

[REDACTED]

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**Sent:** 10 January 2020 09:43  
**To:** 'Roger Garland'  
**Subject:** RE: Issues Booklet

A Chara,

I wish to acknowledge, with thanks, receipt of your submission regarding the County Development Plan review.

Mise le meas,

[REDACTED]  
Planning, Development and Environment.

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**From:** Roger Garland [REDACTED]  
**Sent:** 10 January 2020 09:24  
**To:** Planning - Plan Review  
**Subject:** Issues Booklet

We attach our Submission to the above.  
Pl acknowledge receipt.

Keep Ireland Open [REDACTED]

[REDACTED]

## **SUBMISSION TO WICKLOW ISSUES BOOKLET**

### **Information about Keep Ireland Open**

KIO is a voluntary organisation whose primary aim is to lobby for the legal right to reasonable access to the countryside which is the norm in virtually all European countries but is denied to us. However, we are also concerned with issues which affect the enjoyment of our countryside. Our membership covers a broad spectrum of recreational users of our countryside including An Oige, Scouting Ireland, Catholic Guide of Ireland, An Taisce, Friends of the Irish Environment, Federation of Local History Societies, Irish Hang Gliding & Paragliding & Irish Rural Link. See our web-site: [www.keepirelandopen.org](http://www.keepirelandopen.org).

We are members of Comhairle na Tuaithe.

We make this Submission as a national body but also on behalf of our members living in the county.

The scope of our Submission is limited to access to the countryside and directly related issues.

### **Other county plans**

While you are obliged to take into account plans in adjoining counties, you may care to take into account plans in other counties particularly those within the Eastern Region.

### **Review of Plans in adjoining counties or within the Region**

We presume that you will be monitoring the reviews of Plans in Louth & Meath which have commenced and that you will liaise with their planners to ensure that the plans are compatible, where appropriate.

As our submission is very focused on issues of walking/cycling, public rights of way and better access to the countryside rather than answering the questions therein, we are basing our submission on a critique of the 2016 Plan.

## **CRITIQUE OF EXISTING PLAN**

We presume that you will use the 2016 Plan as the basis for the new one as it contains much excellent material. It does, of course, require expansion and updating.

We would point out that the Plan fails to comply with, have regard to/take into account:

Planning & Development Acts

Plans in adjoining counties

Development Plan Guidelines

Heritage Act 1995

National Heritage Plan

We would ask you **to ensure that the Plan fully complies with all relevant provisions of the RSES Eastern & Midlands.**

The mention of a provision in the Plan, without comment, indicates our support for the wording with up-dating where required.

Counties in **bold** are adjoining and/or counties within the Eastern Region

## **FORMAT**

**Index** We submit that you should provide an Index as recommended in the Development Plan Guidelines (5.15). See Clare, **DLR**, Sth Tipp & Waterford.

**Design and Development Standards** We submit that these should dealt with at the end of each sec as this would make the

plan more user friendly. At the very least the Pol Chpts and Chpt should be cross referenced.

**Layout** We submit that this can be improved by sub-numbering or sub-lettering lists of points and paragraphs. The present layout creates difficulties when referring to particular points.

### **Contents**

We submit that you **should expand this to include the various Sub Secs.**

## **CHAPTER 1 - INTRODUCTION**

### **1.4 Statutory Content of Plan**

## **CHAPTER 2 - VISION AND CORE STRATEGY**

## **CHAPTER 5 - ECONOMIC DEVELOPMENT**

### **5.6 Agriculture**

We submit that you **should include Text:**

*1 Recognising the increasing demand for recreational space, commonage and other **rough grazing land** requires that this land shall be regarded primarily as **a recreational and amenity resource**. Based on Galway City 4.6.2 1<sup>st</sup> para 1<sup>st</sup> sentence & Kilkenny 6.2 **Commonage Land**.*

*2 Farmers will be encouraged to see themselves as **custodians of the countryside** and the rural landscape which are a valuable resource for present and future generations and provides an amenity for enjoyment of the general population. Based on Cavan 3.5 EDO6 1<sup>st</sup> sentence & Leitrim 3.7.2 2<sup>nd</sup> para under Pol 61 & 3.8.7 2<sup>nd</sup> para 2<sup>nd</sup> sentence.*

We submit that you **should include an additional Obj:**

***Protect** and conserve **rural amenities**, archaeological and natural heritage, visual amenities, eco-systems, landscape, scenic views and the environment generally, from **adverse impacts of agricultural practices** and development particularly in high amenity areas and ensure that it is appropriate in nature and scale, ensure that it does not have an undue negative impact on the visual/scenic amenity of the*

*countryside and identify mitigating measures where required. Integrate into the landscape, including the minimal use of signage. Developments and practices must be necessary for the efficient use of the farm and must ensure that they are conducted in a manner consistent with the protection of the environment and in line with national legislations and relevant guidelines. Based on Laois 5.10 RUR13, Waterford 6.7.1 2<sup>nd</sup> para (a), (d) & (e) & Offaly 10.6 RDO4. See also **Kildare** 10.5.2 AG2, **Carlow** 3.5.8 Pol 14 1<sup>st</sup> pt & **Louth** 3.3 RD 4 2<sup>nd</sup> line & 5 & 3.4 RD 9.*

## **Forestry**

### **FTY1**

**2 last sentence 1<sup>st</sup>, 2<sup>nd</sup> & 3<sup>rd</sup> pt down to features** We submit that **these should be merged replaced by:** *Forestry development must be compatible with the protection of the rural environment and does not cause pollution, degradation of wildlife habitats and natural waters or areas of ecological importance and is appropriate to the nature and scale of the surrounding area, does not have a negative visual impact of the scenic quality and character of the countryside and is not detrimental to the archaeological or other historic features and must not be visually obtrusive in the landscape so as to ensure that development is appropriate in its character, and that it is carefully managed to so that it doesn't result in damage to visual amenity or have a negative visual effect on and that it must enhance and be in harmony with the landscape. Protect scenic and exposed/elevated landscapes, protected scenic views and scenic routes, nature designations, vistas(including to water and valley approaches to the hills), geological sites. Based on **Wexford** 6.4.8 Obj ED22, **Carlow** 11.10.7 1<sup>st</sup> para 3<sup>rd</sup> & 4<sup>th</sup> sentences.*

**3 1<sup>st</sup> sentence** We submit hat **after recreation in line 1 you should add:** *and develop, provide, protect, improve and encourage greater public access to new and existing forestry, both state and private, for recreational activities such as walking, hiking, cycling, and other non-noise generating activities and the provision of nature trails, as part of connected network of walking and cycle routes in cooperation/consultation with Coillte, the Forest Service, private landowners, local interest groups and other stakeholders and agencies.*

Based on **Smarter Travel 2009-2020** Act 17 2<sup>nd</sup> sentence page 45, **Wexford** 15.5 RS 12 & 14, **Sth Dublin** 4.3.9.x and many other counties.

We submit that you **should include additional Objs:**

**1** *Retain **existing rights of way** and **identify them** and established walking routes before planting commences and maintain them as rights of way/walking Routes.* Taken from **Cavan** 3.9 EDP15 & EDO 31 & **Sligo** 4.3.2 P FOR 3.

**Note** If this isn't done walking routes tend to become subsumed into the network of forest roads thus making it very difficult, over time, to establish the existence of these routes.

**2** *Ensure that existing **public rights of way**, traditional walking routes are not obstructed.* Taken from **Carlow** 3.5.12 E.D 18 3<sup>rd</sup> pt and many other counties.

**3** *Protect and encourage **access to forestry and woodlands**, in co-operation with Coillte, private landowners and other stakeholders for walking routes (including long distance and looped walks) mountain and nature trails and hiking.* Based on **Sligo** 6.7.4 P OR 23 & **Westmeath** 3.41 P 4.

**4** *No new or replacement coniferous forests will allowed on summits generally **above 250 mtrs**.* Taken from **Laois** 7.19 LS37 2<sup>nd</sup> sentence.

**5** *Ensure that existing **public rights of way**, traditional walking routes are not obstructed.* Taken from **Carlow** 3.5.12 E.D 18 3<sup>rd</sup> pt and many other counties.

See also **10.3.3 Woodlands, Trees and Hedgerows**

## **Extractive Industry**

**Strategic Objective** We submit that from *in on 2<sup>nd</sup> line* **should be merged with EX1 and replaced by:** *Protect, conserve, preserve and safeguard recorded monuments and areas in their vicinity, World Heritage Sites, archaeological sites and features and zones of archaeological potential, natural heritage, natural environment, listed views and prospects, features of natural beauty or interest, designated and prescribed sites, geological sites and areas of geological/geomorphological interest and areas of high scenic amenity from inappropriate development. Applicants must recognise that the*

*aggregates (stone and sand/gravel deposits and mines) concrete products industry have a particularly sensitive role in relation to the environment. Any development of aggregate extraction, processing, delivery must be carried out so that it minimises adverse effect on the environment and visual amenities to the greatest possible extent must be carried out during all life cycle stages, whether in respect of new quarries or extensions to existing ones and development will be prohibited if the quality of the environment or landscape, particularly sensitive landscape, is adversely affected or there is a reduction of the visual amenity of areas of high amenity. All working should be landscaped either by the retention of existing vegetation or by screening.* Based on **Meath** 10.12 RD POL 27 & 11.14 1<sup>st</sup> para 2<sup>nd</sup> sentence, **Carlow** 3.5.7 P 13 1<sup>st</sup> pt, **Kildare** 10.7.8 3 & EI 4 & 5 and many other counties.

## 4

We submit that you **should include additional Objs:**

**1** *Applications for new development for aggregate extraction, processing and associated processes, shall **identify existing public rights of way** and walking routes which may be impacted on or are adjacent to the development site. They shall be kept free from development as a Rights of Way/Walking Route.* Taken from Cavan 3.8 EDO25.

### **Note**

Pending a complete listing of public rights of way, walking routes, as prospective rights of way, should be protected.

**2** *Restrict development of aggregate extraction, processing and associated concrete production which could impinge or impact **on** matters of public importance, **public rights of way** or walking routes and satisfactorily address the potential impact on recreational or tourist activities and protect tourism amenities.* Based on **Kildare** 10.7.8 EI 5 last pt, **Meath** 11.14 1<sup>st</sup> para 2<sup>nd</sup> sentence and many other counties.

## **CHAPTER 7 - TOURISM AND RECREATION**

### **7.2 Context**

#### **Local Strategies**

#### **County Wicklow Outdoor Recreation Strategy**

### **7.3 Strategy for Tourism and Recreation**

## **Strategic Objectives**

**6<sup>th</sup>, 8<sup>th</sup> & 10<sup>th</sup> pts**

### **7.4 Tourism and Recreational Objectives**

**T2**

**See Vol 3 Sec 4 General criteria for tourism and recreation developments**

**29 1<sup>st</sup> sentence** We submit that:

**1 *driving* on the 1<sup>st</sup> line should be deleted** as this activity should not be encouraged in view of the Climate Change Emergency;

**2 this should be re-positioned in 9.1.3 Cycling and Walking** as this topic covers a wide range of aspects other than tourism and recreation such as physical activity, health, safety etc. We further submit that this topic is worthy of a separate Chpt AND

**3 the topics mentioned require expansion and will be dealt with in Chpt 9 INFRASTRUCTURE 9.1.3 Walking and Cycling.**

**2<sup>nd</sup> sentence**  
**1<sup>st</sup> to 4<sup>th</sup> pts**

**5<sup>th</sup> pt** We note that while an extra loop has been created, we submit that **you should develop a further loop north east of the link road between the R755 and the R765.**

**6<sup>th</sup> & last pts**

**T33** We submit that

**1 you should delete *touring* in line 2** for the same reason as set out in T29 AND



2 this should be re-positioned in Chpt 11 COASTAL ZONE MANAGEMENT in proposed add Obj 1.

T34

## CHAPTER 9 - INFRASTRUCTURE

### 9.1.3 Cycling and Walking Objectives

TR9 We submit that:

1 **you should delete *as funding allows*** as many other Objs have financial implications and it is invidious to single out this Obj AND

2 It should be merged with 10 and replaced by: *Walking and Cycling will be promoted, facilitated and encouraged in accordance with initiatives contained in "Smarter Travel 2009" by improving existing cycleways and by identifying and developing a network of safe and guarded cycle routes and footpaths on existing roads, and, in particular, between towns and villages. Ensure, where possible, that cycleways and footpaths are effectively separated from major vehicular carriageways. Provide, promote, improve and extend the network of off road cycle and walking routes on all new road improvement schemes (including regional and local roads, on roads being up-graded), to ensure personal safety, particularly at night and a more convenient, pleasant, attractive environment. Support the installation of infrastructure measures e.g new/wider pavements, road crossings, retrofitted, if necessary, which would facilitate and encourage safe walking and cycling. Based on Smarter Travel 2009 - 2020 Cycling and Walking 1<sup>st</sup> para 2<sup>nd</sup> sentence last phrase, Kildare 6.5 WC 2, Carlow 5.3.2 Pol 8 13<sup>th</sup> pt, Wexford 8.3 Obj TO10 last pt 1<sup>st</sup> phrase, Meath 6.9 POL 22, DLR 12.1.12 Walking 2<sup>nd</sup> para, Louth 7.4 TC 22 & 23 and many other counties.*

11 We submit that:

1 **it should be merged with 13** AND

2 **the 1<sup>st</sup> phrase should be replaced by:** *Create, provide, promote, improve, plan, develop, support, enhance, encourage, extend and facilitate walking, rambling and cycling in conjunction the Irish Sports Council and other agencies by identifying/defining more dedicated walking and cycling routes(named) to enable the creation of a high quality, coherent, pleasant, integrated and comprehensive dedicated off*

*road countrywide network of local and regional cycling/walking routes, footpaths, greenways that link communities to key destinations and including looped walks, local walks, community walks medium/long distance walks and established rights of way, through open spaces, strategic green corridors(including river corridors) and other off-road routes), particularly those with historic connections or associations or other areas of interest. Expand and extend existing routes by utilising links from residential areas to provide access to coasts, mountains, lakeshores, rivers and scenic areas. Bring mountain amenities closer to residential communities by promoting the establishment of a network of formal footpaths, off road paths and cycleways that are attractive and facilitate casual walkers and cyclists. Investigate the provision of dedicated cycle and pedestrian routes along routes of high amenity.*

Based on

**DPG 3.5 Box 3 B Infrastructure 3<sup>rd</sup> pt, National Physical Activity Plan App 1 36, Smarter Travel 2009 - 2020 Cycling and Walking 1<sup>st</sup> para in line 6, Kildare 14.12.1 CR 4, Meath 4.6.8 2<sup>nd</sup> para 1<sup>st</sup> & 2<sup>nd</sup> sentences & 4.6 POL 40 1<sup>st</sup> sentence, Sth Dublin 4.5.0 Pol 6.1, 6.3.0 Pol 3.1 & 9.4.0. Pol 16.5, Louth 7.4 TC 24 and many other counties.**

## **RECREATION**

### **WALKING**

**Table** We submit that you should **include a Table with maps of Way-marked Ways** of medium/long-long distance walking routes, Greenways, Sli na Slainte, heritage/historic walking trails, pilgrim paths, paths to mass rocks and holy wells, looped walks, hillwalks, forest walks and other defined walking trails with accompanying maps and a database should be set-up and up-dated as new trails emerge. See **DLR App 8** and many other counties.

**5** *Promote and facilitate the continuing development of a regional and local **network of Ways and Permissive Access Routes** that provide a network of long distance walking, running and hiking trails and routes. Encourage the re-routing of existing trails off public roads. Based on **Sth Dublin 9.4.0.3 1<sup>st</sup> sentence 1<sup>st</sup> phrase & 2<sup>nd</sup> sentence, DLR 4.1.2.16 Pol LHB17 1<sup>st</sup> sentence 1<sup>st</sup> phrase** many other counties.*

**Note** *In contrast to public rights of way, **long distance walking routes exist on a permissive access basis** and are not to be confused with designated public rights of way as consent can be withdrawn at any time by the landowner. Taken from Sligo 6.7.4 **Permissive Trails**.*

**6** *In view of the obesity and diabetes crisis, support, improve, develop, upgrade and facilitate **Slí na Sláinte** routes. These should be waymarked/signposted, where feasible. A Table should be included. Based on Kildare 6.5 WCO 5 last pt, DLR 4.1.2.16 Pol LHB17 last phrase & 2<sup>nd</sup> sentence and many other counties.*

**7** *Promote walking through the development and expansion of a network of **safe walking trails** within towns and villages and their environs. Such routes can link with existing waymarked trails, Sli na Slante and the Green Infrastructure Network and existing or new public rights of way. Taken from Fingal Chpt 5 Obj RF113.*

**8** *Support the provision of proposed long distance walking trails that **provide access to scenic uplands**, riverine and coastal features. Taken from Fingal Chpt 5 Obj RF115.*

**9** ***Research and map existing network of traditional paths** used for leisure purposes to determine their legal status. Taken from Carlow 8.11.10 Obj 3 2<sup>nd</sup> pt.*

**10** *Employ a full time **Walks Officer** at an appropriate senior level.*

**11** *The Council will co-operate with relevant agencies, both public and private, including the National Trails Office, FI, NWMWAC, Coillte, the Heritage Council, adjoining councils and local landowners, to **support the development**, maintenance, facilitation and enhancement of medium and long distance **hiking/walking routes**, community walks and off-road trails particularly in the uplands. This will include consultation with adjoining councils with a view to promoting routes extending beyond the county boundary. Based on DLR 4.1.2.16 para under Pol 2<sup>nd</sup> & 3rd sentences and many other counties.*

**12** *Establish a **Recreational Trails Committee** to plan, develop and implement a recreational trail network throughout the county in association with relevant stakeholders, landowners and community interest groups and develop a recreational Trails Plan within the lifetime of the Plan. This plan shall set out a coordinated strategic framework for future recreational trail development. Taken from Fingal 6.9 Objs ED66 & 67.*

**13** *Implement the relevant provisions in the **DoTT's Walking Policy** when published.* Taken from Sligo 8.3 P CW 11.

**Note** there is a commitment in **Smarter Travel 2009-2020** Art 16 last para 1<sup>st</sup> sentence to publish this.

**14** *Lobby the appropriate Government Department to agree and implement a scheme to **indemnify private landowners** with regard to recreational users of their land.* Taken from **Action Plan for Rural Development 2017** Pillar 3 Act 176.

## **CYCLING**

### **Table**

We submit that you should include a Table of **Cycle routes with maps**  
**With Maps:** See **Louth M 7.2.**

**15** *Promote, facilitate and encourage the development, enhancement and expansion of **safe** cycle routes by facilitating the construction of cycleways. Support the development of the National Cycle Network and The National Cycle Network Scoping Study(2010) and enhance and maintain these routes with better signposting, lighting and road surfaces separated from vehicular traffic. Encourage the development of off-road cycling. Ensure that the upgrading of roads will not impact negatively on the safety and perceived safety of cyclists. Ensure that any dedicated cycle routes which are developed away from the main public carriageway are well lit. Routes should, where possible, follow off-road tracks and quiet country roads.* Based on **FI's Strategy for Development of Cycling Tourism Executive Summary(2007)** 01 the Mori Survey 3<sup>rd</sup> pt 4.2.3, **DoTT's NCPF(2009)** OO **Breadth of Interventions** page 7 6<sup>th</sup> pt on right hand col & 7<sup>th</sup> & 8<sup>th</sup> pts, Pol 3.4, Obj 5 & Pol 5.6, **Wexford** 15.6 Obj RS26 & 27 1<sup>st</sup> phrase, **Carlow** 5.3.2 pol 8 1<sup>st</sup> phrase 15<sup>th</sup> pt, **Kildare** 6.5.2 ST 17 1<sup>st</sup> phrase and many other counties.

**16** *Assign an officer at appropriate senior level as a "**Cycling Officer**".* Taken from **DoT's NCPF(2009)** Pol 17.3. To which you should add before officer, full-time.

**Note** **Meath** has one

**17** *Promote and facilitate the **development of cycle routes** in accordance with the **National Cycle Network Scoping Study 2010**. Taken from **Louth** 6.5.11 EDE 21.*

**18** *Support the development, maintenance and enhancement of trails and routes in co-operation with FI, Sports Council, NTA, NTO, NWMWAC, Heritage Council and other bodies to **develop cycle touring routes** including those linking with adjoining counties particularly in areas of high amenity.. Based on **Kildare** 14.12. 1 CR 9, **Carlow** 5.3.2 Pol 8 16<sup>th</sup> pt and many other counties.*

**19** *Develop a **Cycling Strategy** during the lifetime of the Plan. Taken from Cork City Obj 5.7.*

## **WALKING AND CYCLING**

**20** *Support, promote and actively encourage the provision, development, extension and design of off road **interlinked cycleways and walkways**, walking and cycling routes(mention routes), including medium and long distance walkways, in conjunction with IW and other stakeholders to link a strategic network of trails in adjoining counties, including cross border counties in partnership with their councils, the state, private and voluntary sectors. Based on **Louth** 6.5.11 EDE 23 1<sup>st</sup> sentence, **Carlow** 8.11.10 Pol 5 2<sup>nd</sup> pt and many other counties.*

**21** *Support, promote, facilitate and develop a comprehensive **network of greenways**, linking parks and public open spaces to regional and national Greenway Networks and work with the NTA, and adjoining councils and all stakeholders to develop a co-ordinated approach to the selection, delivering and servicing of future greenway, in order to achieve improve external linkages, to achieve maximum impact and connectivity and to provide alternative routes for pedestrians and cyclists. Based on **NPF** App 1 Obj 22, **Kildare** 5.19 EO 49 and many other counties.*

**22** ***Signpost and waymark** walking and cycle routes with appropriately designed quality signage and information boards Based on **Kildare** 14.12 CR 10, **Carlow** 5.3.2 Pol 8 12<sup>th</sup> pt 2<sup>nd</sup> line and many other counties.*

**23** *Develop themed heritage trails and suitable walking routes and cycle tracks along **historic access routes** In co-operation with communities and landowners. Explore the potential of inter-*

*county trails(named).* Based on **Action Plan for Rural Development** 2017 Pillar 3 Action 200, Leitrim 3.6.3 Obj 29, Longford 4.5 **Mid-Shannon Wilderness Park(sic)** last para & **Heritage Plan 2.1.**

## **24 Disused Railways**

### **Objs**

1 *Actively encourage, **support, promote** and facilitate the development of disused railways (named) for **greenways**, walkways and cycleways and other recreational activity to develop a network including medium and long-distance walking and cycling routes with related signage and waymarking.* Based on **Smarter Travel 2009-2020** Act 17 2<sup>nd</sup> sentence page 45, **Louth** 6.5.11 EDE 20 and many other counties

2 *Where feasible, provide separate trails for walkers and cyclists in the interests of safety and convenience with appropriate surfaces for each type of user.* Taken from Sligo 8.3 P CW 8 2<sup>nd</sup> sentence 1<sup>st</sup> phrase.

### **Notes**

1 The separation of walkways and cycleways is the practice in other countries particularly in Austria, Germany and Switzerland.

3 **Protect and preserve** routes of former railway lines(named) for recreational development free from development by protecting, enhancing, conserving, safeguarding and preserving potential greenway routes as long distance walking and cycling routes along or near these rail lines which could compromise their development as walking/cycle routes in the future. Along these corridors other uses shall not be considered. Where these corridors have been compromised by development, adjacent land which could provide opportunities to bypass such an impediment and reconnect these routes for walking/cycling shall be protected for this purpose. Based on **Carlow** 8.12 Obj 4 2<sup>nd</sup> pt and many other counties

4 *While it should be possible to provide most routes on existing track alignment, there may be a need for **diversions** and deviations following detailed survey and design work and consultation with landowners. The aim is to include these routes in a map in the Plan. Meanwhile adequate protection needs to be given to abandoned rail lines so as to avoid inappropriate development that could compromise their viability.*

Taken from Cork County 8.7.6.

**25** *Provide adequate **car parking** and/or lay-bys for walkers and cyclists, (from your local knowledge name important locations) and other appropriate points to facilitate access to amenity/scenic areas from 9am until dark. Based on Kildare 14.12.1 CR 14 1<sup>st</sup> phrase and many other counties.*

**Notes**

1 The absence of car parks can cause unnecessary friction between landowners and recreational users.

2 The primary responsibility for the provision of car parking lies with councils

**26** *Establish new Walkways and cycle routes on a **legal and permanent basis**. Taken from Carlow 5.3.2 Pol 8 12 pt 1<sup>st</sup> line & Sth Dublin 2.2.14 2<sup>nd</sup> 15<sup>th</sup> para 1<sup>st</sup> line.*

**27** ***Protect** the integrity of established and future walking and cycling routes from development which would adversely impact upon them or their settings. Based on Louth Chpt 6 EDE 22 and many other counties.*

**28** *Protect the routes of, and prohibit development which would hinder the creation and development of **future Greenways, walking and cycling routes** including those identified in the Plan. Taken from Donegal 11.3 P 13 2<sup>nd</sup> pt.*

**29** *Ensure that development proposals **protect the routes of potential linkages** such as linear paths footpaths trails, greenways and cycleways through a site where the Council considers that an opportunity to provide a linkage to or between adjoining areas. Taken from Donegal 5.1.2 P31.*

### **9.4.3 Telecommunications Objectives**

#### **T2**

**3** We submit that **the last phrase should be replaced by:** *3 Prohibit construction of telecommunication masts, antennae, support structures and ancillary equipment in primary and secondary amenity areas, designated conservation areas at locations detrimental to designated protected views and/or prospects and scenic routes or within views or settings of national monuments, archaeological sites or in close proximity to public amenity areas. Where feasible, proposed*

development pertaining to the installation of potentially obtrusive technology shall be located in non-sensitive landscapes. Protect areas of significant landscape importance from the visual intrusion of large scale telecommunications infrastructure. Safeguard the sensitivity, open character and amenities of high amenity and mountain areas. The latest technology to minimise their size and visual impact should be used. Structures must be located to limit visual impacts specially in areas of sensitivity and historic importance, AONBs, scenic amenities and geological sites. It shall be necessary to minimise and /or mitigate any adverse impacts on communities, and the built or natural environment as far as practically possible where the location could adversely impact on the visual amenity. Except in exceptional circumstances, locations along major tourist routes must be avoided. Where appropriate, masts, antennae and fencing should be in harmony with their surroundings and should be of dull or neutral sky grey colour so as to be less visually obtrusive. Green or black is the preferred at ground level. They should, where possible, be located to take advantage of the screening and backdrop afforded by existing trees or topography. The infrastructure must be adequately screened by utilising an appropriate backdrop (including camouflaging/disguising) and where possible locate in forest plantations or grouping of trees and this cordon of trees will not be felled during the lifetime of the mast and landscaped to minimise adverse visual impacts on the environment and natural heritage, provided that the landscape is able to support additional screening measures. Support structures should be kept to the lowest feasible height and due to the size of the mast structures and the materials used to construct them (especially latticework versions), they can impact on landscapes. They should be of monopole or square structure rather than latticework unless such structures have a clear and/or simple design or where it is judged by the Council to incorporate high sculptural design quality. Colours of mast structures and fencing shall be appropriate to their surroundings. Appropriate landscaping and screening will be required. The number of ancillary buildings/containers shall be kept to the minimum and the need for each structure must be clearly justified. Based on **Kildare** 8.13.1 TL 9 1<sup>st</sup> pt, **Wexford** 9.3.1 Obj TC06 1<sup>st</sup> para, **Meath** 2 4th para 3<sup>rd</sup> sentence, **Carlow** 6.11.3 4th para last pt, 7<sup>th</sup> para, 10<sup>th</sup> para 1<sup>st</sup> sentence & 6.11.3 Pol 1 1<sup>st</sup> pt and many other counties.

We submit that you **should include additional Objs:**

**1 Existing Public Rights of Way** and established walking routes will be identified prior to any new telecommunication developments(including associated processes) which will be prohibited if they impinge or impact



*thereon or on recreational amenities or public access to the countryside.* Based on Roscommon 4.7 Pol 4.70, Cavan 4.8 PIO123 & Laois 6.6.5.2 TELE10. See also **Sth Dublin** 2.5.15, **DLR** 8.2.9.9 last pt, **Kildare** 8.13 TL 7, **Wexford** 9.3.1 Obj TC07, **Carlow** 6.1 Pol 1 7<sup>th</sup> pt & **Meath** 8.2.3 3<sup>rd</sup> para 3<sup>rd</sup> sentence.

**Note** Pending a complete listing of public rights of way, walking routes, as prospective rights of way, should be protected.

**2** *The Council shall, in **assessing an application**, take into account the impact on established **walking routes**.* Taken from Mayo Vol 2 55.3 4<sup>th</sup> pt.

## **9.5 Climate Change and Energy**

### **9.5.3 Electricity Generation**

We submit that you **should include an additional Sub Sec: Renewal Energy**

**Objs:**

**1** *Developments must be **appropriately located**.* Taken from Sligo 11.1 SP EN 2 1<sup>st</sup> para 4<sup>th</sup> line.

**2** *The development including any ancillary facilities or buildings, considered individually or taking into account their scale and layout, their incremental/cumulative effect due to other proposals, the degree to which impacts are highly visible over a vast area, their visual impact on protected views and prospects, designed scenic landscape as well as local visual impacts, impacts on archaeology, **should not create a hazard or nuisance**, including the risk land instability and take into account the character and appearance of the surrounding area, the openness and **visual amenity** of the countryside, landscapes designated for their nature conservation, Natura sites and amenity values and sites of historic or archaeological interest or in proximity to National Monuments. Development will be subject to suitable locations and will only be permitted where they will not have an adverse impact on the environment including natural heritage and the protection of amenities and landscapes. Ensure proper integration with their surroundings. Where impacts are inevitable what mitigation features have been taken into account. Based on **Meath** 8.1 EC POL 3 last phrase, **DLR** 8.2.10.1 2<sup>nd</sup> para last sentence 2<sup>nd</sup>, 3<sup>rd</sup> & 4<sup>th</sup> pt 1<sup>st</sup> phrase, **Louth** 9.4 Pol EnCo 9 2<sup>nd</sup> phrase, **Sth Dublin** 10.2.10 E12 Obj 2 and many other counties.*

**3** *In assessing development proposals the Council will take into account public access to the countryside and the impact on **public rights of way** and walking routes. Based on **Meath** 11.15.1 1<sup>st</sup> para 4<sup>th</sup> pt, **DLR** 8.2.10.1 2<sup>nd</sup> para last sentence 4<sup>th</sup> pt last phrase and many other counties.*

## **Wind Energy Objectives**

### **CC6**

**1<sup>st</sup> & 2<sup>nd</sup> pts & 7<sup>th</sup> pt 1<sup>st</sup> phrase:** *We submit that **these should be merged and replaced by:** The siting and layout of turbines should be suited to the landscape setting and site context and should minimise visual and environmental impacts and the impact on heritage sites, sites of archaeological importance, protected views and prospects, designated conservation areas and sensitive amenity areas including those beyond county boundaries should take advantage of existing screening and, where possible, should, follow and respect existing landforms and should follow best practice in the design and siting of turbines and all ancillary works, in order to contribute to effective mitigation. Design criteria will be contribute to effective mitigation if the layout of turbines complement existing landscape patterns. The finish of turbines shall ensure minimum visual impact and integration with the landscape setting in so far as practicable. Land and uses on or adjacent to the site should be considered. Based on Monaghan 8.15 1<sup>st</sup> para 2<sup>nd</sup> sentence 3<sup>rd</sup> line, 2<sup>nd</sup> para 3<sup>rd</sup> line, Limerick 10.13.2.1 2<sup>nd</sup> pt, **Galway County App 4** 5.2.7c) 1<sup>st</sup> pt, 3.1 1<sup>st</sup> para, a) 2<sup>nd</sup> pt. See also **Wexford** 5.2.4 1<sup>st</sup> pt.*

**4<sup>th</sup> pt** *We submit that **this should be replaced by:** Take into account, when assessing planning applications, the impact on public access to the countryside including public rights of way, walking routes, recreational activities and amenities and the openness and visual amenity of the countryside and the impact on surrounding tourism. The Council will liaise with Failte Ireland and regional and local tourism bodies and will consider any representations received. Based on **DLR** 8.2.10.1 last para 4<sup>th</sup> pt, **Meath** 11.15.1 1<sup>st</sup> para 4<sup>th</sup> pt and many other counties.*

### **7<sup>th</sup> pt last phrase**

We submit that you **should include additional Objs:**

**1 Identify existing public rights of way** and established walking routes and maintain them free from development, preserve them as public rights of way or walking routes. Taken from Cavan 4.7.3 PIO117.8.

**2 Take into account, when assessing planning applications, the impact on public access to the countryside including public rights of way**, walking routes, recreational activities and amenities and the openness and visual amenity of the countryside and the impact on surrounding tourism. The Council will liaise with Failte Ireland and regional and local tourism bodies and will consider any representations received. Based on DLR 8.2.10.1 last para 4<sup>th</sup> pt, Meath 11.15.1 1<sup>st</sup> para 4<sup>th</sup> pt and many other counties.

**3 All applicants should include a LIA dealing with possible impacts on any existing rights of way** or established walking routes. Taken from Kilkenny 10.5.3 Landscape Impact Assessment 1<sup>st</sup> para 1<sup>st</sup> sentence.

### **Solar Energy Objectives**

We submit that you **should include additional Objs:**

**1 Request the appropriate government department to formulate Planning Guidelines** for ground mounted solar PV “Solar Farms”.

**2 In assessing development proposals ensure that it does not have a negative effect** on the character of the landscape, natural heritage, views and prospects, scenic routes, archaeology, local amenities, tourism areas and the potential for mitigation through screening with hedges. Based on Kildare 8.7 SE 1 2<sup>nd</sup> sentence, Sth Dublin 10.2.5 Pol 7 2<sup>nd</sup> sentence & 2 1<sup>st</sup> & 5<sup>th</sup> pt 5<sup>th</sup> lines and many other counties.

### **Hydro Energy Objectives**

We submit that you **should include additional Objs:**

**1 In assessing hydro energy schemes proposals the Council will take into account the impact on public rights of way** and walking routes. Taken from Meath 11.1.5.1 4<sup>th</sup> pt & Carlow 6.3.2 Pol 6 2<sup>nd</sup> pt.

**2 In assessing development proposals ensure that it does not have a negative effect** on the character of the landscape, natural heritage, views and prospects, scenic routes, archaeology, local amenities, tourism areas and the potential for mitigation through screening with hedges. Based on Kildare 8.7 SE 1 2<sup>nd</sup> sentence, Sth Dublin 10.2.5 Pol 7 2<sup>nd</sup> sentence & 2 1<sup>st</sup> & 5<sup>th</sup> pt 5<sup>th</sup> line and many other counties.

## **Small-Scale Renewable Electricity Objectives**

### **CCCE16**

We submit that you **should include an additional Sub Sec: Off-shore Energy**: *Request the appropriate government department to formulate **Planning Guidelines**.*

### **Transmission and Distribution Objectives**

We submit that you **should include additional Objs**:

**1** *Ensure that electricity infrastructure (including transmission lines) **protect**, maintain and safeguard environmental designated sites, the open character and amenities of high amenity and mountain areas by following natural features and by avoiding areas of high landscape sensitivity, protected views including views of special amenity value, possible effects on tourism and the natural environment. Where impacts are inevitable mitigation measures to minimise their visual obtrusiveness must be provided for. Based on **Meath** 11.15.4 4<sup>th</sup> pt and many other counties.*

**2** *The **undergrounding or re-routing** of transmission lines (including telephone and TV cables) shall be considered first as part of a detailed consideration and evaluation of all available options Where technically feasible and environmentally appropriate, HV and other powerlines(including existing powerlines) and associated equipment should be placed underground to reduce the visual impact on the natural environment especially in sensitive areas to preserve significant landscape and significant views from the visual intrusion of energy infrastructure. Protect areas of recognised landscape importance and significant views from visually intrusive large scale energy transmission infrastructure by using alternative routing. Demonstrate that where impacts are identified mitigation feature have been included. Based on **Louth** 9.2 EnCo 5 ,**Kildare** 8.12.2 TN2 & 8 last sentence, **Meath** 8.1.10 EC POL 19 and many other counties.*

## **CHAPTER 10 - HERITAGE**

We submit that Heritage **should be sub-divided into**:

**A Heritage – General;**

**B Natural Heritage(including bio-diversity);**

**C Archaeological Heritage;**

## **D Built Heritage.**

### **A Heritage - General**

#### **Objs:**

**1** *Liaise with key stakeholders to support the preparation of **conservation and visitor management plans** for the Glendalough Valley including the monastic complex, historic graveyard, monuments and natural landscapes and The Murrough, Wicklow Town. Taken from Heritage Plan 3.3.*

**2** *Liaise with the OPW, National Monuments Service, landowners and other stakeholders to address the conservation, management of significant heritage sites including but not limited to the Glendalough Monastic Complex and Baltinglass Hillfort Complex. Taken from Heritage Plan 3.4.*

## **C Archaeological Heritage**

### **10.2.2 Archaeology**

#### **Archaeological Objectives**

**BH1** We submit that this should be merged with 3 and replaced by:  
*Promote the **protection** of archaeological heritage as defined in the Heritage Act, including the intrinsic value, character, amenity, visual integrity, context and settings of National/Recorded Monuments, caves, Zones of Archaeological Potential, Zones of Archaeological Notification or newly-discovered archaeological sites and/or sub-surface archaeological remains, including underwater sites, known and unknown, either above or below ground, including those identified in the RMP, RHM & SMR, castles, monuments and features of historic interest and National Monuments that are the subject to Preservation Orders in the ownership or guardianship of the State or the Council, by supporting, conserving, sympathetically enhancing, preserving, properly managing and safeguarding it for present and future generations by implementing the County Heritage Plan. Proposed developments which would be seriously injurious to the settings, character or cultural value of sites or RPMs, including those within or adjacent to sites or which might affect them, in particular, those within a 20m radius of National Monuments, Zones of Archaeological Potential will not be permitted and those within 75m will be discouraged. Ensure that development, adjacent to or in the vicinity of an archaeological monument shall not detrimental to its*

*character be or setting and shall be sited and designed in a manner which minimises its impact settings, is resisted. Planning decisions will take account of the archaeological heritage of the area and will take cognisance of the potential for subsurface archaeology. Extend this protection to cover additions or alterations that may arise during the adoption of this Plan. Impose conditions on development that might impact on sites of Archaeological Potential to ensure that appropriate measures are taken and that archaeology is suitably integrated into new development, in co-operation with the relevant Government Department. Based on **2000 Planning & Development Act** Sec 10(2)(c) & First Sch Part IV 6, **European Convention for the Protection of Archaeological Heritage, Valetta 1992(ratified by Ireland)**, **DPG 4.26** 1<sup>st</sup> para 2<sup>nd</sup> sentence & 28 2<sup>nd</sup> para last sentence, **Carlow 9.2** Pol 3 1<sup>st</sup> pt, & 3<sup>rd</sup> pt 1<sup>st</sup> phrase, **Louth 5.9.1** HER 9 & 21 1<sup>st</sup> sentence, **Wexford 14.5** AH01 & 6, **Meath 9.6.9** OBJ 7, **DLR 6.1.2(i)** 1<sup>st</sup> para last sentence and many other counties.*

**4** We submit that **this should be replaced by:** *Recognising the importance of archaeology and National Monuments as part of our heritage and important elements in long term economic development, promote, enhance, facilitate, encourage, support, improve and protect public access to National Monuments, Archaeological Sites, castles, sites of historic interest and to archaeological landscapes, in the direct ownership, guardianship or control of the Council, and/or the State or private ownership, including those listed in the RMP, in co-operation with landowners and promote walking routes thereto. Based on **Sth Dublin 9.4.0.4**, **Carlow 8.5.2** Obj 2, 9.2 2<sup>nd</sup> para last sentence & Pol 3 4<sup>th</sup> pt, **Meath 9.6.9** POL 6, **DLR 6.1.2.1** 1<sup>st</sup> & last paras, **Wexford 14.5** AHO6 1<sup>st</sup> phrase & AH09, **Kildare 12.9.1** AH 8, **Heritage Plan 2.2** and many other counties.*

**5**

**6** We submit that **this should be re-positioned in a proposed additional Sub Sec: World Heritage Sites and be replaced by:** *Recognise and respect potential of the Glendalough Site and support, pursue, progress, facilitate and **promote its designation** as UNESCO WHS in collaboration/partnership with the appropriate Government Department, landowners, local communities and other stakeholders, to assist in the preservation of the natural heritage. Based on **Action Plan for Rural Development 2017** Pillar 3 Act 190, **Louth 5.9.9** HER 32, **Meath 9.6.8** POL 5 and many other counties.*

We submit that you **should include an additional Obj:** *Traditional access routes will be **designated as public rights of way**. In other cases, routes will be acquired by agreement with landowners or by way of compulsory powers.* Taken from Laois 7.4 OBJ2 2<sup>nd</sup> & 3<sup>rd</sup> sentences.

## **Map.01 Areas of Archaeological Potential or Significance**

### **10.3 Natural Heritage Strategy**

**2<sup>nd</sup> pt** We submit that **this should be re-positioned in 10.3.9 Wicklow's Landscape.**

**3<sup>rd</sup> pt** We submit that **this should be re-positioned in 10.3.5 Soils and Geology, merged with NH26 and replaced by:** *Recognising the significant geological value of County Geological Sites, work with stakeholders, consult with the GSI and be in accordance with the National Heritage Plan and the "Geological Heritage Guidelines for the Extractive Industry" to protect sites of geological or geomorphological interest from inappropriate development by prohibiting development at or in their vicinity that would detract from or would damage or threaten their existence, integrity, value or result in their deterioration. Preserve, enhance, maintain, manage, conserve, and where appropriate, restore the character, conservation value and integrity of these sites for their amenity, scientific, heritage and historic values(including County Geological Sites and sites that may become designated), designated or proposed NHA's, areas near sites and areas of geomorphological interest. Ensure that any plan or project affecting karst formations or other important geological and geomorphological systems are adequately assessed for their potential geophysical or ecological impacts. Based on **Planning & Development Act 2000** First Sch Part IV 6, Fingal 9.3 Obj NH30, Westmeath 5.8 P 2 & Mayo Vol 1 Chpt 4 **Natural Heritage NH-01e).***

**4<sup>th</sup> pt** We submit that **this should be replaced by:** *Prohibit intrusive development that would detrimentally impact on natural heritage which could or might have a negative impact on natural amenity assets or natural heritage features or might unduly damage or take away from its character. Promote appropriate enhancement of the natural environment as an integral part of development. Engage with stakeholders, including local communities, to protect, conserve, preserve, manage, enhance, safeguard, facilitate, maintain and, where appropriate, restore, visual and scenic amenities, the quality and character of the natural heritage features and the natural environment including rivers, streams and other*

*waterways, wetlands, woodlands and forests, scenic areas and the general amenity of the countryside and in recognition of its importance as a non-renewable resource, from intrusive development that would detrimentally impact on it, for the benefit and enjoyment of future generations, while maximising the recreational amenity, tourism potential and quality of life for present generation by the provision of visual relief from the built environment. Avoid unnecessary harm and reduce its effect where it cannot be avoided by replacing like with like. Based on DPG 3.5 Box 3 Environment, Heritage & Amenities last pt, 2000 Planning & Development Act Sec 10.2 ©, NPF Pol Obj 60, Louth 5.7 HER 10, Carlow 8.3 2<sup>nd</sup> para 2<sup>nd</sup> pt & 8.8 Pol 2 last pt, Meath 4.6.8 POL 29, Kildare 13.4 NH 1 & 14.10 LO 4, DLR 4.1.3.1 Pol LHB19 1<sup>st</sup> sentence, Sth Dublin 4.3.3 Strategy 2<sup>nd</sup> pt and many other counties.*

**5<sup>th</sup> pt 1<sup>st</sup> phrase**

We submit that you **should include additional Objs:**

*1 Recognizing the role played by natural amenities and landscapes as major resources for visitors and local people and as part of our heritage, identify, provide, support, maintain, actively promote, encourage, protect, preserve, improve, safeguard and enhance **public access** to heritage sites and features, natural heritage and amenities including Natura 2000 sites, nature reserves, mountains, uplands, moorlands, forests, rivers, lakes, valleys, scenic areas, areas of natural beauty and other natural amenities for activities such as mountaineering and hill-walking, which have been traditionally used for outdoor recreation, and to the countryside generally, by creating a meaningful network of access routes as the opportunity or need arises and by designating traditional walking routes thereto as public rights of way. This will be done in co-operation with state agencies, landowners, community groups other interested bodies. Based on Wexford 15.5 RS 12, Sth Dublin 9.40 Pol, Carlow Chpt 8 Natural Heritage 2<sup>nd</sup> pt and many other counties.*

**2** Strive to create a network of natural heritage areas and recreational open spaces/amenity areas by promoting linkages and accessibility by **using walkways/cycleways**. Taken from Cork City 10.3 2<sup>nd</sup> sentence 1<sup>st</sup> phrase.

**3**

### **10.3.1 Context**



## Biodiversity Objectives

### NH6

**7** We submit that you should include an additional sentence: *Ensure that the character of the National Park is **protected**, conserved and enhanced and prohibit any development which would impair its character.* Based on **Sth Dublin** 9.2.2 Action and many other counties.

**8 & 13**

#### 10.3.3 Woodlands, Trees and Hedgerows

**14** We submit that the **1<sup>st</sup> two lines should be replaced by:** *Protect woodlands, in particular native species and those associated with desmesne planting, and groups of trees from inappropriate development that would impact adversely on them and affect their amenity value. Manage and promote the preservation and enhancement of the existing network of **woodlands** as they contribute to the environment including landscape character and **landscape conservation**.* Based on **Kildare** 13.10.1 GI8 **1<sup>st</sup>** phrase and many other counties.

**15** We submit that **this should be replaced by:** *Designate TPOs to protect trees and woodlands of high value where they might be in danger of being felled.* Taken from Monaghan 6.15 TWP 2 last phrase.

**16** We submit that this should be replaced by: *Where appropriate, protect mature trees of environmental and/or amenity value value that are not protected under TPOs.* Taken from Cork County 12.2. HE 2 5.

**17 & 18**

We submit that you **hould include an additional Obj:** *Protect and encourage **access to forestry and woodlands**, in co-operation with Coillte, private landowners and other stakeholders for walking routes (including long distance and looped walks) mountain and nature trails, bridle paths, orienteering and hiking for the benefit of local people and visitors.* Based on Sligo 6.7.4 P OR 23 & Westmeath 3.41 P 4.

See also **5.6 Forestry Poposed additional Obj 4.**

#### 10.3.5 Soils and Geology Objectives

**25 1<sup>st</sup> phrase**

**26** We submit that **this should be replaced by:** *Work with stakeholders, to protect sites of geological or geomorphological interest including County Geological Sites, sites that may become designated, proposed NHAs areas near sites and areas of geomorphological interest from inappropriate development by prohibiting development at or in their vicinity or threaten their existence, integrity and conservation value. Protect, preserve, enhance, maintain, manage, conserve, and where appropriate, restore the character. (Schedule 1o.10 and Map). Based on Planning & Development Act 2000 First Sch Part IV 6, DLR 4.1.3.9 Pol LHB27, Kildare 13.9 NH 16 & NHO9, Carlow 9.1.11 Obj 7, Sth Dublin 9.7.0 Obj 1<sup>st</sup> phrase and many other counties.*

**27**

**28** We submit that **the 1<sup>st</sup> phrase should be replaced by:** *Promote, encourage, facilitate and support access and public rights of way to geological and geo-morphological features of interest inter in consultation with landowners(where appropriate). Based on Louth 5.6 HER 9, DLR 4.1.3.10 last para and many other counties.*

### **10.3.7 Recreational Use of Natural Resources Objectives**

**39 1<sup>st</sup> sentence**

**40** We submit that **this should be replaced by:** *Recognizing the role played by natural amenities and landscapes as major resources for visitors and local people and as part of our heritage, identify, provide, support, maintain, actively promote, encourage, protect, preserve, improve, safeguard and enhance public access to heritage sites and features, natural heritage and amenities including Natura 2000 sites, nature reserves, mountains, uplands, moorlands, forests, rivers, lakes, valleys, scenic areas, areas of natural beauty and other natural amenities for activities such as mountaineering and hill-walking, which have been traditionally used for outdoor recreation, and to the countryside generally, by creating a meaningful network of access routes as the opportunity or need arises and by designating traditional walking routes thereto as public rights of way. This will be done in co-operation, consultation and consensus with state agencies, landowners, community groups other interested bodies. Based on Wexford 6.7.4*

POR 16 & 15.5 RS 12, **Sth Dublin** 9.40 Pol 16, **Carlow** Chpt 8 **Natural Heritage** 2<sup>nd</sup> pt and many other counties.

**41 & 42**

**43** We submit that **this should be re-positioned in Chpt 11- COASTAL ZONE MANAGEMENT** as additional Obj 3.

**44** We submit that **this should be repositioned in an a proposed additional Sub Sec: SAAO.**

### **10.3 8 Public Rights of Way**

**Text**

**1<sup>st</sup> para**

**2<sup>nd</sup> para** We support, with the exception of the last pt.

**Note** We have taken legal advice on this and have been advised that the law in this regard is not totally clear.

**3<sup>rd</sup> & last paras**

***Post adoption note:*** We submit that **this should be deleted as it is unnecessary and it will tend to encourage landowners to challenge the inclusion of a particular PROW.**

**Note**

No other county plans include this provision

We submit that you **should include additional Text:**

**1** *It is intended that **listing** and mapping **will preserve Public Rights of Ways for recreational purposes** for current and future generations.* Taken from Kerry 9.10 2<sup>nd</sup> para last sentence.

**2** If an Interim list is included in the Plan the following should be appended to the list or provided in the written statement: *This is not an exhaustive list and the omission of a right of way from this list shall not be taken as an indication that such a right of way does not exist.* Based **Meath** 9.7.9 2<sup>nd</sup> para 2<sup>nd</sup> sentence and many other counties.

**3** *Public Rights of Way enable enjoyment of high quality landscape and are important for tourism development and recreation.* Taken from **Louth** 7.5 last sentence 1<sup>st</sup> phrase. To which you should add: *The listing of public rights of way is an urgent matter as the lack of certainty on access*

has not only affected the rights of local people but has been the major cause of **the failure of walking tourism to reach its full potential**.

**4** There is an **excellent modus operandi for listing** taken from **Wexford 15.9 RS 35** and many other counties: *Identify the existing public rights of way which give access to seashores, mountains, lakeshores, riverbanks or other places of natural beauty or recreational activity using the following methodology:*

*Place an advert in local papers seeking submissions from the public to identify public rights of way which give access to seashores, mountains, lakeshores, riverbanks or other places of natural beauty or recreational utility.*

*Identify existing rights of ways, paths, and access points to seashores, mountains, lakeshores, riverbanks or other places of natural beauty or recreational activity.*

*Identify access points to seashores, mountains, lakeshores, riverbanks or other places of natural beauty or recreational activity which the Council have maintained or repaired with a view to identifying public rights of way.*

*Carry out a desktop analysis of public records, maps, aerial photographs and newspaper accounts to identify reputations of public rights of way.*

*Once the list is compiled, advertise and put it on display. The public will be invited to make submissions on the validity of the public rights of way. Endeavor to verify and list the public rights of way and begin the formal process for designating rights of way under Section 14 of the Planning and Development Act 2000 (as amended).*

*Vary the Plan to include the list and map showing the public rights of way.*

**5** *Public Rights of Way have existed over the centuries constitute an **important recreational amenity** for local people and visitors and are an economic and social asset. They enable the enjoyment of high quality landscape, natural and archaeological heritage and provide links to valuable amenities such as rivers lakes, bogs, forests and places of natural beauty. Based on **Carlow 8.12 1<sup>st</sup> para 1<sup>st</sup> sentence**, **Wexford 15.9 1<sup>st</sup> para, 2<sup>nd</sup> sentence**, **Kildare 14.11.3 (iv) 1<sup>st</sup> phrase** and many other counties.*

### **Table 10.3 Public Rights of Way**

We submit that you **should examine further traditional walking routes for possible designation** by adopting the modus operandi as set out in Text 4. In particular, we submit that the route through the Luggala Estate from "Pier Gates" to Lough Dan on the Sally Gap to

Roundwood road merits consideration. Also in Glenealy from the local road along Ballymanus Lane, to the entrance to Coillte's wood on Carrick Mountain.

## **Public Rights of Way Objectives**

### **NH46 1<sup>st</sup> sentence**

**47** We submit that:

**1 1<sup>st</sup> sentence you should delete *where resource permit* on 1<sup>st</sup> line;**

**2 2<sup>nd</sup> sentence AND**

**3 3<sup>rd</sup> sentence** You should delete re-routing on 2<sup>nd</sup> last line as it is dealt with in proposed additional Obj and that it should be replaced by: *In accordance with the provisions of either Sections 206 or 207 of the Planning and Development Act 2000 encourage and facilitate the creation of additional rights of way and extend existing ones for pedestrian or amenity reasons, by investigating named areas to facilitate the development of waymarked ways and looped walks, by undertaking a review/survey of green links and cycling routes and by bringing forward proposals within two years of the adoption of the Plan, either by agreement or by the use of compulsory powers, for the creation of public rights of way, particularly in areas of high amenity and recreational importance and to the coast, uplands, seashores, lake shores, river banks, forests, heritage and scientific sites, areas of historic, archaeological and recreational importance and National Monuments, to create a meaningful network. Promote their greater use and designate traditional walking routes to the coast as public rights of way. Provide linkages from built up areas to the countryside and to link with public rights of way in adjoining counties. Based on Carlow 8.12 Obj 4 1<sup>st</sup> pt, DLR 4.1.2.3 LHB14 2nd & 3rd pts, Kildare 14.12.2 RW1 7<sup>th</sup> line and many other counties.*

**48** We submit that **this should be deleted.**

### **Reason**

There is clearly a flaw in existing legislation on this topic in that, as it stands, there is a lacuna regarding who is responsible for the maintenance of prows designated after 21 st Jan 2002.

We submit that, in order to ensure that prows are kept open, so that users can exercise their rights the Council must decide who is responsible. There are three possibilities: the Council, the landowners or recreational users? It is clearly impractical for recreational users to be held responsible. We feel that it is unfair for landowner to be held liable

as she/he already has to bear the inconvenience of a prow crossing their property. That leaves the Council. To sum up, if this problem is not dealt with it could well result in prows becoming unsafe leading either to their becoming unusable or used with difficulty. In the latter case it could lead to safety issues and possible litigation. Surely funding should not be a major problem in the context of their overall budget. Another approach would be for the Council to organise periodic maintenance days for volunteers which we feel would be quite feasible. See proposed additional Obj 8.

We submit that you **should include additional Objs:**

**1** *Provide, and where necessary, improve **signposting** and waymarking on all public rights of way.* Based on **Carlow** 8.12 Obj 4 last pt and many other counties.

**Note** It is most important that public rights of way are marked on the ground because:

- 1 Walkers need to know of their existence to encourage usage
- 2 Signage would alert local residents to planning applications affecting the integrity of rights of rights of way
- 3 Directional signage during the course of the route would prevent involuntary trespass on private property and prevent walkers getting lost which might impinge on walker safety.

**2** *Protect and promote **Greenways** and consider **designating them as public rights of way.*** Taken from Laois 7.21 PRW5 1<sup>st</sup> phrase.

**3** *Identify and map, on an ongoing basis, **public rights of way** and incorporate them in the Plan by way of a Variation. Where appropriate links to established public rights of way in adjoining counties will be identified.* Taken from Westmeath 7.15 O 1. See also **Meath** 9.7.9 NH OBJ 9.

**4** *Designate **Pilgrim Paths** such as St Kevins Glendalough to Hollywood as **public rights of way.***

**Note** We submit that as these Paths have been walked for many centuries their case for designation is surely irrefutable.

**5** *Identify **mass paths** and routes to holy wells, mass rocks and penal mass stations and consider **designating them as public rights of way.***

**6** *Encourage the provision for the common good of a **network** of Public Rights of Way to traditional outdoor amenities, including heritage sites*

*and features of archaeological interest, national monuments, mountains, hills, rivers, forests, lakes, geological and geomorphic systems, water corridors, places of natural beauty and other natural amenities. Taken from Westmeath 7.15 P 1 1<sup>st</sup> sentence 2<sup>nd</sup> phrase.*

**7 Identify public rights**, under the provisions of Sec 14 of the Planning and Development Acts 2000(as amended), by marking them on a at least one map forming part of the Development Plan and by indicating their location within one year of the adoption the Plan which will be amended by way of a variation. Based on **Wexford** Obj RS 34 2<sup>nd</sup> sentence and many other counties.

Ident/map as thy come to the att of the cou

**8 Recognizing the importance of protecting and maintaining public rights of way especially in tourist and coastal areas and those which provide access to archaeological sites, National Monuments, seashores, lakeshores, riverbanks, upland areas, water corridors or other places of natural beauty or recreational activity and to encourage and facilitate the development of cycling and walking in areas of high amenity, identify, maintain, preserve, protect, enhance, support, promote and improve them for the common good and ensure that development does not impinge thereon. Ensure that they are effectively maintained by controlling undergrowth, trees and bushes.** Based on **Kildare**14.11.3 (iv) 2<sup>nd</sup> phrase, **Louth** 7.5 text last sentence 1<sup>st</sup> phrase, **Wexford** 15.9 Obj RS 34 1<sup>st</sup> sentence, **DLR** 4.1.2.3 LHB14 1<sup>st</sup> pt, **Kildare** 14.12.2 RW 1 1<sup>st</sup> phrase and many other counties.

**9 Prohibit development and keep free from obstruction public walking routes and public rights of way, particularly those at seashores, mountains, lakeshores, riverbanks or other places of natural beauty or recreational activity and take legal action if necessary, to prevent any attempt to close them off.** Based on **Carlow** 5.3.2 Pol 8 7<sup>th</sup> pt, **DLR** 4.1.2.13 LHB14 4<sup>th</sup> pt & **Wexford** 15.9 Obj RS36.

**10 Look favourably on planning applications which include proposals to improve the condition and appearance of existing rights of way.**

Taken from **DLR** 4.1.2.3 LHB14 6<sup>th</sup> pt, **Carlow** 8.12 Pol 6 7<sup>th</sup> pt & **Kildare** 14.12.2 RW 4.

**11 Existing Public Rights of Way and established walking routes shall be identified prior to any new forestry planting, new infrastructural, energy/telecommunications or golf course developments.** Taken from **Kildare** 14.12.2 RW 3.

**12 Development will not be permitted where a public right of might be prejudiced**, unless specific arrangements are made for suitable alternative linkages and that the developer can demonstrate that the level of amenity is maintained by:

- (i) the footpath/bridleway being diverted by the minimal practical distance and the route continues to be segregated from vehicular traffic;
- (ii) Appropriate legal procedures have been undertaken to extinguish the existing right of way and to establish the new right of way to replace it.
- (iii) the diverted route is of at least equal character and convenience.

Based on **DLR 4.1.2.3 LHB14 5<sup>th</sup>** pt and many other counties.

**13 Where, in the interests of proper planning and development, the extinguishment of an existing right of way becomes expedient, the Council may require the provision of a suitable alternative.** Taken from Galway City 4.5.1 4<sup>th</sup> para 3<sup>rd</sup> sentence.

#### **10.3.9 Wicklow's Landscape**

**49**

**50 We submit that this should be re-positioned in AONB in proposed Obj 6.**

**51**

We submit that you **should include additional Objs:**

**1 Provide and increase managed public access to interesting and attractive landscapes or to semi-natural and landscape amenity areas for recreational purposes.** Based on Cork City Obj 10.3, Fingal 9.2 **High Amenity Zoning** last pt & Dublin City 10.5.2 GIO9.

**2 Preserve, maintain, enhance and protect the amenity value, visual integrity of upland areas.** Discourage inappropriate development in open countryside and prohibit developments which are likely to have material adverse visual impacts, either individually or cumulatively, on the character of the uplands. Ensure that development will not materially interfere or detract from scenic uplands and that particular regard is had to potential impacts of new developments and require that proposed developments demonstrate that every effort has been made to reduce visual impacts(including excessive bulk and inappropriate siting) and that visually prominent sites have been avoided to minimise visibility from scenic routes, walking trails, public amenities, settlements and



roads. *Protect the positive contribution that views across adjacent lowlands areas and landmarks make to the overall landscape character. Have particular regard to the potential impacts of development on sensitive upland areas and consider the difficulty of establishing and maintaining screening vegetation.* Based on **Kildare** 14.8.3 LU 1, 4 & 5, **Wexford** 14.4.3 LO3 and many other counties.

**3 Protect**, conserve, preserve, maintain, identify and enhance the visual integrity, uniformity, scenic quality, general amenity and recreational values and the visual quality of areas of intrinsically important and outstanding, highly **sensitive**, designated, natural, unspoilt, visual vulnerable and open **landscapes**(named), scenic areas, high amenity areas and the environs of archaeological or historic sites(named) from intrusive, inappropriate, injurious or unsympathetic new, or additions to, existing developments and reinforce their character and distinctiveness by prohibiting development where it could unduly impinge or impact on such landscapes or would be injurious to, or detract from natural amenities or introduce incongruous landscape elements. Based on **Louth** 3.10.7 1, **Sth Dublin** 9.20 Pol 7, **Kildare** 14.8.1 LA 1 1<sup>st</sup> phrase, **Meath** 9.8.6 OBJ 1 2<sup>nd</sup> phrase and many other counties.

We submit that you **should include additional Sub Secs:**

#### **A Fencing Of Hitherto Open Land**

##### **Text**

1 *It is a requirement of the Planning Regulations 2001 Art 9(l)(a)(x) that the **fencing or enclosure of land open to or used by the public** during the ten years preceding such fencing or enclosure for recreational purposes or as a means of access to any seashore, mountain or other place of natural beauty or recreational utility, requires planning permission.* Taken from **Kilkenny** 6.2 **Fencing** 1<sup>st</sup> sentence. See also **DLR** 8.2.7.5 1<sup>st</sup> para & **Sth Dublin** 11.5.5(iii) 1<sup>st</sup> para.

2 **Wire fencing** constitutes visual pollution and destroys the “away from it all” feeling which makes upland areas such an attraction for both local people and visitors. Taken from **Kilkenny** 6.2 **Fencing** 2<sup>nd</sup> sentence.

3 *There has been a **large increase in the amount of new fencing in upland areas**. Barbed wire has been used in most of this new fencing, which, in the absence of stiles or gates, makes access for recreational users of our countryside almost impossible. Traditional hill-sheep farming rarely required fencing, but since the introduction of AEOS,*

*sheep-farmers must, in certain circumstances, stock-proof their land. The challenge is to ensure that such fencing will be done in a manner that will meet the requirements of AEOS without impinging on access for walkers and other recreational users.*

## **Pol**

*As new **fencing of land open to or used by the public** during the ten years preceding is not exempt development in accordance with Art 9(1)(a)(x) of the Planning and Development Regulations the following criteria will be used when considering planning applications for new fencing: Fencing, particularly in upland, highly scenic or amenity areas, will not normally be permitted unless such fencing is essential to the viability of the farm and that it conforms to the best agricultural practice. The nature of the material to be used, the height of the fence, and in the case of a wire fence the type of wire to be used will be taken into account. Stiles or gates at appropriate places will be required. Barbed-wire will not be used for the top line of wire. Based on Mayo Vol 2 40.3.1, Kilkenny 6.2.4 last pt, Sligo 7.4 P LCAP 6 2<sup>nd</sup> to last sentences & Fingal Chpt 5 Obj RF115. See also DLR 8.2.7.5 list of pts & Sth Dublin 11.5.5(ii).*

## **B Historic Graveyards & Burial Grounds**

### **Objs:**

**1** *Provide and improve **public access** to graveyards. Based on Wexford 14.6.3 Obj GO1 1<sup>st</sup> phrase and many other counties.*

**2** ***Protect**, preserve, enhance, conserve and maintain archaeological/historic graveyards and their settings and historic burial grounds(including those identified in the RPM) and those in the guardianship of the Council through improved access. Encourage and promote local involvement and community stewardship in the care, maintenance, management rehabilitation and conservation of these graveyards in accordance with legislation, best conservation and heritage principals and best practice guidelines. Maintain all burial grounds in the Council's charge in good condition. Based on Cork City Obj 9.17 1<sup>st</sup> sentence, Donegal 7.3.3 P 6, Laois 4.2.4 BG3. See also Kildare 12.9.1 AH6, Carlow 8.13 Pol 7 1<sup>st</sup> & 2<sup>nd</sup> pts, 8.13 & 9.2 Pol 3 6<sup>th</sup> pt 1<sup>st</sup> sentence, Meath 5.12 POL 45 & 9.6.9 OBJ 11, DLR 6.1.2.5 1<sup>st</sup> phrase & Wexford 14.5 AH11 & 14.6.3 Obj GO1.*

## **C Inland Waterways**

**Note** This is a recommended topic under the **Heritage Act 1995** Sec 6(1).

We submit that you **should include a Table of: Existing or potential riverside and lakeside walks/cycle routes.** See **Carlow** 8.11.10 7<sup>8</sup> line & **Kildare** 5.9.5 ECD 29.

**Objs:**

- 1** *In partnership with the NPWS, WI, Councils, community groups and other relevant stakeholders, identify, provide, preserve, protect, promote, encourage, develop, maintain, facilitate, increase and improve **public access** to the shoreline around lakes and to rivers, canals and riparian/waterway corridors. Based on **National Heritage Plan** 4.17, **Wexford** 15.5 RS 12 2<sup>nd</sup> line, **DLR** 4.1.3.7 Pol LHB25 2<sup>nd</sup> sentence and many other counties.*
- 2** *Promote, develop and facilitate **access for walking**, cycling tracks and other compatible activities along inland waterways and in the vicinity of watercourses including rivers and canals in co-operation with landowners, WI, NPWS, Government Departments, community groups and other councils. Encourage the retention of existing walkways along lakes and rivers. Based on **Louth** 7.4 TC 25, **Kildare** 14.12.1 CR 7 and many other counties.*
- 3** *Preserve and enhance an undisturbed buffer zone or riparian corridor by requiring the reservation of land adjoining or adjacent to canal and river banks, streams, lakes and other waterbodies to protect them and promote and facilitate the **creation of waterside linear parks** to link with existing parks and open spaces and to facilitate the provision of walking/cycling routes along canals and watercourses and to facilitate and encourage public access for non-noise generating recreational 5 activities. Based on **Carlow** 8.8 Pol 2 5<sup>th</sup> pt 1<sup>st</sup> phrase, **Kildare** 5.24 ECD 50 and many other counties.*
- 4** *Recognising the importance of inland waterways, both navigable and unnavigable, work with State Agencies, landowners, local communities and other relevant groups/stakeholders to **protect**, manage, maintain, preserve, conserve, improve and enhance waterbodies and watercourses, rivers(named), river valleys, streams, lakes, springs and associated undeveloped riparian strips/zones, buffer zones distinctive linear sections of water corridors, canal and river banks, river valleys*

*and riverine wetland areas from degradation and damage and the visual impact of dispersed and highly visible development that could adversely affect them by compromising their visual integrity, recreational, natural heritage, aesthetic, geological or landscape values and the natural characteristics and features and recognise and promote them as natural environmental assets, and key elements in the green infrastructure network and maintain them free from inappropriate development. Keep them in an open state and in a natural condition by discouraging culverting or realignment and in certain instances by uncovering existing culverts. Based on Kildare 14.8.5 WC 3 & 14.9.2 WV 3, Sth Dublin 8.2.0 Obj 4, DLR 4.1.3.7 LHB25, 1<sup>st</sup> para 1<sup>st</sup> sentence last clause, Wexford 14.4.3 L03, Carlow 9.1.7 Obj 3 1<sup>st</sup> pt & 4 4 1<sup>st</sup> pt and many other counties.*

**5** *Protect and maintain the amenity and recreational value of **walking and cycling routes** by prohibiting the intrusion of development along these routes. \*Seek to ensure that new development will not have a negative impact on established walking routes and public rights of way along inland waterways.*

*It would be better if Seek to was omitted.*

*Based on Carlow 5.3.2 Pol 8 7<sup>th</sup> pt 1<sup>st</sup> phrase, Kildare 14.12.2 RW 2 and many other counties.*

**6** *In areas adjacent to inland waterways, lakes, rivers, where **planning permission** is sought, the applicant must ensure that full **public access** to waterways is retained or conditions may be attached requiring retention of this access to facilitate creation or extension of walking/cycle routes. Based on Longford 6.2.27 ILW 5 2<sup>nd</sup> sentence & Dublin City App 23.9 2<sup>nd</sup> para last sentence.*

**7** *Protect, enhance and improve **existing public rights of way** and, where possible, provide additional access to inland waterways including lake shores, riverbanks, through the acquisition of land for public rights of way and parking and lay-by facilities, through agreement with existing landowners\*. Taken from Longford 6.2.2.7 ILW 5 1<sup>st</sup> sentence & 6.*

*\*You should add: or by the use of compulsory powers*

**8** *Normally only permit proposals for **development associated with water sports** adjacent to lakes where the proposed facilities are compatible with existing use of water including non-recreational uses,*

*will not result in damage to features of archaeological heritage, can be satisfactorily integrated into the landscape, will not have an unacceptable impact on visual amenities and will not result in over intensification of use leading to excessive noise. Taken from Laois 8.5 DM 34.*

**9** *Recognise the importance of **rivers and river corridors for walking and cycling**, natural amenity and scenic values and promote their development for recreational purposes and tourism. Support and facilitate the development of Greenways and Trails along (name) rivers. Based on Wexford 15.6 Obj RS24 1<sup>st</sup> phrase, Carlow 8.12 Pol 6 10<sup>th</sup> pt 1<sup>st</sup> sentence, Sth Dublin 4.5.0 Pol 6 Obj 1 and many other counties.*

**10** ***Riparian corridors** shall be kept free from **development** along the side of each bank of the river for recreational requirements. Taken from Louth 5.15.5 HER 69 1<sup>st</sup> sentence.*

**11** *Promote, extend and facilitate the provision of increased **access** to lakeshores to extend public walking and cycling routes. Based on Galway County 9.3.4.1 HL55 8<sup>th</sup> pt & Westmeath 3.16 P 6 1<sup>st</sup> phrase, 6.27 O 2 & 7.13 O 8.*

**12** ***Maintain the amenity value** of major lakes and immediate adjoining areas including skyline development on surrounding hill crests, within a landscape, recreational and ecological context by restricting and regulating development that would prejudice use and enjoyment of these areas. Taken from Cavan 8.8.1 NHEO33 & 34.*

## **D Mass Rocks**

**Obj:** *Preserve, **protect** and, where necessary, enhance mass rocks and holy wells. Taken from Nth Tipp 8.4.5(iii).*

## **E Wetlands**

### **Objs:**

**1** *In partnership with the NPWS, WI and other stakeholders provide and facilitate **public access** to wetlands and support and protect the recreational and amenity potential of wetlands and provide for an intrinsic network. Based on Meath 9.7.10 POL21, Carlow 9.1 Pol 1 7<sup>th</sup> pt and many other counties.*

**2** ***Protect**, conserve, manage and enhance existing wetlands(including fens, and estuarine marshland )which are vital green infrastructure, from destruction, infilling, fragmentation, degradation and other inappropriate development and protect and conserve their quality, character and features by controlling adjacent development by use of buffer zones.*

Based on **Sth Dublin** 7.2.0.9, **DLR** 4.1.3.7 1<sup>st</sup> para 6<sup>th</sup> pt and many other counties.f

## **F Wicklow National Park**

**Obj:** *Ensure that the character of the Wicklow National Park is **protected**, conserved and enhanced and prohibit any development which would impair its character. Based on **Sth Dublin** 9.2.2 Action and the provisions in the development plans of other counties who have national parks.*

## **g World Heritage Sites**

### **Obj**

*Ensure that **development proposals** in designated WHS will be assessed having regard their contribution to their preservation and enhancement. Protect and preserve them from inappropriate development and maintain the Outstanding Universal Value of the tentative WHS of the Glendalough Monastic Settlement and engage with other national and international initiatives which promote special places of natural heritage. Based on **Louth** 3.10.7 6 & 5.9.9 HER 31 and many other counties.*

## **CHAPTER 11 - COASTAL ZONE MANAGMENT**

### **11.2 General Coastal zone Management Objectives**

#### **CZM1**

**5** *We submit that this should be replaced by: **Prohibit inappropriate development where such development would significantly interfere with the recreational use of beaches or which could cause damage to, or degradation of, beaches, estuaries or sand dunes, protected/designated landscapes, amenity areas and their recreational and amenity values both for visitors and local people or where it might affect the character, quality and distinctiveness of seascapes. Protect, conserve, safeguard and preserve the character, visual, environmental and amenity values, quality and distinctiveness of coasts, landscapes and seascapes as valuable local amenities and as a tourism resource, enhance their visual and scenic qualities by protecting the skyline. Strictly control the nature***

*and pattern of development and ensure that it is designed and landscaped to the highest standards and sited so as not to detract from the visual amenities. Development must accord with its surroundings in scale, density, height, massing, layout and must not have a detrimental impact on skylines or important views. Development shall be prohibited where development poses a significant or potential threat to coastal features and/or where the development is likely to result in altered patterns of erosion or deposition. Protect the structure and function of sand dunes and prohibit development that would damage their visual integrity.* Based on **NPF** National Policy Obj 41a, Donegal 7.1.3 P8 & 10.3 P9 & 10, Sligo 10.4.4 P DCZ 1 1<sup>st</sup> para, Fingal 9.5 Obj NH 60 & 67, Leitrim 3.3.3 para under Pol 18 2nd & 3<sup>rd</sup> pts, Galway County 9.9 NHB 8 c) & 10 1<sup>st</sup> & 3<sup>rd</sup> sentences, Kerry 5.1 T4, 6 **Tourism Overall** Obj T 62 & 10.16.1 NE59 & Clare 12.3.15.14a) & c). See also **Meath** 9.7.11 1<sup>st</sup> phrase.

## 6 & 7

We submit that you **should include additional Objs:**

1 *Provide, support, actively promote, maintain, protect, improve and enhance **access** to the coast, beaches, seashore, coastal heritage and scenic landscapes in co-operation with landowners, relevant stakeholders and local groups and with statutory and relevant organisations for recreational activities including walking and cycling and examine the designation of traditional walking routes thereto as public rights of way. Where feasible, develop walkways/cycleways between the coast and green spaces in built-up areas.* Based on **Wexford** 13.7 CZM 26 1<sup>st</sup> sentence 1<sup>st</sup> phrase & 2<sup>nd</sup> sentence 1<sup>st</sup> phrase & 13.9 CZM31, **Meath** 9.7.11 OBJ9, **DLR** 4.1.2.9 3<sup>rd</sup> para last sentence and many other counties.

2 *Work to protect beaches, within dunes and in other vulnerable areas manage and **control car parking and vehicular movements**.* Based on **Meath** 9.7.11 POL 23 and many other counties.

### **Note**

**Louth, Meath** and many other counties have adopted Bye-laws.

3 See 10.3.7 NH 42

## **CHAPTER 12 IMPLEMENTATION AND MONITORING**

### **12.4 Enforcement**

## **Vol 3 App 1**

### **DEVELOPMENT AND DESIGN STANDARDS**

We have to say that the layout of the DDS is an absolute disaster:

**A** The pages come in two different sizes.

**B** Its far too cramped which leads to very difficult reading. You should either make more space or alternatively draw line under each pt.

**C** This brings us to the pts. Firstly there should be paragraph nos instead. However if you still insist on pts for goodness make them big pts not the miserable little ones you have.

**D** A more detailed Contents Sec would be a help.

### **Section 3**

**Forestry** We submit that **this should be re-located in 5.6 Forestry as an additional Obj.**

### **Extractive Industry General**

**1<sup>st</sup>, 3<sup>rd</sup> & last pts** We submit that **these should be re-positioned in 5.6 Extractive Industry and merged with Strategic Objective.**

### **Extractive Industry in Area of Outstanding Natural Beauty**

### **Application requirement requirements for extractive developments Lands and mineral interest**

### **Section 4 Tourism and Recreation**

#### **General criteria for tourism and recreational development**

We submit that **these provisions should be re-located in to Vol 1 7.4 T2.**

**1** *Prohibit developments and other activities associated with tourism unless they are appropriate to the traditional character of the area in terms of scale, nature and design and must be sensitively located, and must not interfere with or detract from areas of special amenity and from visual/scenic amenities on approach roads to the visual setting of, or the views to be had from significant tourist attractions. Developments must minimise adverse impacts on landscapes leaving them undiminished as a resource for future generations and must be sensitively located, sited, designed and landscaped so that environmentally sensitive areas are protected. Ensure that development must be sympathetic in manner in*



*regard to the environment, heritage and amenities. Based on Wexford 14.4.3 L08 2<sup>nd</sup> sentence 1<sup>st</sup> phrase and many other counties.*

*2 The Council, when assessing development proposals for tourist accommodation or facilities, must ensure the protection and enhancement of amenities and be compatible with the relevant land uses in its nature and extent, are not located where they would be significantly detrimental to environmentally sensitive landscapes either existing or which may arise in the future. Ensure the protection of environmentally sensitive areas and areas identified as sensitive landscapes in the LCA by taking into account its location and design, that landscapes and the environment are **protected** so that they can be enjoyed and cherished by future generations and that natural heritage, landscape, rural countryside and amenities are protected. Ensure that development is in sympathy with the environment, heritage and amenities that built development and other activities associated with tourism are appropriate to the character of the area, that development is compatible with the enhancement, preservation and protection of the environment, that it does not impact negatively on the landscape and that development is of a high standard of design and landscaping, with consideration being given to the impact on its surroundings in terms of scale and intensity, that all tourism developments are design to the highest quality and standards, that the nature and scale appropriate to the character of the area is visual sympathetic to its surroundings, shall not give rise to significant adverse impact on scenic heritage or environmental or conservation qualities of the area, will not have a significant effect on Natura 2000 sites and the environment and visual amenity and that developments do not negatively impact on the natural landscape. Based on Meath 4.6.8 ED POL 27 and many other counties.*

## **Section 10 ENERGY & TELECOM**

### **Mast and Telecommunications**

#### **Location**

#### **Rural locations**

**3 1<sup>st</sup> para** We submit that this **should be re-positioned in 9.4.3 Telecommunications Objectives and merged with T3.**

**1<sup>st</sup> pt**

**2<sup>nd</sup> to 5<sup>th</sup> pts As 1<sup>st</sup> para**

**2<sup>nd</sup> para** We submit that this **should be re-positioned in 9.4.3 Telecommunications Objectives and merged with T3.**

**Access roads and power supply**

**Mast/antennae design**

**1st para**

**1<sup>st</sup> pt** We submit that this **should be re-positioned in 9.4.3 Telecommunications Objectives and merged with T3.**

**3<sup>rd</sup> pt**

**Site layout/design**

**Obsolete Structures**

**2<sup>nd</sup> para**

**Section 11 Heritage**

**Archaeological heritage**

**1<sup>st</sup> para 1<sup>st</sup> phrase**

**2<sup>nd</sup> phrase** We submit that **this should be repositioned in 10.22 Archaeology BH 1.**

**3<sup>rd</sup> & 4th paras**

**(5) Landscape Assessment**

**Section 2 : An analysis if Wicklow's Landscape**

**2.3 GIS and the Sensitivity Map**

**2.4 Analysis of the Sensitivity Map**

*Fig 2.1*

**Section 3 Analysis of the existing Landscape Categories and the sensitivity map**

*Figure 3.1*

**Appendix 6 Wind Energy Strategy**

Once again the layout is confusing and should be re-assessed

### **3. Assessment criteria**

**1<sup>st</sup> 3 paras**

**1. to 3**

**5.**

### **4. Environment Impact Assessment**

**KEEP IRELAND OPEN**

**Jan 2020**