

WICKLOW COUNTY COUNCIL

ASHFORD LOCAL AREA PLAN 2008

MANAGERS REPORT

STAGE 2 – MODIFICATIONS

Manager's Report on submissions on the modifications made by the Council Members on the 14th of April to Draft Ashford Local Area Plan following the public display period

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Planning Department
Wicklow County Council
County Buildings
Wicklow
June 2008

PART 1

1.0 Introduction

This Manager's Report has been prepared following receipt of submissions relating to the modifications/variations made by the council members on the 14th of April 2008 and is submitted under Section 20 of the Planning & Development Act 2000; it is part of the formal statutory process in the preparation of a Local Area Plan.

This Report contains the following:

- (i) A list of the persons or bodies that made submissions.
- (ii) A summary of the issues raised by them.
- (iii) The response of the Manager to the issues raised taking into account the proper planning and sustainable development of the County and any relevant policies or objectives of the Government or Government Minister

The Report is now formally submitted to the Council for consideration. The Report will be on the agenda of the County Council meeting on the 7th of July 2008.

1.1 Draft Consultation Process

Following the issuing of Background Issues Paper and Consultation with Stakeholders and the General Public, the Draft Ashford Local Area Plan was placed on display during the period of Wednesday the 12th of December 2007 to the 24th of January 2008.

The aim of the consultation process was to enable the public and interested parties to give their observations on the Draft Local Area Plan. A total of 37 written submissions were received. The written submissions are held on file and are available for Council and public inspection. A Managers report was prepared responding to the issues raised in the submissions received and was on the agenda at the Council meeting on the 14th of April. The council members resolved at the meeting of 14th April to make a total of 15 no. modifications to the draft Local Area Plan.

These Modifications were placed on display for a period of 4 weeks from the 23rd of April to the 21st of May. A total of 23 submissions were received relating to the modifications made. The written submissions are held on file and are available for Council and public inspection.

The list of persons or bodies who made submissions is contained in Part 2 of this Report.

1.2 Considering the Submissions

The written submissions have been analysed by the Forward Planning Unit of the County Council. The individual submissions are summarised and the opinion and recommendations of the County Manager, are given in Part 3 of this Report.

This Report is submitted to the Members for consideration.

1.3 Next Steps – Draft Local Area Plan Timetable

Following the distribution of this Report, the Council must consider the Report and decide whether to make the Local Area Plan with or without modifications.

Formally making the Local Area Plan is done by resolution of the Council.

During the entire plan-making process, the Council is restricted to considering the proper planning and sustainable development of the area. The Local Area Plan shall be consistent with provisions of the County Development Plan, statutory obligations and any relevant Government guidelines, policies and objectives in force.

Development Plan Timetable

The timeframe for the process is now fixed in legislation. The Planning and Development Act 2000 and 2002 Amendment Act requires that a Local Area Plan be made within 35 weeks of commencement of the process.

Timeframe	Progress of statutory LAP process
*Week 1	Draft Local Area Plan on display - submissions invited 6 weeks
Week 6	Preparation of Manager's Report on submissions received 6 weeks
Week 12	Manager's Report given to Members for consideration 6 weeks
Week 18	Plan made unless Members decide to vary or modify Notice of alterations to be published within 3 weeks
Week 21	Notice of alterations published & submissions invited Maximum 4 weeks
Week 25	Preparation of Manager's Report on submissions (alterations only) Maximum 4 weeks
Week 29	Manager's Report given to Members for consideration Maximum 6 weeks
Week 35	Plan made as per Manager's recommendation (or) Members make Plan contrary to the Manager's recommendations

*Week 1 will be the beginning of the statutory process (used in the preparation of an LAP), outlined in Section 20 of the Planning & Development Act 2000. This process will begin when notice has been given about the Draft LAP being issued.

PART 2

No.	Name/Group	Agent	Address
1	Cllr. Caroline Burrell		Cllr. Caroline Burrell, Bray Town Council, The Green Party
2	Eastern Regional Fisheries Board		Pat Doherty, The Eastern Regional Fisheries Board, 15a Main Street, Blackrock, Co. Dublin.
3	Anthea Howbert		Howbert and Mays, Mill Cottage, Clora, Ashford
4	Andrew Hill (Ashford Rovers)		Ballylusk, Ashford, Co. Wicklow
5	Ashford Rovers FC	C/O Pat O'Connor & Associates	The Square, Ashford, Co. Wicklow
6	Bramble Glade Residents Association, Pat Jennings and Geraldine Kennedy		Pat Jennings, 15 Bramble Glade, Ashford, Co. Wicklow
7	Brian Stokes	C/O Aidan McLernon, Cunnane Stratton Reynolds	Aidan McLernon, Cunnane Stratton Reynolds, Dublin Office, 3 Molesworth Place, Dublin 2
8	Charles and Geoffry Tottenham	C/O Frank O'Gallachoir and Associates	16 Parklands Office Park, Southern Cross Road, Bray, Co. Wicklow
9	Chieftain Group Construction and Development, Declan White		Mahon House, Upper Williams Street, Limerick, Ireland
10	Eleanor Mayes		Old Post Office, Ashford, Co. Wicklow
11	Emmett Hedigan and Sharon Buckley		Nuns Cross Ashford Co. Wicklow
12	Glenkerrin Homes Ltd	C/O McGill Planning	McGill Planning, 3 Mount Street Crescent, Dublin 2.
13	Jim Hanley	C/O Patrick Nolan (Tom Philips and Associates)	Patrick@tpa.ie
14	Madeline Jay and Simon Pratt	C/O Frank O'Gallachoir and Associates	16 Parklands Office Park, Southern Cross Road, Bray, Co. Wicklow
15	Marianne Mays		Ballycullen, Ashford, Co. Wicklow
16	Mathew Weiss		River Run Studio, Nuns Cross, Ashford Co. Wicklow
17	Mathew Weiss (on		River Run Studio, Nuns

	behalf of residents of AA2).		Cross, Ashford Co. Wicklow
18	Paul Olthof		Taksang, Aghowle, Ashford, Co. Wicklow
19	Patrick Fahey and Peter Crossan	C/O Frank O’Gallachoir and Associates	16 Parklands Office Park, Southern Cross Road, Bray, Co. Wicklow
20	Richard Fitzpatrick		Ballinalea, Ashford, Co. Wicklow
21	Susan Webb		River Run Studio, Nuns Cross, Ashford Co. Wicklow
22	The Tavern Ashford Ltd	C/O J. Horan Design Strategies Ltd	J. Horan Design Strategies Ltd 3 Bath Place, Blackrock, CO. Dublin
23	Environmental Protection Agency	C/O Michael Owens	Office of Environmental Protection, Environmental Protection Agency, Inniscarra, Co. Cork.

PART 3

All submissions have been considered in light of the overarching purpose and scope of plan:

The aim of the Ashford Local Area Plan is to establish a framework for the planned, co-ordinated and sustainable development of Ashford, and to enhance and facilitate the balancing of economic, social and environmental infrastructure in the interests of the community. The Plan provides Guidance on how it is envisaged this can be achieved, the specifics and actual detail required to achieve these objectives shall be carried out and assessed through the Development Management Process.

Submission no. 1

Cllr. Caroline Burrell

1. This submission relates mainly to Action Area 2 where the objectives for this Action Area were modified to read as follows:

This is located on each side of the Vartry River. Its area is circa 27.83ha. Any action area plan prepared or development proposed for these lands shall adhere to the following:

- *A maximum of 100 residential units at a Max Density of 20 houses per Hectare may be provided. (Amendment 11)*
- *A fully lit environmentally friendly low energy pedestrian walkway and cycle lane shall be developed within the first phase of development in Action Area 2. This route shall be linked to the linear park to be provided within AA3. (Amendment 11)*
- *The roadway providing access to Action Area 2 shall also accommodate the possible future by-passing of Nuns Cross Bridge. In the interest of providing the residents of that residential area a safer environment and to continue to promote a walking and cycling culture. (Amendment 11)*
- *The development of the subject lands shall provide for usable open space which is fully landscaped and which complements the existing open space located within Bramble Glade. (Amendment 11)*
- *Provide a playing field*
- *Any proposed development on the subject land must protect the ancient woodlands and riparian trees along the banks of the river.*
- *Allow a generous set back of development from riverbank areas to ensure protection of the amenities of the River Vartry.*
- *Any planning application on these lands must include a flood risk study, which takes into consideration the cumulative effect of the development of both Action Area 2 and 3 to their full potential as set out in the objectives, in order to determine whether they are suitable for development or not.*

This submission considers that the recommendation in the Managers Report to allow for a maximum of 50 units, should be put back in place and that the area of land to the south of the existing Bramble Glade estate should be recognised as being Open Space.

2. This submission also contains a document, which is submitted on behalf of a number of residents in the Ashford Area. The issues raised in this document relate to the following:

1. Appendix C – Map to be amended in order to provide exact position of phases within AA1.
2. That the density of AA9 be reduced to reflect that of Bramble Glade.
3. Modification no. 4 should state more clearly that AA4 is to be removed.

4. That the area of land to the south of Bramble Glade be recognised as being Open Space.
5. That the walkway and cycle way within AA2 be located outside the 10m buffer to be provided along the riverbank.
6. Contend that an SEA be carried out for the entire plan area.
7. Consider that the new roads proposed in AA7 and AA8 should not be connected to the R752.
8. Consider that Action Area 2 should be removed and lands north of AA7 be developed in order to prevent any impact on the Vartry River.

Manager's Response

1. The Modifications made allow for an absolute maximum of 20 units per ha which equates to 100 units. It should be noted that while the plan allows for the above maximum density a planning application must be submitted to the Planning Authority which will assess the impacts any proposal for development on these land will have on the existing area including traffic, visual impact, environmental issues. It should also be noted that any application for development must be accompanied by a comprehensive flood risk study which takes into consideration the cumulative effect of the development of both Action Areas 2 and 3 to their full potential.

The subject lands within AA2 are located to the west of the town centre and adjoin the banks of the River Vartry. The 2001 Local Area Plan for Ashford stated that a separate Local Area Plan was required in order for this area to be developed which set out the following objectives:

1. Maximum of 85 dwelling units at a maximum density of 10 units per hectare.
2. Provide for a river walk.
3. Provide for playing fields
4. Allow for a generous set back from the riverbank.

The designated lands within Action Area 2 in the 2001 Plan included the existing Ashford GAA field, which includes c 4ha of land. The Draft Plan has divided this Action Area with the GAA lands now being designated as a separate Action Area Plan (AA3). The remaining lands now designated as Action Area 2 comprise of c. 27ha. These lands were zoned to cater for a maximum of 50 units in the Draft Plan, which has subsequently been increased by the Council Members at the council meeting on the 14th April.

The rationale behind the designation of these land for a maximum of 50 units has arisen for the following reasons:

1. The 2001 Plan provided for 85 no. dwelling units on lands, which included the existing Ashford GAA field. The proposed draft plan has designated the existing GAA lands as a separate Action Area Plan (AA3) thereby reducing the amount of land, which was originally enclosed within AA2.
2. The North Western section of Action Area 2 forms part of an open space area which originally was attached to planning permission reference no. 87/3286 Bramble Glade Estate to be retained as open space. This area of Open Space comprises of 5.6ha of land thereby further reducing the amount of potential development land within Action Area 2.
3. The subject lands adjoin the River Vartry with the banks of the river adjoining

the subject lands to the north and south. The lands in question are located along a flood plain with concern raised in relation to the potential of flooding along the subject lands. In restricting the amount of development on these lands to 50 units only, the Local Area Plan objectives has applied a precautionary principle in regard to the development of these lands.

4. Part A section 7 provides details in relation to the amount of lands zoned for residential purposes within the plan boundary in order to accommodate the projected population for Ashford in 2016. Having applied an excess factor of 6% and headroom of 30% approx. 23.6ha of land are required for residential purposes. The overall aim of the plan in terms of zoning is to provide for sufficient lands to meet the projected population whilst also aiming to consolidate the existing pattern of development in the area thereby reducing the necessity for car based trips. Whilst it is acknowledged that some of the subject lands are located in close proximity to the town centre the potential for development is restricted given the issues set out above, therefore more suitable lands have been zoned for residential development within the plan boundary with only limited development allowable on the subject lands.

It is therefore the recommendation of the Manager that the number of houses allowable remains at 50.

2.

1. Noted. The land use-zoning map has been amended to recognise this error.
2. The lands located in Action Area 9 were previously zoned in the 2001 plan with a medium density, which is considered to be in the range of 10-15 to the hectare. The density at Bramble Glade (adjusted for house size) is approximately 10/ha. It is therefore not considered appropriate to restrict the development of AA9 to low density, particular having regard to its location adjacent to community facilities.
3. It is clearly stated at the beginning of Modification Four that this Action Area is to be removed. Please refer to Appendix A attached.
4. This has been noted, however it is considered reasonable to include these lands within Action Area 2 as the legal status of this agreement has yet to be established fully. During the Development Management process the developer of Action Area 2 will be required to submit legal details, which confirm ownership of these lands. Unless this agreement is furnished the Planning Authority could not grant permission on the subject lands and they will remain as open space forming part of the Bramble Glade Development. Please refer to 1 above in relating to the recommended density for these lands.
5. The provision of cycle and pedestrian walkways along the Riverside will be subject to assessment at Application stage..
6. The SEA screening process was undertaken during the initial stages of the plan preparation process where the relevant Bodies were requested to make submissions on the plan. The screening document and prescribed bodies responses are available and summarised in Part A of the Draft Plan. Following this screening process it was not deemed necessary to carry out and SEA for this Local Area Plan.
7. It is envisaged in the plan that the proposed road to serve AA8 will facilitate the removal of the traffic from the R764 (Roundwood) from the current junction of the R763/R764 therefore removing any traffic hazards. The actual layout of these proposed roads has not been finalised and will be subject to detailed design during the Development Management Process.

8. The lands located in Action Area 2 were previously zoned in the 2001 plan with a medium density. These lands are located in close proximity to the town centre and can be easily linked to community and retail facilities by foot. There is development on the north, east and west sides of the land block, and therefore its development would result in a more compact settlement. Subject to normal controls with regard to layout and design, the development of these lands will have limited impact on the Vartry River and will in fact make this amenity more open to the people of Ashford and County Wicklow. The alternative lands suggested north of AA7 are further from the town centre and community amenities, would result in the sprawl of Ashford into the open countryside and would not constitute sustainable development.

Managers Recommendation

1) Having regard to the above issues it is not considered suitable to increase the density of the lands within Action Area 2 from 10/ha to 20/ha and therefore it is recommended that the original density of 10 units/ha and a maximum of 50 units be re-applied to these lands.

The objectives for this Action Area Plan shall therefore read as follows:

- *A maximum of 50 residential units at a Max Density of 10 houses per Hectare may be provided. (Amendment 11) A fully lit environmentally friendly low energy pedestrian walkway and cycle lane shall be developed within the first phase of development in Action Area 2. This route shall be linked to the linear park to be provided within AA3. (Amendment 11)*
- *The roadway providing access to Action Area 2 shall also accommodate the possible future bypassing of Nuns Cross Bridge. In the interest of providing the residents of that residential area a safer environment and to continue to promote a walking and cycling culture. (Amendment 11)*
- *The development of the subject lands shall provide for usable open space which is fully landscaped and which compliments the existing open space located within Bramble Glade. (Amendment 11)*
- Provide a playing field
- *Any proposed development on the subject land must protect the ancient woodlands and riparian trees along the banks of the river.*
- Allow a generous set back of development from riverbank areas to ensure protection of the amenities of the River Vartry.
- *Any planning application on these lands must include a flood risk study, which takes into consideration the cumulative effect of the development of both Action Area 2 and 3 to their full potential as set out in the objectives, in order to determine whether they are suitable for development or not.*

2) As per Appendix A attached.

Submission no. 2

Eastern Regional Fisheries Board

This submission relates to the modifications made to Action Area 2 and Action Area 3:

1. The Board welcomes the designation of lands adjacent to the surface waters as areas of open preservation allowing protection/enhancement of biological diversity while providing open space and recreational amenity for river users.

2. State that a minimum 10m buffer should be provided in all riparian areas.

3. Consider that a council commitment to discourage proposals that would interfere with natural floodplains would greatly benefit both aquatic and riparian features in the area.

4. States that the board opposes development on natural flood plains and that it is vitally important to note that a maximum of 100 houses proposed for Action Area 2 cannot result in development located on the natural floodplain.

5. State that the lighting of linear parks and riparian areas should be undertaken in a manner sympathetic to the species present.

6. State that any bridging of the River Vartry or other surface waters should be undertaken according to the guidelines documents “Requirements for the protection of Fisheries Habitat during the Construction and Development Works at River Sites”.

Manager’s Response

1. Noted

2. A minimum 10m buffer has been provided along the edge of the River Vartry.

3. The County Development Plan under policy HL14 states that “The Council will discourage proposals for development that are in, or would interfere with the natural flood plain”. Unless otherwise stated in the plan the policies and objectives of the County Development Plan shall apply to this Local Area Plan and therefore it is not considered necessary to repeat this policy within the plan.

4. This issue has been noted. Please refer to submission 1 above which has recommended that the maximum number of units to be allowed on these lands is to be 50 units at a density of 10 units/ha. It should also be noted that the development of these lands is subject to a comprehensive Flood Risk Study being carried out and assessed by the Planning Authority during the Development Management Process.

This application and associated study will be referred to relevant bodies as required by the Planning Regulations where a full assessment of the proposed development of these lands can be carried out. No development on these lands can be carried out until the Planning Authority is satisfied that development can take place without causing any adverse impact on the River Vartry.

5. The objectives set out for Action Area 2 state that “A fully lit environmentally

friendly low energy pedestrian walkway and cycle lane shall be developed within the first phase of development in Action Area 2". It is considered that this objective will ensure that no adverse impact is caused from the development of this walkway.

6. This issue has been noted and regard shall be had to this document during the Development Management Process.

Managers Recommendation

As per recommendation to submission no. 1

Submission no. 3

Anthea Howbert

This submission refers to Modifications 11 and 14 which relate to Action Area 2:

1. Consider that the increase in units from 10 units/ha to 20/ha will have a serious impact on traffic in the area and will pollute this scenic rural area in Ashford. It is stated that this modification is strongly opposed.

2. Consider that the development of lands along the River Vartry will have a detrimental impact on the river and that a walkway and cycleway should be provided along the entire course of the Vartry.

Manager's Response

1. As per Response to submission 1 (part 1) above.

2. As mentioned above any application for development on lands adjoining the River Vartry (i.e. AA2 and AA3) must be accompanied by a comprehensive flood risk study, which takes into consideration the cumulative effect of the development of both Action Area 2 and 3 to their full potential. In addition the objectives set out for these lands state that "*A fully lit environmentally friendly low energy pedestrian walkway and cycle lane shall be developed within the first phase of development in Action Area 2. This route shall be linked to the linear park to be provided within AA3*". This continuous walkway and cyclepath through AA2 and AA3 will provide ease of pedestrian access from this area while the proposed pedestrian bridge crossing the Vartry will allow for ease of access from the existing residential developments to the north of Action Area 3 to the town centre.

Managers Recommendation

As per Response to submission 1 above.

Submission no. 4

Andrew Hill (Ashford Rovers AFC)

This submission relates to lands adjoining the existing soccer club at Ballinalea. This submission states that the Soccer Club are fully supportive of the submission made by Glenkerrin Homes to the Draft Plan. This submission further states that the proposals for Action Area 6 as modified do not meet the needs of the Soccer Club.

Manager's Response

This submission has been noted. Modification no. 5 proposed that the objectives of Action Area 6 be changed as follows:

From

ACTION AREA 6

This is located in Ballinalea between the Grangelea and Woodview estates and fronting the L-1096. Its area is circa 2.6ha. Any action area prepared or development proposed for these lands shall adhere to the following:

- *As part of the development of AA6 must allow for access to both Ashford Rovers football pitch and Woodview from the L-1096 as indicated on the map. The reservations shown are diagrammatic only and subject to further investigation and due process.*
- *A Multi-use Games Area (MUGA) of at least 0.07ha in AA6 shall be provided by the developer.*
- *Overlooked pedestrian/cycling linkages must be included that link the Woodview estate to any new development in the interests of pedestrian permeability.*

To

ACTION AREA 6

This is located in Ballinalea between the Grangelea and Woodview estates and fronting the L-1096. Its area is circa 2.6ha. Any action area prepared or development proposed for these lands shall adhere to the following:

- *As part of the development of AA6 must allow for access to both Ashford Rovers football pitch and Woodview from the L-1096 as indicated on the map. The reservations shown are diagrammatic only and subject to further investigation and due process.*
- ***Lands adjacent to the proposed access road and soccer pitch measuring a minimum of 0.15ha, shall be provided to cater for new changing rooms and/or the provision of an all weather training area. These development(s) shall be provided at the expense of the developer of Action Area 6.***
- *Overlooked pedestrian/cycling linkages must be included that link the Woodview estate to any new development in the interests of pedestrian permeability.*

These changes provided for 0.15 ha (0.37 acres) for new changing rooms and possibly the provision of a 5- a-side all weather playing field. These developments are to be provided by the developer of these lands, at no cost to the Soccer Club. While it is noted that the club has further space needs, it is considered that a considerable benefit will accrue to the club due to this modification.

It should be noted that under the 2001 plan, the lands now described as AA6 were zoned 'residential' only, with no requirement to provide either access or land / facilities for the soccer club.

With regard to the Glenkerrin proposals (that is to zone c. 9 ha in Ballinalea), notwithstanding any benefit offered to the soccer club by the landowner, these lands could not be recommended for development given the population targets set out in the

County Development Plan for Ashford.
In deciding which land to designate, cognisance was taken of its distance from the town centre, to ensure that so far as possible people living or working on such designated lands would be within as short a walking distance as possible from the town centre and other built up areas. The Draft Plan designated lands for new residential along the road front at Ballinalea with the subject lands forming a possible location for future development or extension of these lands, however given the population projections as set in the response to submission 32 (please refer to first Managers Report) it is not envisaged within the lifetime of this plan that these lands will be required for development and therefore no change to the plan is recommended.
Managers Recommendation
No change to Plan

Submission no. 5
Ashford Rovers AFC C/O Pat O'Connor & Associates
This submission relates to lands adjoining the existing soccer club at Ballinalea. It is contended that the proposals put forward at the Council Meeting on the 14 th of April by the local Representatives is inadequate and does not meet the needs of the Soccer Club.
The submission further states that the Soccer Club are fully supportive of the submission made by Glenkerrin Homes which propose to provide additional land for playing fields, new dressing rooms, an all weather running track and car parking. It is considered that these facilities would greatly benefit the local community of Ashford.
Manager's Response
As per Response to Submission 4 above.
Managers Recommendation
No change to Plan

Submission no. 6
Bramble Glade Residents Association C/O Pat Jennings and Geraldine Kennedy
This submission relates to the modification made to Action Area 2 at the Council meeting on the 14 th of April.
1. Contend that the lands to the south of Bramble Glade estate be removed from Action Area 2 boundary and zoned as Open Space in accordance with the agreement between Ardal Contractors Ltd and Wicklow County Council.
2. Consider that the increase in units from a maximum of 50 to a maximum of 100 units should be reversed.
Manager's Response
1. This has been noted, however it is considered reasonable to include these lands within Action Area 2 as the legal status of this agreement has yet to be fully established. During the Development Management process the developer of Action Area 2 will be required to submit legal details, which confirm ownership of these

lands. Unless this agreement is furnished the Planning Authority could not grant permission on the subject lands and they will remain as open space forming part of the Bramble Glade Development.

2. As per response to submission 1 (part 1) above.

Managers Recommendation

As per response to submission 1 above.

Submission no. 7

Brian Stokes C/O Aidan Mclernon, Cunnane Stratton Reynolds

This submission relates to the omission of Action Area 5 from the Local Area Plan under Modification no. 4. Consider that this area should be put back into the plan as it will benefit the town in the following ways:

- a) The zoning of these lands will provide a new focal point for the town while also providing a balance along the main street.
- b) The subject zoning would provide a new purpose built, high quality Garda station to service the local community
- c) The subject zoning would provide much needed civic spaces to the benefit of the entire community
- d) Additional parking would have been provided
- e) New shops and services
- f) New playground and recycling facilities
- g) Sheltered housing will be provided in an ideal location close to local amenities and
- h) The development of the subject lands provide an access point to the lands to the rear which are zoned as open space

An additional issue has also been raised in this submission, which relates to the designation of lands as Open Space and Private Open Space. A map has been submitted which outlines the extent of the Open Space provision, where it is requested that these lands be recognised accurately in the land use-zoning map.

Manager's Response

This Submission has been noted. Please refer to Appendix A attached.

Managers Recommendation

As per Appendix A attached.

Submission no. 8

Charles and Geoffry Tottenham C/O Frank O'Gallachoir and Associates

This submission refers to lands located at Clora Ashford where it is proposed that lands measuring 5.29ha be zoned from agricultural greenbelt to residential which should be included within an expanded Action Area 9.

It is contended that the subject lands are suitable for development for the following reasons:

<ul style="list-style-type: none"> a) The indicative new roads layout serving the north of Ashford will ease traffic concerns in this area and make the subject lands more accessible. b) The inclusion of the subject lands within this action area would help provide much needed facilities in the form of a neighbourhood centre for the west of the town. c) The zoning of the subject lands would facilitate access to the proposed GAA lands from the west. d) The subject lands will help meet the population projections for the area while also helping to consolidate residential development to the west of Ashford. e) The lands can be easily connected to existing infrastructure f) There are no listed views effecting these lands g) Given the location and adjoining zoning uses, residential is the most suitable zoning to apply.
<p>Manager's Response</p> <p>The subject lands are situated to the north west of the town centre and adjoin Action Area 9. The subject lands are currently located outside the development boundary on lands zoned as greenbelt.</p> <p>As pointed out in the Modifications Document (on page 3) only submissions/observations relating to the proposed amendments to the Draft Plan can be taken into consideration at this stage of the Local Area Plan making process and submissions/observations that raised issues other than those proposed amendments cannot be considered.</p> <p>The contents of this submission do not relate to any of the modifications made at the council meeting on the 14th of April and the submission cannot therefore be considered.</p>
<p>Managers Recommendation</p> <p>No change to Plan</p>

<p>Submission no. 9</p>
<p>Chieftain Group Construction and Development C/O Declan White</p>
<p>This submission relates to lands located to the west of the town centre zoning which are zoned as existing residential/infill in the Draft Land Use zoning Map. This submission does not relate to any of the modifications made however it is considered that this land has been mapped in error and should be zoned new residential as it has yet to be developed.</p>
<p>Manager's Response</p> <p>This submission has been noted howeverAs pointed out in the Modifications Document (on page 3) only submissions/observations relating to the proposed amendments to the Draft Plan can be taken into consideration at this stage of the Local Area Plan making process and submissions/observations that raised issues other than those proposed amendments cannot be considered.</p> <p>The contents of this submission do not relate to any of the modifications made at the council meeting on the 14th of April and the submission cannot therefore be</p>

considered.
Managers Recommendation
No change to Plan

Submission no. 10
Eleanor Mayes
<p>This submission relates to a number of issues and areas within the Local Area Plan boundary, which have been subject to modifications. These issues are summarised as follows:</p> <p>1. Action Area 3: Consider that the changes proposed in relation to extending the town centre zoning and reducing the Open Space zoning are inappropriate and will impact negatively on the surrounding area including the woodland area, the River Vartry and the preserved view from the Bridge in Ashford. It is also contended that this modification conflicts with a number of the heritage objectives set out in the plan.</p> <p>Consider that all currently proposed objectives relating to heritage should be respected throughout the plan.</p> <p>2. Action Area 2: a) Consider that the increase in density for this action area from 10 units/ha to 20 units/ha is inappropriate and should not be adopted in the final plan. b) In addition it is considered that the provision of a cycle way alongside the pedestrian walkway along the river will impact negatively on the existing habitats in this area and should be omitted.</p> <p>3. Sheltered Housing: Consider that the provision of Sheltered Housing should be included within the objectives set out for Action Area 4 given the exclusion of Action Area 5 from the plan. Contend that these lands are suitable for such development given the close proximity to the town centre facilities.</p>
Manager's Response
<p>1. Action Area 3 contains a number of objectives, which aim to direct development in an appropriate and sustainable manner, which will benefit the surrounding area and community.</p> <p>While it is noted that concern is raised in relation to the development of further lands for Town Centre uses to the west of AA3, consideration should be given to the fact that development of lands must have regard to all relevant objectives set out, in particular heritage objectives as set out in section 10 of part B of the Plan.</p> <p>The specific objectives for this area require that 1) a flood risk study which takes into consideration the cumulative effect of the development of both Action Area 2 and 3 to their full potential as set out in the objectives be carried out, 2) a Low Energy Environmentally Friendly riverwalk (with cyclelanes) of material appropriate to a semi rural walk (not tarmac) must be provided and 3) The ancient woodland and riparian trees along the banks of the Vartry shall be protected as a wildlife corridor in accordance with biodiversity policy. It is considered that these objectives alongside those set out in the Heritage Section of the plan (section 10) are sufficient in order to prevent any adverse environmental impact on this area and therefore the development and zoning of this land does not conflict with the objectives of the plan.</p>

In addition to the above a View of Special Interest is listed under Section 10 part B of the plan and states the following: “It is the policy of the Council to preserve the View of River Vartry and riverside trees, looking westwards from bridge in Ashford”. It is not considered that the development of Action Area 3 will have a negative impact on this listed view as a green buffer is provided along the northern section of Action Area 3 which shall extend into Action Area 2 which shall be comprehensively landscaped thereby maintaining and preserving the riverside trees, looking westwards from bridge.

2.

- a) As per response to submission 1 above.
- b) The objectives set out for Action Area 2 state that “A fully lit environmentally friendly low energy pedestrian walkway and cycle lane shall be developed within the first phase of development in Action Area 2”. It is considered that this objective will ensure that no adverse impact is caused from the development of this walkway.

3. The Managers Report recommended that Action Area 5 be extended in order to facilitate sheltered housing in close proximity to the town centre zonings. This Action Area was subsequently omitted from the plan at the Council Meeting on the 14th of April. Please refer to Appendix A where it is proposed that Action Area 5 be included in the plan and sheltered housing be provided on part of these lands.

Managers Recommendation

Amend plan as set out in Appendix A

Submission no. 11

Emmett Hedigan and Sharon Buckley

This submission relates to Action Area 2 where the objectives for this Action Area were changed under modifications numbered 11 and 14. The objectives for this action area now read as follows:

This is located on each side of the Vartry River. Its area is circa 27.83ha. Any action area plan prepared or development proposed for these lands shall adhere to the following:

- *A maximum of 100 residential units at a Max Density of 20 houses per Hectare may be provided. (Amendment 11)*
- *A fully lit environmentally friendly low energy pedestrian walkway and cycle lane shall be developed within the first phase of development in Action Area 2. This route shall be linked to the linear park to be provided within AA3. (Amendment 11)*
- *The roadway providing access to Action Area 2 shall also accommodate the possible future by passing of Nuns Cross Bridge. In the interest of providing the residents of that residential area a safer environment and to continue to promote a walking and cycling culture. (Amendment 11)*
- *The development of the subject lands shall provide for usable open space which is fully landscaped and which compliments the existing open space located within Bramble Glade. (Amendment 11)*
- *Provide a playing field*
- *Any proposed development on the subject land must protect the ancient woodlands and riparian trees along the banks of the river.*
- *Allow a generous set back of development from riverbank areas to ensure protection of the amenities of the River Vartry.*

- *Any planning application on these lands must include a flood risk study, which takes into consideration the cumulative effect of the development of both Action Area 2 and 3 to their full potential as set out in the objectives, in order to determine whether they are suitable for development or not.*

This submission makes particular reference to objective 3 and the provision of the access road to these lands. Contend that this objective in stating “*The roadway providing access to Action Area 2 shall also accommodate the possible future by passing of Nuns Cross Bridge*” is ambiguous given that there is no actual indicative road layout shown on the land use-zoning map and unfair on lands owners in the area.

Consider that this indicative roadway should be shown on the land use-zoning map or else removed from the objectives set out for this Action Area. The submission also states that if this indicative roadway is shown to run through the Hedigan landholding then the subject lands should included within the plan boundary.

Manager’s Response

The contents of this submission have been considered, however it should be noted that the objective which states “*access to Action Area 2 shall also accommodate the possible future by passing of Nuns Cross Bridge*” only ensures that, should any development take place within Action Area 2, the proposed access road serving these lands is capable of accommodating the possible by-passing of Nun’s Cross Bridge and not just to serve the development of the subject lands.

No detailed study has been carried out in relation to the exact route or feasibility of this road to date and therefore a route for any future roadway cannot be mapped at present.

Should the development of this roadway be proposed during the lifetime of the plan, the application for permission must be processed either under the normal planning application process or the Part 8 process during which time any affected parties will have the right to contribute and make observations on the exact routing of the roadway.

Managers Recommendation

No change to Plan

Submission no. 12
Glenkerrin Homes Ltd C/O McGill Planning
This submission relates to lands located at Ballinalea. The contents of the submission contain the exact same information as previously submitted to the Draft Plan (see submission 32 of the Managers Report on the Draft Plan).
Manager's Response
As pointed out in the Modifications Document (on page 3) only submissions/observations relating to the proposed amendments to the Draft Plan can be taken into consideration at this stage of the Local Area Plan making process and submissions/observations that raised issues other than those proposed amendments cannot be considered. The contents of this submission do not relate to any of the modifications made at the council meeting on the 14 th of April and the submission cannot therefore be considered.
Managers Recommendation
No change to Plan

Submission no. 13
Jim Hanley C/O Patrick Nolan (Tom Philips and Associates)
This submission relates to the modification no. 9 which set out that the following additional objective be included in section 4 of Part B: <i>“ROA6 - This main street of Ashford (R722) is a key and critical piece of infrastructure in achieving the permeability connection between North & South of Ashford. Moreover it is a key component in the urban design strategy for the expanding town. The road needs to be attractively designed throughout (Boulevard style). Presenting an attractive public place and urban space where traffic is calmed and speeds reduced and promotes walking and cycling”.</i>
It is contended that the provision of this objective while supported in this submission is unachievable given the restrictions proposed regarding building height within the town centre. Reference is made to the objective set out in the Draft Plan regarding the development of Action Area 3 and 4 which restricted the height of new developments to 2 storey, which it is contended will carry over to other town centre sites. Consider that the restriction on building height should be removed and that this issue be dealt with in a case-by-case basis.
Manager's Response
The contents of this submission have been noted, however modification no. 6 has removed the restriction on building heights within Action Area 3 and 4 where the design of any development on these lands will be subject to pre-planning application consultation relating to design concepts. It should also be noted that no reference is made within the Draft Local Area Plan regarding height restrictions within the other town centre zoned lands. It is considered that the development of these lands will be subject to consultation with the Development Management Section of the Planning Authority on a case-by-case basis.

Managers Recommendation
No change to Plan

Submission no. 14
Madeline Jay and Simon Pratt C/O Frank O’Gallachoir and Associates
<p>This submission seeks to secure the continued protection and enhancement of the conservation, botanical, scientific, historic and heritage interest of Mount Usher by the inclusion of the following objectives:</p> <ul style="list-style-type: none"> a) Heritage/Amenity policy Objective: “to protect the amenities, character and heritage value of Mount Usher Gardens and courtyard, which are of national importance and to provide for the sustainable growth of the Mount Usher Gardens and its ancillary uses”. b) Heritage/Amenity Development Control Objective: “ To preserve an adequate buffer of at least 25m between significant new built development or significantly altered replacement development along the entire curtilage of Mount Usher Gardens, in the interest of heritage protection, amenities and conservation. A green buffer of 10m will also be required. c) Zone the Mount Usher Retail Courtyard, car park and adjacent road frontage as town centre in order to regularise the existing permitted pattern of ancillary retail development in this area. d) The Plan does not protect or provide a buffer to the entire curtilage of the gardens
Manager’s Response
<p>This submission relates to a previous submission made (see submission 11 to first Managers Report) and reiterates a number of points made previously. There is no specific reference made to the modifications made at the Council Meeting held on the 14th of April, however the issues raised above can be addressed as follows:</p> <ul style="list-style-type: none"> a) An additional policy was to be included in the plan as set out in the first Managers Report (see submission 11 response), which emphasised and aimed to protect the character and setting Mount Usher, Gardens, House and Associated Curtilage. This policy read as follows and shall be included in Part B section 10. <i>“Mount Usher Garden, located within the town and bisected by the Vartry River is of considerable historical and ecological interest and is of National importance. It is an objective of the council to protect the character and setting of the gardens, house and associated curtilage”.</i> b) The additional objectives set out for Action Area 4 are considered adequate to protect the setting and character of Mount Usher Gardens. Any planning application shall be required to have regard to these objectives in preparing a development proposal for these lands alongside the additional objective to be included in Part B section 10 of the plan. c) As stated previously in response to submission 30 (point 2) of the Managers Report, it is not considered that the existing lands comprising of retail and car parking should be zoned as town centre given the location of the subject lands and the

sensitive nature of the area.

d) As set out in (a) above an additional objective has been included which aims to protect the character and setting Mount Usher, Gardens, House and Associated Curtilage. The lands surrounding Mount Usher with exception of Action Area 4 are either zoned as open space or as existing residential. It is not considered necessary to provide a buffer around the entire perimeter of the Gardens as any applications for development on these lands will be subject to assessment by the Development Management section who will be required to have regard to the above objective and the specific objectives set out for Action Area 4.

Managers Recommendation

Include the following objective under Part B section 10 as previously set out in the first Managers Report but omitted in error.

“Mount Usher Garden, located within the town and bisected by the Vartry River is of considerable historical and ecological interest and is of National importance. It is an objective of the council to protect the character and setting of the gardens, house and associated curtilage”.

Submission no. 15

Marianne Mays

This submission relates to modifications numbered 11 and 14, which changed the objectives set out for Action Area 2.

1. Contend that the proposed density is out of keeping with location and will impact negatively on the water quality of the river Vartry as a salmonid river, as well as impacting on the riparian woodlands and wildlife habitats.

2. Contend that an SEA for this entire area is essential.

3. Concern raised in relation to the traffic implications of development along the R763.

4. Consider that the provision of cycle ways and footpaths is a positive objective but concerned about the maintenance and up keep of this infrastructure.

Manager’s Response

1. As per response to Submission no. 1 above.

2. The SEA screening process was undertaken during the initial stages of the plan preparation process where the relevant bodies were requested to make submissions on the plan. Following this screening process it was not deemed necessary to carry out and SEA for this Local Area Plan.

3. As set out in the Managers Report it is envisaged in the plan that the proposed road to serve AA8 will facilitate the removal of the traffic from the R764 (Roundwood) from the current junction of the R763/R764 therefore removing any traffic hazards. The actual layout of these proposed roads has not been finalised and will be subject to

<p>detailed design during the Development Management Process.</p> <p>In addition to the above the development of lands within Action Area 2 will require that the traffic implications of development be assessed during the Development Management Process thereby mitigating against any significant traffic implications.</p> <p>4. The provision and maintenance of footpaths/cycle ways etc are subject to ongoing assessment and maintenance by the Area Engineer and proposals can be made as part of the annual road works programme to maintain these proposed development once constructed.</p>
<p>Managers Recommendation</p>
<p>As per Submission 1 above.</p>

<p>Submission no. 16</p>
<p>Mathew Weiss</p>
<p>This submission relates to a number of the Modifications made at the Council Meeting held on the 14th of April which are summarised as follows:</p> <ol style="list-style-type: none"> 1. Appendix C – Map to be amended in order to provide exact position of phases within AA1. 2. That the density of AA9 be reduced to reflect that of Bramble Glade. 3. Modification no. 4 should state more clearly that AA5 is to be removed. 4. That the area of land to the south of Bramble Glade be recognised as being Open Space. 5. That the walkway and cycle way within AA2 be located outside the 10m buffer to be provided along the riverbank. 6. Contend that an SEA be carried out for the entire plan area. 7. Consider that the new roads proposed in AA7 and AA8 should not be connected to the R752. 8. Consider that Action Area 2 should be removed and lands north of AA7 be developed in order to prevent any impact on the Vartry River.
<p>Manager’s Response</p>
<ol style="list-style-type: none"> 1. Noted. The land use-zoning map has been amended to recognise this error. 2. The lands located in Action Area 9 were previously zoned in the 2001 plan with a medium density, which is considered to be in the range of 10-15 to the hectare. The density at Bramble Glade (adjusted for house size) is approximately 10/ha. It is therefore not considered appropriate to restrict the development of AA9 to low density, particular having regard to its location adjacent to community facilities. 3. It is clearly stated at the beginning of Modification Four that this Action Area is to be removed. Please refer to Appendix A which relates to Action Area 5. 4. This has been noted, however it is considered reasonable to include these lands within Action Area 2 as the legal status of this agreement has yet to be established fully. During the Development Management process the developer of Action Area 2 will be required to submit legal details, which confirm ownership of these lands. Unless this agreement is furnished at planning application stage the Planning Authority cannot grant permission on the subject lands and they will remain as open space forming part of the Bramble

<p>Glade Development.</p> <ol style="list-style-type: none"> 5. The provision of cycle and pedestrian walkways along the riverside will be subject to assessment at Application stage. It is envisaged that a minimum (no development) buffer of 10m will be provided along the banks of the river. 6. The SEA screening process was undertaken during the initial stages of the plan preparation process where the relevant bodies were requested to make submissions on the plan. Following this screening process it was not deemed necessary to carry out a SEA for this Local Area Plan. 7. It is envisaged in the plan that the proposed road to serve AA8 will facilitate the removal of the traffic from the R764 (Roundwood) from the current junction of the R763/R764 therefore removing any traffic hazards. The actual layout of these proposed roads has not been finalised and will be subject to detailed design during the Development Management Process. 8. The lands located in Action Area 2 were previously zoned in the 2001 plan with a medium density. These lands are located in close proximity to the town centre and can be easily linked to community and retail facilities by foot. There is development on the north, east and west sides of the land block, and therefore its development would result in a more compact settlement. Subject to normal controls with regard to layout and design, the development of these lands will have limited impact on the Vartry River and will in fact make this amenity more open to the people of Ashford and County Wicklow. The alternative lands suggested north of AA7 are further from the town centre and community amenities, would result in the sprawl of Ashford into the open countryside and would not constitute sustainable development.
<p>Managers Recommendation</p> <p>As per Appendix A attached.</p>

<p>Submission no. 17</p>
<p>Mathew Weiss (on behalf of residents of AA2).</p> <p>This submission requests that the voting record relating to the increase in zoning for Action Area 2 from 50 to 100 units be furnished to the public. It is considered that there is no justification for this increased density and therefore this decision should be reversed.</p>
<p>Manager's Response</p> <p>The decision to increase the maximum number of units within Action Area 2 from 50 to 100 units was proposed jointly by the Local Area Councillors for the Ashford Area and was passed by the 24 elected members with 20 votes for the change with 4 not present. Minutes of this meeting are available for public viewing upon adoption.</p> <p>As set out in the response and recommendation to submission 1 above it is recommended by the Manager that this zoning be reduced to cater for a maximum of 50 units as previously proposed in the draft plan.</p>
<p>Managers Recommendation</p> <p>As per recommendation to submission no. 1 above</p>

Submission no. 18
Paul Olthof, Ashford Residents Association
<p>A number of letters have been received, signed by Paul Olthoff. This letters relate to a number of areas within the Ashford Local Area Plan boundary. This submission also contains copies of letters sent to the Local Area Councillors and a letter sent to the current owner of Action Area 1. This submission makes the following observations:</p> <ol style="list-style-type: none"> 1. Contend that if Action Area 5 is included back into the plan that the development of a public park will not be achievable. Consider that the inclusion of AA5 would reduce the amount of Open Space to be provided as a public park and that if this Action Area is to be included in the plan that alternative lands should be made available for the provision of a public park. 2. Concern raised in relation to the development of Action Area 2 and the issue relating to the designation of lands to the south of the Bramble Glade Estate as Open Space in the previous permission for this area. Contend that these lands should not be developed as part of Action Area 2 until the legal status of their ownership has been established. 3. Concern raised in relation to the actual meaning of the zoning of lands as Open Space within Action Area 1.
Manager's Response
<p>1. The lands to the west of Action Area 1 as Open Space have been provided in order to facilitate the development of a public park as outlined in the land use-zoning map. The only planning permission granted by Wicklow County Council relates to the development of Phase 1 of AA1 only and does not enclose the lands delineated as Open Space in the Modified Land Use Zoning Map.</p> <p>The Objectives set out for Action Area 1 as stated in Part B of the Local Area Plan state that <i>"20ha is zoned 'open space'"</i> and that <i>"A park must be provided on a phased basis as a proportion of the residentially zoned land for which permission is being sought"</i>.</p> <p>Please refer to Appendix A attached which relates to Action Area 5 and its inclusion within the plan.</p> <ol style="list-style-type: none"> 2. This has been noted, however it is considered reasonable to include these lands within Action Area 2 as the legal status of this agreement has yet to be established fully. During the Development Management process the developer of Action Area 2 will be required to submit legal details, which confirm ownership of these lands. Unless this agreement is furnished the Planning Authority could not grant permission on the subject lands and they will remain as open space forming part of the Bramble Glade Development. Please refer to the response to submission 1 above relating to Action Area 2. 3. As per 1 above.
Managers Recommendation
As per submission 1 above and Appendix A attached.

Submission no. 19
Patrick Fahey and Peter Crossan C/O Frank O’Gallachoir and Associates
<p>This submission refers to lands located at Ballinalea-Rosanna where it is proposed that lands measuring 1.55ha be zoned from agricultural greenbelt to residential (phase 2). While it is noted that the submission briefly mentions Modification no. 1, however the actual content of this submission does not relate to any of the modifications made and therefore cannot be considered in the manager’s report. The majority of this submission reiterates what was previously proposed in the submission made to the draft plan.</p> <p>It is contended that the subject lands are suitable for development for the following reasons:</p> <ul style="list-style-type: none"> a) The zoning of the subject lands would help consolidate residential development to the south of Ashford and in providing an Action Area Plan for the area help provide much needed community facilities. b) The lands adjoin existing residential lands c) The lands are suitably located for the expansion of the town. d) The subject lands are adjacent to a transport corridor. e) There are no listed views effecting these lands f) Given the location and adjoining zoning uses residential is the most suitable zoning to apply. g) The lands can be easily connected to existing infrastructure h) The zoning of the subject lands for housing would allow for a greater mix of private housing in the area.
Manager’s Response
<p>As pointed out in the Modifications Document (on page 3) only submissions/observations relating to the proposed amendments to the Draft Plan can be taken into consideration at this stage of the Local Area Plan making process and submissions/observations that raised issues other than those proposed amendments cannot be considered.</p> <p>The contents of this submission do not relate to any of the modifications made at the council meeting on the 14th of April and the submission cannot therefore be considered.</p>
Managers Recommendation
No change to Plan

Submission no. 20
Richard Fitzpatrick
<p>This submission relates to the development of Action Area 6 and the provisions made by modifications numbered 5 and 8. These modifications set out the following changes:</p> <p>Modification no. 5 change:</p> <p><i>From</i> ACTION AREA 6</p>

This is located in Ballinalea between the Grangelea and Woodview estates and fronting the L-1096. Its area is circa 2.6ha. Any action area prepared or development proposed for these lands shall adhere to the following:

- *As part of the development of AA6 must allow for access to both Ashford Rovers football pitch and Woodview from the L-1096 as indicated on the map. The reservations shown are diagrammatic only and subject to further investigation and due process.*
- *A Multi-use Games Area (MUGA) of at least 0.07ha in AA6 shall be provided by the developer.*
- *Overlooked pedestrian/cycling linkages must be included that link the Woodview estate to any new development in the interests of pedestrian permeability.*

To
ACTION AREA 6

This is located in Ballinalea between the Grangelea and Woodview estates and fronting the L-1096. Its area is circa 2.6ha. Any action area prepared or development proposed for these lands shall adhere to the following:

- *As part of the development of AA6 must allow for access to both Ashford Rovers football pitch and Woodview from the L-1096 as indicated on the map. The reservations shown are diagrammatic only and subject to further investigation and due process.*
- ***Lands adjacent to the proposed access road and soccer pitch measuring a minimum of 0.15ha, shall be provided to cater for new changing rooms and/or the provision of an all weather training area. These development(s) shall be provided at the expense of the developer of Action Area 6.***

Overlooked pedestrian/cycling linkages must be included that link the Woodview estate to any new development in the interests of pedestrian permeability.

And modification no. 8 to add to Roads Objective ROA4:

From

Roads developed, as part of the development of AA6 shall allow for access to both Ashford Rovers football pitch and Woodview, Ballinalea from the L-1096 as indicated on Map 1. The reservations shown are diagrammatic only and subject to further investigation and due process.

To

*Roads developed, as part of the development of AA6 shall allow for access to both Ashford Rovers football pitch and Woodview, Ballinalea from the L-1096 as indicated on Map 1. The reservations shown are diagrammatic only and subject to further investigation and due process. **Cycleways shall be provided as part of these indicative new roads.***

It is considered that these modifications to the development of Action Area 6 will unduly impact on the development of Action Area 6 in terms of value for a developer and that the amount of land to be provided for public use should be reduced.

It is also considered that a commitment be given by the Council to fund the cost of the public service element.

Manager's Response

This submission has been noted, however it is not considered reasonable to reduce the amount of land designated for the provision new changing facilities and/or an all weather playing pitch as proposed for this Action Area. It is felt that given the area of lands within Action Area 6, which measure 2.6ha that the provision of an all-weather 5-a-side playing pitch and/or a new clubhouse to be provided at the expense of the developed is justified.

In relation to the provision of infrastructure including roads and footpaths, it should be noted that these elements are necessary in order to facilitate the development of lands within Action Area 6 without which no development can take place within this Action Area. It is therefore considered reasonable that the developer should incur the cost of this infrastructure.

Managers Recommendation

No change to Plan

Submission no. 21

Susan Webb

This submission relates to a number of the modifications made on the 14th of April. These issues are summarised as follows:

1. Action Area 9: Concern raised that the additional lands provided for housing will create increased pressure on the area and may cause flooding in the area.
2. Amendment no. 4 should read at the end “to be removed”.
3. Amendments no. 11 and 14. These changes relate to Action Area 2 where the following concerns are raised:
 - a) Contend that the lands to the south of the existing Bramble Glade estate should remain as open space as part of the permission for this development and should not be included within the boundary of action area 2.
 - b) Contend that the increase in housing density is unacceptable and that the original zoning of 10 units/ha to be re-established.
 - c) 1) Consider that the provision of a pedestrian walkway requires careful planning and management in order to protect the existing habitats in this area and that 2) an SEA should be carried out for the area.
 - d) Contend that a comprehensive flood study should be carried out in relation to lands within Action Area 2.
 - e) Consider that an indicative road layout should be drawn on the land use map in order to clarify this issue and prevent and ambiguity occurring.
 - f) Contend that the proposed new indicative road layout within AA7 should not connect to the R763.

Manager’s Response

1. The concerns raised have been noted, however any application submitted to the planning authority must meet the required standards set out in relation to discharge of surface water and issue of attenuation. These issues shall be analysed by the Water Services and Environment sections during the planning application process and should a proposal be found to fail to meet these standards or have the potential to cause flooding in the area permission will not be granted until these issues have been addressed.

2. It is clearly stated at the beginning of Modification no. 4 that this Action Area is to be removed. Please refer to Appendix A for further details.

3.

A) It is considered reasonable to include these lands within Action Area 2 as the legal status of this agreement has yet to be established fully. During the Development Management process the developer of Action Area 2 will be required to submit legal details, which confirm ownership of these lands. Unless this agreement is furnished

the Planning Authority could not grant permission on the subject lands and they will remain as open space forming part of the Bramble Glade Development.

B) As per response to submission no.1 above.

C) (1) The provision and maintenance of footpaths/cycle ways etc are subject to ongoing assessment and maintenance by the Area Engineer and proposals can be made as part of the annual road works programme to maintain these proposed developments once constructed.

(2) The SEA screening process was undertaken during the initial stages of the plan preparation process where the relevant bodies were requested to make submissions on the plan. Following this screening process it was not deemed necessary to carry out and SEA for this Local Area Plan.

D) Objective 8 for Action Area 2 states the following:

“Any planning application on these lands must include a flood risk study, which takes into consideration the cumulative effect of the development of both Action Area 2 and 3 to their full potential as set out in the objectives, in order to determine whether they are suitable for development or not”.

This flood risk study must be submitted as part of any planning application for these lands, which shall be assessed by the planning and engineering sections of the Council. It is considered that this objective should adequately mitigate against any adverse impact occurring in this area.

E) No detailed study has been carried out in relation to the exact route or feasibility of this road to date and therefore a route for any future roadway cannot be mapped at present.

F) It is envisaged in the plan that the proposed road to serve AA8 will facilitate the removal of the traffic from the R764 (Roundwood) from the current junction of the R763/R764 therefore removing any traffic hazards. The actual layout of these proposed roads has not been finalised and will be subject to detailed design during the Development Management Process.

Managers Recommendation

As per Appendix A attached.

Submission no. 22

The Tavern Ashford Ltd

This Submission relates to Modification 6 which set out the following:

“The development of Action Area’s 3 and 4 shall be subject to pre-planning application consultation relating to design concepts”. This submission indicates that the Tavern Ashford Ltd which own lands adjacent to Action Areas 3 and 4 are supportive of this modification and state that the Local Area Plan should place an emphasis on the wording “high quality design” rather than the limitations imposed by words “traditional” and “contemporary”.

Manager's Response
This submission has been noted. Developments within Action Area 3 and 4 shall be subject to pre-planning application consultation relating to design concepts as set out in modification no. 6.
Managers Recommendation
No change to Plan

Submission no. 23
Environmental Protection Agency
<p>This submission relates to the development of flood plains and makes particular reference to the modifications made to Action Area 2. This submission states “appropriate zoning of lands should apply in areas liable to flooding to avoid increasing the risk of flooding of lands either within or adjoining the zoned areas”.</p> <p>The submission also refers to the previous submission made to the Draft Plan and states that “Protection, management and as appropriate enhancement of existing wetland habitats should be considered where flood protection/management measures are necessary.</p> <p>The submission finally questions whether or not the modifications made have been screened for the likelihood of significant environmental effects and the possible need for SEA.</p>
Manager's Response
<p>The contents of this submission have been noted. As set out in response to submission 1 above it is recommended that the maximum number of units allowable within Action Area 2 be 50 units at a density of 10 units/ha.</p> <p>In addition the objectives set out in section 5 relate to Water and Flooding related Issues, while the specific objectives set out in Action Areas 2 and 3 specifically refer to the issues of flooding.</p> <p>In relation to the development of Action Areas 2 and 3 it is considered that were necessary an Environmental Impact Statement will be required to be submitted which demonstrates how possible impacts arising from the development of these lands will be mitigated against.</p>
Managers Recommendation
As per Recommendation to submission number 1 above.

Appendix A

Action Area 5:

It is clearly stated at the beginning of Modification 4 that the elected representatives resolved that this Action Area be removed. However it should be clearly noted that the development of a public park (as set out in the objectives for Action Area 1) to the west of Inchinnapa House is to take place on a phased basis based on the development of Action Area 1.

Having regard to the issues raised it is not considered that the inclusion of Action Area 5 (AA5) as previously set out in the Draft Plan will impact negatively on the potential of this proposed public park but will in fact enhance and increase the accessibility of this much needed public space for the people of Ashford while also providing an active street frontage and community housing.

The overall area proposed for this action area measures 0.62ha where 0.32ha will be provided to the north of the Old Garda Station for mixed use development with the lands measuring 0.3ha to the south of the Old Garda Station being dedicated for Community Housing.

In this regard it is considered that the inclusion of this action area will enhance and create a more easily accessible, passively supervised public park to the benefit of the local community.

While it is noted that concern is raised in relation to the felling of mature trees in this area it is considered that the objective to be included under Section 10 Part B as recommended in the Managers Report to submission 16 will mitigate against any significant adverse impact occurring.

This new objective states that *“All proposals for development which impact upon trees (even though they may not be listed in this plan) will be required to submit a tree impact assessment which will include a mitigation plan (identifying root and canopy protection areas, felling proposals and method statement). The felling of mature trees to facilitate development works will be discouraged”*. Where it is deemed necessary to remove any existing trees as part of a development, the development works shall include the replanting of trees of the same species as those removed at a ratio of two trees for every one removed.

In addition to the above it is considered that the area zoned for development within Action Area 5, in particular the lands to the north of the Old Garda Station will have minimal if any impact on the mature trees in this area as the zoning only extends up to and does not include the more mature trees adjoining the avenue to Inchinnapa House.

It is therefore recommended that Action Area 5 be put back into the plan where the following objectives shall apply:

This is located on the eastern side of the main street between the Garda Station and the Roundabout. Its area is circa 0.62ha. Any action area prepared or development proposed for these lands shall adhere to the following:

- Ensure that all development is of an appropriate scale and density and that it reflects the existing character of the village centre. Maximum elevation for new structures shall be 2 storeys.*
- Mixed-use development comprising of commercial/retail on ground floor and office/residential on upper floor shall be located on lands measuring c. 0.32ha to the north of the Old Garda Station while Community Housing in the form of Sheltered Housing shall be provided on lands measuring c. 0.3ha to the south of the Old Garda Station.*
- Multi-use Games Area (MUGA) of at least 0.03ha (e.g. youth shelter, small skate park, mini-tennis/basketball court or playground) at a prominent and safe location overlooked from the R772 adjacent to the old Garda Station.*
- Retail units shall be of dual frontage design capable of fronting onto the main street while also passively supervising the parklands to the rear. The Design and layout of these units shall provide ease of access within the centre of any proposed development to the proposed public park to the rear*
- Pedestrian and cycling access shall be reserved from the main street to the future parkland of AA1. A pedestrian access shall also be provided off the roundabout to the proposed public park.*

Action Area 5 Layout

