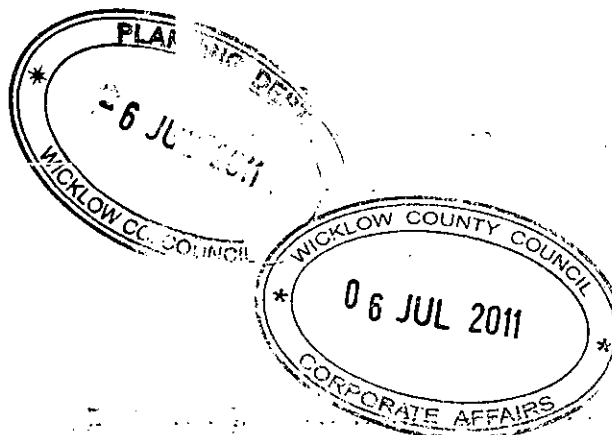


**List of persons and bodies who made submissions on Proposed Variation No.1(i) to the Wicklow County Development Plan 201-2016: Avoca Settlement Plan**

<b>No.</b>	<b>Name</b>	<b>Agent/ Representative</b>
	<b>Prescribed Bodies</b>	
<b>1</b>	Department of Environment, Community and Local Government	Margaret Killeen
<b>2</b>	Department of Arts, Heritage and the Gaeltacht	Paul McMahon
<b>3</b>	Department of Communications, Energy and Natural Resources	Carmel Conaty
<b>4</b>	Department of Education and Skills	Lorraine Brennan
<b>5</b>	Environmental Protection Agency	Cian O Mahony
<b>6</b>	Health and Safety Authority	Alice Doherty
<b>7</b>	Office of Public Works	Kevin Byrne
<b>8</b>	Dublin Airport Authority	Tanya Murray
<b>9</b>	National Roads Authority	Nicola Claffey
	<b>Public Submission</b>	
<b>10</b>	Myles Smith	



Comhshaol, Pobal agus Rialtas Áitiúil  
Environment, Community and Local Government



4 July, 2011.

Director of Services  
Planning and Development  
Wicklow County Council  
County Buildings  
Wicklow Town

**Re: Proposed Variation No. 1(i) and (ii) to Wicklow County  
Development Plan 2010-2016: Avoca Settlement Plan and Donard  
Settlement Plan**

A Chara,

I am directed by the Minister for the Environment, Community and Local Government to refer to your recent request for submissions in respect of the above proposal and set out hereunder observations for consideration by the Council.

#### **Avoca Settlement Plan**

The Department notes that the waste water treatment plant is '*currently overloaded and has no extra capacity*' with only primary treatment taking place prior to discharge into the Avoca river which is of particular concern to the Department.

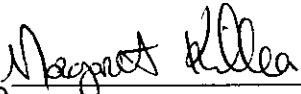
The Department's circular letter 'Waste Water Discharge (Authorisation) Regulations SI No 684 of 2007' dated 16 July 2009 (PD 7/09) indicates that where a plant will not be immediately compliant, planning authorities should avoid giving permission to applications which create significant additional loadings, or they should consider granting permission where upgraded facilities would be in place 'within a reasonable timescale' such that the necessary requirements are met.



Given the current unacceptable situation at Avoca, the Department considers that the variation should indicate clearly that no new development will be permitted which would add to the waste water load until the waste water disposal facility has been upgraded and meets license requirements under the Waste Water Discharge Regulations (SI No 684 of 2007).

Please note that this letter supersedes our previous letter issued today.

Yours sincerely,

  
\_\_\_\_\_  
PP Patrick O'Sullivan,  
Planning System and Spatial Policy.



*An Roinn  
Ealaíon, Oidhreacht agus Gaeltachta*  

---

*Department of  
Arts, Heritage and the Gaeltacht*

20<sup>th</sup> June 2011

**Our Ref:     DAU-2011WI-WI-FP2011/071**

Director of Services – Planning,  
c/o The Planning Department,  
Wicklow County Council,  
County Buildings,  
Wicklow Town,  
Co. Wicklow

**Re: Proposed Variation No. 1 to Wicklow County Development Plan 2010-2016 – Avoca Settlement Plan and Donard Settlement Plan**

A Chara,

I refer to your recent notification with respect to the above proposed variation, please find hereunder architectural heritage observations and recommendations of the Department of Arts, Heritage and the Gaeltacht, for consideration by your Authority.

The Planning Authority should not just advocate the redevelopment of derelict sites in the areas covered by these plans but actively encourages the reuse of the existing core buildings that constitute the architectural heritage, of which living-over-the shop is a part

Please note, the Department has no further observations to offer on archaeological or natural heritage grounds.

Kindly forward any further documentation produced with respect to the above to the following address as soon as it issues:

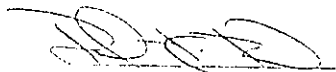
**The Manager,  
Development Applications Unit (DAU),  
Department of Arts, Heritage and the Gaeltacht,  
Newtown Road,  
Wexford**

Alternatively, documentation associated with the above can be referred electronically to the DAU at the following address:

**manager.dau@environ.ie**

In addition, please acknowledge receipt of these observations by return.

Is mise le meas,



**Paul McMahon,**  
**Development Applications Unit**  
**t: (053) 911 7381**  
**e: paul.mcmahon@environ.ie**

3

**Leonora Earls**

**From:** Coordination Unit [Coordination.Unit@dcentr.gov.ie]  
**Sent:** 07 July 2011 11:57  
**To:** Planning - Development Plan Review  
**Subject:** Proposed variation No.1 (i)&(ii) to Wicklow County Dev Plan 2010-2016 - Avoca & Donard Settlement Plan

Leonora Earls  
 Planning & Development  
 Wicklow County Council

Our Ref: 5986

**Proposed variation No.1 (i) & (ii) to Wicklow County Dev Plan 2010-2016 - Avoca & Donard Settlement Plan**

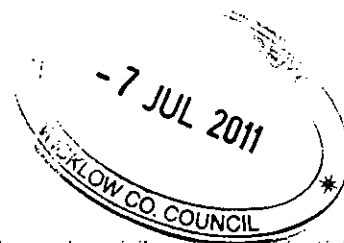
Hi Lenora,

With reference to your correspondence dated 2<sup>nd</sup> June 2011 re above.

The Department of Communications, Energy & Natural Resources has no comments to make at this time. This is without prejudice to any comments/observations Inland Fisheries Ireland may have in this regard.

**Carmel Conaty**

Co-ordination Unit  
 Dept of Communications, Energy  
 & Natural Resources  
 Elm House  
 Cavan



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This is also to certify that this mail has been scanned for viruses.

Tá eolas sa teachtaireacht leictreonach seo (agus b'fhéidir sa chomhaid ceangailte leis) a d'fhéadfadh bheith príobháideach nó faoi rún. Is le h-aghaidh an duine/na ndaoine nó le h-aghaidh an aonáin atá ainmnithe thuas agus le haghaidh an duine/na ndaoine sin amháin atá an t-eolas. Murab ionann tusa agus an té a bhfuil an teachtaireacht ceaptha dó bíodh a fhios agat nach gceadaítear nochtadh, cóipeáil, scaipeadh nó úsáid an eolais agus/nó an chomhaid seo. Más trí earráid a fuair tú an teachtaireacht leictreonach seo cuir, más é do thoil é, an té ar sheol an teachtaireacht ar an eolas láithreach.

Deimhnítear leis seo freisin nár aimsíodh víreas sa phost seo tar éis a scanadh.

07/07/2011

Ms. Leonora Earls  
Administrative Officer  
Planning & Development  
Wicklow County Council  
Wicklow

1<sup>st</sup> July, 2011

Dear Ms. Earls

**Re: Proposed Variation No. 1 (i) and (ii) to Wicklow County Development Plan 2010-2016: Avoca Settlement Plan and Donard Settlement Plan.**

I refer to your letter of 2<sup>nd</sup> June, 2011 regarding the proposed variation to the above mentioned plan. The submission has been examined and as there are no changes in projected population figures for the area and accordingly, no changes likely to future school provision, the Department of Education & Skills has no further comment to make at this time.

Trusting the above is in order.

Yours sincerely

---

Lorraine Brennan  
Executive Officer  
Forward Planning Section

057 9324392  
[Lorraine\\_Brennan@education.gov.ie](mailto:Lorraine_Brennan@education.gov.ie)



Director of Services  
Planning and Economic Development  
Wicklow County Council  
Wicklow Town  
Co. Wicklow

23<sup>rd</sup> June 2011

Our Ref: 110104.2

**Re. Proposed Avoca Settlement Plan / Proposed Variation to the Wicklow County Development Plan 2010-2016**

Dear Director,

The Environmental Protection Agency (EPA) acknowledges your notice, dated 2<sup>nd</sup> June 2011, regarding the above and notes its contents.

**SEA Determination**

Your position with regard to the need for Strategic Environmental Assessment (SEA) of the Variation is noted.

You are referred to the Agency's previous submission dated 4<sup>th</sup> May 2011 which should be taken into consideration at this time also and attached for reference purposes.

**Future Amendments/Variations to the Development Plan**

You are reminded that it is a matter for Wicklow County Council to determine whether or not any future proposed Variation 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 "environmental assessment" of the Plan.

**Infrastructure Planning**

In proposing the Variation, and any related amendments, variations etc. of the County Development Plan and in implementing the Variation, adequate and appropriate infrastructure should be in place, or required to be put in place, to service any development proposed and authorised during the lifetime of the particular Variation.

**Appropriate Assessment**

You are referred to the requirements of Article 6 of Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora, the Habitats Directive. Appropriate Assessment, in accordance with the Directive, is required for:

*"Any plan or project not directly connected with or necessary to the management of the site (Natura 2000 sites) but likely to have 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 sites conservation Objectives..."*

You should consult with the National Parks and Wildlife Service (NPWS) with regard to screening of the Variation for Appropriate Assessment. Where Appropriate Assessment is





required, any findings or recommendations should be incorporated into the SEA and Variation, as appropriate.

**Obligations with respect to National Plans and Policies and EU Environmental Legislation**

You are referred to your responsibilities and obligations in accordance with all national and EU environmental legislation. It is a matter for Wicklow County Council to ensure that, when undertaking and fulfilling their statutory responsibilities; they are at all times compliant with the requirements of national and EU environmental legislation.

**Environmental Authorities**

You are reminded of the requirement, where appropriate under the SEA Regulations, to give notice to the following:

- The Minister for the Environment, Heritage & Local Government where it appears to the Planning Authority that the proposed Variation might have significant effects in relation to architectural or archaeological heritage or to nature conservation, and
- The Minister for Communications, Energy and Natural Resource (formerly Communications, Marine and Natural Resource), where it appears to the Planning Authority that the proposed Variation might have significant effects on fisheries or the marine environment.

You are further reminded that a copy of your decision regarding the determination should be made available for public inspection at your offices and should also be notified to any Environmental Authorities already consulted.

Should you have any queries or require further information in relation to the above please contact the undersigned. I would be grateful if an acknowledgement of receipt of this submission could be sent electronically to the following address: [sea@epa.ie](mailto:sea@epa.ie).

Yours sincerely,

**Cian O'Mahony**  
*Scientific Officer*  
*SEA Section*  
*Office of Environmental Assessment*  
*Environmental Protection Agency*  
*Regional Inspectorate*  
*Inniscarra, County Cork*



## **INTEGRATION OF ENVIRONMENTAL CONSIDERATIONS IN LAND USE PLANS**

The Plan should be set in the context of the planning hierarchy and a clear statement should be provided as to the function of the Plan and what the Plan can and cannot do. Where other Plans/Programmes/Strategies are responsible for implementing relevant policies / objectives / initiatives, these should be acknowledged and fully referenced in the Plan.

The comments below relate to the integration of the environmental considerations and recommendations that have been set out in the Environmental Report, as well as the additional information highlighted by the EPA, within the Plan. Suggestions are put forward for consideration with a view to addressing the integration of a number of key environmental considerations within the Plan.

The EPA is a statutory Environmental Authority under the SEA Regulations. The EPA's role in SEA in relation to Land Use Plans focuses on promoting full integration of the findings of the Environmental Assessment into the Plan. It is not the function of the EPA to either approve or enforce Land Use Plans.

### **1 WATER**

#### ***1.1 Water Framework Directive***

The Plan should promote the protection of surface water, groundwater coastal and estuarine water resources and their associated habitats and species, including fisheries.

Provisions should be made in the Plan for the incorporation of the specific relevant objectives and measures for individual water bodies set out in the relevant River Basin Management Plan (RBMP) and associated Programme of Measures (POM). The Plan should not hinder, and where possible promote the achievement of these specific objective at water body level. In addition the plan should outline the current water quality status and the status to be achieved by 2015 in any receiving waters covered by the plan.

You are in particular referred to the Water Maps GIS Tool within this weblink:  
<http://www.wfdireland.ie/maps.html>

You are also referred to the full range of Protected Areas within each of the River Basin Districts (RBDs) as set out in Annex IV 1(i) – (v) inclusive of the Water Framework Directive. These should be taken into account in the Drafting of the Plan.

The Plan should refer to and incorporate the recent Surface Water legislation '*Environmental Objectives (Surface Waters) Regulations 2009*' 2009 (S.I. No 272 of 2009), where relevant and appropriate. You are referred to the Legislation at:  
<http://www.environ.ie/en/Environment/Water/WaterQuality/EnvironmentalObjectivesSurfaceWatersRegulations2009/>

The Plan should refer to the recent '*Water Quality in Ireland 2007 – 2008, Key Indicators of the Aquatic Environment*' (EPA, 2009) as appropriate and relevant. You are referred to the Report at: <http://www.epa.ie/downloads/pubs/water/waterqua/>

### **1.2 Drinking Water/Water Supply**

The SEA and Plan making processes should address drinking water supply capacity, leakage and quality in the Plan area. Future predicted increases in population and demand should be taken into consideration in the context of current drinking water supply and future requirements.

The Plan should implement the European Communities (Drinking Water)(No.2) Regulations 2007 and should implement and include, as appropriate, the relevant recommendations set out in *The Provision and Quality of Drinking Water in Ireland – A Report for the Years 2007-2008*, (Office of Environment Enforcement- EPA, 2009). You are referred to this Report at: <http://www.epa.ie/downloads/pubs/water/drinking/>

The Plan should refer to the EPA guidance handbook on the *Implementation of the Regulations for Water Services Authorities for Public Water Supplies* that has been prepared under the European Communities (Drinking Water) (No.2) Regulations 2007. This guidance is available at <http://www.epa.ie/downloads/pubs/water/drinking/>. It contains guidance for local authorities on the implementation of the Drinking Water Regulations, including statutory and binding guidance on certain issues as is required under the Regulations.

The Plan should include, where applicable, specific objectives for the improvement of any water supplies in the Plan area, in particular the Plan should address the specific objectives to be achieved where these water supplies are included on the EPA's Remedial Action List. This list can be found at: <http://www.epa.ie/downloads/data/water/>. Guidance has also been published by the EPA on the Remedial Action List and is available in the Drinking Water Handbook mentioned above at <http://www.epa.ie/downloads/pubs/water/drinking/>.

Two parallel handbooks were prepared, one to assist private water suppliers and WSAs to implement the Regulations in respect of private water supplies and the second handbook to cover public water supplies including the role of the EPA as the supervisory authority. The two handbooks together replace the previous handbook, published by the EPA in 2004. The handbooks also replace and incorporate the guidance booklets number 1 to 4 published by the EPA in the last two years. The drinking water guidance booklets that are replaced are as follows:

- Guidance Booklet No.1. Guidance for local authorities on Regulation 9 and Regulation 10 of EC (Drinking Water) (No.2) Regulations 2007.
- Guidance Booklet No.2. Annual reporting of drinking water monitoring results.
- Guidance Booklet No.3. Guidance for local authorities on the Remedial Action List for public water supplies.
- Guidance Booklet No.4. Risk Screening for Cryptosporidium.

The EPA has also published a series of Drinking Water Advice Notes, which cover the following areas:

- Advice Note No. 1: Lead Compliance Monitoring and Surveys
- Advice Note No. 2: Action programmes to restore the quality of drinking water impacted by lead pipes and lead plumbing
- Advice Note No. 3: E.coli in Drinking Water
- Advice Note No. 4: Disinfection By-Products in Drinking Water
- Advice Note No. 5: Turbidity in Drinking Water
- Advice Note No. 6: Restoring Public Water Supplies Affected by Flooding

These can be found at: <http://www.epa.ie/downloads/pubs/water/drinking/>

These Advice Notes set out EPA guidance on the actions that are necessary following exceedances of these parameters and also the preventative measures that should be taken to improve the security of the supply to prevent a repeat failure in the future. This is provided in the context of the EPA recommended approach to managing a drinking water supply i.e. the Water Safety Plan Approach. Please be aware that EPA Lead Guidance Circulars No.s 1 and 2 have been reissued as Advice Notes No.s 1 and 2 though there has been no change to the text of these documents.

As set out in the recommendations referred to above, the Local Authority must develop appropriate solutions that may involve abandoning or replacing drinking water sources, upgrading the treatment facilities or improving management and operational practices.

The Plan should take account of any Groundwater Protection Schemes and Groundwater Source Protection Zones data available at the Geological Survey of Ireland: <http://www.gsi.ie>

### **1.3 Waste Water Treatment**

The Plan should highlight the requirement under *The Waste Water Discharge (Authorisation) Regulations* for all for all wastewater discharges, including storm water discharges which come within the scope of these Regulations to be licensed. In this regard, the Plan should highlight the specific requirements of Regulations 43 & 44 of the *Waste Water Discharge (Authorisation) Regulations, 2007*, S.I. No. 684 of 2007, regarding the consideration of proposals and consultation on such proposals by Planning Authorities and An Bord Pleanála, where applications for proposed development are being considered and decided upon.

The Plan should implement the Urban Waste Water Treatment Regulations 2001 and 2004 and promote, as appropriate, specific provisions for the implementation of the relevant recommendations set out in *Urban Waste Water Discharges in Ireland for Population Equivalents Greater than 500 Persons – A Report for the Years 2006 and 2007* (EPA, 2009). You are referred to this Report at: <http://www.epa.ie/downloads/pubs/water/wastewater/>

The EPA has published a *Code of Practice: Wastewater Treatment and Disposal Systems Serving Single Houses (p.e ≤ 10)*, (EPA, 2009). The code of practice (CoP) establishes an overall framework of best practice in relation to the development of wastewater treatment and disposal systems, in unsewered rural areas, for protection of our environment and specifically water quality. The code replaces previous guidance issued by the EPA on wastewater treatment systems for single houses (EPA, 2000) and incorporates the requirements of new European guidelines, recent research findings and submissions and comments received during the consultation process. It is available from the link provided above.

The Plan should, where possible and appropriate, include/ and /or promote the inclusion of specific Policies and Objectives regarding the provision and maintenance of adequate and appropriate wastewater treatment infrastructure to service zoned lands and developments within the Plan area.

Where the introduction of additional lands for development is being proposed within the Plan area, relevant Policies/objectives should be included in the Plan, and as appropriate, to promote assessment of the adequacy of the existing wastewater treatment facility (ies) in terms of both capacity and performance and the potential risk to human health and water quality. Where relevant, the potential impact on habitats and species of ecological importance should be addressed.



The Plan should include as appropriate measures to ensure that trade effluent in the area covered by the Plan is managed properly and discharged to sewer in accordance with relevant discharge licences where appropriate.

#### **1.4 Groundwater Protection**

The Plan should include clear Policy and Objective for the protection of groundwater resources and associated habitats and species. The Plan should make reference to the requirements of the Groundwater Directive (2006/118/EC) on the protection of groundwater against pollution and deterioration, which came into force on the 12<sup>th</sup> December 2006.

This Directive addresses the main elements of groundwater protection as required by Article 17 of the WFD. It establishes underground water quality standards and introduces measures to prevent or limit inputs of pollutants into groundwater. You are referred to the following recent legislation *European Communities Environmental Objectives (Groundwater) Regulations 2010* (S.I.9 of 2010) at:

<http://www.environ.ie/en/Environment/Water/WaterQuality/GroundwaterRegulations2010/>

Where not already available, the Plan should promote the development of a Groundwater Protection Scheme for the relevant local authority areas covered by the Plan.

Consideration should also be given, where relevant and appropriate, to promotion of the inclusion of Policies and Objectives in the Plan for the following:

- *Enforcement of Planning Conditions related to installation, operation and maintenance of on-site wastewater treatment / septic tank systems.*
- *Connection of all remaining houses within Town Boundary to the Wastewater Treatment Plant.*
- *The development of a wastewater leak detection programme. The use of a strategic metering system to aid in leak detection should be considered*
- *The implementation and enforcement of the European Communities (Good Agricultural Practice for Protection of Waters) Regulations 2009.*

#### **1.5 Bathing Water**

The most recent report on bathing water quality '*The Quality of Bathing Water in Ireland – A Report for the Year 2009, (EPA, 2010)*' sets out the status of Irish Seawater and Freshwater Bathing areas. You are referred to this report at:

<http://www.epa.ie/downloads/pubs/water/bathing/>

*"The purpose of the Bathing Water Regulations is the protection of human health", and the relevant local authorities, where appropriate, "should ensure that where any bathing water fails the mandatory bathing standards that the public are made ware of this fact by means of information notices posted at the bathing area."* To this effect the Plan should include as appropriate a Policy/ Objective to ensure this requirement is complied with.

You are also referred to the new "*Directive on bathing water (Directive 2006/7/EC)*" which came into force on 24 March 2006 and which will repeal the existing 1976 Directive with effect from 31 December 2014. The new Directive is implemented in Ireland by the new *Bathing Water Quality Regulations 2008 (S.I. No. 79) of 2008.*

The Plan should promote the protection of waters within the Plan area that are used for bathing.

### **1.6 Water Conservation**

The Plan should include measures to promote conservation of water. In this context, the development of a Water Conservation Strategy should be considered, and where relevant addressed in combination with adjoining local authorities. The Strategy should address new and existing developments within the Plan area. Where such a Strategy is being developed, specific timescales should be assigned to its preparation with clear responsibilities and timescales for its implementation.

### **1.7 Water Services Act 2007- Strategic Water Services Plans**

The Plan should include provisions to promote the preparation and implementation of Water Services Plans in accordance with any Regulations likely to be made under Section 36 of the Water Services Act 2007.

Section 36 Subsection (7) c. of the Water Services Act 2007 makes specific reference to the inclusion in Water Services Strategic Plans, where considered reasonable and necessary, of objectives to:

- *“protect human health and the environment”;*
- *“facilitate the provision of sufficient water services for domestic and non – domestic requirements in the area to which the plan relates”;* and,
- *“support proper planning and sustainable development including sustainable use of water resources”.*

### **1.8 Flood Prevention and Management**

The Plan should promote the appropriate zoning of lands and restriction of use in areas liable to flooding to avoid increased risk of flooding of the lands either within or adjoining the zoned areas. A specific Policy should be included to provide for/promote appropriate flood risk assessments to be undertaken, where development(s) and zoning are being proposed in the Plan area where there is risk of flooding.

The Plan should make reference to the E.U Directive (2007/60/EC) on the assessment and management of flood risks entered into force on 12 December 2007. The provisions of this Directive include the development of flood risk management plans.

The Flood Risk Management approach as adopted by the Office of Public Works (OPW) should be promoted, as appropriate, in consultation with the OPW where there is potential risk of flooding in the Plan area. You are referred to the Planning Guidelines on flooding in *“The Planning System and Flood Risk Management - Guidelines for Planning Authorities (Environment, Heritage and Local Government – OPW, November 2009* which can be consulted at:

<http://www.environ.ie/en/Publications/DevelopmentandHousing/Planning/NationalSpatialStrategy/Flood%20Risk%20Management/>

The Plan should promote the development, where appropriate, of adaptation measures to account for the likely increased risk of flooding due to Climate Change within the Plan area.

The Plan should include measures to promote the implementation of adequate and appropriate Sustainable Urban Drainage Systems.

The Plan should provide for protection, management, and as appropriate, enhancement of existing wetland habitats where flood protection/management measures are necessary. See



definition of "Wetlands" in - *Wetlands Conservation and Protection in EPA Code of Practice: Environmental Risk Assessment for Waste Sites (EPA, 2007)*. The full report is available at:

[http://www.epa.ie/downloads/pubs/other/corporate/oe/cop\\_waste\\_sites\\_consultation\\_draft.pdf](http://www.epa.ie/downloads/pubs/other/corporate/oe/cop_waste_sites_consultation_draft.pdf)

### **1.9 Integration of infrastructure, zoning and development**

Where zoning/rezoning of lands and the introduction of new development is being proposed within the Plan area, the Plan should ensure the adequacy of the existing water supply/wastewater treatment facilities and associated networks are assessed. This should address both capacity and performance and the potential risk to human health, water quality and water quantity. The potential impact on habitats and species of ecological importance should also be addressed as appropriate, from pressures impacting on water quality and quantity.

Zoning for development within the Plan area should be linked to availability and adequacy of water supply/waste water treatment infrastructure and capacity. The provision of adequate and appropriate infrastructure in advance of development within the Plan area should be promoted through the Plan.

The implications of Flood Risk likely to be associated with already zoned and undeveloped lands in the Plan area should also be considered. This should be considered in the context of possible rezoning options as appropriate.

The above requirements should be promoted in the Plan and as appropriate should be reflected in relevant Policies/Objectives associated with relevant Land Use and other relevant Plans within the Plan area.

## **2 BIODIVERSITY**

### **2.1 EU Protected Habitats and Species in Ireland**

The Plan should include a clear Policy to protect all designated habitats and species within the area. Refer to the Water Framework Directive Register of Protected Areas in particular those relating to biodiversity.

The Plan should include Policies/Objectives to ensure that the local authority, in fulfilling its responsibilities in the supply of services, zoning of lands and authorisation of development, addresses the threatened habitats and species identified in the National Parks and Wildlife Service Report "*The Status of EU Protected Habitats and Species in Ireland*", (NPWS, Department of the Environment, Heritage and Local Government, 2008) which occur within or adjoining the LA areas.

<http://www.npws.ie/en/media/Media,6440,en.pdf>

The Plan should refer to the requirement of the Habitats Directive ( Article 4 Paragraph 4) for the maintenance of special areas of conservation at a "favourable conservation status". In particular the Plan should include a specific Policy / Objective promoting the maintenance and as appropriate achievement of favourable conservation status of habitats and species, in association with the NPWS.

In addition, provisions should be made in the Plan to deliver insofar as is possible the requirement Article 10 to "*improve the ecological coherence of Natura 2000 by maintaining, and where appropriate developing, features of the landscape which are of major importance for wild fauna and flora*".) Further, the Plan should include a Policy/ Objective to reflect the

EPA SEA Submission

04.05.2011

provisions of Article 3, Paragraph 3 of the Habitats Directive, to “endeavour, where they consider it necessary, in their land-use planning and development policies, and in particular, with a view to improving the ecological coherence of the Natura 2000 Network, to encourage the management of features of the landscape which are of major importance for wild fauna and flora” as referred to in Article 10, namely “Such features are those which, by virtue of their linear and continuous structure (such as rivers with their banks or the traditional systems for marking field boundaries) or their function as stepping stones (such as ponds or small woods), are essential for the migration, dispersal and genetic exchange of wild species.”

The Plan should include any sites listed on the Water Framework Directive Register of Protected Areas in particular those relating to biodiversity, occurring in the Plan area.

#### **National Biodiversity Data Centre (NBDC)**

The National Biodiversity Data Centre has recently launched a new website. <http://www.biodiversityireland.ie/>. This website is to be used as a national resource, presenting data and information on all aspects of biodiversity. It also serves as a link between the NBDC knowledgebase and the provision of high quality information to improve decision making. Key features of the website include:

- Easy access to over 1 million observations of Ireland’s Wildlife
- Provisional distribution maps of 8545 Irish species presented on national Biodiversity Maps available here: <http://maps.biodiversityireland.ie/>
- A latest news feature to highlight any new developments in wildlife recording and surveying in Ireland

#### **Annex I/ Annex II /Annex IV Habitats Directive**

The Plan should also refer to the protection of Annex I and Annex II - Natural Habitats Animal and Plant Species respectively of Community Interest whose conservation requires the designation of Special Areas of Conservation and Annex IV –Animal and Plant Species of Community Interest in need of Strict Protection of “Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora” which occur within and adjoining the Plan area.

#### **Management Plans for Designated Areas**

The availability and status of Management Plans for the Natura 2000/ European sites within the Plan area, required in accordance with the Habitats Directive, should be determined. Where available, the Plan should include a specific Policy/Objective in local authority land use Plans to take into account the objectives and management practices proposed in the available Management Plans.

#### **Fisheries**

The Plans should promote the protection of designated fisheries and shellfisheries where relevant and appropriate within each Plan area and adjoining LA areas.

The Plans should promote the guidance from Inland Fisheries Ireland (formed from the amalgamation of the Regional Fisheries boards in July 2010), including where appropriate and relevant:

- *Guidelines to the Planning, Design, Construction and Operation of Small Scale Hydro Electric Schemes and Fisheries*



- *10 steps to environmentally friendly drainage maintenance*

See: <http://www.fisheriesireland.ie/Research/recent-publications.html>

#### **Mineral Abstraction and Natura 2000 Sites**

You are referred to the recent EU guidance in relation to “*Undertaking Non-Energy Extractive Activities in Accordance with Natura 2000 Requirements*” which should be taken into consideration and referenced as appropriate and relevant to the Plan.

[http://ec.europa.eu/environment/nature/natura2000/management/docs/nee\\_n2000\\_guidance.pdf](http://ec.europa.eu/environment/nature/natura2000/management/docs/nee_n2000_guidance.pdf)

#### **Wind Energy Developments and Natura 2000 Sites**

You are referred to the recent EU guidance in relation to “*Wind Energy Developments and Natura 200 sites*” (October 2010)” which should be incorporated into the Plan as appropriate and relevant at:

[http://ec.europa.eu/environment/nature/natura2000/management/docs/Wind\\_farms.pdf](http://ec.europa.eu/environment/nature/natura2000/management/docs/Wind_farms.pdf)

#### **Buffer Zones**

The Plan should promote the provision/application of appropriate buffer zones between designated ecological sites and areas zoned for development. Where the application of buffer zones is being considered, you should consult with the National Parks and Wildlife Service (NPWS) of the Department of Environment, Heritage & Local Government (DOEH&LG) with regard to their application and implementation. The relevant Regional Fisheries Board should also be liaised with where fisheries protection is a concern / objective.

#### **Appropriate Assessment**

The Plan should include a clear Policy/Objective that sets out a requirement for Appropriate Assessment Screening for new/reviewed/amended Plans or proposed projects, being prepared by the local authority for the Plan area that may have the potential to impact on Natura 2000 sites. Consideration should be given to carrying out an Appropriate Assessment screening to determine the potential for likely significant effects on Natura 2000 sites within and in the zone of influence of the plan area. Potential for cumulative / in-combination effects associated with other relevant Plans/ Programmes / Projects should also be determined.

A determination for the requirement for an Appropriate Assessment of all Land Use Plans and related variations should be made in consultation with the Department of Environment, Heritage and Local Government - National Parks and Wildlife Service, and this should be highlighted in the Plan.

The Plan should promote the application of the Guidance set out in the recent DoEHLG Publication ‘*Appropriate Assessment of Plans and Projects in Ireland- Guidance for Planning Authorities (2009)*’.

<http://www.npws.ie/en/media/NPWS/Publications/CodesofPractice/AA%20Guidance.pdf>

The Plan, should promote the setting up of procedures to ensure compliance with the requirement of Article 6 of the Habitats Directive.

#### **2.2 Non-Designated Habitats and Species**

The Plan should promote the protection non-designated habitats, species and local biodiversity features including rivers, wetlands, hedgerows, individual trees, streams, grassland, *coastal areas* etc.

The provision of appropriate buffer zones between local biodiversity features and areas zoned for development should be considered. The Plan should provide for the promotion of protection of linkages between local biodiversity features and ecological networks e.g. hedgerows, watercourses etc. Opportunities for enhancement of local biodiversity features should be promoted where appropriate.

The Plan should support / acknowledge existing Local Heritage / Biodiversity Plans and should promote the implementation of key actions set out in these Plans. Where not already prepared and adopted through County Development Plans, the Plan should promote the preparation of County and where relevant and appropriate Local Heritage/ Biodiversity Plans.

### **2.3 Habitat Mapping**

The Plan should promote the inclusion of a Policy/Objective, as appropriate, for phased and co-ordinated Habitat Mapping (including wetlands) within the Plan area.

This Habitat Mapping should be undertaken at an appropriate scale and in accordance with agreed national Habitat Mapping Methodology. This mapping should be undertaken on a phased basis and should have specific timescales assigned.

The scope of this mapping should be agreed in consultation with the National Parks and Wildlife Service – Department of the Environment, Heritage and Local Government, the Heritage Council, the relevant Regional Fisheries Board and other relevant statutory and non statutory nature conservation interest groups.

### **2.4 Alien species and Noxious Weeds**

The Plan should promote the implementation of measures to control and manage alien/invasive species (e.g. Japanese knotweed, Giant Hogweed, Zebra Mussel etc.) and noxious weeds (e.g. Ragwort, thistle, dock etc.) within the Plan area.

Invasive Species Action Plans are available for a number of species on the Invasive Species Ireland website. Information on invasive species can be found at:  
<http://www.invasivespeciesireland.com/>

The National Roads Authority has produced a report entitled the “Management of Noxious Weeds and Non-Native Invasive Plant Species on National Roads” which can be found at:  
<http://www.nra.ie/Publications/DownloadableDocumentation/Environment/file,16172,en.pdf>

In addition, the National Biodiversity Data Centre (referenced in Section 2.2) contains online maps and information showing the distribution of invasive species on a national level which should be consulted where relevant.

The measures set out in these documents should be applied at a Plan level where appropriate and could control further spread of these species at regional, county and local level.

### **2.5 Inland waters – rivers, streams, wetlands**

A relevant policy should be included to enhance biodiversity richness by protecting rivers and stream corridors and valleys by reserving riparian zones / ecological corridors, maintaining them free from inappropriate development, and discouraging culverting or realignment.

## **3 AIR, NOISE AND CLIMATIC FACTORS**

### **3.1 Noise**

The Plan should include reference to and, as appropriate, promote the implementation of Noise Directive and associated national regulations as well as the specific “measures”/ “actions” set out in or due to be set out in a proposed “ Noise Action Plans” for the relevant local authority area within the Plan area.

### **3.2 Air & Climatic Factors**

Consideration should be given to promoting specific Policies / Objectives in the Plan for the protection and improvement, as appropriate, of air quality within the Plan area, particularly in areas zoned for increased urban and transport related development.

The Plan should promote specific Policies/Objectives and associated provisions for the development and promotion of appropriate climate change adaptation and mitigation measures that can be implemented through relevant land use plans and/or specific plans e.g. Flood Risk Management Plans, Integrated Coastal Zone Management Plans etc.

The Plan should also promote the inclusion of specific Policies within local authority land use plans, which promote the integration of the implications of Climate Change at a regional and local level, in land use planning within the Plan area. In particular the Plan should refer to *Ireland's National Climate Strategy 2007 – 2012*. This is available at: <http://www.environ.ie/en/Environment/Atmosphere/ClimateChange/>

The Plan should also address how climate change might impact on the implementation of land use plans in the Plan area. In this regard you are referred to the potential impact of climate change on “increased risk of flooding” and possible “increased occurrence of drought conditions”

You are referred to *Air Quality in Ireland 2008– Key Indicators of Ambient Air Quality*, (EPA, 2009), which sets out the most recent status in each of the four air quality zones in Ireland. You are referred to this report at: <http://www.epa.ie/downloads/pubs/air/quality/>

The objectives of EU and Irish air quality legislation is “to avoid, prevent or reduce harmful effects on human health and the environment as a whole”, and the relevant local authorities, where appropriate, “shall promote the preservation of best ambient air quality compatible with sustainable development.” To this effect the Plan should include as appropriate a Policy/ Objective to ensure this requirement is complied with.

Consideration should be given to promoting specific Policies / Objectives in the Plan for the protection and improvement, as appropriate, of air quality within the Plan area, particularly in areas zoned for increased urban and transport related development.

### **3.3 Radon**

The Plan should consider the significant concentrations of radon, which may occur within the Plan area. In this context, you are referred to available Radon Maps provided by the Radiological Protection Institute of Ireland ([www.rpii.ie](http://www.rpii.ie)) with regard to assessing the risk of radon, which should be integrated as appropriate into the Plan.

## **4 ENERGY CONSERVATION/RENEWABLE ENERGY**

Consideration should be given to the inclusion in the Plan, as appropriate, of a Policy/Objective in relation to the preparation and implementation of “An Energy Conservation Strategy” and associated awareness campaign within the Plan area. Specific timescales should be assigned to the preparation of such a strategy.



The Plan should promote, where appropriate, the use of renewable energy systems (e.g. solar, wind, geothermal etc.) within the Plan area. The Plan should also provide for promotion of energy conservation measures in buildings. Relevant guidance can be found on the website of Sustainable Energy Ireland: [www.sei.ie](http://www.sei.ie)

## **5 LANDSCAPE CHARACTER ASSESSMENT**

The Plan should promote the protection of designated scenic landscapes, scenic views, scenic routes and landscape features of regional, county and local value. Where not already available the Plan should promote the undertaking of Landscape Character Assessment in accordance with the relevant Guidance from the Department of the Environment, Heritage and Local Government and the Heritage Council.

The Plan should also take into account the landscape character adjoining the Plan area. There is a need to take into account landscape features and designations adjoining the Plan area.

Consideration should also be given to promoting the requirement for an appropriate "Visual Impact Assessment" for proposed development with potential to impact adversely on significant landscape features within the Plan area. The Plan should promote the application of standard impact assessment methodology for all such development.

Consideration should also be given to the promotion of the designation, and use of, agreed and appropriate viewing points for these assessments. The scope of each assessment should be agreed in consultation with the relevant Planning Department staff.

The Plan should promote the recognition of visual linkages between established landmarks and landscape features and views which should be taken into account when land is being zoned and when individual development proposals are being assessed / considered within the Plan area.

## **6 HUMAN HEALTH / QUALITY OF LIFE**

The Plan should ensure provision of adequate and appropriate infrastructure and to serve both the existing community and likely future predicted increases in population within the Plan area.

In preparing the Plan, there would be merits in exploring current practice and opportunities with respect to promoting the protection and, as appropriate, improvement of "Quality of Life". Where relevant, the application of existing "Quality of Life Indices" would be considered in consultation with relevant statutory and non-statutory bodies/organisations.

You are also referred the relevant aspects already referred to above under water, biodiversity, air, energy.

## **7 TRANSPORTATION**

The Plan should promote and, as appropriate provide for, the provision of sustainable modes of transport. The *Department of Transport 2020 Vision – Sustainable Travel and Transport Public Consultation Document (February 2009)* should be reviewed in the context of possible initiatives which could be included as Objectives within the Plan.



## **8 TOURISM**

The Plan should promote where relevant and appropriate long term, sustainable planning for tourism within the Plan area. There may be merits in considering the promotion of the preparation of Integrated Sustainable Regional Tourism Strategy for the region.

## **9 INFRASTRUCTURE PLANNING**

The Plan should promote the integrated planning for adequate and appropriate infrastructure to service any development proposed and authorised during the lifetime of the individual land use plans within the Plan area.

In particular, the Plan should promote the provision of adequate and appropriate wastewater treatment, water supply, surface and storm water drainage, transport, waste management, community services and amenities etc. on planned and phased basis to address any current problems and/or deficits and to reflect predicted increases in population during the life of individual plans adopted within Plan area.

The Plan should promote the development of traffic management measures to reduce the potential for traffic congestion and associated vehicular emissions within the Plan area. In particular the preparation of Integrated Traffic Management Plans, where relevant and appropriate, for the *existing urban areas and proposed new urban developments should be* promoted as appropriate through the Plan. This approach should address the short, medium and long-term traffic management requirements within the Plan area.

## **10 URBAN WASTE WATER DISCHARGE LICENSING**

The Plan should refer to the requirement under The Waste Water Discharge (Authorisation) Regulations (as described in *Section 1.3 Wastewater Treatment* above) for all for all wastewater discharges, including storm water discharges which come within the scope of these Regulations to be licensed. The EPA is currently in the process of licensing discharges from wastewater treatment facilities.

## **11 WASTE MANAGEMENT**

The Plan should promote the integration of land use zoning and development to existing and planned availability of waste infrastructure and capacity. Priority should be given to provision of adequate and appropriate waste related infrastructure in advance of any development.

The Plan should seek to incorporate relevant guidance and legislation to address issues such as Waste Prevention, Food Wastes, Identification of Historic Landfill Sites, Backyard Burning, Illegal Dumping, Brown Field Development etc

The Plan should promote and incorporate the information, and any recommendations, in the following EPA reports:

- *The Nature and Extent of Unauthorised Waste Activity in Ireland (Sep 2005)* - This report sets out the findings of a nationwide investigation by the EPA's Office of Environmental Enforcement (OEE) on unauthorised waste activities in Ireland and sets out an Action Plan to deal with the issue. You are referred to the report at: <http://www.epa.ie/downloads/pubs/waste/unauthorisedwaste>
- *National Waste Report 2008* - you are referred to this Report at: <http://www.epa.ie/downloads/pubs/waste/stats/>



- *National Hazardous Waste Management Plan 2008 – 2012* – available at <http://www.epa.ie/downloads/pubs/waste/haz/>
- *Ireland's Environment 2008* – State of the Environment report - This fourth state of the environment report evaluates the state of the environment across a number of themes including, water quality, air quality and emissions, waste, chemicals, land and soil. You are referred to this report at: <http://www.epa.ie/downloads/pubs/other/indicators/irlenv/>.

## **12 ENVIRONMENTAL IMPACT ASSESSMENT (EIA)**

The Plan should highlight that under the EIA and Planning and Development Regulations certain projects that may arise during the implementation of the Plan may require an Environmental Impact Assessment. There are also requirements with regard to EIA for sub-threshold development. In this regard, you are referred to the following Publications:

- “*Guidelines on Information to be contained in Environmental Impact Statements*” EPA, 2002.
- “*Advice Notes on Current Practice in the preparation of Environmental Impact Statements*”, EPA 2003.

In addition to the above, you are referred to the Department of the Environment, Heritage and Local Government's Publication:

- “*Environmental Impact Assessment (EIA) Guidance for consent Authorities regarding sub-threshold development*”, DoEH&LG, 2003.

These documents can be downloaded at: <http://www.epa.ie/downloads/advice/ea/guidelines/>

It should be noted that the Projects would also be required to be screened with respect to the requirement for Habitats Directive Assessment/Appropriate Assessment as required by Article 6 of the Habitats Directive.

You are also referred to the recently published DoEHLG guidance available in relation to Appropriate Assessment ‘*Appropriate Assessment of Plans and Projects in Ireland*’ (DoEHLG, 2009) at:

<http://www.npws.ie/en/media/NPWS/Publications/CodesofPractice/AA%20Guidance.pdf>

## **13 STRATEGIC ENVIRONMENTAL ASSESSMENT(SEA)**

Consideration should be given to the inclusion of a specific Policy/Objective in the Plan to ensure full compliance, with the requirements of *Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment* – The SEA Directive and the associated *Planning and Development (Strategic Environmental Assessment) Regulations, 2004*.

The LA need to be cognisant of their responsibilities with respect to the SEA Directive and related SEA Regulations through the Plan. This is of relevance to County Development Plans, Town Plans, Local Area Plans including reviews, variations and amendments etc.

The Plan should promote the development and implementation of Procedures to ensure compliance with the requirements of the SEA Directive and related SEA Regulations for all Land Use Plans within the Plan area.



#### **14 OBLIGATIONS WITH RESPECT TO NATIONAL PLANS AND POLICIES AND EU ENVIRONMENTAL LEGISLATION**

The Plan should refer to the LA's responsibilities and obligations in accordance with all national and EU environmental legislation. It is a matter for the Local authorities to ensure that, when undertaking and fulfilling their statutory responsibilities, they are at all times compliant with the requirements of national and EU environmental legislation.

#### **15 EPA REPORT: IRELAND'S ENVIRONMENT 2008 "MAIN ENVIRONMENTAL CHALLENGES"**

The Plan should include relevant Policies and Objectives are included, to address, where appropriate, the "Main Environmental Challenges" for Ireland as set out in Chapter 16 – "Main Environmental Challenges" of EPA Ireland's Environment 2008 (EPA, October 2008). These are as follows:

##### Limiting and Adapting to Climate Change

1. Mitigating the causes and effects of climate change
2. Adapting to climate change impacts
3. Improving our understanding of climate change

##### Reversing Environmental Degradation

1. Preventing eutrophication and other water pollution
2. Protecting natural habitats and species populations
3. Remediation of contaminated land

##### Complying with Environmental Legislation and Agreements

1. Building of a culture of compliance
2. Enforcement of legislation at national and local levels
3. Meeting EU and other international obligations

##### Mainstreaming of Environmental Considerations

1. Incorporating environmental considerations into policies and plans
2. Ensuring environmentally responsible businesses
3. Changing behaviours

This Chapter can be downloaded at:

<http://www.epa.ie/downloads/pubs/other/indicators/irlenv/43366%20epa%20report%20chap%2016.pdf>

The LA in implementing the Plan and in fulfilling its responsibilities should ensure Plan – making authorities take into account and address, where appropriate, the relevant Environmental Challenges" set out above.



HEALTH AND SAFETY  
AUTHORITY

HSA Head Office, Metropolitan Building, James Joyce Street, Dublin 1  
Telephone: 1890 289 389 Website: <http://www.hsa.ie>

Director of Services, Planning & Economic Development,  
Wicklow County Council,  
Whitegates,  
Wicklow Town.

09/06/2011

**Re: Proposed Variation No. 1 (i) and (ii) to Wicklow County Development Plan 2010-2016: Avoca  
Settlement Plan and Donard Settlement Plan**

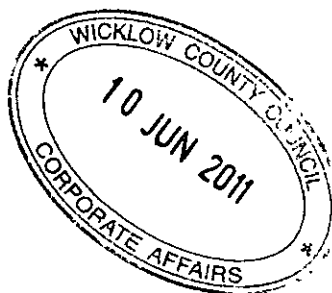
Dear Sir/Madam,

I wish to acknowledge receipt of your correspondence dated 2 June 2011, regarding the above which has  
been noted.

If you have any queries please contact the undersigned.

Yours faithfully,

*Alice Doherty*  
*Inspector,*  
*Process Industries Unit*







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30<sup>th</sup> June, 2011

Director of Services,  
Planning and Development,  
Wicklow County Council,  
County Buildings,  
Wicklow Town,

e-mail: [planreview@wicklowcoco.ie](mailto:planreview@wicklowcoco.ie)

**OPW Comments on Proposed Variation No. 1(i) to the Wicklow County Development Plan  
2010-2016 – Avoca Settlement Plan.**

Dear Sir / Madam

The OPW wishes to make the following comments on the above.

1. The Office of Public Works welcomes that a Strategic Flood Risk Assessment (SFRA) has been carried out as part of the Proposed Variation No. 1(i) to the Wicklow County Development Plan 2010-2016 – Avoca Settlement Plan, and that this variation has followed the 'Planning System and Flood Risk Management Guidelines for Local Authorities.

2. We welcome the inclusion of the the following Policy AV10 in the Proposed Variation:

It is the objective of the Council to restrict the types of development permitted in Flood Zone A and Flood Zone B to the uses that are 'appropriate' to each flood zone, as set out in Table 3.2 of the Guidelines for Flood Risk Management (DoEHLG, 2009). Developments that are an not an 'appropriate' use for a flood zone area, as set out in Table 3.2 of the Guidelines, will not be permitted, except where a proposal complies with criteria (i) and (ii) below:

(i) The development of lands for the particular use is required to achieve the proper planning and sustainable development of the settlement, and complies with at least one of the following:

- The development is located within the 'Primary Development Zone' and is essential for the achievement of the 'Zoning Objective' or for the achievement of a specific objective for these lands.
- The development comprises previously developed and/or under-utilised lands/sites, There are no suitable alternative lands for the particular use, in areas at lower risk of flooding.

(ii) The planning authority is satisfied that all of the criteria set out in the justification test as it applies to development management (Box 5.1 of the Guidelines) are complied with.

3. We would recommend that the SFRA should be updated in the future, as more flood risk information becomes available for the area. The Preliminary Flood Risk Assessment (PFRA) Mapping will be available before the end of this year, and the Catchment Flood Risk Assessment Mapping (CFRAM) will be available before the end of 2013. These flood risk mapping datasets will allow Flood Zones A and B for the area to be further refined, and this may affect the proposed zoning in the plan.

Yours sincerely,

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**Kevin Byrne**  
**Engineering Services**

8



Director of Services,  
Planning and Development,  
Wicklow County Council,  
County Buildings,  
Wicklow Town,  
Co. Wicklow.

29<sup>th</sup> June 2011

Filename: GP10-1010-068

Re: Proposed Variation No. 1 (i) and (ii) to Wicklow County Development Plan 2010-2016:  
Avoca Settlement Plan and Donard Settlement Plan

Dear Sir/Madam,

With regard to the review of the proposed variations to the Wicklow County Development Plan 2010-2016, Dublin Airport Authority makes no comment at this time.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Yvonne Dalton', written over a horizontal line.

Yvonne Dalton  
Head of Planning



An tÚdarás um Bóithre Náisiúnta  
National Roads Authority

Mr. Adrian Doyle  
Director of Services  
Wicklow County Council  
Planning and Development  
County Buildings  
Wicklow Town



9

Teach Naomh Máirtín / Bóthar Waterloo / Baile Átha Cliath 4  
St. Martin's House / Waterloo Road / Dublin 4  
Teil: / Tel: + 353 1 660 2511 Facs: / Fax: + 353 1 668 0009

Dáta | Date

21<sup>st</sup> June 2011

Ár dTag. | Our Ref.

NRA 11-82411

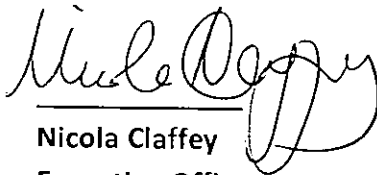
Bhur dTag. | Your Ref.

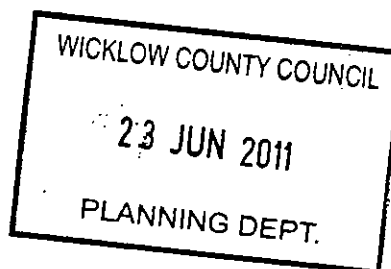
RE: Proposed Variation No. 1 (i) and (ii) to  
Wicklow County Development Plan 2010 – 2016:  
Avoca Settlement Plan and Donard Settlement Plan

Dear Mr. Doyle,

The Authority acknowledges receipt of notice in relation to proposed variation no. 1 (i) and (ii) of the Wicklow County Development Plan, 2010 - 2016. The Authority has no specific comments to make in relation to the proposed variation.

Yours sincerely,

  
Nicola Claffey  
Executive Officer



10

**Leonora Earls**

**From:** avocasmith@gmail.com on behalf of myles smith [bm39@iolfree.ie]  
**Sent:** 26 June 2011 19:01  
**To:** Planning - Development Plan Review  
**Subject:** Avoca Settlement plan 2011

39 Brook Meadow

Telephone: 0402 30814

Avoca,

Mobile: 086 2645200

Co. Wicklow.



**Date:** 29-06-2011

**To:** The Director of Services, The Planning and Development Section, Wicklow County Council

**Re:** The Avoca Settlement Plan 2011

*Acknowledged  
R.E.*

Dear Sir/ Madam

I would like to compliment the county council for doing a very thorough job in producing a very complete picture of where Avoca stands today. It is long overdue and had it been done previously might have had a positive influence on some recent developments.

The one part that does concern me is in relation to the flood risk maps. As attending with Mrs Ivers and Mr O'Neill at the community hall we discussed in detail areas known to be flood prone. Yet in some areas this is not reflected in the draft map.

As you can see from my address I live in an area which according to your map can flood up to the road in front of my house. When these houses were built it was a stipulation of planning that the green area in front of the houses 27-45 was to be raised by 1-1.5 meters

27/06/2011

hence the only area that can flood is at the bridge at the bottom of the road at Ballanagh Crescent. Of late this is less likely thanks to work done on the main road diverting the surface water from Avoca Wood and the Beech road.

The area beyond Ballanagh crescent opposite the school belonging to the co. co. is also shown to as a flood risk even though it is a good 10 m. above the river. In that area the flooding is again confined to the road and one dwelling currently unoccupied having been purchased by the council.

In both of these spots the flood risk is due to poor construction of bridges and diverting the river from its original path. Of particular interest to the council should be the lower culverts as they present a flooding risk in Ballanagh Crescent which is the only area seriously at risk, and belongs to them.

I hope the maps may be amended to reflect these issues and again I would like to congratulate you all on producing a solid report of our villages state. I would appreciate an acknowledgement of this mail as should it get lost i would send a hard copy to reach you before 4th. of July.

Yours sincerely

Myles smith

27/06/2011