

Addendum to Appropriate Assessment Draft Screening Report:

Assessment of Proposed Amendments following consideration of Submissions made during the 1st Period of Public Display

for: Wicklow County Council

County Hall
Station Road
Wicklow Town
County Wicklow



by: CAAS

2nd Floor, The Courtyard
25 Great Strand Street
Dublin 1



JULY 2010

Table of Contents

1	Introduction	2
1.1	Terms of Reference	2
1.2	Process for making a new Development Plan for Wicklow.....	2
1.3	Appropriate Assessment of Proposed Amendments.....	2
2	Assessment of Amendments	3
2.1	Chapter 3: Core Strategy.....	3
2.2	Chapter 4: Population, Housing and Settlement.....	3
2.3	Chapter 5: Urban Development.....	4
2.4	Chapter 6: Rural Housing and Development	5
2.5	Chapter 7: Enterprise and Employment	8
2.6	Chapter 8: The Rural Economy	11
2.7	Chapter 9: Tourism.....	12
2.8	Chapter 10: Retail.....	15
2.9	Chapter 11: Transportation	16
2.10	Chapter 12: Water Infrastructure	18
2.11	Chapter 13: Waste and Environmental Emissions.....	19
2.12	Chapter 15: Social and Community Infrastructure, including open space	19
2.13	Chapter 16: Built Heritage	22
2.14	Chapter 17: Natural Environment	22
2.15	Add new Chapter 19: Implementation and Monitoring.....	24
2.16	Volume 2	24
2.17	Volume 3	25
2.17.1	Proposed Amendments to Zoning in Town Plans.....	25
2.17.2	Proposed Amendments to Text in Town Plans	26

1 Introduction

1.1 Terms of Reference

This addendum to the Appropriate Assessment Screening Report of the Draft Wicklow County Development Plan 2010-2016 outlines the Appropriate Assessment screening of Amendments to the Draft Plan as proposed by the Elected Members of the Council.

It should be noted that changes are not made to the original Appropriate Assessment Screening Report at this stage; this Addendum forms part of the documentation of the ongoing SEA/AA/Plan-making process. It supplements and should be read in conjunction with the Appropriate Assessment Draft Screening Report.

1.2 Process for making a new Development Plan for Wicklow

The Proposed Amendments to the Draft Plan constitute a further stage in the process of making a new Development Plan for County Wicklow.

The Draft Plan and accompanying Environmental Report were put on public display from in September 2009. The Manager prepared a report on the submissions/observations received during the display period and submitted it to the Elected Members for their consideration. Addendum I to the Environmental Report was prepared at that stage.

Having considered the Draft Plan, the Environmental Report and the Manager's Report, the Members of Wicklow County Council, by resolution, resolved to amend the Draft Development Plan in accordance with the provisions set out in Section 12(6) of the Planning and Development Act 2000-2009.

A second addendum to the Environmental Report was prepared to set out the SEA implications of the proposed amendments.

The Proposed Amendments were required to be placed on public display for a period of not less than four weeks in accordance with Section 12(7) (b) of the Planning and Development Act 2000-2009. Written submissions or observations with respect to the Proposed Amendments are taken into consideration by the Members of the Council before the making of actual amendments to the Draft Plan.

1.3 Appropriate Assessment of Proposed Amendments

This addendum to the Appropriate Assessment Screening Report identifies the effects on the Natura 2000 Network due to the proposed amendments to the Draft Wicklow County Development Plan 2010-2016. In Section 2 of this addendum, the text in black is the text as contained in the Draft Wicklow County Development Plan 2010-2016 and is not changing. The text in ~~strikethrough~~ is the text as contained in the Draft Plan and is proposed to be deleted. The text in red is proposed as amended or new text to the Draft Plan. Responses with regard to the consequences of the proposed amendments for the Appropriate Assessment are shown in green.

2 Assessment of Amendments

2.1 Chapter 3: Core Strategy

GOAL 1

To implement the overarching guidance offered by the National Spatial Strategy 2002 – 2020, the National Development Plan 2007 – 2013, the Regional Planning Guidelines for the Greater Dublin Area ~~2004–2016~~, and manage the spatial organisation of the County in an efficient sustainable manner.

This Proposed Amendment does not change the assessment provided in the Appropriate Assessment Screening Report.

GOAL 7

Strategic Policies

- To continue to improve the County's transportation infrastructure, ~~with an emphasis shift away from new road construction in favour of solutions that facilitate the delivery of improved public transport (where feasible), reducing the demand for travel and improved public safety;~~ with the construction of new roads and the improvement of the existing road network and with a particular emphasis on delivering an improved public transport system.

This Proposed Amendment does not change the assessment provided in the Appropriate Assessment Screening Report.

GOAL 9

Strategic Policies

- To ensure the conservation, wise management of areas of natural heritage value, and of features of natural interest and value such as woodlands, wetlands, watercourses and areas of unspoilt uplands. To protect plant animal species and habitats which have been identified in the Habitats Directive, Birds Directive, Wildlife Act (1976) and the Flora Protection Order 1999, and in particular, to ensure that any programme, plan or project carried out on foot of this development plan, including any variation thereof, with the potential to impact upon a Natura 2000 site(s) shall be subject to an Appropriate Assessment in accordance with Articles 6(3) and 6(4) of the EU Habitats Directive 1992 and "Appropriate Assessment of plans and projects in Ireland – Guidance for Planning Authorities" (DoEHLG 2009).

This Proposed Amendment would further strengthen the provisions of the Plan with regard to the protection of biodiversity and flora and fauna and, in particular, the protection of Natura 2000 sites.

2.2 Chapter 4: Population, Housing and Settlement

Table 4.2E: Wicklow Population Targets 2016 and 2022

Year	2002	2006	2016	2022 (low / high range)
Mid-east	412,625	475,362	594,600	639,700 - 657,200
Wicklow	114,676	126,196	165,299 164,280	184,234 – 189,274 176,800
% share	27.8%	26.5%	27.8% 27.6%	28.8% 27.3%

Source: Draft Regional Planning Guidelines for the Greater Dublin Area 2010-2016

Table 4.3: Historical population figures for County towns 1996-2006 and growth estimates and targets up to 2022

Settlement type	Settlement	1996	2002	2006	2011	2016	2022
Metropolitan Consolidation Town	Bray	25,760	28,002	28,814	30,000	40,000	45,000
Large Growth Town 1	Wicklow / Rathnew	8,727	10,776	11,919	14,000	19,000	24,000
Large Growth Town 2	Arklow	8,557	9,993	11,759	13,000	19,000	23,000
	Greystones/ Delgany	11,296	11,913	14,569	16,000	21,000	24,000
Moderate Growth Town	Baltinglass	1,127	1,260	1,735	2,000	3,000	3,500
	Blessington	1,860	2,509	4,018	4,500	6,000	7,500
Small Growth Towns	Newtown	2,528	2,521	2,548	3,500	6,000	7,500
	Rathdrum	1,234	1,387	1,528	2,000	3,000	5,000
	Ashford	1,215	1,356	1,494	1,600	2,500	3,000
	Aughrim	745	871	960	1,200	1,500	2,000
	Baltinglass	1,127	1,260	1,735	2,000	3,000	3,500
	Carnew	795	809	892	1,200	1,500	2,000
	Enniskerry	1,275	1,904	1,881	2,000	2,500	3,000
	Kilcoole	2,694	2,826	3,252	3,750	4,500	5,000
	Rathdrum	1,234	1,387	1,528	2,000	3,000	5,000
	Tinahely	630	692	965	1,050	1,250	1,550
	Avoca	490	564	622	700	800	900
Rural Towns	Donard	162	201	182	200	300	400
	Dunlavin	693	914	897	1,000	2,000	2,500
	Kilmacanogue	818	834	839	915	1,000	1,100
	Newcastle	763	851	938	1,000	1,500	1,750
	Roundwood	446	518	571	700	1,100	1,300
	Shillelagh	324	278	311	450	600	750
Total town population		72,139	80,979	90,694	99,850	138,050	164,750
% of County		70%	71%	72%	73%	75%	77.76%
Headroom in towns						11.12%	16.23%
Smaller settlements							
Large villages				3,135	3,635	4,135	4,635
Small villages				1,059	1,309	1,559	1,809
Rural clusters				980	1,080	1,180	1,280
Total in villages/clusters				5,174	6,024	6,874	7,724
No. of rural dwellers				30,328	31,978	33,628	35,278
County total		102,683	114,676	126,196	138,691	165,299	186,754
						164,280	176,800

Proposed Amendments relating to revised population figures based on the revised Regional Planning Guidelines figures would reduce potential conflicts with the protection of the environment or make them no worse.

Baltinglass and Rathdrum are proposed to be changed from Moderate Growth Towns to Small Growth Towns however their population targets are proposed to remain unchanged – this amendment does not change the assessment in the Appropriate Assessment Screening Report.

2.3 Chapter 5: Urban Development

Objective UD3

It is an objective of the Council to:-

- To require the creation and maintenance of a high quality urban and suburban environment;
- Encourage higher residential densities in urban centres, and to reflect this in local area and town plans;

- To allow a relaxation in certain development standards in urban centres in the interest of achieving the best development possible, both visually and functionally;
- To seek to address dereliction and urban / **suburban** decay by supporting urban / **suburban** regeneration projects;
- Ensure that businesses and services with a high potential for public transport utilisation by employees and visitors are sited in locations which are easily accessible or which can be made easily accessible by public transport;
- Encourage the provision of a wide range of employment opportunities;
- Direct all new retail activities into existing urban centres, in accordance with the County Retail Strategy (as set out in Chapter 10).

The introduction of 'suburban' at the first and fourth bullet point would be likely to extend the beneficial effects of these parts of the objective (with regard to maximising brownfield development and minimising greenfield development) to more areas across the County. It further strengthens the provisions of the Plan by directing development pressure away from greenfield sites thus avoiding adverse effects on the Natura 2000 network.

2.4 Chapter 6: Rural Housing and Development

Objective RH9

The settlements in Level 6 shall be prioritised for moderate growth and investment and shall absorb demand for new housing from inside and outside the County subject to the following controls:-

Multi-house development	50% Regional Growth 50% County Growth , excluding those living / working in Levels 1-3 of the hierarchy
Single house development	County Growth, excluding those living / working in Levels 1-3 of the hierarchy

This Proposed Amendment does not change the assessment provided in the Appropriate Assessment Screening Report.

Objective RH11

The settlements in Level 7 shall be considered suitable for limited growth and investment and shall absorb demand for new housing from inside and outside the County subject to the following controls:-

Multi-house development	25% Regional Growth 50% County Growth , excluding those living / working in Levels 1-4 of the hierarchy 25% Local Growth
Single house development	Local Growth

This Proposed Amendment does not change the assessment provided in the Appropriate Assessment Screening Report.

Section 6.3.1 Rural settlements (Levels 6-9 in the County settlement hierarchy)

Large Villages (Level 7)

Amend large village boundaries as follows:-

Barndarrig Extend boundary by 1.77ha / 4.4 acres

Glenealy Extend boundary by 0.4ha / 1 acre

Bardarrig and Gleanealy are not physically close to or hydrologically linked to any site within the Natura 2000 network. This Proposed Amendment does not change the assessment provided in the Appropriate Assessment Screening Report.

RH12 The settlements in Level 8 shall be considered suitable for restricted growth and investment and shall absorb only local or rural generated housing demand subject to the following controls:-

Multi-house development	<p>Proven Need for new housing, and</p> <p>25% 50% County Growth, excluding those living/working in Levels 1-4 of the hierarchy</p> <p>75% 50% Local Growth</p>
Single house development	<p>Proven Need for new housing and compliance with Local Growth criteria</p>

This Proposed Amendment does not change the assessment provided in the Appropriate Assessment Screening Report.

RH13 The settlements in Level 9 shall be considered suitable for limited growth and shall absorb only local or rural generated housing demand subject to the following controls:-

Multi-house development	Not permissible
Single house development	<p>Proven Need for new housing, and</p> <p>Meet Local Growth criteria, with the following limitation:</p> <p>Residents of Level 6 & 7 Levels 1- 8 will only be eligible for permission in Level 9 if the applicant is a son/daughter of a parent that was born and raised and resided for a period of not less than 10 years in that rural cluster or its surrounding rural area.</p>

This Proposed Amendment does not change the assessment provided in the Appropriate Assessment Screening Report.

Section 6.3.1 Rural settlements (Levels 6-9 in the County settlement hierarchy)

Rural Clusters (Level 9)

Amend rural cluster boundary as follows:-

Kilmurray (Kilmacanogue) Extend boundary by 3.042ha

The Glen of the Downs SAC is approximately 1.5km to the south of Kilmurray (Kilmacanogue). This distance, combined with the fact that there is no hydrological link between the proposed development area and the SAC will ensure that the integrity of the site will not be adversely affected. This Proposed Amendment will therefore not change the assessment provided in the Appropriate Assessment Screening Report.

~~RH14 The Planning Authority will support proposals for necessary individual dwellings on suitable sites in the open countryside (i.e. areas outside of any designated settlement) where the applicant can clearly demonstrate a genuine social or economic need for a rural dwelling (as defined in this section) and a housing need, having regard to their existing housing situation. Where permission is granted, the applicant will be required to lodge with the Land Registry a burden on the property, in the form of a Section 47 agreement, restricting the use of the dwelling for a period of 7 years to the applicant or to other such persons that the Planning Authority may agree to in writing.~~

Objective RH14

Residential development will be considered in the countryside only when it is for the provision of a necessary dwelling in the following circumstances:

1. A permanent native resident seeking to build a house for his/her own family and not as speculation. A permanent native resident shall be a person who was either born and reared in the family home in the immediate vicinity of the proposed site (including permanent native residents of levels 8 and 9 i.e. small villages and rural clusters), or resided in the immediate environs of the proposed site for at least 10 consecutive years prior to the application for planning permission.
2. A son or daughter, or niece/nephew considered to merit the same position as a son/daughter within the law (i.e. when the uncle/aunt has no children of his/her own), of a permanent native resident of a rural area, who can demonstrate a definable social or economic need to live in the area in which the proposal relates and not as speculation.
3. A son or daughter, or niece/nephew considered to merit the same position as a son/daughter within the law (i.e. when the uncle/aunt has no children of his/her own), of a permanent native resident of a rural area, whose place of employment is outside of the immediate environs of the local rural area to which the application relates and who can demonstrate a definable social or economic need to live in the area to which the proposal relates and not as speculation.
4. Replacing a farm dwelling for the needs of a farming family, not as speculation. If suitable the old dwelling may be let for short term tourist letting and this shall be tied to the existing owner of the new farm dwelling were it is considered appropriate and subject to the proper planning and development of the area.
5. A person whose principle occupation is in agriculture and who owns and farms substantial lands in the immediate vicinity of the site.
6. An immediate family member (i.e. son or daughter) of a person described in 5, who is occupied in agriculture in the immediate vicinity.
7. A person whose principle occupation is in a rural resource based activity (i.e.: agriculture, forestry, mariculture, agri-tourism etc.) and who can demonstrate a need to live in the immediate vicinity of this activity.
8. Renovation or conversion of existing dilapidated buildings of substance, in a scale, density and manner appropriate to the rural area and its scenic amenities. Any such developments shall be in accordance with the Rural Design Standards set out in Section 6.4).
9. A close relative who has inherited, either as a gift or on death, an agricultural holding or site for his/her own purposes and not for speculation and who can demonstrate a definable social and or economic need to live in the area to which the proposal relates.
10. The son or daughter of a landowner who has inherited a site for the purpose of building a one off rural house and where the land has been in family ownership as at 11th October 2004 for at least 10 years prior to the application for planning permission and not as speculation.
11. An emigrant, returning to their local area, seeking to build a house for his/her own use not as speculation.
12. Persons whose work is intrinsically linked to the rural area and who can prove a definable social and economic need to live in the rural area and who has resided in the immediate area for at least 10 consecutive years prior to the application.
13. A permanent native resident who has to dispose of their dwelling, on foot of a court order, following divorce or a legal separation.
14. Permanent native residents of moderate and small growth towns, seeking to build a house in their native town or village within the 50kmph / 30 mph speed limit on the non national radial roads, for their own use and not as speculation as of 11th October 2004.
15. A person whose business requires them to reside in the rural area and who can demonstrate the adequacy of the business proposals and the capacity of the business to support them full time.
16. Permanent native residents of the rural area who require a new purpose built specially adapted house due to a verified medical condition and who can show that their existing home cannot be adapted to meet their particular needs. Previous ownership of a house in County Wicklow will not be used as a reason for refusal of a rural planning.

Consideration for rural housing will also be given to those persons who were permanent native residents of a rural area but due to the expansion of an adjacent town / village, the family homeplace is now located within the development boundary of the town / village. A person whose lands have been zoned or designated as development lands in the extension of the development boundary shall not benefit from such consideration in this regard. This shall relate to lands subsumed within individual development boundaries of Local Area Plans and Town Plans adopted in the previous 12 years.

Where a permanent native resident cannot secure an appropriate site in their native rural area, consideration will be given to permission for a rural house in an alternative rural area, so long as the proposed development site is not located in a landscape zone higher up in the landscape hierarchy than the applicant's homeplace.

Where permission is granted for a single rural house, the applicant will be required to lodge with the Land Registry a burden on the property, in the form of a Section 47 agreement, restricting the use of the dwelling for a period of 7 years to the applicant, or to those persons who fulfill the criteria set out in Objective RH14 or to other such persons as the Planning Authority may agree to in writing.

This Proposed Amendment does not change the assessment provided in the Appropriate Assessment Screening Report.

RZ1

To provide for rural residential development, with no restrictions on purchasing and occupation at the following location:

- Grounds of Delgany Golf Club (as shown on map 06.05A) – for a maximum of 4 units

The Glen of the Downs SAC is located within 1km of this site (across Delgany golf course). However, there is no hydrological link between the areas and the type and scale of development allowed for by the proposed amendment will not result in any adverse effect on the integrity of this SAC. This Proposed Amendment therefore does not change the assessment provided in the Appropriate Assessment Screening Report.

2.5 Chapter 7: Enterprise and Employment

Strategy

To promote the successful economic development and growth in employment of the County by:

- Providing the infrastructure and zoned land necessary to attract inward investment and growth in indigenous industry;
- Supporting the development of new employment opportunities in the right locations in the County, in particular, by promoting development in the designated growth towns, where access to the market can be maximised;
- Fostering entrepreneurial activity by providing opportunities for training and education, and business start-up and incubator facilities;
- Supporting and facilitating to the highest degree possible (subject to environmental and other relevant planning considerations) all forms of employment generation.
- **The Council will strive to obtain funding available from central government for infrastructure and any other business promotion and that all spending will give value for money**

This Proposed Amendment does not change the assessment provided in the Appropriate Assessment Screening Report.

Objective EMP 13

To provide for employment development at the following locations as shown on Maps 7.01 – 7.09):

Location	Map No.	Size	Zoning
Mountkennedy Demesne, Kilpedder	7.01	31.99	To provide for a data centre facility ¹⁴ and associated related industries set in open parkland with extensive landscaping, a high architectural standard of layout and building design with low site coverage. Employment types other than those strictly related to data storage shall show a clear process related requirement to locate in proximity to a data centre.
Rath East / Knockloe, Tullow	7.02	4.4ha	To provide for a light industrial development
Kilmurray South	7.03	0.76ha	To provide for transport purposes development
Kilmurray North	7.04		To provide for a warehousing / storage / distribution and commercial vehicle park
Scratenagh crossroads	7.05	8.09ha	To provide for light industrial uses/business park uses with extensive landscaping and a high architectural standard of layout and building design.
Kilmurray South	7.06	2ha	To provide for an arts and crafts development with studio and workshops with a maximum total gross floor area of 400m ² (in one or two blocks) to be divided into units of 40 m ² , 60 m ² or 100 m ² with one dwelling only for a centre manager for the development.
Kilpedder Interchange	7.07	27.7	To provide for Employment uses including industrial, transport, distribution, warehouse or retail warehouse developments of good architectural design, layout and landscaping including substantial screening from N11. The provision of transport and retail facilities will not be at the expense of facilities in existing settlements.
Rathmore, Ashford	7.08	20.37	To provide for Employment uses
Ballybeg, Rathnew	7.09	4	To provide for Commercial use. Any development shall be subject to an EIS and shall be set back 100 metres from the N11 in accordance with County Development Plan policy on building lines.

- The Kilpedder site is approx. 1.5 km south of the Glen of the Downs candidate Special Area of Conservation.
- The Slaney River Valley candidate Special Area of Conservation is located less than 2km from the Rath East/Knockloe, Tullow site.
- The Glen of the Downs candidate Special Area of Conservation is located within 150m of the Kilmurray site.
- Tributaries to the Redcross River cross the Scratenagh Crossroads site. The Redcross River flows into Buckroney-Brittias Dunes and Fen candidate Special Area of Conservation.
- A River flows through the Kilpedder Interchange site and then onto the Murrough candidate Special Area of Conservation and Special Protection Area.
- Tributaries to the Vartry River flow through the Rathmore, Ashford site and then onto the Murrough candidate Special Area of Conservation and Special Protection Area.
- A river which flows within 250m of the Ballybeg, Rathnew site runs to the Murrough candidate Special Area of Conservation and Special Protection Area.

The proposed amendments to zoning will not result in the loss or fragmentation of habitats within the Natura 2000 network. As outlined, there are some hydrological links between areas subject to the

proposed amendments and sites within the Natura 2000 network. This could potentially lead to pollution of water courses during construction activities or discharge of waste water where inadequate treatment facilities exist. However the following objectives within the Wicklow CDP will ensure the protection of ground and surface water and prevent the occurrence of adverse effects on the integrity of the Natura sites:

- WW2 To ensure that all foul water generated is collected and discharged after treatment in a safe and sustainable manner.
- WS2 To protect existing and potential water resources of the County, in accordance with the EU Water Framework Directive, the River Basin Management Plan and the Groundwater Protection Scheme
- SW2 Ensure the implementation of Sustainable Urban Drainage Systems (SUDS) and in particular, to ensure that all surface water generated in a new development is disposed of on-site or is attenuated and treated prior to discharge to an approved surface water system
- WT1 To implement the EU Water Framework Directive to ensure the protection, improvement and sustainable use of all waters in the County, including rivers, lakes, ground water, coastal and estuarine waters, and to restrict development likely to lead to a deterioration in water quality.
- WT3 To prevent development that would pollute water bodies and in particular, to regulate the installation of effluent disposal systems in the vicinity of water bodies that provide drinking water
- WT4 To minimise alterations or interference with river / stream beds, banks and channels, except for reasons of overriding public health and safety (e.g. to reduce risk of flooding); a buffer of 10m along watercourses should be provided free of built development, with riparian vegetation generally being retained in as natural a state as possible. and In all cases where works are being carried out, to have regard to Regional Fisheries Board "*Requirements for the protection of fisheries habitat during the construction and development works at river sites*"

In addition, it is a strategic policy (Goal 9) of the Wicklow CDP *to ensure that any programme, plan or project carried out on foot of this development plan, including any variation thereof, with the potential to impact upon a Natura 2000 site(s) shall be subject to an Appropriate Assessment in accordance with Articles 6(3) and 6(4) of the EU Habitats Directive 1992 and "Appropriate Assessment of plans and projects in Ireland – Guidance for Planning Authorities" (DoEHLG 2009).* This objective will ensure that any development arising through the implementation of this objective will be subject to compliance with the Habitats Directive.

Objective EMP 14

It is the objective of the Council to promote and facilitate the development of large-scale employment generating developments, including industrial, knowledge, high-technology, office and service based developments, at appropriate locations **generally** on suitably zoned land within settlements. Large-scale development should be located in appropriate settlements, having regard to the scale of the development and the settlement's place within the identified tiers of the County Settlement Hierarchy. Planning applications for large-scale employment generating developments should be accompanied by a Mobility Management Plan. Regard should be paid to the design standards for employment generating developments set out in Section 7.5 of this chapter."

This Proposed Amendment does not change the assessment provided in the Appropriate Assessment Screening Report.

Objective EMP 21

It is the objective of the Council to **promote develop** Wicklow County Campus, Clermont House in conjunction with the Carlow Institute of Technology **and other stakeholders** as a third level education facility and as a centre of excellence for enterprise development, education, training , research and development.

This Proposed Amendment does not change the assessment provided in the Appropriate Assessment Screening Report.

2.6 Chapter 8: The Rural Economy

Objective RUR3

To permit the development of commercial / industrial developments in rural areas, where it is proven that the proposed development requires to be located in the rural area **and will have a positive impact on the location.** ~~due to its dependence on an existing local resource or source material that is required for the carrying out of the industrial process or commercial activity / service. The local resource or source of material that is essential to the industrial process or commercial activity shall be from a source that is in close proximity to the location of the proposed development.~~

This Proposed Amendment does not change the assessment provided in the Appropriate Assessment Screening Report.

Objective RUR6

To encourage, where appropriate, home-based economic activity in rural areas including the provision of small-scale individual enterprises. Proposals which involve the change of use and/or new development for purposes of home-based employment will generally be considered favourably where it can be demonstrated that the proposal complies with the following:

- Requirements set out in RUR5;
- ~~The nature and scale of the proposed development and the proposed process or activity to be carried out, shall be appropriate to and compatible with, the character of the rural environment of the site at which the development is proposed, and shall not be detrimental to the rural amenity of the surrounding area;~~
- ~~Permissions will be restricted to use by the applicant and shall be temporary, for a period of five years, to enable the Planning Authority to monitor the impact of the development;~~
- ~~The Planning Authority will determine the appropriate number of employees that will be permitted at the development. In certain cases, it may be appropriate that the development is restricted to owner operated use only, and no other employees will be permitted. In any case, no more than three people, including the owner operator will be permitted to be employed at a development.~~

This Proposed Amendment does not change the assessment provided in the Appropriate Assessment Screening Report

Objective RUR7

The Council will promote improved broadband in rural areas to help the rural economy.

This Proposed Amendment could potentially create impacts through the disturbance of species, loss of habitats and pollution of watercourses during construction, depending on where broadband infrastructure is to be located. Objective BD4 of the Wicklow CDP states that '*Any project with the potential to impact upon a Natura 2000 site(s) shall be subject to an Appropriate Assessment in accordance with Article 6(3) of the Habitats Directive*'. This objective will ensure that any development arising through the implementation of this objective will be subject to the requirements of the Habitats Directive.

Objective AGR4

To ensure that agricultural developments do not cause increased pollution to watercourses. Developments will be required to adhere to the Nitrates Directive (91/676/EC) **and the EC (Good Agricultural Practice for Protection of Waters) Regulations 2009**, with regard to storage facilities, concerning the protection of waters against pollution caused or induced by nitrates from agricultural sources. Developments will be required to comply with relevant measures, which operate to protect water quality from pollution by agricultural sources. The disposal and storage of agricultural waste shall comply with the standards required by Council.

This Proposed Amendment does not change the assessment provided in the Appropriate Assessment Screening Report.

Objective FTY1

To facilitate afforestation in appropriate locations, in accordance with the 'Wicklow Indicative Forestry Strategy' (Wicklow County Council, 2002), and in co-operation with forestry operators Coillte and the Forest Service.

and Objective FTY2

To promote afforestation in co-operation with relevant agencies, including the Forest Service (Department of Agriculture, Fisheries and Food) and forestry operators Coillte, and to ensure that afforestation is undertaken in a manner that is consistent with the principle of 'sustainable forest management'.

This Proposed Amendment does not change the assessment provided in the Appropriate Assessment Screening Report.

Objective EX4

To have regard to the following guidance documents (as may be amended, replaced or supplemented) in the assessment of planning applications for quarries and ancillary facilities:

- 'Quarries and Ancillary Activities: Guidelines for Planning Authorities', DoEHLG 2004
- 'Environmental Management Guidelines – Environmental Management in the Extractive Industry (Non Scheduled Minerals)', EPA 2006
- 'Archaeological Code of Practice between the DoEHLG and the Irish Concrete Federation' 2009
- 'Geological Heritage Guidelines for the Extractive Industry', 2008
- 'Wildlife, Habitats and the Extractive Industry – Guidelines for the protection of biodiversity within the extractive industry', NPWS 2009

This Proposed Amendment does not change the assessment provided in the Appropriate Assessment Screening Report.

2.7 Chapter 9: Tourism

Objective TR6

TR6 To ensure that tourism and recreation related developments are appropriately located in the County. Subject to the following exceptions, all tourist and recreation related developments are 'open for consideration'¹ in all landscape areas:

- The following tourist uses will not be permitted in the Zone of Outstanding Natural Beauty (both the Mountain Uplands Zone and the Coastal Zone): Static caravans / mobile homes and touring caravans²;
- Holiday homes will not be permitted in any zone other than urban zones except where they comply with objectives TA4, TA5 and TA6 below;

This Proposed Amendment does not change the assessment provided in the Appropriate Assessment Screening Report.

Objective TA5

To require the developers / owners of new holiday homes / self catering developments to enter strict legal agreement (under Section 47 of the Planning & Development Act) with the Planning Authority specifying that

¹ Uses that are 'open for consideration' are uses that will only be permitted in cases where the Council is satisfied that the use would not conflict with the general objectives for that zone / area and permitted or existing uses, as well as being consistent with the proper planning and sustainable development of the area and the strategies / objectives of this plan.

² This refers to the development of any new static / touring caravan and mobile home parks; expansion of existing facilities will be considered subject to the suitability of the site, a modest scale and high quality design.

- the units may only be used for tourism purposes and shall not be allowed to be used as a permanent residences;
- in the case of small-scale developments, the entire development, including all buildings, land and any on-site tourist facility, shall be held in single ownership and shall not be subdivided. All units shall be available for short term letting only of a maximum duration of 4 weeks;
- in the case of larger scale developments,

- (a) all lands, including any on-site tourist facility shall be held ~~in single ownership~~ **under the management of a single Estate Company** (including all lands included in the site boundary and land which adjoins, abuts or is adjacent to the land to be developed and which is under the control of the applicant or the person who owns the land which is the subject of the application) and
- (b) in the event that any unit is sold or leased, the owner/lessee shall enter a legal agreement with the Estate Company **stipulating that the purchaser, lessee and any successors in title be, and remain, members of the Estate Company,** and stipulating that the unit may only be used by the owner/lessee for holiday use for a maximum of 3 months in any year and shall at all other times be used/leased/marketed by the Estate Company for short term (maximum 4 weeks) tourism use.

This Proposed Amendment does not change the assessment provided in the Appropriate Assessment Screening Report.

Objective TA10

To provide for a holiday home developments (subject to objective TA5) at the following locations:

- Baltyboys Golf Club, up to 4 units on a site of 1.3ha as shown on Map 9.09
- Annamoe Fish Farm, on a site of 1.2ha as shown on Map 9.10

The Annamoe Fish Farm is approximately 200m south of the Wicklow Mountains Special Protection Area.

Baltyboys Golfclub site is located less than 1km from the Poulaphouca Reservoir Special Protection Area and a nearby stream flows into the Reservoir.

The proposed amendments to zoning will not result in the loss or fragmentation of habitats within the Natura 2000 network. The scale of development allowed for and the distance from the designated sites will ensure that adverse effects through loss or fragmentation of habitats or disturbance of species will not occur. There is a hydrological link between the Baltyboys Golfclub site and the Poulaphouca Reservoir SPA. This has potential to lead to pollution of water courses during construction activities or discharge of waste water where inadequate treatment facilities exist. However the following objectives within the Wicklow CDP will ensure the protection of ground and surface water:

- WW2 To ensure that all foul water generated is collected and discharged after treatment in a safe and sustainable manner.
- WS2 To protect existing and potential water resources of the County, in accordance with the EU Water Framework Directive, the River Basin Management Plan and the Groundwater Protection Scheme
- SW2 Ensure the implementation of Sustainable Urban Drainage Systems (SUDS) and in particular, to ensure that all surface water generated in a new development is disposed of on-site or is attenuated and treated prior to discharge to an approved surface water system
- WT1 To implement the EU Water Framework Directive to ensure the protection, improvement and sustainable use of all waters in the County, including rivers, lakes, ground water, coastal and estuarine waters, and to restrict development likely to lead to a deterioration in water quality.
- WT3 To prevent development that would pollute water bodies and in particular, to regulate the installation of effluent disposal systems in the vicinity of water bodies that provide drinking water

In addition, it is a strategic policy (Goal 9) of the Wicklow CDP *to ensure that any programme, plan or project carried out on foot of this development plan, including any variation thereof, with the potential to impact upon a Natura 2000 site(s) shall be subject to an Appropriate Assessment in accordance with Articles 6(3) and 6(4) of the EU Habitats Directive 1992 and "Appropriate Assessment of plans and projects in Ireland – Guidance for Planning Authorities" (DoEHLG 2009).* This objective will ensure that any development arising from the implementation of this objective will be subject to compliance with the Habitats Directive.

Amend Map 9.02 Norpark (ski slope) site, Newtownmountkennedy
Omit areas outlined in black from ITLR zoning

This Proposed Amendment does not change the assessment provided in the Appropriate Assessment Screening Report

Objective TTP2

To facilitate and promote the development of small-scale tourist enterprises that are developed in conjunction with established rural activities such as agriculture. Such enterprises may include open farms, health farms, heritage and nature trails, pony trekking etc. **In particular, to consider the development of Belmont Demesne, Delgany (as shown on Map 9.07) as an outdoor adventure / equestrian centre.**

Insert new map

Map 9.07 Belmont Demesne, Delgany

This Proposed Amendment will not change the assessment provided in the Appropriate Assessment Screening Report

Objective TTP3

To support the development of new and existing walking, cycling and driving trails, including facilities ancillary to trails (such as car parks) and the development of linkages between trails in Wicklow and adjoining counties. **In particular, to encourage hill walking trails in West Wicklow and to promote a walk around Blessington lake, subject to consultation and agreement with landowners .**

This Proposed Amendment has the potential to give rise to impacts on the Natura 2000 network through increased recreational pressure and disturbance of key species, depending on where trails and facilities are located. Objective BD4 of the Wicklow CDP states that *'Any project with the potential to impact upon a Natura 2000 site(s) shall be subject to an Appropriate Assessment in accordance with Article 6(3) of the Habitats Directive'*. This objective will ensure that any development arising through the implementation of this Objective TTP3 will be subject to compliance of the Habitats Directive.

Objective TTP7

To promote, in co-operation with **landowners, recreational users and other relevant stakeholders, on the basis of 'agreed access' ~~the various relevant organisations~~**, the more extensive use of the coastal strip for such activities as touring, sight-seeing, walking, pony trekking, etc. as a tourism and recreational resource for the residents of County Wicklow and other visitors.

This Proposed Amendment does not change the assessment provided in the Appropriate Assessment Screening Report.

2.8 Chapter 10: Retail

Table 10.2 Retail hierarchy for County Wicklow

LEVEL 1	METROPOLITAN AREA	HINTERLAND AREA
LEVEL 2	MAJOR TOWN CENTRES	COUNTY TOWN CENTRES
	Bray	Wicklow
LEVEL 3	TOWN / DISTRICT CENTRES	SUB COUNTY TOWN CENTRES
	Greystones	Tier 1 Towns serving a wide district Arklow, Blessington, Baltinglass Tier 2 Towns serving the immediate district Newtownmountkennedy, Rathdrum
LEVEL 4	NEIGHBOURHOOD CENTRES	LOCAL CENTRES – SMALL TOWNS
	Bray Area Boghall Road / Ballywaltrim, Vevay, Dargle Rd, Dublin Road / Little Bray, Albert Road & Walk, Fassaroe, Southern Cross Road Greystones Area Delgany, Blacklion, Charlesland, Killincarrig, Victoria Road	Ashford, Aughrim, Avoca, Carnew, Donard, Dunlavin, Enniskerry, Kilcoole, Kilmacanogue, Newcastle, Rathnew, Roundwood, Shillelagh, Tinahely
LEVEL 5	CORNER SHOPS	VILLAGES
		Barndarrig, Ballinaclesh, Coolboy, Glenealy, Hollywood, Johnstown / Thomastown, Kilpedder / Willowgrove, Kiltegan, Knockananna, Laragh – Glendalough, Manor Kilbride, Redcross, Stratford

This Proposed Amendment does not change the assessment provided in the Appropriate Assessment Screening Report.

Objective RT7

Any change of use of retail facilities from their current use to Health Shop / Head Shop or any similar activity will require a change of use planning permission prior to the use taking place.

This Proposed Amendment does not change the assessment provided in the Appropriate Assessment Screening Report.

NC1 New / **expanded** neighbourhood centres shall generally only be considered in areas of significant residential **development** / expansion on the edges of settlements in Levels 2 and 3 of the retail hierarchy. At such locations, the applicant will be required to show that;

- the scale of the **existing** / new residential development is such to sustain a neighbourhood centre;
- the retail development is located and sized to meet the needs of the **existing** / new development without impacting on the viability of the existing town centre (total retail floorspace in excess of 500sqm shall not generally be considered **outside of the growth centres of Bray, Greystones, Wicklow and Arklow**);
- the location of the development is sufficiently separated from the core retail area of the settlement as to warrant new retail facilities;

- the range of retail and non-retail services to be provided is appropriate to the needs of the area;
- all efforts have been made to integrate the neighbourhood centre with any **existing** / new community facilities due to be provided as part of the scheme e.g. schools, childcare facilities, sports fields etc.

This Proposed Amendment does not change the assessment provided in the Appropriate Assessment Screening Report.

2.9 Chapter 11: Transportation

Strategy

- Craft land use policies to produce settlements of such form and layout that facilitates and encourages sustainable forms of movement and transport, prioritising walking and cycling, and for larger settlements, bus transport. To achieve this aim, IFPLUT studies have and will be prepared, which will continue to inform future policy formulation;
- Promote the delivery of local transport links within towns (such as feeder buses to train stations), between towns and in rural areas;
- Promote the improvement of public transport services, in particular the upgrading of the Dublin – Rosslare train line, bringing the LUAS to Bray and the development of improved bus services;
- Allow for the improvement or provision of new walking and cycling facilities throughout the County;
- Facilitate the improvement of our existing road network, to remove bottlenecks and increase free flow;
- To improve east – west linkages in the County, as well as linkages between the west and south of the County to other counties.
- **To improve facilities for pedestrians and access for people with special mobility needs**

This Proposed Amendment does not change the assessment provided in the Appropriate Assessment Screening Report.

Change all references in chapter to the ‘DTO’ to the ‘NTA’

This Proposed Amendment does not change the assessment provided in the Appropriate Assessment Screening Report.

Include the wording ‘Covered Bicycle Parking’ throughout the plan where reference is made to bicycle parking.

This Proposed Amendment does not change the assessment provided in the Appropriate Assessment Screening Report.

Objective PT2

To promote the development of transport interchanges and ‘nodes’ where a number of transport types can interchange with ease. In particular:

- to facilitate **the development of park and ride facilities at appropriate locations along strategic transport corridors**, ~~through the zoning of land and the tie-in of new facilities within the development of land, the delivery of park and ride facilities in Fassaroe, Wicklow-Rathnew and Blessington;~~
- to enhance existing parking facilities at and/or the improvement of bus links to the train stations in Bray, Greystones, Wicklow and Arklow;
- to promote the linkage of the LUAS extension to Bray DART;
- to promote integrated ticketing between transport types;
- to encourage the improvement of bicycle parking facilities at all transport interchanges;
- to improve existing and provide new footpath/footway linkages to existing / future transport interchange locations;
- to allow for the construction of bus shelters, particularly where they incorporate bicycle parking facilities.

This Proposed Amendment does not change the assessment provided in the Appropriate Assessment Screening Report.

Objective PT7

To promote the delivery of improved and new bus services both in and out of the County but also within the County by:

- Facilitating the needs of existing or new bus providers with regard to bus stops and garaging facilities (although unnecessary duplication of bus stops on the same routes / roads will not be permitted);
 - Requiring the developers of large-scale¹⁷ new employment and residential developments in the designated metropolitan and large growth towns in the County that are distant (more than 2km) from train / LUAS stations to fund / provide feeder bus services for an initial period of at least 3 years;
 - Promoting the growth of designated settlements to a critical mass to make bus services viable and more likely to continue;
 - In larger settlements that can sustain bus services, to require new housing estate road layouts to be designed to have permeable 'bus only' linkages between different housing estates.
- To work with Bus Éireann to improve services in south and west Wicklow

This Proposed Amendment does not change the assessment provided in the Appropriate Assessment Screening Report.

Objective PR2 Traffic Impact Assessments and Road Safety Audits will be required for new developments in accordance with the thresholds set out in the 'Design Manual for Roads & Bridges' and the 'Traffic & Transport Assessment Guidelines' (NRA 2007).

This Proposed Amendment does not change the assessment provided in the Appropriate Assessment Screening Report

Objective NR7

To protect the carrying capacity, operational efficiency and safety of the national road network and associated junctions, significant applications either in the vicinity of or remote from the national road network and associated junctions, that would have an impact on the national route, must critically assess the capacity of the relevant junction. If there is insufficient spare capacity to accommodate the increased traffic movements generated by that development taken in conjunction with other developments with planning permission that have not been fully developed, or if such combined movements impact on road safety, then such applications must include proposals to mitigate these impacts.

This Proposed Amendment will not result in any adverse effects on the integrity of the Natura 2000 network.

Objective PP1

New / expanded developments shall be accompanied by appropriate car parking provision, with particular regard being taken of the potential to reduce private car use in locations where public transport and parking enforcement are available. At such locations, the car parking standards set out in Table 11.2 shall be taken as *maximum standards*, and such a quantum of car parking will only be permitted where it can be justified. In locations where public transport and parking enforcement are not available, the car parking standards set out in Table 11.2 shall be taken as *minimum standards*. ~~parking shall in accordance with Table 11.2 below.~~ Deviations from this table may be considered in the following cases:

- In town centres where there is a parking enforcement system in place or a town car park in proximity to the site. In such cases, only the needs of long-term users (e.g. employees, residents) will have to be addressed by the developer;
- In multi-functional developments (e.g. hotels, district centres), where the developer provides a robust model of car parking usage to show that dual usage will occur and that peak car parking demand at any time of the day / week will always be met;
- ~~- Where a residential development is in close proximity to a transport interchange;~~
- Other situations will be considered on a case-by-case basis.

In situations where a developer cannot meet the necessary car parking requirement on or near the development site, the developer may request the Local Authority to accept a special payment in lieu, to be utilised by the Local Authority in providing car parking in the area.

This Proposed Amendment does not change the assessment provided in the Appropriate Assessment Screening Report.

Objective PHM3

To facilitate the development of the aviation sector, in particular aerodromes, air strips and airports, subject to clear demonstration of the need and viability of such developments and due regard to environmental and residential impacts of such development, particularly on the coastal area.

The development of aerodromes, air strips or airports in the County has the potential to affect the Natura 2000 network through habitat loss or fragmentation, disturbance of key species and pollution of water bodies during construction and operation, depending on where this infrastructure is located. Such projects would be required to undergo Environmental Impact Assessment through which both the need for the project and alternatives for its location would have to be thoroughly examined. In addition a Strategic Policy of the Plan is: *To ensure the conservation, wise management of areas of natural heritage value, and of features of natural interest and value such as woodlands, wetlands, watercourses and areas of unspoilt uplands. To protect plant animal species and habitats which have been identified in the Habitats Directive, Birds Directive, Wildlife Act (1976) and the Flora Protection Order 1999, and in particular, to ensure that any programme, plan or project carried out on foot of this development plan, including any variation thereof, with the potential to impact upon a Natura 2000 site(s) shall be subject to an Appropriate Assessment in accordance with Articles 6(3) and 6(4) of the EU Habitats Directive 1992 and "Appropriate Assessment of plans and projects in Ireland – Guidance for Planning Authorities" (DoEHLG 2009).* This objective will ensure compliance of such developments with the provisions of the Habitats Directive.

Objective AS1

Advertising signs will not be permitted except for public service advertising. This is to avoid visual clutter, to protect and preserve the amenity and/or special interest of the area, to ensure traffic safety and where applicable, to preserve the integrity of buildings, particularly those listed for preservation. **Strictly temporary signs may be permitted to advertise permitted development, subject to an assessment of the cumulative impact of signage in the area and having regard to the particular environment of the site.**

This Proposed Amendment does not change the assessment provided in the Appropriate Assessment Screening Report.

2.10 Chapter 12: Water Infrastructure

Objective WW2

To ensure that all foul water generated is collected and discharged after treatment in a safe and sustainable manner, having regard to the standards and requirements set out in EU and national legislation and guidance documents. **The Planning Authority will continue to monitor the cumulative effect of grants of planning permission on available waste water treatment capacity under the terms of the relevant Waste Water Discharge Licence. Where there is inadequate capacity within a Waste Water Treatment Plant to accommodate new development or where the Waste Water Treatment Plant does not meet the terms of the relevant Waste Water Discharge License to the Planning Authority will:**

- (a) Refuse planning permission for the development, or
- (b) Consider granting permission with conditions limiting the commencement of development until facilities are suitably upgraded, so long as this is planned to occur within a reasonable timeframe (not more than 3 years) in accordance with the Local Authority's Water Services Investment Programme

This Proposed Amendment does not change the assessment provided in the Appropriate Assessment Screening Report.

Objective WW3

Permission will be considered for private wastewater treatment plants for single rural houses where:

- The specific ground conditions have been shown to be suitable for the construction of a treatment plant and any associated percolation area;
- The system will not give rise to unacceptable adverse impacts on ground waters / aquifers and the type of treatment proposed has been drawn up in accordance with the appropriate groundwater protection response set out in the Wicklow Groundwater Protection Scheme (2003);
- The proposed method of treatment and disposal complies with the Environmental Protection Agency "Waste Water Treatment Manuals";
- An annually renewed maintenance contract for the system is contracted with a reputable company / person, details of which shall be provided to the Local Authority.
- **In all cases the protection of ground and surface water quality shall remain the overriding priority and proposals must definitively demonstrate that the proposed development will not have an adverse impact on water quality standards and requirements set out in EU and national legislation and guidance documents**

This Proposed Amendment does not change the assessment provided in the Appropriate Assessment Screening Report.

2.11 Chapter 13: Waste and Environmental Emissions

Objectives ED1 and EH1 to be replaced with the following objective:

To require all new buildings during the design process to incorporate sustainable technologies capable of achieving a Building Energy Rating in accordance with the provisions S.I. No. 666 of 2006 European Communities (Energy Performance of Buildings) Regulations 2006.

This Proposed Amendment does not change the assessment provided in the Appropriate Assessment Screening Report.

Section 14.3.2 Electricity - Wind Energy Strategy (Volume 2)

Amend map as shown attached

This Proposed Amendment does not change the assessment provided in the Appropriate Assessment Screening Report.

2.12 Chapter 15: Social and Community Infrastructure, including open space

Objective ED5

To facilitate and promote the development of third level facilities within the County, in particular the further development of the Wicklow County Campus at Clermont, Rathnew **including the development of full time tertiary vocational and academic courses on campus.**

This Proposed Amendment does not change the assessment provided in the Appropriate Assessment Screening Report.

Objective ED8

To promote the continuation and expansion of rural / village primary schools.

Theoretically, development arising through implementation of this objective could potentially give rise to impacts such as habitat loss or fragmentation, disturbance of key species and pollution of watercourses, depending on where development is located. However, it is a strategic goal of the

Wicklow CDP *'to ensure that any programme, plan or project carried out on foot of this development plan, including any variation thereof, with the potential to impact upon a Natura 2000 site(s) shall be subject to an Appropriate Assessment in accordance with Articles 6(3) and 6(4) of the EU Habitats Directive 1992 and "Appropriate Assessment of plans and projects in Ireland – Guidance for Planning Authorities" (DoEHLG 2009).* This objective will ensure compliance of such developments with the provisions of the Habitats Directive.

Objective HC2

To support the establishment of new **or expansion of existing** hospitals, **nursing homes**, centres of medical excellence, hospices, respite care facilities or facilities for those with long term illness.

This Proposed Amendment will not change the assessment provided in the Appropriate Assessment Screening Report.

Objective NH5

To provide for new or extended residential care facilities for the elderly at the following locations:

- a) Ballinahinch Lower, Newtownmountkennedy (as shown on Map 15.01)
- b) Blainroe / Kilpoole Lower (as shown on Map 15.02)
- c) Coolgarrow, Woodenbridge (as shown on Map 15.03)
- d) Killickabawn, Kilpedder (as shown on Map 15.04)

The scale of development allowed for by the proposed amendment and the distance from the designated sites will ensure that impacts through loss or fragmentation of habitats or disturbance of species will not occur. Streams to the south of both the Ballinahinch site and the Killickabawn site flow into the sea at the Murrough candidate Special Area of Conservation and Special Protection Area. This has potential to lead to pollution of water courses during construction activities or discharge of waste water where inadequate treatment facilities exist. The following objectives within the Wicklow CDP will ensure the protection of ground and surface water and ensure the integrity of the Natura 2000 network will not be adversely impacted:

- WW2 To ensure that all foul water generated is collected and discharged after treatment in a safe and sustainable manner.
- WS2 To protect existing and potential water resources of the County, in accordance with the EU Water Framework Directive, the River Basin Management Plan and the Groundwater Protection Scheme
- SW2 Ensure the implementation of Sustainable Urban Drainage Systems (SUDS) and in particular, to ensure that all surface water generated in a new development is disposed of on-site or is attenuated and treated prior to discharge to an approved surface water system
- WT1 To implement the EU Water Framework Directive to ensure the protection, improvement and sustainable use of all waters in the County, including rivers, lakes, ground water, coastal and estuarine waters, and to restrict development likely to lead to a deterioration in water quality.
- WT3 To prevent development that would pollute water bodies and in particular, to regulate the installation of effluent disposal systems in the vicinity of water bodies that provide drinking water
- WT4 To minimise alterations or interference with river / stream beds, banks and channels, except for reasons of overriding public health and safety (e.g. to reduce risk of flooding); a buffer of 10m along watercourses should be provided free of built development, with riparian vegetation generally being retained in as natural a state as possible. and In all cases where works are being carried out, to have regard to Regional Fisheries Board *"Requirements for the protection of fisheries habitat during the construction and development works at river sites"*

In addition, it is a strategic policy (Goal 9) of the Wicklow CDP *to ensure that any programme, plan or project carried out on foot of this development plan, including any variation thereof, with the potential to impact upon a Natura 2000 site(s) shall be subject to an Appropriate Assessment*

in accordance with Articles 6(3) and 6(4) of the EU Habitats Directive 1992 and "Appropriate Assessment of plans and projects in Ireland – Guidance for Planning Authorities" (DoEHLG 2009). This objective will ensure that any development arising through the implementation of this objective will be subject to compliance with the Habitats Directive.

Objective SR6

SR6 To provide for GAA sports complex and mixed use development of lands at Tinode, Manor Kilbride, (as shown on Map 15.05)

The scale of development allowed for by the proposed amendment and the distance from any site within the Natura 2000 network will ensure that adverse effects through loss or fragmentation of habitats or disturbance of species will not occur. The river that flows through the proposed development lands at Tinode, Manor Kilbride flows on to Poulaphouca Reservoir Special Protection Area. This has potential to lead to pollution of water courses during construction activities or discharge of waste water where inadequate treatment facilities exist. The following objectives within the Wicklow CDP will ensure the protection of ground and surface water prevent the occurrence of adverse effects on the integrity of the Natura sites:

- WW2 To ensure that all foul water generated is collected and discharged after treatment in a safe and sustainable manner.
- WS2 To protect existing and potential water resources of the County, in accordance with the EU Water Framework Directive, the River Basin Management Plan and the Groundwater Protection Scheme
- SW2 Ensure the implementation of Sustainable Urban Drainage Systems (SUDS) and in particular, to ensure that all surface water generated in a new development is disposed of on-site or is attenuated and treated prior to discharge to an approved surface water system
- WT1 To implement the EU Water Framework Directive to ensure the protection, improvement and sustainable use of all waters in the County, including rivers, lakes, ground water, coastal and estuarine waters, and to restrict development likely to lead to a deterioration in water quality.
- WT3 To prevent development that would pollute water bodies and in particular, to regulate the installation of effluent disposal systems in the vicinity of water bodies that provide drinking water
- WT4 To minimise alterations or interference with river / stream beds, banks and channels, except for reasons of overriding public health and safety (e.g. to reduce risk of flooding); a buffer of 10m along watercourses should be provided free of built development, with riparian vegetation generally being retained in as natural a state as possible. and In all cases where works are being carried out, to have regard to Regional Fisheries Board "*Requirements for the protection of fisheries habitat during the construction and development works at river sites*"

In addition, it is a strategic policy (Goal 9) of the Wicklow CDP *to ensure that any programme, plan or project carried out on foot of this development plan, including any variation thereof, with the potential to impact upon a Natura 2000 site(s) shall be subject to an Appropriate Assessment in accordance with Articles 6(3) and 6(4) of the EU Habitats Directive 1992 and "Appropriate Assessment of plans and projects in Ireland – Guidance for Planning Authorities" (DoEHLG 2009).* This objective will ensure that any development arising through the implementation of this objective will be subject to compliance with the Habitats Directive.

Objective OS5

All passive and active open spaces shall be provided with environmentally friendly lighting in order to ensure their safe usage after day light hours.

Installation of lighting in all open spaces would be likely to lead to adverse effects on bat species, which are protected under Annex IV of the Habitats Directive. Inclusion of this objective would trigger the need for Stage Two Appropriate Assessment of the Plan. It is recommended that this amendment be either omitted or else modified to a wording such as: The provision of lighting for all passive and active open spaces in compliance with: Articles 6(3) and 6(4) of the EU Habitats

Directive 1992; *Appropriate Assessment of plans and projects in Ireland – Guidance for Planning Authorities* (DoEHLG 2009) and the Policies set out in Chapter 15 of this Plan shall be examined.

2.13 Chapter 16: Built Heritage

Objective AR5

That Wicklow recognise the important of Hillforts in south west Wicklow and that the Council request central Government to conduct a detailed study of their importance

This Proposed Amendment will not result in any adverse effects on the integrity of the Natura 2000 network.

Objective AR6

To promote and campaign for the designation of the Glendalough Monastic Settlement as a UNESCO World Heritage Site

This Proposed Amendment will not result in any adverse effects on the integrity of the Natura 2000 network.

Remove the following buildings from the proposed additions to the record of protected structures:

- Thatched cottage, Delgany
- Foresters' hall, Aughrim
- Oldcourt Lower, Talbotstown
- Muckduff Lower
- Trooperstown
- La Touche Hotel Remove from RPS

This Proposed Amendment will not result in any adverse effects on the integrity of the Natura 2000 network.

2.14 Chapter 17: Natural Environment

Objective BD3

To maintain the favourable conservation status value of existing and future Natura 2000 sites (SACs and SPAs) and Annex I - *Habitats* and Annex II – *Animal and Plant species* in the County

This Proposed Amendment will provide further clarity with regard to the requirements of the Habitats Directive and will contribute towards the protection of the Natura 2000 network and Annexed Habitats and Species.

Objective BD4

Any programme, plan or project carried out on foot of this development plan, including an variation thereof, with the potential to impact upon a Natura 2000 site(s) shall be subject to an Appropriate Assessment in accordance with Articles 6(3) and 6(4) of the EU Habitats Directive 1992 and "*Appropriate Assessment of plans and projects in Ireland – Guidance for Planning Authorities*" (DoEHLG 2009).

This Proposed Amendment will provide further clarity with regard to the requirements of the Habitats Directive and it will contribute towards the protection of the Natura 2000 network.

Objective BD9

The National Parks and Wildlife Service will be invited to prioritise the preparation of Management Plans for Natura 2000 Sites ~~which are located within the County~~. This will facilitate the ~~identification of Conservation Objectives for use in screening and scoping that would be necessary for any Appropriate Assessment that might be required for plans and projects within the County~~. development of site specific

Conservation Objectives in the context of the proper planning and sustainable development of the County.

This Proposed Amendment will provide further clarity with regard to the requirements of the Habitats Directive and will contribute towards the protection of the Natura 2000 network.

Objective WH6

To encourage the retention, wherever possible, of hedgerows and other distinctive boundary treatment in the County. Where removal of a hedgerow, stone wall or other distinctive boundary treatment is unavoidable, provision of the same type of boundary will be required of similar length and set back within the site **in advance of the commencement of construction works on the site.**

This Proposed Amendment does not change the assessment provided in the Appropriate Assessment Screening Report.

Objective WT1

To implement the EU Water Framework Directive **and associated River Basin and Sub-Basin Management Plans and the EU Groundwater Directive** to ensure the protection, improvement and sustainable use of all waters in the County, including rivers, lakes, ground water, coastal and estuarine waters, and to restrict development likely to lead to a deterioration in water quality.

This Proposed Amendment will not change the assessment provided in the Appropriate Assessment Screening Report.

Objective WT4

To minimise alterations or interference with river / stream beds, banks and channels, except for reasons of overriding public health and safety (e.g. to reduce risk of flooding); **a buffer of 10m along watercourses should be provided free of built development, with riparian vegetation generally being retained in as natural a state as possible.** ~~and~~ In all cases where works are being carried out, to have regard to Regional Fisheries Board "Requirements for the protection of fisheries habitat during the construction and development works at river sites"

This Proposed Amendment will not change the assessment provided in the Appropriate Assessment Screening Report.

Objective WT5

To promote the development of riverine walks and parks, subject to the sensitivity and / or designation of the riverside habitat, **particularly within 10m of the watercourse.**

This Proposed Amendment will not change the assessment provided in the Appropriate Assessment Screening Report.

Objective WT6

To ensure that any development or activity with the potential to impact on ground water has regard to the GSI Groundwater Protection Scheme (as shown on Map 17.12, Volume 2)
New map to be included in Volume 2

This Proposed Amendment will not result in any adverse effects on the integrity of the Natura 2000 network.

Objective SL1

Geological and soil mapping where available shall be utilised to inform planning decisions relating to settlement, excavation, flooding, food production value and carbon sequestration, to identify prime agricultural lands (for food production), degraded/contaminated lands (which may have implications for water quality, health, fauna), lands with unstable soils / geology or at risk of landslides, and those which are essential for habitat protection, or have geological significance.

This Proposed Amendment will not result in any adverse effects on the integrity of the Natura 2000 network.

Objective GY3

To facilitate public access to "Sites of Geological Importance" on the principle of 'agreed access', subject to appropriate measures being put in place to ensure public health and safety.

This Proposed Amendment does not change the assessment provided in the Appropriate Assessment Screening Report.

Objective GI1

To recognise the importance and contribution of green infrastructure throughout the region for the maintenance of biodiversity and ensuring that the region will be able to, or be ecologically robust enough to, adapt and respond to climate change issues.

This Proposed Amendment will not result in any adverse effects on the integrity of the Natura 2000 network.

Objective GI2

To apply the principles of green infrastructure to inform the land use planning and development management process in terms of the location, design and layout of new development areas.

This Proposed Amendment will not result in any adverse effects on the integrity of the Natura 2000 network.

Objective GCZ3

To protect both public and private investment by prohibiting any new building or development (including caravans and temporary dwellings) within 100m of 'soft shorelines' i.e. shorelines that are prone to erosion.

This Proposed Amendment does not change the assessment provided in the Appropriate Assessment Screening Report.

2.15 Add new Chapter 19: Implementation and Monitoring

This Proposed Amendment will not result in any adverse effects on the integrity of the Natura 2000 network.

2.16 Volume 2

Map 17.09 (Landscape Characterisation)

Amend the 'urban zone' around Arklow to be consistent with the adopted boundary of the draft Arklow Town & Environs Plan 2011.

This Proposed Amendment will not result in any adverse effects on the integrity of the Natura 2000 network.

Map 17.08 (Special Amenity Area Orders)

Remove 'Dargle Glen' as an area to be considered for possible future SAAO

This Proposed Amendment will not change the assessment provided in the Appropriate Assessment Screening Report

Wind Strategy

Amend page 6 of Wind Energy Strategy as follows:

Land Cover issues

Certain locations may not be suitable for wind farm development due to existing land cover or land uses. An obvious example would be the unsuitability of lands in town or village centres. The land cover / use types taken as being unsuitable for the purpose of this study are:

- bog lands, due to the danger of land slides
- lands within 600m of the historic core of a settlement or a residential zone within a settlement; ~~in and within 1,500m of settlements~~
- lands within 100m of the N11 / N81, in order to avoid driver distraction
- lands within 1km of licensed airfields
- lands within 100m of high voltage cables

This Proposed Amendment will not change the assessment provided in the Appropriate Assessment Screening Report.

2.17 Volume 3

2.17.1 Proposed Amendments to Zoning in Town Plans

Carnew Town Plan

1. Extend town boundary by 0.4296ha
2. Zone extended area R1 – Proposed Residential

Newcastle Town Plan

- (a): Within existing plan boundary
 - i. Change of zoning of 0.4326ha RE to CE immediately south of primary school
 - ii. Change 0.2252ha of AGR / GB to RE (Existing Residential)
- (b): Extend town boundary into AGR / GB zone by 3.25ha (2.08ha + 1.171ha)
- (c): Zone extended area RE (Existing Residential)

Roundwood Town Plan

- (a): Extend town boundary by 1.023ha
- (b): Zone extend area RE (Existing Residential)

Shillelagh Town Plan

- Change zoning of part AOS / part CE / part AG to all CE1 (total area in new CE1 zone to be 9.165ha, existing CE zone is 8.02ha)
- Extend town boundary by 0.814ha
- Zone extended area RE (Existing Residential)

Tinahely Town Plan

- (a): Extend town boundary by 1.49ha
- (b): Zone extended area R1 LD (New Residential – Low Density)

It is noted that:

- A river flows to the south of the Newcastle Town Plan area and then onto the Murrough candidate Special Area of Conservation and Special Protection Area;
- A stream to the north of Roundwood flows to meet with the Avonbeg River which is designated as part of the Wicklow Mountains candidate Special Area of Conservation;
- The Slaney River Valley candidate Special Area of Conservation flows through Shillelagh; and
- The Slaney River Valley candidate Special Area of Conservation is located approximately 500m away from Tinahely.

The proposed amendments to zoning in the town plans will not result in the loss or fragmentation of habitats within the Natura 2000 network. The small scale of development allowed for by the proposed amendments and the distance from the designated sites will ensure that adverse effects on the integrity of the Natura 2000 network through loss or fragmentation of habitats or disturbance of

species will not occur. As outlined above, there are hydrological links between some of the areas subject to development under the proposed variations and sites within the Natura 2000 network. This has potential to lead to pollution of water courses during construction activities or discharge of waste water where inadequate treatment facilities exist. The following objectives within the Wicklow CDP will ensure the protection of ground and surface water and prevent the occurrence of adverse effects on the integrity of the Natura sites: :

- WW2 To ensure that all foul water generated is collected and discharged after treatment in a safe and sustainable manner.
- WS2 To protect existing and potential water resources of the County, in accordance with the EU Water Framework Directive, the River Basin Management Plan and the Groundwater Protection Scheme
- SW2 Ensure the implementation of Sustainable Urban Drainage Systems (SUDS) and in particular, to ensure that all surface water generated in a new development is disposed of on-site or is attenuated and treated prior to discharge to an approved surface water system
- WT1 To implement the EU Water Framework Directive to ensure the protection, improvement and sustainable use of all waters in the County, including rivers, lakes, ground water, coastal and estuarine waters, and to restrict development likely to lead to a deterioration in water quality.
- WT3 To prevent development that would pollute water bodies and in particular, to regulate the installation of effluent disposal systems in the vicinity of water bodies that provide drinking water
- WT4 To minimise alterations or interference with river / stream beds, banks and channels, except for reasons of overriding public health and safety (e.g. to reduce risk of flooding); a buffer of 10m along watercourses should be provided free of built development, with riparian vegetation generality being retained in as natural a state as possible. and In all cases where works are being carried out, to have regard to Regional Fisheries Board "*Requirements for the protection of fisheries habitat during the construction and development works at river sites*"

In addition, it is a strategic policy (Goal 9) of the Wicklow CDP *to ensure that any programme, plan or project carried out on foot of this development plan, including any variation thereof, with the potential to impact upon a Natura 2000 site(s) shall be subject to an Appropriate Assessment in accordance with Articles 6(3) and 6(4) of the EU Habitats Directive 1992 and "Appropriate Assessment of plans and projects in Ireland – Guidance for Planning Authorities" (DoEHLG 2009).* This objective will ensure that any development arising through the implementation of this objective will be subject to compliance with the Habitats Directive.

2.17.2 Proposed Amendments to Text in Town Plans

Shillelagh Town Plan

CE1 Community / Social / Voluntary Housing

Objective:

To facilitate and provide for Community / Social / Voluntary Facilities, including housing by an approved housing body up to a maximum of 50 units, of various sizes, suitable for a wide variety of household types

Vision: To allow for the provision of low density, mixed use community, social and voluntary project which includes social / voluntary housing and care / recreational facilities for residents, in a structured manner by a suitable housing body.

Uses permissible: Social / voluntary housing, residential institution, community facilities, care facilities, open space.

This Proposed Amendment will not result in any adverse effects on the integrity of the Natura 2000 network.

Roundwood Town Plan

Objectives

In the RE zone, house improvements, alterations and extensions and appropriate infill / new residential development in accordance with principles of good design, protection of existing residential amenity and consistency with the prevailing pattern and density of development in the vicinity will be permitted. While new developments shall have regard to the protection of the residential and architectural amenities of houses / buildings in the immediate environs, alternative and contemporary designs shall be encouraged (including alternative materials, heights and building forms), to provide for visual diversity.

This Proposed Amendment will not result in any adverse effects on the integrity of the Natura 2000 network.

Newcastle Town Plan

Objectives

In the RE zone, house improvements, alterations and extensions and appropriate infill / new residential development in accordance with principles of good design, protection of existing residential amenity and consistency with the prevailing pattern and density of development in the vicinity will be permitted. While new developments shall have regard to the protection of the residential and architectural amenities of houses / buildings in the immediate environs, alternative and contemporary designs shall be encouraged (including alternative materials, heights and building forms), to provide for visual diversity.

This Proposed Amendment will not result in any adverse effects on the integrity of the Natura 2000 network.