E113	Dutton	Daivial
E114	Dutton	James
E115	Dutton	Liam
E116	Dutton	Rachel
E117	Dutton	Sandra
E118	Dutton	Wendy
E119	Egan	Aine
E120	Ennis	Rachel
E121	Evans	Hugh
E122	Evans	Noeleen
E123	Fahy	Rebecca
E124	Fenton	Brendan
E125	Ffrench Mullen	Neil
E126	Fitzgerald	Declan
E127	Fitzpatrick	Sean
E128	Foley	Anto
E129	Foran	Damian
E130	Forde	Enda
E131	Forster	Chloe
E132	Franklyn	S
E133	Fuller	Michael
E134	Gahan	Liam
E135	Gallana	S
E136	Galvin	Denise
E137	Galvin	Hanny
E138	Gammell	Emma
E139	Gammell	Sarah
E140	Gilbert	Derek

E141	Gilbert	J
E142	Gilbert	T
E143	Gillan	Sean
E144	Gillespie	Meabhdh
E145	Gillett	Claire & Kenneth
E146	Gleeson	C
E147	Gleeson	Philip
E148	Gleeson	Michael
E149	Gorman	Sean
E150	Gormley	Patrick
E151	Grant	Tanya
E152	Grant	Jane
E153	Greene	Anne
E154	Greene	Declan
E155	Greene	John
E156	Greene	Lucy
E157	Grey	L
E158	Guy	Hugh
E159	Guy	Molly
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E161	Halligan	Laura
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E163	Hanley	Mark
E164	Hannon	Fiona
E165	Harte	Caroline
E166	Harte	James
E167	Harte	Kathleen
E168	Harte	Kathy
E169	Harte	Louise
E170	Harte	Michael
E171	Harte	Mick
E172	Harte	Ronan
E173	Harte	Sophie
E174	Hartwell	Clare
E175	Hayden	Ann
E176	Hayden	Peter
E177	Hayden	Paul
E178	Haydn	Elizabeth
E179	Heath	Martin
E180	Heffernan	Ryan
E181	Hennessy	Martina
E182	Hennessy	Peter
E183	Hickey - Guy	Michelle
E184	Hill	Caroline
E185	Hill	S
E186	Holt	Gary
E187	Holt	Dale
E188	Holt	Joshua

E189	Holt	Keith
E190	Holt	Lily
E191	Holt	Marie
E192	Horan	Matthew
E193	Horan	Norah
E194	Hurley	Padraic
E195	Hurley	Richard
E196	Joyce	Alan
E197	Joyce	Marie
E198	Joyce	Niamh
E199	Joyce	Piers
E200	Jurgen Kugler	Hans
E201	Kavanagh	Bernard
E202	Kavannagh	Tim
E203	Keating	Joseph
E204	Keating	Mary
E205	Keddy	Nick
E206	Keddy	Seamus
E207	Kelly	Alan
E208	Kelly	Anthony
E209	Kelly	Ciara
E210	Kelly	Dave
E211	Kelly	David
E212	Kelly	James
E213	Kelly	James
E214	Kelly	Jamie
E215	Kelly	Josh
E216	Kelly	Julie
E217	Kelly	Karen
E218	Kelly	Mary
E219	Kelly	Mary
E220	Kelly	Philip
E221	Kelly	Stephen
E222	Kelly	Teresa
E223	Kennay	Patricia
E224	Kennedy	Eric
E225	Kennedy	Elaine
E226	Kennedy	Eric
E227	Kennedy	Freddie
E228	Kennedy	Holly
E229	Kilbride	Willie
E230	Kilpatrick	B
E231	Kinsella	George
E232	Kirk	Nicola
E233	Kirk	Michael
E234	Kuntz	Dee
E235	Kunz	N& O
E236	Lancese	Anthony

E237	Lduath	Shane
E238	Leddy	Mary
E239	Lees	Joan
E240	Lenehan	Joseph
E241	Lennon	Patricia
E242	Lewdwidge	Vera
E243	Lewis	Leona
E244	Lewis	Mark
E245	Lewis	Paul
E246	Lewis	Sandra
E247	Lewis	Stephen
E248	Lowry	Chloe
E249	Lowry	Jack
E250	Lowry	Michelle
E251	Lowry	Patrick
E252	Lucas	Sr. Miriam
E253	Lucas	Michael
E254	Magee	Michelle
E255	Maguire	Jole
E256	Maguire	Olive
E257	Mahony	J
E258	Mallin	Deirdre
E259	Martin	Conor
E260	Martin	Bill
E261	Martin	Ciaran
E262	Martin	Maureen
E263	Martin	Sinead
E264	Martin	Siobhan
E265	Matthews	David
E266	McClean	Seamus
E267	McCoy	Lette
E268	McDonagh	P
E269	McDonald	Alan
E270	McDonald	Ian
E271	McFane	D
E272	McFaul	Eileen
E273	McGann	Deirdre
E274	McGloughlin	Derek
E275	McGloughlin	Derry
E276	McGrath	Gerry
E277	McGrath	James
E278	McGuinness	Gavin
E279	McGuinness	Kyle
E280	McHugh	Andrea
E281	McIlveen	Sam
E282	McIlveen	Donna
E283	McKenna	Aaron
E284	McKenna	Katie

E285	McKenna	Michelle
E286	McKenna	Paul
E287	McLaughlin	Douglas
E288	McNamee	Ann & Maurice
E289	Meahin	Patrick
E290	Meakin	D
E291	Meakin	Michael
E292	Meehan	C
E293	Meehan	D
E294	Meehan	Eoin
E295	Meehan	Liz
E296	Meriman	Carla
E297	Merriman	Lisa
E298	Mitchell	Trudy
E299	Mooney	Eamonn
E300	Mooney	Kathleen
E301	Mooney	Mags
E302	Murphy	Jackie
E303	Murphy	Frank
E304	Murray	David
E305	Murray	Joe
E306	Murray	Imelda
E307	Murray	Josh
E308	Murray	Orla
E309	Napier	Josie
E310	Napier	Mary
E311	Napier	Martin
E312	Needham	Mavis
E313	Nelson	Louise
E314	Nolan	Hughie
E315	O'Brien	Ciara
E316	O'Brien	Dermot
E317	O'Brien	Eamonn
E318	O'Brien	Katie
E319	O'Callaghan	Sinead
E320	O'Connor	Marc
E321	O'Donoghue	Carol
E322	O'Gara	Sean
E323	O'Hall	Conor
E324	O'Looney	Jackie
E325	O'Mahoney	Marie
E326	O'Mahony	Brian
E327	O'Malley	Eileen
E328	O'Neill	Joan
E329	O'Neill	Liam
E330	O'Neill	Marian
E331	O'Neill	Paul
E332	O'Reilly	Annie

E333	O'Reilly	Peter
E334	O'Rourke	Mona
E335	O'Shea	Susan
E336	O'Shea	Amanda
E337	Ositadionna	Beth
E338	O'Toole	Caitlin
E339	O'Toole	Catherine
E340	O'Toole	Cathy
E341	O'Toole	Cillian
E342	O'Toole	Fionn
E343	O'Toole	Laurence
E344	O'Toole	Michael
E345	O'Tooleq	Michelle
E346	Peat	Mark
E347	Plunkett	Peter
E348	Poole	Lorna
E349	Power	Orla
E350	Quinlan	J&T
E351	Quinn	Alice
E352	Quinn	Darren
E353	Quinn	Eileen
E354	Reid	Anne
E355	Reid	Dermot
E356	Reilly	Jennifer
E357	Rennix	Eddy
E358	Rennix	Rita
E359	Rennix	Tony
E360	Rennix	Margie
E361	Ridpath	Jenni
E362	Roberts	Alistair
E363	Roberts	Caroline
E364	Roberts	Samantha
E365	Roberts	Sarah
E366	Robson	Ian
E367	Roche	Tina
E368	Rogers	Johnny
E369	Rogers	Maura
E370	Rountree	Claire
E371	Rountree	Fred
E372	Rourke	Christine
E373	Ryan	Michelle
E374	Ryder	John
E375	Sayers	Adam
E376	Sayers	Lara
E377	Sayers	Mark
E378	Scanlan	Matthew
E379	Scanlon	Freya
E380	Seifried	Brendan

E381	Sheridan	Wayne
E382	Sheridan	Paul
E383	Sheridan	Theresa
E384	Sherwan	Mickel
E385	Sillery	Karen
E386	Smith	Clanay
E387	Smyth	Bernard
E388	Smyth	Beul
E389	Smyth	Brendan
E390	Smyth	Daryl
E391	Smyth	Derek
E392	Smyth	Gary
E393	Smyth	Jenny
E394	Smyth	Jessica
E395	Smyth	Jonay
E396	Smyth	Lucy
E397	Smyth	Margaret
E398	Smyth	Noel
E399	Smyth	Samantha
E400	Smyth	Susan
E401	Smyth	William
E402	Snell	Cllr John
E403	Sweeney	Lynne
E404	Sweeney	Roisin
E405	Sweeney	Rachael
E406	Szynal	Tomaz
E407	Thompson	Ray

E408	Tierney	Michael
E409	Tighe	Chris
E410	Tighe	Glenn
E411	Tindal	A
E412	Tobin	Anne
E413	Toby	Laura
E414	Tyner	Dorothy & Clive
E415	Wallace	Mary
E416	Ward	Eilis
E417	Ward	Liz
E418	Watters	Janet
E419	Webster	Dorinda
E420	Whelan	Robert
E421	Whelan	H
E422	Whythe	David
E423	Williams	Colin
E424	Williams	Lee
E425	Williams	Rhian
E426	Wills	Abbie
E427	Wills	David
E428	Woods	Patrick
E429	Yoder	John
E430	Young	Dave
E431	Yourel	Lisa
E432	Submission with 109 Signatures	

GROUP F PROPOSED AMENDMENT NO. 57 – PROWS	
F1	Corás Iompair Éireann
F2	Dominican Convent
F3	Harry Webster
	Note C14 KIO refers to PROWs

APPENDIX B

A COPY OF THE SUBMISSION FROM THE MINISTER FOR HOUSING, PLANNING, COMMUNITY AND LOCAL GOVERNMENT



26 August, 2016.

Administrative Officer,
Planning Department,
Wicklow County Council,
Station Road,
Wicklow Town.

**Re: Proposed Amendments to the Draft Wicklow County Development Plan
2016-2022**

A Chara,

I am directed by the Minister for Housing, Planning, Community and Local Government to refer to your recent letter in relation to the above and set out hereunder observations on behalf of the Minister.

The Department notes that certain observations made in its previous submission dated 19th February 2016 have been acknowledged and addressed in the Proposed Amendments to the Wicklow County Development Plan 2016-22 and other observations have not been addressed or insufficiently addressed and therefore requests the Planning Authority to address the following points.

Employment Zonings on Specific Sites

Specific zonings for employment as contained in Objective EMP12 were previously noted by the Department as being located outside of the identified settlements of the Plan, random in nature and with several subject to unacceptable flood risk. The Council was advised to delete these zonings which were considered to be in conflict with the core strategy of the draft plan and relevant ministerial guidelines.

While the Proposed Amendments seek to amend Objective EMP 12 by removing several of these zonings (at Kilmurray South, Kilmurray North and Rathmore Ashford) the proposed zonings at Rath East/Knockloe, and Scratenagh crossroads remain included in the policy while additional

commercial/employment zonings have been added at Killadreenan, Newtownmountkennedy (1.3 Ha) and Timmore, Newcastle (0.68 Ha).

These two additional sites are both at rural locations, with substandard road access for commercial development and are situated outside of the identified settlement strategy of the Plan. They are therefore in conflict with Objective EMP2 which seeks to strategically locate new employment generating development in settlements where provision is made for appropriately zoned and serviced commercial lands.

As previously advised to the Planning Authority, these zonings are not in accordance with an evidence base and supporting need as required by the Development Plans Guidelines (2007) whereby such zonings are considered on the basis of the necessary physical infrastructure, sequential spatial development and policy justification.

The Planning Authority is therefore requested to delete sites 5.02, 5.03, 5.06 and 5.07 from Objective EMP 12 to ensure consistency with the relevant guidelines of the Minister.

Mountkennedy Demesne

It is noted by the Department that the zoning objective included in EMP 12 provides for a specific data centre facility at Mountkennedy Demesne. The Department also notes that this type of data centre development is low employment density in nature and thereby would not be likely to put additional demands on the adjacent national road infrastructure from employee traffic. Data centres also have significant and specific energy requirements which would appear to be met at the Mountkennedy Demesne site.

In these circumstances, the specific development of a data centre facility would appear to be compatible with the location proposed. However, the zoning requirements included in Objective EMP 12 for the site must be sufficiently clear to restrict development to a data centre facility and any related infrastructure/supporting services. The Planning Authority is requested to revise the policy for the site as currently worded in Objective EMP 12 to exclude non-data related centre development and to prevent an unacceptable general or non-specific industrial development at this location. Additional policy requirements in relation to the amelioration of any adverse impact of development on the demesne and surrounding landscape should also be included.

Kilpedder Interchange

The proposed zoning of c.28 hectares at Kilpedder at Junction 11 on the N11 remains included in Objective EMP 12. This zoning, in close proximity to a national primary route interchange, has the

potential to generate traffic volumes to limit the operation of this adjoining national motorway interchange and compromising its capacity and efficiency. However, it is noted that there are existing uses at the location – quarry, transport/vehicle enterprise and cement facility – that are appropriate to the non-urban location of the site. These uses also require good available road infrastructure but would have limited traffic impacts related to the low density of employment activities involved. Notwithstanding, the extent of the proposed zoning also extends to a substantial greenfield area to the north where the traffic impact of development on road infrastructure has not been satisfactorily detailed and assessed.

Given the extensive nature and insufficiently specific nature of permissible development within this area, the objective, as previously indicated by the Department, the potential to generate traffic impacts contrary to the National Roads & Spatial Planning Guidelines (2012) and would be at odds with the core strategy of the Plan per Objective EMP2 which seeks to strategically locate new employment generating development in settlements.

Accordingly, the Planning Authority is requested to revise the proposed zoning at Kilpedder in order to reduce the significant extent of lands zoned and include specific policy safeguards in Objective EMP 12 to facilitate only employment/enterprise development that is appropriately low density in nature (warehousing, light industry, distribution, etc) and does not generate significant traffic impacts. Retail and retail warehousing uses should be specifically excluded.

Ashford Film Studios

The reduction in the extent of the zoning at Inchanappa South and Ballyhenry, Ashford included in Objective EMP 12 to c.60ha from the previous 160ha including a substantial area at the north of the site (per amended Map 5.05) is welcomed by the Department. It is considered that the policy requirements for this site contained in Objective EMP 12 should be expanded to include safeguards to protect the landscape and rural character of the location in order to ensure the minimal impact of any new development.

Retail Hierarchy

The Retail Strategy for the GDA 2008-16 identifies a Retail Hierarchy under Table E1 and designates County Wicklow with Greystones, Arklow, Blessington and Baltinglass as Level 3 Centres.

The Planning & Development Act 2010 requires that the core strategy of a development plan includes retail policy and that retail development proposed is consistent with the Regional Planning Guidelines. The relevant Retail Strategy for the GDA 2008-16 does not designate

Newtownmountkenedy or Rathdrum as Level 3 Centres (TOWN AND/OR DISTRICT CENTRE & SUB-COUNTY TOWN CENTRES). As previously advised, the retail hierarchy of the Draft Wicklow CDP 2016-22 is therefore not consistent with the Retail Hierarchy of Table E1 of the Retail Strategy for the GDA 2008-16.

Changes to the Retail Hierarchy of the GDA will be considered in the statutory review to the GDA Retail Strategy process associated with the new Regional Spatial and Economic Strategy for the Eastern and Midlands Region. The Department notes that Amendment 19 concerns the forthcoming RSES and the future review of regional retail strategy. Such a future Variation to the Wicklow Development Plan is considered the appropriate mechanism for making any changes to the Retail Hierarchy of the Wicklow CDP.

The Planning Authority is therefore respectfully requested to revise the retail policy/hierarchy to ensure it is in accordance with the Retail Hierarchy (Table E1) of the Retail Strategy for the GDA 2008-16 as required by the Planning & Development Act 2010.

Retail Policy RT17

The Department is of the view that the revised wording of Amendment 21 on policy RT17 is not considered to satisfactorily take account of the desire of national planning policy to create a mix of retail and town centre uses and the potential adverse impact such a restriction on fast food outlets may have on urban development.

It is considered that the revised policy in proposed Amendment 21 does not have sufficient regard to the many existing schools or playgrounds located in urban areas where existing retail facilities and future town centre development is appropriate and supported by national planning policy. It does not allow for the satisfactory consideration of other planning policies for an area whereby the specified 400m exclusion distance could discriminate against the creation of functioning and vibrant retail/town centre facilities in urban areas. The wording of policy RT17 is not considered to adequately balance consideration of the appropriateness of fast food retail facilities in the vicinity of schools and parks against wider land use considerations as provided for in section 5 of the *Local Area Plans Guidelines* (2013).

The Planning Authority is requested to revise the wording of Amendment 21/Objective RT17 in order to provide a more balanced policy context for the assessment of proposals for fast food facilities which allows the location and prevailing development pattern in an area to be considered in the assessment of development proposals.

Wind Energy

The Department previously requested the deletion of Objective CCE6 pending the determination of a national policy in the wind energy sector. Proposed Amendment 45 relates to the re-wording of Objective CCE6 on wind energy policy in the Draft Plan including in relation to a minimum set back of wind energy development from residential properties.

Given the settlement patterns of rural housing throughout the county, the set-back proposed would effectively exclude the provision of wind energy projects from large parts of the county or the county in its entirety contrary to existing national and regional policy on encouraging wind energy development and contrary to the Wind Energy Guidelines 2006 including section 3.4 which outline how the development plan should set out objectives to maximise the potential from wind energy resources available.

The Planning Authority is therefore respectfully requested to delete Objective CCE6 from the Draft Plan because it is profoundly contrary to the objectives underlying national policy and guidelines on wind energy development in relation to maximising the contribution to renewable energy targets from wind energy.

Moreover, it should be noted that in the case of several county development plans to date, the Minister has directed planning authorities to remove non-compliant policies and objectives related to wind energy development under Section 31 under the Planning and Development Acts. If the Council does not comply with this request, the Minister would be likely to consider the use of his powers to direct the planning authority accordingly.

The officials of the Department are available to discuss the matters raised above as necessary. If there are any queries in relation to the content of this letter, please contact Mr. Stewart Logan, Planning Adviser, on 01-8882419.

Is mise le meas,



Niall Cussen

Principal Adviser

Forward Planning Section

CONSULTATION REPORT
FOR THE PROPOSED MATERIAL AMENDMENTS
TO THE
DRAFT WICKLOW COUNTY DEVELOPMENT PLAN 2016-2022
SEA AND AA

RESPONSE TO RELEVANT SUBMISSIONS & UPDATES ARISING

for: **Wicklow County Council**
County Buildings
Station Road
Wicklow Town
County Wicklow



by: **CAAS Ltd.**
2nd Floor, The Courtyard
25 Great Strand Street
Dublin 1



SEPTEMBER 2016

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1. Response to submission from Department of Arts, Heritage and the Gaeltacht

Submission Section	Response	Updates to SEA ER and AA NIR arising, if any
<p>Material Alterations</p> <p>This Department has concerns with some of the material alterations including those made to:</p> <p>Objective T34 (amendment 34 on page 34) concerning the addition of the development of blueways in chapter 7</p> <p>Amendment 60 made to objective CZM7 (page 55) in chapter 11</p> <p>Amendment to Avoca Specific Development Objective 2 (on page 72) concerning river walks</p> <p>It is the view of this Department that these proposed amendments have the potential to negatively impact on the natural heritage.</p>	<p>See detailed responses below</p>	<p>See detailed responses below</p>
<p>SEA addendum</p> <p>Mitigation for amendment 34 is stated to be the addition of the words “subject to normal environmental protection and management criteria”. However since the whole country is currently planning a network of blueways and greenways the potential for impact is large and cumulative and this Department would have expected a lot more discussion on this issue. Where such blueways are along coastline, rivers and lakes with European designations there is the potential for a negative impact on a European site. The above comments are also applicable to the amendment to Specific Development Objective 2 for Avoca.</p> <p>Amendment 60 does not appear to have been assessed in the SEA addendum. This amendment adds in wording so the objective now includes the provision new coastal defences where necessary along the full coastline. This objective has the potential to cause significant negative impacts and is discussed further under AA below.</p>	<p>As the Department correctly point out there are currently plans for a network of blueways and greenways. The Department also point out, correctly, that these initiatives have the potential for impacts that are large and cumulative.</p> <p>The proponents of such initiatives – as public agencies have separate and superior legal obligations to carry out environmental and ecological assessments – particularly of cumulative and ‘in-combination’ effects.</p> <p>There is a clear hierarchy of subsidiary involved here, where proposals for national initiatives should provide the framework of assessments and mitigation measures – including guidance on environmental protection and management criteria. These have not been provided to date.</p>	<p>No updates are proposed.</p>

Submission Section	Response	Updates to SEA ER and AA NIR arising, if any
	<p>In the absence of the fulfillment of these statutory roles at national or regional levels Wicklow County Council have no option but to rely upon compliance with the 'default' environmental protection and management measures that already are in place within the CDP. These include provisions for EIA and AA where European Sites have the potential to be affected. It is difficult to know what other or additional measures can be put in place by a single county to affect the implementation of a national programme.</p> <p>Furthermore the Department puts forward no plausible scenario or circumstances by which any of these developments could come into existence without engaging with normal development management provisions – noting in particular that no exemptions apply to site with the potential to affect European Sites</p> <p>To avoid erring by putting in place measures that would be ultra vires – having regard to the principles of subsidiarity – it is proposed to continue to rely upon the existing nature protection provisions of the plan to protect the European Sites with the County.</p>	
<p>AA screening report addendum to NIR</p> <p>This Department notes that in section 2.2.1 it is stated that a distance of 15km is currently recommended in the DoE guidance document on AA but that distances beyond this should be considered where there are linkages and pathways. However the DoE document referred to has three points on the distance to be used in section 3.2.3. Figure 1 on page 11 of the AA screening report shows sites within 15km and does not appear to have considered any outside this distance. In the case of the current draft Plan, if migrating bird flight paths was an issue to be assessed, then distances beyond those shown in figure 1 would need to be considered for species such as terns and geese.</p> <p>As identified above under SEA, amendment 34 of objective T34 and</p>	<p>The Department correctly notes that the AA complies with current DoE guidance document on the assessment of the vulnerability of sites with 15km.</p> <p>In the matter of sites beyond this distance the Department correctly points out that there is a potential for interactions caused by the flight paths of mobile fauna – such as the birds mentioned.</p> <p>The Department mentions two types of birds – but not other mobile species of mammals or fish, for instance, that also move over considerable distances through a number of zones of different land use</p>	<p>No updates are proposed</p>

Submission Section	Response	Updates to SEA ER and AA NIR arising, if any
<p>amendment 60 of CZM7 have the potential to negatively impact on European sites. Objective T34 does not appear to have been assessed, while objective CZM7 is actually considered as mitigation.</p> <p>Objective CZM7 has the potential to impact negatively on coastal habitats. Any coastal defence has knock on effects that need to be assessed by considering coastal sediment processes etc. While such a study may not be appropriate at Plan level this Department would have considered that there would have been at least a discussion of the issues. Objective CZM7 also refers to The Murrough. The Murrough is designated as a Special Area of Conservation (SAC) designated under the EC Habitats Directive (Council Directive 92/43/EEC) and Special Protection Area designated under the EC Birds Directive (Directive 2009/147 EC).</p> <p>Table 2.1 details plans that may have cumulative impacts but omits projects such as greenways and blueways along waterways and coastlines in other counties.</p> <p>In view of the above comments this Department cannot agree with the conclusions of the SEA and AA addenda. The Department recommends that these documents are revised to reconsider these issues.</p>	<p>and development.</p> <p>As the Department correctly points out any specific effects – from projects such as coastal defenses – are not appropriate at plan level.</p> <p>Wicklow County Council rely upon compliance with the ‘default’ environmental protection and management measures that already are in place within the CDP. These include provisions for EIA and AA where European Sites have the potential to be affected.</p> <p>The Department puts forward no plausible scenario or circumstances by which any of these developments could come into existence without engaging with normal development management provisions – noting in particular that no exemptions apply to site with the potential to affect European Sites.</p> <p>Thus it is proposed to continue to rely upon the existing nature protection provisions of the plan to protect the European Sites with the County.</p>	

2. Response to submission from the Environmental Protection Agency

Submission Section	Response	Updates to SEA ER and AA NIR arising, if any
<p>SEA Determination</p> <p>We note your position with regard to the need for Strategic Environmental Assessment (SEA) of the Proposed Amendments to the Draft Wicklow County Development Plan 2016-2022 (the Amendments). A number of specific comments on the Amendments are provided below and should be taken into account. In addition to these, the EPA's previous submission on the Draft Plan / SEA ER should also be taken into consideration at this time, as appropriate and relevant to the proposed Amendments. This previous submission is attached for reference purposes.</p>		
<p>Specific Comments on the Proposed Amendments</p> <p>In <i>Section 3 Further SEA</i>, we note your determination that <i>Proposed Amendments No. 15 and No. 88</i> are identified as '<i>...having the potential for likely significant environmental effects...</i>' You should consider clarifying whether the SEA recommends that these two Amendments proceed.</p> <p><i>Section 3.3 Assessment of Proposed Amendment No. 15</i> describes that the changes (as proposed) to <i>Objective EMP12</i> would give rise to:</p> <ul style="list-style-type: none"> ▪ Employment development in areas removed from the established development envelopes of existing settlements ▪ The proposed land use zoning not being appropriate to the flood risk associated with these lands, ▪ Non-compliance with the recommendations of the <i>Planning System and Flood Risk Management Guidelines for Planning Authorities (OPW/DEHLG, 2009)</i> ▪ Failure of the justification test undertaken in respect of these lands. <p><i>Section 3.4 Further Assessment of Proposed Amendment No. 88</i> also describes that the proposed new <i>employment/enterprise/open space</i> zoning for lands at Togher More and Baltynanima, would be likely to result in significant adverse environmental effects given that:</p>	<p>The purpose of the SEA is to advise the planning authority of the environmental consequences of the adoption of the Plan and associated amendments.</p> <p>This it is not the role of the SEA to recommend whether the Amendments proceed. This is a matter for Wicklow County Council.</p> <p>It is also a matter for the Executive of Wicklow Council to use the results of the SEA process to advise Elected Members about the consequences of a decision to adopt amendments that are non-compliant with the recommendations of the Planning System and Flood Risk Management Guidelines for Planning Authorities (OPW/DEHLG, 2009).</p>	<p>No updates are proposed</p>

Submission Section	Response	Updates to SEA ER and AA NIR arising, if any
<ul style="list-style-type: none"> ▪ These are situated beyond the existing development envelope for the town of Roundwood ▪ Factors such as elevation, slope and land cover determine that ‘...these lands are part of a wider landscape that is sensitive to new development...’ ▪ This would give rise to a loss of semi-natural habitat and other impacts upon ecological connectivity ▪ This would give rise to adverse effects on improving sustainable mobility, reducing energy usage and emissions to air ▪ The risk of flooding would be increased <p>You should clearly show how the likely significant effects identified, will be mitigated for, in order to avoid/minimise any significant adverse environmental effects. In proposing Amendments to the Draft Plan, the proposed Amendments need to remain consistent with the Policies and Objectives of the Regional Planning Guidelines and associated County Core Strategy and also reflect proper and sustainable development. The requirements of the Planning System and Flood Risk Management Guidelines (OPW, DEHLG, 2009), should also be fully integrated/implemented as appropriate and relevant to ensure that any proposed development/ land use zoning is appropriate to the level of flood risk identified.</p> <p>The DoECLG Circulars (PSSP 6/2011) „Further Transposition of the EU Directive 2001/42/EC on Strategic Environmental Assessment (SEA)’ and (Circular PL 9 of 2013) „Article 8 (Decision Making) of EU Directive 2001/42/EC on Strategic Environmental Assessment (SEA) as amended’ should also be taken into account.</p>		
<p>Future Amendments to the Draft Plan</p> <p>Wicklow County Council should determine whether or not the implementation of the proposed Amendments would be likely to have significant effects on the environment. This assessment should take account of the SEA Regulations Schedule 2A Criteria (S.I No. 436 of 2004) and should be subject to the same method of assessment as undertaken in the</p>	<p>The amendments referred to have been assessed – as noted by the submission - and the SEA has advised of the effects that will occur.</p>	<p>No updates are currently proposed</p>

Submission Section	Response	Updates to SEA ER and AA NIR arising, if any
"environmental assessment" of the Draft Plan.		
<p>SEA Statement – "Information on the Decision"</p> <p>Following adoption of the Plan, an SEA Statement, should summarise the following:</p> <ul style="list-style-type: none"> ▪ 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. 	<p>The points are noted and CAAS have advised Wicklow County Council that this is normal practice that should be complied with Following adoption of the Plan</p>	<p>No updates are currently proposed</p> <p>Following adoption of the Plan, the SEA Statement will provide the information requested.</p>