



Comhshaol, Oidhreacht agus Rialtas Áitiúil  
Environment, Heritage and Local Government



1 October 2010

Mr. Eddie Sheehy,  
County Manager,  
Wicklow County Council,  
Aras An Chontae,  
Cill Mhantáin.

**Re: Wicklow County Development Plan 2010-2016**

Dear Mr. Sheehy,

I am directed by Mr. Ciarán Cuffe, T.D., Minister of State at the Department of the Environment, Heritage and Local Government, to write to you in connection with the Wicklow County Development Plan 2010-2016, as adopted by the Council on 6 September, 2010.

The Minister is concerned that the Council has not taken on board the significant issues raised in the Department's previous correspondence of 30 June 2010 on the proposed material amendments. The Minister is of the opinion that the planning authority, in making this development plan, has not taken sufficient account of the submission made to the planning authority by his Department on behalf of the Minister under section 12 of the Planning Act.

The Minister is very cognisant of the need to attract inward investment and employment opportunities into County Wicklow and fully recognises the importance of ensuring adequate enterprise and employment zoned lands are in place to meet the development needs of the local economy and people together with creating certainty for investors. The Minister actively supports appropriate zoning where a logical, sequential and sustainable approach is applied. However, the Minister is also mindful that the Council Executive considered, as part of the preparation of the draft plan, the need for employment zoned land in the county and concluded that there was sufficient land zoned in the LAPs and Town Plans in the County to meet all of the County's needs up to 2022 – six years beyond the expiry of this plan. It is for this reason that the Executive omitted zonings inherited from previous plans for employment development in rural areas, particularly at or in close proximity to junctions on the N11, especially as these, for the most part, were initially inserted only 'for the life of the previous plan'. The Minister also



understands that there were difficulties with these previous zonings, with a number of development applications on these sites being refused by both the Council and An Bord Pleanála, notwithstanding the employment / enterprise zoning status.

In relation to the adoption of the enterprise and employment zonings at junctions along the N11 or at sites proximate to the N11 which account for approximately 87 hectares across 7 separate locations (Amendment No. 14 to the draft plan refers), the Department clearly stated in its statutory comments that these zonings are contrary to national policy as set down in draft "*Guidelines on Spatial Planning and National Roads*" issued on 28 June 2010, and requested the planning authority not to proceed with these amendments and to instead consult with the National Roads Authority (NRA) as regards any appropriate future development use of such lands. Furthermore, the scale and location of the zonings are at variance with the sequential approach, being well outside what would reasonably be regarded as the development boundary for urban areas. The zonings would result in the "leap-frogging" of development to more remote land, thereby giving rise to uncoordinated development, resulting in a requirement for the uneconomic provision of public infrastructure to service these locations.

It is also understood that the Department's comments on this issue were mirrored in other statutory comments including those of the NRA and the National Transport Authority (NTA), with both Authorities expressing serious concerns in relation to potential impacts of safety and efficiency of the national road network. The NTA expressed further concerns in regard to the locations which are in rural areas outside those specified as growth centres in the draft Plan, which could potentially significantly undermine the role of the higher order centres in the County as the preferred locations for employment growth. The NTA also viewed the development of these lands as being contrary to the GDA Regional Planning Guidelines objective of '*consolidated and sustainable towns*' and '*supporting high quality public transport*' as development on these sites will be highly car-dependent and contrary to the policy direction of '*Smarter Travel*'

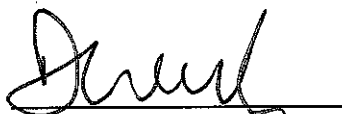
Local authorities have a duty when making/amending development plans to ensure that the future development of their areas is based on sound planning principles. The Minister is of the view that these enterprise and employment zonings should be re-examined on the basis of the acknowledged over-provision of enterprise and employment lands in the Plan and that their inclusion is inconsistent with the draft guidelines on Spatial Planning and National Roads. The Minister requests that the Council provide a detailed response on these matters to the Department, by 22 October, setting out how it intends to address or manage the difficulties now presented by including these enterprise and employment zonings in the adopted plan. The Minister also notes, however, that there may be a rationale for permitting development proposals for certain classes of employment generating uses and innovative enterprise development in the countryside outside of designated urban centres where the proposed use has specific locational requirements that can only be accommodated in a rural location and this has been demonstrated to the satisfaction of the planning authority. In considering this, the local

authority must determine the individual merits of the proposal and whether the resultant development in the area would be of a size and scale which remains appropriate and which does not negatively impact on the overall economic development strategy for the County together the character and amenity of the surrounding area and that it has taken into account traffic, public health, environmental and amenity considerations. In this context, the Minister would in particular welcome the response of the Council as to how such flexibility may be achieved through the policies and objectives of the Development Plan while ensuring that the development plan is consistent with national planning policy.

The Minister wishes to reiterate that he is not using his powers under Section 31 of the Act at this stage and that he will await the full report of the Council before deciding if taking any further action is necessary. However, it remains open to the Minister to use his powers under the Act at that stage to direct the Council to amend the plan if he is not satisfied with the report provided by the Council and if he considers that the plan fails to set out an overall strategy for the proper planning and sustainable development of the area.

The Department is available to meet to discuss and advise on appropriate actions to resolve these issues.

Yours sincerely,

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

David Walsh,  
Planning System and Spatial Policy.