



MINISTERIAL DIRECTION REGARDING THE 'ARKLOW AND ENVIRONS LOCAL AREA PLAN 2018-2024'

Notice is hereby given under Section 31 of the Planning and Development Act 2000 (as amended) that the Minister for Housing and Urban Development has issued a **Ministerial Direction** regarding the **Arklow and Environs Local Area Plan 2018 – 2024** (LAP) to Wicklow County Council signed on the 22 June 2018.

The Minister for Housing and Urban Development is, for the reasons set out in the Statement of Reasons hereto, of the Opinion that:

- (i) Wicklow County Council in making the LAP has ignored or has not taken sufficient account of the submission made by the Minister in December 2017, and
- (ii) the LAP is not in compliance with the requirements of s. 28(1B)(b) and (c) of the Planning and Development Act 2000 (as amended).

NOW, THEREFORE in exercise of the powers conferred on him by Section 31 of the Planning and Development Act 2000 (as amended), the Minister hereby directs as follows:

- (1) This Direction may be cited as the Planning and Development (Arklow and Environs Local Area Plan 2018 – 2024) Direction 2018.
- (2) Wicklow County Council is hereby directed to take the following steps with regard to the Arklow LAP.
 - (i) Delete the zoning for 'R Special new Residential' and the zoning for 'E1 Employment' of lands adjoining to the west of the R750 at Seabank to the north of Arklow
 - (ii) Amend the map titled 'Land Use Zoning Objectives Map No. : 1' of the LAP consequent to (i) above.

For the purpose of clarity the subject lands and their zoning status is indicated on the attached map of the Ministerial Direction. Additional related changes may be required to text, tables and maps included in the LAP consequent to the above deletion.

STATEMENT OF REASONS
1. The LAP is not consistent with guidelines to planning authorities issued by my Department under Section 28 of the Planning & Development Act 2000 (as amended), specifically the Development Plans Guidelines (2007) and insufficient grounds have been stated for such departures as required under Section 28(1B)(b) of the Planning & Development Act 2000 (as amended). This Plan is therefore in breach of Section 31(1) (a) and (c) of the Planning & Development Act 2000 (as amended).
2. The planning authority was specifically requested in the submission made by the Department of Planning and Urban Development on the 19 December 2017 in relation to the Draft LAP to Omit Proposed Material Alteration Number 5 (Seabank). Ultimately, the Council did not comply with this aspect of the submission in the making of the LAP and took insufficient account of the submissions made by the Minister as evidenced by the lack of any statement justifying departures from the relevant provisions of the Minister's Guidelines required under Section 28(1B). The Council is therefore in breach of Section 31(1)(a) of the Planning & Development Acts, 2000 – 16.
3. The Report of the Chief Executive on the Proposed Material Alterations included a recommendation by the Chief Executive for the elected members not to accept Proposed Material Alteration No. 5 (Seabank). The Elected members did not agree with the Chief Executive's Recommendation in relation to Proposed Material Alteration No. 5 and instead accepted Proposed Material Alteration No. 5 to the Draft LAP published by Wicklow County Council on 22 November 2017.
4. Material Alteration No. 5 provided for the zoning of both residential and employment lands at Seabank. The LAP provides for significant new residential and employment lands for the future development of the town located on the southern flank of the existing built area of the town and these are not prioritized in the policies and objectives of the LAP. The Seabank lands are not serviced or planned to be serviced, are not required for future housing or employment growth of Arklow and are spatially distant from the town. These zonings are contrary to the sequential test for new zonings as set out in the Development Plans Guidelines issued under s. 28 of the Act.
5. In relation to: (i) The zoning of lands for residential and employment at Seabank adjoining to the west of the R750 (included in Material Alteration no. 5), the LAP is not in compliance with guidelines to planning authorities issued by the Minister under section 28 of the Planning & Development Act 2000 (as amended) specifically the Development Plans Guidelines (2007). The LAP is therefore in breach of Section 31(1)(c) of the Planning & Development Acts, 2000- 16.

Please be advised that the LAP has now been altered as required and the altered plan is available for viewing on the Council's website www.wicklow.ie.

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