

# Proposed Variation Number 1 to the Wicklow County Development Plan 2022 – 2028

## Volume 2

## Rathdrum Town Plan



September 2023  
Wicklow County Council

## Introduction

In accordance with Section 13(2) of the Planning and Development Act 2000 (as amended), Wicklow County Council is proposing a variation of the County Development Plan 2022-2028.

### Proposed Variation

Rezone 0.81ha of land at Ballygannon, Rathdrum, from 'RN – New Residential' to 'OS2 – Passive Open Space' and amend the written text of the Rathdrum Town Plan to reflect the changes consequent from the rezoning. (See land use zoning map attached.)

### Reason for this variation:

- (a) Having regard to Section 653 (1) (a) and (b) of the Taxes Consolidation Act 1997 (as amended) (Residential Zoned Land Tax), following receipt of a submission to the draft map, seeking a rezoning.
- (b) Having considered the guidance set out in Circular Letter NRUP 07/2022, the Chief Executive is satisfied that:
  - The removal of the 'residential' zoning of these lands would not undermine the proper planning and sustainable development of the area, including the core strategy and housing supply targets for Rathdrum, having particular regard to the quantum of residential land zoned in Rathdrum in the Wicklow County Development Plan 2022-2028.
  - While these lands are located close to the core of Rathdrum, the removal of the 'residential' zoning of these lands would not conflict with the goals of compact growth and the 'sequential approach to zoning' set out in the Development Plan Guidelines. The purpose of the 'sequential approach' is to avoid development and zoning 'leapfrogging' to less centrally located areas; this would not arise in this case as (a) no alternative, more peripheral lands are proposed or are necessary for rezoning on foot of this potential de-zoning, (b) the lands beyond this site are already under development and (c) the recently adopted Rathdrum Town Plan provides for carefully calibrated residential zoning provisions that accord with the sequential approach.
  - The removal of the 'residential' zoning of these lands would not conflict with town centre regeneration aims. In order to achieve these aims, it is not essential that every piece of undeveloped land in a town be zoned for intensive / development use – towns require a range of uses and services, including open lands, in order to be sustainable.
  - An alternative 'biodiversity' related zoning would benefit the environment and the residents of Rathdrum and would contribute towards the achievement of the County's biodiversity and climate action goals.

## Background summary of Proposed Variation to the Wicklow County Development Plan 2022-2028

In the preparation of the first set of maps for the Residential Zoned Land Tax (RZLT) in 2022/23 only, a landowner who has land that is considered to be 'in scope' for the tax on a draft or supplemental map may make a submission to request a change to the zoning of the land. Such requests are facilitated under Section 653(1) of Part 22A of the Taxes Consolidation Act 1997 (as amended by the Finance Act 2022) in order to provide an opportunity for landowners to have the status of their land reviewed in light of the undertaking of the new taxation measure.

The final RZLT map shall reflect any changes in zoning since the draft or supplemental maps were published as a result of the adoption of a new development plan or variations made to the development plan as a consequence of the determination of any re-zoning requests made during the public notification process, where such changes to zoning result in the land no longer meeting the 'relevant criteria' for falling into scope.

Circular Letter NRUP 07/2022 on December 2022 provides guidance from the Minister with regard to the process of considering any such re-zoning requests.

Submission number WW-RZLT-14, in relation to 0.81ha of land in Rathdrum, was received on 20 December 2022. This submission sought to have this parcel of land rezoned. The site comprises a large 'back garden' to the rear of the landowners dwelling. There is a strip of Passive Open Space (OS2) zoned land to the rear of the site, which adjoins a stream to its southern boundary. The stream flows into the Avonmore River to the east, circa 1km from the site.

The Chief Executive has assessed the request and is of the opinion that a variation process should be commenced in relation to the subject lands in Rathdrum. It is proposed to re-zone the lands from 'RN – New Residential' to 'OS2 – Passive Open Space'.

A SEA screening report and an AA screening report have been prepared on foot of this recommendation to vary the Wicklow County Development Plan 2022-2028.

### **Display of Proposed Variation**

Written submissions/observations with respect to the display documentation including the Proposed Variation and associated addenda may be made in writing, during the period 06 September 2023 to 03 October 2023, in one of the following ways:

1. Write to: Administrative Officer, Planning Section, Wicklow County Council, Station Road, Wicklow Town
2. Email to: [planreview@wicklowcoco.ie](mailto:planreview@wicklowcoco.ie)

All written submissions / observations that relate to the display documentation and which are made to the planning authority within the stated period shall be taken into consideration before the making of any variation.

**Note:** submissions / observations on issues that do not relate to the proposed variation will not be considered.

### **Next Stage**

Following the ending of the display period on 03 October 2023, a Chief Executive's Report on the submissions received with respect to the proposed variation will be prepared. This report will summarise the issues raised in the submissions and will contain the opinion of the CE in relation to these issues and recommendations including any alternations to the proposed variation as are considered appropriate. This report will be considered by the members of Wicklow County Council.

Following consideration of the proposed variation and the report of the CE, the elected members may, by resolution, make the variation as proposed, with or without modifications or they may refuse to make it.

Where the members propose to make a modification to the proposed variation and this would, if made, be a material alteration to the proposed variation, the Planning Authority shall publish notice of the proposed material alteration and invite submissions from the public.

## **Strategic Environmental Assessment & Appropriate Assessment**

In accordance with the relevance legislative requirements, the proposed variation is accompanied by the following addenda:

- Strategic Environmental Assessment screening report and determination
- Habitats (Appropriate) Assessment screening report

The proposed variation should be considered in conjunction with these addendums.

## **Other Useful document links**

[Wicklow County Development Plan 2022 – 2028](#)

[Rathdrum Town Plan 2022 – 2028 \(Volume 2 of the CDP 2022 - 2028\)](#)

[Submission Number WW-RZLT-14](#)

[Residential Zoned Land Tax Guidelines, June 2022](#)

[Circular Letter NRUP 07/2022, December 2022](#)

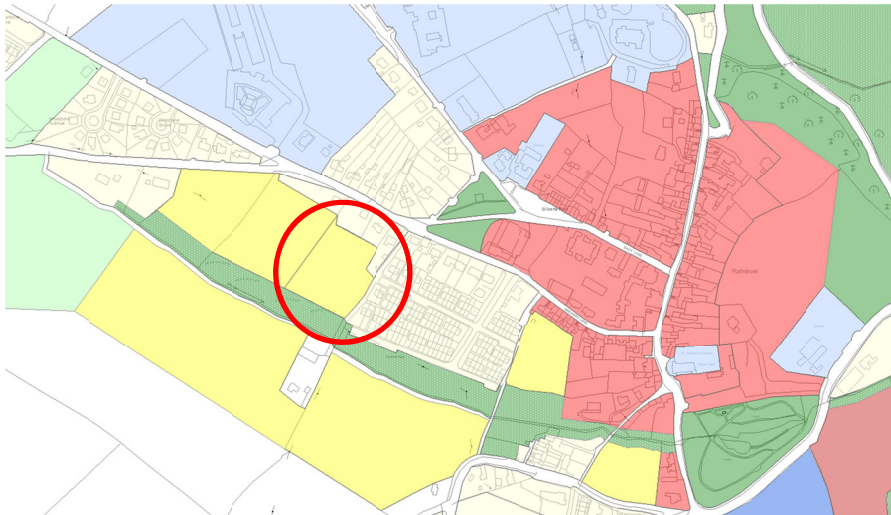
**PROPOSED VARIATION NUMBER 1 TO THE WICKLOW COUNTY DEVELOPMENT PLAN 2022-2028**

Proposed Variation No. 1 relates to Volume 2; The Rathdrum Town Plan, of the Wicklow County Development Plan 2022-2028.

Rezone 0.81ha of land at Ballygannon, Rathdrum, from 'RN – New Residential' to 'OS2 – Passive Open Space' and amend the written text of the Rathdrum Town Plan to reflect the changes consequent from the zoning change:

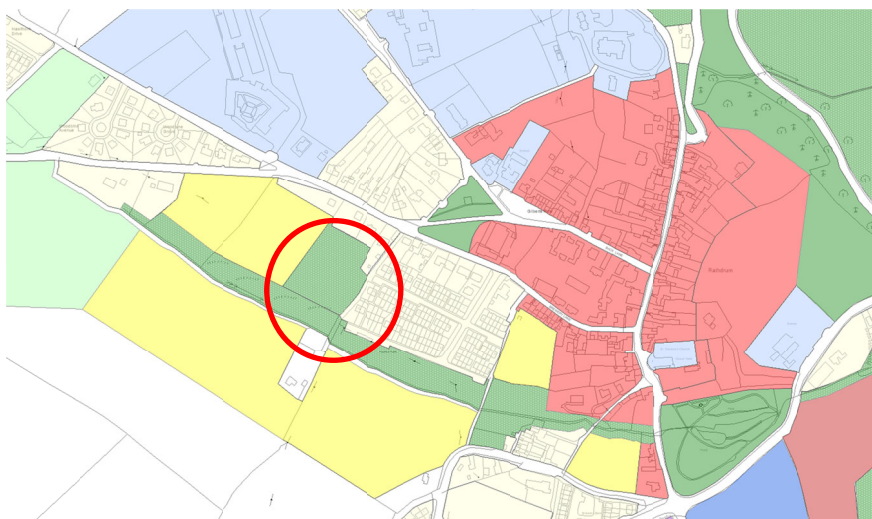
**a) Rathdrum Town Plan Land Use Map Amendment**

from



<b>RN: New residential</b>	To provide for new residential development and supporting facilities.	To facilitate for the provision of high quality new residential developments at appropriate densities with excellent layout and design, well linked to the town centre and community facilities. To provide an appropriate mix of house sizes, types and tenures in order to meet household needs and to promote balanced communities.
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To



<b>OS2: Passive Open Space</b>	To protect and enhance existing open, undeveloped lands	To protect, enhance and manage existing open, undeveloped lands that comprise flood plains, buffer zones along watercourses and rivers, steep banks, green breaks between built up areas, green corridors and areas of natural biodiversity.
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and

## b) Rathdrum Town Plan Written Statement Amendment

Section '4.3 Residential Development' of the Rathdrum Town Plan written document is amended with new text in blue and deleted text in ~~red strikethrough~~.

### 4.3 Residential Development

This plan makes provision for the zoning of ~~10.85ha~~ 10.05ha for new residential development of which c. 60% is located outside of the CSO 2016 boundary, with a capacity of c. ~~335~~ 305 units.

**Table 4.1 New residential zoning provisions**

Location/Description	Area (ha)	Zoning	Potential No. of Units
Union Lane	0.35	RN	10
Ballygannon	<del>2.8</del> 2.0	RN	<del>90</del> 60
Brewery Lane	0.63	RN	20
Poundbrook Lane	0.57	RN	20
Knockadosan	6.5	RN	195
Total	<del>10.85</del> 10.05		<del>335</del> 305