

**DIRECTION IN THE MATTER OF SECTION 31**  
**OF THE PLANNING AND DEVELOPMENT ACT 2000 (as amended)**  
**Variation No. 2 to the Wicklow County Development Plan 2022-2028**

“Variation” means Variation No. 2 to the Wicklow County Development Plan 2022-2028 (as made).

“Development Plan” means the Wicklow County Development Plan 2022-2028.

“Planning Authority” means Wicklow County Council.

“RSES” means the Regional Spatial and Economic Strategy for the Eastern and Midland Region.

“NPF” means the National Planning Framework First Revision (2025).

The Minister of State at the Department of Housing, Local Government and Heritage in exercise of the powers conferred on him by section 31 of the Planning and Development Act 2000 (No.30 of 2000) (“the Act”) and the Housing, Local Government and Heritage (Delegation of Ministerial Functions) Order 2025 (S.I. No. 364 of 2025), and consequent to a recommendation made to him by the Office of the Planning Regulator under section 31AN(4) of the Act, hereby directs as follows:

- (1) This Direction may be cited as the Planning and Development (Variation No. 2 to the Wicklow County Development Plan 2022-2028) Direction 2025.
- (2) The Planning Authority is hereby directed to take the following steps with regard to the Variation:
  - (a) Delete the following Material Alterations from the adopted Variation (*noting for the avoidance of doubt that the Material Alterations cited below are identified in Map 1b, as Proposed Material Alteration No. 2 to the Variation*):
    - (i) **MA 20B,**
    - (ii) **MA 38,**
    - (iii) **MA 41, and;**
  - (b) in the cases of MA 20B and MA 38, apply the ‘Changes Consequent’ (applicable to the Variation) recommended by the Wicklow County Council Chief Executive

at pages 42 and 43 of the section 31(8) report on the draft Direction *i.e.* the subject lands are each zoned Natural Areas (OS2), and;

- (c) in the case of MA 41, apply the "Chief Executive's recommendation" as recommended by the Wicklow County Council Chief Executive at page 44 of the section 31(8) report on the draft Direction *i.e.* the subject land is zoned Natural Areas (OS2).

## **STATEMENT OF REASONS**

- I. The Variation includes material alterations to the draft Variation to change the zoning of the land to New Residential – Priority 1 (RN1) (MA 38), and to Employment (E) (MA 41) located in Flood Zone A and B where the Planning System and Flood Risk Management Guidelines for Planning Authorities (2009) ("Flood Guidelines"), issued under section 28 of the Act, indicate that such uses are not appropriate unless a Justification Test is passed. The material alterations to the draft Variation are therefore inconsistent with NPO 78 of the NPF and RPO 7.12 of the RSES which seek to avoid inappropriate development in areas at risk of flooding, in accordance with the Flood Guidelines.
- II. The Variation includes material alterations to the draft Variation to zone land for development in areas of environmental and biodiversity sensitivity (MA 20B, MA 38 and MA 41, including land within the riparian buffer of a watercourse (MA 38 and MA 41), and adjacent to The Murrough SPA and The Murrough Wetlands SAC and the coastal resource at Broad Lough (MA 41).

Furthermore, a complete, precise and definitive finding and conclusion has not been reached that there would be no risk of adverse effects on the integrity of The Murrough SPA and The Murrough Wetlands SAC, and reasonable scientific doubt remains as to the adverse effects of development facilitated under the Employment (E) zoning objective on the European sites in question (MA 41).

The material alterations are therefore inconsistent with NPO 52, NPO 85, and NPO 87 of the NPF and RPO 7.16 of the RSES.

- III. The Variation has not been made in a manner consistent with, and has failed to implement, recommendations of the Office of the Planning Regulator made under section 31AM of the Act.
- IV. The Minister is of the opinion that the Variation is not consistent with the abovementioned objectives of the NPF and the RSES, and fails to set out an overall strategy for the proper planning and sustainable development of the area.
- V. The Variation is not in compliance with the requirements of the Act.

GIVEN under my hand,

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

John Cummins TD  
Minister of State for Local Government and Planning

7<sup>th</sup> October 2025