



## Newtownmountkennedy Local Area Plan 2008



Manager's Report on submissions to proposed modifications  
November 2008

## Newtownmountkennedy Local Area Plan 2008

### Manager's Report on modifications to the draft Newtownmountkennedy Local Area Plan following the 2nd public display period

#### Contents

Part 1	Introduction
Part 2	List of persons and bodies who made submissions
Part 3	Considering the modifications and submissions

#### PART 1

##### 1.0 Introduction

This Manager's Report is submitted under Section 20(3)(c) of the Planning & Development Act 2000; it is part of the formal statutory process of 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 opinion of the Manager on all proposed modifications (whether or not any submissions were received thereon), taking into account the proper planning and sustainable development of the County and any relevant policies or objectives of the Government or Government Minister and the issues raised in any submissions.

As a number of the submissions received did not relate to any specific modifications, some submissions may be listed in Part 2 of this Report, but not in Part 3.

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 1<sup>st</sup> December 2008.

##### 1.1 Next Steps

In accordance with Section (3) (g) (ii) of the Planning & Development Acts 2000-2006, following consideration of the Manager's Report, the LAP shall be deemed to be made or amended, as appropriate, with the modifications proposed by the Elected Members or, if different from that modification, the modification as recommended in the Manager's Report, 6 weeks after the furnishing of the report to all the Elected Members, unless, where such a recommendation for a different modification is so made, the Elected Members, by resolution, decide to make or amend the plan otherwise than in accordance with that recommendation (and the modification the Elected Members so decide upon shall be the original modification proposed by them, subject to such amendment of it as they consider appropriate).

##### Development Plan Timetable

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

##### Local Area Plan timetable

8 <sup>th</sup> September 2008	Council meeting Elected members resolved to modify draft plan
17 <sup>th</sup> September 2008 -15 <sup>th</sup> October 2008	Notice of modifications published Modifications on public display Submissions invited
16 <sup>th</sup> October 2008- 7 <sup>th</sup> November 2008	Evaluation of submissions and preparation of Manager's Report
9 <sup>th</sup> November 2008	Manager's report issued to members for consideration
1 <sup>st</sup> December 2008	Council meeting Plan to be adopted with / without modifications
21 <sup>st</sup> December 2008	Plan comes into effect

**PART 2 List of persons and bodies who made submissions**

	<b>Name</b>	<b>Agent/representative</b>
1	Bord Gais	William Kearney
2	Department of Education & Science, (DES)	George Carolan
3	Department of the Environment, Heritage & Local Government, (DEHLG)	Patrick O'Sullivan
4	Department of Communications, Energy & Natural Resources, (DCENR)	Frances Heaslip
5	Department of Transport	Bronagh Treacy
6	National Roads Authority (NRA)	Michael McCormack
7	Wexford Town Council	Eddie Taaffe
8	Foley, T.J.	Frank O'Gallachoir & Associates
9	Foley, T.J.	Frank O'Gallachoir & Associates
10	Greystones & District Chamber of Commerce	Noel P Geraghty
11	Hefferon, J & Ashe, R	Reid Associates
12	Kavanagh, Gerard	
13	McDonagh, Brian, Kenneth & Maurice	Auveen Byrne & Associates
14	Newtown FC	Sandra Hart
15	Newtownmountkennedy GAA	Bernard Burke architecture
16	Profile Properties	McGill Planning Ltd
17	Town Park Estates	Stephen Little & Associates

**PART 3 Considering the submissions and modifications**

<b>Modification No. 1</b>	
Amend Part B, Section 4 – Residential development (6 <sup>th</sup> bullet point)	
<b>Name</b>	<b>Submission</b>
Greystones Chamber	There is no need to limit estate sizes and designers / planners ought to be able to determine the appropriate sizes of estates on individual sites
<b>Manager's Response</b>	
The number 100 houses / 200 apartments was derived after undertaking review of new estates and large developments in the area. It is considered reasonable and any number of above this has tended to result in excessively large, monotonous and repetitious developments with no sense of identity. There appears to be an unwillingness or inability of the part of designers / developers to alternative design, materials, height and layout to provide for visual diversity in housing areas, and market demand for standard houses is often cited as the reason. It is considered that this objective will require developers to be more imaginative in the designs and layout and foster strong new communities with a sense of identity.	
<b>Managers Recommendation</b>	
No change	

<b>Modification No. 2</b>	
Amendments to Map 1 to include Kilpedder Employment Zone in the LAP boundary Revisions to Part B: Section 5 - Employment	
<b>Name</b>	<b>Submission</b>
DEHLG	<p>1. The proposed revisions to employment provision and policies do not alter the position of the DEHLG as set out in its original submission to the plan i.e.</p> <ul style="list-style-type: none"> <li>- excessive amount of land is proposed for employment zoning. This quantity of zoned employment land is not in accordance with the role of the Newtownmountkennedy as set out in the Regional Planning Guidelines for the Greater Dublin Area 2004-2016 and would undermine the take-up of employment land in nearby higher order settlements which are specifically identified as employment growth towns, namely Greystones, Bray and Wicklow Town.</li> <li>- excessive employment zoning at the N11 interchange could compromise the efficient operation of the interchange</li> <li>- enterprise development at the scale proposed and in particular at the interchange would almost certainly result in unnecessary amount of extra CO<sub>2</sub> being produced and energy consumed</li> <li>- the AA2 zone appears to fall outside of the boundary of Newtownmountkennedy as set out in Map 17B of the County Development Plan and it would appear that this zoning would therefore be at variance with the County Development Plan</li> </ul> <p><b>The DEHLG recommends that Wicklow County Council reviews its proposals regarding the zonings in Action Area 2 (Garden Village) and Action Area 4 (old weighbridge site)</b></p> <p>2. Part B, Section 5 – “policies / objectives” should make it clear that the AG* zone is an agricultural zoning strictly with an option limited to the life of the current County Development Plan for employment development. Without the inclusion of these two issues (agricultural objective and limited duration) clearly into this part of the plan there would be a lack of clarity that agriculture is the primary land use unless the option is exercised during the life of the current County Development Plan The AG* zone also falls outside of the Newtownmountkennedy boundary as shown in Map 17B of the County Development Plan and it would appear that this zoning would therefore be at variance with the County Development Plan</p> <p>3. As set out in the DEHLG original submissions, the LAP should include objectives with regard to energy and GHG minimization.</p>

NRA	<p>1. The NRA re-iterates its original objection to the employment zoning at Garden Village and road objectives set out in the draft plan (including improvements to the Ballyronan Interchange)</p> <p>2. The proposed land use zoning at Garden Village and Kilpedder and associated road objectives should be subject to an appropriate strategic transport assessment to assess the ability of the local road network to accommodate the local traffic demand and to identify measures to direct local traffic away from the national road network. This could be included as a policy / objective in the final plan</p> <p>3. Other issues raised by the NRA in its original submissions with regard to traffic and transport assessment, road safety audits and environmental noise should also be reconsidered</p> <p><b>The NRA recommends that Wicklow County Council reviews its proposals regarding the zonings and road objectives related to the N11 interchange.</b></p>
Greystones Chamber	Supports the provision of employment uses and suggests that the permitted uses in AA2 be expanded to include retail warehouses and outlet centres
McDonagh, Brian, Kenneth & Maurice	<p>1. The proposed boundary modification is welcomed and the final plan map should clearly show the lands within the plan boundary</p> <p>2. The inclusion of the road objective to the lands is welcomed</p> <p>3. The lands should be zoned E rather than AG* (which allows for a wider range of uses) and this would not be inconsistent with the County Development Plan as Table 6.1 of the County Development Plan states that all the employment zones shown in the table have an "E" zoning which allows for "industrial, transport, distribution, warehouse or retail warehouse development"</p> <p>4. The designation of the lands as "E" would extend the life of the zoning to the life of the LAP and this would not be inconsistent with the County Development Plan because the owners intend to request that the lands be rezoned for "E" use in the next County Development Plan and because in the event that the option zoning is not carried forward into the next County Development Plan, any zoning of the land in the LAP would cease to have effect</p> <p>5. The land-use matrix is not consistent with the proposed zoning in that a number of uses that would be allowable in a business, office, science and technology park are not indicated as being "permitted in principle"</p> <p>6. The proposed new text in Section 5 of the plan is not consistent with the Regional Planning Guidelines, as the RPGs do not limit employment provision in moderate growth towns to a local role only.</p>
Profile Properties	Welcomes the designation of lands at Garden Village as a "service employment zone" but requests a wider range of uses be allowable



**Manager's Response**

1. Section 8 of Part A of draft LAP sets out the background and rationale for employment zoning. In accordance with the role envisaged by the Regional Planning Guidelines for Newtownmountkennedy, the draft Plan seeks to enhance Newtownmountkennedy's role as a nucleus for local enterprise and to accommodate all its citizens, and those of its hinterland to be able to work locally, without having to travel more than moderate distances to work. The public consultation process and Wicklow County Council Enterprise and Corporate Services Directorate identified that demand exists for local employment. The type of employment envisaged is typically service based, with some light industry. In this regard, it was calculated that the 2016 population of 6,000 persons would generate a need for 26.5ha of employment development. As there already exists 10.8ha of zoned land in the settlement, a requirement to zone an additional 15ha was identified. As employment land has traditionally been slow to be released, a market factor of 60% was considered prudent and c. 25ha of additional lands were proposed for employment zoning (Garden Village and old weighbridge sites). The Department of the Environment, Heritage and Local Government considers that a market factor of 33% is more in order for such a town, given its role in the regional settlement hierarchy. It is considered that the 60% applied is reasonable and it was already recommended in the 1<sup>st</sup> Manager's Report that a new policy be included in the plan to ensure that notwithstanding the amount of zoned land, the amount of employment development permitted would be controlled and limited to ensure that it did not expand beyond the needs and role of Newtownmountkennedy as computed in Part A; that is the amount of lands that will be granted permission will be limited to the quantity of land calculated net of the market factor. The DEHLG's view of market factor is not supported by our particular experience in Co. Wicklow; for example, the almost complete lack of employment development in Greystones over the past decade underlines the necessity of having a realistic market factor.
2. It is agreed however that the inclusion of the Kilpedder employment zone in the LAP would result in an excessive amount of employment zoned land in the settlement and would be contrary to the role of Newtownmountkennedy in the County settlement hierarchy and Regional Planning Guidelines and would undermine the take-up of employment land in nearby higher order settlements which are specifically identified as employment growth towns, namely Greystones, Bray and Wicklow Town.
3. It is not agreed that the draft plan would increase dependency on private car transport or use of the N11. New zoning recommendations were made on the basis of proximity to the existing town centre and established housing areas, in order to attempt to reduce the need for car borne transport. All proposed employment areas are served by the public transport network (Dublin Bus) including the proposed new zoning at Garden Village. New road infrastructure proposed in the plan area is designed to improve the operation and safety of the interchange thereby increasing the theoretical capacity of both the interchange and the N11. Furthermore, the proposed local road improvements will provide better linkages within and between existing settlements and between settlement and the N11, (thereby facilitating long distance travel) and not encouraging use of the N11 for local trips. The arguments made by the DEHLG and the NRA that the location of employment land close to the interchange would impact upon the efficiency of the N11 are plausible, but not fully accurate. The impact on the N11 and its interchange would be identical if the land was designated elsewhere within Newtownmountkennedy; the fact that a vehicle would have to drive a further 1km to reach a facility would have no impact on a driver's decision to use the N11 or its junction.
4. It is agreed however that the inclusion of the Kilpedder employment zone in the LAP is likely to compromise the efficient operation of the interchange as there would only be one possible route to access the lands, that being from the interchange. In contrast, the Garden Village employment zone would have access from Newtownmountkennedy and Kilcoole via local road L1048 (Newtownmountkennedy – Kilcoole) and from Kilcoole via local road L5047 (Ballyronan Road).
5. Map 17B of the County Development Plan is a large-scale map showing 'Regional & County Road Improvements'. This map shows the entire northern half of the County and although it marks the location of Bray, Greystones, Kilcoole, Newtownmountkennedy, Ashford, Wicklow and Blessington, it shows only the LAP boundaries for Newtownmountkennedy and Kilcoole (as per the plans that were applicable at the time of the adoption of the County Development Plan in 2004). This map does not purport to show town / development boundaries – it shows these settlements for reference purposes only to allow an understanding of the location and routes of the regional and county road improvements shown. Therefore

the proposed alterations to the LAP boundary of Newtownmountkennedy are not considered to be inconsistent with Map 17B of the County Development Plan

6. The proposed modification to the LAP (i.e. the designation of the Kilpedder lands as AG\*) makes it clear that this land is zoned for agricultural uses with an option for the life of the County Development Plan 2004-2010 to provide for a business, office, science and technology park
7. The AG\* zoning proposed is completely consistent with the County Development Plan and LAP's are required to be consistent with their parent document.
8. The County Development Plan states that zoning objective E applies to all the sites listed in Table 6.1 of the County Development Plan **except where otherwise specified**. In the case of the Kilpedder lands, it is specified that the use of the land is restricted to "business, office, science and technology park set in open parkland with extensive landscaping, a high architectural standard of layout and building design with low site coverage".
9. Retail warehousing and outlet centres are not considered to be acceptable uses in the AA2 or Kilpedder zones as these locations would not comply with the Retail Planning Guidelines or County Development Plan retail policies.
10. It is considered that issues relating to energy efficiency, greenhouse gas emissions and CO<sub>2</sub> emissions are more correctly dealt with through the County Development Plan and national Building Regulations.

**Managers Recommendation**

This modification is opposed to for the following reasons:-

1. The Kilpedder employment zoning is a stand-alone zoning in the County Development Plan 2004-2010 and may be developed under the provisions and in compliance with that plan. The proposed inclusion of these lands in the Newtownmountkennedy LAP boundary would effectively result in a market factor of 275% in employment zoned lands in the settlement, contrary to good planning practice, the advice of the Department of the Environment, Heritage and Local Government and the role of Newtownmountkennedy in the Regional Planning Guidelines for the Greater Dublin Area 2004-2016 hierarchy
2. The inclusion of these lands in the LAP boundary in no way alters the zoning or uses allowable in the zone
3. These lands only have the benefit of an option zoning for employment development, which will cease at the end of the current County Development Plan in 2010 (unless re-instated). This type of zoning is contrary to the Regional Planning Guidelines for the Greater Dublin Area 2004-2016 being located outside of a designated settlement, in the hinterland area.

**Therefore it is recommended that this modification is not adopted**

**Modification No. 3**

Addition of new policy in Part B: Section 5 - Employment

Name	Submission
Greystones Chamber	This modification should be deleted and the market allowed to dictate the pace of development

**Manager's Response**

This proposed policy will require the Development Management process to monitor the granting of permissions on employment lands to ensure that such development is sustainable and meets the needs of the area. This is necessary as the plan proposed to zone more lands to those strictly required to meet the employment needs of the settlement (through the implementation of a "headroom" or "market factor"). Were all proposed employment lands developed for employment use, Newtownmountkennedy would become an attractor for workers from outside its catchment and would undermine the take-up of employment land in nearby higher order settlements which are specifically identified as employment growth towns, namely Greystones, Bray and Wicklow Town.

**Managers Recommendation**

No change

<b>Modification No. 4</b>	
Addition of new policy in Part B: Section 7 – Community Infrastructure	
<b>Name</b>	<b>Submission</b>
Greystones Chamber	Supports this modification
<b>Manager's Response</b>	
This proposed policy will require the Community & Enterprise Department of Wicklow County Council will meet on an annual basis with sporting clubs, community groups and other similar bodies who are active in the area covered by this plan. There is no objection to the inclusion of such a policy in the plan.	
<b>Managers Recommendation</b>	
No change	

<b>Modification No. 5</b>	
Amendments to Map 1 to include change zoning of Newtownmountkennedy GAA from AOS to ITLR (integrated tourism, leisure and recreational use)	
Revisions to Part B: Section 7 – Community infrastructure	
<b>Name</b>	<b>Submission</b>
Newtownmountkennedy GAA	<ol style="list-style-type: none"> <li>1. Request that the GAA lands be decoupled from the balance of the ITLR lands contained in Map 32 of the County Development Plan</li> <li>2. Request that outlet centres be permitted in the ITLR zone as this would complement tourism uses</li> <li>3. Suggest that the lands shown in the Map 32 of the County Development Plan be included as possible alternative locations for the GAA and in particular, that playing pitches be allowed in the ITLR zone</li> </ol>
Greystones Chamber	Welcomes the rezoning of the GAA lands but integrating it with the existing ITLR lands will restrict the ability of the GAA to develop as they will be dependent on one party moving forward. Consider the outlet centres should be allowed in this zone
Newtown FC	Welcomes this modification. The location of the proposed new GAA facility should be indicated on the plan
<b>Manager's Response</b>	
<ol style="list-style-type: none"> <li>1. In the first instance, this modification is opposed as it is considered that the GAA lands should remain designated as Active Open Space until the needs and future plans of all sporting organisations in the area are determined.</li> <li>2. If this modification is however to be accepted, it is strongly advised that the new ITLR site should remain connected to the existing ITLR zone surrounding the site, as to separate them would allow the GAA site to be developed as a stand alone commercial entity, distant from the town centre, on an inadequate road network, without a tourism facility to serve. The site would not be of sufficient size on its own to provide for a meaningful tourism, recreational and commercial facility.</li> <li>3. Outlet centres that are not specifically linked to an established or planned tourism facility are essentially out-of-town shopping centres, contrary to the provision of the Regional Planning Guidelines for the Greater Dublin Area 2004-2016, the Retail Planning Guidelines and the County Development Plan retail strategy. Section 94 of the Retail Planning Guidelines states that retailing should be generally directed to existing settlements and development in the countryside should be resisted. Exceptionally, retail facilities outside the development limits of settlements and beyond green belts could be acceptable in the following circumstances <ul style="list-style-type: none"> <li>• A shop which is ancillary to activities arising from farm diversification</li> <li>• A shop designed to serve tourist or recreational amenities and secondary to the main use</li> <li>• A small scale shop attached to an existing or approved craft workshop retailing the product directly to the public</li> <li>• A small scale shop designed to serve a dispersed rural community</li> </ul> </li> <li>4. It is not within the remit of this LAP to make alterations to a zoning contained in the County Development Plan and therefore it is not possible to show or allow pitches in the ITLR zone without making a variation to the County Development Plan</li> </ol>	
<b>Managers Recommendation</b>	
It is recommended that this modification is not adopted	



<b>Modification No. 6</b>	
Amendments to Map 1 to change circa 5ha on the Kilcoole Road from AOS to AG Revisions to Part B: Section 7 – Community infrastructure	
<b>Name</b>	<b>Submission</b>
TJ Foley	Approximately 1.8ha of this field should be zoned R2 (To protect, provide and improve residential amenities at low to medium densities of 10/ha max) and this land integrated into AA3, the remainder to stay AG
Greystones Chamber	Supports this modification
Newtown FC	This land should remain AOS until the needs of all sporting organisations are accommodated
<b>Manager's Response</b>	
<p>This land was originally proposed for AOS zoning in the draft plan. Part A of the draft identified a need for c. 6ha of additional AOS in the settlement. However, a total of 21.5ha was proposed for AOS zoning in the draft plan, in order to ensure that sites were marked for the longer term and to ensure delivery of sites. However, it was agreed in the 1<sup>st</sup> Manager's Report that there is no necessity for this 5ha site on the Kilcoole road, being peripheral to the settlement, on a poorly aligned stretch of road, with poor linkages back to the town. It was recommended in the 1<sup>st</sup> Manager's Report that this AOS zone returns to the existing AG zoning and this is still the Manager's recommendation.</p> <p>The proposal to zone part of this land as R2 cannot be considered at this stage as these are new proposals that were not the subject of the modification and Wicklow County Council is statute barred from considering anything that was not the subject of a modification.</p>	
<b>Managers Recommendation</b>	
No change	

<b>Modification No. 7</b>	
Reduction in area of CE zone in Moneycarroll from 5.5ha to 4.7ha	
<b>Name</b>	<b>Submission</b>
Department of Education & Science	The Department has no objection to the proposals to reduce the amount of reserved land at Moneycarroll from 5.5ha to 4.7ha on the basis that it will be a multi-campus facility
TJ Foley	Requests that the 0.8ha omitted from the CE zone be re-instated (in the ownership of Paul & Margaret Byrne, Trudder) and an alternative area of 0.8ha be removed from the CE (the alternative area being in the ownership of TJ Foley); request that this land be zoned R1 (new residential)
Greystones Chamber	Supports this modification
<b>Manager's Response</b>	
<p>Under the 2002 LAP, 3.8ha (under the ownership of Mr. Foley) was zoned for Educational use. It was determined through reference to the Department of Education &amp; Science's standards for new schools that this site would not be of sufficient size to accommodate a school campus. It was originally recommended that this zone be extended to 5.5ha through expansion of the zone in the southwards direction, taking in previously unzoned agricultural land (owned by Foley / Byrne). It was agreed in the 1<sup>st</sup> Manager's Report that this should be reduced to 4.7ha. The Department of Education &amp; Science concurs with the Manager's recommendation that the school campus site in Moneycarroll should be reduced to 4.7ha. This reduction was facilitated by bringing the zoning line back to a logical location, that is, the field boundary along the southern side of the zone.</p> <p>There would be no logical reason to expand this zone back in a southwards direction and omit 0.8ha from the western part of the site, as the resulting site would have an irregular shape and may lead to development difficulties particularly having regard to the need to provide regular shaped playing fields.</p> <p>The proposal to zone part of the CE land as R1 cannot be considered at this stage as these are new proposals that were not the subject of the modification and Wicklow County Council is statute barred from considering anything that was not the subject of a modification.</p> <p>Furthermore, there is no justification for the zoning of additional land for residential use. The population projections (which are in accordance with the County Development Plan 2004) and calculations of required land zoning are set</p>	

out in Part A of the plan. The quantity of zoned land required takes into account the 2006 census population, permissions granted and constructed since 2006 and existing permissions, which have yet to begin construction. These sections clearly set out the process under which it was determined what land requirements were needed in order to accommodate the projected population in 2016. The calculations also provide for an "excess factor" and substantial "headroom", given the location of the settlement, its designation as a Moderate Growth Town in the Regional Planning Guidelines and the demand for housing.

**Managers Recommendation**

No change

**Modification No. 8**

Amendments to Part B: Section 7 – Community infrastructure

Name	Submission
Greystones Chamber	Supports this modification

**Manager's Response**

This modification was recommended in the 1<sup>st</sup> Manager's Report.

**Managers Recommendation**

No change

**Modification No. 9**

Amendment to Part B: Section 8 – Transportation  
Addition of new road objective (link road to proposed AG\*lands)

Name	Submission
Dept of Transport	The possibility of this link road being extended into Kilpedder should be investigated, allowing a non-N11 link from Newtownmountkennedy to Greystones
NRA	The NRA is concerned that the new road objective will have a significant impact on the operation of the Ballyronan Interchange, individually and cumulatively with other listed road improvement objectives
Greystones Chamber	Alternative route for link road between Garden Village and Kilcoole route proposed (Note: This modification does not relate to this road and therefore this point is invalid)

**Manager's Response**

As proposed, the link road from the Ballyronan interchange to the AG\* zoned lands would serve only to provide access to this site and would not provide any new linkages / routes between existing developed areas. In this regard, it is not considered necessary to include this road objective in the LAP as it does not serve any strategic function, in essence it would be a private roadway to a private development. A LAP would not normally include such a road as an objective in a plan.

If this road could be extended into Kilpedder village allowing the closure of the existing hazardous N11 junction a significant benefit would accrue to the area, allowing direct linkage from Newtownmountkennedy to Kilpedder / Willowgrove and Greystones via the Greystones SAR, thus reducing the use of the N11 for local trips. However, this has not been proposed in this modification, and to extend this modification to include a line that would entail the demolition of buildings and possibly dwellings would be new proposals that were not the subject of the modification and Wicklow County Council is statute barred from considering anything that was not the subject of a modification.

**Managers Recommendation**

**It is recommended that this modification is not adopted**

**Modification No. 10**

Revisions to Part B: Section 9 - Infrastructure

Name	Submission
DCENR	DCENR welcomes this modification
Greystones Chamber	Suggests that the plan includes an objective to 'fast track' the new WWTP at Leamore

**Manager's Response**

This modification was recommended in the 1<sup>st</sup> Manager's Report. This is a land use plan, and it is not appropriate

to put in objectives for fast-tracking one piece of infrastructure over another
<b>Managers Recommendation</b>
No change

<b>Modification No. 11</b>	
Part B: Section 9 – Services Infrastructure – add new objective re energy performance	
<b>Name</b>	<b>Submission</b>
Greystones Chamber	This objective should be deleted and Government policy be allowed to dictate control in this area
<b>Manager's Response</b>	
While it is considered that issues relating to energy efficiency are more correctly dealt with through the County Development Plan and national Building Regulations, there is no objection to this proposed modification.	
<b>Managers Recommendation</b>	
No change	

<b>Modification No. 12</b>	
Amend Action Area 2	
<b>Name</b>	<b>Submission</b>
Greystones Chamber	1. Neighbourhood centre should be increased to 2,000sqm 2. The E and AOS zones should not be restricted to a particular side of the new road 3. An alternative route for the link road should be included in the plan 4. Service stations, retail warehouses and outlet centres should be allowed in this area
Newtown FC	1. AOS zone should not be located on the west side of the action area. It would be better located adjacent to the N11 thus freeing up undevelopable sterilised land 2. The plan should require the developer to agree the layout of the park area prior to any development
Profile Properties	1. The range of uses allowable in the E zone of AA2 should be expanded to include retail warehousing and tourist outlet / retail village uses. Profile Properties would be happy to accept a restriction of the size or land take of such retail use in order to ensure that it remain ancillary to the main employment use of the site 2. As the final route of the link road through AA2 is yet to be determined, it is requested that employment uses be allowed to occur on either side of the road, subject to the same 20ha cap as currently proposed 3. It is requested that the range of uses allowable in the AOS zone be expanded to include commercial recreational uses such as gyms, leisure centres, indoor sports halls and garden centres. Profile Properties would be happy to accept a restriction of the size or land take of such uses in order to ensure that it remain ancillary to the main employment use of the site
Town Park Estates	1. Welcomes the increase in the allowable size of the neighbourhood centre from 500sqm to 1,000sqm 2. Request that the MU zone be decoupled from AA2 as a neighbourhood centre of this size could be supported by the existing Garden Village housing area alone and the tie in the remainder of the AA2 lands could result in significant delay to the development of the MU zone

<b>Manager's Response</b>	
<ol style="list-style-type: none"> <li>1. The purpose of the neighbourhood centre in AA2 is to serve the immediate catchment of the existing residential area (Garden Village) and the future employees in the AA2 employment zone. It is intended only to provide a 'top-up' shopping function and not replace Newtownmountkennedy town centre as the principle destination for local shopping. In this regard, the Retail Planning Guidelines define a neighbourhood centre as a 'small groups of shops, typically comprising a newsagent, small supermarket / grocery store, sub-post office and other small shops of a local nature serving a small, localised catchment population'. In this regard 1,000sqm of retail floor space (as proposed in this modification) would be in excess of the needs of the local catchment and would draw trade away from the town centre and other existing retail areas.</li> <li>2. A neighbour centre of the size currently proposed (1,000sqm) would provide retail floor space over and above the needs of residents of Garden Village (and its immediate environs) and it is considered that a neighbourhood centre at this location would only be viable with the trade provided by the employees and users of the proposed employment zone in AA2. Therefore it is considered necessary to link the</li> </ol>	

development of this centre with the wider action area.

3. Retail warehousing and outlet centres are not considered to be acceptable uses in AA2, as this location would not comply with the Retail Planning Guidelines or County Development Plan retail policies.
4. It was the recommendation of the 1<sup>st</sup> Manager's Report that service stations be allowed in the E zone (Modification 19)
5. The E and AOS zones are not restricted to either side of the proposed new link road. It is clearly stated in the draft plan that *"the position, location and size of the land use zonings shown. ....within each action area are indicative only and may be altered in light of eventual road and service layouts, detailed design and topography"*. The landowners within this Action Area can propose land uses to the amount specified in this Local Area Plan anywhere within the Action Area, subject to the agreement of the Planning Authority. The land adjacent to the N11 is not undevelopable sterilised land. A set back of only 20m is required from the metalled edge of the road carriageway.
6. As set out in the draft plan, the developer will be responsible for making the AOS ready for further development by sports clubs. It is not considered reasonable to require the developer to complete a full fit out of the AOS space. The purpose of this zone is to ensure for the future that there will be sufficient active open space for playing pitches in the settlement, rather than for the provision of private gyms / leisure centres
7. The route shown for the link road is indicative only and may be altered following the road design process, with the agreement of the Planning Authority

#### Managers Recommendation

It is recommended that the modification be accepted with the following amendments:-  
(old text in ~~blue strikethrough~~ and new text in red)

A neighbourhood centre not exceeding 2-storeys in height and 1,000sqm in gross floor area shall be provided. This neighbourhood centre shall provide a range of neighbourhood services, including retail, **services and community facilities**. ~~with no single retail unit exceeding 400sqm~~ **The total retail floor space shall not exceed 500sqm and one unit may extend to 250sqm (max) with the remaining space being occupied by a number of smaller retail units (none of which shall exceed 100sqm). Non-retail services (e.g. café's, banks, solicitors, estate agents, surgeries etc) and community facilities (e.g. crèches, meetings rooms) shall be provided in the remainder.**

#### Modification No. 13

Amendments to Action Area 3 (Main Street – Kilmacullagh)

Name	Submission
TJ Foley	1. Requests that c. 3.4ha currently proposed for R2 (low density residential) zoning be changed to OS as this land is sloping and home to a number of protected trees and is therefore not suitable for development 2. Requests that AA3 boundary be expanded to include c. 3.4 of agriculturally zoned land and for this land to be zoned R2
Greystones Chamber	Supports this modification
Hefferon, J & Ashe, R	1. Request that the residential lands in the action area be zoned R3 (higher density) 2. Request that the restriction on apartments in the R zone be lifted
Kavanagh, G	The R zone in AA3 should be zoned OS and developed as a public park

#### Manager's Response

The modification that was proposed to AA3 comprises only

- correction of a typing error to render it clear that the residential lands in AA3 are proposed for low rather than high density development
- expansion of the uses allowable in the old Mill

Proposals to expand the action area by 65% and zone previously unzoned lands (Foley submission) are new

proposals that cannot be considered at this stage. Wicklow County Council is statute barred from considering anything that was not the subject of a modification.

The residential lands in AA3 were never envisaged as being suitable for high density development as parts of this zone are not suitable for housing development due to the presence of protected amenity trees on the site. It is envisaged that this area would be developed at lower densities to allow generous set backs from the trees and from the river and also to provide for an alternative form of housing in the settlement, which is generally characterised by higher density housing estates. For the same reasons, apartments are not considered suitable for this R zone. Apartments and higher density development is allowable in the TC part of this action area.

**Managers Recommendation**

No change

**Modification No. 14**

Amendment to Map 1 – change AOS zone in AA5 to AG  
Amend text of AA5

<b>Name</b>	<b>Submission</b>
Greystones Chamber	Supports this modification
Newtown FC	This land should remain AOS until the needs of all sporting organisations are accommodated

**Manager's Response**

This land is proposed for AOS zoning in the draft plan having regard to (a) its proximity to existing and proposed residential areas, (b) its topography which renders it suitable for sports uses and (c) its proximity to Newtownmountkennedy GAA (although its use would not be restricted to use by the GAA). Until the needs of all sporting organisations in the town have been accommodated, it is not recommended that that AOS zoning be omitted.

**Managers Recommendation**

**It is recommended that this modification is not adopted**

**Modification No. 15**

Add new zoning objective AG\*

<b>Name</b>	<b>Submission</b>
Greystones Chamber	Supports this modification

**Manager's Response**

This zoning is not considered necessary as the lands in question are zoned in the County Development Plan 2004

**Managers Recommendation**

**It is recommended that this modification is not adopted**

**Modification No. 16**

Add new zoning objective ITLR

<b>Name</b>	<b>Submissions</b>
Greystones Chamber	Outlet centres should be allowed in this zone

**Manager's Response**

It is considered that the AOS zoning of the GAA should be retained and therefore this zoning is not necessary. The proposal to allow 'outlet centres' in the ITLR zone cannot be considered as this would be a new proposal that was not the subject of the modification and Wicklow County Council is statute barred from considering anything that was not the subject of a modification.

**Managers Recommendation**

**It is recommended that this modification is not adopted**



<b>Modification No. 17</b>	
Corrections to land-use matrix to allow residential development in the TC zone	
<b>Name</b>	<b>Submission</b>
Greystones Chamber	Supports this zoning and suggest two further matrix changes (retail warehousing and outlet centres to be allowed in E zone and service garages to be allowed in MU zone)
<b>Manager's Response</b>	
This modification was proposed in the 1 <sup>st</sup> Manager's Report Wicklow County Council is statute barred from considering any further modifications that were not the subject of a modification.	
<b>Managers Recommendation</b>	
No change	

<b>Modification No. 18</b>	
Insert footnote into matrix to clarify that residential development is allowed in AG zone under SS9 only	
<b>Name</b>	<b>Submission</b>
Greystones Chamber	Supports this modification
<b>Manager's Response</b>	
This modification was proposed in the 1 <sup>st</sup> Manager's Report	
<b>Managers Recommendation</b>	
No change	

<b>Modification No. 19</b>	
Amend matrix to allow petrol stations in E zone	
<b>Name</b>	<b>Submission</b>
Greystones Chamber	Supports this modification
Town Park Estates	Petrol stations should be allowable in the MU zone
<b>Manager's Response</b>	
As the amendment of uses allowable in the MU zone was not the subject of this or any other modification, the request cannot be considered. Wicklow County Council is statute barred from considering any further modifications that were not the subject of a modification.	
<b>Managers Recommendation</b>	
No change	

<b>Modification No. 20</b>	
Omission of N11 buffer zone	
<b>Name</b>	<b>Submission</b>
Dept of Transport	The Dept queries the safety implications of this modification and what replacement buffer would be applied
Greystones Chamber	Supports this modification
<b>Manager's Response</b>	
The 100m buffer was recommended for omission in the 1 <sup>st</sup> Manager's Report, as a 100m set back does not apply to all development adjacent to the N11, only to residential development. In accordance with Chapter 9, Section 6.1.6 of the County Development Plan 2004, "the Council may allow a reduction in the building lines in Table 9.1 where the National Road is adjacent to employment zoned lands or runs through employment zoned lands. No development other than landscaping shall be allowed within 20 metres of the edge of the hard-paved surface of a National road. The minimum building lines will be adhered to except in cases of infill housing".	
<b>Managers Recommendation</b>	
No change	