

**List of persons and bodies who made submissions**

|   | <b>No. Name</b>  | <b>Agent/ Representative</b> |
|---|--|------------------------------|
|   | <b>Prescribed Bodies</b>                                   |                              |
| 1 | Environmental Protection Agency                            | Cian O Mahony                |
| 2 | Department of Education and Skills                         | Lorraine Brennan             |
| 3 | Department of Communications, Energy and Natural Resources | Carmel Conaty                |
| 4 | Regional Authority for the Greater Dublin Area             | Colm McCoy                   |

**Leonora Earls**

**From:** Cian O'Mahony [C.O'Mahony@epa.ie]

**Sent:** 26 September 2011 11:11

**To:** Planning - Development Plan Review

**Subject:** EPA Submission Re. Proposed Material Alteration - Variation No. 1(ii) to the Wicklow County Development Plan 2010-2016 - Donard Settlement Plan



1.

Dear Director,

The Environmental Protection Agency (EPA) acknowledges your notice, dated 15<sup>th</sup> September 2011, regarding the above and notes its contents.

#### **SEA Determination**

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

#### **Specific Comments on the proposed Material Alterations**

The inclusion of new objective DON40 is noted. It should be ensured that appropriate infrastructure is established in advance of permission for development being granted to ensure sustainable development of the Plan area. The inclusion of the table in *Section 4.2 Characteristics of the effects and of the area likely to be affected* in the SEA Screening Report is also acknowledged.

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

You are reminded that it is a matter for Wicklow County Council to determine whether or not any future proposed Alterations 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 Alterations, and any related amendments, variations etc. of the Plan, and in implementing the Alterations, 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 Alterations.

#### **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 Alterations for Appropriate Assessment. Where Appropriate Assessment is required, any findings or recommendations should be incorporated into the SEA and Alterations, 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.

#### **Updated SEA Regulations / Circular**

Your attention is brought to the new SEA Regulations, which should be referenced and integrated into the Plan and SEA process.

Two amending SEA Regulations were signed into Irish law on 3<sup>rd</sup> May 2011, amending the original SEA Regulations:

- European Communities (Environmental Assessment of Certain Plans and Programmes) (Amendment) Regulations 2011, (S.I. No. 200 of 2011), amending the European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004 (S.I. No. 435 of 2004), and
- Planning and Development (Strategic Environmental Assessment) (Amendment) Regulations 2011, (S.I. No. 201 of 2011), amending the Planning and Development (Strategic Environmental Assessment) Regulations 2004 (S.I. No. 436 of 2004).

You are also referred to the recent DoECLG Circular (PSSP 6/2011) issued on the 26<sup>th</sup> July 2011 to each County/City Manager, Director of Services and Town Clerk in relation to '*Further Transposition of the EU Directive 2001/42/EC on Strategic Environmental Assessment (SEA)*' which should also be referred to and integrated into the *Plan/Variation/Amendment*.

#### **Environmental Authorities**

You are reminded of the requirement, where appropriate under the SEA Regulations, and as amended by S.I. No. 201 of 2011, to give notice to the following:

- The Environmental Protection Agency
- The Minister for the Environment, Community & Local Government
- Minister for Agriculture, Marine and Food, and the Minister for Communications Energy and Natural Resources, where it appears to the planning authority that the plan or programme, or modification of the plan or programme, might have significant effects on fisheries or the marine environment
- where it appears to the competent authority that the plan or programme, or amendment to a plan or programme, might have significant effects in relation to the architectural heritage or to nature conservation, the Minister for Arts, Heritage and Gaeltacht Affairs, and
- any adjoining planning authority whose area is continuous to the area of a planning authority which prepared a draft plan, proposed variation or local area plan.

You are further reminded that a copy of your decision regarding the determination should be made available for public inspection at your offices, local authority website 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**

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

\*\*\*\*\*

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Director of Services  
Planning Department  
Wicklow County Council  
County Buildings  
Wicklow Town  
Co. Wicklow

26<sup>th</sup> September 2011

Our Ref: 110906.1

**Re. Proposed Material Alteration – Variation No. 1(ii) to the Wicklow County Development Plan 2010-2016 – Donard Settlement Plan**

Dear Director,

The Environmental Protection Agency (EPA) acknowledges your notice, dated 15<sup>th</sup> September 2011, regarding the above and notes its contents.

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You are reminded that it is a matter for Wicklow County Council to determine whether or not any future proposed Alterations would be likely to have significant effects on the environment.

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*other plans or projects, shall be subject to Appropriate Assessment of its implications for the site in view of the sites conservation Objectives...*"

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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*

2.

Ms. Sorcha Walsh  
A/Senior Planner  
Forward Planning Section  
Wicklow County Council  
County Buildings  
Wicklow

11<sup>th</sup> October 2011

**Re: Proposed Material Alteration – Variation No. 1 Wicklow County  
Development Plan 2010-2016 Donard Settlement Plan**

Dear Ms. Walsh

I refer to your letter of 15<sup>th</sup> September 2011 regarding the above mentioned proposed variation. The details have been examined and as the proposal will have no impact on population projections and education provision, the Department of Education & Skills has no comment to make at this time.

Trusting the above is in order.

Yours sincerely

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Lorraine Brennan  
Executive Officer  
Forward Planning Section

Tel: 057 9324392  
E-mail: [lorraine\\_brennan@education.gov.ie](mailto:lorraine_brennan@education.gov.ie)



3.

**Leonora Earls**

**From:** Coordination Unit [Coordination.Unit@dcentr.gov.ie]  
**Sent:** 11 October 2011 12:41  
**To:** Planning - Development Plan Review  
**Subject:** Proposed Material Alteration - Variation No.1 (ii) to the Wicklow County Development Plan 2010-2016 Donard Settlement Plan

Director of Services  
 Planning Department  
 Wicklow County Council  
 County Buildings  
 Wicklow Town

Our Ref: 6175

**Proposed Material Alteration – Variation No.1 (ii) to the Wicklow County  
 Development Plan 2010-2016 Donard Settlement Plan**

To whom it may concern,  
 With reference to correspondence dated 15<sup>th</sup> September 2011 re above.

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

Kind Regards,  
 Carmel Conaty  
 FOI Unit  
 Dept of Communications, Energy  
 & Natural Resources  
 Elm House  
 Cavan

acknowledged.  
 J.E.L.  
 13/10/2011

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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.

4.

**Leonora Earls**

**From:** Brendan Dunne  
**Sent:** 19 October 2011 10:11  
**To:** Leonora Earls  
**Subject:** FW: variation no 1 Material Alteration - Donard Settlement Plan



**From:** Sorcha Walsh  
**Sent:** 14 October 2011 16:56  
**To:** Brendan Dunne  
**Subject:** FW: variation no 1 Material Alteration - Donard Settlement Plan

-----Original Message-----

**From:** Colm McCoy [mailto:CMcCoy@dra.ie]  
**Sent:** 14 October 2011 16:35  
**To:** Sorcha Walsh  
**Subject:** variation no 1 Material Alteration - Donard Settlement Plan

Sorcha  
Please find attached my comments to the variation for your info.

**Regards**

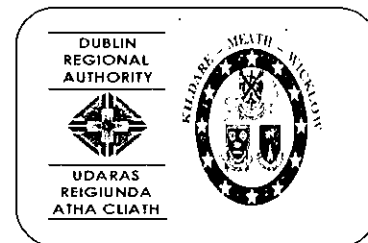
**Colm McCoy**  
RPG Officer  
Dublin and Mid East Regional Authorities  
1st Floor Mainscourt, 23 Main Street Swords Co. Dublin  
Tel: 01 807 4482  
Fax: 01 8901355  
E Mail: [cmccoy@rpg.ie](mailto:cmccoy@rpg.ie)

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*Acknowledged  
EL  
19/10/2011*

# Regional Planning Guidelines for the Greater Dublin Area 2010-2022

*Treoirlínte Réigiúnacha Pleanála do Mhórcheantar Bhaile Átha Cliath*



## Comments of the RPG Officer for the GDA

**RE: Proposed Material Alteration- Variation No. 1 (ii) of the Wicklow County Development Plan 2010-2016 Donard Settlement Plan.**

The Regional Planning Guidelines (RPGs) 2010-2022 aim to direct the future growth of the Greater Dublin Area up to 2022 by implementing the strategic planning framework set out in the National Spatial Strategy (NSS) and by supporting the forthcoming National Transport Authority Strategy. The RPGs provide a framework for, and policy guidance to, Local Authorities in the areas of settlement patterns, population and housing targets, economic development, infrastructure, rural development, flood risk, heritage and the environment and social infrastructure.

Given the nature and scale of the proposed variation, it is unlikely to give rise to any strategic impact, by itself, at a regional planning level. It is recommended however that future cumulative impacts of variations and amendments of this nature are carefully monitored to ensure the key components of the Wicklow County Development Plan core strategy and settlement strategy are not undermined.

Regards,

Colm McCoy  
RPG Officer  
Dublin and Mid East Regional Authorities  
13<sup>th</sup> October 2011

