



Draft Blessington Local Area Plan Submission - Report

Who are you:	Agent
Name:	Marshall Yards Development Company Limited
Reference:	DBLESSLAP-183806
Submission Made	December 10, 2024 6:41 PM

Topic

Land Use Zoning / Specific Local Objectives / Land Use Zoning Map

Submission

Please refer to the attached Submission made on behalf of Marshall Yards Development Company Limited.

File

Q72724 Draft LAP Submission v3.0.pdf, 1.19MB

Wicklow County Council
County Buildings
Whitegates
Wicklow Town
Co. Wicklow

Tuesday, 10th December 2024

To whom it may concern,

RE: SUBMISSION IN RESPECT OF THE *DRAFT BLESSINGTON LOCAL AREA PLAN 2025*

1.0 INTRODUCTION

Thornton O'Connor Town Planning¹ have been retained by Marshall Yards Development Company Limited² to prepare this Submission in respect of the *Draft Blessington Local Area Plan 2025*.

Specifically, this Submission pertains to 2 No. sites of approximately 5.35 Ha (Site A) and 2.0 Ha (Site B) to the west/north-west of the established town centre of Blessington, Co. Wicklow. The site locations are described in Section 2.0 below.

1.1 Requests of this Submission

This Submission comprises a series of principal requests for the final version of the *Blessington Local Area Plan 2025*.

With respect to Site A:

- Our Client welcomes the RN1 zoning proposed along the site's south-eastern extent and requests that it is retained in the final version of the LAP.
- Our Client requests that the proposed open space zoning's (OS2) extent in the site's northern corner reverts to the (reduced) area of zoned 'Open Space' previously defined in the *Blessington Local Area Plan 2013–2019*.

With respect to Site B:

- Our Client requests that the proposed open space zoning extents (OS1 and OS2) at the site's eastern side and southern corner are generally omitted in favour of the 'CE – Community & Education' zoning that is also present on the rest of the site. This would be

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² [REDACTED]

a reversion to a similar configuration as that previously defined in the *Blessington Local Area Plan 2013–2019*.

General:

- Our Client requests that key aspects of 'ancillary urban and residential development' be included as open for consideration uses in appropriate instances on lands zoned AOS, OS1 and OS2.

1.2 Live Planning Application for Development

Simply for context and background, our Client is currently the Applicant for a Large-scale Residential Development (LRD) at Site A. In summary, the LRD comprises 269 No. residential units (233 No. 'standard' dwellings and 36 No. 'Later Living Units' (LLUs)), medical centre, café and pharmacy. This Application was lodged on 8th November 2024 and is listed as Reg. Ref. 2460694.

The requests of this Submission are practical in nature in order to facilitate the implementation of the proposed development should Permission be Granted, but also to support coherent and successful development elsewhere in the settlement.

2.0 SITE LOCATION

The subject sites, which measures approximately 7.35 Ha in total, are located to the west/north-west of the established town centre of Blessington. They are greenfield sites, with undulations and a topography that generally drops from east to west.

As shown in Figure 2.1, Site A is generally bound as follows: to the north-east by the Oak Drive residential development and undeveloped lands (including Site B); to the south-east by the grounds of St Mary's Senior National School, Cocoon Childcare and the mixed-use development of Newtown Enterprise Centre and Dunnes Stores (across a local street); to the south-west by the Downshire Park residential development (across a local street); and to the north-west by undeveloped land, but what will be the future town park (across the Blessington Relief Road (BIRR)).

Site B is generally bound as follows: to the north-east by the road known as Oak Drive; to the south-east by the Oak Drive residential development; to the south-west by undeveloped lands (i.e. Site A); and to the north-west by other undeveloped lands beyond which is the BIRR.



Figure 2.1: Location of the subject sites (indicatively outlined in red)

Source: Google Earth (2024, image 19th October 2024), annotated by Thornton O'Connor Town Planning (2024)

3.0 SITE A: ZONING DESIGNATIONS

Site A has most recently been zoned as 'Proposed Residential', 'Town Centre' and 'Open Space' in the *Blessington Local Area Plan 2013–2019* (Figure 3.1). The Draft LAP has zoned the subject site as both 'RN1 – New Residential – Priority 1' and 'OS2 – Natural Areas' (per Figure 3.2 below), with the changes including:

1. Change of the 'Town Centre' zoning to RN1, thereby creating a single area of residentially zoned land.
2. An increase in the open space zoned area of land at the site, with the OS2 area now extending farther south into the site resulting in the loss of residential lands.



Figure 3.1: Zoning of Site A (indicatively outlined in purple) per the *Blessington Local Area Plan 2013–2019*

Source: *Blessington Local Area Plan 2013–2019* (2013), annotated by Thornton O'Connor Town Planning (2024)



Figure 3.2: Zoning of Site A (indicatively outlined in purple) per the *Draft Blessington Local Area Plan 2025*

Source: *Draft Blessington Local Area Plan 2025* (2024), annotated by Thornton O'Connor Town Planning (2024)

3.1 New Residential (RN1) Zoning: Welcoming the Residential Zoning Designation

Our Client wholly supports and welcomes the change of zoning of the south-eastern side of Site A from 'Town Centre' to RN1 in the Draft LAP. This will result in a single, coherent and cogent zoning designation at the site, shifting away from what appeared to be an arbitrarily defined separation of residential and town centre land-uses. The fact that Site A is bound by development on all sides and specifically has roads on 3 No. sides creates an 'island effect', which warrants the attribution of this single designation.

In the context of the current LRD Planning Application at the site under assessment by the Council, we note that should it be Granted Planning Permission, its proposed uses will comply with the RN1 objective and its list of typical uses.

Accordingly, our Client requests that the extent of the RN1 zoning pertaining to the site as proposed in the Draft LAP is retained in the Final LAP.

3.2 New Open Space (OS2) Zoning: Request to Revert to the Open Space Extent Shown in the *Blessington Local Area Plan 2013–2019*

Notwithstanding our Client's welcoming of the RN1 zoning across the vast majority of Site A, they have concerns with respect to the increased area of the northern part of the site zoned as open space; specifically as 'OS2 – Natural Areas'.

We presume that the rationale for increasing the open space zoning in this part of site is related to the presence of the watercourses and the resulting riparian buffer and flood risk considerations. Both matters are addressed in the following Sub-Sections.

3.2.1 Addressing Riparian Buffer Considerations

The increased open space area runs along a short stretch of Site A where the Deerpark and Newpaddocks watercourses flow (north-to-south) and converge (see EPA Maps). We estimate that the open space zoning now extends approximately 25 m from the watercourses. This distance appears to correspond with provisions of the Development Plan such as CPO 13.3 and CPO 17.26, which generally seek the protection of a riparian buffer zone along watercourses of 25 m "...or other width, as determined by the Planning Authority..." *[emphasis added]*

However, we submit that using zoning designations to define riparian areas and to ultimately preclude their development introduces unnecessary rigidity to the planning system. Rather, the pragmatic and practical flexibility provided by CPO 13.3 and CPO 17.26 is a more appropriate mechanism to protect watercourses and riparian zones. These CPOs bestow protection, but allow for more considered and nuanced design by Applicants and give greater flexibility to Planning Authority's in their assessment of Planning Applications.

At this stage, we deem it relevant to draw the Council's attention to the findings of the *Ecological Impact Statement* prepared for the LRD Planning Application on-site. As part of its survey work and drafting, it highlighted that the Deerpark Stream to the north has a 'good status' designation under the Water Framework Directive and no species of note, concern or protection were identified. It also remarked that:

*"Drainage ditches on the site are of low fisheries value and are not suitable for salmonid (Atlantic Salmon *Salmo salar* or Brown Trout *S. trutta*) or migratory (Lamprey *Lampetra* sp.) or European Eel *Anguilla anguilla*. The culvert along the Deerpark Stream is not fish passable."*

This referenced culvert is noteworthy, as the watercourse is culverted to both its south (west of Site A) and farther to the north (i.e. north-west of Site B). Therefore, the stretches where the significantly widened riparian buffer will be imposed by way of land-use zoning designations are very limited in length and may not have substantial ecological benefits. This is reinforced in Table 2 of the *Ecological Impact Statement*, which identifies the Deerpark Stream as having a "low local value".

Thus, we are of the opinion that reverting the open space zoning to the same extent present in the *Blessington Local Area Plan 2013–2019* will ensure the immediate protection of the watercourse but will not result in the undermining of the riparian zone thanks to the presence of CPO 13.3 and CPO 17.26 and the findings of the *Ecological Impact Statement*.

3.2.2 Addressing Flood Risk Considerations

In terms of flood risk, we contend that increasing the open space zoning as a means to keep development out of flood risk areas is not required to the extent shown. We have undertaken an overlay and comparison exercise (Figure 3.3 below) which demonstrates that the area at risk of flooding is much more contained than the open space area zoned in the Draft LAP.

Therefore, it is not necessary to increase the extent of open space zoned lands to prevent development encroaching on flood risk areas. Doing so reduces the site's development potential and due to its RN1 zoning, impacts opportunities to deliver much needed housing.



Figure 3.3: Indicative overlay of flood risk (blue area) on the subject site's land-use zoning designations

Source: *Draft Blessington Local Area Plan 2025 (2024)*, annotated by Thornton O'Connor Town Planning (2024)

Consequently, our Client respectfully requests that the OS2 zoning at Site A reverts to the same extent as the open space zoning at the site in the *Blessington Local Area Plan 2013–2019*.

4.0 SITE B: ZONING DESIGNATIONS

Site B has most recently been zoned as 'Employment / Proposed Employment' and 'Open Space' in the *Blessington Local Area Plan 2013–2019* (Figure 4.1). The Draft LAP proposes to amend this, zoning the site as 'CE – Community & Education', 'OS1 – Open Space' and 'OS2 – Natural Areas' (per Figure 4.2 below), with the changes including:

1. Change of the 'Employment / Proposed Employment' zoning to 'CE – Community & Education', with a reduction in its area due to the amendments below.
2. New open space zoned areas along the eastern boundary and in the southern corner.

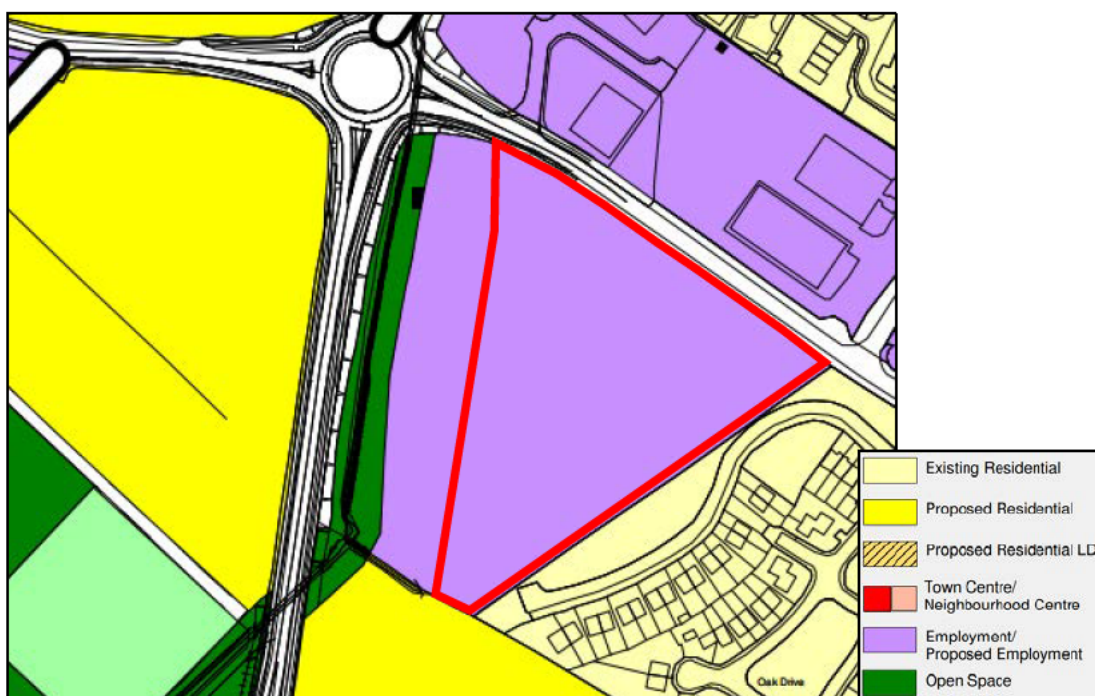


Figure 4.1: Zoning of the Site B (indicatively outlined in red) per the *Blessington Local Area Plan 2013–2019*

Source: *Blessington Local Area Plan 2013–2019* (2013), annotated by Thornton O'Connor Town Planning (2024)

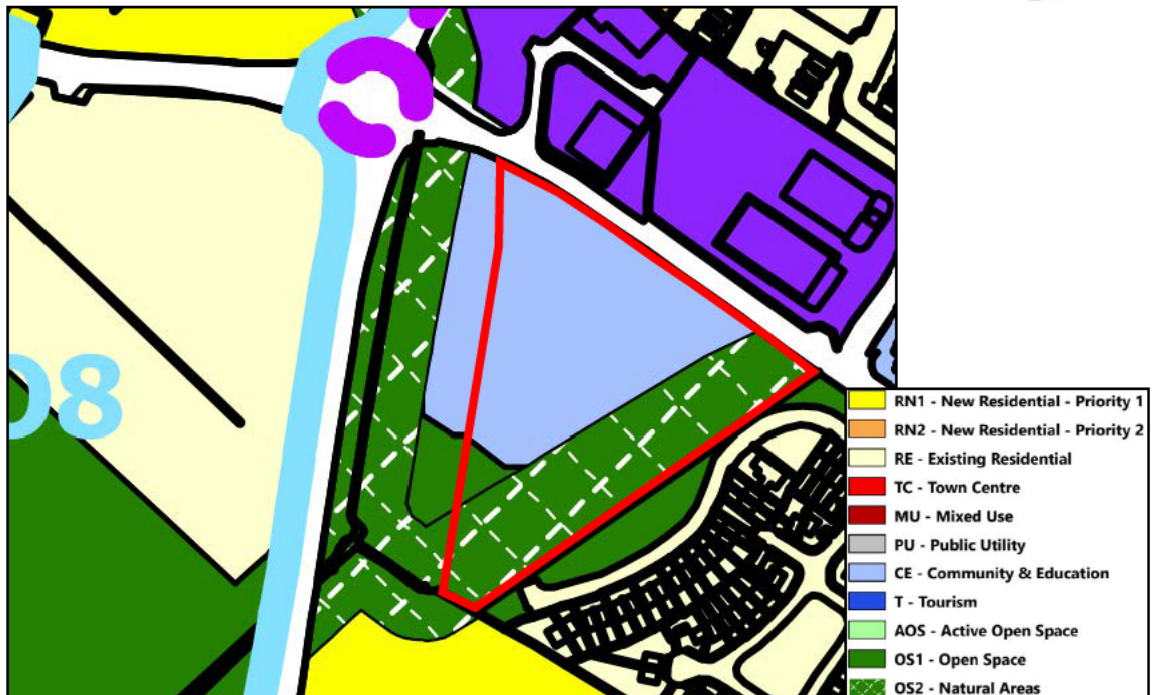


Figure 4.2: Zoning of Site B (indicatively outlined in red) per the *Draft Blessington Local Area Plan 2025*

Source: *Draft Blessington Local Area Plan 2025 (2024)*, annotated by Thornton O'Connor Town Planning (2024)

4.1 New Open Space (OS1 and OS2) Zonings: Request to Revert to the Open Space Extent Shown in the *Blessington Local Area Plan 2013–2019*

As articulated in respect of Site A, our Clients have concerns with respect to the area of Site B proposed to be zoned as open space; specifically as 'OS1 – Open Space' and 'OS2 – Natural Areas'.

Again, we presume that the rationale for increasing the open space zonings in these parts of the site is related to the presence of the watercourses and the resulting riparian buffer and flood risk considerations. Both matters are addressed in the following Sub-Sections.

4.2.1 Addressing Riparian Buffer Considerations

The increased open space area runs along the eastern stretch of the site where the Newpaddocks watercourse flows (north-to-south) and converges with the Deepark watercourse (see EPA Maps). We estimate that the OS2 zoning now extends approximately 25 m from the watercourse, but OS1 extends farther north where flood risk is identified (see Section 4.2.2 below). As with Site A, we note that this distance appears to correspond with provisions of the Development Plan such as CPO 13.3 and CPO 17.26, which generally seek the protection of a riparian buffer zone along watercourses of 25 m "...or other width, as determined by the Planning Authority..." *[emphasis added]*

However, as articulated in respect of Site A, we contend that using zoning designations to define riparian buffers and to ultimately preclude their development introduces unnecessary rigidity to the planning system.

To avoid repetition, we direct the Council back to Section 3.2.1 above, where we present our case to revert the zonings to their original open space extents and to use the policies and objectives of the Development Plan in the development management (i.e. Planning Application) process to protect watercourses and their riparian zones.

4.2.2 Addressing Flood Risk Considerations

In terms of flood risk, we contend that increasing the open space zoning as a means to keep development out of flood risk areas is not required to the extent shown, as is the case for Site A. We have undertaken an overlay and comparison exercise (Figure 4.3 below) which demonstrates that the area at risk of flooding is much more contained than the open space area zoned in the Draft LAP.

Therefore, it is not necessary to increase the extent of open space zoned lands to prevent development encroaching on flood risk areas. Doing so reduces the site's development potential and due to its primary CE zoning, impacts the prospects for delivering a range of social, community and recreational uses.

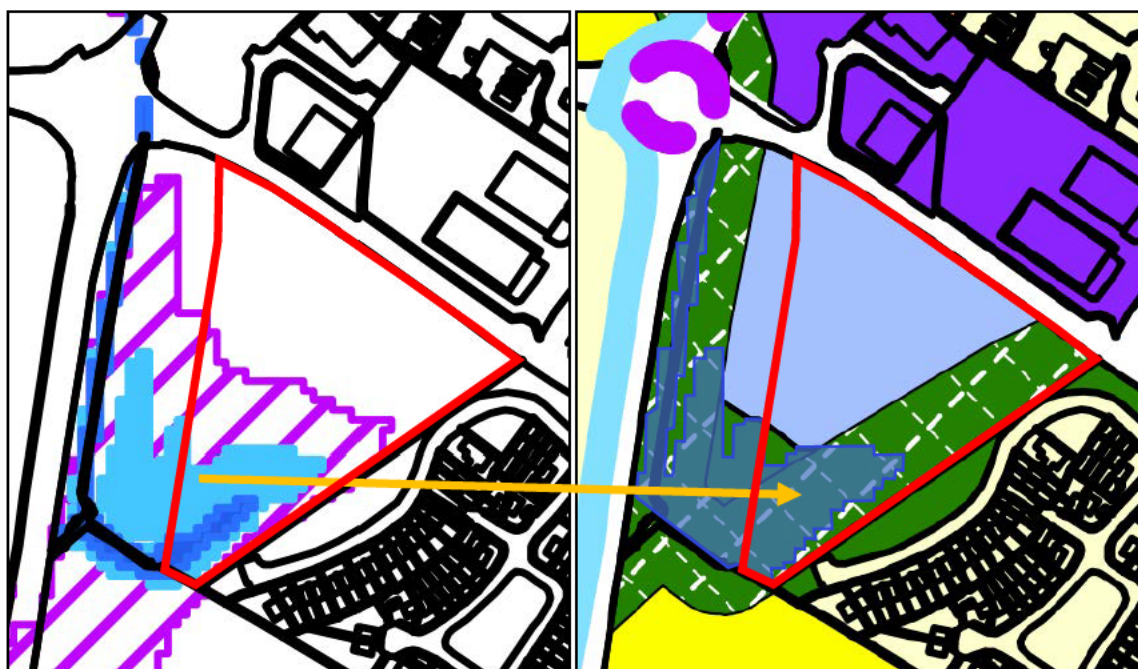


Figure 4.3: Indicative overlay of flood risk (blue area) on the subject site's land-use zoning designations

Source: *Draft Blessington Local Area Plan 2025 (2024)*, annotated by Thornton O'Connor Town Planning (2024)

Consequently, our Client respectfully requests that the OS1 and OS2 zonings are omitted/reduced thus reflecting the configurations previously shown in the *Blessington Local Area Plan 2013–2019*.

5.0 USES ON OPEN SPACE ZONED LANDS

Notwithstanding the above request, our Client deems it practical and pragmatic to make a minor change to the text related to the "typical appropriate uses for each zone type" contained in Section

B.8 of the Draft LAP. Our Client firmly contends that consideration must be given to facilitating ancillary urban and residential development on open space zoned lands (OS1, OS2 and AOS) where such development is necessary to serve or unlock sites which may otherwise be 'landlocked' or prejudiced by way of the zoning of lands, topography or the existing provision of services.

This is a beneficial consideration that has potentially significant, positive merit. For evidence of the use of this approach elsewhere across Ireland, we draw the Council's attention to the *Meath County Development Plan 2021–2027*. In respect of its 'F1 – Open Space' zoned lands, the Plan includes "utilities" as a permitted use and "vehicular/cyclist/pedestrian access to zoned lands where appropriate" as being open for consideration. This removes the ambiguity of uses potentially materially contravening a Development Plan when they are delivered as vital infrastructure to facilitate development.

Our Client, therefore, proposes the following addition be made to the OS1, OS2 and AOS texts pertaining to "typical appropriate uses" (currently on pages 62 and 63 of the Draft Plan:

"Additionally, consideration will be given to appropriate 'ancillary urban and residential development', such as site accesses and roads (including vehicular, cyclist and pedestrian infrastructure) and utilities."

6.0 CONCLUSION

We trust the above points are clearly articulated and that they provide the Council with sufficient insight to action the requests:

- 1) Retain the proposed RN1 zoning along Site A's south-eastern extent.
- 2) Revert the open space zoning in Site A's northern corner to the reduced area defined in the *Blessington Local Area Plan 2013–2019*.
- 3) Omit/reduce the open space zoning extents (OS1 and OS2) at Site B's eastern side and southern corner, thus reflecting the configurations previously shown in the *Blessington Local Area Plan 2013–2019*.
- 4) Include 'ancillary urban and residential development' as open for consideration uses in appropriate instances on lands zoned AOS, OS1 and OS2.

We look forward to the next stage of the LAP's drafting, but please do not hesitate to contact the undersigned in the meantime should you require further insights.

Yours faithfully,



Sadhbh O'Connor
Director
Thornton O'Connor Town Planning